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OF THE

THIRD SESSION

OF THE

SIXTY-FIFTH CONGRESS

OF

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PROCEEDINGS AND DEBATES OF THE SIXTY-FIFTH CONGRESS
THIRD SESSION.

SENATE.

MONDAY, *January 27, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, our daily task begins with thoughts of Thee. Our hearts arise to Thy throne as we face the dread responsibilities of this hour. We ask the divine guidance in every disposition of our hearts and every faculty of our minds, that our whole spirit may be given up to God to work out His divine plan in us as a Nation. Thou hast dealt with us more wonderfully than Thou has dealt with any other people. Thou hast laid upon us an immeasurable debt of gratitude to Thee for Thy kindness and for all Thy goodness. Help us to respond with truthful, glad, and willing hearts to Thine own call for service. We ask for Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Monday, January 20, 1919, when, on request of Mr. KING and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

COUNCIL OF NATIONAL DEFENSE (S. DOC. NO. 347).

The VICE PRESIDENT laid before the Senate a communication from the Council of National Defense transmitting, in response to a resolution of December 15, 1918, a report of all money received and disbursed, together with liabilities and available balances up to December 31, 1918, which, with the accompanying papers, was ordered to lie on the table and be printed.

WAR TRADE BOARD (S. DOC. NO. 346).

The VICE PRESIDENT laid before the Senate a communication from the vice chairman of the War Trade Board transmitting, in response to a resolution of December 15, 1918, a report of all money received and disbursed, together with liabilities and available balances up to and including December 31, 1918, which, with the accompanying paper, was ordered to lie on the table and be printed.

WITHDRAWAL OF PUBLIC LANDS (S. DOC. NO. 1703).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior transmitting, pursuant to law, a report showing all withdrawals of public lands from December 1, 1917, to November 30, 1918, which, with the accompanying paper, was referred to the Committee on Public Lands and ordered to be printed.

EMPLOYEES OF WAR DEPARTMENT (S. DOC. NO. 348).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 18th instant, a report relative to applications for reinstatement of certain civil-service employees of the War Department after discharge from the military service, which was referred to the Committee on Military Affairs and ordered to be printed.

GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate communications from the Acting Secretary of State (S. Doc. No. 359), the Secretary of War (S. Doc. No. 356), the Secretary of Agriculture (S. Doc. No. 351), the Secretary of the Treasury (S. Doc. No. 352), the Secretary of Labor (S. Doc. No. 355), the Secretary of the Interior (S. Doc. No. 358), the Postmaster General (S. Doc. No. 353), the Acting United States Food Administrator (S. Doc. No. 354), the United States Fuel Administrator (S. Doc. No. 357), and the Chairman of the War Trade Board (S. Doc. No. 349), transmitting, in response to a resolution of December 23, 1918, a list showing the number of employees in their respective departments on January 15, 1919, and the number discharged during the previous two weeks, which were ordered to lie on the table and be printed.

REPORT OF COMPTROLLER OF THE CURRENCY.

The VICE PRESIDENT laid before the Senate the annual report of the Comptroller of the Currency for the year 1918, which was referred to the Committee on Banking and Currency.

GEORGETOWN BARGE, DOCK, ELEVATOR & RAILROAD CO.

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator & Railroad Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the Legislatures of the States of Wisconsin, Arkansas, Florida, North Carolina, Oregon, Mississippi, Indiana, Oklahoma, New Hampshire, Illinois, Idaho, Minnesota, Wyoming, Washington, Colorado, Nebraska, and West Virginia, ratifying the proposed prohibition amendment to the Constitution of the United States, which will be placed on the files of the Senate.

WOMAN SUFFRAGE.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the States of California, Washington, Nebraska, Oregon, Kansas, and Utah, petitioning Congress to pass the woman suffrage amendment. The resolutions will lie on the table and be printed in the RECORD.

The resolutions are as follows:

UNITED STATES OF AMERICA, STATE OF WASHINGTON,
DEPARTMENT OF STATE.

To all to whom these presents shall come:

I, I. M. Howell, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 1 with the original copy of said senate joint memorial No. 1, now on file in this office, and find the same to be a full, true, and correct copy of said original, and of the whole thereof, together with all official indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at the capital, at Olympia, this 15th day of January, A. D. 1919.

[SEAL.]

I. M. HOWELL,
Secretary of State.
By J. GRANT HINKLE.
Assistant Secretary of State.

Senate joint memorial 1.

To the PRESIDENT AND THE CONGRESS OF THE UNITED STATES:

We, the Senate and the House of Representatives of the State of Washington, memorialize your honorable body to submit to the States for ratification the amendment now pending granting to the women of the United States the elective franchise.

Passed the senate January 13, 1919.

LOUIS F. HART, *President.*

Passed the house January 13, 1919.

FRED A. ADAMS, *Speaker.*

—

STATE OF KANSAS,
DEPARTMENT OF STATE,

To all to whom these presents shall come, greeting:

I, L. J. Pettijohn, secretary of state of the State of Kansas, do hereby certify that the following and hereto attached is a true copy of house concurrent resolution 4, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed my official seal.

Done at the city of Topeka, this 22d day of January, A. D. 1919.

[SEAL.]

L. J. PETTIJOHN,
Secretary of State.

House concurrent resolution 4.

Whereas there is now pending in the Senate of the United States a constitutional amendment providing for national woman suffrage; and

Whereas it is an acknowledged fact that the enfranchisement of the women of Kansas has worked satisfactorily and tended toward better government in this State; and

Whereas equality and justice to all people for which the nations of the world have been struggling and for which the great war has been waged, requires the granting of suffrage to American women who equally with the men of this country have borne the burdens of the war and have loyally and ungrudgingly given their sons and their personal services that liberty might live and the world be made free to the end that our own Government might not perish: Therefore

Resolved by the Senate and House of Representatives of the State of Kansas, That the Senate of the United States is most earnestly requested to without delay pass the Federal amendment giving the women of the United States full suffrage.

I hereby certify that the above concurrent resolution originated in the house, and passed that body January 15, 1919.

W. P. LAMBERTSON,
Speaker of the House.
CLARENCE W. MILLER,
Chief Clerk of the House.

Passed the senate January 20, 1919.

CHAS. S. HUFFMAN,
President of the Senate.
EMMET D. GEORGE,
Secretary of the Senate.

Approved January 22, 1919.

HENRY J. ALLEN,
Governor.

—

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of a memorial to the Congress of the United States, petitioning the Government to pass the Federal suffrage amendment. Adopted by the Legislature of the State of Utah, as appears on file in my office.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State of Utah this 18th day of January, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.

Senate memorial 1.

A memorial to the Congress of the United States, petitioning the Government to pass the Federal suffrage amendment.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and Legislature of the State of Utah, respectfully represent that:

Whereas the Federal amendment to grant the right of suffrage to women equally with men has been before the Congress of the United States for more than 40 years; and

Whereas the women of the nonsuffrage States feel that the time is come when the Congress should give favorable consideration to this measure of justice to one-half the citizens of these United States.

Now, therefore, the governor and the Legislature of the State of Utah respectfully petition that the said suffrage amendment receive immediate and favorable consideration before the Sixty-fifth session of Congress adjourns.

The foregoing senate memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

J. W. FUNK,
President of the Senate.

Attest:

ADAM L. PETERSON,
Secretary of Senate.

The foregoing senate memorial was publicly read by title and immediately thereafter signed by the speaker of the house in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

CHARLES C. RICHARDS,
Speaker of the House.

Attest:

HUGO B. ANDERSON,
Chief Clerk of House.

Received from the senate this 17th day of January, 1919. Approved January 18, 1919.

SIMON BAMBERGER, *Governor.*

Received from the governor and filed in the office of the secretary of state this 18th day of January, 1919.

HARDEN BENNION,
Secretary of State.

—

Senate joint memorial 1.

To the honorable Senate of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon respectfully represent that—

Whereas a measure providing for the submission of a constitutional amendment granting equal suffrage is now pending before the Senate of the United States; and

Whereas equal suffrage was adopted in Oregon in November, 1912, and has during its six years of operation proved a complete success in every particular: Therefore be it

Resolved by the Senate of Oregon (the House of Representatives concurring), That we do heartily indorse equal suffrage and pronounce it an unqualified benefit and success, and we do respectfully request and petition the United States Senate to take favorable and immediate action on the measure now pending before it providing for the submission to the several States of a constitutional amendment granting equal suffrage throughout the United States, and we do urgently petition the members of the Oregon delegation to use their best efforts toward securing the adoption thereof; be it further

Resolved, That a copy of this resolution be transmitted by the chief clerk of the Oregon Senate to the President and Vice President of the United States and to each Senator and Representative from Oregon in the United States Congress.

Adopted by the house January 14, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 14, 1919.

W. J. VINTON,
President of the Senate.

—

Senate file 4.

A joint and concurrent resolution relating to the woman suffrage Federal amendment now pending in the United States Senate.

Be it resolved by the Senate of the State of Nebraska (the House of Representatives concurring)—

SECTION 1. That the Senate and the House of Representatives of the State of Nebraska hereby memorialize the Senate of the United States without delay to pass and submit to the States for approval or rejection the pending woman suffrage Federal amendment.

SEC. 2. That the Senate and the House of Representatives of the State of Nebraska hereby request Senator GILBERT M. HITCHCOCK, of Nebraska, to vote in favor of the submission to the State of said woman suffrage Federal amendment.

SEC. 3. That copies of this resolution shall be sent by the secretary of state to the Presiding Officer of the Senate of the United States and to Senator GILBERT M. HITCHCOCK, of Nebraska.

P. A. BARROWS,
President of the Senate.

Attest:

CLYDE H. BARNARD,
Secretary of the Senate.
DWIGHT S. DALBEY,
Speaker of the House.

Attest:

WILL S. HITCHCOCK,
Chief Clerk of the House.

Approved January 17, 1919, 11.15 o'clock a. m.

SAMUEL R. MCKELVIE,
Governor.

STATE OF NEBRASKA, *ss:*

This is to certify that the within bill, senate file No. 4, originated in the senate and passed the legislature at the thirty-seventh session on the 17th day of January, 1919.

CLYDE H. BARNARD,
Secretary of the Senate.

STATE OF NEBRASKA, *ss:*

I hereby certify that the above and foregoing joint and concurrent resolution, senate file No. 4, is a correct copy of the same now on file in my office.

D. M. AMSBERRY,
Secretary of State.

—

SACRAMENTO, CAL., *January 26, 1919.*

Hon. THOMAS R. MARSHALL,
President of the United States Senate,
Washington, D. C.

DEAR SIR: I am instructed to wire you the following resolution enrolled by the Senate of the State of California on January 24, 1919:

Whereas the Legislature of the State of California, by joint resolution at its last session, urged upon the Congress of the United States the passage of the amendment to the National Constitution known as the Federal suffrage amendment as a matter of justice to the women of our Nation who have labored and sacrificed side by side with the men in the world struggle for liberty and democracy; and

Whereas said Federal suffrage amendment has been passed by the House of Representatives and now awaits the action of the Senate: Be it therefore

Resolved, That profoundly appreciative of the dignity and ability with which the women of this State have used their right to the ballot and so more than ever cognizant that sex discrimination in the granting of the franchise has no place in modern civilization, and realizing as never before how entirely the welfare of our Nation depends upon the material, moral, and spiritual activities of its men and women alike, the Legislature of the State of California urges upon the Senate of the United States at once to pass the Federal suffrage amendment that it may be submitted to the legislatures of the various States, to the end that before the next presidential election the Nation's women may enter upon the rights and duties of the franchise on the same basis as its men.

JOSEPH A. BEEK,
Secretary of the Senate, State of California.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills:

S. 3384. An act to amend the public-building act, approved March 4, 1913; and

S. 5318. An act granting a pension to Edith Carow Roosevelt.

The message also announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 14746. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920;

H. R. 14894. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14945. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The message also communicated to the Senate the intelligence of the death of Hon. EDWARD EVERETT ROBBINS, late a Representative from the State of Pennsylvania, and transmitted resolutions of the House thereon.

The message further transmitted to the Senate resolutions on the life, character, and public services of Hon. JAMES H. BRADY, late a Senator from the State of Idaho.

The message also transmitted to the Senate resolutions on the life, character, and public services of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 41. An act to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes;

S. 2552. An act to provide for a leave of absence for homestead entrymen in one or two periods, and for longer times; and

H. R. 12881. An act to increase the cost of the public building at Eldorado, Kans.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a telegram embodying a resolution adopted by the Legislature of the State of Washington, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

OLYMPIA, WASH., *January 23, 1919.*

SECRETARY OF THE SENATE,
Washington, D. C.:

The following resolution was adopted by the Legislature of the State of Washington, Victor Zednick, secretary:

"Senate joint resolution No. 3, relating to compensation of discharged soldiers and sailors.

"Whereas the members of the Legislature of the State of Washington feel that this Nation owes to its soldiers and sailors of the late war an everlasting debt of gratitude which financial aid can never repay; but

"Whereas they believe that there is justly due to these men who have made such noble sacrifices a greater measure of financial aid than provided for by existing laws: Now, therefore, be it

"Resolved by the Senate and House of Representatives of the State of Washington in legislative session assembled, That we do earnestly request the Congress of the United States to enact appropriate legislation granting to each honorably discharged soldier and sailor all his uniform and clothing issued by the United States and expense of returning to his home and a bonus of $300, and that your honorable body enact suitable legislation providing appropriate governmental agencies through which soldiers and sailors may secure employment; be it further

"Resolved, That a copy of this resolution be telegraphed to the Congress of the United States."

"Passed the senate January 20, 1919.

"LOUIS F. HART, *President.*

"Passed the house January 21, 1919.

"FRED A. ADAMS, *Speaker.*"

The VICE PRESIDENT laid before the Senate resolutions adopted by the Legislature of the State of Oregon, which were referred to the Committee on Mines and Mining and ordered to be printed in the RECORD:

Senate joint memorial No. 3.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that:

Whereas the Government of the United States required war equipment and supplies which could not be produced without chromite; and

Whereas the urgent need for ships for military purposes cut off the supplies from abroad, upon which this country previously had depended; and

Whereas the Government, through its departments and war boards at Washington, advertised this great need for chromite by issuing circulars, bulletins, and letters urging the people to search for, to mine, and to deliver chromite ore; and

Whereas a large number of Oregon miners, most of whom are men of small means, responded freely to these Government advertisements by building roads and trails, making open cuts, and otherwise developing chrome mines and preparing to furnish this mineral to the Government, and who will be financially ruined unless relief comes immediately; and

Whereas there is now pending in the Congress of the United States a bill entitled "A bill to supplement an act of Congress approved October 5, 1918 (Public, No. 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, to adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act": Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House concurring), That the Legislative Assembly of the State of Oregon favor the enactment by Congress of Senate bill 5234, and to that end the Senators and Representatives in Congress of the United States from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the chief clerk of the Senate of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the house January 20, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 16, 1919.

W. J. VINTON,
President of the Senate.

The VICE PRESIDENT laid before the Senate a joint memorial of the Legislature of the State of Washington, which was referred to the Committee on Interoceanic Canals and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, STATE OF WASHINGTON,
DEPARTMENT OF STATE.

To all to whom these presents shall come:

I, I. M. Howell, secretary of state of the State of Washington and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 2 with the original copy of said senate joint memorial No. 2, now on file in this office, and find the same to be a full, true, and correct copy of said original, and of the whole thereof, together with all official indorsements thereon.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Washington. Done at the capitol at Olympia this 15th day of January, A. D. 1919.

[SEAL.]

I. M. HOWELL,
Secretary of State.
By J. GRANT HINKLE,
Assistant Secretary of State.

Senate joint memorial 2.

To the PRESIDENT AND CONGRESS OF THE UNITED STATES:

Whereas the Nation has recently lost its foremost statesman and the world one of its greatest men.

Therefore for the purpose of perpetuating his name and memory we, the Senate and House of Representatives of the State of Washington, memorialize the Congress of the United States and request that the name of the "Panama Canal" be changed to "Roosevelt Canal."

Passed the senate January 13, 1919. LOUIS F. HART, *President.*

Passed the house January 13, 1919. FRED A. ADAMS, *Speaker.*

Mr. FLETCHER. I submit for printing in the RECORD a communication from the secretary of state of the State of Florida, transmitting resolutions adopted by the legislature of that State. The resolutions are as follows:

House concurrent resolution 9.

A concurrent resolution memorializing the Congress of the United States, inviting attention to the propriety of the improvement by the Federal Government of the St. Lucie Canal, Lake Okeechobee, Caloosahatchee Canal and River, comprising a waterway across Florida from the Atlantic to the Gulf for navigation purposes.

Whereas the United States by act of Congress September 28, 1850, granted to the State of Florida certain swamp and overflowed lands for the purpose of their drainage and reclamation; and

Whereas among the lands so granted under the act aforesaid are the Everglades of Florida and certain contiguous territory which has by legislative enactment of the State of Florida been created and incorporated into the Everglades drainage district for the purpose of constructing canals, ditches, drains, controlling works, levees, and other works of drainage and reclamation within said Everglades drainage district; and

Whereas a part of such drainage works comprises the St. Lucie Canal, with its controlling works, and the Caloosahatchee Canal, with its controlling works, the first connecting Lake Okeechobee and the Atlantic Ocean and the second connecting Lake Okeechobee via Caloosahatchee River with the Gulf of Mexico, providing a continuous water route from the Atlantic Ocean to the Gulf of Mexico; and

Whereas by reason of the dimensions of the canal for drainage purposes there is incident a valuable navigation feature when properly harmonized, which said feature of navigation is being as far as practicable developed coincidently with drainage; and

Whereas it is anticipated that the navigation feature through the channels above mentioned, to wit, the St. Lucie Canal, Lake Okeechobee, Caloosahatchee Canal, together with the Caloosahatchee River, will provide a navigable route of increasing value, which will be well worth enlarging and improving for the purpose of developing a larger and broader navigation across said State and connecting the Atlantic Ocean with the Gulf of Mexico: Therefore be it

Resolved by the Legislature of the State of Florida in session assembled, this 3d day of December, 1918, That the advisability and practicability of enlarging and increasing the navigable depth of the channels being constructed by the State above mentioned be brought before the Federal Government, and that such waterways be, and the same are hereby, recommended proper as objects of improvement and development by the Federal Government of the navigable waters of the United States; and be it further

Resolved, That the Congress of the United States be urged to investigate the fitness of the waterways above mentioned for improvement and development, and the Congress be requested to make available such moneys as in its judgment may be required for the purpose aforesaid; and be it further

Resolved, That copies of this resolution be placed in the hands of all the members of the Florida delegation in the Congress of the United States, and that they be, and they are hereby, requested to use their best efforts to accomplish the objects above set forth.

STATE OF FLORIDA,
Office Secretary of State, ss:

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the foregoing is a true and correct copy of house concurrent resolution No. 9, passed by the special session of the Legislature of Florida, 1918, and filed in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 22d day of January, A. D. 1919.

[SEAL.]

H. CLAY CRAWFORD,
Secretary of State.

Mr. FLETCHER presented a concurrent resolution of the Legislature of the State of Florida, which was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House concurrent resolution 1.

A concurrent resolution, expressing the thanks of the people of the State of Florida to the President and Congress of the United States, all persons in authority, and to the soldiers and sailors who en-

listed in the service of the United States for their participation in the early and successful termination of the great war, and memorializing Congress to take such appropriate action as will result in the prompt return of all soldiers and sailors to civil life:

Whereas the wonderfully successful and early termination of the great war is viewed with great satisfaction by the people of this State; and

Whereas by reason of said successful and early termination of said war the material prosperity of this State and the happiness of her people has been and will be greatly enhanced; and

Whereas it will be to the best interest of this Government to have her soldiers and sailors now in service return to civil life at as early a date as possible; and

Whereas all classes of people of this Nation have greatly contributed to the success of the war: Now, therefore, be it

Resolved by the Legislature of the State of Florida, That the thanks of the people of this State are now tendered to the President of the United States, all Members of Congress, and all persons in authority for their patriotic and sincere endeavors in speeding the war and bringing it to an early and successful conclusion: Be it further

Resolved, That the thanks of the people of this State are also tendered to all Florida men in the military and naval service of the United States, who so bravely risked their lives in behalf of the freedom of the world and the peace of mankind. The traditions of this State have been upheld by them in an incomparable manner, and no words of praise can overestimate the feeling of appreciation entertained by our people: Be it further

Resolved, That the thanks of this legislature are hereby tendered to all our people who remained at home and yet who did such valiant work in behalf of the Government and the prosecution of the war, in connection with the organized movements of the Red Cross, Knights of Columbus, Young Men's Christian Association, Young Women's Christian Association, and all kindred organizations: Be it further

Resolved, That the Congress of the United States and all persons in authority be, and they are hereby, petitioned to take such appropriate action as will result in the return to civil life all of the soldiers and sailors now in service as promptly as the same may be done consistently with the public welfare: Be it further

Resolved, That a copy of these resolutions be sent to the President of the United States and to Florida Senators and Representatives in the United States Congress.

STATE OF FLORIDA,
Office of Secretary of State, ss:

I, H. Clay Crawford, secretary of state of the State of Florida, do hereby certify that the above and foregoing is a true and correct copy of house concurrent resolution No. 1, passed at the special session of the Legislature of Florida, 1918, and filed in this office.

Given under my hand and the great seal of the State of Florida, at Tallahassee, the capital, this the 17th day of January, A. D. 1919.

[SEAL.] H. CLAY CRAWFORD,
Secretary of State.

Mr. FLETCHER presented a petition of sundry citizens of De Soto County, Fla., praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which was ordered to lie on the table.

Mr. LODGE. I present resolutions of the Native Races Anti-Liquor Traffic Committee, commending the proposal of the President of China for the destruction of opium held in that country. The resolutions are very brief, and I ask that they be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

NEW YORK CITY, *January 6, 1919.*

At a meeting of the Native Races Anti-Liquor Traffic Committee, held in New York City January 6, the following resolution was adopted:

"*Resolved*, That this committee most heartily commends the proposal of the President of the Republic of China to destroy the opium now held in China, and that the Congress of the United States be asked to tender its congratulations and to offer financial assistance if desired; and that our secretary be, and is hereby, instructed to lay this matter before the proper parties in Congress."

MORNAY WILLIAMS, *President.*
HERVEY WOOD, *Secretary.*

Mr. LODGE presented a petition of the Salem Quarterly Meeting of the Society of Friends, in session at Boston, Mass., praying for the formation of a league of free nations, without the sanction of national armed force, as a part of the treaty of peace, which was referred to the Committee on Foreign Relations.

He also presented a petition of Ward Seven Good-Government Association, of Boston, Mass., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by Valladolid Council, No. 70, Knights of Columbus, of Lynn, Mass., favoring freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the City Council of Malden, Mass., favoring the allowance of a month's pay to discharged soldiers and sailors, which was ordered to lie on the table.

He also presented a petition of the Central Labor Union of Chicopee, Mass., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. KING presented a memorial adopted by the Legislature of the State of Utah, which was ordered to lie on the table and be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of house joint resolution ratifying an amendment to the Constitution of the United States proposed by the joint resolution of the Senate and House of Representatives of the United States prohibiting the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes.

Adopted by the Legislature of the State of Utah, as appears on file in my office.

In witness whereof, I have hereunto set my hand and affixed the great seal of the State of Utah this 18th day of January, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.

House joint resolution 1.

Ratifying an amendment to the Constitution of the United States proposed by the joint resolution of the Senate and House of Representatives of the United States prohibiting the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from the United States and all territory subject to the jurisdiction thereof, for beverage purposes.

Be it resolved by the Legislature of the State of Utah:

Whereas the Senate and the House of Representatives of the United States at the second session of the Sixty-fifth Congress of the United States of America by Senate joint resolution No. 17, proposed the following amendment to the Constitution of the United States, to become valid as part of the Constitution of the United States when ratified by the legislatures of the several States, as provided by said Constitution:

"ARTICLE —.

"SECTION 1. After one year from the ratification of this article the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited.

"SEC. 2. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation.

"SEC. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress."

It is hereby resolved that said amendment to the Constitution of the United States be, and the same is hereby, ratified and adopted by the Legislature of the State of Utah.

It is further resolved that the secretary of state of the State of Utah be, and he is hereby instructed to transmit forthwith to the Secretary of State of the United States of America a certified copy of this resolution.

The foregoing house joint resolution was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

J. W. FUNK, *President of the Senate.*

Attest:

ADAM L. PETERSON, *Secretary of Senate.*

The foregoing house joint resolution was publicly read by title and immediately thereafter signed by the speaker of the house in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

CHARLES C. RICHARDS,
Speaker of the House.

Attest:

HUGO B. ANDERSON,
Chief Clerk of House.

Received from the house of representatives this 17th day of January, 1919.

Approved January 18, 1919.

SIMON BAMBERGER, *Governor.*

Received from the governor and filed in the office of the secretary of state this 18th day of January, 1919.

HARDEN BENNION, *Secretary of State.*

Mr. KING presented a memorial adopted by the Legislature of the State of Utah, which was ordered to lie on the table and be printed in the RECORD, as follows:

STATE OF UTAH, EXECUTIVE DEPARTMENT,
SECRETARY OF STATE'S OFFICE.

I, Harden Bennion, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of a memorial to the Congress of the United States, petitioning the Government to pass the Federal suffrage amendment, adopted by the Legislature of the State of Utah, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 18th day of January, 1919.

[SEAL.] HARDEN BENNION,
Secretary of State.

Senate memorial 1.

A memorial to the Congress of the United States, petitioning the Government to pass the Federal suffrage amendment.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and Legislature of the State of Utah, respectfully represent that—

Whereas the Federal amendment to grant the right of suffrage to women equally with men has been before the Congress of the United States for more than 40 years; and

Whereas the women of the nonsuffrage States feel that the time has come when the Congress should give favorable consideration to this measure of justice to one-half the citizens of these United States.

Now, therefore, the governor and the Legislature of the State of Utah respectfully petition that the said suffrage amendment receive immediate and favorable consideration before the sixty-sixth session of Congress adjourns.

The foregoing senate memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence

of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

J. W. FUNK,
President of the Senate.

Attest:

ADAM L. PETERSON,
Secretary of Senate.

The foregoing senate memorial was publicly read by title and immediately thereafter signed by the speaker of the house in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 16th day of January, 1919.

CHARLES C. RICHARDS,
Speaker of the House.

Attest:

HUGO B. ANDERSON,
Chief Clerk of the House.

Received from the senate this 17th day of January, 1919.
Approved January 18, 1919.

SIMON BAMBERGER, *Governor.*

Received from the governor and filed in the office of the secretary of state this 18th day of January, 1919.

HARDEN BENNION,
Secretary of State.

Mr. SHERMAN. I present some resolutions adopted at Evanston, Ill., by parents and next friends of enlisted soldiers and sailors of that city on the question of the distinctive marks proposed. I ask that the resolutions be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection the resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

At a public meeting of the parents and next friends of the enlisted soldiers and sailors of the city of Evanston, Ill., on January 12, A. D. 1919, at 4 o'clock p. m., upon motion duly made and unanimously carried, it was declared to be the sense of such meeting that a protest should be entered against the use of any distinguishing insignia between the soldiers and sailors who have served overseas in the present war and those who have rendered service in their own country.

It was thereupon ordered that the undersigned be named as a committee on resolutions to express the sense of such meeting as disclosed by the discussion, and such committee hereby presents the following resolution as expressing the sentiments of such meeting:

"*Resolved*, That the parents and next friends of all soldiers and sailors from the city of Evanston, Ill., entirely disapprove of any action that may be taken by any officials which tends to draw a distinction between the service of soldiers and sailors who have been overseas and that of those who have served at home. We believe that such action will tend to create discontent and will be accepted by those who were unable to go across as a mark of inferior service. We know that many soldiers and sailors of our city have been anxious to serve at the front or upon the high seas and have been unable to do so through circumstances which they could not control. We know furthermore, that many have been retained in this country because they were efficient in instructing others or in performing more valuable services here than it was probable that they could render abroad, and because it was felt that they were needed here more than they were needed abroad. We firmly believe that an injustice will be done if any distinction is made in the kind of services rendered or where it was rendered by the use of distinguishing insignia or otherwise.

"*Resolved*, That a copy of these resolutions be presented to the commanding officials of the military and naval forces of the United States."

JOSEPH E. PADEN,
W. S. POWERS,
C. W. OLSON,
Committee on Resolutions.

Mr. WALSH presented a memorial adopted by the Legislature of the State of Montana, which was ordered to lie on the table and be printed in the RECORD, as follows:

House joint memorial 1.

A memorial to the Senate of the United States to pass an amendment to the Federal Constitution and submit the same to the several States for ratification extending the right of suffrage to the women citizens of the United States of America.

To the honorable Senate of the United States of America:

Your memorialists, the members of the Sixteenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent:

Whereas it appears that a majority of the people of the United States of America are in favor of extending the right of suffrage to the women citizens of the United States of America; and

Whereas there is now pending before the Senate of the United States a measure proposing an amendment to the Federal Constitution designed to effect such extension of suffrage: Now, therefore, be it

Resolved by the house (the senate concurring), That we, the members of the Sixteenth Legislative Assembly of the State of Montana, do hereby petition and earnestly pray the Senate of the United States that such measure proposing an amendment to the Federal Constitution so extending the right of suffrage be passed and submitted to the several States for ratification; and

Resolved further, That a copy of this memorial be forwarded by the secretary of state of Montana to the Senate of the United States, and that copies hereof be transmitted by the secretary of state of Montana to the Montana Senators in the Congress of the United States.

(Signed) O. W. BELDEN,
Speaker of the House.
(Signed) J. E. EDWARDS,
President of the Senate pro tempore.

Approved January 23, 1919.

(Signed) S. V. STEWART,
Governor.

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the foregoing is a true and correct copy of house joint memorial No. 1, a memorial to the Senate of the United States to pass an amendment to the Federal Constitution and submit the same to the several States for ratification extending the right of suffrage to the women citizens of the United States of America, enacted by the Sixteenth Legislative Assembly of the State of Montana and approved by S. V. Stewart, governor of said State, this 23d day of January, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 23d day of January, A. D. 1919.

[SEAL.] C. T. STEWART,
Secretary of State.

Mr. CHAMBERLAIN. I present a joint memorial adopted by the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

Senate joint memorial 2.

Whereas only a small portion of the money contributed from the State of Oregon to the reclamation fund has been expended within the State of Oregon; and

Whereas the Owyhee project in Malheur County, Oreg., has been carefully examined and found from an engineering standpoint to be feasible and practicable and a desirable project, free from difficulties attendant upon many irrigation projects; and

Whereas the Owyhee irrigation district has already been formed and is now prepared to contract with the Reclamation Service for the construction of said project; and

Whereas the people under said project are unitedly in favor of Government aid in securing the reclamation of the lands under said project; and

Whereas the reclamation of the lands within this project will offer an opportunity for the building of homes by the returning soldiers and sailors of the United States: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be memorialized to use their influence to secure an appropriation for the construction of said project, and that a copy of this memorial be transmitted to the President of the United States of America, to each of our Senators and Representatives of the State of Oregon in Congress, and to the Secretary of the Interior, Franklin K. Lane.

Adopted by the house January 15, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 15, 1919.

W. I. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I present a joint memorial adopted by the Legislature of the State of Oregon, which I ask to have printed in the RECORD.

There being no objection, the memorial was ordered to lie on the table and be printed in the RECORD, as follows:

Senate joint memorial 1.

To the honorable Senate of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas a measure providing for the submission of a constitutional amendment granting equal suffrage is now pending before the Senate of the United States; and

Whereas equal suffrage was adopted in Oregon in November, 1912, and has during its six years of operation proved a complete success in every particular: Therefore be it

Resolved by the Senate of Oregon (the House of Representative concurring), That we do heartily indorse equal suffrage and pronounce it an unqualified benefit and success, and we do respectfully request and petition the United States Senate to take favorable and immediate action on the measure now pending before it providing for the submission to the several States of a constitutional amendment granting equal suffrage throughout the United States; and we do urgently petition the members of the Oregon delegation to use their best efforts toward securing the adoption thereof; be it further

Resolved, That a copy of this resolution be transmitted by the chief clerk of the Oregon Senate to the President and Vice President of the United States, and to each Senator and Representative from Oregon in the United States Congress.

Adopted by the house January 14, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 14, 1919.

W. I. VINTON,
President of the Senate.

Mr. MOSES. I present a communication from the secretary of the Rotary Club, of Manchester, N. H., embodying resolutions adopted at a meeting of that club relative to the value of improved national highways in the general transportation system of the Nation. I ask that the communication be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the communication was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

ROTARY CLUB.
Manchester, N. H., January 23, 1919.

Hon. GEORGE H. MOSES,
Washington, D. C.

DEAR MR. MOSES: At a meeting held January 21, 1919, the following resolutions were adopted and are forwarded for your information as an expression of our opinion:

"Whereas the President of the United States in his recent message to Congress recognized the value of improved highways in the general

transportation system of the Nation and definitely recommended and urged their rapid development; and

"Whereas this work is necessary to give employment to our returning soldiers and also to furnish worthy projects on which unemployed labor can be engaged during the period of readjustment; and

"Whereas we recognize the necessity for a well-defined and connected system of improved highways in order to expedite the distribution of large volumes of foodstuffs now wasted on account of the lack of prompt and adequate highway transportation, and to better serve the economic and military needs of the Nation: Therefore be it

"*Resolved*, That a Federal highway commission be created to promote and guide this powerful economic development of both highways and highway traffic and establish a national highway system; Be it further

"*Resolved*, That the present appropriations for Federal aid to the States be continued and increased and the States urged to undertake extensive highway construction so as to keep pace with the development of this country and its transportation needs, and in carrying out the provisions of the present Federal-aid act, or any amendment thereto, that the State highway departments shall cooperate with the Federal highway commission; Be it further

"*Resolved*, That all governmental activities with respect to highways be administered by the Federal highway commission."

Very truly, yours,

R. C. MARDEN, *Secretary*.

Mr. COLT presented a resolution adopted by the Rotary Club, of Providence, R. I., favoring the changing of the name of the Panama Canal to Roosevelt Canal, which was referred to the Committee on Interoceanic Canals.

Mr. JOHNSON of California. I present a telegram embodying a resolution adopted by the Legislature of the State of California, which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

SACRAMENTO, CAL., *January 26, 1919.*

Senator HIRAM W. JOHNSON,
United States Senate, Washington, D. C.

DEAR SIR: I am instructed to wire you the following resolution, enrolled by the Senate of the State of California on January 24, 1919:

"Whereas the Legislature of the State of California, by joint resolution at its last session, urged upon the Congress of the United States the passage of the amendment to the national Constitution known as the Federal suffrage amendment as a matter of justice to the women of our Nation who have labored and sacrificed side by side with the men in the world struggle for liberty and democracy; and

"Whereas said Federal suffrage amendment has been passed by the House of Representatives and now awaits the action of the Senate: Be it therefore

"*Resolved*, That, profoundly appreciative of the dignity and ability with which the women of this State have used their right to the ballot, and so more than ever cognizant that sex discrimination in the granting of the franchise has no place in modern civilization, and realizing as never before how entirely the welfare of our Nation depends upon the material, moral, and spiritual activities of its men and women alike, the Legislature of the State of California urges upon the Senate of the United States at once to pass the Federal suffrage amendment, that it may be submitted to the legislatures of the various States, to the end that before the next presidential election the Nation's women may enter upon the rights and duties of the franchise on the same basis as its men."

JOSEPH A. BEEK,
Secretary of the Senate.

CALLING OF THE ROLL.

Mr. KING. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Hollis	Nelson	Spencer
Bankhead	Johnson, Cal.	New	Sterling
Calder	Johnson, S. Dak.	Nugent	Swanson
Chamberlain	Jones, N. Mex.	Overman	Thomas
Colt	Jones, Wash.	Page	Thompson
Culberson	Kellogg	Penrose	Townsend
Cummins	Kenyon	Pittman	Trammell
Curtis	King	Poindexter	Underwood
Fernald	Kirby	Pollock	Vardaman
Fletcher	Knox	Pomerene	Walsh
France	La Follette	Ransdell	Warren
Frelinghuysen	Lenroot	Reed	Watson
Gay	Lodge	Shafroth	Weeks
Hale	McKellar	Sheppard	Williams
Harding	McNary	Sherman	
Henderson	Martin, Va.	Smith, Ga.	
Hitchcock	Moses	Smoot	

Mr. KIRBY. I announce the unavoidable absence of the senior Senator from Arkansas [Mr. ROBINSON], who is still detained by illness. I ask that this announcement may stand for the day.

Mr. McKELLAR. I desire to announce that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. KENYON. The Senator from Nebraska [Mr. NORRIS] is absent on official business. This announcement will stand for to-day.

Mr. FRELINGHUYSEN. I wish to announce the unavoidable absence of my colleague [Mr. BAIRD] on account of illness. I will allow this announcement to stand for the week.

Mr. CURTIS. I was requested to announce the necessary absence of the Senator from West Virginia [Mr. SUTHERLAND] on account of illness in his family. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I wish to announce that the senior Senator from Delaware [Mr. SAULSBURY] and the junior Senator from Delaware [Mr. WOLCOTT] are detained on important public business.

Mr. MARTIN of Virginia. I desire to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. PITTMAN. I wish to announce that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Illinois [Mr. LEWIS] are detained on official business.

The VICE PRESIDENT. Sixty-five Senators have answered the roll call. There is a quorum present.

REPORTS OF COMMITTEES.

Mr. FLETCHER, from the Committee on Commerce, to which was referred the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, reported it with amendments and submitted a report (No. 665) thereon.

Mr. HENDERSON, from the Committee on Post Offices and Post Roads, to which was referred the bill (S. 29) to reimburse W. B. Graham, late postmaster at Ely, Nev., for money expended for clerical assistance, reported it without amendment and submitted a report (No. 668) thereon.

He also, from the same committee to which was referred the bill (H. R. 1607) for the relief of David E. Gray, reported it without amendment and submitted a report (No. 669) thereon.

POST OFFICE APPROPRIATIONS.

Mr. BANKHEAD. From the Committee on Post Offices and Post Roads I report back favorably with amendments the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and I shall submit a report (No. 666) thereon. I will state that the report will be filed this evening, so that it may be printed in the morning.

I give notice that as soon as the special order which is now being considered is disposed of I shall ask the Senate to consider the bill.

The VICE PRESIDENT. The bill will be placed on the calendar.

CARSON INDIAN SCHOOL, STEWART, NEV.

Mr. PITTMAN. From the Committee on Indian Affairs I report back favorably without amendment the bill (S. 4887) making an appropriation for a sewer system at the Carson Indian School at Stewart, Nev., and I submit a report (No. 663) thereon. I ask unanimous consent for the present consideration of the bill. It is a bill to correct an inadvertence. An item in the Indian appropriation act of 1918 was left out of print by the inadvertence of the clerk. It is a matter that must be attended to immediately. I therefore ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

Be it enacted, etc., That the sum of $8,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Commissioner of Indian Affairs of the United States in the construction and installation of a sewer system at the Carson Indian School at Stewart, in the State of Nevada.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DENIAL OF PATENT TO S. M. HERBER.

Mr. KENYON. I present from the Committee on Standards, Weights, and Measures a report signed by the chairman. It has been utterly impossible to secure a quorum of the committee. I ask that the report of the chairman, which is short, may be printed in the RECORD.

There being no objection, the report (No. 667) was ordered to be printed in the RECORD, as follows:

Mr. KENYON, from the Committee on Standards, Weights, and Measures submitted the following report, pursuant to S. Res. 259:

On the 7th day of June, 1918, the Senate passed the following resolution:

"Whereas it is asserted by reliable persons that Mr. S. M. Herber, of St. Joseph, Mo., has discovered a process of extracting from petroleum or fuel oil gasoline and other motor fuel in greatly increased quantities and at much less cost than the process now in use; and

"Whereas the discoverer of the said process has submitted to certain officers of the Government an offer to demonstrate the value of the process to the Government and to the people without expense, other than the presence of such experts as might be selected by the Government; and

"Whereas this offer has not yet been accepted, and there is immediate necessity of increasing the output of motor fuel, and decreasing, if possible, the cost to the users: Therefore be it

"*Resolved*, That the Committee on Standards, Weights, and Measures of the Senate be directed to make an investigation of the subject, including the denial of a patent to the said Herber for a process of extracting gasoline from petroleum, and to report to the Senate thereon as soon as practicable the information acquired, and its recommendations with respect to the matter."

It has been impossible to secure the attendance of a quorum of said committee. The chairman has therefore proceeded to hear evidence and presents now a report signed by himself, in no way binding upon the balance of the committee, and asks that the committee be discharged from further consideration of the matter.

The investigation has been limited to the question of the denial of a patent to Mr. Herber for a process for extracting gasoline from petroleum. While the resolution covered the general subject as to the value of said process, no evidence with relation thereto has been furnished.

The work of the committee has been especially difficult, as the questions involved are intricate and relate to the administration of the patent laws and the rules of the Patent Office. The question is difficult to be understood by those who are not experienced on the subject, and the committee has not had the benefit of an expert patent attorney to present the matter.

Further, some of the parties who should know the facts are dead or beyond the reach of the committee.

Mr. Herber claims that a patent was unlawfully denied to him on his application, No. 91447, filed April 15, 1916, and that a patent was illegally issued to John Coast, jr., on Coast's application, No. 127128, filed the 23d day of October, 1916, Herber claiming that the Coast application covered identically the same process. Herber also claims that certain rules of the Patent Office were not carried out, reference to which will be made later on. Also that certain patents known as the Forward, Daul, and Strain patents were illegally and improperly brought forward in order to prevent his securing his patent. In other words, Herber's claims are an indictment of the Patent Office for illegal action depriving him of an invention of great value and bestowing the same upon Coast.

II.

Herber's claims were rejected by Examiner Ely, now dead, November 10, 1916. Said examiner therein made reference to the Daul and Strain patents. This letter of Examiner Ely was as follows:

[W. T. Fitz Gerald & Co., Washington, D. C. Samuel M. Herber. No. 91447. Filed Apr. 15, 1916.]

METHOD OF SEPARATING OIL.

This case as amended November 3 has been considered.

The following additional patents are made of record: Daul, 258284, May 23, 1882, 196–5; Strain, 298712, May 13, 1884, 196–2; Strain, 311543, February 3, 1885, 196–27.

In view of the additional references the previously allowed claims are rejected, being fully met by any of these patents in view of the previous references in the case, the patent to Forward disclosing cracking and distillation by steam. It appears also that cracking would be produced in either Strain, which is necessarily under same pressure; and further, that the pressure in the system could be regulated by the various cocks.

The claims in the case are rejected.

ELY, *Examiner.*

A.M. P.

Subsequently thereto, namely, November 13, 1916, Herber's attorneys asked for a reconsideration calling attention of the examiner to the fact that Forward's application was copending with the Herber application, having been filed on May 15, 1915, and patented June 27, 1916. Mr. Herber's application was filed on April 15, 1916, and if there was anything in conflict between these applications an interference should have been declared.

On November 17 Examiner Ely filed an additional opinion in which nothing, however, was said, about an interference, and the claims were finally rejected. Herber then appealed from this finding to the examiners in chief, they holding (p. 30, transcript of the record, Exhibit A) that the claims of Herber were anticipated by the Forward patent and accordingly affirmed the examiner's decision.

Herber then appealed from this to the Commissioner of Patents, and on March 12, 1917, the Commissioner of Patents, Mr. Thomas Ewing, filed his opinion sustaining the examiners in chief. Referring to the Herber process (p. 37, transcript of the record), he said:

"The most that can be said is that they differ from the Forward process in the substitution of one well-known way of heating the oil for another."

Herber then appealed to the Court of Appeals for the District of Columbia. The matter was there heard, and the court filed its opinion June 2, 1917, sustaining the Commissioner of Patents. Among others this language is used:

"After careful consideration of appellant's brief in connection with the record, we have reached the conclusion that the decision of the commissioner should be affirmed, and upon the ground stated by him. In other words, we are fully satisfied that the Forward patent, No. 1,189083, of June 27, 1916, is a complete anticipation of appellant's claims.

"The decision is affirmed.

"CHAS. H. ROBB, *Associate Justice.*"

I have sketched briefly the progress of this matter through the courts, and it seems to me that the last decision determined adversely Herber's claim to a patent on his process, unless said decision is in some way set aside. Under rule 94 or 96 of the Patent Office, it seems to me an interference should have been declared between Herber's application and the Forward application or the Forward patent. It should be stated as an interesting matter of fact that in a letter of November 10 from the Patent Office to Herber appear these words:

"In view of the additional reference the previously allowed claims are rejected."

Herber felt that this letter was an indication that his claims had been previously allowed. There is no record to show this, but the wording of the letter naturally aroused his suspicion.

However, under the decision of the court, as before referred to, it must stand as an adjudicated fact that Herber had no right to a patent upon his processes as presented in his application.

III.

THE COAST PATENT.

Coast filed his claim on the 23d day of October, 1916. Herber claims in his testimony that this process and his process are identical. Mr. Newton, present commissioner (pp. 151–152 of the record) states that Coast claimed a different invention from what Herber did. Therefore he says they allowed Coast's claims and refused Herber's claims.

Further, it is stated by the commissioner that they tried to have Herber declare an interference with Coast.

It had been before decided, as set forth in division 2 hereof, that Herber's claims had been held to be nonpatentable. That being true, I fail to understand how there could be any right to an interference between the Coast claims and the Herber claims. It is the theory of the Patent Office that Herber could have made the same claims as Coast and in that way thrown them into interference, and it could have been determined who was the first inventor. Herber claims such interference should have been under rule 94, the Patent Office claiming it should have been under rule 96.

I am unable to state from my examination and from listening to the evidence whether or not the Coast claims are exactly identical with the Herber claims. Certainly they are very much alike.

Further, Herber filed an affidavit under the rules of the Patent Office after the time of Coast's filing and before the Coast patent was issued. He claims that this would, under the rule, prevent the issuance of the Coast patent until the matter was tried out.

While technically there could be no interference between the Coast patent and the Herber claims, as the last had been held to be nonpatentable, yet in making a new claim slightly different, I assume the two could have been thrown into interference. And it would seem as if this should have been done without heckling over the technical method of bringing it about. This is a perplexity, however, that the committee is unable to solve.

That there was fraud practiced by the Patent Office can not be assumed. Fraud must be clearly shown and not derived from inferences, unless the inferences are incompatible with the theory of good faith.

These things seem to be true: Herber filed an application for process that he felt would be of great value. The Forward patent was issued after Herber filed his application. The Coast patent was issued on substantially the same matter as the Herber patent months after Herber filed his application. The Coast patent was issued after Herber had filed an affidavit, as provided by the rules of the Patent Office, setting forth that his process had been in existence before the time of the Coast application.

It seems to me there should have been an interference between the Herber patent and the Forward patent, so the question of priority of invention could have been determined.

It further seems that the patent should not have been issued to Coast until there had been some determination of the priority of invention in the claims then being made by Herber and set forth in his affidavit.

The matter is so intricate and the hearings have been so unsatisfactory it would seem to the chairman it would be wise if the whole matter could be opened up by the Patent Office and a new hearing granted. I addressed a letter to the Commissioner of Patents along that line, but he seems to think it is impossible after the lapse of time to grant a rehearing. I make no recommendation as to the action that Congress should take in this matter and I do not discuss remedies for this unfortunate situation. I think the evidence presented, however, is sufficient to warrant some action on the part of Congress. Whether Congress could set aside the Forward patent or the Coast patent, I am not prepared to say. I do feel very strongly that if there is any legal way that Congress may again open the door for Mr. Herber to present his claims, he should have the opportunity of doing so.

The records and papers are returned to this body with the request that the Committee on Standards, Weights, and Measures be discharged from further consideration of the subject.

WM. S. KENYON, *Chairman.*

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CUMMINS:

A bill (S. 5433) to provide for certain commissions and promotions in the military service; to the Committee on Military Affairs.

By Mr. SHAFROTH:

A bill (S. 5434) granting an increase of pension to Luke Cahill;

A bill (S. 5435) granting an increase of pension to Bettie Dodge; and

A bill (S. 5436) granting a pension to Inezella C. Foy; to the Committee on Pensions.

By Mr. WALSH:

A bill (S. 5437) for the relief of Harry Scott (with accompanying papers); to the Committee on Claims.

By Mr. KNOX:

A bill (S. 5438) granting a pension to William V. Feltwell (with accompanying papers); to the Committee on Pensions.

By Mr. TRAMMELL:

A bill (S. 5439) to authorize the Secretary of War to deliver to each of the several county seats in the State of Florida captured German cannon and cannon balls or shells; to the Committee on Military Affairs.

By Mr. JONES of Washington:

A bill (S. 5440) authorizing the Secretary of War, in his discretion, to deliver to each of the several county seats in the State of Washington captured German cannon, cannon balls or shells, and gun carriages, condemned United States cannon, cannon balls or shells, or gun carriages; to the Committee on Military Affairs.

By Mr. CURTIS:

A bill (S. 5441) donating captured cannon and cannon balls to the city of Bluff City, Kans.; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 5442) for the relief of the owner of the steam lighter *Cornelia* (with accompanying papers); and

A bill (S. 5443) for the relief of the owners of the schooner *Horatio G. Foss*; to the Committee on Claims.

By Mr. POINDEXTER:

A bill (S. 5444) granting an increase of pension to William H. H. Watkins; to the Committee on Pensions.

By Mr. SPENCER:

A bill (S. 5445) granting a pension to John H. Helser; and

A bill (S. 5446) granting a pension to Julius Cohn; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment authorizing certain persons formerly connected with the American Embassy at Berlin to accept pieces of plate presented to them by the British Government, etc., intended to be proposed by him to the Diplomatic and Consular appropriation bill, which was referred to the Committee on Foreign Relations and ordered to be printed.

Mr. JONES of Washington submitted an amendment proposing to appropriate $50,000,000 to resume and prosecute work on projects and units thereof under the reclamation act stopped during the war, etc., intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed.

Mr. MOSES submitted an amendment relative to clerks and messengers to Senate committees, intended to be proposed by him to the legislative, executive, and judicial appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. McNARY submitted an amendment relative to the establishment of a home or homes for aged and infirm colored people and working girls in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. CALDER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

Mr. FRELINGHUYSEN submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

VALIDATION OF WAR CONTRACTS.

Mr. POMERENE. Mr. President, the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, was on Friday last made the unfinished business and is to be considered. The purpose of that bill is to validate certain informal contracts, and I have an amendment which I intend to propose to it which looks more particularly to the protection of subcontractors. I ask that the amendment may be printed in the RECORD and lie on the table.

There being no objection, the amendment was ordered to lie on the table and be printed in the RECORD, as follows:

Insert the following:

Whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor who shall have sublet any part of said contract for material, equipment, or supplies to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to any prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, the Secretary of War shall apportion the amount of said award justly due to each of the subcontractors of said prime contractors. Before payment of said award the Secretary of War shall require any prime contractor to present satisfactory evidence of having paid said subcontractors or of the consent of said subcontractors to look for their compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractors the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditors of said prime contractor.

GOVERNMENT CONTROL OF CABLES.

Mr. WATSON submitted the following resolution (S. Res. 429), which was read and referred to the Committee on Post Offices and Post Roads:

Resolved, That the Committee on Post Offices and Post Roads be, and it is hereby, authorized and directed to investigate the assumption by the Government of the supervision, possession, control, or operation of any or all of the telegraph, telephone, and marine cable systems; the reasons for such assumption; the financial results of governmental operation, and the effects of Government control on the efficiency of such systems, and report to the Senate of the United States its findings and conclusions thereon.

Such committee is authorized to subpœna witnesses and documents, administer oaths, and to do all acts and things necessary to the carrying out of the purposes of this resolution.

Mr. KELLOGG. Mr. President, on January 2 I submitted a resolution for the investigation of telegraphs, telephones, and cables, but it embodies a great deal more than the resolution which has just been submitted by the Senator from Indiana [Mr. WATSON]. The resolution introduced by me has been lying on the table, and I ask that it be referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. Without objection, it will be so ordered.

AGNES KELLEY.

Mr. THOMPSON. On behalf of the senior Senator from Maryland [Mr. SMITH], who is necessarily absent from the Senate because of an injury as the result of an accident, I submit the resolution which I send to the desk, and ask that it be read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 427) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Agnes Kelley, widow of John N. Kelley, late a laborer in the employ of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

COMPLAINT OF E. L. RICE.

Mr. KING submitted the following resolution (S. Res. 428), which was read and referred to the Committee on Military Affairs:

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to the Senate the report of the Inspector General made to the Secretary of War, on or about October 1, 1918, in the matter of the complaint of E. L. Rice with respect to Lieut. Col. Robert A. Milliken, Col. C. H. Hilton, and Lieut. D. L. Webster, and others.

TRIALS BY COURTS-MARTIAL.

Mr. BORAH. I offer a Senate resolution, and I ask unanimous consent that it be immediately considered.

Mr. PENROSE. Let the resolution be read for information.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 426), as follows:

Resolved, That the Secretary of War be, and he is hereby, directed to send to the Senate the number of individuals who have been tried and convicted by court-martial proceedings since our entrance into the war, April 6, 1917, together with a brief statement of the offense charged and the nature and extent of the punishment inflicted upon or assessed against each.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

LIFE-SAVING DEVICES.

Mr. JONES of Washington. I submit a Senate resolution, and I ask for its immediate consideration.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 425) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of Commerce be, and he is hereby, directed to report to the Senate whether or not Title LII, Revised Statutes, for the regulation of steam vessels, as amended and supplemented, is being enforced as respects life-saving devices, designating the character of such devices, if any, as are not being required for such vessels, and why not so required; and whether or not the steam cargo and passenger vessels owned, operated, or controlled by the United States Shipping Board and by the Emergency Fleet Corporation are equipped with the life-saving devices described in that title, as amended and supplemented, and why they are not so equipped, if that be the case.

PROMOTIONS IN THE ARMY.

Mr. KING. Mr. President, on the 30th of December last I submitted a resolution seeking certain information relative to the granting of commissions after the signing of the armistice to enlisted men who had been recommended for commissions prior to the signing of the armistice. Subsequently this resolution was adopted. The Secretary of War, responding to the resolution, has transmitted a report to the President of the Senate. I ask that it may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KING. Mr. President, one of my colleagues suggests that it be read. I have no objection.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, January 18, 1919.

To the PRESIDENT OF THE SENATE:

SIR: In accordance with the provisions of a resolution of the Senate dated January 3, 1919, which reads as follows:

"Whereas prior to the signing of the armistice a large number of enlisted men in the Army had been recommended for commissions and many officers had been recommended for promotion, and such recommendations were pending in the War Department when said armistice was signed; and

"Whereas an order was issued by the Secretary of War which resulted in no action being taken upon said recommendations or either of them; and

"Whereas officers and enlisted men who were so recommended are being discharged from the service without said recommendations being acted upon; and

"Whereas no good and sufficient reason appears for failure to act upon said recommendations, and justice and good faith would seem to require affirmative action thereon: Therefore, be it

"*Resolved*, That the Secretary of War be directed to report to the Senate whether a modification or revocation of said order is contemplated; and if not, what reasons exist for failing to act upon said recommendations."

I have the honor to report as follows:

Appointments to any commissioned grade in the United States Army have been made, and can properly be made, only when vacancies exist. Immediately upon the conclusion of the armistice, November 11, 1918, the demobilization of the temporary army was begun and has been proceeding with great rapidity. From and after that date, therefore, instead of there being any vacancies in any grade there has been a surplus of officers in every grade, which it has been necessary to reduce by discharge. To increase the surplus by further appointments would have been unjustifiable, and such appointments were therefore discontinued. As it is necessary to continue the discharge of officers at the rate of more than 1,000 a day, it is not contemplated to resume appointments.

In connection with the suggestion which is frequently made that commissions be conferred upon those persons who had been recommended for them prior to the signing of the armistice, in order that on their discharge they may carry with them into civil life the title of a higher rank, the department has consistently adhered to the views that a military office, like any other, should be conferred only with a view to the performance of the duties pertaining to it, and that when there is no expectation that a person will perform the duties of an office, civil or military, appointment to such office can with difficulty be justified. No change in this policy is contemplated.

There is a certain class of military office, however, to which no present duties are attached, but whose purpose is to place the holder in such a position that under certain circumstances the Government may require his services. I refer to the Officers' Reserve Corps. Appointment in this corps is properly conferred upon those from whom no immediate services are required, and such appointment carries with it office, rank, and title in the United States Army. Immediately after the conclusion of the armistice, I directed that a commission in the Officers' Reserve Corps be offered to every enlisted man who had been properly recommended during the war as qualified for such commission. I further directed that in every case where an officer had been duly recommended for promotion he be offered a reserve commission with the rank for which recommended. Under the present law appointments in the Officers' Reserve Corps are restricted to certain grades and certain limitations are imposed as to the age of appointees. I expect to transmit to Congress in the near future my recommendations for amendment of this law, which will make it possible to offer to every officer who has served in the war a reserve commission in the grade for which he has been found qualified.

The matter may briefly be summed up as follows: The demobilization of the Army makes it impossible to employ any additional officers on active duty, but, on the contrary, necessitates the discharge of many already in the service. For officers not on active duty, but held in reserve, the need will always exist in time of peace. The War Department, therefore, has discontinued the appointment of officers for active duty, but offers to every man who has been found qualified for it a commission in the United States Army with inactive status.

Respectfully,

NEWTON D. BAKER,
Secretary of War.

CLAIMS AGAINST MEXICO.

Mr. KING. Mr. President, several days ago I submitted a resolution, which was referred to the Committee on Foreign Relations, calling for certain information from the State Department as to what policy it would pursue in regard to the claims presented by American citizens against the Republic of Mexico for damages sustained to their property, as well as for damages claimed because of injuries to persons and because of the death of certain American citizens. The committee, through the chairman, promised to report that resolution at an early date. I understand that some consideration has been given to it, and I hope it will be reported at the next meeting of the committee.

Since then I have received a letter from Mr. Malcolm S. Little, a gentleman whom I know, a reputable lawyer of Los Angeles, in which he calls attention to a bill now pending in the legislative body of the State of Sonora, which has for its object the confiscation of more than 10,000,000 acres of land belonging to American citizens in that State. The letter is a very instructive one upon the situation. He invites attention to the wrongs and injuries to which American citizens have been subjected. He transmits with his letter a copy of the pending bill, translated into the English language. I shall not ask that the translation of the bill be printed in the RECORD; but I request that the letter which I have received from Mr. Little be printed in the RECORD, and that the letter and the translation of the proposed measure be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

LOS ANGELES, CAL., *January 4, 1919.*

Hon. W. H. KING,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I notice from a Washington dispatch a purported interview with you concerning the Mexican situation, and am therefore taking the liberty of handing you herewith a translation of a bill now pending in the Legislature of the State of Sonora, Mexico, providing for the enforced subdivision and sale of all lands in said State in excess of the maximum areas which owners will be permitted to retain, as established in article 15 of the proposed law. A hectare is equivalent to 2.47 acres.

American citizens and American-owned corporations hold in fee in the State of Sonora approximately 10,000,000 acres of land, most of which has been held 20 years or more, and were acquired in every case, so far as my information goes—and I am familiar with the titles to all the larger tracts—by purchase from citizens of Mexico for cash consideration, in compliance with all legal requirements in force at the time and under the guaranties furnished by the constitution of the State and Federal Governments.

Under this bill, if enacted into law, owners of land must at their own expense subdivide them in the manner directed by the State, subject to their expropriation, subdivision, and sale by the State if they refuse so to do. The price at which the owners shall be paid is the declared value of the land for purpose of taxation, plus 30 per cent thereof and the cost of subdivision, if the subdivision is made by the owners, or plus only 10 per cent of such value if the lands are taken by expropriation proceedings. The price thus determined shall be paid by the Mexicans to whom the lands are distributed in 20 annual installments, beginning two years from the date on which they are subjected to use, with interest at 5 per cent per annum. The law does not provide for a vendor's lien on the lands, the State in no way secures payment of the purchase price, and the only remedy of the present owners would be against the individual distributees, mostly poor peons, of whom there would be thousands in some cases, and who would be protected by the homestead act.

This is merely a bald attempt to disguise confiscation.

During the last five years American property owners have been constantly harassed by the military government, their goods and crops have been destroyed or appropriated without compensation, and some of their property has been sold under tax decrees issued by the military by an assumption of legislative powers.

The larger American companies that were thus unjustly treated first protested to the Sonora State Government, without effect, then to the Federal Government under Mr. Carranza, with like results, and next to the American Government. I understand our State Department has made representations to Carranza against such unwarranted treatment, but with no apparent effect on the Sonora government, which long ago became obdurate in the pursuit of its own policy to appropriate foreign-owned lands, regardless of protests and diplomatic representations. This proposed law is the culmination of this policy and likewise the fruit of the forbearance of the American Government in the face of the exploitation of the properties of its citizens, a course, no doubt, heretofore justified by other considerations, but which, however, has been interpreted by the Mexicans as weakness.

This law, if enacted, will affect foreigners, principally Americans, almost exclusively, since most of the Mexicans who owned any considerable area of land have been held to be enemies of the revolution, exiled, and their properties seized and in some cases subdivided and distributed to revolutionists.

Sonora is not an isolated case, but is merely typical of what is being done or will be done in many of the other 26 States and Territories if a halt is not called in a manner the Mexicans can not fail to understand.

The great body of the Mexican people are honest, hard-working, and industrious, the same as any other people, and only want a chance to live and better their circumstances in an orderly, just way, but they are now dominated, more to their injury than to ours, by a relatively small Bolshevik element.

As counsel for Americans and American-owned corporations holding about 6,000,000 acres of land in Sonora, I most earnestly implore your consideration of this matter. If we can not get effective and immediate help from the American Government, these enormous investments will be lost.

Respectfully, yours,

M. C. LITTLE.

WITHDRAWAL OF TROOPS FROM RUSSIA.

Mr. JOHNSON of California. Mr. President, I wish to give notice to the Senate that on Wednesday next I am going to ask leave to call up the resolution which has heretofore been introduced by me asking for an expression of opinion by the Senate of the United States that our troops be withdrawn from Russia. I will speak to the subject at that time.

FOOD PRODUCTION.

Mr. WILLIAMS. Mr. President, I hold in my hand a clipping from the Washington Post of this morning, a statement of Mr. Herbert Hoover, which seems to be such a complete reply to all the criticisms that have been lately uttered that I ask leave, without taking up the time of the Senate to read it, to have it inserted in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

AID FARMERS, HE SAYS—HOOVER DECLARES PROBLEM OF FOOD PRODUCTION SERIOUS—WORLD WILL NEED IT ALL—SERIOUS THINKING REQUIRED TO PREVENT PRICES FALLING BELOW A FAIR RETURN DURING THE TRANSITION PERIOD BEFORE SIGNING OF PEACE, THEREAFTER ECONOMIC LAW TO RULE.

PARIS, *January 26.*

Herbert Hoover, United States Food Administrator and director general of the international relief organization, gave out the following statement to-day:

"The dominating food problem in the United States at this moment is a very much bigger problem than the Chicago packers. It is a problem of the American farmer.

"If the packer's profit of 2 or 3 cents on his turnover is too high, it is the duty of Congress to tax it out of him. If the farmers' prices threaten to fall below the level of a fair return, it behooves the country to do some quick, clear thinking.

"The perplexities arising out of inability to demobilize totally the food situation of the world in the period between the armistice and peace make the farmers' position in the matter of much more immediate concern than the future of the Chicago packers.

ARMISTICE CHANGED SITUATION.

"Taking it broadly, before the European war began we exported about 5,000,000 tons of food a year. This year we are prepared to export at the rate of from 15,000,000 to 20,000,000 tons. The increase represents the patriotic service of the American farmer, plus the voluntary sacrifice of the average American under the stimulation of the pleas from the allied governments that without an enormous increase in our food supplies their very lives would be menaced.

"The submarine had so shortened the world's shipping that the allies were unable to reach the distant markets of the Southern Hemisphere, and we were bound to create in America sufficient food to carry Europe. If the war had gone on, every pound of it and more would have been required by the allies before next harvest.

"The armistice came suddenly, freeing shipping from military use and reopening to the allies the cheaper Southern Hemisphere and the colonial markets, where, in addition, they could have more liberal credits and markets for their manufactures.

IMMEDIATE PROBLEM SERIOUS.

"We are thus faced with a serious problem with respect to our own great supplies, patriotically accumulated. If an early peace is signed and the markets of Europe are opened freely to trade, there will be a greater demand for food from the new mouths than even this surplus could supply. But in the period between the armistice and peace we have a very difficult situation.

"One of the most critical food shortages in the world was that of fats, and the only help lay in an increase in the American hog. Our Agriculture Department and the Food Administration spared no efforts to stimulate this production. Our farmers were assured that in the general shortage, subject only to the uncertainties of war, they would experience no difficulty in marketing their production. Due to the savings of our people and the gradual increased production of our farms, we have lifted our ability to export from 50,000,000 pounds of fats per month in the summer of 1917 to 400,000,000 pounds per month in this January.

"To achieve this mobilization of fats it was necessary to mobilize the packers as well as the farmers. There is no doubt that the vast volume of business brought profit to the packers, although at a less percentage than before the Food Administration took charge of it.

HOW PRICES WERE STABILIZED.

"The allied nations, in order to effect regular supplies to their people in the face of short shipping, and to provide for government rationing, were compelled to take over the entire purchase of these food supplies and thereby abandon the ordinary flow of trade and commerce. In consequence, they concentrated their buying through agencies, and the power of these buying agencies was so great that they controlled the price.

"The business of the Food Administration was to bring these buying agents, the representatives of the farmers, who are predominatingly interested, and the great and small packers together and see to it that a square deal was obtained all around. The prices were settled in a joint conference of the farmers, the representatives of the allies' buyers, and the great and small packers, under the general arrangement that the packer was allowed but a quarter of a cent a pound over and above the price to the farmer and the cost of raw material and labor for packing. The allies took the entire surplus.

CHANGE CAME OVERNIGHT.

"The situation changed overnight with the armistice. The allies are not only seeking the southern hemisphere markets, but they had also lately accumulated large stocks of fats as an insurance against the submarine menace. Freed from this menace and with the shortage of finance experienced by all Governments, together with the loss in the storage of commodities by deterioration, there is a natural desire on their part to reduce their stocks.

"Other factors have entered into the situation. For instance, the inactive armies and munition workers are consuming less fats, and the vegetable is freed for human consumption. This came upon us immediately with the armistice in early November, in the midst of our heaviest hog-marketing season, which lasts from October until March. When I left home for Europe in November this problem was already facing me as one among many others for which assistance had to be found, in the protection of our American farmer, lest from failure to find a market for his products during the armistice and pending the wider markets of peace his prices might fall below his cost of production, entailing great waste of surplus commodities.

PROTECTION FOR THE FARMER.

"We have found it possible to protect the American farmer in the two and a half months since the armistice. This we have done by cooperating with the allies, in opening wider markets to neutral countries, and by relief shipments into the liberated territories. The next and last six weeks of the high fat-production season will be still more difficult to manage, as peace can not be expected in that time, restoring extended markets.

"On the other hand, five-sixths of this problem is already completed, and by next May, if we have peace and freedom, any surplus that accumulates now will be turned into another world shortage of fats. Indeed, if the entire consuming populations of the world were able to obtain fats to-day, there would be a shortage at this moment, even with our great surplus production.

"Numerous solutions have been proposed. It has been considered that the allied governments should continue to purchase the surplus production of pork products, despite the accumulated stocks and lack of immediate need, and thus protect the American farmer against the surplus provided especially for them. It has been contended that they are under moral obligations to execute the forecasts of their requirements given from time to time through their various agencies.

ALLIES FACE OWN PROBLEMS.

"The allies can, however, contend that they also have great problems of excess production in commodities, such as munitions, which they have likewise produced under war pressure. They contend that we have jointly fought and won the war; that this is sudden and catches us all with a vast production, which must be faced and liquidated by each of us without undue pressure, one against the other; that they, like ourselves, are entering a period of large employment during the readjustment, and that their people, like ours, need lower food prices.

"The real solution lies in the hope of early peace, and in the meantime the steady demobilization of all restrictions on free marketing of surplus foods except in enemy territory, thus reestablishing the law of supply and demand.

"Practically all restrictions on American food exports have been removed. Progress has been made in lifting neutral blockade restrictions, and further relaxations of blockade measures are under earnest consideration. The readjustment of consolidated buying agencies is hoped for in order that merchants may enter upon trade freely on both sides, and thus secure a normal basis of price determining without any dominating influences.

"It is, however, no more possible to demobilize in a week the whole of these intricate forces set up during the war than it is to demobilize our Army by dismissing it on the field. And pending these solutions our American farmers, merchants, packers, and banks simply must stand together for two or three months to carry our excess surplus over until the markets of the world have been more extended and finally liberated by peace. The meeting of farmers' and packers' representatives called at Chicago on Tuesday has to consider these problems."

DISCHARGE OF MEDICAL OFFICERS.

Mr. KING. Mr. President, there has been considerable criticism of the War Department for failure to discharge soldiers and sailors who were indispensably needed at home. There has been a great deal of criticism pertaining to the discharge of surgeons and physicians who are in the Army. I have received a communication from Surg. Gen. Ireland. I think it is so important that it ought to go in the RECORD, at least. It will be very instructive, or at least illuminating, to Senators. I shall not ask that it be read, but I ask that it be printed in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE SURGEON GENERAL,
Washington, January 20, 1919.

Senator WILLIAM H. KING,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In reference to your inquiry as to the reason why the Medical Department is not making more rapid progress in the discharge of medical officers, the department begs to submit the following statement:

There are in the military hospitals in the United States at the present time 66,529 occupied beds. In military hospitals in France there are 120,000 sick and wounded soldiers, of whom between 65,000 and 75,000 are expected to be sent to this country for further hospital treatment. In addition to the above, the Medical Department is, of course, called upon to care for the usual number of sick and injured resulting day by day in an army of 1,000,000 men in the United States. Many of the cases now in this country and of those to arrive from France are soldiers who have been seriously wounded and will need the most expert care to prevent deformity or other permanent disability. It should also be borne in mind that demobilization itself adds to the burdens of the Medical Department, as a large staff of medical men must be provided in each camp to make the required physical examinations of men about to be discharged.

When the armistice was signed on November 11, the department had on duty in this country approximately 16,000 medical officers. Between that date and January 18, 1919, 7,851, or nearly half, of these officers have been discharged from the service.

The large number of medical men still in the service from civil life and the increased amount of sickness prevailing throughout the United States this year has resulted in inconvenience and distress in many local communities. The department fully appreciated this situation and has discharged many officers whose services it could ill afford to lose in order that community needs might be partially met. The Surgeon General must, however, keep constantly in mind that his first responsibility is to provide the soldiers of the United States Army with proper and adequate professional care and to restore those who have been disabled or mutilated to the best possible functional condition before they are discharged from the service.

The fact that the war is presumably over and that there is no longer any prospect of overseas service or of promotion has naturally led to a reaction and a decline in morale among both officers and enlisted men retained against their will for service in our hospitals. Unless the public supports the department in retaining the personnel essential to its continued operation, this unrest will increase and must eventually react on the quality of service rendered the patients.

Your influence and support are earnestly requested in satisfying the people in your State of the continued need of the Army for the services of their medical men.

The fact that medical officers at certain places are for the moment not fully occupied should not be considered as evidence that their services are no longer required, as the peak of the load from overseas has not yet been reached and may not be reached in less than two or three months from date.

Yours, sincerely, M. W. IRELAND,
Surgeon General, United States Army.

MILITARY TRIALS.

Mr. LODGE. Mr. President, I ask that an article which appeared in the New York World with reference to military trials may be printed in the RECORD, because it is in direct connection with the speech made by the Senator from Oregon [Mr. CHAMBERLAIN] on that subject.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York World, Jan. 19, 1919.]

THE THING THAT IS CALLED MILITARY JUSTICE—CONCRETE OFFICIAL EVIDENCE WHICH ESTABLISHES THAT UNITED STATES MILITARY COURTS-MARTIAL INDORSE AND APPROVE OF OPPRESSION AND ARBITRARILY IMPOSE GROSS INJUSTICE—WHENCE COMES THE LAW WHICH MAKES THIS POSSIBLE? FROM CONGRESS—IT HAS ITS ORIGIN IN MEDIEVAL TIMES, BUT ITS BLUNDERING HARSHNESS NO LONGER OBTAINS IN FRANCE, ENGLAND, ITALY, OR BELGIUM—DATA FOUND IN THE 1918 RECORDS IN WASHINGTON, TO WHICH ACCESS WAS HAD BY THE AUTHORITY OF THE SECRETARY OF WAR.

THE AMERICAN BAR ASSOCIATION ACTS—BILL IN SENATE.

Senator CHAMBERLAIN's sensational speech arraigning the administration of justice in the United States Army brought this subject to the attention of the country. Before the Senate on December 30 the Oregon statesman, who is chairman of that body's Committee on Military Affairs, declared that we do not administer military justice according to law, but that it is completely under the control of military commanders who are not obliged to ask for legal advice or to follow it if given them by the responsible law officers of the Army. He cited instance after instance of soldiers sentenced to terms of from 2 to 25 years' imprisonment for comparatively trivial breaches of military discipline.

On January 3 President George T. Page brought the subject of military courts-martial to the attention of the executive committee of the American Bar Association. He denounced the obsolete procedure, the harsh and unequal punishments, and declared that the system was unworthy of the name of law or justice. The committee recorded its conclusions in the following resolution:

That the matter of the administration of military justice in the United States Army be referred to the program committee of this body for its determination as to whether and how it shall be made a part of the program for our annual session, with the accompanying pronouncement that in the opinion of this committee our military law and our system of administering military justice appeals to us as a subject which requires consideration and probably some reformation.

The information set forth on this page was obtained by Rowland Thomas, a member of the World editorial staff, who was sent to Washington to investigate the conditions exposed by Senator CHAMBERLAIN and President Page. He was authorized by Secretary of War Baker to examine the records in the Judge Advocate's office and there found full verification of the conditions that had aroused the indignation of these officials.

On the 13th instant Senator CHAMBERLAIN introduced in the Senate a bill to redraft the laws governing military courts-martial so as to afford protection to soldiers accused by their commanding officers and to stop the imposition of heavy penalties for trivial offenses.

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(By Rowland Thomas.)

In November, 1917, twelve old and excellent noncommissioned officers of the United States Army were tried by general court-martial at a camp in Texas. The charge was mutiny, a military offense so grave that the punishment prescribed in the Articles of War is "death or such other punishment as a court-martial may direct."

These men had been engaged in a camp amusement prohibited by a standing order. A young officer, finding them thus occupied and being overquick to assert his authority, ordered them in arrest instead of contenting himself with an admonition. While the men were in arrest he ordered them to drill. That order was in conflict with a general Army regulation which directs that noncommissioned officers in arrest shall attend no formations. The 12 noncoms knew that, and declined to put themselves in the position of violating a general regulation.

Upon their respectful refusal to drill they were summarily stripped of their insignia of rank and placed in the guardhouse. The charge of mutiny was preferred against them. They were tried, found guilty, and sentenced to dishonorable discharge and imprisonment at hard labor for terms ranging from 10 years up to 25. The commanding officer who had appointed the court reviewed and approved its findings and ordered its sentence executed. And from his arbitrary decision the 12 accused had no appeal whatsoever to any judicial power.

These 12 men had been mistried. They were, prima facie, innocent of the crime for which they had been accused and convicted. "Mutiny," by the definition given in the official manual for courts-martial, "imports collective insubordination, and necessarily includes some combination of two or more persons in resisting lawful military authority." These 12 old soldiers had not resisted lawful military authority. On the contrary, the act for which they found themselves "broken" and in penal servitude had been an act of upholding lawful military authority—one of the general regulations of the United States Army—against the infraction of a lawless or ignorant officer of that Army.

The other day I brought this case to the attention of an able and very distinguished member of the American bar. "Considering all those facts," I asked him, "do you see any shading of phrases by which a sane man, lawyer or layman, could seriously refer to any part of that transaction as representing the administration of any sort of justice?"

"On the contrary," was his answer, "what you have cited, were it true, would be a perfect example of the arbitrary imposition of injustice. But do you mean to tell me that happened in our Army?"

"By authority granted me personally by the Secretary of War," I answered him, "I have inspected the legal record of that case. What I have told you is its undisputed substance. The record is in the Mills Building, in the files of what we call our Bureau of Military Justice."

THE BUREAU OF MILITARY JUSTICE.

The Mills Building is in Washington, just across Seventeenth Street from the State, War, and Navy Building. In it are the offices of the Judge Advocate General's Department, which is charged with responsibility for legal matters arising in the Military Establishment of the United States, just as the Medical Department is charged with the equally technical matters of cure and hygiene. And one section of the Judge Advocate General's Department is called the Bureau of Military Justice.

In military justice you—if among the 4,000,000 men who now compose our Army you count a son, a brother, husband, kinsman, friend, or friend's friend or kinsman—have a more immediate and vital personal interest than you probably realize. For on the administration of American military justice depend at this very moment and at every moment while he is in the service the good name, the future prospects, the liberty, and possibly the life of the individual soldier you gave to your country.

In those offices in the Mills Building are preserved the records of 15,719 grave crises which recently arose in the lives of an equal number of American soldiers. They are the harvest of the one calendar year of 1918. And every last one of those almost 16,000 potential and mostly actual personal disasters arose through the working out of the theories and practices of American military justice.

Through the authority granted me by the Secretary of War I last week inspected a representative portion of those records.

Those 15,719 documents were records of 15,719 cases tried by general court-martial in the United States Army, one year's increment in the process of what is trustingly referred to as the administration of military justice. The Judge Advocate General is the technical law officer of our Military Establishment. Therefore, presumably, the public assumes that this must be matter of law, and so matter of justice.

Matter of law it is in one way. It is something legalized by action of Congress. But though the right and duty of captains and sergeants to give certain authorized commands under certain authorized circumstances have also been legalized by Congress, and they therefore might also be called matters of law in that meaningless sense, no one ever confuses them with matters of justice. They are described and recognized always as matters of military authority and command. And so should be described and recognized the matters which come up to the Judge Advocate General's office in the form of records of courts-martial.

COURTS-MARTIAL SENTENCES AT PRESENT MERELY MILITARY COMMANDS.

In the course of a speech in the United States Senate recently Senator CHAMBERLAIN said:

The records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the name of law or justice. We have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer.

If that statement, made on the floor of the senior legislative body of the Nation by the chairman of the United States Senate's Committee on Military Affairs, is true, it raises an issue of grave importance. If it is supported by facts, it raises this question: Shall courts-martial in the United States Army sit as mere instrumentalities of military command or shall they sit as courts of justice administering the law of the land?

And the Senator's statement is fully and amply supported by facts, which my investigation of the records showed. It will be shown you here that while the administration of military justice has been at times progressive and at other times reactionary, like most other phases of human government, it is at this time in this country almost wholly reactionary. It will be shown that though the Bureau of Military Justice in the Judge Advocate General's Department is nominally at the head of the administration of military justice, it is only nominally at the head. It is without legal authority. It does no more than "recommend to a military superior," usually the Chief of Staff, who then exer-

cises his military power of supervision and direction over these recommendations. Under the General Staff act, as construed in present practice, the Chief of Staff exercises the same command over the Judge Advocate General's Department as over the Supply Department. Thereby he has the power to differ, and he does differ, with the head of the Bureau of Military Justice upon matters of pure law, and substitutes instead his own judgment, even though that substitution should extend, as in that mutiny case in Texas, to the point of ordering that, for the purposes of command, wrong shall be right, truth shall be falsehood, innocence shall be guilt, and obedience shall be insubordination.

THE POWER OF MILITARY COMMAND.

It will be shown you that in the United States Army at present judicial power is only a concomitant and incident of military power. It is military power alone which determines whether an enlisted man shall be subjected to court-martial. By virtue of the power of command the military commander determines the sufficiency of the charge and of the evidence upon which a man shall be tried and other similar legal questions. By power of command he details the court-martial and passes on all questions of law arising in the proceedings and all questions of the legality of the proceedings. By power of command he determines the legality of the sentence and orders it executed. All this without independent legal direction or supervision, except that to be found in the "recommendations" of the Judge Advocate General, who is himself subject to superior military authority.

Further still it will be shown you how, from examination of those records which the Secretary of War formally gave me authority to examine, that, even inside the Judge Advocate General's Department, there is an irreconcilable difference of opinion about the proper answer to that tremendous question raised by Senator CHAMBERLAIN—whether in our Army we shall have military law and a system of administering military justice worthy of the names of law and justice or whether we shall have simply a method of giving effect by courts-martial to the more or less arbitrary discretion of commanding officers. It was clearly evident, from official "recommendations" attached to various cases, that in the Judge Advocate General's Department there is a school which believes in the theory that courts-martial are mere instrumentalities of military command, that this is the view of the Judge Advocate General himself, Gen. Crowder, but is not the view held by the officer who, throughout the war, has been Acting Judge Advocate General of the United States Army, nor by most of the officers of the department.

At the beginning of the war the Judge Advocate General's Department consisted of less than a score of officers. It now consists of about 400 officers who have come to it as distinguished lawyers from civil life. These lawyers, I discovered from official indorsements and memoranda attached to records of cases, have found the system not merely antiquated but one admitting on frequent occasions gross injustice and military oppression. Courts-martial try soldiers for all offenses from murder down. They are composed of Army officers ignorant of the rudiments of law. Yet under the present practice of the War Department their judgments, when approved by their camp commander, are final. And the present Judge Advocate General not only believes that the law makes such judgments final but that the law is wise. In one case, in which his views were strenuously opposed by the officers of his own department, he said that military justice was a kind of justice that had to be administered in the camp by the camp commander without legal supervision. This attitude resulted in the denial of the existence of any power in the War Department to correct error committed during these crude trials, though the error might be as prejudicial and unjust to the accused as that committed during the Texas "mutiny" trial. At the outbreak of the war the assistants in the Judge Advocate General's office, appreciating the need of a remedy for such gross wrong, endeavored to revive the revisory power over courts-martial proceedings believed by them clearly to be found in statutes of the Civil War period. The Judge Advocate General himself, though conceding the frequent gross injustice, denied the existence of such a power.

Notwithstanding that attitude, those who have guided the office of the Judge Advocate General since that time and throughout the war have assumed that remedial power must reside somewhere and in some cases of the grossest injustice have succeeded in inducing the Chief of Staff and the Secretary of War to take remedial action.

The task of persuasion was probably made possible for them by a single timely though tragic incident. Shortly after the Judge Advocate General's Department had strenuously denied to itself the power of review, 13 negro soldiers in Texas were tried, convicted, and were hanged the day after their conviction was reported to the convening authority and approved and confirmed by him. The record of the proceeding in those cases was not forwarded to the Judge Advocate General's Department for the "revision" required by the statute—whatever that term may mean when the power of effective review is self-denied by him—until three months after those 13 negroes had paid the forfeit of their lives. It is important to note here the fact that the camp commander, who thus by the power of military command made himself accuser, jury, judge, and executioner of those 13 men, was the same commander destined later, in the case of the "mutinous" noncoms, to order that inside his jurisdiction right should be wrong.

THE THEORY OF MILITARY JUSTICE.

But, first, a little clearing of the ground is necessary. Just what is military justice? What is a general court-martial?

Military justice, of course, is the process of putting military law into effective action. And military law is the legal system which regulates the government of the Military Establishment. Military law in the United States derives its existence from special constitutional grants of power and is both written and unwritten. Its written sources are the Articles of War, other statutory enactments of Congress relating to the military service, the Army Regulations, and general and special orders and decisions promulgated by the War Department and by department, post, and other commanders.

Its criminal code of procedure is embodied in the Articles of War, which, as enacted by Congress on August 29, 1916, in their present form, consist of 121 articles which, among other matters, define the limits of military jurisdiction, provide the military tribunals through which that jurisdiction shall be exercised, define the offenses for which persons subject to military law shall be brought to trial before these tribunals, and the punishments they shall suffer if found guilty.

Chief of the criminal tribunals of our American military legal system is the general court-martial, which is given power to try a soldier on practically every charge that can be brought against a human being and power to sentence him, if found guilty, to extremely severe punishment. Death, or such other punishment as a court-martial may direct, is the penalty prescribed by 13 of the so-called punitive articles, and such punishment as a court-martial may direct under 29 others. "Such punishment as a court-martial may direct," in the case of a soldier and in a "time of war," like the present, may be dishonorable discharge, forfeiture of all pay and allowances due or to become due during an indicated period of time, and imprisonment at hard labor for any period up to life.

WHAT A GENERAL COURT-MARTIAL IS.

A general court-martial is a body of officers numbering from 5 to 13, the direct appointees of a properly authorized military commander, generally the commanding officer of certain specified military units or areas. It meets, by order of this commander, to try any person whom he orders tried on any charge or charges he may order preferred against that person. The prosecution of the accused is conducted by an officer ordered by the same commanding officer to perform that duty and called a judge advocate, while the accused is given the right to be represented by council of his own selection "if such counsel be reasonably available." Since "civilian counsel will not be provided at the expense of the Government," counsel for the accused is always in practice a line officer not a lawyer and generally junior in grade and immature in human experience, who is ordered by the commander who appoints the court to perform the duty of counsel for the defense. He is, if his services be "reasonably available," an officer requested by the accused, and as to his availability the commanding officer has the final decision.

Before a court so constituted, and by a prosecutor and defender so equipped and so appointed, the accused is tried, all questions of law, including pleas, motions, and objections, arising during the proceedings being determined by majority secret vote of the members. After the evidence has been introduced and the statement of the accused and the arguments of prosecuting judge advocate and defending "counsel" have been heard, the court, again by majority secret vote, determines its finding on the law and facts. If the finding is "guilty," it then, by a majority secret vote, determines the sentence to be imposed, and from this judgment, when duly approved or confirmed, no appeal can be taken, nor can the judgment be set aside or reviewed by the courts of the United States nor of any State.

Such final approval or confirmation, except in capital and a few other specified cases, is the act of the commanding officer who appointed the court, and who, as reviewing authority, has the express power to confirm or disapprove the findings or any

part thereof, the express power to confirm or disapprove any part of the sentence, and the power to send the case back to the court for "reconsideration." The final action of the reviewing authority is ordinarily published by promulgation of a "general court-martial order," and after this order has been promulgated the action of the reviewing authority is beyond recall.

SOLDIERS STAND OUTSIDE THE CONSTITUTIONAL GUARANTIES.

All your life you have been safeguarded in certain respects by certain fundamental provisions so complete and so effective that the chances are you never completely realized their existence unless you happen to be a lawyer. You have been so safe you have taken your safety for granted, as you take the daily procession of light and darkness. Under amendments 5 and 6 of the Constitution you, as a citizen of the United States, can not "be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury." You can not "be deprived of life, liberty, or property without due process of law." If you become the subject of any criminal prosecution you "enjoy the right to a speedy and public trial by an impartial jury and to have the assistance of counsel," which last provision has been interpreted over and over again to mean the substantial assistance of qualified counsel.

Those are the inviolable safeguards of the life and liberties of every citizen of this country, "except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger." Then everything is changed.

Then any citizen of this country, if he has made himself, or has been made, subject to military law, may be arraigned for a crime, which is always potentially infamous and frequently is capital, by order of a single individual. And, having been so arraigned, he will be tried, both on fact and law, not by an impartial jury, but by a body of military superiors, and with no substantial assistance of counsel in his defense.

Consider what has happened in the case of a soldier found guilty and sentenced under a general court-martial order. He has been accused and ordered to trial by a man who was not a lawyer. He has been arraigned and tried before a body of laymen. All legal questions arising during his trial have been settled by a secret vote of those laymen. All evidence for and against him has been admitted or rejected by the same process. The question of fact—the question of his guilt or innocence on the strength of the evidence admitted—has been decided by another secret vote of that body of laymen, without competent judicial guidance. And the laymen, in case their finding was guilty, have determined by secret vote what punishment he shall suffer. The record of their action has been sent to the layman by whom they were appointed, and that layman, at his own discretion, has approved or disapproved their findings and sentence, perhaps a revised finding and sentence, given after "reconsideration," at his order. And that layman's decision is absolutely final. From it there is no appeal to any person or body.

And now, how do our commanding officers exercise that enormous power? How does the system work out in the day-to-day practice which brings the records of 15,719 general courts-martial cases to the Mills Building as the grist of one year's grinding of the mills of "military justice"?

THE FOUR DEATH CASES FROM FRANCE.

We have already seen how it worked out in the case of those 12 noncoms in Texas whose commanding officer ordered prima facie innocence to be guilt for the occasion and hanged 13 negroes three months before the legal record of their trial reached the responsible law officer of the Army, who, though he had no power to review the proceedings in the sense of ordering them revised or set aside, was expressly charged with the duty of examining their legality and by a "recommendation" calling the attention of his military superiors to any points inconsonant with law or justice.

Let us go further. Here are other illuminating cases. All are taken from the official records in the Judge Advocate General's Department:

During last winter, in France, four men—four boys, of whom the eldest had barely reached 20—were court-martialed and sentenced to be "shot to death with musketry"; two for sleeping on post in a front-line trench and two for disobeying an order to drill. Notwithstanding the seriousness of the charges preferred—both carrying the death penalty—the military authorities convened an inexperienced court of minimum membership, the majority lieutenants recently commissioned. A second lieutenant without any knowledge of law was assigned to the "defense." The two soldiers charged with disobedience this "learned counsel" permitted to plead guilty to a capital offense, though at the same time the accused made a statement, inconsistent with this plea, to the effect that because of long exposure for many days before to the intense cold of the mountainous section of France it was physically impossible for them to drill. Upon their plea alone these two were sentenced to death.

The two charged with sleeping on post were tried by the same court and "defended" by the same "counsel." They pleaded not guilty, and made a formal but ineffective defense. It was shown in evidence, however, and not denied by the Government, that the accused had been in the front-line trench for six nights from 5 o'clock in the evening until 7 in the morning, with an actual stand in sentry post of two hours on and one off. No sleeping could be had in such a brief respite, and night after night of such vigilance must bring exhaustion, unless there is a chance for sleep during the short day period. It was testified, and not denied, that it was impossible to sleep in the dugout during the day, because it was used as a place for chopping wood. Furthermore, in one case, the evidence of exhaustion was very convincing, in that the accused had been found asleep once earlier in the evening, about 8 o'clock, and instead of being relieved by the corporal of the guard had been kept on duty, with the result that he was found dozing, as he stood against the trench parapet with his rifle to his shoulder, at about 4 in the morning.

These matters of extenuation the court made no effort to prove or disprove, and should therefore have taken as true. The men were sentenced to be shot to death.

Before the four could be shot the cases had to come to Washington for action by the President, who in this case was the confirming authority, and the Chief of Staff, and, by formality and courtesy, before the Judge Advocate General for his examination and forceless "recommendation." They did so come, and the Judge Advocate General and the Chief of Staff both recommended that the President should uphold the hands of Gen. Pershing and execute the men, the Judge Advocate General stating that it would be unfortunate if the War Department could not agree upon the penalty in those cases.

With the record of those cases I found filed a memorandum written by a high officer of the department, who strongly dissented with the Judge Advocate General in this view. As this dissenter is both an officer of the highest personal repute in the Army and a lawyer whose learning and ability are fully recognized at the bar, it is worth while to note the main points of his position. He said that the same court could not fairly try these four men; that the accused had not had their right of substantial assistance of counsel; that they were young (all under 20, and all volunteers); that their military experience had been brief; and that not one of them had made the slightest fight for his life. Such a defense as each had made, he declared, was not worthy of the name and the trial in the cases was a travesty. He pointed out, too, that Gen. Pershing showed extreme insistence that the death sentences be executed for the sake of example to the Army. Upon this point the dissenter wrote:

"There is an insistence upon the part of Gen. Pershing which tends to prejudice these cases. He seems to have forgot that he is not the reviewing authority. The relation between the appointing authority and the President in these cases is judicial. I do not say that Gen. Pershing may not make recommendations as to the maintenance of discipline in his command; I know he may; but his recommendation in these four cases is a special thing, specially interposed in the course of justice in a special case, and characterized by great insistence. He asks that he be advised by cable of the act of confirmation and makes a powerful argument that they should die, the gist of which is after all to be found in his view of the necessity of exemplary punishment in these cases. It may be that punishment, made especially drastic for the purpose of example, at times has its place and value, but exemplary punishment is dangerous to justice. The execution of all military offenders would very likely decrease the number of future offenses and offenders, but such Draconian methods would destroy justice, without which all else in human society is of no worth.

"It is only right for me to say to you," concluded the dissenter, "that the military mind will, in my opinion, almost unanimously approve of confirmation in these cases. I do not say that the military feature is to be ignored by the Commander in Chief of the Army. I myself would not ignore it. But when it offends my well-considered sense of law and justice I could not follow it."

The "military mind" did approve of confirmation, but the Secretary of War finally came to the partial relief of these soldiers. Two were pardoned. The punishment of the other two, those who had refused to drill, was commuted to three years' penal servitude. In his formal communication to the

President as Commander in Chief, recommending this exercise of clemency, Secretary Baker raised two points worth noting. Discussing the death penalty as a military punishment, he said:

"It is fair to assume it arose in time and under circumstances quite different from these, when men were impressed into armies to fight for causes in which they had little interest or knowledge, and when their conduct was controlled without their consent by those who assumed to have more or less arbitrary power over them."

And in commenting on the degree of guilt of the two men who refused to drill he points out a circumstance to which no reference appears in any part of the record of their actual trial—that their company commander was an individual whose notorious and violent pro-German sympathies and open objection to fighting against Germany in the Army of the United States, though he bore its commission and lived on its money, later led to his court-martial, dismissal from the service, and sentence to 25 years penal servitude. "Should not," the Secretary asks, "this circumstance have been taken into account by the court in weighing the heinousness of the disobedience of these two boys, and could as high a degree of discipline be justly expected of them as of men whose superiors set them a proper example?"

TWO CASES OF "DESERTION."

These, of course, are extreme cases, having to do with military offenses committed in the face of the enemy. Let us take some nearer home.

There was a soldier in a camp in Alabama, with a wife and aged parents. He had an excellent record. In December, 1917, he went home on a three days' pass and found his father desperately ill. He remained home until some time in May. The evidence, unimpeached, showed that his people were very poor and in extreme need of his help; that he expected his father's death at any time; that he wore his uniform and made no effort to conceal himself, and at all times intended to return to his command. In May the father died. Two days thereafter the soldier reported to camp to resume his duties. He was tried for desertion, found guilty, and sentenced to 15 years.

This case is one of a class numbering hundreds which all show courts-martial convicting of desertion when the essence of the military crime—the specific intent to desert, the definite intention never to return to duty—is negatived by the evidence. There are many cases where the evidence shows plainly that boys went home only for a last visit before embarking for foreign service, or for the holidays, or to meet some urgent domestic situation. Such are clearly cases of absence without leave—not the desertion which is, in time of war, a capital offense.

"Too many trivial cases are sent to trial," said Mr. CHAMBERLAIN in the Senate, "too many unduly severe sentences are imposed, and the punishments awarded for similar offenses vary too widely."

That the reader may have an opportunity to judge of that for himself, here is another of these cases of "desertion"; this one from Camp Upton, N. Y. It will show, if nothing else, how completely the fate of an accused and convicted soldier is in the hands of the officer who ordered his court-martial. This soldier was tried for desertion last fall, it being specified that he had left his organization without leave on July 19 and been absent therefrom until September 19, when he was apprehended by the civil police and turned over to the military authorities. At his trial the following matters were put forward in his defense, and no attempt was made to disprove them. About three days before his "desertion" he received word that his youngest sister, whose particular friend, supporter, and counselor he had been, was dying in Bellevue Hospital. He asked for a pass to New York, explaining his reason. After waiting three days in vain he left camp without a pass and reached the city to find that his sister had died three hours before his arrival. It was found that she had let her small insurance policy lapse and the immediate problem of giving her decent burial arose.

The accused and his brothers and sisters possessed among them one liberty bond, which an undertaker finally agreed to accept in payment for his services. After that harassing experience the accused was immediately faced with another. The woman with whom he had lived for several years and who was the mother of his two children was his common-law wife. She had had trouble in obtaining the allotments made her from his pay, with the result that she was in dire need and the feeding and clothing of the children had necessarily been neglected. To top all, her mother, always hostile to the couple because of their irregular marital relation, had threatened to report the condition of the children and have them taken by the Gerry Society. And the young couple knew that, since they were not legally husband and wife, they stood very slight chance of getting their children back if once they were taken away.

Under these circumstances, the young man sought and obtained work at his trade of coal handling and worked at it all summer. The evidence showed that he made no effort to disguise his status, wearing his uniform frequently, though never when it would be exposed to the dust and grime of a coal yard, and that when it was left in his dwelling no attempt was made to conceal it. The evidence also showed that he and the woman made constant effort to find a position wherein she might support herself and the children, and that as soon as such a position had been secured he instantly made preparations to return to his duty at the camp. When he was apprehended his uniform had actually been cleaned and pressed by a tailor in order that he might make a soldierly appearance when he reported back.

In Alabama, you remember, such an offender, with very similar mitigating circumstances, was found guilty of desertion and sentenced to imprisonment at hard labor for 15 years. It seems reassuring and heartening, for the moment, to learn that in New York the charge against the soldier was reduced by the court to absence without leave and the penalty to confinement for six months, later reduced by the reviewing authority to one month. But is it so very heartening, after all? It is good to be thus assured that we have just and merciful men among the officers in our Army. But should that blind us to the fact that there is no power compelling them to be just and merciful, and that even mitigating and extenuating circumstances must mitigate and extenuate, if at all, only by their arbitrary decision, just as it proved, in the case of those "mutineers" in Texas, that innocence itself must change to guilt when a commanding officer gave a military order to that effect? Is that justice? Is it law?

COMMANDERS ISSUE ORDER FOR "JUDICIAL" SEVERITY.

Touching on this matter of "desertions," the file of orders which I found in the Judge Advocate General's Department in Washington shows that at some camps in the United States the military commander has ordered that absence without leave for 24 hours shall be submitted to a special court-martial, which has a punishing power of six months' confinement and forfeiture of six months' pay, and that cases of more than five days' absence shall be submitted to a general court-martial, with unlimited power to punish, and that in such cases the camp commanders have instructed the courts to punish such cases with severity.

The files also show that frequently when courts acquit the convening authority—i. e., the commanding officer—sends the cases back for "reconsideration," with an argument which, coming from the very source of command, virtually compels a conviction; and that there are many cases tried where every legal or other consideration only goes to show that the trial was a result of a gross abuse of military power. With citation of one more human document this phase of the discussion may be brought to a close. This also is a case from Camp Upton, tried last fall. The charge was absence without leave; the specification, such an absence lasting from July 1 to September 11, when the accused reported back for duty. The plea was not guilty; the finding of the court was guilty. The sentence imposed was dishonorable discharge, forfeiture of all pay and allowances due or to become due, and five years' imprisonment at hard labor. The action of the reviewing authority was a reduction of the imprisonment to three years and suspension of the dishonorable discharge until that term had been served.

The evidence introduced in behalf of the accused, and not only unimpeached but strongly corroborated, was that the young man, who had been a year in the service and proved a cheerful and dutiful soldier with a strong desire to get overseas, had been in civil life the main support of an ailing mother, a sister, and three younger brothers, the father being a drunkard, who did not live at home but was in the habit of returning there whenever he indulged in one of his periodical sprees and setting out to wreck the place, the only member of the family able to exercise any control over him at such times being this elder brother, William.

Between the incubus of this condition in the home he had left behind him and the repeated disappointments, after a year in camp, of being several times ordered to an overseas detachment and then having the embarkation order rescinded, the accused, as he told the court, "got kind of discouraged all round," and on July 1, having failed to secure a pass, went home without one, to find his father on a spree and his mother in bed with weakness and nervous dread. And in that home, standing between that mother and that father, the young man spent the summer.

He wore his uniform and did not make any attempt to disguise or conceal his status. Nay, more, he took up with an official and semimilitary organization, the home branch of the American Red Cross, the question of finding some adequate

means of controlling his father and protecting his mother, short of arrest, the social disgrace of which he was not willing to have his family undergo. This part of his statement was corroborated by the following telegram of the Red Cross to the court which was trying him:

William ———, (address), overstayed last furlough on account father on periodical spree. William alone able to control father at such times. Concealed fact prolonged furlough from mother, who is anxious and sickly.

What criminal lawyer would ask to face a judge and jury with a more moving plea for a client? And what upright district attorney, sworn officer of the court to see that substantial justice is done between the State and the erring individual, would not be strongly moved to enter a nolle pros?

What happened during the administration of "military justice"? Amateur "counsel" for the defense summed up these circumstances colorlessly and briefly, humbly admitted that the man he was "defending" had committed a most grave offense, and politely, almost timidly, asked the court to take the matter of the drunken father into consideration, and, if it could, not to be too hard on the drunken father's son.

Judge Advocate for the United States indulged in a burst of oratory. What he said illustrates so well what it is not unfair to term the animus of the military mind, that it is repeated here verbatim:

As I understand counsel, the accused's difficulty in getting a week-end pass led him to be absent for two and a half months. It must have been a great difficulty that he expected to meet when he met his company commander if he had in mind asking for a pass for the entire months of July and August and the first 10 days of September. I can not believe that a man whose one desire is to get overseas to fight for his country is going to be heartbroken at his failure to get over there at the first possible moment. The fact that a man stays absent for two and a half months indicates that he is a deserter. He is charged with absence without leave, but it is the most serious absence without leave that you could possibly have, without any justification except that there was a drunken father in the family. I think the man should be punished and punished severely.

Five years for William, the civilian in uniform who "got sort of discouraged all round," and then the machinery of our administration of military "justice" took into its maw the next case of those 15,719.

DISCIPLINE IN OTHER ARMIES.

Case after case of similar mold might be added here if space were available. It should be stated definitely as a part of this record that from the historic point of view that the so-called military justice of these United States of ours, besides being blundering and senseless, is archaic—the sole survivor in any decent nation of a system of military discipline which originated in mediæval times and was brought to its full flower by that ardent democrat—Gustavus Adolphus. This system has been abandoned by France, by England, by Italy, by little Belgium; and the spirit and discipline which said, "They shall not pass" at Verdun, which turned the surviving tenth of the "contemptibles," after that fortnight of slaughter and retreat, into the offensive force which smashed the German right for Joffre, which swept the routed Italian armies back to victory, which kept the black and red and yellow of Belgium flying for years never to be forgotten over one small, miserable stretch of marsh and sand dune, were founded on quite a different concept—one which recognized the laws of the land and the rights of men and the fundamentals of justice as being always superior to any mere power of military command however exalted and however necessitous.

It was all this and more that Senator CHAMBERLAIN had in mind when, on the floor of the Senate of the United States, he said:

"The records of the courts-martial in this war show that we have no military law or system of administering military justice which is worthy of the names of law and justice. We have simply a method of giving effect to the more or less arbitrary discretion of the commanding officer."

DR. WILLIAM FREDERICK BADE.

Mr. JOHNSON of California. I have a telegram from Dr. William Frederick Bade, a prominent and well-known citizen of California, who recently was accused of pacifism or of some disloyal or seditious activity by somebody before the subcommittee of the Judiciary Committee without any proof concerning the matter at all. The publicity given to this unproven charge is a shame and an outrage. In justice to him I ask that the telegram from Dr. Bade be inserted in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

BERKELEY, CAL., *January 27.*

Senator HIRAM JOHNSON,
United States Senate, Washington, D. C.:

Never having been a pacifist, but am an active and outspoken promoter of war enterprises, besides having offered my services to the Government in several capacities, I earnestly protest against the unjust charge of pacifism as laid against me on the Senate records, a loyal citizen defenseless against such traducing.

WILLIAM FREDERICK BADE.

LEAGUE OF NATIONS.

Mr. KNOX. I ask unanimous consent to have inserted in the RECORD without reading a portion of the address by Hon. Albert J. Beveridge, formerly a Senator from the State of Indiana, before the Massachusetts Bar Association on the 6th of December, 1918. It is that portion of the address relating to the league of nations.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the address of former Senator Albert J. Beveridge before the Massachusetts Bar Association, Dec. 6, 1918.]

"Some excellent and able men now urge that just as the States of the Union have been interlaced into a nation, with concord throughout its dominions, so the nations of the earth shall be similarly united to end strife among all mankind. Why, it is asked, if the States could unite into a nation, surrendering most of their sovereignty to the National Government, should not the various governments of the world form a superstate to which each of these federated nations would yield a part of its sovereignty and obey the decrees of an international authority supreme over all of them?

"This plan, passionately insisted upon under two or three titles, raises the greatest question which the American people have ever been called upon to answer. I have been asked to examine it to-night, but since this can not be done in the brief time remaining I shall merely suggest some of the questions involved.

"If the analogy of the States agreeing among themselves to form a harmonious nation is to be strictly followed, certain results would be inevitable; for example, just as the States, in order to form a nation, gave up the right to pass tariff laws or immigration laws, so the nations comprising the international superstate would have to do the same thing. Indeed, certain foreign champions of this international arrangement urge this very fact as one of the principal reasons why a league of nations should be established.

"If this is not so the analogy fails. The argument based upon a comparison of the union of the States into a nation, with the proposed union of the nations into a world government, would require us to imagine that the States agreed only that they would not fight one another, but kept the right to make tariffs against one another, to regulate or prohibit immigration from one to another, to do the same thing with reference to commerce, and, in short, to act in every way as though each State was a sovereign nation. In short, the States would have agreed not to make war among themselves and yet left open every subject that might cause hostilities. Is it not plain then that this analogy is false, and even absurd?

"The league can be established only by treaty. This treaty binds each member nation to make war anywhere and at any time the league decrees. If America become a member we must, of course, repeal that provision of our Constitution which gives to Congress the exclusive power to declare war. This is admitted. I hear that such an amendment was actually introduced in the Senate. Do we want to abolish that vital provision of our fundamental law? Do we want to bind ourselves and our children forever to make war whether we or they want to or not? Even if we did not formally repeal that section of our fundamental law, would not the result be the same as if we did repeal it, since our honor would be pledged in the treaty to make war, and Congress would be morally compelled to declare it as a matter of good faith to our allies, whenever and wherever a majority of them require it?

"Of course, if the league treaty is not to bind each member to enforce the judgment of the league, then the treaty would amount merely to an agreement that the contracting nations undertake to be good.

"The only reason given for the proposed international superstate is that it may prevent wars by the amicable settlement of disputes. But, on the contrary, does not the plan contain the very seeds of strife? Assume the league in existence, with big and little nations members of it. Suppose two of the larger nations differ radically on some subject which each honestly thinks vital to its well-being. The matter must be settled by a vote of the nations that are members of the league.

"If human nature has not been repealed, would not each of the contending Governments try to get as many votes as possible? Would not this result in, would it not compel, such international intrigue and corruption as the world has never seen? And if one of the disputants should prevail by a single vote or fraction of a vote, would the defeated nation and its associates

submit? Or would there be a world-wide cry of fraud followed by resistance? Even if war did not result, would not the league dissolve, leaving behind it bitterness and suspicion more intense and long-lived than even some wars have produced?

"As to the actual structure of the superstate, on what basis would it be erected? Would little nations have the same suffrage as big nations? Would Costa Rica have the same voting power as France? Serbia the same as Great Britain? Uruguay the same as the United States? Tibet the same as Japan? If not, what becomes of the principle that the rights and interests of little nations are as sacred as those of big nations? Since the protection of small nations is one of the main purposes of the proposed league, who are so well qualified to pass on their own safety and well-being as the little nations themselves?

"But in case the lesser nations are to have only fractional votes, who shall decide what those fractions shall be? And would the small nations come into the league on fractional representation? But if the little nations refuse to enter the league as inferiors what is to become of their rights, interests, and honor, which it is one of the principal purposes of the league to protect? Or is the league to tell the little nations what is best for them and, by force, make them submit to the league's opinion?

"If this trifling problem should be solved to the full satisfaction and happiness of all nations, another small question arises: What proportion of the international army and navy which is to execute the decrees of the league shall each nation furnish? Shall this be determined upon the basis of population? If so, China would supply more men and ships than all of Europe, the United States, and Japan combined. Shall contributions to the international police force be determined by comparative wealth? If so, the American Nation must furnish the largest contingent. Or shall the rule of allotment be the degree of comparative intelligence? Or shall it be measured by that clearly defined and accurately established standard called 'civilization'? In either case, who is to decide the relative intelligence and civilization of the nations? Would any nation agree that its people are less intelligent and civilized than others? Also, how shall the command of this international army and navy be settled?

"But assume all these questions to be disposed of, as doubtless they readily can be, and the league to be in full and effective operation. What would be the province of the superstate and what our duty in the matter of revolutions in any country? Governments are constantly changing by revolutions, and revolution in one country sometimes causes war between other countries. For instance, the French Revolution caused the war between Great Britain and France; that in turn resulted in the Napoleonic wars. But it is the league's business to prevent wars. Must the league therefore interfere with revolutions? If so, on which side?

"The late Czar was the first authority in modern times to call an international council for the suppression of war. Suppose that gathering had resolved upon a league of nations, of which the United States, Great Britain, France, and other nations, including Russia itself, were members. It would have been the Government of the Czar that signed that treaty. When that Government was threatened with destruction by revolution, would it not have called and have had the right to call on its international partners to help preserve it?

"Suppose a league of nations had existed at the time of our Civil War. If it intervened in that struggle, does anybody doubt what the result would have been? Do we not know that we would to-day be two nations instead of one?

"But let us say that the supposed world superstate agrees to have nothing to do with revolutions, although by so agreeing the very governments forming the superstate may themselves be destroyed. Let us say that the league proposes to intervene not when different parts of a nation are about to fight one another, but only when different nations are about to fight one another. If the combat can not be prevented and hostilities begin, on which side will the league fight?

"If it be said that the superstate will act against the aggressor, how shall it determine which of the belligerents really is the aggressor, since every nation always claims that the other belligerent is the aggressor, and the decision must be made instantly if war is to be prevented. But sometimes it takes many years to settle the real cause of a war. Which nation was the aggressor in the Russo-Japanese War or in the conflict between China and Japan? Each claimed at the time and still claims that the other was the aggressor.

"Moreover, occasionally the real cause of conflict is not admitted by either belligerent, and could not and would not be submitted to any international court or league. For example, the fundamental cause of the Russo-Japanese War probably was the increase of population in Japan and the necessity for more territory where its people could live, on the one hand, and Russia's historic, natural, and perhaps justifiable desire for ice-free ports on the other hand. Yet this profound reason for the Russo-Japanese collision would not have been admitted by either of the two disputing nations and could not have been settled by an international power. Suppose, then, that since the league could not have dealt with the problem war came, notwithstanding the league's existence. On which side would American soldiers and sailors have had to fight?

"Since one of the objects of the superstate is to protect the territorial integrity, rights, and interests of small nations, what would we, as a member of the league, have been compelled to do in the war between Great Britain and the allied Dutch Republics of South Africa? Or what would have been the league's action when Korea was absorbed by Japan? In our own history, would we have been permitted to wage war with Mexico? If not, what would now have been the situation of that enormous territory which now composes the States of California, Nevada, Utah, Colorado, New Mexico, and Arizona? To-day it is peopled by the freest, happiest, richest men and women on the globe.

"Would we have been allowed to fight Spain? If not, what to-day would be the condition of Cuba, Porto Rico, and the Philippines? No such progress is recorded in history as has been made by the people of those islands since they came under American control; and all of them are under American control. Porto Rico and the Philippines are American possessions, and American suzerainty over Cuba is the most perfect ever committed to paper.

"Is not the proposed world superstate an agreement to maintain perpetually, by arms if need be, the status of the world as it shall be at the time the league is formed? Do we not, as a member of the league, underwrite for all time to come the international status quo and guarantee to maintain it with American blood and treasure? And is this wise or right either for ourselves or the world?

"It is not impossible that the whole thing will taper down to a proposal of a league consisting of a permanent alliance of the United States and the three other leading nations of the world. Already I have heard such a suggestion. The world is to be 'policed' and 'kept in order' by the 'big four.' How Holland and Spain and Belgium and the Scandinavian countries will welcome that scheme! And South America! We can already hear loud cheers from that quarter. And none of the nations outside the combine is to be permitted to say a word about the matter—they can come in on the terms prescribed by the 'big four' or stay out. But in either case the 'big four' will attend to their affairs for them. Does not such a project as this suggested 'league of nations, limited' appear somewhat fanciful, not to say unjust? Would it not create universal antagonisms, jealousies, hatreds? And what possible advantage would America derive from it? Is it not plain that it has most of the evils of an unlimited league and some that are even worse?

"Whether the scheme takes in all nations or only a few selected governments, are the American people to be allowed to vote on this question which concerns them so profoundly? Are any people to be permitted to vote on it? Apparently not. The arrangement is to be made by gentlemen in Paris, presented to our Senate in the form of a treaty, and put through without any expression by the people of their will in the premises. If it is said that this is the usual method of dealing with treaties, is not the answer that this is not an ordinary treaty? It resembles no other treaty we ever made except in one point: When it is made we must stand by it whether we like it or not.

"That point is worthy of consideration: If we get into the league, we can not get out. No matter how badly it works for us, no matter how much we may come to dislike it, we are bound, in honor, to remain in it. If, in desperation, we broke the treaty and released ourselves, would we not thereby invite war upon us by the other members of the league? Even if they generously refrained from attacking us, could they be expected ever to trust us again?

"But whether we are to be bound to an alliance with many or few nations, what advantages in any direction would America derive from membership in a league of any kind? Or are American rights and interests unworthy of our consideration? If our own well-being is not to be eliminated from our thought, ought we not ask and answer a few obvious questions?

"Take, for instance, our Mexican relations. That country adjoins us. There have been, are, and always will be more American citizens legitimately engaged in business in Mexico and a greater quantity of American capital legitimately invested there than the citizens and capital of all other countries combined. For years we have endured peculiar, shocking, and in-

defensible—almost indescribable—outrages upon American citizens and property in Mexico, and this is likely to occur again.

"As a member of an international league could we do anything whatever to protect American lives, safeguard American property, or maintain American rights in Mexico without the consent of the other nations who are our fellow members in the league? If it became necessary for us to establish the same relations with Mexico that we have with Cuba, could this be done without the sanction of the international superstate?

"Or take the Monroe doctrine, which concerns the Western Hemisphere and is vital to the development of it. Would not Japan, Great Britain, or Germany have as much to say as ourselves about what that doctrine means and what may and may not be done under it? If we undertake to help settle the disputes among the nations of Europe and Asia, do we not bind ourselves to allow them to have the same voice in the affairs of the Western Hemisphere?

"If we, with other nations, underwrite the status of canals in the Old World, do we not obligate ourselves that other nations shall, equally with us, control the Panama Canal?

"Would any beneficial result come to us from membership in this international league? Would not the inevitable consequence be that we involve ourselves in racial and historic antagonisms and complications from which thus far we have kept ourselves free? Would we not surrender every advantage which our situation on the globe, our history, our one unbroken traditional policy, and our resources afford us? Would we not place ourselves in the position of an integral, physical part of the continents of Europe and Asia?

"It is said that steam and electricity have eliminated the ocean and that nations no longer are separated by water barriers. Is this true? The English Channel is now as effective a bulwark to the United Kingdom as it ever was. That narrow strip of water and a strong fleet have saved England from invasion for nearly a thousand years. From the military point of view it would appear, then, would it not, that, after all, the Atlantic has not been abolished?

"We are told that we must no longer be 'isolated.' How are we 'isolated'? Not commercially. Not financially. Not socially. We have been 'isolated' only in the political sense, only in the sense that we have not bound ourselves by alliances to mix up in the quarrels of others, only in the sense that we have attended to our own business. Is not that kind of 'isolation' the very thing that is best for us and for the world? If so, why abandon it?

"All the points that I have suggested are only a few of those involved in the present-day recrudescence of the ancient scheme for a league of nations. There are many others, but the lateness of the hour precludes a mention of them. But do not the ones enumerated show that the international journey which we are asked to take is through an unexplored and perilous jungle?

"Is it not better for the American people to advance along the highway of America's traditional foreign policy? That policy was formulated after years of thought, experience, and consultation by all the wonderful company of constructive statesmen who laid the foundations of the American Nation. No such group of far-visioned men ever blessed with their wisdom any country at a given time. Call the roll of them: Washington, Hamilton, Jefferson, Adams, Madison, Marshall, and the others of that galaxy of immortals.

"The foreign policy announced by Washington was the product of the combined and profoundly considered judgment of all these men. It was the only policy, foreign or domestic, on which all of them were united. On every other they disagreed. For that alone they stood as a single man. Also that policy has been maintained from that day to this by every American statesman and every American political party.

"For more than a hundred and thirty years the American Nation has progressed along the plain, safe course these men marked out. It has kept us from disastrous foreign entanglements and ruinous foreign complications. It has saved us hundreds of thousands of lives and hundreds of billions of dollars. Why leave it now to wander through a pathless wilderness of alien interests, racial hatreds, historic animosities?

"Do not the well-being of a great people and the development of a mighty continent present problems hard enough to tax all the strength of the ablest men in the whole Republic? If the concerns of a few million people occupying a strip of seaboard engrossed all the energy, thought, and time of men like "the fathers" whom I have just named, have any intellects now appeared capable of caring not only for the affairs of 110,000,000 human beings covering an area that stretches from ocean to ocean, but also capable of adjusting all the differences of all the variegated peoples of the entire globe?

"The situation of the American Nation is peculiar and unique. Geographically it sits on the throne of the world. Its resources are greater than those of all Europe combined. Its history is that of the evolution of a distinct, separate, and independent people. Its mission is no less than to create a new race on the earth and to present to mankind the example of happiness and well-being that come only from progressive, self-disciplined liberty.

"This was the faith of our fathers. By that faith ought we not still abide? The American Nation the supreme love of our hearts, the highest object of our effort and our thought, the American Nation free of hand and unmanacled of foot, marching steadily onward to that destiny to which its place on the globe, the genius of its people, and its orderly institutions of freedom entitle it."

THE COAL SITUATION.

Mr. JONES of Washington. Mr. President, a short time ago complaints were brought to me to the effect that the order by the Fuel Administration of the District of Columbia requiring dealers to store coal for customers at 75 cents a ton was not being enforced, but was being violated by the coal dealers. I introduced and the Senate passed a resolution requiring the fuel administrator to advise the Senate what measures were being taken to enforce that order and also requiring him to state under what authority the order was issued. The fuel administrator, under date of December 16, sent a report to the Senate, which has been on the table. I wish to read one sentence from that report, as follows:

> Upon the issuance of said order the same was given wide publicity through the newspapers of the District of Columbia, and up to the present time there has not been called to the attention of the fuel administrator any violation of the same by any of the retail dealers in said District.

Mr. President, my information that the order was being violated came from a very reliable source. One gentleman stated to me that he had called to the attention of the fuel administrator a refusal of the dealer through whom he had purchased his coal to put it in at the price fixed by the Fuel Administration. I have heard of other cases. This report of the local fuel administrator was peculiar, to say the least; and in view of the action of the Fuel Administration now it is still more peculiar. It may be that complaints have increased since he made his answer. Sure it must be that complaints have come to him and he is taking a queer way to enforce his order.

Mr. President, I have here an advertisement headed "United States Fuel Administration, Division of the District of Columbia," which was printed in the Washington Post, I think, of Saturday, and I notice in the paper of yesterday that this advertisement is still being carried. It says:

> UNITED STATES FUEL ADMINISTRATION,
> DIVISION OF THE DISTRICT OF COLUMBIA.
>
> *To the public:*
>
> In an effort to prohibit the excessive charges heretofore demanded by individuals for the storing of coal in the bins of consumers, the Fuel Administration has issued a regulation to the retail coal dealers of the District of Columbia to the effect that the charge for storing coal shall be at a rate not to exceed 75 cents per ton.
>
> Inasmuch as the dealers are prohibited from charging more than 75 cents per ton and are expected to perform the service at all times without profit to themselves, the general public is hereby requested to cooperate to the extent of refusing to pay individuals more than the above-named amount. Whenever a greater amount is demanded report should be made immediately to the dealer from whom the coal is purchased. In this way it is believed a very annoying situation may be satisfactorily handled. The Fuel Administration has the assurance of all the coal merchants that they will use every reasonable effort to perform this service at the earliest possible moment when requested by the customer.
>
> By a spirit of cooperation and patience between dealer and consumer in this connection, it seems reasonable to expect that the exorbitant costs heretofore experienced may be successfully eliminated.
>
> UNITED STATES FUEL ADMINISTRATION,
> BUREAU OF DISTRIBUTION FOR THE DISTRICT OF COLUMBIA,
> *927 Woodward Building.*

Mr. President, it is evident from this advertisement that the Fuel Administration is having complaints made to it, and I have no doubt but that complaints had been made prior to the submission of this report to the Senate. Why the statement should be made that none had been made and that things seemed to be going along very well, I do not know. Why spend money for this advertisement? Why does not he prosecute for a violation of his order? Why not cancel permits to carry on business if the order is not complied with? This seems to be a confession that he can not, in fact, enforce the order.

In order to show the real facts of the situation, I ask that the report sent to the Senate may be printed in the RECORD—it is a short report—together with the order and this advertisement printed in the paper to which I have referred.

The PRESIDING OFFICER (Mr. HOLLIS in the chair). Without objection, it is so ordered.

The order is as follows:

UNITED STATES FUEL ADMINISTRATION,
OFFICE OF THE DIRECTOR FOR THE DISTRICT OF COLUMBIA,
Washington, D. C., November 5, 1918.

To all retail coal dealers:

In order to prohibit the excessive charges heretofore demanded by individuals for the storing of coal in customers' bins, it is hereby ordered by the director for the District of Columbia, United States Fuel Administration, that on and after this date no person shall charge a sum greater than 75 cents per ton for the storing of coal.

All retail coal dealers are hereby directed from this day to arrange for and store all coal delivered by them to residences whenever requested by the purchaser at a cost not to exceed 75 cents per ton.

Respectfully,

UNITED STATES FUEL ADMINISTRATION,
By BENJ. WOODRUFF,
Assistant Director for the District of Columbia.

ADDRESS BY R. L. M'KELLAR.

Mr. BECKHAM. Mr. President, I have here an address by Mr. R. L. McKellar, of Louisville, Ky., a brother of the Senator from Tennessee, which was delivered at the Foreign Trade Convention held in New Orleans, La., on the 13th and 14th of this month. It is a very interesting and able address, and I ask permission to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COOPERATION AS A NECESSITY IN DEVELOPING FOREIGN TRADE.

[Address of R. L. McKellar, secretary exports control committee, Washington, D. C., at Foreign Trade Convention, New Orleans, La., January 13–14, 1919.]

"One of the most wonderful years in the world's history has come and gone. The greatest war in human history has ended in glorious victory. The most momentous problems that ever faced mankind must be solved in the year on which we are about to enter. To be living in such a time as this is a glorious privilege. To have had a share, however small, in the great things that transpired in 1918 is an honor. To be permitted a part in the work of 1919 is life's opportunity."

These are the words of a Louisville pastor a few weeks ago, and so fitted are they to the spirit of the time that the liberty of repeating them here is taken.

The allies by the courage and endurance of their armies and the unceasing watchfulness of their navies succeeded in holding in check for almost three years the strongest fighting machine the world has ever known. However, the final outcome was problematical until the United States, with the weight of its men, money, and munitions, and the wonderful spirit of its men, turned the scale and menacing militarism was successfully crushed.

The participation of this country in this great struggle was not for conquest, not for expansion, not for aggrandizement, but for the principle of humanity and liberty.

With its successful ending comes the problems of peace and the revival and readjustment of world trade. One of the first commercial problems is what part this country is to take in foreign commerce. Will all the leading nations of the world, now so largely numbered among the allies, enter a mad scramble for this trade and indulge in selfish and wasteful competition, or will it be sought upon the same high principles of right, honor, justice, and fair dealing as have characterized the conduct of the war? Assuming that the same high plane will be adopted, let us determine, if we can, what will be the attitude and policy of the United States in general and the outlook for our southern section in particular.

Prior to the war the domestic business of this country was so ample and remunerative that we were not forced to seek foreign trade other than for surplus production and from our abundance to supply other countries with our raw materials. This condition, however, was changed somewhat during the war period, when foreign trade of leading European nations was practically suspended, with the result that this trade was in part driven to the United States as the only country in position to supply it.

Our attempt to supply this demand has been subject to rigid conservation restrictions, which have served to limit the volume. This restricted experience, however, has been instructive and stimulating, and now that peace is in sight it is found that everywhere in trade circles, and even around the fireside and with the suffragists, foreign trade and its kindred interests are being discussed. Numbers are harkening back to sea, and thought and attention is being turned to the building, manning, and operating of ships and the exchange of commodities with other countries.

The United States Shipping Board is releasing several hundred thousand tons of shipping monthly, and with a merchant marine in early prospect equal to that of any other nation, it becomes necessary for our merchants, manufacturers, and producers to find profitable employment for these vessels and for the output of converted war industries. Furthermore, this country has won the good will of a large part of the world by the unselfish part it has taken in the war, and it is also a fact that the countries of the world have been drawn much closer together and have become better acquainted as the result of the war. Therefore, all things considered, the United States can not longer escape its full responsibility as an exporter of a reasonable share of what it manufactures and produces of the world's needs.

Let us briefly review the relative position of the Gulf ports and in a way take stock of some of the advantages and disadvantages.

The North Atlantic ports, with their immense port facilities, their long-established steamship lines, and their close proximity to the more densely populated manufacturing sections of this country, naturally attract the greatest volume of our export and import commerce.

The Pacific ports also have first call from standpoint of ocean distance to Alaska, the Orient, the Philippines, and Australia. It therefore behooves the Gulf ports to thoroughly analyze their assets and advantages and bring them into complete coordination and cooperation.

It must be realized that the territory tributary to the Gulf does not possess the diversified manufacturing interests to anything like the same extent as the territory adjacent and tributary to the North Atlantic ports, and that the distance from the Gulf to European ports is upwards of 1,000 miles greater than from North Atlantic ports. On the other hand, the territory tributary to the Gulf produces important commodities that Europe must of necessity have, such as cotton, cottonseed products, oil, grain and grain products, naval stores, lumber, and other forest products. These furnish a base for vessel cargo and insures steamship service to move them. The extension of this steamship service largely depends upon the amount of additional diversified cargo that can be attracted.

To the West Indies, Mexico, Central America, and to both the east and west coast of South America, the distance is in favor of the Gulf.

To the Orient, the Philippines, and to Australia the Gulf is also a factor through the Panama Canal.

These ports are served by approximately 50,000 miles of road. Embraced in this extensive mileage are found strong railroad systems, having a vital interest in the growth and development of the ports they serve, and at each and every one of these ports will be found one or more rail carrier that is not only obligated but pecuniarily interested in promoting the best interests of that port. In addition to the 50,000 miles of railway referred to as serving Gulf ports, there can safely be added 20,000 additional railway miles in the nature of connecting lines, north and west, giving in the aggregate 70,000 miles of railway mileage engaged in transporting the products of mines, field, and factory along lines of least resistance to the Gulf. In addition to this total railway mileage, the mileage of navigable streams into the Gulf approximates 19,000 miles, or something over two-thirds of the navigable stream mileage of the entire United States. This substantial water mileage exerts both active and potential competitive force in the way of affording transportation along the lines of least resistance and in the establishment of low rates.

Therefore it can safely be said that the United States will be a strong factor in world trade, and that the Gulf can compete favorably for trade with Europe, Asia, Australia, Philippines, West Indies, Mexico, Central and South America, and Africa. These countries embrace the greater portion of the population of the world.

The subject assigned to me is "Cooperation as a necessity in developing foreign trade."

At this time what seems most necessary is to first determine what are the leading factors essential to foreign trade and to reach a full understanding of what is required of all concerned to meet national competition as we shall find it. The principal factors are exporters and importers; inland transportation, both rail and water; port agencies, facilities, steamship service, and foreign banking facilities. Collateral agencies and instrumentalities are colleges and universities for the training of young men for work in foreign trade, port and interior boards of trade, foreign consuls, commission houses, freight brokers, the United States Shipping Board (including its port and harbor-facilities commission), the United States Department of Commerce, the Pan-American Union, the exports-control committee, foreign trade journals, and the daily press.

If a "chain of influence" and a community of interest and of mutual understanding can be established as between these several agencies and instrumentalities, the foundation for a stable and cohesive foreign commerce is well laid.

I am not here to tell these several agencies and instrumentalities how to conduct their business, and upon the assumption that the fundamentals of purchase and sale and the securing of foreign trade, the Webb law, etc., are generally understood the following observations along cooperative lines are offered:

EXPORTERS AND IMPORTERS.

Exporters and importers should know each other and there should be a measure of cooperation between them in the matter of steamship service, in that steamships require return cargo to insure profitable operation. It is also pointed out that exporters and importers have available to them for the asking much valuable information collected and compiled by the United States Department of Commerce and by the Pan-American Union, also the United States Chamber of Commerce.

RAILROAD TRANSPORTATION.

It can not be fairly said that in the past the railroads have failed to do their part in the development of the export and import traffic which the United States has heretofore produced and consumed. However, when the purposes of Federal operation incident to war have been served and these carriers are turned back to their owners, relieved of the legislative handicaps that have arrested their progress and left free to exercise initiative and to engage in healthful competition, it may not be amiss to have an obligation to develop foreign trade written into their Federal charters. The cooperation of the trained traffic organizations of these several rail carriers is to be had for the asking.

INLAND WATER TRANSPORTATION.

The strong arm of Government aid and control has recently been extended to inland water transportation with the expectation that it will be revived and become an actual factor in transportation. As approximately two-thirds of the total mileage of navigable streams in the United States empty into the Gulf, the ports of the Gulf will therefore be the greatest beneficiaries of this Federal support.

PORT AGENCIES AND FACILITIES.

A considerable volume of traffic is forwarded locally to the ports and from there reshipped to foreign ports.

In the movement of export commerce there are three distinct units of service—first, the movement from point of origin to tidewater terminal; second, the handling from cars or boats, either direct or through storage warehouses, to the ocean carrier; third, the ocean carriage to the foreign port. "A chain is no stronger than its weakest link." Therefore, as the connecting link between the inland and ocean carriage, it is highly essential that port facilities and port service, both manual and mechanical, be efficient and cooperative. At no place is it more important that there should be a full and complete understanding of foreign trade requirements than at ports. Therefore, in all responsible positions calling for expert knowledge and experience high-class talent should be employed.

OCEAN TRANSPORTATION.

Ocean transportation is now a crying need everywhere. The merchant marine of every country has been largely depleted by submarine losses, and present ocean tonnage is scarcely more than sufficient for the transportation home of the demobilized troops, together with the necessary food supplies for the allies and for the starving populations of Europe.

Commercial exports long suspended are accumulating at the factories and at the ports impatiently awaiting transportation to foreign destinations. A tremendous responsibility rests upon the United States Shipping Board in supplying the present and prospective needs of this commerce, and business as a whole, supported by the Federal administration and a popular demand, is looking with confidence to that organization to fulfill this responsibility to the extent of supplying this country with a merchant marine second in size to none in the world, and or-

ganized and equipped to meet the legitimate competition of other exporting nations. Gulf ports will no doubt be assigned a liberal share of the vessels released by the Shipping Board, but in the meantime it will be well for these ports to support and encourage to the limit their existing steamship lines and at the same time reach out and secure additional lines. In this endeavor the humble "tramp," in which the greater part of Great Britain's immense foreign commerce is transported, should not be overlooked or underestimated.

FOREIGN BANKING FACILITIES.

The leading banking interests of this country are to be congratulated upon the aggressive, constructive work that they have been doing in recent years to provide necessary banking facilities in foreign countries for American commerce. It is true that the establishment of foreign branches is so far limited mainly to a few of the larger eastern financial interests, but the necessity for extension is recognized and the system is growing, with result that banks in the interior and at southern ports are rapidly acquiring foreign departments and either have formed or are forming foreign connections that will ultimately result in banking arrangements being available for customary use at whatever port through which a foreign shipment moves.

The establishment of foreign branches by Federal reserve banks is no doubt receiving the special consideration this deserves.

COLLEGES AND UNIVERSITIES.

A systematic campaign should be inaugurated with all colleges, universities, etc., for the purpose of placing clearly before them the educational needs of this country in foreign trade. There will be a wonderful field for well-educated young men in Consular Service and also in foreign-trade service, and it will be well for colleges and universities to offer special courses in these studies. The Bureau of Foreign and Domestic Commerce will need any number of consuls and commercial attachés in foreign countries, and manufacturers in this country will need traffic managers who are familiar with foreign trade, and these same manufacturers will also need well-educated young men to represent them in foreign countries.

COMMERCIAL ORGANIZATIONS.

Boards of trade and other commercial organizations at the ports, also in the interior, can be of inestimable value in stimulating interest and disseminating information in connection with foreign trade. All leading organizations now have foreign-trade committees specializing in this work, and many employ foreign-trade experts to study and keep their exporting members advised of rapidly changing conditions in overseas markets, customs, laws, and port regulations brought about by the war. The value and importance of this work will steadily increase with the restoration of normal trade conditions, and organizations not thus equipped may well give early consideration to catching step.

A large number of southern manufacturers and producers have heretofore been somewhat reluctant to engage in foreign trade, and it largely rests with the commercial organizations of the South to overcome this reluctance and thereby weld the first links in a community of export interests. An excellent first aid in this work is a branch or district office of the Department of Commerce.

COMMISSION HOUSES, TRADING COMPANIES, AND FREIGHT BROKERS.

These are essential adjuncts to foreign commerce, and their value should be recognized and supported accordingly and their assistance fully utilized. In normal times a goodly part of the total volume of the foreign trade of the great port of New York is transacted through these agencies.

FOREIGN CONSULS.

Resident representatives of foreign governments are in position to furnish much valuable information as to the needs and methods of the countries they represent, and these representatives will no doubt willingly become a part of a community of export interests.

THE ARMY AND NAVY.

Every port of importance is used more or less by the Army and Navy, and the good will, support, and cooperation of officers of the Army and Navy will prove of great value to any port.

EXPORTS CONTROL COMMITTEE.

This committee is composed of a responsible representative of the War Department, Navy, the shipping control, the allies, and the United States Railroad Administration. It is the duty of this committee to inform itself as to the probable amount of freight which must be exported for the prosecution of the war; how this war freight and commercial exports can be best routed through the various ports; how much other essential export traffic has to be handled; and the amount of local traffic necessary for each port. The committee has authority to select the port to which specified freight shall be transported for shipment overseas and to decide the distribution of the combined amounts of all exports as between the various ports to facilitate its handling and avoid congestions. In the exercise of these functions this committee has divided the United States into eight zones and has issued a zone routing chart, in which due provision has been made for movement through Gulf ports. Since the convoying of merchant vessels has been discontinued the merchant fleet as a whole has been more liquid, with the result that southern ports can be more freely used than during the period of the war, when the shortest ocean voyage was necessary in order to economize in ocean tonnage and convoy service.

The overseas food program for the current year will be something immense and Gulf ports are already being extensively used in the handling of grain, flour, canned goods, etc., and the expeditious handling of this movement at ports can not be too strongly emphasized.

UNITED STATES RAILROAD ADMINISTRATION.

It will no doubt be of interest to know that the United States Railroad Administration at Washington is planning a comprehensive foreign trade program, including the relationship between inland and ocean transportation, relative adjustments of export and import rates, through rates and routes, service, etc. Gulf ports will no doubt be given full opportunity to submit recommendations, and an early suggestion might be to establish joint steamer and rail passenger rates and service from the west coast of South America, through the Panama Canal and New Orleans, thence via rail through the Southern States to Washington and New York, and thence via Atlantic steamship lines to British and continental ports.

FOREIGN TRADE JOURNALS AND THE DAILY PRESS.

Interesting and instructive publicity and the power of the press are essential to the successful welding of a chain of influence and the formation of a community of expert interests.

In Washington, and in administration circles, the ports of the United States are classified and considered as being in four groups—the North Atlantic, the South Atlantic, the Gulf, and the Pacific. This convention has been called in the interest of all Gulf ports. It is most timely and opportune, and the commercial organizations of New Orleans are to be congratulated upon making this a sectional rather than an individual port gathering. The one-port idea, either on the Atlantic or the Gulf, is un-American.

The camps at home and abroad are demobilizing and the boys are coming home. The War Industries Board and its priorities committee have served their usefulness and have disbanded. The War Trade Board is still functioning, but its restrictions on both exports and imports are being rapidly canceled. The Shipping Board and War Department are releasing vessels commandeered for war purposes and returning them to their owners for replacement in commercial service. Now vessels are being turned out from our shipyards in increasing numbers and shipping of other countries is also finding its way to our ports for lading heretofore inaccessible. In the words of one of our leading manufacturers in a recent circular, "We are now confronted with peace."

We face the threshold of a new era in the world affairs and the call is for a program of constructive foresight. May our great country be as farseeing, high-minded, unselfish, and also as successful in peace commerce as in war, and may the Gulf ports of New Orleans, Gulfport, Mobile, Pensacola, Tampa, Key West, Orange, Beaumont, Port Arthur, Texas City, Houston, Galveston, and Aransas Pass, with cooperation and good faith and fair dealing, enjoy a full measure of the world's commerce.

ALLOTMENT TO SOLDIERS.

Mr. VARDAMAN. Mr. President, I shall not encumber the RECORD with the number of letters which I have received during the last week from mothers, fathers, and wives whose sons and husbands are in the Army and who for a number of months have had withheld from them the small pittance which the Government pays and which the soldiers set aside for their support; but I shall content myself with expressing my regret at the system used for the payment of these obligations which the Government owes to the dependents of soldiers, a system which is so defective that actual want and suffering has resulted therefrom. I saw a letter this morning from a gallant young officer who has been at the front in France since July and who has won distinction for valor, which stated that not a dollar of his pay set aside for the support of his family has been delivered to them by the Department. It is an outrage. There can not be any excuse for such gross inexcusable carelessness. It is no justification to say there is a scarcity of clerks and an accumulation of work in the departments. If the soldier at the front had done nothing but render an excuse of that kind for failure to be at the proper place to meet the enemy, the American colors would have been dishonored. The soldier has been at his post, he has done his duty to his country, while his Government at home has neglected his family.

I shall not put these letters in the RECORD. I would do so if it would do any good, but I am quite sure it would accomplish no good. But I take this method of expressing the hope that the department will pay more attention to these vital matters in the future and relieve the suffering of the dependent relatives of the soldier. It is enough to ask the soldier to give his life if need be in defense of his country or suffer the hardships of war without imposing upon him anxiety and worry regarding the welfare of his family at home.

LANDS IN OREGON.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916, which were on page 2, line 13, after "shall," to insert "first"; on page 2, line 16, to strike out "that may be classified as agricultural"; and on page 2, line 17, strike out "reasonable."

Mr. McNARY. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

HOUSE BILLS REFERRED.

H. R. 14746. An act making appropriations for the current and contingent expenses of the Bureau of Indian Affairs, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1920, was read twice by its title and referred to the Committee on Indian Affairs.

The following bills were read twice by their titles and referred to the Committee on Pensions:

H. R. 14894. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 14945. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows of such soldiers and sailors.

SENATOR FROM MICHIGAN.

Mr. POMERENE. I present a favorable report (No. 664) from the Committee on Privileges and Elections on Senate resolution 415 and ask that the resolution be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. The report will be stated.

The SECRETARY. The Senator from Ohio reports from the Committee on Privileges and Elections Senate resolution 415, referring to petition of Henry Ford contesting the election of Truman H. Newberry as a Senator from Michigan to the Committee on Privileges and Elections, and authorizing said committee to take possession of the ballots, poll books, tally sheets, and documents, and to make investigation and take all necessary proceedings relating to said contest.

Mr. LODGE. I ask that the report go over until to-morrow.

Mr. POMERENE. I did not hear the request.

Mr. LODGE. I ask that the report go over until to-morrow under the rule, and that it be printed.

Mr. WATSON. Are resolutions now in order?

The VICE PRESIDENT. Let us get the report from the Committee on Privileges and Elections straightened out. How does it go over for a day when it has to go to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. LODGE. It is the report of a committee.

The VICE PRESIDENT. Where does it go now?

Mr. LODGE. All reports of committees shall lie over for one day for consideration unless by unanimous consent.

The VICE PRESIDENT. For consideration?

Mr. LODGE. For consideration. The motion to refer to the Committee to Audit and Control the Contingent Expenses of the Senate is a debatable motion.

The VICE PRESIDENT. It is not debatable. Under the statute the report must go to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. It is debatable on the question of whether or not it shall be referred at all.

The VICE PRESIDENT. No; it is not debatable. These expenditures, if they are to be made, have to be authorized by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. There are no exceptions in the rule about reports of committees, Mr. President.

The VICE PRESIDENT. The rule is that they shall lie over for consideration.

Mr. LODGE. Very well. It is a debatable motion. Any motion to refer is debatable.

The VICE PRESIDENT. No motion to refer is needed. It is to be referred under the statute.

Mr. LODGE. I think that it is debatable, because the Senate may decide not to refer it, as they have done on more than one occasion.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. It is no matter to the Chair, except to get this matter straightened out. The Chair is of opinion——

Mr. LODGE. I did not know a point of order had been made, but if it has been made, of course, I should like to discuss it.

Mr. POMERENE. Mr. President, I assume that this report would go to the Committee to Audit and Control the Contingent Expenses of the Senate automatically. If a motion is not necessary, I withdraw it, and leave the matter for the disposition of the Chair as to what shall be done.

The VICE PRESIDENT. The Chair has no interest in what becomes of it except to know where it goes. When reports are submitted and lie over a day for consideration they go to the calendar; that is where they go ordinarily. The inquiry which was made by the Chair was to ascertain what to do with this report.

Mr. LODGE. Mr. President, the rule seems to be pretty clear. It reads:

> All reports of committees * * * shall lie over one day for consideration.

That does not take it to the calendar.

The VICE PRESIDENT. Then the Chair would like to ask the Senator from Massachusetts where such matters go?

Mr. LODGE. Like all other reports and resolutions, they lie on the table, subject to call; they come up automatically. I never heard of a report being debated and put through in the manner suggested if it was asked to have it lie over.

The VICE PRESIDENT. There would be an interesting situation here if everything came up automatically.

Mr. LODGE. If a report lies over one day, and is printed, of course it comes up automatically. That does not carry it to the calendar.

The VICE PRESIDENT. In order to settle the matter, the Chair refers this report to the Committee to Audit and Control the Contingent Expenses of the Senate. From that action of the Chair an appeal may be taken.

Mr. LODGE. I should like to have an opportunity to discuss that. I appeal from the decision; and I should like to make the point that the rule is perfectly explicit. It says, "All reports of committees," without exception. It does not except a reference to the Committee to Audit and Control the Contingent Expenses of the Senate. The provision relative to reference to that committee comes under the statute.

I also make the point that it is subject to debate at this stage; that there is no provision of the rules that can cut off debate. I should be glad to know if the Chair is of opinion that the motion to refer to the Committee to Audit and Control the Contingent Expenses of the Senate is a nondebatable motion.

The VICE PRESIDENT. No; the Chair thinks it is debatable. The Chair is ruling that, in the view of the Chair, whenever the proposal is to spend money out of the funds of the Senate, before the proposition can be considered by the Senate, it must go to the Committee to Audit and Control the Contingent Expenses of the Senate. It goes there automatically under the statute.

Mr. LODGE. Then I understand the Chair to say that it goes to that committee because the Senate can not consider the proposition until the committee has passed upon it; and yet the Chair has just stated that the question is open to debate.

The VICE PRESIDENT. The appeal from the ruling of the Chair is open to debate.

Mr. LODGE. That is just the point I wanted to get at. Do I understand the Chair to say that the motion to refer to the Committee to Audit and Control the Contingent Expenses of the Senate is not a debatable motion?

The VICE PRESIDENT. There is no such motion pending. The Chair referred the report to that committee on his own order.

Mr. LODGE. On the contrary, Mr. President, the Senator from Ohio [Mr. POMERENE] moved, and properly moved, that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. POMERENE. Mr. President, if I may correct the Senator from Massachusetts, it is true I did make the motion in that way; but, in view of the statement which was made that the report went automatically to the Committee to Audit and Control the Contingent Expenses of the Senate, I withdrew that motion.

Mr. LODGE. The Senator from Ohio made the motion which is always made in such cases.

The VICE PRESIDENT. And withdrew it.

Mr. LODGE. And he withdrew it on the suggestion of the Chair. If I may have a moment to examine the rule as to nondebatable motions——

The VICE PRESIDENT. The Chair is not trying to stop debate. The Chair is trying to settle this question of procedure, and has ruled——

Mr. LODGE. What has the Chair held?

The VICE PRESIDENT. The Chair has ruled that the report goes automatically to the Committee to Audit and Control the Contingent Expenses of the Senate. From that ruling of the Chair the Senator from Massachusetts has appealed to the decision of the Senate. The Senator from Massachusetts can talk on that as long as he pleases.

Mr. LODGE. I also wanted to ascertain—because it is an essential part of it—whether the Chair rules that it is now out of order to debate the resolution.

The VICE PRESIDENT. To debate the resolution?

Mr. LODGE. Yes.

The VICE PRESIDENT. Nothing is out of order when a Senator has a right to debate. He may talk about anything he pleases.

Mr. FLETCHER. Mr. President, I raise the point of order that the appeal from the decision of the Chair is not debatable. Rule XX covers that. It provides as to appeals from the decision of the Chair:

> And every appeal therefrom shall be decided at once, and without debate.

Mr. LODGE. Very well, Mr. President. Of course, I am aware of that rule; but there has been debate upon the matter, and I never before knew debate in such a case to be cut off. However, in view of what is intended, I quite understand why debate is desired to be cut off.

Mr. REED. Mr. President——

The VICE PRESIDENT. Just a moment. There is no use getting excited about this. The Chair does not sustain the point of order, but rules that the appeal is debatable.

Mr. LODGE. Mr. President, I can only reiterate what I have said, that the rule seems perfectly clear. It says:

All reports of committees—

This is a report of a committee—

shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

I can not see what excepts this report from the rule. There is no rule about it automatically going to the Committee to Audit and Control the Contingent Expenses of the Senate. The statute requires it; but I have seen in this Congress a resolution debated on the question of a matter going to the Committee to Audit and Control the Contingent Expenses of the Senate before it was sent to that committee. It is entirely within the power of the Senate to dispose of the report without sending it to that committee, and if they have that power it must intervene.

Mr. JONES of Washington. Mr. President——

The VICE PRESIDENT. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. LODGE. I yield.

Mr. JONES of Washington. I desire to suggest to the Senator from Massachusetts that my recollection of the provision of the statute is that it simply provides that warrants can not be paid until they have been referred to the Committee to Audit and Control the Contingent Expenses of the Senate. The statute does not require that a resolution shall be referred to that committee at any particular time, but only that there shall be such reference before the warrants are paid.

Mr. LODGE. I have not the statute here, because I did not come prepared, I am frank to say, for any such ruling as has been made. I never before knew a report of a committee to be ruled to be not subject to the provisions of Rule XXVI, and therefore I am not prepared upon it at all. I should like to have an opportunity to present the statute so that the Senate may at least know on what ground this ruling excepting this kind of a report from all other reports is made. I should like to have long enough time at least to get the statute, because I am not aware that the rule requires anything of the sort.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. OVERMAN. Mr. President, if the Senator from Massachusetts desires to send for the statute I should like to ask that the pending matter may be suspended for a few moments.

Mr. LODGE. If I could have a few moments to procure the statute I should be obliged, and I shall not object to the matter being passed over for a moment or two in order that I may procure the statute.

Mr. OVERMAN. If that may be done, Mr. President, I should like to submit a resolution of somewhat similar character. I inquire if I can do that?

The VICE PRESIDENT. By unanimous consent; yes.

Mr. OVERMAN. I submit the resolution which I send to the desk.

Mr. CUMMINS. What is the resolution? I should like to have the regular order preserved as far as possible.

Mr. OVERMAN. It is a resolution on behalf of the Committee on the Judiciary providing for the continuance of the employment of an additional clerk. I am aware that we have not reached the point of presentation of resolutions. I am trying to save time, and, Mr. President, if there is no objection, I submit the resolution which I send to the desk.

The VICE PRESIDENT. Without objection, the Secretary will read the resolution.

The Secretary read the resolution (S. Res. 424), as follows:

Resolved, That the authority given to the Committee on the Judiciary by Senate resolution No. 325, agreed to October 24, 1918, to employ an assistant clerk at a salary not to exceed $5 per diem, for a period not to exceed four months, be, and the same is hereby, extended and continued in full force and effect until the end of the Sixty-fifth Congress.

Mr. LODGE. What is that resolution?

Mr. OVERMAN. The resolution submitted by me naturally goes to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. TOWNSEND. Mr. President, I did not catch the import of the resolution, and I ask that it be read again.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary again read the resolution.

Mr. BORAH. Mr. President, if we are not ready to proceed with the other matter, I ask unanimous consent——

The VICE PRESIDENT. Here is the statute that the Senator from Massachusetts desires.

Mr. LODGE. I have it now, Mr. President.

Mr. OVERMAN. Mr. President, I presume the resolution submitted by me will go to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. That is the way the Chair has been referring such resolutions. The Chair is trying to find out whether he is right or not.

Mr. OVERMAN. Do I understand that my resolution has been referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

The VICE PRESIDENT. The Chair will refer it there if there is no objection. The Chair hears no objection, and it is so referred.

SENATOR FROM MICHIGAN.

Mr. LODGE. Mr. President, Rule XXV, relative to the appointment of committees, provides:

A Committee to Audit and Control the Contingent Expenses of the Senate, to consist of five Senators, to which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same.

There are similar provisions in regard to the Committee on Enrolled Bills and duties and powers of other committees. The law says:

Hereafter no payment shall be made from the contingent fund of the Senate unless sanctioned by the Committee to Audit and Control the Contingent Expenses of the Senate, or from the contingent fund of the House of Representatives unless sanctioned by the Committee on Accounts of the House of Representatives.

That statute merely provides for the necessary steps to legalize the vouchers.

Mr. President, I contend that neither of those provisions exempts this report from the rule covering all reports.

The VICE PRESIDENT. What has the Senator to say about the plain statement that all resolutions of the nature indicated shall be referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. LODGE. Of course they must ultimately go there; there is no question about that; but there is no provision that any report shall be exempted from other rules. The question of whether or not a report shall go to the Committee to Audit and Control the Contingent Expenses of the Senate is a debatable question, because the Senate may decide not to send it there, and in that case it fails.

Mr. OVERMAN. If it is not sent there the law is violated.

Mr. LODGE. It does not violate the law if the Senate decides to send it to a different committee and kills it.

Mr. SMOOT. Mr. President, a week or so ago the Senator from Nebraska [Mr. HITCHCOCK] submitted a report from the Committee on Foreign Relations, I believe, which involved the expenditure of money. I then read to the Senate from the statute and suggested that the resolution ought to go to the Committee to Audit and Control the Contingent Expenses of the Senate. The Chair overruled that contention, and the resolution never did go to the Committee to Audit and Control the Contingent Expenses of the Senate, but it went to the Committee on Foreign Relations for further consideration as to whether or not that committee desired to incur the expenditure. I do not know whether that governs this case. I have been trying to look it up, but have not time to do so.

Mr. POMERENE. Mr. President——

The VICE PRESIDENT. If the Senator will pardon the Chair for a moment, this question has been a source of constant irritation to the Chair ever since the present occupant assumed his present position as to what is the right or wrong thing to do about these questions which are constantly arising. In the case of the resolution of the Senator from Nebraska the question was whether the resolution submitted by him should go first to the Committee to Audit and Control the Contingent Expenses of the Senate or to the Committee on Foreign Relations. It was finally decided to send it to the Committee on Foreign Relations. All the Chair wants—and he has purposely brought the question up here—is to get a definite ruling of the Senate as to whether or not these resolutions can lie over a day and then be debated, as to whether they may go to some other committee, or whether, under the statute and the rule, they shall go to the Committee to Audit and Control the Contingent Expenses of the Senate in the first instance.

Mr. SMOOT. Mr. President, the other day I took the ground that they ought to go to the Committee to Audit and Control the Contingent Expenses of the Senate, but the Chair ruled otherwise, and on an appeal he was sustained by the Senate.

The VICE PRESIDENT. The Chair remembers that very well. The question occurred at that time on the introduction of the resolution originally. The Chair is only seeking a ruling of the Senate.

Mr. LODGE. Mr. President, if I may be pardoned for saying so, the provision in regard to powers of the Committee to Audit and Control the Contingent Expenses of the Senate does not draw any distinction whatever between the stages of a resolution. It says "all resolutions directing the payment of money." If the ruling of the Chair is correct as to this stage, then any resolution at any stage must go to that committee. When it is introduced it must go to that committee; such a reference must be preliminary to any action on any resolution that involves a charge. That never has been the habit. Resolutions involving a charge are constantly reported to other committees for a prior decision, for the very simple reason that if the resolution is not to pass there is no need of sending it to the Committee to Audit and Control the Contingent Expenses of the Senate. This seems to me simply another stage, and I am unable to see anything in any rule that distinguishes the report now presented from all other reports.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the ruling of the Senate?

Mr. SMITH of Georgia. Mr. President, I find in the precedents that Vice President Sherman on May 15, 1909, ruled expressly that a resolution carrying an expenditure of money could not be considered by the Senate on its merits, but should go first to the Committee to Audit and Control the Contingent Expenses of the Senate.

I find further along that again, on July 28, 1911, he ruled, after the rule had been quoted which recites, referring to the Committee to Audit and Control the Contingent Expenses of the Senate:

> To which shall be referred all resolutions directing the payment of money out of the contingent fund of the Senate or creating a charge upon the same. * * *
>
> The Senator's amendment proposes a charge upon the contingent fund in excess of the statutory limitation, beyond which the Senate can not go without a reference to the committee, and it involves a matter which has not been considered by the committee. That is the impression of the Chair, and the Chair feels constrained to sustain the points of order.

Mr. LODGE. Mr. President, that was in the case of a resolution appropriating money.

Mr. SMITH of Georgia. Yes.

Mr. LODGE. That is a very different thing; that was not the report of a committee.

Mr. SMITH of Georgia. It was a resolution, however, providing for an appropriation out of the contingent fund.

Mr. LODGE. Certainly.

Mr. SMITH of Georgia. As I understand, this is a resolution providing for an appropriation from the contingent fund, is it not?

Mr. LODGE. Yes; it involves that. That is not the whole purpose of the resolution, of course.

Mr. SMITH of Georgia. Again, on January 9, 1913, the subject was under very frequent discussion; and Senator Bacon in the chair, following a view presented by Senator Works, held that the Senate could not pass upon a resolution carrying an expenditure from the contingent fund until it was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Just where that leaves the question still is not perfectly clear. I remember the case that we had a day or two ago, when we asked the opinion of the Committee on Foreign Relations before considering the subject at all. I can not see how the Senate could undertake to pass upon such a resolution without first sending it to the Committee to Audit and Control the Contingent Expenses of the Senate, and it seems to go there automatically without a motion.

Mr. LODGE. Mr. President, if the Senator will allow me, this is not a proposition simply to spend money. This is a report of a committee. It comes under the head of a report. This particular resolution is for two purposes—a double purpose. The expenditure is merely incidental. The Senate may decide to take any action with that report. They may recommit the report, which will carry it back to a stage where it is admittedly open—that is, back to the committee. The Chair has just held that where there is a choice in sending it to one of two committees it may go to one of those two committees. This is a report, and I say there is nothing that I can find in any rule or statute that takes it out of the general rule governing reports. The object of that rule governing reports is to give the Senate an opportunity to see what the report is.

Mr. SMITH of Georgia. But the resolution is carried with the report.

Mr. LODGE. Ultimately it must go to the committee. No one doubts that.

Mr. SMITH of Georgia. And the resolution should be considered by the committee before we act upon the resolution.

Mr. LODGE. Not necessarily. We may recommit the report to the committee that has already reported it.

Mr. SMITH of Georgia. Because the friends of the movement, whatever it may be, would certainly be at an unfair disadvantage if they were compelled to discuss a resolution on its merits for final action when they could not act favorably upon it without first sending it to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. Mr. President, my point is that this setting aside the general rule covering reports involves making it a nondebatable motion. That is, it is not debatable. Whenever any committee reports any resolution, if it carries a few dollars for a stenographer, it can not be debated by the Senate. Nothing can be done with it. It can not even go over and be printed.

Mr. PITTMAN. Mr. President, from the Senator's position, I do not understand that to be a fact. I agree with him that he may move to recommit the resolution to the same committee. That would be debatable. I agree with him that he could move to refer it, now that it is back, to the Judiciary Committee; but if it comes back to the Chair without any motion whatever to refer it to any committee, then the statute comes into force and effect and automatically refers it to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. The Senator perhaps was not here. The Senator from Ohio [Mr. POMERENE] submitted this report and made the usual and customary motion that it be referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and I asked that it lie over under the rule and be printed. The Chair then suggested that it would have to go automatically and at once to the Committee to Audit and Control the Contingent Expenses of the Senate, and the Senator from Ohio withdrew his motion.

Now, it is perfectly easy for me to make half a dozen motions which are in order at this time; but the fact is that I was really so completely surprised that that general rule about reports should be suddenly changed that I did not make any of those motions. I can easily move to recommit it, which is a debatable motion, or I can move to refer it to another committee, which is a debatable motion; and it seems to me, with all those possibilities of motions, that that very fact shows that it is a debatable question.

Mr. PITTMAN. Mr. President, I do not think there is any doubt but that it is debatable. It is being debated. The question that occurs to me, however, is this:

The Chair is not confronted with a great many suggestions which the Senator from Massachusetts has made. The Senator has suggested that he might make a motion to recommit or he might make a dozen other motions. The Chair would probably hold those motions in order, and the debate would then be logical. He has not seen fit to make the motion. It is immaterial whether the Senator from Ohio moved to refer it or not; that motion does not lie on the table now.

Mr. LODGE. No; it was withdrawn.

Mr. PITTMAN. It has been withdrawn. The Chair is confronted simply with this state of facts:

A resolution calling for money lies on the desk. What shall the Chair do with it? The only question submitted to the Chair was, Should he let it go to the calendar or follow the mandate of the statute and let it go to the committee? The Chair followed the mandate of the statute, because there was no other motion before the Chair.

Mr. LODGE. It is still open to me to make a motion to recommit, of course. A motion is in order to recommit or to refer to another committee.

Mr. PITTMAN. The matter now stands on an appeal from that decision of the Chair.

Mr. LODGE. I do not know—however, the Chair may rule all those motions out of order.

Mr. PITTMAN. The Senator can find out very easily.

Mr. THOMAS. You can not do it unless you make the motion.

Mr. LODGE. I am perfectly willing to withdraw the appeal and make the motion to recommit.

Mr. PITTMAN. The Chair undoubtedly, in the opinion of the Senator from Massachusetts, is correct in his ruling on this question, or the appeal would undoubtedly go to a vote, and very probably we could try the other matter.

Mr. LODGE. I am perfectly willing to go to a vote, or to dispose of it in any way; but that does not deprive me of the right to make the motion to recommit. It seems to me, however, that the ruling necessarily carries with it that no resolution carrying a charge on the contingent fund can be debated, nor is it subject to any debatable motion. It seems to me that is an inevitable conclusion, and that is the reason why I have

taken the liberty of discussing it, because it opens such a wide field.

Mr. PITTMAN. What would the Chair do if there were no motion made?

Mr. LODGE. I assume, of course, that the matter would lie over in the usual way and be taken up to-morrow. The report would go over one day and come up to-morrow for debate.

Mr. PITTMAN. But if the statute says that it shall be referred, the Chair can do nothing else.

Mr. LODGE. This is a Senate resolution. It is not a bill or a joint resolution. It is a Senate resolution simply.

Mr. PITTMAN. And to that the statute applies.

Mr. LODGE. It applies to anything. The statute applies to everything carrying a charge on the Treasury, whether it is a joint resolution or a bill or anything else.

Mr. PITTMAN. And in the absence of a motion before the Chair, the Chair has but one thing to follow, and that is the statute.

Mr. LODGE. If the proposition were to make the appropriation now, undoubtedly.

The VICE PRESIDENT. The question is, Shall the ruling of the Chair stand as the judgment of the Senate? [Putting the question.] The Chair is in doubt.

Mr. PITTMAN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a general pair with the junior Senator from Georgia [Mr. HARDWICK]. In his absence I withhold my vote.

Mr. KELLOGG (when his name was called). I have a general pair with the Senator from North Carolina [Mr. SIMMONS]. I therefore withhold my vote. If at liberty to vote, I should vote "nay."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. POLLOCK (when the name of Mr. SMITH of South Carolina was called). I desire to announce the absence of my colleague the senior Senator from South Carolina [Mr. SMITH], on account of illness. I will let this announcement stand for the day.

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH], which I transfer to the Senator from New Jersey [Mr. BAIRD] and vote. I vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], which I transfer to the Senator from California [Mr. PHELAN] and vote "yea."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT], which I transfer to the senior Senator from New York [Mr. WADSWORTH] and vote "nay."

The roll call was concluded.

Mr. BECKHAM. I have a general pair with the Senator from West Virginia [Mr. SUTHERLAND], which I transfer to the Senator from Illinois [Mr. LEWIS] and I vote "yea."

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN]. I am unable to secure a transfer and therefore withhold my vote. If at liberty to vote, I would vote "yea."

Mr. REED (after having voted in the affirmative). I transfer my pair with the Senator from Michigan [Mr. SMITH] to the Senator from Oklahoma [Mr. GORE] and allow my vote to stand.

Mr. CUMMINS. Has the Senator from Illinois [Mr. LEWIS] voted?

The VICE PRESIDENT. He has not.

Mr. CUMMINS. I have a pair with that Senator and therefore I withhold my vote.

Mr. BECKHAM (after having voted in the affirmative). I transferred my pair with the Senator from West Virginia [Mr. SUTHERLAND] to the Senator from Illinois [Mr. LEWIS]. As the Senator from Illinois [Mr. LEWIS] is paired with the Senator from Iowa, as just announced, and the Senator from West Virginia [Mr. SUTHERLAND] is absent, I withdraw my vote.

Mr. COLT (after having voted in the negative). Has the senior Senator from Delaware [Mr. SAULSBURY] voted?

The VICE PRESIDENT. He has not.

Mr. COLT. In his absence, I withdraw my vote.

Mr. CALDER. Has the Senator from Rhode Island [Mr. GERRY] voted?

The VICE PRESIDENT. He has not.

Mr. CALDER. I have a general pair with that Senator and withhold my vote.

Mr. GORE. As my vote has been taken care of by a transfer, I shall not vote.

Mr. REED. I made the transfer, but, in view of the Senator's appearance and his clear right to vote in his own behalf, I will withdraw my vote and permit the Senator from Oklahoma to be recorded.

Mr. GORE. As it will not change the result, I will let the transfer stand.

Mr. REED. Very well, then, let it stand.

Mr. SHEPPARD. I wish to announce that the senior Senator from Delaware [Mr. SAULSBURY] is detained on important public business.

Mr. MARTIN of Virginia. I desire to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. PITTMAN. I wish to announce that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Illinois [Mr. LEWIS] are detained on official business.

Mr. KIRBY. I desire to announce that the Senator from Arkansas [Mr. ROBINSON] is detained by illness.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 36, nays 26, as follows:

AYES—36.

Ashurst	Hollis	Overman	Smith, Ga.
Bankhead	Johnson, S. Dak.	Pittman	Swanson
Chamberlain	Jones, N. Mex.	Pollock	Thomas
Culberson	King	Pomerene	Thompson
Fletcher	Kirby	Ransdell	Trammell
Gay	McKellar	Reed	Underwood
Hardwick	Martin, Ky.	Shafroth	Vardaman
Henderson	Martin, Va.	Sheppard	Walsh
Hitchcock	Nugent	Smith, Ariz.	Williams

NAYS—26.

Curtis	Johnson, Cal.	New	Sterling
Fernald	Jones, Wash.	Page	Townsend
France	Knox	Penrose	Warren
Frelinghuysen	Lodge	Poindexter	Watson
Gronna	McNary	Sherman	Weeks
Hale	Moses	Smoot	
Harding	Nelson	Spencer	

NOT VOTING—34.

Baird	Gerry	McCumber	Simmons
Beckham	Goff	McLean	Smith, Md.
Borah	Gore	Myers	Smith, Mich.
Brandegee	Kellogg	Norris	Smith, S. C.
Calder	Kendrick	Owen	Sutherland
Colt	Kenyon	Phelan	Wadsworth
Cummins	La Follette	Robinson	Wolcott
Dillingham	Lenroot	Saulsbury	
Fall	Lewis	Shields	

So the Senate decided that the decision of the Chair should stand as the judgment of the Senate.

COMMITTEE SERVICE.

Mr. MARTIN of Virginia. I have a communication from the senior Senator from New Hampshire [Mr. HOLLIS], who asks to be relieved from further service upon the Committee on the District of Columbia. I move that that request be granted and that the Senator from Texas [Mr. SHEPPARD] be assigned to the committee to fill the vacancy.

The VICE PRESIDENT. Without objection, it is so ordered.

The order was reduced to writing and agreed to, as follows:

Ordered, That the Senator from New Hampshire, Mr. HOLLIS, be relieved from further service as a member of the Committee on the District of Columbia and that the Senator from Texas, Mr. SHEPPARD, be assigned as a member thereof.

WORK ON RECLAMATION PROJECTS.

Mr. JONES of Washington. Mr. President, during the war practically all the work on reclamation projects that was under way at the beginning of the war was stopped. The war, for practical purposes, is over. All the plans and specifications for this work are prepared, and if money were available work could be commenced at once and employment could be furnished. It seems to me it would be one of the most practical methods of furnishing a reservoir for labor and employment if money could be made available for carrying of these projects. For that purpose I propose an amendment, which I intend to offer to the sundry civil appropriation bill, making available $50,000,000. I ask that it be referred to the Committee on Irrigation and Reclamation of Arid Lands for its report.

The VICE PRESIDENT. The amendment will be so referred.

RAILROAD CONTROL.

Mr. CUMMINS. Mr. President, I ask the indulgence of the Senate for a few moments. I am about to introduce a bill which is of such tremendous and pressing importance that while it is under consideration by the committee I want Senators to give it their individual thought, so that we may be prepared, if a report of the committee is secured, to act upon it some time during the present session of Congress.

The President took possession of the railroads of the United States on the 29th day of December, 1917. The possession was assumed under an act of Congress passed in August, I think, in 1916. On the 21st day of March, 1918, a bill was passed by Congress and approved by the President providing for the operation of the railroad systems of the United States and for the compensation which should be paid to their several owners. Section 14 of that act provides:

That the Federal control of railroads and transportation systems herein and heretofore provided for shall continue for and during the period of the war and for a reasonable time thereafter, which shall not exceed one year and nine months next following the date of the proclamation by the President of the exchange of ratifications of the treaty of peace: *Provided, however*, That the President may, prior to July 1, 1918, relinquish control of all or any part of any railroad or system of transportation, further Federal control of which the President shall deem not needful or desirable; and the President may at any time during the period of Federal control agree with the owners thereof to relinquish all or any part of any railroad or system of transportation. The President may relinquish all railroads and systems of transportation under Federal control at any time he shall deem such action needful or desirable. No right to compensation shall accrue to such owners from and after the date of relinquishment for the property so relinquished.

In the latter part of 1918 the Director General of Railroads, Mr. Secretary McAdoo, recommended that the period of control be extended to five years after the declaration of peace, and that recommendation is now under consideration by the Committee on Interstate Commerce of the Senate, and I think it is under consideration by the Committee on Interstate and Foreign Commerce of the House.

When the Director General appeared before the committee of the Senate he stated in a rather clear and understandable way that if Congress did not extend the period of Federal control according to his recommendation—that is, for five years after the declaration of peace—it was probable, at least, that the railroad systems would be returned to their owners at the close of this session. I do not mean to say that he declared this intention specifically.

Mr. POMERENE. Mr. President——

Mr. CUMMINS. I only say that no other fair interpretation could be put upon his statement before the committee.

The VICE PRESIDENT. Does the Senator from Iowa yield to the Senator from Ohio?

Mr. CUMMINS. I yield.

Mr. POMERENE. I do not have his language before me, but my understanding was that he simply expressed his personal view as to what ought to be done, not that it would be done.

Mr. CUMMINS. The Senator is quite correct. The Director General did not attempt to commit the President to the view which he expressed, but inasmuch as the successor of the Director General, Mr. Hines, has publicly stated that his policies will be the same as the policies of Mr. McAdoo, we may assume that it is the purpose of the Director General of Railroads to return these properties to their owners at the end, or very soon after the end, of this session if Congress does not extend the period for five years.

It is my opinion that Congress will not extend the period for five years. It is the overwhelming weight of opinion of bankers and railroad men and of all other thoughtful persons who have communicated their views in any way that to return these properties to their owners without further legislation, without some provision to care for their necessities and for the necessities of the people as well, would be a universal disaster. It is the judgment of those who understand this subject best that if these roads are returned to their owners before Congress shall legislate in some wise way upon the subject, more than one-third of all the mileage of the United States will be in the hands of receivers within 60 days after the return takes place.

I think we all believe—the members of the committee I am speaking of now—that we can propose to Congress a plan and a permanent policy for the readjustment or reorganization of the relation between the railroads and the Government within a few months, and it is our belief that Congress will be able within the year to agree upon some enduring general permanent system for the control of these highways of commerce.

Mr. THOMAS. Mr. President——

Mr. CUMMINS. I yield.

Mr. THOMAS. I suppose the Senator's statement is upon the assumption that there will be a special session?

Mr. CUMMINS. Mr. President, it is not altogether on that assumption, although I believe there ought to be a special session; I believe that there must be a special session; but even if there is no special or extra session, if the Committees on Interstate Commerce are permitted to do their work during the interim and be ready to report at the next regular session, we can within a year compose all the differences on this subject and present to the people a permanent policy in that regard.

In view of these circumstances—and they are very grave; their seriousness can not be overestimated or exaggerated—I introduce a bill which I shall read, so that Senators can see in the RECORD what it is. This is a substitute for section 14, which I read in the beginning of my observations:

Be it enacted, etc., That section 14 of the above act is hereby amended to read as follows:

"SEC. 14. That the Federal control of railroads and transportation systems herein and heretofore provided for shall continue for and during the period of the war and for one year and nine months next following the date of the proclamation by the President of the exchange of ratifications of the treaty of peace, unless Congress otherwise directs.

"No right to compensation shall accrue to such owners from and after the date of the relinquishment of the property so relinquished, whether returned at the end of said period or sooner by direction of Congress."

The effect of this measure, if passed, gives the country 21 months after the war to adopt such legislation as it desires. That is the limit as it is under the present law for Government possession, but in the meantime it is to be hoped that Congress will have acted and that some new, comprehensive, and, I think, equitable plan can be adopted which will be accepted as a permanent policy in this country.

I have made these remarks because if we do not pass this bill, or something in the nature of this bill, and if the President shall be guided by the advice of his Director General and return these properties in their present condition and under the existing circumstances to their owners, the United States will see a cataclysm in finance as well as in railroad operation such as it has never witnessed before.

I earnestly hope that the Members of the Senate will give such thought to this subject as will enable them to act promptly in whatever way their consciences and judgment direct upon any report which the Committee on Interstate Commerce may present.

I introduce the bill of which I have been speaking and ask that it be referred to the Committee on Interstate Commerce.

The bill (S. 5432) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, was read twice by its title and referred to the Committee on Interstate Commerce.

SENATOR FROM MICHIGAN.

Mr. TOWNSEND. Mr. President, I present for reading and reference to the Committee on Privileges and Elections the following communication.

The VICE PRESIDENT. Does the Senator ask that it be read?

Mr. TOWNSEND. I ask that it be read and referred to the Committee on Privileges and Elections.

The VICE PRESIDENT. Is there objection?

There being no objection, the communication was read and referred to the Committee on Privileges and Elections, as follows:

JANUARY 23, 1919.

To the honorable UNITED STATES SENATE
COMMITTEE ON PRIVILEGES AND ELECTIONS:

Truman H. Newberry, of Grosse Point Farms, Wayne County, Mich., respectfully represents unto your honorable body as follows:

He is advised that you either have reported or are about to report to the Senate for favorable action Senate resolution 415, providing in substance for an investigation into and recount of the recent senatorial election in the State of Michigan, and he submits the following for the consideration of your honorable body:

1. This Senate has no jurisdiction to take up the matters involved in said resolution.

(a) The constitutional provision that the Senate shall be the sole judge of the qualification and election of its own members does not refer to this Senate, but to the Senate to which a man has been elected.

(b) No certificate of election or similar credentials, the outgrowth of the recent Michigan senatorial election, is now before this body, nor under existing conditions is it at present intended to present such credentials to this Senate.

Should your honorable body disagree with this jurisdictional position, then, before the ballots and the election history of 2,100 voting precincts scattered over 83 counties in the State of Michigan shall be examined, it is respectfully submitted that some facts should be proven preliminary to the adoption of such a program. If permission were given for a preliminary hearing attention will be called to the following facts and circumstances:

2. The petition upon which this resolution has been based, it will be noticed, is entirely a petition upon information and belief; in other

words, it is entirely hearsay, and if the allegations in the petition could be corroborated they surely would be for the following reasons:

(a) Since the election a great many agents, attorneys, and detectives on behalf of Mr. Henry Ford have traveled up and down the State of Michigan collecting evidence. They have represented themselves to be members of the American Protective League, the representatives of the Department of Justice, and the representatives of Truman H. Newberry. They have examined poll books and poll lists in nearly every county. They have had access to the election returns in nearly every county. In some cases it is said they have had access to the ballots themselves. As an illustration of their methods the situation in the city of Grand Rapids is an example in point. The United States district attorney for the western district of Michigan is Myron H. Walker, a Democratic appointee. Mr. Walker, with no grand jury proceedings pending and no commissioner conducting an examination, summoned a large number of witnesses formally and informally to his office and took their statements frequently before a stenographer representing the Ford interests. He at times would issue a note in his own handwriting directing persons to come to his office. At other times he would use a blank form used by the Department of Justice or by the American Protective League to get people in his office, and frequently these illegal and improper summonses he caused would be served by volunteer women Red Cross workers, driving Red Cross ambulances in the city of Grand Rapids, who, of course, had no consciousness of the political uses to which their patriotic services were being put. If methods of this description produced proof, this proof and not mere hearsay should be laid before the Senate before the elaborate program now contemplated is undertaken.

3. All the ballots, poll books, and election history in the State of Michigan is now in a state of perpetual preservation under final injunctions issued by the two United States courts in the State of Michigan, by virtue of a stipulation entered into between counsel for Henry Ford and Truman H. Newberry, so that there is now no proof of this description which will not be available for the new Senate, the proper body, if it determines there are facts which warrant an investigation or a recount.

4. In connection with the requested recount attention should be called to the following facts:

(a) The campaign put up in Michigan on behalf of Mr. Henry Ford can be shown to have been generally regarded as the most elaborate, expensive, and pretentious in the history of the State.

(b) In every county an elaborate newspaper advertising campaign was carried on at an apparently tremendous expense.

(c) In every county literature was freely distributed through the mails by messenger boys and even to handbills.

(d) A most elaborate and pretentious billboard campaign was conducted throughout the State of Michigan, the expense of which must have run into very large figures.

(e) A very expensive, elaborate, and pretentious booklet was prepared and distributed to a number estimated at about a half a million. Testimony from all over the State can be produced indicating that this pamphlet was mailed to every voter in the State of Michigan, and in some cases to the same voter on two, three, or four occasions. It is believed it can be shown that the cost of printing this pamphlet alone must have been $75,000, that postage on this one piece of literature must have been from $10,000 to $15,000, and the cost of addressing and distributing would bring this one item alone, so far as expense is concerned, into extremely large figures. There can be no doubt of its political effect.

(f) Two occasions, at least, can be shown where Democratic postmasters had mail carriers distributing Ford literature the Sunday before election and witholding other mail from distribution until the Ford political mail a day or two before election had been distributed.

(g) It will be further shown that outside of Wayne County, in which is located the city of Detroit, the majority of Truman H. Newberry over Henry Ford was approximately 45,000. The normal Republican majority (including the city of Detroit) is approximately 30,000, yet Mr. Ford carried Wayne County by over 35,000 majority. In bringing about this peculiar, remarkable political upset it will be shown that Ford workers in great numbers were around nearly every booth with literature, cards, and banners; automobiles carrying his workers around labeled with appropriate banners were never so thick. Out of approximately 300 voting precincts in the city of Detroit approximately 40 are precincts notoriously known as politically controlled. It will be shown that in each and everyone of the precincts of this description Mr. Ford carried them by a majority running as high as 2, 3, and 4 to 1, although Republican candidates had like majorities in a great many of such precincts.

(h) It will be shown in some precincts that the Ford workers insisted on voting men who were not registered; in some cases men whose citizenship was doubted.

(i) In addition to this political organization so built up it will be shown that there is a Ford agent for the sale of Ford cars in nearly every hamlet in the State of Michigan. These Ford agents were in nearly all cases made the political headquarters of the Ford campaign, the place from which workers were furnished cars and literature, thus affording a semivolunteer organization unparalleled.

It is because of facts and circumstances as above enumerated that it is believed it can be demonstrated that the major portion of the political activity and expenditures of money on the election was done on behalf of Mr. Ford, who some time after the election in an authorized published statement said in effect the election was free from any irregularities.

TRUMAN H. NEWBERRY,
By J. O. MURFIN,
His Attorney at Law and in Fact.

VALIDATION OF WAR CONTRACTS.

Mr. CHAMBERLAIN. Mr. President, has the morning business been concluded?

The PRESIDING OFFICER (Mr. HOLLIS in the chair). The morning business has been closed. The Calendar, under Rule VIII, is in order.

Mr. CHAMBERLAIN. I move that the Senate proceed to the consideration of House bill 13274, the unfinished business.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, which had been reported from the Committee on Military Affairs with an amendment.

Mr. CHAMBERLAIN. Mr. President, this measure is one of very great importance to the country, involving as it does the validation and payment of contracts amounting to $1,600,000,000, and possibly $2,000,000,000. In view of its importance, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Beckham	Hitchcock	McNary	Spencer
Borah	Hollis	Martin, Va.	Sterling
Calder	Johnson, Cal.	New	Swanson
Chamberlain	Johnson, S. Dak.	Nugent	Thomas
Colt	Jones, Wash.	Overman	Townsend
Curtis	Kellogg	Penrose	Trammell
Fletcher	Kenyon	Pittman	Walsh
Frelinghuysen	King	Pomerene	Warren
Gay	Knox	Shafroth	Watson
Gronna	La Follette	Sheppard	Weeks
Hardwick	Lenroot	Smith, Ga.	Williams
Henderson	McKellar	Smoot	

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. BANKHEAD, Mr. CUMMINS, Mr. HALE, Mr. HARDING, Mr. KIRBY, Mr. LODGE, Mr. MARTIN of Kentucky, Mr. MOSES, Mr. NELSON, Mr. POLLOCK, Mr. RANSDELL, Mr. SHERMAN, and Mr. SMITH of Arizona answered to their names when called.

Mr. SIMMONS entered the Chamber and answered to his name.

The PRESIDING OFFICER. Sixty-one Senators have answered to their names. There is a quorum present.

Mr. CHAMBERLAIN. Mr. President, as I stated awhile ago, this is a measure of very great importance, and I do hope that Senators will undertake to reach a proper solution of the question, which involves something like $1,600,000,000, and possibly more. It grows out of section 3744 of the Revised Statutes, or the failure of the departments to observe the provisions of that statute in the making of so-called war contracts. In order to get the matter before the Senate in proper shape I am going to ask to have the Secretary read into the RECORD section 3744 of the Revised Statutes.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

It shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior to cause and require every contract made by them severally on behalf of the Government or by their officers under them appointed to make such contracts, to be reduced to writing and signed by the contracting parties with their names at the end thereof, a copy of which shall be filed by the officer making and signing the contract in the Returns Office of the Department of the Interior as soon after the contract is made as possible and within 30 days, together with all bids, offers, and proposals to him made by persons to obtain the same, and with a copy of any advertisement he may have published inviting bids, offers, or proposals for the same. All the copies and paper in relation to each contract shall be attached together by a ribbon and sealed and marked by numbers in regular order according to the number of papers composing the whole return.

Mr. CHAMBERLAIN. There are certain other sections following the one just read to which I deem it unnecessary to call particular attention at this time. It so happened that during the progress of the war many contracts were entered into where the formalities of the section just read were entirely complied with; but as the emergencies grew and demand for many of the supplies which were necessary for the successful prosecution of the war became more insistent the War Department and its officers and agents began to disregard the provision of the statute. It happened that many supplies, munitions, and in fact everything needed were ordered by letter, some by telephone and telegraph, and I believe in some instances by appeals made on the ground by representatives of the Government to men who were engaged in the manufacture of munitions and other supplies, appealing to their patriotism to go ahead and manufacture the things that were needed by the Government. In nearly every case, and I think possibly in every case where this appeal was made to men who were familiar with the requirements of the statute, it was complied with, and men of large means, and frequently men of small means, individuals, firms, and corporations proceeded to manufacture without having any form of contract executed with the Government, relying upon the justice and integrity of purpose of the Government officials to see to it that they were paid later on.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Ohio?

Mr. CHAMBERLAIN. I yield.

Mr. POMERENE. The Senator from Oregon has referred to the informality of many of the contracts. If he will permit me,

I should like to submit another instance that was called to my attention some time ago, in which a representative of the Government waited upon a manufacturer, found that his plant was especially well equipped for a certain product, and this manufacturer did not then care to take up that line of manufacture. The Government official said to him if he did not do it they would immediately commandeer his plant. Of course, the manufacturer only desired to do his full duty toward his country, and he took up this line of work, and now he is met with the statement that his contract was illegal.

Mr. CHAMBERLAIN. I am glad to have the Senator call attention to that, but it is only one illustration of a great many. In any event the War Department, I think, was undertaking to reach an adjustment of invalid or in many instances irregular contracts when the the Comptroller of the Treasury, Mr. Warwick, rendered a decision which stopped the negotiations for the adjustment of contracts, or practically stopped them, because in effect he held that they could not be paid even if an ascertainment was had as to the amount due from the Government to the contractor.

This has resulted, Mr. President, in great confusion. There was probably no question about the legality of the ruling of Mr. Warwick. It not only resulted in confusion in this country but in France and Great Britain, where there were many contracts being performed by these Governments or by their citizens. In many cases consent to their cancellation was agreed to by the authorities there. It was impossible for our Government to do anything toward the adjustment of these contracts, because there was no way to pay them after the adjustments had been reached. The result has been, as the testimony shows in the hearings before our committee, that in some instances the French Government and individuals in France and in Great Britain are proceeding to carry out the terms of the irregular contracts which they had, which consisted merely of an order and an acceptance upon the part of the manufacturer to perform their part of the contract, and the whole proceeding of settlement has been stopped.

Mr. President, without going into details I call attention to the fact that after the decision of the comptroller the War Industries Board had prepared and sent up to be introduced in Congress a bill which would validate these irregular contracts. That bill was introduced on the 5th day of December, 1918, by myself at the request of the War Department. That bill was referred to the Military Affairs Committee and was taken up for consideration, with the result that a subsequent bill introduced in the Senate under date of January 2, 1919, by the Senator from Nebraska [Mr. HITCHCOCK] and referred to the committee, was reported out by the Committee on Military Affairs, as probably the best bill on the subject up to that time.

Later on the committee reconsidered its action with reference to this question. They heard further evidence about the whole situation, and subsequently, on the 9th day of January, authorized the chairman of the committee to report out a substitute for any bills that might be pending, or, rather, as an amendment to be taken up in whatever way the parliamentary situation permitted.

Still later, Mr. President, the committee, without further action than as above stated upon any of these bills, had referred to it House bill 13274. It is now Order of Business 597 on the Senate Calendar. It was known as the Dent bill, and had for its purpose the same object the bills which I have just been mentioning. Then the Committee on Military Affairs of the Senate reported out as a substitute for the so-called Dent bill another bill which embodied what is conceived to be the best features of the bills I have just been discussing. That bill was reported to the Senate on the 13th day of January, striking out all after the enacting clause and substituting therefor the bill which the Senate Military Affairs Committee agreed upon. That is the bill which is now before the Senate.

I do not know that there is more I desire to say with reference to the matter now, but I suppose it will be discussed quite at length, and I may have something to say about it later.

Mr. LENROOT. I should like to ask the Senator from Oregon a question in reference to the first portion of the bill validating contracts that have been defectively executed or not executed in compliance with the law. I want to ask the Senator whether in his opinion this would make a valid contract so that the contractor would be able to claim and receive unearned profits? In other words, here is a contract for, we will say, $10,000,000 worth of munitions. Only $1,000,000 worth of it has been received. The Government could not be held to pay the profit upon the $9,000,000 which it had not received in munitions? I ask the Senator whether under this language it would not so validate that procurement order, for it may have been only in the form of a procurement order, that the contractor would receive his entire profit upon the $10,000,000 worth of munitions, although he had not earned a profit except upon $1,000,000 worth?

Mr. CHAMBERLAIN. Does the Senator ask whether the bill is drawn in such a way as to permit that?

Mr. LENROOT. Yes.

Mr. CHAMBERLAIN. The testimony before the committee shows that it was not the intention to have the profits the Senator speaks of paid.

Mr. LENROOT. What is the Senator's opinion as to the bill properly guarding the Government against that situation?

Mr. CHAMBERLAIN. I think the bill is broad enough to protect the Government. It seems to me there is a clause in it that does do that very thing.

Mr. McKELLAR. If the Senator will permit me, I call his attention to the language on page 5 of the bill:

> The Secretary of War is authorized and directed, on behalf of the Government, to enter into such contract with such individual, firm, company, corporation, or foreign Government as will, under all the circumstances, fairly and equitably compensate him or it for the expenditures made, obligations incurred, equipment, materials, or supplies furnished or acquired, or services rendered, as aforesaid.

It excludes any pay for anticipated or speculative profits.

Mr. LENROOT. That may be true, but that only relates to the cases described in that paragraph where no contract had been entered into. The preceding paragraph, concerning which I now direct my inquiry, is where the contract has been made but not fully executed in compliance with the law.

Mr. McKELLAR. I will say to the Senator in reference to that, that the first section applies to those contracts where they have been signed, but not technically properly signed.

Mr. LENROOT. I understand that.

Mr. McKELLAR. When we give them by this act a proper signing the rights of the party are dependent upon those written contracts which the contractor has already signed, and, of course, the Government is bound by that.

Mr. LENROOT. That would be true if the first paragraph was limited to contracts of that character; but the very first paragraph also validates all procurement orders that have been accepted.

Mr. McKELLAR. No; that is the second paragraph.

Mr. LENROOT. No; the first. The language is:

> When such agreement anticipated procurement order, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government.

I understand all the contracts do provide for cancellation.

Mr. McKELLAR. Those procurement orders are in writing also, and the Government is bound by the procurement order in the same way as in a contract.

Mr. LENROOT. Am I correct in my understanding that where the contract was actually made it has in all cases provided for cancellation?

Mr. McKELLAR. It has; that is my understanding.

I want to say to the Senator that there are thousands of these contracts improperly signed, and they have changed the verbiage of the contracts from time to time. I have never seen all of them, but I am informed that they all provide——

Mr. LENROOT. I mean that that is the practice.

Mr. McKELLAR. That is the case, although they provide for cancellation.

Mr. WEEKS. I remember that the matter was brought up in the committee and that question was asked, and much to my surprise I think the opinion was furnished the committee that all contracts did not contain the cancellation clause.

Mr. McKELLAR. That is correct as to the first contract, and that was the testimony before the committee, as the Senator from Massachusetts has described; but later on they had a form of contract, which was stated to be the standard form of contract, in which cancellation was provided. So, as I said, even the written contract is involved in a good deal of doubt.

Mr. LENROOT. Then, I take it, it is admitted that under the language in the first paragraph, as the bill stands, it will bind the Government to pay the full price or the profits that would have been realized upon the canceled portions of the contract.

Mr. McKELLAR. No; I do not think that would be the case at all. I will state what the bill does. The first paragraph is to bind the Government to precisely the same written contract, called either a contract or a procurement order, that its agents signed, but signed improperly.

Mr. LENROOT. I agree to that; but does the Senator think where such a contract has been made by anyone without any provision for cancellation the Government should be held to a validation of that contract, compelling the Government to pay unearned profits?

Mr. McKELLAR. I am very frank to say to the Senator I do not, and if he has an amendment to offer making it certain that no prospective or speculative profits are to be considered, I shall take great pleasure in making it clear, so far as my vote can do so. I thought there was a specific statement in this bill on that subject. There was one in the bill that our subcommittee prepared.

Mr. LENROOT. The Senator then would not object to a general provision being placed in the bill that no unearned profits shall be awarded in the adjustment of any of these contracts?

Mr. McKELLAR. That would depend on the kind of profits, but no unearned profits, surely.

Mr. FLETCHER. May I call the Senator's attention to the authority given the Secretary of War in lines 7 and 8, and so on, upon page 5? The authority is "to enter into such contract with such individual, firm, company, corporation, * * * as will, under all the circumstances, fairly and equitably compensate him or it for the expenditures made, obligations incurred"——

Mr. LENROOT. If the Senator will examine a little further, he will see that that applies only to one class of cases. It is the first paragraph I am now speaking of.

Mr. FLETCHER. Oh, I see.

Mr. LENROOT. That is not covered by that at all. That validates the contracts as they stand, although defectively executed.

Mr. FLETCHER. All the Government is there authorized to do is to waive noncompliance.

Mr. LENROOT. Certainly. That makes the obligation on the Government whatever it might be.

Mr. FLETCHER. It does not obligate the Government to make a contract that requires the Government to go on and reverse its entire policy.

Mr. LENROOT. If we waive the defective execution of the contract, we validate that contract.

Mr. McKELLAR. If the Senator will permit me, I will say that, of course, it was the argument of those contractors who appeared before the committee that the Government having made a written contract with them, it should be bound by it, even though it was defectively executed by the Government's own agent. The Senator must see that there is weight in that argument. On the other hand, it was the contractor's duty, as it seems to me, to see that he had a contract that was properly executed by the Government agent, as well as the Government's duty to see to that same thing. Under the circumstances, it seems to me that if we give this particular kind of a written contract a higher and better position than the classes of contracts in the second paragraph, we are doing an injustice to those who did not have written contracts. For that reason I am willing to support an amendment which the Senator or some one may offer on that subject.

Mr. FLETCHER. There is a provision also that the Secretary of War shall find whether or not it is consistent with the public interest.

Mr. LENROOT. I do not think that that would go to the question of unearned profits.

Mr. WEEKS. May I suggest to the Senator from Wisconsin that these men have no valid contracts, and the purpose is to validate a contract so that a claim may be made. They have no case in court as the matter now stands. Being given a case in court, then the extent of the payment to them is a matter of determination to be reached through the machinery which has been provided in the bill.

Mr. LENROOT. But if the contract is validated to the full extent, then they have a legal claim.

Mr. WEEKS. Not unless they have a completed claim. Of course, if they had completed only one-tenth of the contract there would be no basis for a claim for the profits on the other nine-tenths.

Mr. LENROOT. I beg the Senator's pardon, if the Government canceled it, through no fault of their own, certainly the general rule of law would be that they would be entitled to the profits they would have received.

Mr. WEEKS. The Government in ordinary cases always retains the power of cancellation. It had failed to do so in some cases until the matter was brought to the attention of the department by the Committee on Appropriations. After that all contracts did contain it.

Mr. LENROOT. But the objection I am making to the bill is that if it applied to contracts alone I do not think any great danger would exist; but it validates procurement orders that have been accepted, which, of course, do not contain the cancellation clause.

Mr. WEEKS. I do not think that anyone would object to protecting the Government in the payment of unearned earnings.

Mr. LENROOT. I appreciate that.

Mr. WEEKS. I think it is protected, but, so far as I am concerned, I would not object to an amendment of that kind.

Mr. SMITH of Arizona. Mr. President, I should like to state that I just received a telegram this morning of protest from long-staple cotton raisers in Arizona and southern California in regard to the importation now of many thousands of bales of long-staple cotton. These men have been prohibited, I understand, by rulings of the Government from the sale of their cotton at all. They have now on hand two years of cotton that was selling at 70 cents or over in the market. That sale has been prohibited by the action of the Government. The War Trade Board is now permitting the importation of tons and tons of Egyptian long-staple cotton, bringing the price down beyond the power of raising cotton on the lands of which I speak. It seems to me if there is any equity in any of this measure, and I have no doubt there is great equity in the purposes of the bill, these people should not be neglected.

I do not know how to get at it except by a bill preventing the importation of long-staple cotton until the cotton now on hand that the Government prevented the sale of when the raiser could get his price for it has been disposed of.

With the many ramifications that the whole question contains, I know if I introduce a bill to stop the importation of long-staple cotton for this year, which would permit the sale of this cotton, I would find very great difficulty in getting that bill through both Houses of Congress between now and the 4th day of next March. I see from the humor the suggestion causes the very impossibility of the suggestion even; but I wanted to know if there are any cases in this bill touching on that peculiar class of equity outside of any contractual relations; and if so, I should like to have an amendment put in somewhere to protect these people in their cotton, which has been absolutely confiscated as far as their profits are concerned.

Mr. CHAMBERLAIN. I will state to the Senator that there is not anything of that kind in the bill.

Mr. McKELLAR. Mr. President, further in reference to "prospective or possible profits," especially I desire to call the attention of the Senator from Wisconsin and of other Senators to section 6 of the bill which is known as the Hitchcock bill, which was prepared by our subcommittee and reported out of the full committee; and I desire for just a moment to explain what that means. It is a little different from the bill which has since been reported by the committee, known as the Chamberlain bill. The committee at first reported out what is known as the Hitchcock bill, which provided for a commission to take charge of the settlement of these claims and to pass upon them. I think, as a matter of fact, when Senators come to consider the matter here they will agree with the Senator from Nebraska [Mr. HITCHCOCK] and myself that that is the wisest bill. I especially desire to call Senators' attention to section 6 of the Hitchcock bill, which reads:

> That in no case, however, shall any award either by the commission or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies received and actually delivered to the United States, and a remuneration for expenses necessarily incurred in preparing to perform said contract or order so canceled.

Mr. POMERENE, Mr. LENROOT, and Mr. STERLING addressed the Chair.

Mr. McKELLAR. I yield first to the Senator from Ohio.

Mr. POMERENE. Am I right in understanding that the words "for expenses necessarily incurred" include the cost of any additional equipment and machinery or plants or buildings or anything of that sort?

Mr. McKELLAR. Of course that is true. It is the purpose of this section, I will say to the Senator, to exclude the kind of profits that were spoken of awhile ago by the Senator from Wisconsin [Mr. LENROOT]. I thought that that particular provision was in the pending bill as reported by the committee; but I find that it is contained in what is known as the Hitchcock bill. It ought to be embodied in whatever bill is passed, of course, beyond the shadow of a doubt. I now yield to the Senator from Wisconsin.

Mr. LENROOT. I simply desire to say that I agree with the Senator from Tennessee, that if section 6 is incorporated as a part of this bill it will fully cover the case and protect the Government.

Mr. McKELLAR. I will say to Senators that I intend to offer that section as an amendment to the pending bill, of course not on behalf of the committee, but I shall have to do it personally. Now I yield to the Senator from South Dakota.

Mr. STERLING. Mr. President, I was just about to ask the Senator from Tennessee as to whether or not the Hitchcock bill provided that the commission, in the first instance, instead of the Secretary of War, should pass upon the contracts, as provided in the pending bill.

Mr. McKELLAR. I am glad to explain that to the Senator. The Senator from Nebraska is going to explain it later, but, if he will permit me, I will answer the question of the Senator from South Dakota.

The Hitchcock bill was prepared by a subcommittee composed of the Senator from Nebraska [Mr. HITCHCOCK], the Senator from New Jersey [Mr. FRELINGHUYSEN], and myself. We took testimony and we heard the whole matter; we reported the bill back to the committee; and the committee reported it to the Senate favorably. There was objection to the bill, however, on the part of the War Department, because it was claimed by the department that it took the entire settlement of these contracts out of the hands of that department. At a matter of fact, it did place the whole matter of settling these contracts in the hands of the independent commission proposed to be appointed under the terms of the bill. Our authority for the appointment of such a commission was the commission which was appointed after the Spanish-American War, which we had been informed worked very well indeed. Most of the contractors, I think, were substantially in favor of that. The bill as passed by the other House merely directed the Secretary of War to go ahead and settle these contracts, his opinion and determination of the matter to be final. Of course, this does not mean that the Secretary himself settles these contracts. It practically means anyone in his department. The contractors were not, however, willing to have that done, because it left an arbitrary power in the hands of one man which might be performed by any officer—by a second lieutenant, a first lieutenant, or a major, or whoever he might be—and that would be the end of it. In view of that objection, this amendment was framed by the committee, of which I have spoken, composed of the Senator from Nebraska, the Senator from New Jersey, and myself. We provided that a commission should have original jurisdiction, should take entire charge, should have the right to appoint subcommittees or agents to take proof where necessary in localities where the contracts had been made, at the situs of the contract or of the contractees, that they should report to the commission, that then the commission should have the right to pay down 75 per cent of the amount claimed to be due, and if the contractors were not satisfied they would have the right to go into the Court of Claims for the other 25 per cent. We thought that was absolutely fair, and I still think it is fair and the best plan yet offered.

I believe—and I understand the Senator from Nebraska is of the same opinion—that, with one or two amendments added, that would be the best bill of all three, including, of course, the House bill, for I do not think anyone will contend that the House bill is right. I do not think even the War Department is satisfied with that bill. Surely it is not the bill that ought to be passed by the Senate. The Hitchcock bill comes nearer being the right thing, because it puts the matter in the hands of an independent commission to settle these contracts as equity may require. We want to be absolutely fair to the contractor, and, at the same time, we want to be absolutely fair to the Government; and we believe that under the terms of the Hitchcock substitute the Government's rights would be carefully guarded and at the same time the rights of the contractors would be absolutely and fairly and squarely guarded.

Mr. BORAH. Mr. President——

Mr. McKELLAR. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, I understand the Senator from Tennessee is now speaking in behalf of the substitute.

Mr. McKELLAR. I will say that there was a good deal of dissatisfaction with the Hitchcock substitute after it was reported by the committee. A committee of contractors came down here. They were very fair-minded men, and, by the way, aided us very greatly. They made suggestions about the matter which were very valuable. As a matter of fact, a new substitute was reported thereafter by the committee which embodied the House bill plan and under which the Secretary of War is to go ahead and work it out as best he can, and there is then given the right of appeal to a commission to be created. That is under the last substitute reported by the committee.

Mr. BORAH. How is the commission to be created?

Mr. McKELLAR. It is to be appointed by the President and confirmed by the Senate. It is to consist of three men—one from the War Department, one from the Department of Justice, and one from general business. I think if the Senator from Idaho will examine into the matter he will find that every safeguard has been used in reference to this commission.

The principal point of difference between the two plans is under the Hitchcock substitute the commission is given original jurisdiction to pass on all these claims, and it is directed to pay 75 per cent of them at once, which I think is a very proper thing, because many concerns will be likely to go into bankruptcy unless some sort of arrangement of that kind can be made. If a contractor is dissatisfied as to the other 25 per cent, he has the right of appeal to the Court of Claims, just as is provided by law in other cases. I think that is entirely proper.

The substitute, I will say to the Senator, if he will excuse me just a moment, provides that all preliminary work shall be done by the department and that either the Government or the contractor has the right to appeal from the ruling of the department to this commission. In other words, the commission in the substitute which I will call the Chamberlain substitute, the last bill reported, makes the commission an appellate body, while the Hitchcock substitute makes it a body of original jurisdiction.

Mr. BORAH. Do I understand that the Government and the individual contractors both have the right of appeal?

Mr. McKELLAR. Both have the right of appeal. By the way, I want to call the Senator's attention to that, because it was a somewhat disputed matter in committee as to whether or not the Government ought to have the right of appeal. I think it absolutely essential that the Government, as well as the contractors, should have the right of appeal from the decision of the department.

Mr. BORAH. Whose business would it be to take such an appeal on behalf of the Government?

Mr. McKELLAR. The Department of Justice.

Mr. STERLING. Mr. President, there is this feature about the matter to which I should like to call the Senator's attention. If the representative on this commission of the Department of Justice agrees with the Secretary of War in his award there can be no appeal on the part of the Government.

Mr. BORAH. That is what I was thinking about.

Mr. McKELLAR. I will say to the Senator from South Dakota that this is about the best way the matter could be worked out; but if the Senator has any better way to give the Government an appeal, I for one will cheerfully accept it, for I desire to say that it was the earnest purpose of every member of the subcommittee and of the full committee to get a system of validating these contracts which would be fair to the contractor and as absolutely fair to the Government. In my judgment, we must protect both, and that is the committee's judgment.

Mr. BORAH. Mr. President, why not create a tribunal wholly separate and apart from the Government, composed of men who are not in any wise associated with the Government, so that we should have a tribunal passing upon the matter without violating either directly or indirectly the principle that a man shall not sit upon his own case?

Mr. McKELLAR. If the Senator from Idaho feels that way about the matter—and I agree with him heartily, for I am going to vote that way—then he should vote for the Hitchcock amendment. I am going to vote for the Hitchcock amendment first, and I will say that I endeavored to amend the committee substitute to provide the best method that we could.

Mr. POMERENE. Mr. President——

Mr. McKELLAR. I yield to the Senator from Ohio.

Mr. POMERENE. I am advised that there are about 6,000 of these contracts.

Mr. McKELLAR. There are a good many more than that number.

Mr. POMERENE. I was told the other day that there would be about 25 per cent of them in which there would be considerable dispute. The so-called Hitchcock bill provides for one trial commission. Assuming that there are 300 working days in the year, the commission would be occupied for a whole year if it tried and decided five cases a day. I know a good many of these manufacturers are very much embarrassed financially now; they need the money due them; and they need it right away. If many of them are to be held up for a goodly portion of a year before they can get an adjustment, we shall have financial ruin staring many of them in the face.

Mr. McKELLAR. If the Senator feels that way about it, I repeat he should vote for the Hitchcock amendment, and vote for it quickly, and we should pass it just as soon as we can and have it enacted into law. These contractors can get 75 per cent of their claims right away, and they can get the entire amount if they come to an agreement with the commission. I presume in 95 per cent, perhaps in 97 per cent, of the cases they will have no trouble about coming to such an agreement. I agree with the Senator that it ought to be done, and ought to be quickly done. I do not agree with the Senator about the Hitchcock plan taking so much time. I think probably 98 per cent of the cases will be adjusted by agreement without any trouble.

Mr. POMERENE. Does the Senator mean by the payment of 75 per cent of the claim 75 per cent of the amount which is found due by the commission?

Mr. McKELLAR. Yes.

Mr. BORAH. Mr. President, I was going to ask the Senator from Ohio a question before he took his seat. I think the Senator has raised a very proper point for consideration when he suggests that speedy determination of these claims might be the means of saving some men from bankruptcy.

Mr. McKELLAR. Certainly.

Mr. BORAH. But would not the same condition follow if the bill as reported by the committee were adopted, for must not somebody hear the evidence and pass upon it?

Mr. POMERENE. Oh, Mr. President, that is true, and, while I have not matured my own thoughts on the subject, my tentative idea was that perhaps there ought to be two or more of these commissions to sit concurrently.

Mr. CHAMBERLAIN. Mr. President, may I suggest to the Senator—because it is being overlooked in the discussion—that there was not a business man or representative of a business body who appeared before the committee who did not say that the so-called Hitchcock bill would delay proceedings, and that if there was a start made in the adjustment of these claims before the 1st of July under that bill it would be doing well. Not only that, but the War Department itself through its representative, Mr. Crowell, a most excellent clear-sighted business man, claimed that under the system proposed in that bill the work could not be commenced before July.

As has been suggested by the Senator from Ohio [Mr. POMERENE] there are many men who, unless there can be a speedy adjustment of these matters, must go into bankruptcy, because they have all their liquid capital in the business and the banks will not loan them any money until there has been some certification somewhere, either by the Government or some of its boards, that these contracts are going to be paid at some time in some way, in part or in full.

Mr. BORAH. Mr. President, how does the Hitchcock substitute delay the matter if we assume that somebody must examine the evidence and hear controversies and pass upon them?

Mr. CHAMBERLAIN. I am going to say in perfect frankness to Senators that not one of these measures appeals to me in its entirety, but it is a critical emergency which confronts the business of the country and I have yielded my judgment on many propositions in order to try to reach results.

The trouble about the Hitchcock commission plan is that the commission to be created is to proceed de novo. The War Department plan—and that is the plan embodied in this bill, practically—contemplates the utilization of the 32 boards already functioning in the different regional districts. Those boards have heard the testimony and practically in many cases have agreed with the contractors as to the amount of their claims, and I do not think there is any contention that their adjustments are irregular or unjust.

Mr. BORAH. Mr. President, I should consider the objection to that as being that these boards are practically in a large measure directly or indirectly settling their own affairs.

Mr. CHAMBERLAIN. If I may disabuse the Senator's mind of that impression, Mr. Crowell, at page 54 of his testimony, tells how those boards are constituted, and if the Senator will permit me, as the extract is short, I will read it. It is as follows:

> We have 32 boards now functioning on this thing. Our idea was to decentralize it, so as to get speedy action and so as to get the men best in touch and who have been closest in touch with the production under these contracts. The Ordnance Department has 12 boards, and those are headed in each case by the district ordnance officer, who is in every case a man of large experience, a civilian who has been expediting and watching production in his center for a considerable period of time past. He has made up boards, which have been approved in Washington, of four or five members each. They are largely officers of the Ordnance Department, but each board has an average of one civilian from the outside. In some cases he is a prominent attorney, and in some cases he is a member of the War Industries Board, in some cases representing the War Industries Board in that particular district. The orders relating to the quartermaster supplies are being handled in the same way by 12 boards, which are functioning now in the 12 zones into which the Quartermaster Department has divided the country. There are, then, eight boards functioning in Washington, each on some specialty, such as chemical warfare service or aircraft, so that we have 32 of these boards now functioning.

I will say to the Senator that in some instances they have still larger boards functioning, where there has been great industrial activity on behalf of the War Department and where many civilians are connected with the boards.

Mr. FRELINGHUYSEN. Mr. President, if I may interrupt the Senator, I understand that the difference between the measure proposed by the Senator from Nebraska [Mr. HITCHCOCK] and the measure reported by the Committee on Military Affairs is this: There are 25,000 contracts under the War Department, 6,000 of which are informal, verbal contracts, or contracts that have not the signature of the statutory official. Those 6,000 contracts must be validated. They amount to $1,700,000,000. The remaining 19,000 contracts are legal contracts conforming to law, and there is no dispute in regard to them. I understand that the Hitchcock bill provides that the commission to be created shall settle de novo all of the questions involved in these contracts. The War Department say that the 19,000 contracts in which they are in agreement with the contractors it is unnecessary to refer to the proposed appellate board. The bill reported by the committee, known as the War Industries Board plan, permits the War Department to settle those contracts first.

Mr. POMERENE. Mr. President, the Senator has just referred to 19,000 contracts concerning which, as I understand him, there can be no dispute as to their validity. Those contracts or at least many of them have not yet been completed. What is the War Department doing with respect to them? Is it canceling these contracts, and, if so, upon what terms? Is it paying the full profit whether the contract has been completed or not? I am asking the question for information only.

Mr. FRELINGHUYSEN. Mr. President, as I understand, the War Department has its machinery already in operation in connection with these claims. I have here a letter from the Assistant Secretary of War, Mr. Crowell, from which I read the following:

> The War Department already has established and at work a machinery adequate to handle efficiently and promptly all settlements. Without now going into the details the department has a central board of contract review in each of the eight supply bureaus in Washington; also a total of 24 local or district boards in various sections of the country making settlements for the Ordnance Department and the former Quartermaster Corps. The department has also established in Washington a board of contract adjustment to which the Secretary of War refers for decision all cases in which the contractor and the contracting officer are unable to agree. Furthermore, several thousand contracting officers, accountants, investigators, and other assistants are now at work helping the boards to make prompt settlements. On the enactment of the legislation which the War Department has requested, this machinery is prepared to start immediately on the cases in which contracts were not made or signed as provided by law.
>
> The War Department feels very earnestly that the good faith of the Government is pledged to a prompt settlement and payment of all just claims of contractors. The department stands fully ready to make such settlements and is already doing so where the contracts were made and signed as provided by law.

In a statement from the United States Chamber of Commerce forwarded to me under date of January 2, they say that subsequently the officials of the War Department have reported 669 agreements out of the 6,000.

I feel that the bill should provide that the War Department should settle these contracts, provided they can come to an agreement with the contractors through the machinery that they have in the War Department, and then, if there is any conflict or difference of opinion between the contractors and the War Department they can appeal to the tribunal to be created which will stand between the War Department and the Court of Claims, whose processes are so slow. What the contractors want is to know that if they fail to agree with the War Department they will have some tribunal to which they can submit their claims.

Is it necessary to refer to the proposed commission all of the claims?

The War Department made these contracts; but many of them are agreements verbally made, and there are disagreements as to the termination provision. As to some contracts, they have not been able to get any agreement as to termination because of the fact that they had to be so hastily made. Why not let the War Department go as far as they can go in the settlement? If the two parties agree, let the department dispose of the contracts where agreement is had, and where they do not agree, let the matter be referred to the proposed tribunal.

Mr. POMERENE. Mr. President, I think in that behalf there is no difference between the Senator from New Jersey and myself. I agree with him that if these contracts can be settled on any equitable basis at all they should be settled by the War Department; but the thing that has troubled me most has been the fact that there are a large number of contracts which are in dispute, and I have feared that under the proposal here made it would perhaps be a year before many of these contracts could be adjudicated, if I can properly use that term. The machinery that is adopted here is the matter of greatest concern to me.

Mr. FRELINGHUYSEN. Mr. President, does the Senator refer to the committee bill?

Mr. POMERENE. I was referring to the commission which is provided to try the disputed claims.

Mr. FRELINGHUYSEN. The committee bill provides that the War Department through its machinery shall settle these contracts first. Of course, if they are in agreement with the contractor, there will be no reference to the proposed commis-

sion. As I understand, under the Hitchcock bill all of these contracts are to be referred to the commission.

Mr. POMERENE. I have seen a good many cases tried which the attorney said would only take one day to try, particularly where a building contract or something of that character was involved, when it subsequently developed that they would take two or three weeks before they had completed the case. If there is to be any experience of that kind before the one commission which is provided here, I am afraid we will not live to see the end of these proceedings.

Mr. BECKHAM. Mr. President, will the Senator yield for just a moment?

The PRESIDING OFFICER. The Senator from New Jersey has the floor. Does he yield to the Senator from Kentucky?

Mr. FRELINGHUYSEN. I yield to the Senator from Kentucky.

Mr. BECKHAM. Mr. President, I do not wish to take the Senator's time, but in reference to the statement of the Senator from Ohio [Mr. POMERENE], I should like to say that the committee bill recognizes the organization already established under the War Department for the settlement of these claims. That organization exists now; it has been in operation, and it is believed that a large majority of these claims can be settled by that organization, with the approval of the War Department.

If the contractor in any instance is not satisfied with the settlement arrived at, he can appeal to the board created by the bill. There is also a provision that in the event the Government, through a representative of the Department of Justice, should object to the settlement the Government may appeal to the board.

I do not think there will be any delay such as the Senator from Ohio fears in the settlement of these claims under the provisions of the committee bill. The Hitchcock bill, as I understand, involves the creation of a new organization; it does not take advantage of the organization already established and in operation. I do not think, therefore, that the Senator would find that there can be any serious delay under the establishment provided for in the committee bill.

Mr. WARREN. Mr. President, may I ask the Senator a question?

Mr. BECKHAM. Yes, sir.

Mr. WARREN. My understanding is—and I will ask the Senator if his is the same—that almost all of these contracts have been under consideration and their settlement arranged for, except as stopped by the comptroller's decision.

Mr. BECKHAM. Yes, sir.

Mr. WARREN. So that the preliminary work is all done.

Mr. BECKHAM. That is my recollection.

Mr. WARREN. And it is now a mere matter of closing legally that which has already been arranged.

Mr. BECKHAM. That is my understanding.

Mr. POMERENE. Mr. President, may I ask for information?

The PRESIDING OFFICER. The Chair thinks that the Senator from New Jersey who has the floor must yield to some one particularly, if he desires to yield.

Mr. FRELINGHUYSEN. I yield to the Senator from Kentucky.

Mr. BECKHAM. I have finished. I thank the Senator.

The PRESIDING OFFICER. The Senator from New Jersey has the floor.

Mr. FRELINGHUYSEN. Mr. President, I quite agree with the Senator from Ohio that possibly some of these cases will take a long time to settle; but if you provide, as the Military Affairs Committee bill provides, that the War Department, who made these contracts, and who have all of the facts concerning them, particularly the verbal contracts and the contracts for procurement orders by telephone, are allowed to settle them, you will practically dispose of three-quarters of the contracts, because they are in agreement.

Mr. POMERENE. Mr. President, let me see if I understand the Senator correctly. He makes the statement now that these parties are in agreement with the Government. Does he mean as to the amount that is to be paid, and that that is only to depend upon the legislation validating these contracts?

Mr. FRELINGHUYSEN. Yes; as I understand, many of these contracts are already signed, but they have not been signed by the proper statutory officers, and have been declared invalid on that account. They are already formal contracts, without the proper signature. Now, there remain agreements that have been made over the telephone, verbal agreements for supplies—cloth and various quartermaster supplies—and it is only a question of coming to an agreement with the contractor who has furnished these goods; and I believe I am safe in stating that three-quarters of these contracts can be settled by agreement between the contractors and the War Department.

There will remain those contracts where the contractors refuse to accept the decision of the War Department, or the examiners, or these committees, and if they refuse to accept it they can appeal to this board. But under the Hitchcock bill, as I understand, all of these contracts are thrown into this tribunal; and I venture to say that it will take five years to settle them, judging from the experience of the Interstate Commerce Commission, for example. That commission has nine members, and during the year ending October 31 it conducted 1,000 formal proceedings and 10,000 informal proceedings. It has an organization of approximately 700 employees, and its work involved an expenditure of $1,000,000.

Here are 6,000 contracts, at least, to be settled for $50,000. The work of the Public Service Commission of the second New York district in 1917, with 1,350 informal proceedings, cost $400,000. This commission is to have $50,000, $22,500 of which is to be expended for salaries, leaving a balance of $27,500. Can you provide the necessary clerical assistance and examiners for $27,500? It is ridiculous.

There is another point. There is to be a member from the Department of Justice and a member from the War Department. With a board constituted in that way, you will have the War Department appealing to a board to act as a judge, with a member of their own department acting as a judge on their own awards, and you will have the Department of Justice appealing to this board, on which sits one of the members of the appellant department. Now, the board should be differently constituted. If I were going to create this commission, I would put a banker, a lawyer, and a manufacturer on it; but it is foolish to assume that all of these 25,000 contracts can be thrown on this commission and that they can be examined and passed upon. Therefore I say that the Military Affairs Committee bill is the better measure, permitting the War Department, with its machinery and its information, to settle these contracts which it has made.

Mr. SMITH of Arizona. Mr. President, will the Senator permit me to interrupt him?

Mr. FRELINGHUYSEN. Certainly.

Mr. SMITH of Arizona. Why would it not relieve somewhat the delays suggested by the Senator from Ohio [Mr. POMERENE] if on a finding by a tribunal, whatever it happens to be, the parties could receive a certain percentage of that finding, say, 50 or 75 per cent?

Mr. OVERMAN. Seventy-five per cent is the rule.

Mr. McKELLAR. That is what is provided here.

Mr. FRELINGHUYSEN. That is what both bills provide.

Mr. SMITH of Arizona. Do they provide that the party shall receive 75 per cent?

Mr. McKELLAR. Seventy-five per cent.

Mr. SMITH of Arizona. Then I do not think the question of delay cuts as much figure as it otherwise might.

Mr. THOMAS. Mr. President, I think the Senator could well add that legislation is not needed at all regarding those contracts which have been legally executed. Consequently I see no reason for including them in a measure of this sort. This is designed to meet an emergency which was created by two circumstances: One, the necessity of getting immediate results due to the exigencies of the war, and which could not be obtained if the statutory formula for the execution of contracts were observed; and the other, the sudden termination of the war, leaving all these contractors in the air.

A good many of these contracts were made in France. Personally I do not believe that the statutory requirement concerning execution applies to contracts made in France, because it is a general proposition, I think, that the place where a contract is made and the place where a contract is executed, when those two conditions exist, make the lex loci, or the law of the location, applicable both to its execution and to its performance and to any legal propositions or controversies that may ensue from it. So that this emergency legislation is needed to meet that class of contracts, and that class of contracts only, which, because of their failure of proper statutory execution, require legislation. As to the others, the department can proceed under existing conditions; and as a consequence I think they should be excluded from the operations of a bill like this.

Mr. CUMMINS. Mr. President, I should like the Senator from New Jersey to put me straight upon one or two things that seem to me obscure, if he will allow me.

Mr. FRELINGHUYSEN. I yield the floor to the Senator.

Mr. CUMMINS. No; I do not want the Senator to yield the floor, because I want to ask him a question.

Mr. FRELINGHUYSEN. I retain the floor, then, and await the Senator's question.

Mr. CUMMINS. The Senator has said, and I see it is very clear, that there are two classes of contracts provided for in the bill. The first relates to those contracts that have been

executed or reduced to form, but not signed by the proper officer of the Government, or in the way provided by law. That is right; is it not?

Mr. FRELINGHUYSEN. Yes.

Mr. CUMMINS. The second relates to those cases in which the contract has not been reduced to form at all, but orders having been given looking to the execution of the contract or something of that kind expenditures have been made on the faith of the contract yet to be reduced to form. Those are the two classes. When these contracts are validated is it the intention that the damages which arise on account of their nonperformance shall be settled according to the established rules of the law as those rules would apply between individuals in like circumstances?

Mr. FRELINGHUYSEN. As I understand the bill it provides that where such an agreement was reduced to contract form and executed or signed on behalf of the Government, but the execution or signing was not in compliance with statutory requirements, the Secretary of War is directed to waive, on behalf of the Government, such noncompliance.

Mr. CUMMINS. Yes.

Mr. FRELINGHUYSEN. That answers the Senator's question in regard to the contracts that were not signed by the proper statutory officials. The bill provides further——

Mr. LENROOT. Mr. President, will the Senator yield at that point before he gets away from it?

Mr. FRELINGHUYSEN. Yes.

Mr. LENROOT. I have been informed since this discussion arose that the validating portion of paragraph 1 as recommended by the War Department did not cover procurement orders, and I should like to ask the Senator how and why that was inserted.

Mr. FRELINGHUYSEN. As I understand, this bill was drawn—the chairman can probably answer that question better than I—at the request or instance of the War Industries Board. I do not know whether the original bill contained that language or not.

Mr. McKELLAR. Mr. President, if the Senator will permit me, I shall be glad to state what happened.

Mr. FRELINGHUYSEN. Yes.

Mr. McKELLAR. The words "procurement orders" were not in the original draft of the amendment, and the reason why they were not was because the committee did not at that time know—it had no information before it—that any of these written contracts were in the form of what are called procurement orders. I think it was the Assistant Secretary of War who brought out that fact first, and then a number of the contractors appeared before the committee and testified that instead of having a formal contract, as provided in this first section, many of them had what were known as procurement orders that were in writing, but a peculiar form of contract that did not accord with what the law provided should be done, and yet it was in writing and set out the terms. Thereupon the committee included procurement orders with the other written contracts.

Mr. WARREN. Mr. President, will the Senator allow me to interrupt him at that point?

Mr. McKELLAR. The Senator from Iowa [Mr. CUMMINS] has the floor.

Mr. CUMMINS. I want to pursue for a moment the inquiry I made, because this other matter really relates to another phase of the subject.

Mr. FRELINGHUYSEN. I have just yielded to the Senator from Iowa, and I understand he has not finished.

Mr. CUMMINS. No; I have not finished.

The Senator from New Jersey has said that the first paragraph was intended only to validate certain contracts because they had not been signed by the proper officials. Suppose, then, that we validate a contract of that kind, and that the Government does not carry out the contract—that is, does not take the goods or the commodities, whatever is intended to be furnished by the contractor. There is nothing at all in this bill that relates to the settlement of that kind of a case, is there?

Mr. FRELINGHUYSEN. As I understand the bill which we are discussing, the failure of compliance on the part of the War Department will result in an appeal by the contractors to this commission.

Mr. WARREN. Mr. President, will the Senator allow me right there?

Mr. FRELINGHUYSEN. Yes.

Mr. CUMMINS. I have not read the bill carefully, but I do not find anything in the bill that relates to or covers the case I have just put.

Mr. WARREN. If the Senator will allow me, that is to cover the foreign contracts where they are made by other countries in that way. For instance, our Army abroad made its contracts on letters of purchase and their approval, the same as the English, French, and Italians did. Now, as nearly as we can learn, the comptroller had not in mind, in the finding he made as to our contracts here, that it should apply to those abroad; but his deputy, immediately upon the promulgation of the order, made it applicable there. That throws all of these contracts, perfectly legitimate under the laws and practices there, into the scrap heap with the others.

Mr. CUMMINS. But I think the Senator from Wyoming has not the point in mind. I will instance a case as it was put to me.

A contractor of my own State enters into an agreement with the Government to furnish certain things.

Mr. WARREN. I was not alluding to American contracts.

Mr. CUMMINS. The contract, however, is not signed by the official whose signature is necessary in order to make it valid. This first paragraph validates a contract of that sort.

Mr. FRELINGHUYSEN. Yes.

Mr. CUMMINS. Now, it being validated, what becomes of it when the Government refuses to carry it out? Is there anything here that will enable that contractor to apply to the commission, or take an appeal, or in any way secure a settlement, save as the War Department in its regular organization may see fit to settle with him? That is the point that is bothering me about the first paragraph.

Mr. FRELINGHUYSEN. In reading the section which creates the commission, I fail to find therein any provision for an appeal. Possibly the Senator from Tennessee can answer that question.

Mr. McKELLAR. Why, surely. If the Senator will look on page 7, he will see that if the War Department and the contractor do not agree, or if the contractor does not feel that the War Department has treated him fairly in the matter of giving him as much as he is entitled to, he has the right to appeal. That is shown on line 11, page 7, of the bill:

> That within 30 days of the date when the Secretary of War tenders any contract or compensation as provided in this act—

That is, validates the one, or fixes the other—

> or refuses to tender such contract or compensation, the party to whom said contract or compensation is tendered or refused, or the Government by a duly authorized officer from the Department of Justice, may file with the chairman of the commission a notice of appeal.

Then that committee hear it de novo as a court of appeal from the ruling of the War Department.

Mr. CUMMINS. But my difficulty is in finding in that language any reference to the first paragraph of this bill. I do not believe it covers, in its present terms, a contract that is validated simply because unsigned by the proper official.

Mr. McKELLAR. If the Senator will read all of section 2 he will find that it applies to section 1, and that follows as a necessary consequence. There is not the slightest trouble about it—not the slightest.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. McKELLAR. I have not the floor, as a matter of fact, but I will yield to the Senator.

Mr. LENROOT. I merely wish to call the Senator's attention to the fact that the provision with reference to appeals that he is now quoting relates only to cases where the Secretary is authorized by this bill to make compensation, and this bill does not authorize the Secretary to make compensation upon a valid contract.

Mr. McKELLAR. No; it does not. That was not what the Senator from Iowa was speaking of, however.

Mr. CUMMINS. Precisely; that is just what I was speaking of. At the beginning of line 11 the bill provides——

Mr. McKELLAR. Just look at line 12.

Mr. CUMMINS. I am going to read it now.

Mr. McKELLAR. The Senator will find that it is absolutely plain.

Mr. CUMMINS (reading)—

> That within 30 days of the date when the Secretary of War tenders any contract or compensation as provided in this act, or refuses to tender such contract or compensation—

Those are the cases in which appeals could be made to the commission.

Mr. McKELLAR. Yes.

Mr. CUMMINS. But, under the validated contract of paragraph 1, the Secretary of War does not tender any contract nor does he tender any compensation.

Mr. McKELLAR. Oh, yes; the point is this, if the Senator will permit me: Here is a contract that is all right except that it is signed by the wrong officer, we will say. It is all written out and the contractor has one copy and the Secretary of War has the other. The Secretary validates that contract and

tenders it to the contractor, and it comes directly within that language.

Mr. CUMMINS. No; there is not anything to indicate that he tenders it to the contractor.

Mr. McKELLAR. There will be a great many things done that are not specifically provided.

Mr. CUMMINS. Paragraph 2 of the bill very distinctly provides for the tender of a contract and for the tender of compensation; but I am afraid that the committee—of course, unintentionally—has excluded entirely the settlement of those cases which are simply under validated contracts.

Mr. McKELLAR. Oh, I do not think so.

Mr. FRELINGHUYSEN. Mr. President, I think possibly the Senator from Iowa might suggest an amendment to carry out his idea.

Mr. CUMMINS. That is easy enough. It would not be hard to suggest an amendment.

Mr. McKELLAR. If the Senator will suggest one, I am sure we shall be delighted to have it inserted to make it clear.

Mr. CUMMINS. I should like to ask the Senator from Tennessee another question, or the Senator from New Jersey.

Mr. McKELLAR. Surely.

Mr. CUMMINS. In lines 16 and 17, on page 4, it is said, speaking of the validation of contracts:

Provided, That he finds such waiver is not inconsistent with the public interest.

It seems to me that if the Government has made a contract with an officer, and all that it lacks is the statutory authority of that officer to enter into the contract or to sign the contract, it is hardly fair to give the Secretary of War the privilege of saying that the Government shall not be bound by that contract if he finds that it is not consistent with the public interest.

Mr. McKELLAR. There is not any intention of that. It refers to an entirely different situation.

If the Senator has finished, I should like to discuss another phase of this question for just a moment.

Mr. OVERMAN. Mr. President, before the Senator begins——

Mr. FRELINGHUYSEN. I yield the floor.

Mr. LENROOT. Before the Senator from New Jersey yields the floor, I should like to ask him a question on another branch of the bill.

As I read this bill, it legalizes a claim against the Government on the part of one who has performed services or expended money upon the request merely of one who is not authorized in any way to make a contract, but one who has been requested to aid the War Department in the procurement of munitions. In other words, a dollar-a-year man in the War Industries Board has requested some one to do something, under the belief that he will later get a contract, and this bill will give that man a legal claim against the Government. Am I correct?

Mr. FRELINGHUYSEN. I think the Senator is correct.

Mr. McKELLAR. I will say to the Senator that that is the proposition I want to discuss for just a moment when the Senator yields; and I shall be very glad to answer the Senator's question when I come to discuss it.

Mr. FRELINGHUYSEN. I yield to the Senator.

Mr. McKELLAR. Now I yield to the Senator from North Carolina.

Mr. OVERMAN. What I wanted to ask was this: Many of these contracts, two-third of them, are subcontracts. A man gets a contract to furnish a million pairs of shoes. He can not furnish them, so he lets it out to a subcontractor. I want to know if there is any provision in this bill to take care of the interests of those subcontractors?

Mr. McKELLAR. None whatever. They are not contractors with the Government.

Mr. OVERMAN. Here is a man, now, who has a contract with the Government for $2,000,000 worth of shoes. You recognize him and settle with him; but the man who made the shoes, who furnished the shoes, you do not take care of at all.

Mr. McKELLAR. That is true.

Mr. OVERMAN. Does not the Senator think there ought to be some provision by which this whole matter shall be considered, and the man who has absolutely furnished the material shall have his money?

Mr. McKELLAR. I think, if the Senator will vote for the Hitchcock substitute, he will find that that will be taken care of.

Mr. FLETCHER. Mr. President, I should like to have the Senator explain that and point out where it is. I think the bill reads much better, on the point the Senator from North Carolina refers to, than the Hitchcock amendment.

Mr. McKELLAR. If Senators will give me their attention for just a few minutes I want to discuss the class of cases to which the Senator from Wisconsin [Mr. LENROOT] so properly referred just a few minutes ago.

We all know that in the very active campaign we have had here during this war there have been many volunteers, men connected with certain lines of business, who have come down here and represented the Government in connection with those very lines of business; and in order to bring that matter directly to the attention of the Senate I am going to take the liberty of reading just a little of the testimony of three witnesses, one connected with the dye industry of the country, one with the clothing industry of the country, and a third with the vehicle industry of the country. I want to explain, before I read this testimony, that it shows the vital necessity of having some independent commission to pass upon the question of contracts with the Government.

I want to call attention to the fact that under the bill as reported by the House many of the officers who are going to settle these contracts for the Government will simply settle with themselves, and the Government has to pay whatever these gentlemen feel like taking. Let us suppose, for a minute, that it is contract on dyes. I produce the testimony of Mr. Rice, taken before our committee:

Senator McKELLAR. Who is the Southbridge Printing Co.?
Mr. RICE. A concern at Southbridge, Mass. They have been in sulphur dyeing for the last two years or more.
Senator McKELLAR. Who owns it?
Mr. RICE. Mr. Schuster, Mr. Heyward, Mr. Saunders—James A. Saunders—R. A. Rice, and Mr. Myrick. Mr. Hartley had some stock in there.

One of these gentlemen is the brother, the other the partner, of the witness, who is in charge of the Government dye bureau here in the city of Washington, buying millions of dollars worth of dye work, taking millions of dollars worth of dye work for the Government. Now, listen to this:

Senator McKELLAR. Who is Mr. R. A. Rice?
Mr. RICE. He is a brother of mine.
Senator McKELLAR. He is still interested in it?
Mr. RICE. Yes; he is still interested in it.
Senator McKELLAR. What amount of stock does he own?
Mr. RICE. It is my recollection, something like 75 shares. I would not state exactly. Of course that is of record.
Senator McKELLAR. What interest did you have in the business before you came down here?
Mr. RICE. I had about a little over one-quarter of the stock.

This was a dollar-a-year man who is testifying now, and this is one of the men who will settle with the dye interests if you pass the House bill and have no independent commission.

Senator McKELLAR. How much is it capitalized at?
Mr. RICE. $135,000.
Senator McKELLAR. How much, in contracts, has that concern got?
Mr. RICE. I believe about, all told, during the year—of course, I can give you an exact account of it.
Senator McKELLAR. I would be glad to have it.
Mr. RICE. About 3,000,000 yards.
Senator McKELLAR. Three million yards?
Mr. RICE. The recent contract, the gas-defense contract, they are doing some of the paraffining for the gas defense.
Senator McKELLAR. What did you do with your stock? To whom did you sell it?

He testified that he sold the stock.

Mr. RICE. To my wife. The Quartermaster's Department stated that should be done, and I transferred it to my wife.
Senator McKELLAR. You did not sell it to her, did you?
Mr. RICE. I just transferred it over for $2.
Senator McKELLAR. You just put it in her name so you would not be interested in it?
Mr. RICE. Yes; I transferred it over to her. In other words, it belongs to her.
Senator McKELLAR. Is there any other company you are connected with which you transferred to your wife the stock in?
Mr. RICE. Yes; I had some stock of the Fiskdale Finishing Co.
Senator McKELLAR. What is the capital of that company?
Mr. RICE. The capital is $200,000 preferred and $300,000 common.
Senator McKELLAR. And what was your interest in that?
Mr. RICE. My recollection is that it was a little over a quarter interest.
Senator McKELLAR. And you transferred that to your wife?
Mr. RICE. That was in the common stock of that company; and I had, I think, about $15,000, if I recall, of preferred stock. I turned that over to my wife.
Senator McKELLAR. Have you done any business with that company?
Mr. RICE. Yes, sir.
Senator McKELLAR. How much have you allotted to them?
Mr. RICE. I should say about 3,000,000 yards during the year.
Senator McKELLAR. Have those contracts been filled?
Mr. RICE. Not all of them. They are working on them now. In fact, some of the material has been delivered to them. Gray mills are behind on the gray contracts.
Senator McKELLAR. Are there any other companies with which you were connected?
Mr. RICE. No, sir; those are the only two companies I had owned any stock in.
Senator McKELLAR. Your partnership was with Mr. Myrick?
Mr. RICE. Mr. Myrick.
Senator McKELLAR. What contract have you with Mr. Myrick about your firm business while you are down here?

Mr. RICE. None whatever. I sold out to Mr. Myrick. I have resigned and am no longer a member of the firm of Myrick & Rice. I am out of it entirely.

Senator MCKELLAR. Who are the owners of that firm?

Mr. RICE. Mr. Myrick is the sole owner now of the firm.

Senator MCKELLAR. Would you object to stating upon what terms you sold out that business?

Mr. RICE. Certainly; I will be glad to state. I sold out of the firm for $5,000, and all the interest that I had there for $15,000, the total amounting to $20,000. The $15,000, of course, was to pay for back contracts on commercial business; nothing whatever on any Government business.

Senator MCKELLAR. When were these transactions; last March, before you came down here?

Mr. RICE. Last March; yes.

Senator MCKELLAR. At whose instance did you come?

The plot still thickens!

Mr. RICE. At the request of Mr. Albert Scott and Mr. Miller Wilson.

Senator MCKELLAR. What has become of Mr. Scott? What is he doing now?

Mr. RICE. I could not say. He is in Boston. I could not tell you just what he is doing.

Senator MCKELLAR. Mr. Scott was interested in nearly all these mills, was he not?

Mr. RICE. I could not say.

Senator MCKELLAR. You did not know that he had had large interests in them?

Mr. RICE. No, sir; I did not know anything about it. In fact, I had never met Mr. Scott but once, in 1917.

Senator MCKELLAR. Mr. Scott, I do not believe, had any interest in any of these competing plants, but he had interests in all the cotton manufactories, or was represented in them.

Mr. DONALD. Only a very few, Senator.

I am not going to read all this testimony, but what he testified was that he was down here representing the Government, buying from the mills in which he formerly owned the stock and which he transferred to his wife without compensation, and that they were getting the dividends from that stock, and it was paying very handsomely, too. If when we turn these contracts over to the Secretary of War, as provided by the House, we are going to turn the settlement of the contract over to Mr. Rice, who may still be a dollar-a-year man, as I understand, or was a short time ago; is that right? Does any Senator feel that he wants to do that? Why pass any bill at all? Why not just invite the contractors and these dollar-a-year men to come down and take what they want?

Mr. FRELINGHUYSEN. Will the Senator suffer an interruption?

Mr. McKELLAR. I will be delighted.

Mr. FRELINGHUYSEN. Of course, no one will indorse such a practice as the Senator has pointed out in reading the testimony, but can not the interests of the Government be safeguarded against such fraud, if fraud it is?

Mr. McKELLAR. It can not be under the bill introduced in the House. I believe it can be safeguarded under the Hitchcock bill, with section 3 of the substitute bill as an amendment. I hope it can. I do not know whether that will do it or not. It is mighty hard to get around these gentlemen.

Mr. FRELINGHUYSEN. I suggest to the Senator that on page 4 of the committee amendment the Senator from Wisconsin [Mr. LENROOT] suggested that it would improve the bill and protect the Government against such a practice the Senator has pointed out in the testimony taken before the Committee on Military Affairs by striking out, on line 6, page 4, the words "to produce or aid in procuring the same for the War Department."

Mr. McKELLAR. That would help it some, but it is perfectly evident to me that if this were a solitary example that I was referring to here there might not be a great deal in the contention. However, this is the rule and not the exception. I do not say it is a universal rule, but the rule very largely. For instance, in the Clothing and Equipage Division I have the testimony here of Mr. H. L. Bailey, the chairman of that division. He testified that he had stock in a number of concerns, and he transferred it to his wife and then did business with his wife's concern and the concern of Wellington, Sears & Co., and expected to go back as soon as the war is over. I am not going to read that testimony, but I ask unanimous consent to put it in the RECORD. I think Senators ought to have it.

The VICE PRESIDENT. Without objection, it will be printed in the RECORD.

The matter referred to is as follows:

THE CASE OF H. L. BAILEY.

The case of H. L. Bailey, who is chief of the cotton-goods branch of the Clothing and Equipage Division, is somewhat similar to that of Mr. Rice. Mr. Bailey was a partner of the Wellington, Sears & Co., one of the largest cotton-goods firms of the country. He also owned stock in one cotton mill, and his wife had stock in two cotton mills. He had stock in the Gluck Mills, of Anderson, S. C., and his wife owned stock in the Lanett Cotton Mills, Lanett, Ala., and the Equinox Mills, of Anderson, S. C. He bought from both the Lanett and Equinox Mills.

—

Senator MCKELLAR. Now, virtually speaking, this compensation is, with the exception of Commander Hancock, fixed by the trade? In other words, you gentlemen are all affiliated with the cotton trade?

Mr. BAILEY. I do not know what you mean by "affiliated."

Senator MCKELLAR. I mean connected.

Mr. BAILEY. I am an experienced cotton manufacturer and have come from the industry.

Senator MCKELLAR. You are not connected with it at the present time, but you came from the firm of Wellington, Sears & Co. and were what is known as a dollar-a-year man?

Mr. BAILEY. Yes.

Senator MCKELLAR. And you went out of Wellington, Sears & Co. after you went into the service of the Government as a dollar-a-year man?

Mr. BAILEY. I did.

Senator MCKELLAR. And there is no use our attempting to camouflage the thing one way or another. We might as well look it right square in the face. When this war is over you are going back in the cotton trade, of course.

Mr. BAILEY. I am, as I have to support my family.

Senator MCKELLAR. Of course; and your interests and expectations are all in that trade; and it does seem to me that we could devise a plan that would make a real buyer and seller. As it is now, you gentlemen just fix the amount at such figure as you think would be reasonable, upon such basis as you think fit, and the Government foots the bill; and I see here from the public print that there never has been such marvelous prosperity to the cotton mills of the country. That is natural and, in a way, that is admirably right.

Mr. BAILEY. Yes.

Senator MCKELLAR. But I do not think that they ought to take such tremendous profits; and they are taking enormous profits. Now, Mr. Scott testified frankly that there were from 8 to 10 turnovers a year, and that they allowed on the basis of 12½ per cent on a turnover. By an easy calculation, that is from 100 to 150 per cent a year.

Mr. BAILEY. Did Mr. Scott testify that there were from 8 to 10 turnovers a year?

Senator MCKELLAR. Yes; that is my recollection.

Mr. BAILEY. Either you or Mr. Scott are mistaken.

Senator MCKELLAR. How many turnovers are there a year?

Mr. BAILEY. It varies with the different kinds of goods.

Senator MCKELLAR. Just enumerate the different kinds of goods, if you will, because I do not want to have any mistake about it. I do not want to be mistaken about it. Take the white duck used for tentage, and how many turnovers are there a year on that?

Mr. BAILEY. I will have to make a little computation here on that.

Senator MCKELLAR. As a matter of fact, Mr. Bailey, the real committee that fixes prices is the small committee composed of Mr. Scott, yourself, and Commander Hancock and Mr. Turner?

Mr. BAILEY. Absolutely not, sir.

Senator MCKELLAR. In what instance has any fixing of prices ever been changed by the big committee?

Mr. BAILEY. The low basis of prices which was submitted by this war-service committee before I became a member of the smaller committee, and which was put up to the large committee by the smaller committee was—well, I will not say repudiated, because it is too strong a word; but it was not allowed by the large committee, and the industry was called in conference by the large committee and the matters were thrashed out and the basis arranged in conference with the large committee and not by the small committee.

Senator MCKELLAR. Was that one approved by the small committee—that one that was adopted?

Mr. BAILEY. I was not a member of the small committee at the time. It was approved to the extent that it was put up to the large committee.

Senator MCKELLAR. What I want to know is, has any recommendation of the small committee, since you have been a member of it, ever been turned down by the big committee?

Mr. BAILEY. The small committee since I have been a member of it has not taken the responsibility for these prices. It has merely discussed the details, and a group of experts appointed by the price-fixing committee of the War Industries Board has been intrusted with the responsibility of supervising the differentials made for different cotton fabrics.

Senator MCKELLAR. Now, what committee is that?

Mr. BAILEY. I have not taken any responsibility for the price fixing.

Senator MCKELLAR. What is this supervising committee? Whom is that composed of?

Mr. BAILEY. It is composed of two mill engineers, Mr. Makepeace and Mr. Sirrine.

Senator MCKELLAR. Anybody else?

Mr. BAILEY. No.

Senator MCKELLAR. Who is Mr. Makepeace, and what mill is he connected with?

Mr. BAILEY. He is not connected with any mill. He is an engineer of Providence, R. I.

Senator MCKELLAR. An engineer. Whom does he work for? What is his first name?

Mr. BAILEY. He has his own concern. I can not recall his first name, for the moment.

Senator MCKELLAR. What kind of an engineer is he? What does he know about making prices for cotton goods?

Mr. BAILEY. He is a construction engineer.

Senator MCKELLAR. What does he know about making prices for cotton goods?

Mr. BAILEY. I should think that would be a proper question for him to answer, Senator McKellar.

Senator MCKELLAR. I know, but I just want to find out something about him.

Mr. BAILEY. He is a man who lays out mills for making certain grades of fabrics, who is presumably well informed as to the present cost of such mills, as to the past cost of such mills, their productive capacity, and for that reason the profit per pound which they should have to give them a certain return on their capital invested, and that sort of thing.

Senator MCKELLAR. Is he employed by cotton mills—to construct cotton mills?

Mr. BAILEY. Yes.

Senator MCKELLAR. Is he in them, personally?

Mr. BAILEY. Very likely, but I do not know. I have no knowledge of it.

Senator MCKELLAR. Who is Mr. Sirrine?

Mr. BAILEY. He is also a mill engineer, of Greenville, S. C.

Senator MCKELLAR. Does he own mills, too?

Mr. BAILEY. I do not know.

Senator MCKELLAR. Or is he interested in their ownership?

Mr. BAILEY. I do not know. My description of Mr. Makepeace would apply to Mr. Sirrine also.

Senator MCKELLAR. Is it not a fact that with the exception of the Army and Navy officers, every man connected with the price fixing is directly or indirectly connected with the cotton trade?

Mr. BAILEY. No, sir.

Senator MCKELLAR. Now, name any that are not.

Mr. BAILEY. Mr. Brookings, Mr. Baruch, Prof. Taussig, and Mr. Franey.

Senator MCKELLAR. Was Mr. Brookings ever connected with it?

Mr. BAILEY. No, sir.

Senator MCKELLAR. What was his business?

Mr. BAILEY. He was the president of the Samuel Couples Woodenware Co., of St. Louis.

Senator MCKELLAR. Prof. Taussig never was connected with the cotton trade?

Mr. BAILEY. Not to my knowledge. He was a professor at Harvard College.

Senator MCKELLAR. I know he was. I did not know what his business was prior to that. Do you know whether Mr. Baruch or Prof. Taussig or Mr. Brookings have ever gone themselves into the figures submitted by these various committees?

Mr. BAILEY. Mr. Brookings has himself in great detail, and so has Mr. Baruch. Mr. Baruch was present and spoke at length at one meeting of the price-fixing committee.

Senator MCKELLAR. Have they ever taken into consideration the profits made by these concerns?

Mr. BAILEY. The profits that have been made?

Senator MCKELLAR. That are being made out of the Government by these various selling concerns.

Mr. BAILEY. I think so.

Senator MCKELLAR. If you have taken that into consideration, what profits have been made by any of the mills, and give their profits that you considered.

Mr. BAILEY. I am not qualified to do that, Senator McKellar.

Senator MCKELLAR. And give the dates.

Mr. BAILEY. I haven't them.

Senator MCKELLAR. Did you ever consider it in making these prices?

Mr. BAILEY. Yes. For instance, we have been allocating heavy duck from about 40 mills. Now, some of those mills would make double the profit of others, at the same price. But I want to record with you that the large profits made by the cotton mills, the marvelous profits that you have spoken of, have not been made on Government contracts, but because they have been selling their commercial contracts at much higher prices than the Government has been paying, and that all of that excess was an additional profit; and further, that these mills have, within the last year and a half, gone from cotton below 20 cents a pound to cotton at 36 or 37 cents a pound, which in itself would mean an enormous profit on their raw material. They have got the other end of that coming

Senator MCKELLAR. Does the price change from time to time?

Mr. BAILEY. Oh yes—not since price fixing.

Senator MCKELLAR. When did you have the first price fixing?

Mr. BAILEY. The first price fixing was made the latter part of June, to be effective from June 8, I believe.

Senator MCKELLAR. And then you paid the same prices for all cotton goods bought—I mean of the same grade and quality?

Mr. BAILEY. Since that time.

Senator MCKELLAR. Since that time?

Mr. BAILEY. From normal producers.

Senator MCKELLAR. Have you a statement from the mills in which you and Mrs. Bailey are interested as to the profits made for last year and this year?

Mr. BAILEY. No; I have no idea what they are. I have been very busy with other things.

Senator MCKELLAR. You do not know what dividends they pay?

Mr. BAILEY. I haven't it in mind, you know.

Senator MCKELLAR. Do you know what dividends any of these mills pay that you have been doing business with? Have you it in mind?

Mr. BAILEY. No; I have not.

Senator MCKELLAR. You fixing prices this way, would not that be very important knowledge for you to have?

Mr. BAILEY. I think——

Senator MCKELLAR. Is not that the most important knowledge that you could have if you were going to fix the price? For instance, if you were going to fix the price for lumber produced by me—I am not in the lumber business, but used to be many years ago—suppose you were going to fix the price of lumber and I was a going concern and had a large business, and we were selling to you and had been selling to you on Government contracts——

Mr. BAILEY. Yes.

Senator MCKELLAR. Would it not be very important for you to know what profits I was making on that lumber before you undertook to fix the price?

Mr. BAILEY. If you were a corporation and were selling the Government at a lower price than you were selling your civilian business, I should say that the profits you were making were no indication of what a fair price would be on your lumber.

Senator MCKELLAR. Taking it about selling the Government at a lower price, the fact that the Government is in the market for these cotton goods is one of the things that has made cotton goods soar?

Mr. BAILEY. Definitely; yes.

Senator MCKELLAR. Yes.

Mr. BAILEY. But that is not my problem, you know.

Senator MCKELLAR. But your problem is when you fix the price that you give the seller a reasonable profit, is it not?

Mr. BAILEY. Yes.

Senator MCKELLAR. How can you tell what a reasonable price is unless you know what his profit is?

Mr. DONALD. Mr. Bailey testified that he is not on that price-fixing committee.

Senator MCKELLAR. I know, but he has recommended to them.

Mr. DONALD. He has never recommended to them.

Senator MCKELLAR. Have you never recommended to them?

Mr. BAILEY. I have not, officially.

Senator MCKELLAR. That is just the thing. I can understand how a price might not be recommended officially and yet just as effectively. As you will recall, one of the things I have been decrying for over a year is these unofficial committees actually doing the work, and I have a letter from the Secretary of War assuring me that there was not an unofficial committee in operation, yet I find them at almost every turn of the road where unofficial committees are recommending prices.

Mr. BAILEY. You mistake the intention of my remark.

Senator MCKELLAR. Well, of course I do not want to do that.

Mr. BAILEY. As one of probably 25 in a meeting with the War Industries Board price-fixing committee I have participated in a discussion regarding prices. My influence has not been on the side of increasing prices of cotton goods, Senator MCKELLAR.

Senator MCKELLAR. Well, now, do you actually, whether officially or unofficially, recommend prices?

Mr. BAILEY. At the present time?

Senator MCKELLAR. At the present time.

Mr. BAILEY. No; I do not.

Senator MCKELLAR. Have you ever done it?

Mr. BAILEY. Oh, yes.

Senator MCKELLAR. When did you stop?

Mr. BAILEY. When——

Senator MCKELLAR. The price was fixed?

Mr. BAILEY. When price fixing came into effect.

Mr. FLETCHER. May I ask the Senator whether he said it will be a case of these gentlemen passing upon their own irregular contracts?

Mr. MCKELLAR. Absolutely.

Mr. FLETCHER. For instance, the Secretary of War or the Assistant Secretary of War has stated that they have an original board going into this question, and then they have contract review boards.

Mr. MCKELLAR. I understand all that, but it is the man who represents the Government in the initial proceeding who commits the Government and the review board really adopts what he does.

Mr. FLETCHER. That is the question. The review boards are not there for that purpose.

Mr. MCKELLAR. I will say this to the Senator and let him think it over himself. I earnestly asked the Secretary of War and the Quartermaster General of the Army, upon the proof I have read just awhile ago from Mr. Rice, that they would discharge Mr. Rice and get somebody who was disconnected with that industry in charge of that particular division, and they declined to do it. Mr. Rice, so far as I know, still represents the Government, although this testimony was taken several weeks ago. If that is the case, what we are doing, if we vote for the House bill or if we vote for the initial arrangement, is just to turn it over to these very gentlemen to settle their own contracts. That is all we are doing, and we might just as well invite these gentlemen to come down and take what they will, but I want Senators to do it with their eyes wide open, because those are the facts.

Mr. CHAMBERLAIN. Let me remind the Senator that we are not voting on the House bill.

Mr. MCKELLAR. I know, but if you leave it to these gentlemen who are representing the department now to settle with themselves as provided under the committee bill, you are simply turning it over to them to settle on their own good judgment, and you see what kind of men you are going to settle with.

Mr. FLETCHER. I think the Senator is going rather far in that conclusion.

Mr. MCKELLAR. Will the Senator read the testimony? It will be in the RECORD in the morning, and he can reach his own conclusion.

Mr. FLETCHER. I am not questioning that, but what I am interested in is that his review board has something more to do than to rubber stamp the action of some subordinate officer.

Mr. MCKELLAR. Let me interrupt the Senator.

Mr. FLETCHER. I want to complete the sentence. The review board as now constituted is already operating and it is composed of Mr. Garnett, of Virginia; Mr. Lehmann, of New York; and Mr. Malone, of New York. They are actually functioning now as a board. So you can not say that they would be selected after this bill is passed with any view to passing favorably on contracts or anything of that sort.

Mr. MCKELLAR. The trouble about it is that the commission established under the bill last reported out by the committee has not any jurisdiction until it is appealed to, and 95 per cent of the cases will not be appealed by either party, and you will leave it to these very men, who have been dealing with the Government in that way, to pass upon their own acts. If the Senate is willing to do that, it may do so. I am not going to vote that way myself.

I next come to the testimony of Mr. Donald, and I want to call the attention of Senators particularly to the fact that the reason for accepting dollar-a-year men was that they had peculiar knowledge of the things about which they came here to do work.

Senator MCKELLAR. Mr. Donald, will you tell us your connection with the Quartermaster Corps?

Mr. DONALD. I am chief of the clothing and equipage division.

Senator MCKELLAR. When did you become chief of that division?

Mr. DONALD. About June 1.

Senator MCKELLAR. What was your business before?

Clothing man? Equipage man? No.

Mr. DONALD. I was a lawyer.
Senator MCKELLAR. Were you ever engaged in the cotton business?
Mr. DONALD. No, sir.
Senator MCKELLAR. How did you happen to get into the cotton goods department of the Government?
Mr. DONALD. Well, it is the whole clothing and equipage division.
Senator MCKELLAR. Well, the whole clothing and equipage division; how did you happen to get into it?
Mr. DONALD. I was asked to come to Washington last February.
Senator MCKELLAR. By whom?
Mr. DONALD. Mr. Scott, who was then chief of the division.

I will say to the Senator that Mr. Scott was the man who was discharged at my request, and for which I have been considerably criticized. He was discharged as chief of this division because of his connection with practically all the firms with which he was doing business. That appeared in the proof, and the quartermaster acted upon my request and discharged Mr. Scott. Here is Mr. Donald, a man who comes and takes Mr. Scott's place, and it develops afterwards that he is Mr. Scott's lawyer or the lawyer for Scott's firm. Now, listen to this:

I was asked to come to Washington last February.

Senators, remember now we are turning the settlement of these contracts over to these gentlemen to settle with themselves. I sometimes think the poor old Government has not many friends around.

Mr. SMOOT. Where did Mr. Scott go?

Mr. MCKELLAR. He went back home; but I will give it to you from the testimony in a moment.

Senator MCKELLAR. Did you ever represent Mr. Scott or any of his companies before that?
Mr. DONALD. I personally have not represented Mr. Scott. My firm had done some business for Mr. Scott.
Senator MCKELLAR. What is your firm?
Mr. DONALD. Herrick, Smith, Donald & Farley.
Senator MCKELLAR. What Herrick is that?
Mr. DONALD. Robert F. Herrick.
Senator MCKELLAR. Of New York?
Mr. DONALD. Of Boston.
Senator MCKELLAR. You were asked by Mr. Scott to come here?
Mr. DONALD. Yes, sir.
Senator MCKELLAR. Were you familiar with the cotton trade, the clothing trade, before you came here?
Mr. DONALD. No, sir.
Senator MCKELLAR. Were you ever in the clothing business or the cotton business?
Mr. DONALD. No, sir.
Senator MCKELLAR. You heard Mr. Bailey testify a few minutes ago that it would be difficult to find a man who had never had any experience in the business that would know enough about it to manage it for the Government. How do you get along under that definition?
Mr. DONALD. Our division is a very large division, and, of course, we have in each of our branches the men who are technical experts in the business.
Senator MCKELLAR. Why were you selected? Do you have any idea why you were selected to come down here?
Mr. BAILEY. He is too modest to answer.

He was too modest to answer; he did not answer, and Mr. Bailey testified for him.

Senator MCKELLAR. Let him go right ahead. I am after the facts.
Mr. DONALD. The clothing and equipage division was organized by Gen. Goethals in January or this year. It was an entirely new organization and they needed a large number of men to assist. I myself have recently been endeavoring to get another lawyer to come down here. I came down as general assistant, believing there would be work in which I could assist.
Senator MCKELLAR. Referring again to your connection with cotton firms, does Herrick, Smith, Donald & Farley represent cotton manufacturers?
Mr. DONALD. There are a good many cotton manufacturers in and around Boston and New England.

That is supposed to be an answer to the question.

Senator MCKELLAR. Just tell me offhand; I will not hold you to all of your clients in that particular line, but give me the more important ones, at any rate.
Mr. DONALD. We have, so far as I know, Senator, no retainers from any firms.
Senator MCKELLAR. I understand that, but I want to know whom you represented. For instance, I know whether I represented the Union State Bank or the Central State Bank of Memphis, Tenn., and if you asked me what firms I represented I could give them to you that quick, or if you asked me what cotton houses I had represented I can tell you.
Mr. DONALD. My firm had four members, and it is a firm which has been in practice since 1873, and it has represented a great many different concerns at different times.
Senator MCKELLAR. Would you give me what your firm represented, so far as you can? You have been in the firm over a year?
Mr. DONALD. Yes, sir.
Senator MCKELLAR. And you have been in it since the war? You are interested in it now?
Mr. DONALD. Not at the present time.

Listen to this:

Senator MCKELLAR. You have no interest in the partnership now?

Here is what he said, and I will afterwards read you what he interlined:

Mr. DONALD. Last year the firm of Herrick, Smith, Donald & Farley was formed. We were formerly members of the firm of Fish, Richardson, Herrick & Neave. Mr. Farley, one of my partners, went to Plattsburgh in April. My partner, Mr. Smith, had been in the Army and he is now abroad. The firm has practically been broken up. I do not understand that I am getting any money from the firm and I have not been since last February.

He interlines this:

I do not understand that I am getting any money from (*earned by other members of*) the firm and I have not been (*received any*) since last February. (*I stated to them when I left that I did not wish to take any amounts thereafter earned by the other partners, and that I wished to share expenses if the salaried employees did not earn their expenses. If these employees earn more than their expenses, it is possible the partners may wish to apportion a share of this surplus to me, but the matter has never been arranged or seriously considered.*)

I am not going to read all he said, but it is on a line with the other. Here are other firms that he represents, every one of them doing business with his division of the Government, and when you turn these contracts over to him to arrange you are going to just turn them right over to the contractors to settle. When you take either one of the first bills without an independent commission are you going to turn it over to these gentlemen to settle with themselves and with their clients?

Mr. NUGENT. Mr. President——

Mr. MCKELLAR. I will yield in just one minute.

I asked him for the names and he said he had represented mills and cotton agents, the Queen City Cotton Mills and various others. He goes on to testify that he took Mr. Scott's place. I ask permission to insert in the RECORD that testimony verbatim. It is not very long.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

STATEMENT OF MR. MALCOLM DONALD, CHIEF OF THE CLOTHING AND EQUIPAGE DIVISION, QUARTERMASTER CORPS.

Senator MCKELLAR. Mr. Donald, will you tell us your connection with the Quartermaster Corps?
Mr. DONALD. I am chief of the clothing and equipage division.
Senator MCKELLAR. When did you become chief of that division?
Mr. DONALD. About June 1.
Senator MCKELLAR. What was your business before?
Mr. DONALD. I was a lawyer.
Senator MCKELLAR. Were you ever engaged in the cotton business?
Mr. DONALD. No, sir.
Senator MCKELLAR. How did you happen to get into the cotton goods department of the Government?
Mr. DONALD. Well, it is the whole clothing and equipage division.
Senator MCKELLAR. Well, the whole clothing and equipage division; how did you happen to get into it?
Mr. DONALD. I was asked to come to Washington last February.
Senator MCKELLAR. By whom?
Mr. DONALD. Mr. Scott, who was then chief of the division.
Senator MCKELLAR. Did you ever represent Mr. Scott or any of his companies before that?
Mr. DONALD. I personally have not represented Mr. Scott. My firm had done some business for Mr. Scott.
Senator MCKELLAR. What is your firm?
Mr. DONALD. Herrick, Smith, Donald & Farley.
Senator MCKELLAR. What Herrick is that?
Mr. DONALD. Robert F. Herrick.
Senator MCKELLAR. Of New York?
Mr. DONALD. Of Boston.
Senator MCKELLAR. You were asked by Mr. Scott to come here?
Mr. DONALD. Yes, sir.
Senator MCKELLAR. Were you familiar with the cotton trade, the clothing trade, before you came here?
Mr. DONALD. No, sir.
Senator MCKELLAR. Were you ever in the clothing business or the cotton business?
Mr. DONALD. No, sir.
Senator MCKELLAR. You heard Mr. Bailey testify a few minutes ago that it would be difficult to find a man who had never had any experience in the business that would know enough about it to manage it for the Government. How do you get along under that definition?
Mr. DONALD. Our division is a very large division, and of course we have in each of our branches the men who are technical experts in the business.
Senator MCKELLAR. Why were you selected? Do you have any idea why you were selected to come down here?
Mr. BAILEY. He is too modest to answer.
Senator MCKELLAR. Let him go right ahead. I am after the facts.
Mr. DONALD. The clothing and equipage division was organized by Gen. Goethals in January of this year. It was an entirely new organization and they needed a large number of men to assist. I myself have recently been endeavoring to get another lawyer to come down here. I came down as general assistant, believing that there would be work in which I could assist.
Senator MCKELLAR. Referring again to your connection with cotton firms, does Herrick, Smith, Donald & Farley represent cotton manufacturers?
Mr. DONALD. There are a good many cotton manufacturers in and around Boston and New England.
Senator MCKELLAR. Just tell me offhand; I will not hold you to all of your clients in that particular line, but give me the more important ones, at any rate.
Mr. DONALD. We have, so far as I know, Senator, no retainers from any firms.
Senator MCKELLAR. I understand that, but I want to know whom you represented. For instance, I know whether I represented the Union State Bank or the Central State Bank of Memphis, Tenn., and if you asked me what firms I represented I could give them to you that quick, or if you asked me what cotton houses I had represented I can tell you.
Mr. DONALD. My firm had four members, and it is a firm which has been in practice since 1873, and it has represented a great many different concerns at different times.
Senator MCKELLAR. Would you give me what your firm represented, so far as you can? You have been in the firm over a year?
Mr. DONALD. Yes, sir.
Senator MCKELLAR. And you have been in it since the war? You are interested in it now?
Mr. DONALD. Not at the present time.
Senator MCKELLAR. You have no interest in the partnership now?

Mr. DONALD. Last year the firm of Herrick, Smith, Donald & Farley was formed. We were formerly members of the firm of Fish, Richardson, Herrick & Neave. Mr. Farley, one of my partners, went to Plattsburg in April. My partner, Mr. Smith, had been in the Army and he is now abroad. The firm has practically been broken up. I do not understand that I am getting any money from (*earned by other members of*) the firm and I have not been (*received any*) since last February. (*I stated to them when I left that I did not wish to take any amounts thereafter earned by the other partners, and that I wished to share expenses if the salaried employees did not earn their expenses. If these employees earn more than their expenses, it is possible the partners may wish to apportion a share of this surplus to me, but the matter has never been arranged or seriously considered.*) [Italicized words in parentheses show changes made by Mr. Donald after the hearing.]

Senator MCKELLAR. It has been dissolved?

Mr. DONALD. It has not been formally dissolved.

Senator MCKELLAR. And there has been no modification of the agreement about profits of the firm?

Mr. DONALD. We had no writtten agreement.

Senator MCKELLAR. You had no agreement?

Mr. DONALD. (*No written agreement.*) When I came away it was understood that I should take no further profits (*did not wish to take profits thereafter earned by other members of the firm.*)

Senator MCKELLAR. I interrupted you when you were going to give me a list of the cotton manufacturers that you represented.

Mr. DONALD. We have represented the Pacific Mills and the Everett Mills.

Senator MCKELLAR. The Everett?

Mr. DONALD. At times. We have represented the Harmony Mills; Bliss, Fabyan & Co., and, I think, at times, Minot, Hooper & Co.

Senator MCKELLAR. Did you ever represent any companies in which Mr. A. L. Scott was interested?

Mr. DONALD. The firm has.

Senator MCKELLAR. Which ones are those? Do you know what concerns Mr. Scott is interested in? Mr. Scott is in all of them, is he not, directly or indirectly?

Mr. DONALD. He is in two or three—three or four.

Mr. BAILEY. Mr. Scott is a partner of Lockwood, Green & Co.

Mr. DONALD. J. Spencer Turner & Co. I personally did not do their work, and that is the reason, Senator, I can not tell you.

Mr. BAILEY. J. Spencer Turner & Co.?

Senator MCKELLAR. What is that Green firm?

Mr. BAILEY. Lockwood, Green & Co.; that is the Mount Vernon-Woodbury Mills.

Mr. DONALD. It is the International Cotton Mills.

Mr. BAILEY. Yes; the International Cotton Mills.

Senator MCKELLAR. Mr. Scott is at the head of the J. Spencer Turner Co.?

Mr. DONALD. No, sir.

Senator MCKELLAR. What company is he the head of?

Mr. DONALD. He is not the head of any firm. He is a member of the firm of Lockwood, Green & Co., who are mill engineers, really, and who are managers of several concerns.

Mr. BAILEY. And part owners in these concerns that we have mentioned here.

Senator MCKELLAR. You do not recall any others?

Mr. DONALD. I think our firm has doubtless represented other firms of a similar kind.

Senator MCKELLAR. Yes. As a matter of fact, your firm is a large firm and represents a great many of these mills and cotton agents, does it not?

Mr. DONALD. It has, from time to time.

Senator MCKELLAR. It has, from time to time?

Mr. DONALD. I believe I did a small amount of work for the Queen City Cotton Mills last year.

Senator MCKELLAR. Have all these concerns got contracts with the Government?

Mr. DONALD. I have not the slightest iden, Senator.

Senator MCKELLAR. Do you know whether any of them have?

Mr. DONALD. Yes; I think so.

Mr. BAILEY. They all have, unless we have overlooked them.

Senator MCKELLAR. Unless you have overlooked them. Now, why did Mr. Scott want you, a lawyer, to come down here and engage in the cotton goods business?

Mr. DONALD. He asked me to come down and take up the question of the inspection of our goods.

Senator MCKELLAR. When did he ask you to come down?

Mr. DONALD. In January, I think.

Senator MCKELLAR. You came, when?

Mr. DONALD. I came in February, as I recall it.

Senator MCKELLAR. You came as a dollar-a-year man?

Mr. DONALD. No; I have been paid a salary of $3,500.

* * * * * *

Senator MCKELLAR. Whose place did you take?

Mr. DONALD. Mr. Scott's place.

Senator MCKELLAR. You took Mr. Scott's place? You knew that Mr. Scott's resignation had been asked for because of his connection with the various concerns which he had been in business with, did you not?

Mr. DONALD. I understood that was one reason.

Senator MCKELLAR. As a lawyer did you not feel that your coming into the same place, representing all these companies, or in part representing all these companies, would put you in virtually the same position that Mr. Scott had been in before?

Mr. DONALD. I do not understand that I am representing all these companies.

Senator MCKELLAR. You have just testified here to representing a great number of mills, and being the legal representative of Mr. Scott himself, or one of his mills, and you say you came here at his request, and you have taken his place, and my question is that, when you have seen that Mr. Scott was asked for his resignation because of his connection with these various mills with which you say you are connected, would it not have seemed to you—I am just asking this very plainly and very bluntly—that it would put you in the same category as it would Mr. Scott? In other words, if a vice president of Mr. Scott's company, or a man interested just precisely like Mr. Scott was, had come to you and asked you for legal advice, saying that Mr. Scott had just been dismissed from the Government service because he was connected with all these cotton firms, and asked you if you would advise him to take Mr. Scott's place, under those circumstances you would not have hesitated a moment in saying that this other man who was similarly situated would fall under the same ban, would you?

Mr. DONALD. I would undertake to ask him what his connection was. The fact that some cotton mills have in the past employed me to do some legal services for them did not, to my mind, mean that I was at present interested in those cotton mills.

Senator MCKELLAR. Who gave Mr. Scott the right to appoint you in his stead?

Mr. DONALD. Mr. Scott did not appoint me in his stead.

Senator MCKELLAR. Who appointed you in his place?

Mr. DONALD. Gen. Wood, Acting Quartermaster General.

Senator MCKELLAR. All right. Unless you wish to make some other statement I do not believe that there is anything further. I am greatly obliged to both of you.

I now yield to the Senator from Idaho.

Mr. NUGENT. I merely desired to ask the Senator from Tennessee which one of these numerous bills he feels will obviate the objections which he has raised.

Mr. MCKELLAR. The Hitchcock bill, with the amendment of section 3 of the committee's bill, will come nearer doing it than any other, and that is what I propose. I suppose the Senate will perfect both that and the Hitchcock bill. I mean under the rule or under unanimous consent the Hitchcock bill will be perfected and then the committee bill will be perfected. When it comes to the perfection of the Hitchcock bill I wish to offer section 3 of the committee's bill as an amendment to that bill, and with that amendment I am going to vote for the Hitchcock bill, because I think it will come nearer obviating the difficulties I have mentioned.

I want to say that the same objection arises not only in the equipage division and the clothing division but in the dyestuffs division, but it does arise especially in the vehicle division. The testimony shows what has been done in the vehicle division and what has been done in the enamel-ware division, where one concern cut out all the rest of them, and its agent, who was a Maj. McCubbin in the Army, bought all except $34,000 worth of enamel ware from one concern over in Pittsburgh. Under those circumstances you are just turning over to this great enamel-ware concern the right to settle with its own employees representing the Government.

Mr. CHAMBERLAIN. May I interrupt the Senator? Does the Senator mean to say that any of those representatives are on any of these boards?

Mr. MCKELLAR. I mean to say, for instance, Col. R. W. Lea, as shown by the proof before our subcommittee, is the chief of the vehicle division. He is connected with either the Moline or Studebaker Co., I forget which—the proof will show—and has sent out instructions which I am going to ask leave to insert in the RECORD as a part of my remarks, a letter, by which it appears to me that he instructed the vehicle division how they could best get the most out of their unfinished contract with the Government. I have it not before me, but I will get it and submit it, and ask unanimous consent that it may be inserted as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[Copy.]

NOVEMBER 5, 1918.

MOTORS AND VEHICLES DIVISION,
VEHICLES BRANCH, O. B. P. & S.,
Munitions Building, Washington, D. C.

Cancellation of Escort Wheel Contract, P. O. No. ———.

1. It has been found, in the best interest of the military service, necessary to cancel a large portion of the undelivered balance of contracts for Escort wagon wheels; and your contract, as above noted, covering Escort wheels is reduced to ——— wheels, in accordance with mutual agreement reached with you when you were in the office of the Vehicle Branch at Washington, November ———, 1918. The plan of procedure covering this cancellation of ——— Escort wheels was discussed with you, and an adjustment which will save you from loss in the transaction is to be made substantially according to the following plan:

a. No payment will be made for prospective profits on the canceled portion of your contract.

b. The Government will enter into a supplemental contract with you whereby your original contract is reduced in size by the amount above stated and whereby you will be reimbursed for the following items, upon furnishing satisfactory written statements, certified as correct and checked and approved by Government officers.

2. Those items are allowable only when the expenses are incurred by you in good faith for the performance of the contract and as fairly and properly apportionable to the Escort wheels, delivery of which is now terminated.

a. Expenses of special engineering, plant organization, and miscellaneous indirect items: This item will cover these expenses which may not now be shown as tangible assets, such a the cost of perfecting organization, general engineering expenses incurred in the designing and installation of special equipment acquired, and such other provable items which in ordinary manufacturing experience cause the earlier deliveries on a contract to be less profitable than the later deliveries, by reason of delay in obtaining good production, on account of training of organization required in equipment, increased cost of administration and supervision on account of lack of acquaintance with difficulties, etc. Some firms charge such items to "job cost," in which case certified account can be easily rendered. If such practice is not employed by you, it is very necessary that you scrutinize this item carefully, so that the figures submitted may be supported by the facts gathered through possible later investigation.

Manufacturing experience usually shows that the last part of a contract renders a larger percentage of profit than the first portion of deliveries, large enough in most cases to make up for the smaller profit in the first period of production. As this portion of the contract rendering a more favorable profit is hereby canceled, some recognition of the spread of this indirect expense will be given; but you are cautioned, as stated above, to go into this matter in detail, as profits or losses vary according to the efficiency of concerns, and figures submitted on this item must be irrefutable.

Several contractors in our conference have stated that they would undoubtedly waive this claim, especially those who have been on quite similar wheel production prior to the taking of the contract which is now partially canceled.

The statement covering it, therefore, should be clear, convincing, and supported by actual cost records which you can fully substantiate.

b. Cost of facilities and equipment provided solely for the performance of this contract: This includes machinery and special tools and cost of installing these, dry kilns, buildings and necessary remodeling, and other equipment which falls within the proviso. Those items must be accompanied by a sworn statement covering the cost of all such facilities, item by item, and the statement must be clearly provable by you by original invoices, book entries, or other information submitted. To guide you in the handling of this matter an assumed case is explained below:

For example: Let us state that $100,000 was spent on the equipment, as covered above, to take care of the manufacture of 100,000 wheels, of which 50,000 wheels are now canceled.

From this total, fully set forth, is to be deducted an amount which can be fairly and properly considered absorbed in the completed portion of the contract. In other words, as you build wheels you gradually absorb the cost of special facilities.

In the assumed case, 50,000 wheels will be built out of the 100,000 wheels for which equipment and facilities were provided. One half the original cost is therefore absorbed, and the difference is $50,000.

From this amount (difference between original cost and cost absorbed) is to be deducted the appraised value of the facilities. This will be determined by three appraisers—one appointed by the contractor, one appointed by the contracting officers, and the third appointed by those two. This appraised value is ascertained by them—in other words, a salvage value depending upon the value of the facilities to you in your manufacture or their resale value to others or possibly scrap value, is to be deducted. In determining this, it is presumed that the expense of removing the facilities, if this should be necessary, will be considered.

In our assumed case, suppose the appraised value was $10,000, then the sum remaining is the net compensation due you on account of expenditures made for facilities and equipment provided solely for the performance of your contract.

In this case the difference is $40,000, and this amount will be paid to you by the Government.

In preparing the tentative statement on this Item B sub b, the appraised value will have to be left blank. When you are ready for the appraisal to be made, the appraiser selected by the contracting officers will be sent to your plant to perform this duty immediately upon notification.

C. Where you have provided in good faith items of material which will be left on hand and which are over and above the materials required in the wheels covered by the reduced contract which you will be allowed to produce, such materials will be purchased by the Government and will become the property of the United States. Such items will be covered by certified invoices and in determining unit value f. o. b. your plant there will be included an additional 10 per cent covering handling charges in and out and any other necessary compensation.

Continuing our assumed case: Say you have on hand 50,000 club turned spokes which cost you 13½ cents each at your factory. Part of these are fully finished, part kiln dried, and part green club turned. Assume that the portion of the order that you are allowed to complete consumes all of the finished and kiln-dried spokes and you have left over 16,000 green club turned spokes. You would, therefore, show this item as—16,000 escort wheel spokes, green club turned, cost f. o. b. your factory 13.5 cents each plus 10 per cent handling, 14.85 cents each—for all $2,376. You will attach to your statement certified invoices showing the purchase and delivery of such quantity at such price.

If it happens that you have material left on hand partially finished by you the labor expended thereon will be shown by proper cost sheets certified to you as correct.

D. Cost to you to cover cancellation of obligations incurred in good faith, covering materials or work provided solely in the performance of the contract. If you have outstanding obligations for materials—hubs, for instance—above those that will be required by your revised contract, you should cancel that obligation at the lowest possible cost to yourself and at no cost if that is possible.

The basis of such a cancellation should be identical to that applied by the Government to you and as explained above. While you are urged to initiate those negotiations at once, you are requested before completing same—where it is necessary to agree to pay money to a subcontractor—to submit your tentative proposition for review by Government officers so that you will not incur an expense which they may later feel not justified in allowing. It is believed that most of these cancellations can be effected at little or no cost.

3. It is advisable for you to make your statements comprehensive and self-explanatory so that they may be acted upon complete and with dispatch and avoid delays in requesting further proofs and information.

4. It is suggested and strongly urged that there be used in the balance of your production, first the most highly manufactured materials so that there will be left over, if any, only the least expensive items as surplus. This is in the interest of conservation of labor and material and will tend to greatly reduce the loss of cancellation to the Government.

5. On account of a careful analysis of the entire stock situation and discussion with manufacturers it was shown that ample materials were already on hand to balance production at all factories and it is therefore assumed that further production of all raw materials has been stopped.

6. If an advance on your contract has been secured by you from the Government, same will in no way enter into cancellation adjustment as such. Most advances will by the end of your deliveries be largely repaid by deductions from invoices according to established plan of handling same. The unpaid balance undoubtedly is represented by surplus materials which the Government will take off your hands or by facilities and equipment of which the unabsorbed cost—less salvage—will be repaid by the Government. The above assumption is made as these loans were provided by the Government for the performance of the contract they covered and not for materials used in the ordinary course of your manufacture or to retire bank loans then outstanding.

7. The cost of additional dry kilns, whether built on approved applications or not, should be included under B—Facilities and equipment provided by the contractor at his expense solely for this contract.

8. It is requested that you give this matter your immediate, careful consideration, forwarding all papers complete to the Motors and Vehicles Division, Vehicle Branch, Munitions Building, Washington, D. C., at the earliest practicable date.

By authority of the Director of Purchase.

R. W. LEA,
Colonel, Q. M. C., in charge Vehicle Branch.

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QUARTERMASTER CORPS.

UNITED STATES SENATE,
SUBCOMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., Friday, October 11, 1918.

The subcommittee met at 2 o'clock p. m., Senator KENNETH MCKELLAR presiding.

Present, Senators MCKELLAR, SUTHERLAND, and JOHNSON of California.

STATEMENT OF MAJ. JOHN C. M'CUBBIN, QUARTERMASTER CORPS, UNITED STATES ARMY.

Senator MCKELLAR. Will you give your full name and title to the stenographer?

Maj. MCCUBBIN. John C. McCubbin, major, Quartermaster Corps.

Senator MCKELLAR. How long have you been a major in the Quartermaster Corps?

Maj. MCCUBBIN. I think it is since the 6th of September.

Senator MCKELLAR. 1917?

Maj. MCCUBBIN. 1918; this past September.

Senator MCKELLAR. When were you first commissioned at all?

Maj. MCCUBBIN. February 1, 1918.

Senator MCKELLAR. As what?

Maj. MCCUBBIN. Captain.

Senator MCKELLAR. When did you come to work for the Government?

Maj. MCCUBBIN. It was August 15, 1917.

Senator MCKELLAR. In what capacity?

Maj. MCCUBBIN. As purchaser of plumbing materials.

Senator MCKELLAR. With what concern were you at the time?

Maj. MCCUBBIN. The Standard Sanitary Manufacturing Co.

Senator MCKELLAR. How long had you been with that company?

Maj. MCCUBBIN. Not quite three years; about, I should say, two years and eight months, I think—two years and seven or eight months.

Senator MCKELLAR. Are you interested in that company?

Maj. MCCUBBIN. No, sir.

Senator MCKELLAR. How were you interested—as a salaried man?

Maj. MCCUBBIN. Salaried; yes, sir.

Senator MCKELLAR. What salary did you get?

Maj. MCCUBBIN. Just when I came into the company?

Senator MCKELLAR. Yes.

Maj. MCCUBBIN. I was getting $3,000 a year.

Senator MCKELLAR. When did your service with the company cease?

Maj. MCCUBBIN. I think my resignation took effect the 14th, the 14th or the 15th. The matter was handled so quick, I don't know just what day. I know I was at the office one day, and went to work the next, I think.

Senator MCKELLAR. Who called you to come? At whose request did you come?

Maj. MCCUBBIN. Maj. Hamilton's, who was then purchasing agent of the cantonment division.

Senator MCKELLAR. How did you happen to meet Maj. Hamilton?

Maj. MCCUBBIN. I was brought to Washington—my location was changed for the Standard Co., and I was brought up to Washington on account of one of the Washington men being sick here, and the other away on his vacation; and I think the cantonment division then wanted some one to succeed Capt. Maddock, who was looking after the purchasing of material, and through Capt. Maddock, Maj. Hamilton requested that they get some one to take this place, and they communicated with the Washington office of the Standard Co. while I was here, and the commanding officer carried it over to Maj. Hamilton. [Revised by Exhibit 2, p. 611 post.]

Senator MCKELLAR. Did this arrangement have the approval at that time of the Standard Sanitary Manufacturing Co. people? [Revised by Exhibit 2, p. 611 post.]

Maj. MCCUBBIN. So far as I know, it did not.

Senator MCKELLAR. Was Mr. Ahrens down here at that time?

Maj. MCCUBBIN. At the time that I went into the service?

Senator MCKELLAR. When you went into the service.

Maj. MCCUBBIN. No, sir.

Senator MCKELLAR. Has he been here?

Maj. MCCUBBIN. He was here in November, I think, the first time, and he was here in August.

Senator MCKELLAR. What was the name of the first gentleman you mentioned?

Maj. MCCUBBIN. Capt. A. M. Maddock.

Senator MCKELLAR. What position did he hold with the Government?

Maj. MCCUBBIN. He was looking after the purchase of plumbing materials, working in the Government's interest, with the contract that they had with the Government; and at this time the change was made when the Government canceled the Crane & Co. contract, and looked after the purchase of their own material.

Senator MCKELLAR. Are Crane & Co. in the enameled-ware business?

Maj. MCCUBBIN. They are manufacturers of steam supplies and jobbers of plumbing materials.

Senator MCKELLAR. What became of Capt. Maddock?

Maj. MCCUBBIN. He resigned and went back to civil life.

Senator MCKELLAR. He went back to work for his company?

Maj. MCCUBBIN. Went back to his own company.

Senator MCKELLAR. Is that your purpose when the war is over?

Maj. MCCUBBIN. I do not know where I can go; whether I can go back to the same company or not.

Senator MCKELLAR. Have you any such arrangement?

Maj. MCCUBBIN. No, sir; none whatever.

Senator MCKELLAR. How long did they pay your salary to?

Maj. MCCUBBIN. I think they paid the half month of August, to the date of resignation. The understanding at that time was that I would be there, at most, only 60 days.

Senator MCKELLAR. Have you bought from the company with which you were connected at the time at which you went into the service since you have been in the Army?

Maj. MCCUBBIN. Bought from that company?

Senator McKELLAR. Yes.
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. To what extent?
Maj. McCUBBIN. I am unable to give it to you in dollars and cents, but it has been a considerable amount of money.
Senator McKELLAR. Can you furnish us the exact amount?
Maj. McCUBBIN. We are working on that list now. Col. Willcutt is having all that matter tabulated and worked up.
Senator McKELLAR. Have you recently entered into considerable contracts with that company?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. When was the last contract?
Maj. McCUBBIN. We have never made any contract with them outside of that in July, when the blanket orders were made to cover 90,000 closet combinations. That company received a portion of that order; a large portion of the 90,000. If I remember right, it was——
Senator McKELLAR (interposing). How much was that in money?
Maj. McCUBBIN. I do not know. I did not figure that out.
Senator McKELLAR. As a representative of the Government, do you not figure out what it costs?
Maj. McCUBBIN. So far as my work on that end was concerned, I only compare and compile it, and that is submitted to what we call the board of review that is appointed by the general purchasing agent of Gen. Cole's division, and it is all submitted to them, the tabulation and all, for their approval. The total amount of the 90,000 was figured out, but for the different companies; what each of the different companies had was not figured. [Revised by Exhibit 2, pp. 611–612 post.]
Senator McKELLAR. Did you take bids on this?
Maj. McCUBBIN. Yes; bids were taken on those 90,000 closets and tabulated.
Senator McKELLAR. Have you the bids with you?
Maj. McCUBBIN. Not with me, but they are at the office.
Senator McKELLAR. Will you make them exhibits to your testimony? I want the bids that were made by the companies.
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. Was this Sanitary Co. the lowest bidder?
Maj. McCUBBIN. Five or six of them were low bidders on the entire order.
Senator McKELLAR. Did they get it all?
Maj. McCUBBIN. No, sir; they only had one part of it.
Senator McKELLAR. How much of it did they get?
Maj. McCUBBIN. They had, I imagine, roughly speaking, approximately speaking, one-third of the amount.
Senator McKELLAR. What proportion of all the work has gone to this company since you have been in the employ of the Government as purchasing agent of this particular kind of material?
Maj. McCUBBIN. Enameled ironware?
Senator McKELLAR. Yes.
Maj. McCUBBIN. I imagine, I should think, 6 per cent. Between 50 and 65 per cent.
Senator McKELLAR. What other concerns have gotten any at all?
Maj. McCUBBIN. The United States Sanitary Manufacturing Co.
Senator McKELLAR. Who represents that company?
Maj. McCUBBIN. The Washington representative, you mean?
Senator McKELLAR. Yes.
Maj. McCUBBIN. They have none here at all.
Senator McKELLAR. Is not Mr. Arrott connected with it?
Maj. McCUBBIN. Mr. Arrott is president of that.
Senator McKELLAR. How much has he gotten?
Maj. McCUBBIN. I am unable to say on that.
Senator McKELLAR. Was it a large or small amount?
Maj. McCUBBIN. In comparison, I should judge with the total ordered, it would be a small amount. Do you wish the names of some of the others on that?
Senator McKELLAR. What others did you give any to?
Maj. McCUBBIN. There was the Kohler Co., of Kohler, Wis.; the Iron City Sanitary Manufacturing Co., of Pittsburgh.
Senator McKELLAR. You do not remember how much they got?
Maj. McCUBBIN. No, sir. That is what we are working up now, to get the exact number of orders and the tabulation, and all on that.
Senator McKELLAR. There is not any trouble about it, is there? Have you not got books that show it?
Maj. McCUBBIN. No; it is just the compiling of the records, and getting them all together. Col. Willcutt's order was to go back to the beginning and get the whole information up.
Senator McKELLAR. Who is the representatives of the Standard here?
Maj. McCUBBIN. In Washington?
Senator McKELLAR. Yes.
Maj. McCUBBIN. Mr. George Herth, jr.
Senator McKELLAR. What are your relations with Mr. Herth?
Maj. McCUBBIN. No relation whatever.
Senator McKELLAR. Are you good friends?
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. What is the degree of relationship, so far as friendship is concerned?
Maj. McCUBBIN. That is all; only no more than friendship. We have known each other for a number of years.
Senator McKELLAR. Do you wish to leave it that way? Because I am going to investigate it rather carefully and I do not want to mislead you at all. Are not those relations very close and intimate?
Maj. McCUBBIN. Very friendly.
Senator McKELLAR. Are they not unusually close and intimate?
Maj. McCUBBIN. I would not think any more than some other friends I have got.
Senator McKELLAR. How often do you meet?
Maj. McCUBBIN. I see him probably three or four times a week.
Senator McKELLAR. Oftener than that?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. Do you take lunch with him pretty nearly every day?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. Quite frequently?
Maj. McCUBBIN. I have, until we were notified to stop.
Senator McKELLAR. That is since this investigation was started?
Maj. McCUBBIN. It was before then.
Senator McKELLAR. That you were notified to stop—before this investigation began?
Maj. McCUBBIN. No; before that.
Senator McKELLAR. When were you notified before that?
Maj. McCUBBIN. I think it has been, offhand, about six or eight weeks ago.
Senator McKELLAR. Who notified you?
Maj. McCUBBIN. Col. Willcutt.
Senator McKELLAR. How did he happen to notify you that your relations with this man were——
Maj. McCUBBIN. It was not particularly to one. It was a general order that was made—that was announced to us at a general meeting that we have at the close of the week, that we were told.
Senator McKELLAR. What other representative of a company had you been intimate with before that?
Maj. McCUBBIN. I have known Mr. Cline, of the United States Sanitary Manufacturing Co., for quite a number of years, and also Mr. Arrott.
Senator McKELLAR. Are your relations with either of those gentlemen intimate, like they are with Mr. Herth?
Maj. McCUBBIN. No, sir. I do not come in contact with them.
Senator McKELLAR. Is there anything about your relationship with those two that would make your commanding officer issue an order in regard to them?
Maj. McCUBBIN. That order was for everybody. It said, "any vendors whatever"—everybody in the office, that order was issued to. I might say that I have known Mr. Herth—both of us were very close friends before either of us went with that company.
Senator McKELLAR. And since you have been here with the Government that relationship has been continued, and in the purchases you have made you have given your old company most of the business, have you not?
Maj. McCUBBIN. The only business they got, the prices were low, or they had the service or delivery of material.
Senator McKELLAR. Were they always the lowest?
Maj. McCUBBIN. If the prices were not always equal, we always found the shipment conditions better, or the location of some of the plants——
Senator McKELLAR. Was that the only instance? When you found the prices of others lower, is it not true that you, having been with that company, and having been on such intimate relations with its officers, you always found that, other things being equal, there was something else?
Maj. McCUBBIN. I did not let that interfere at all, Senator.
Senator McKELLAR. If you did not, why is it that all of the other companies, who have not been getting the business, feel so very much aggrieved? You having been the representative of this company up until the day you went into the Army, and since you have been in the Army having been in the most intimate personal and official relationship with the representative of this one company, and the other companies not getting any of the business, are you surprised that they feel somewhat aggrieved that you are showing great favoritism toward your old company?
Maj. McCUBBIN. From the information I have got I do not blame any of them for making complaint. As I understood, the representative of the Standard Co. told them that they had received a tremendous big order which they did not even have the opportunity to bid on. (Revised by Exhibit 2, p. 612, post.)
Senator McKELLAR. I will now ask you about that. Did you buy for the housing contracts?
Maj. McCUBBIN. No blanket contract order has been placed for the housing at all, except for the closet combinations.
Senator McKELLAR. That is not the question I asked you. We will get along better and much faster if you will just answer my questions.
Maj. McCUBBIN. That is what I want to do.
Senator McKELLAR. I do not mean to say that you mean not to. I am going to be very frank and very direct with you in my questions, and I want your answers in the same way, and I am sure you will give them to me since it has been called to your attention.
My question is, Are you buying for the housing?
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. Are you buying under written contracts?
Maj. McCUBBIN. No, sir.
Senator McKELLAR. Are you just placing your orders with the Standard Co. for those contracts?
Maj. McCUBBIN. No, sir; we are placing with the others, too.
Senator McKELLAR. Which ones have you placed orders with for the housing?
Maj. McCUBBIN. With the Sanitary Manufacturing Co.
Senator McKELLAR. How much?
Maj. McCUBBIN. They made a price here about 2 weeks or 10 days ago, which put their price lower, and since then they have had all of the enameled-ware business.
Senator McKELLAR. How long ago was that; when?
Maj. McCUBBIN. About two weeks ago.
Senator McKELLAR. Will you give the exact date?
Maj. McCUBBIN. I can give you the exact date on that.
(The witness later stated the date to be September 28, 1918.) (See Exhibit 2, p. 612, post.)
Senator McKELLAR. Now, Major, I am a perfectly frank man. You remember that this examination took place on September 25, just a little more than two weeks ago. I want to ask you if the only reason that you gave this other company one order was because these gentlemen complained to our committee, and it was developed for the first time that you were placing practically all the orders with your old company, and with your friend, and that therefore this other company got that order; is that correct?
Maj. McCUBBIN. No, sir. I can get you the exact date. Mr. Kelly and Mr. Meyers of the Iron City Sanitary Co. came to the office and called, and asked if we had placed any blanket orders, if we had covered for all of the enameledware business, and I told him no, we had not; that we did not have our requirements. He asked if it was too late for him to submit prices. I told him no, he could submit prices any time.
Senator McKELLAR. Will you kindly answer this question: You and I are comparatively young men and have our lives largely before us.
Maj. McCUBBIN. Yes, sir.
Senator McKELLAR. Do you think that in passing upon the bids or quotations of these 12 or 14 enameled-ware companies that are asking for the Government business, in view of your long association with the Standard Co. and your knowledge of that company, in view of the intimate relationship that exists between you and Mr. Herth, the representative of that company, you can be absolutely fair and impartial toward all those concerns in buying for the Government? Now, just as man to man, heart to heart, is it not the very essence of human nature that you would give your own company, the company of your friend, the company that you have been employed by a long time and you know so well, the best of it? Now, is not that correct?
Maj. McCUBBIN. No, Senator; I can not say that I let that interfere at all. It was not my intention of doing anything of that kind.

Senator McKELLAR. Whether it was the intention or not, you know that we naturally feel very kindly toward our own?

Maj. McCUBBIN. Yes.

Senator McKELLAR. Will you furnish the prices at which all the goods that have been bought by you from the United States Sanitary Manufacturing Co. were purchased, the names of the articles, and the prices paid?

Maj. McCUBBIN. That report is being made up now for Gen. Marshall to submit to you, I am pretty sure.

Senator McKELLAR. Gen. Marshall told you, of course, about the complaints that had been made against you?

Maj. McCUBBIN. Col. Willcutt told me this. I was called to Gen. Marshall's office this morning, and he told me to come up here, that you wished to see me.

Senator McKELLAR. Had you never talked with Gen. Marshall about it before?

Maj. McCUBBIN. No, sir.

Senator McKELLAR. It was only from Col. Willcutt?

Maj. McCUBBIN. Yes; Col. Willcutt.

Senator McKELLAR. Col. Willcutt told you that Gen. Marshall had called his attention to this testimony?

Maj. McCUBBIN. He said that Gen. Marshall had received word from you, I believe—I do not remember how he said that the word came to him.

Senator McKELLAR. Have you let any contracts since that time?

Maj. McCUBBIN. No, sir.

Senator McKELLAR. How much stuff have you got contracted up to date?

Maj. McCUBBIN. On contracts?

Senator McKELLAR. What is the extent of your contracts with the Standard Co. now?

Maj. McCUBBIN. The only contract we have with them is for some closet tanks and bowls.

Senator McKELLAR. To what extent is that?

Maj. McCUBBIN. I imagine that they have on hand, on a rough estimate, maybe about 10,000 bowls and probably about 10,000 or 12,000 tanks. That is the only contract that they have.

Senator McKELLAR. There is no question about the capacity of these concerns to furnish these goods? There was active competition, was there not?

Maj. McCUBBIN. Yes, competition. We have placed orders with some, Senator, and they turned them down.

Senator McKELLAR. Which ones turned them down?

Maj. McCUBBIN. The United States Sanitary Manufacturing Co., the Cahill Iron Works, and the Kohler Co.

Senator McKELLAR. When did the Cahill Iron Works get a contract?

Maj. McCUBBIN. I have got the date of that here. That order was made on July 19.

Senator McKELLAR. Do you not think that the Government ought to have a man buying these enameled goods who is totally disassociated from all of the various companies?

Maj. McCUBBIN. In purchasing, Senator, I do not see that that would have any connection at all with that.

Senator McKELLAR. Considering the fact that you had been the representative of the largest enameled ware company of them all, and yourself on the most intimate terms, as you have testified about, with the Washington agent of that concern, and in view of the order which Col. Willcutt has heretofore given in relation to your association with any representatives of any firms that were selling to the Government, do you not think that, looked at from the Government standpoint and not from your standpoint, a man with a knowledge of the business, but disassociated from all these supply firms, would be much better for the Government's interests?

Maj. McCUBBIN. I think that if I had the direct placing of the orders, or authority to place orders, that question should be brought up and changed, but I have no authority to do that.

Senator McKELLAR. You place the orders in the first instance.

Maj. McCUBBIN. Yes.

Senator McKELLAR. Who places them?

Maj. McCUBBIN. I only make the recommendations.

Senator McKELLAR. Has any recommendation of yours ever been turned down?

Maj. McCUBBIN. No, sir; I can not say that it has.

Senator McKELLAR. Then, if you recommend them and none of them has ever been turned down, does not that make you really the placer of the orders—give you the power to place the orders?

Maj. McCUBBIN. They are all furnished in the tabulation of the bids, and it goes to the board of review.

Senator McKELLAR. I understand that, and I am perfectly familiar with these boards of review.

Maj. McCUBBIN. Yes, sir.

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QUARTERMASTER CORPS.

UNITED STATES SENATE,
SUBCOMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., Friday, November 15, 1918.

The subcommittee met, pursuant to the call of the chairman, at 10.30 o'clock a. m., in room 248, Senate Office Building, Senator KENNETH D. MCKELLAR presiding.

Present, Senators McKELLAR (chairman), SUTHERLAND, and JOHNSON of California.

There appeared before the committee Mr. Theodore Ahrens, president of Standard Sanitary Manufacturing Co., accompanied by Mr. Francis J. Torrance and Mr. George Herth, jr.

STATEMENT OF MR. THEODORE AHRENS, PRESIDENT OF THE STANDARD SANITARY MANUFACTURING CO.

Senator McKELLAR. Your name is Theodore Ahrens?

Mr. AHRENS. Yes, sir.

Senator McKELLAR. You desire to tell the committee something about the Standard Sanitary Manufacturing Co.'s contract with the Government, and if you desire you can just go ahead and say what you like.

Mr. AHRENS. I will be very glad to do that, Senator, but I would like to ask first whether you would care to tell me just generally what these charges are in which we are implicated. We have never seen any written charges of any kind. All we have heard about it is hearsay.

Senator McKELLAR. Did you see the testimony of Maj. McCubbin?

Mr AHRENS. No, sir.

Senator McKELLAR. The substance of the complaint made is that Maj. McCubbin, now in the Construction Division, I believe, of the Quartermaster Corps, was formerly your employee; that he came from your office into the Army and was immediately given the position of purchaser of plumbing supplies and enameled ware supplies, which your company is engaged in selling, and that he has since that time virtually bought the greater part of such supplies from your company; that he was constantly in company with Mr. Herth, your "agent" here, taking lunch with him virtually every day until he was directed by his superior officer not to do so; that the other 13 or 14 manufacturers of these supplies were thus frozen out of any participation in the Government's business, and that your company had access to the plans of the Government and that when quotations were asked for, Maj. Cubbins very promptly informed your company of the quotations of others, and that you thereupon gave a lower quotation in the particular instance in order to get the business, and that you had yourself boasted at a public meeting somewhere—I have forgotten where—that you had a contract of 25,000 bathtubs, and probably other paraphernalia to go with them, and that on January 1, 1919, under orders of the War Industries Board, you having the only contract with the Government, all others of your competitors would be unable to get iron for the manufacture of this enameled ware, and in that way Maj. McCubbin would put all the rest of your competitors out of business and leave you with the only good business in the country. Now, that is about the substance of the testimony, as I recall it.

Mr. AHRENS. May I just answer that in my own fashion the best way I can?

First, I admit that Maj. McCubbin—formerly Capt. McCubbin—was in our employ before he went to work for the Government. We, like other manufacturers and business concerns, were asked to submit names of our people to the Government when the Government required such men. We did not submit Mr. McCubbin's name. My partner, Mr. Torrance, recommended a man from Pittsburgh, but Mr. McCubbin's name was submitted among a number of applicants and picked out by whoever the commanding officers were that had that matter in charge. Mr. McCubbin was indorsed by Capt. Archie Maddock, his predecessor in the office, a prominent pottery manufacturer in our line, who had the position that Mr. McCubbin occupied, but who had to give it up; and he, in fact, was instrumental in having Mr. McCubbin appointed or recommended him.

As to our getting a very large part of the business that Maj. McCubbin had to place, that may be true. I do not know how much Maj. McCubbin placed, all told, or what the total volume of it is—I have no figures—but we did furnish the Government a very large quantity of plumbing materials of all kinds, and enameled ironware, brass goods, pottery, and other plumbing material that we manufacture.

The reason, Senator McKELLAR, why we secured this business and why we got the larger part of it is contained in this sentence, that as the largest producers in our line, with a better organization and better distributing facilities, we were in a position to render the Government better service, and did so. Let me also give you this statement, that our prices were always right and in many instances lower than those of other manufacturers. Other manufacturers, in discussing Government business, have complained to us that our prices were too low. They told us this. Other manufacturers refused business—among them particularly the Cahill Iron Works, of Chattanooga, and the Standard Sanitary Co., of Pittsburgh—at prices which we were willing and glad to accept.

You know, Senator McKELLAR, that during these strenuous times this year, when the Government and everybody working for the Government had to exert every effort in their power to get deliveries to the Government promptly, the deliveries were of great importance. Deliveries of the larger quantities of material required by the Government could be made by us and could not be made by the other manufacturers.

Now, I would like to get this point strong, because it is a vital point. The other manufacturers were utterly unable to handle the Government business, because it came in such volume and in such short time that only my company's organization was then able to handle it, and if any other man had sat in Maj. McCubbin's chair and had had these orders to give we probably would have gotten from them about as much as Maj. McCubbin gave us. To illustrate that, let me say that in the Quartermaster Corps at Jeffersonville, Ind., which he has nothing to do with at all, we have been all of this year getting as large a percentage of the business as Maj. McCubbin gave us here.

Senator McKELLAR. That is under Col. W. S. Woods.

Mr. AHRENS. That is under whomever might be the commanding officer in charge there; and that has nothing to do with it, but our Louisville branch has sold many thousands of dollars' worth of goods to that department at Camp Taylor and elsewhere. We have been furnishing the great bulk of all the goods required.

At the nitrate powder plant at Nashville our Nashville house has furnished hundreds of thousands of dollars' worth of goods, none of which Maj. McCubbin had anything to do with.

As we came up here, Senator, Mr. Herth pointed out a large lot of buildings around here, dormitories the Government is putting up for war workers, a lot of them, and he said that we have furnished every plumbing fixture in every one of these dormitories, and Maj. McCubbin had nothing to do with it. It was purchased by the contractor through a local jobber.

One more point that I think ought to be brought out. We have been of great service to the Government. We have saved the Government many thousands of dollars in preventing the price of enamel ironware and other plumbing fixtures going beyond reasonable limits. Our books are open for your inspection; you can see that at the price we are working there is not any more than a reasonable profit.

I want to say particularly about those complaining manufacturers that we have monthly meetings, in which we meet together and discuss particular conditions, and they have repeatedly come to me and complained of the fact that the prices at which we were selling to the Government were too low, and that we ought to advance these prices. We do not think so. We can furnish you written evidence on that point that will corroborate what I say. Now, I believe I have in substance answered the complaints as near as I can do so.

Pardon me, there is just one more thing, as to this order in question that I was supposed to have been boasting about. The matter came up when I was called here to attend a meeting at Mr. Humphreys, of the building material section of the War Industries Board, at the New Willard Hotel, a meeting of manufacturers in our line. At that meeting, at which I was asked to preside, Mr. Humphreys called particular attention to the fact that the Government wanted to deal with first hands only—that is, the manufacturers—and not through jobbers or any middlemen, and that the Government had this enormous housing program in view, about 60,000, 80,000, or 100,000 houses that they might have to have for war workers, and that the

Government would have to place that directly with the manufacturer, and only with such people as could give prompt service.

After that meeting I called on Maj. McCubbin, then Capt. McCubbin, with Mr. Humphreys. I had never met McCubbin in his office before, and had only met him once here before, outside of that, since he was appointed, and I asked McCubbin whether any such housing program was in view, and McCubbin said it was. He said that his department might place an order in the very near future for anywhere from thirty to sixty thousand sets of plumbing fixtures, which would be a bathtub, a water-closet, a kitchen sink, and lavatory. That was called a set. Of course that was a very large order, and I was very anxious to get a proportionate share of it for my company. I discussed this matter at some length—probably an hour, maybe longer—and urged Maj. McCubbin to place the order at once, because in the condition that our business was in at that time, the labor supply being very uncertain and the wages advancing continually, we had in mind to advance our prices generally to everybody, including the Government, because our cost was going up all the time; but I said to Maj. McCubbin that if the Government could place an order of that size and we could get our proportion of it, that would enable us to reduce our cost, and we would have to take the order at the price ruling at that time. Figuring that there were going to be 60,000 sets of fixtures needed, I could not see that we ought to get less than half of that, because we had always, for the last five years, as the records of the trade show, done 50 per cent of this work. That is a well-known fact. Our competitors admit that and state that themselves. So that I told McCubbin that I thought that we could handle 25,000 sets of these fixtures. We got no definite order or promise from Capt. McCubbin that such an order was placed with us or would be placed with us, but the captain did say to me that he believed such an order would be placed in the near future, and that we would get our share of it; that, however, these orders would have to first be confirmed by or O. K.'d by the board of review, I think he called it; in other words, that we could not consider it an order until we had a definite order in writing.

Now, I made a mistake, Senator, in going back to Pittsburgh and saying to this meeting of the manufacturers that I had such an order, as I had no order or my company had no order from the department for any such amount of fixtures at that time. We were getting business, however, every day from them. My reason for making the statement at the meeting was this, that owing to the unsettled condition of business for the last 18 months, the manufacturers had been reporting to the Secretary every month the total number of orders they received, the total number of shipments they made, and the general condition of their stocks, enough so that we would have an intelligent idea of the business of the United States in our line. Now, as to my reason for advising the other manufacturers that we had this order: As I say, I made a mistake in taking it for granted that we had this order, but I felt pretty sure from the general condition, knowing what I did about the general condition of the building in our line, that I would get that portion of the order. In fact, an order of that size could not have been filled without our support, without our taking part of it. My reason for saying and reporting on this order was that I wanted to give the other manufacturers an idea of what was coming, and I said at the meeting that the housing program that the Government had in contemplation was for about 60,000 sets of fixtures, and that Maj. McCubbin had told me he expected to distribute the order around among several manufacturers.

I also stated at the meeting, however, Senator, that we had no formal or written order, that the order would have first to go through its proper channels and be O. K'd before we would consider it an order.

Senator McKELLAR. Is there anything else that you wish to say?

Mr. AHRENS. No, sir; I think that covers pretty well all I would like to say.

Senator McKELLAR. Did you consider that Maj. McCubbin had given you this order or not?

Mr. AHRENS. I did consider——

Senator McKELLAR. Yes; that he had given you the order.

Mr. AHRENS. I believe, while the major—he was then Capt. McCubbin—did not definitely give me an order, that I would get an order of approximately that size; yes, sir. I felt so from the conversation.

Senator McKELLAR. As a matter of fact, Maj. McCubbin had given you a verbal order for it?

Mr. AHRENS. Not in so many words. That is, he explained to me that an order, to be an order, would have to first go through the regular channels and be approved by his superior officer.

Senator McKELLAR. Did you advance the price?

Mr. AHRENS. No, sir; we did not advance the price that was fixed.

Senator McKELLAR. Did you, when you told your associates in the meeting at Pittsburgh—that is where it was, at Pittsburgh?

Mr. AHRENS. Yes.

Senator McKELLAR (continuing). The other manufacturers—did you tell them at the same time that the prices would be advanced on these sets?

Mr. AHRENS. No, sir—on this order?

Senator McKELLAR. On this order.

Mr. AHRENS. No, sir. I told them that we expected to take that order at the prices then ruling.

Senator McKELLAR. It is claimed that after securing this alleged verbal contract your company advanced the price to the Government and informally told the other manufacturers that this price would be advanced, and you would later give the other manufacturers a memorandum of the new prices. Did you do that?

Mr. AHRENS. We did not advance our prices to the Government.

Senator McKELLAR. Did you give the other manufacturers a memorandum of these new prices?

Mr. AHRENS. I could not answer that; no, sir. I did not know.

Senator McKELLAR. Did you have a memorandum yourself?

Mr. AHRENS. Personally; no, sir.

Senator McKELLAR. Then do you not know whether a memorandum of the new prices was given them or not?

Mr. AHRENS. Whether a memorandum of the new prices we proposed to make to the Government was given them?

Senator McKELLAR. Yes.

Mr. AHRENS. Whether that was given to them or not?

Senator McKELLAR. Yes.

Mr. AHRENS. I could not answer; no, sir.

Senator McKELLAR. As a matter of fact, have you seen such a memorandum as that?

Mr. AHRENS. Personally, no, sir.

Senator McKELLAR. Do you know whether such a memorandum was in fact prepared?

Mr. AHRENS. No, sir; I could not say. But, Senator, I would like to say again that we did discuss at that time the question of advancing prices and——

Senator McKELLAR. Well, it was entirely up to you as to whether or not the prices would be advanced? Maj. McCubbin just simply agreed to any price that you made, did he not?

Mr. AHRENS. No, sir; my understanding was that Maj. McCubbin got prices from enameled ware manufacturers—different manufacturers—and if our price was right we got our share of the business.

Senator McKELLAR. I will ask you whether or not Maj. McCubbin told you that he expected to turn over all this business to you?

Mr. AHRENS. He emphatically did not. He emphatically did not, Senator. Maj. McCubbin told me that on this large order in question he expected to split it up between several manufacturers. I never made a statement at the meeting that we had taken an order for 25,000 sets of plumbing fixtures.

Senator McKELLAR. What did you state at that meeting?

Mr. AHRENS. I said that we had an order from the Government for a very large quantity of plumbing fixtures for that housing proposition.

Senator McKELLAR. That you had a contract for a very large quantity?

Mr. AHRENS. Yes; or words to that effect.

Senator McKELLAR. All right, sir.

Mr. AHRENS. And I want to repeat, Senator, that I made a mistake in stating that we had an order before we had a real order—a written order.

Senator McKELLAR. When was that?

Mr. AHRENS. Well, I am somewhat shy on dates.

Senator McKELLAR. August or September?

Mr. AHRENS. Can you supply the date, Mr. Herth?

Mr. HERTH. The date of the meeting at the Willard Hotel that Mr. Humphreys held was August 27, so that it must have been after that. I think you left Washington on the 28th.

Senator McKELLAR. It was probably about a week later?

Mr. AHRENS. Probably September 5.

Mr. HERTH. It must have been in September, some time.

Senator McKELLAR. At that time you did not have this contract?

Mr. AHRENS. No, sir.

Senator McKELLAR. You never entered into a contract after that time for these bathtubs and sets?

Mr. AHRENS. No, sir; we never received any such contract.

Senator McKELLAR. Now, you have testified exactly to the contrary about that, have you not?

Mr. AHRENS. Contrary? What is contrary to that?

Senator McKELLAR. I now call your attention to a photographic reproduction of an affidavit, apparently made by you and sworn to by you on the 25th day of September, 1918, and I will get you to see whether that is a photographic copy of your affidavit and signature.

Mr. AHRENS (after examination of paper). Yes, sir.

Senator McKELLAR. Now, if you will look at that, you will find where you distinctly state that you have a contract for 25,000 enameled bathtubs, 25,000 enameled roll rim sinks, 25,000 enameled washstands, and you have just testified that you did not have such a contract?

Mr. AHRENS. Senator, I believed at the time I signed that affidavit that I did have it, or that the order would be ours in a few days. Now, might I say here that we have had similar transactions with the Government. For instance, we have a shell contract with the Government on which we did not receive any order—that is, any formal contract—for months after we started on it; but we went ahead on it.

Senator McKELLAR. Then you are unavoidably driven to this conclusion, are you not, that the only way on earth in which this affidavit could be explained, in view of your present testimony, is that you were so absolutely sure that Maj. McCubbin would do whatever he was told to do in reference to letting these contracts that you considered it as made?

Mr. AHRENS. I felt so certain at the time that I signed that affidavit that the order would be placed—that the housing order would be placed—and that we would get that portion of it that I took that for granted. It was a mistake on my part and a mistake that I regret very much.

Senator McKELLAR. Why was this affidavit given?

Mr. AHRENS. This was gotten up for the purpose of enabling some of our people whom we wanted to retain in the company—in the manufacturing end of our business—to claim exemption from military duty.

Senator McKELLAR. Did you get exemptions for them on the faith of this affidavit?

Mr. AHRENS. I do not think so. I do not know that it was used.

Senator McKELLAR. Were any of them released?

Mr. AHRENS. It may have been used, but I do not know that any of our people ever obtained releases on that.

Senator McKELLAR. However, it was filed with the Provost Marshal General's office for that purpose, was it not?

Mr. AHRENS. It may have been in some instances. I am not certain; but I do not know that it was used to any extent. But it was made for that purposes—that is, it was gotten up for that purpose.

Senator McKELLAR. If you had been given a contract for these plumbing fixtures, consisting of bathtubs and sinks and water-closets and lavatories, and none of the others, none of the competitors, had been given any such contracts, or any Government contracts at all, under the priority orders of the War Industries Board permitting iron to be used for this purpose only by those who had Government contracts, that would have put all other enameled-ware manufactures out of business, would it not?

Mr. AHRENS. No, sir; not as I understand it. It would not have put them out at all.

Senator McKELLAR. How could they have gotten the iron?

Mr. AHRENS. There were lots of other Government departments purchasing these same supplies; and the other manufacturers have not been put out of business at all, Senator. The best evidence of that is that for all of this year and during all the period when we supplied to the Government a considerable quantity of plumbing material, these other manufacturers obtained a proportionately large share, just as large a share, of business from the rest of the United States.

Senator McKELLAR. Now, let us see if that is correct or not. I have before me here a statement of the shares of this particular business, which shows that the Standard Sanitary Manufacturing Co.—is that your company?

Mr. AHRENS. Yes, sir.

Senator McKELLAR. Was given $387,311.92; the United States Sanitary Manufacturing Co. was given $20,353.78; the Kohler Co. was given $9,311.30; the J. A. Mott Iron Works, $15,326.36.

This would indicate that, in round numbers, your concern got $387,000 worth of this particular business and all the other concerns together got $44,000 worth. In other words, your concern got about 90 per cent, just speaking roughly, under the control of Maj. McCubbin, who had been in your employ and who was, as shown by his own testimony, and has been, so closely connected with your company since he has been in the employ of the Government. Can you wonder that under those circumstances, when these other gentlemen were confronted with the priority order under which your company would be allowed to get iron for your needs because you had Government contracts secured in this way, and where they could not get iron because they had no Government contracts—can you wonder that they felt in very great fear that their business was going to be absolutely ruined and taken away from them, and that through this means of Government procedure, carried on by Maj. McCubbin, who had been in your employ, your business would be built up at the expense of theirs? Now, can you wonder that they complained? Just look at it as man to man.

Mr. AHRENS. Yes, Senator, if those were the whole facts in the case you would be absolutely right, but they are not. The business placed by Maj. McCubbin was only a small part of the business that was being placed at that time. My answer to your question is that the other manufacturers during this same period have sold more ware than we sold to the Government. In other words, they got their full proportion of the business; and, what is more, and I think this should have some weight, they got it at better prices than we were getting from the Government.

Senator McKELLAR. What profit did your concern make? What is your capital and what profits have you made on your capital within the last year?

Mr. AHRENS. Why, our capital is about $17,000,000; $16,000,000 in round numbers on the 1st of January, I think you had better say, and on that we showed about $2,225,000 profit, net, last year.

Senator McKELLAR. How much will it show this year?

Mr. AHRENS. Our profits this year, counting in our entire business, will show probably a half a million dollars more than that.

Senator McKELLAR. What was the amount of orders; at what price were these 25,000 sets of plumbing fixtures sold? Speaking roughly, what was the cost of them, each?

Mr. AHRENS. Can you supply that, Mr. Herth?

Mr. HERTH. The price on bathtubs at that time, as near as I can recall, was $19.25.

Senator McKELLAR. And the other three items, how much were they?

Mr. AHRENS. Pardon me, Senator, may I interrupt you just a minute?

Senator McKELLAR. Yes.

Mr. AHRENS. I said there were four items, but the water-closet was not to be considered. There are really only three features. These are enameled iron fixtures.

Senator McKELLAR. The bathtub is $19.25?

Mr. HERTH. I could not state exactly, Senator.

Senator McKELLAR. Approximately?

Mr. HERTH. The lavatory was around $7; approximately $7. We had a price on one at $6.65, or it might have been $7.04.

Senator McKELLAR. What is that?

Mr. HERTH. That is the lavatory. Then the sink, I think, was approximately $9; $9.25 or $8.75.

Mr. AHRENS. Altogether, about $34.

Senator McKELLAR. About $34?

Mr. AHRENS. Yes; and it would be twenty-five times $34 for the contract. That would be about right; $850,000, I think.

Senator McKELLAR (after making calculation). That would be about $850,000?

Mr. AHRENS. May I say one word more there, Senator?

Senator McKELLAR. Certainly.

Mr. AHRENS. The largest order we received from the Government was not through Capt. McCubbin, but through his predecessor.

Senator McKELLAR. Who was he?

Mr. AHRENS. Capt. Maddock.

Senator McKELLAR. Did he ever work for you?

Mr. AHRENS. No; he was a prominent manufacturer in Trenton, N. J., and he is a competitor of ours, Senator, and he placed that order with us because we know that he could give service, and service was of paramount importance at that time.

Senator McKELLAR. What average profit did you make on these goods?

Mr. AHRENS. We never took this order, or it was never filled—do you mean what average do we make on the enameled ware we sell?

Senator McKELLAR. Yes; to the Government.

Mr. AHRENS. About 15 per cent; possibly 20 per cent; not over that. But in saying that we should bear in mind the fact that we have got to pay income taxes and excess-profit taxes out of that, and a very large share of it goes back to the Government.

Senator McKELLAR. There never has been a contract made about these plumbing fixtures, has there?

Mr. AHRENS. No, sir.

Senator McKELLAR. Have any of them been actually bought from you?

Mr. AHRENS. Have what?

Senator McKELLAR. Have any of them been actually bought from you by piecemeal?

Mr. AHRENS. We have, no doubt, since that time furnished similar goods to the Government. Mr. Herth can answer that better than I can.

Senator McKELLAR. Mr. Herth, will you just be sworn, please, sir?

(Mr. George Herth was here sworn by the chairman.)

Senator McKELLAR. Will you state whether or not you have sold to the Government any of these goods through Maj. McCubbin—any of these 25,000 sets?

Mr. HERTH. You mean, that applied on the contracts we have?

Senator McKELLAR. It does not make any difference whether they applied on those contracts.

Mr. HERTH. Oh, yes; we have sold some fixtures to the Government.

Senator McKELLAR. How many?

Mr. HERTH. I could not tell you that.

Senator McKELLAR. Can you give an approximation as to how many?

Mr. HERTH. Oh, yes; we have sold some; there is no question about it, we have sold them some. The question is this, how many of these fixtures were bought after all this controversy. That is the idea, is it not?

Senator McKELLAR. Yes; in other words, it is charged, with how much truth I do not know, that when Maj. McCubbin found that he could not hand the entire contract of 25,000 sets of fixtures for plumbing, he then proceeded to buy as many as he could by piecemeal from your firm, without giving the other people any chance to bid on them at all.

Mr. HERTH. Yes; I will be very glad to give you the number of fixtures.

Senator McKELLAR. Yes. Now, do you know whether or not you have had any written request for quotations about that since the 25th of September?

Mr. HERTH. Have we got any written quotations on our different lines of fixtures?

Senator McKELLAR. No; have you received any written communications asking for quotations on these bathtubs and fixtures?

Mr. HERTH. We receive almost every day requests from the Construction Division for prices on all those fixtures—any fixtures that the Government may want.

Senator McKELLAR. Mr. Ahrens, would it be very much trouble to get a detailed statement, I do not mean of all the articles, but just a statement of the amount and nature of goods, of what you have sold the Government since the war began?

Mr. AHRENS. I will be glad to get that for you.

Senator McKELLAR. Of all sales?

Mr. AHRENS. Yes, sir; I will be very glad to.

Senator McKELLAR. I would like it in compact form, if you can get it.

Mr. AHRENS. There will be no trouble about that. We can get you here in 24 hours a statement of all the goods and the business we have done with the Government in its various departments, you mean?

Senator McKELLAR. In various departments.

Mr. AHRENS. Since the war began?

Senator McKELLAR. Yes.

Mr. AHRENS. Yes, sir.

Senator McKELLAR. This question was raised: It is claimed that Maj. McCubbin would buy under very peculiar circumstances from you. For instance, the Cahill Co., of Chattanooga, complained that when it was wanted to buy some of these goods for use at Camp Greenleaf or out at Fort Oglethorpe, and they wanted them in a hurry, he did not ask for any bids or quotations or prices from the Cahill Iron Co., but he put these emergency orders with your company and had you send them by express, taxing the railroads to bring them into Chattanooga, when they already had the same material there, and costing the Government a large expressage. Do you know whether that is correct or not?

Mr. AHRENS. I can not answer that because I do not know, of course, what the Government did or did not. Perhaps Mr. Herth could give some information on that point.

Senator McKELLAR. All right; Mr. Herth, do you know?

Mr. HERTH. I think that is up to the others to show you. I do not know; of course we have shipped material to different places by express and by freight. I know of one case out at Camp Lewis where we had received an order, and the contractor wired us to ship it by express. That meant a whole car. I took that up with the department, and I wanted to know whether we should do it. We did not do that. So I could not say as to any particular order at Camp Oglethorpe, that might have gone by express there.

Senator McKELLAR. Could you look it up on your books?

Mr. HERTH. And find out just what we shipped there?

Senator McKELLAR. Yes; and when you get that information make it Exhibit 2 with this testimony.

Mr. HERTH. Yes, sir.

Senator McKELLAR. Have you any agreement with McCubbin that he is to return to your employ when the war is over?

Mr. AHRENS. No, sir; excepting that there are some six hundred odd men that left our employ, a large per cent of our force, and went into the Government service, and we have said to every man of them, "When the war is over we are going to try to put you back right in the place you were in." We did not make a definite promise, because that would be impossible, but we said, "Every man that leaves our employ and goes into the Government service and comes back after the war, we are going to try to find a job for you." Therefore, to that extent, I would say that Maj. McCubbin had that promise.

Mr. HERTH. But you did not make that promise only to him. You never made that promise to any individual?

Mr. AHRENS. Oh, no; absolutely not.

Senator McKELLAR. Have you any other employees in the purchasing departments of the Government? Are there any at Jeffersonville, for instance

Mr. AHRENS. Where?

Senator McKELLAR. Have you any at Jeffersonville?

Mr. AHRENS. I do not know. I can not answer that question. And again, I will have to say that, for instance, at Camp Taylor, when the camp went up and they were working 24 hours a day, and day and night, and everybody was working as hard as they could, the people in the clerical departments there were overrun with work, and they did telephone down to our Main Street store, and they asked, "Can you give us a clerk? Your people know about these prices and discounts, and are familiar with the business, and can you help us?" We furnished such a man to them. I do not know whether we furnished such a man in Jeffersonville, but if we were called on to do so we did so, because we would think it was our duty to do so.

Senator McKELLAR. Now, again returning to the other feature of the same kind, where you had men working in various departments, the purchasing supply departments of the Government using your goods, and they did not have men on the inside in that way, do you think that your competitors would feel that they would naturally get a square deal on the whole circumstances?

Mr. AHRENS. Yes, sir. My point is that when Capt. McCubbin or any other man in our company left our employ and went into the employ of the Government, he was no longer in the employ of the company, nor did we ask him in any way, shape, or form to prefer us over anybody else; nor have we in any way, directly or indirectly, told these people that we were going to take care of them or do something for them because of the fact that they were in the Government employ and had helped us to get business; absolutely nothing of that kind.

Senator McKELLAR. Now, would you give me a statement, and make it Exhibit No. 3 with your testimony, of any of your former employees who were employed by the Government or were loaned by you to the Government at any of these camps or depots where supplies were being handled?

Mr. AHRENS. Yes, sir. It is quite possible that two or three people were furnished in that way; but might I say right there, Senator, that

for a very responsible position in the construction department here, a position under Maj. Humphreys——

Mr. HERTH. And Maj. Sergeant.

Mr. AHRENS (continuing). And Maj. Sergeant, covering the entire plumbing field of the United States, they wanted a man to take charge of that, a man who had technical knowledge of the business and who could be Maj. Sergeant's right arm; and the jobbers and manufacturers of the Eastern Supply Association, representing all the prominent people in our business, came to us and asked us, as a patriotic duty to the Government, to allow one of our men, Mr. J. D. Tschopick, who was our general manager of furnishing housing, to accept that position, you see with the indorsement of all these men and including our competitors, and it was to be a dollar-a-year job; and we sent Mr. Tschopick on to see Mr. Sergeant. We told him that if it was necessary to give him up we would be willing to do so. We sent him on to see Mr. Sergeant and he convinced himself that the position was not one in which he could render the kind of service that the Government would expect from a man of his importance, but that it would require a man of lesser importance, and he declined the job; and subsequently some one else was appointed to the position, who now fills it, some one not connected with my company.

Senator MCKELLAR. I will ask you to make this photographic copy of an affidavit made by you, which you have identified, dated September 25, Exhibit No. 4 to your deposition.

Mr. AHRENS. I do; yes.

Senator MCKELLAR. I must go to the Senate now, and I must ask you gentlemen to excuse me, but I will let you know later in the day when we can continue with your testimony, either this evening or to-morrow morning.

(Thereupon, at 11.45 o'clock a. m., the subcommittee adjourned, subject to the call of the chairman.)

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QUARTERMASTER CORPS.

UNITED STATES SENATE,
SUBCOMMITTEE ON MILITARY AFFAIRS,
Washington, D. C., Saturday, November 18, 1918.

The subcommittee met, pursuant to the call of the chairman, at 10 o'clock a. m., in room 248, Senate Office Building, Senator KENNETH D. MCKELLAR presiding.

Present, Senators MCKELLAR (chairman), SUTHERLAND, and JOHNSON of California.

There appeared before the committee Mr. Theodore Ahrens, president of Standard Sanitary Manufacturing Co., accompanied by Mr. Francis J. Torrance and Mr. George Herth, jr.

STATEMENT OF MR. THEODORE AHRENS—RESUMED.

Senator MCKELLAR. Proceed, Mr. Ahrens.

Mr. AHRENS. I do not remember exactly, but I think we were discussing, when the committee adjourned yesterday, the reason why I thought I had an order for 25,000 of these sets.

Senator MCKELLAR. Yes; I think so. That is all right. Go on.

Mr. AHRENS. Let me say that when I testified yesterday I did so without having read the charges against Maj. McCubbin and ourselves. I did not know that we were in what is called an open hearing, a public hearing, and we were entitled to have a copy of the testimony; but Mr. Johnson, the official stenographer, told us just after the adjournment yesterday, and stated that we could have a copy of the testimony furnished to us, and we asked him to prepare a copy and let us have it. He did so, and we received it late last night. Now, I wanted to make that statement preliminary to this other.

Senator MCKELLAR. Yes; you could have had a copy of the testimony at any time, of course.

Mr. AHRENS. Now, Senator, I would like to add this to what I said yesterday before you adjourned the hearing. In regard to the interview I had with Maj. McCubbin, and during which we discussed the large housing contracts the Government proposed to place, or had in mind to place, with the manufacturers, my testimony as given yesterday is correct, but I would like to add that after going into the subject thoroughly with Maj. McCubbin and after calling in Maj. Noss, who was consulted on the length of time it would take to put the orders through the department, I left Maj. McCubbin's office with the impression that he would recommend to his superior officers the placing of a large order for plumbing fixtures required for the housing program, which was estimated at about 60,000 sets, and would give us an order for 25,000 sets of these fixtures. The major asked us whether we could make deliveries of this quantity by the end of the year, and I told him we could.

Senator MCKELLAR. Mr. Ahrens, since this investigation has begun you have received a letter from Maj. McMubbin asking you to deny that you had a contract with him, have you not?

Mr. AHRENS. He asked me to write a letter to the Enameled Ware Manufacturers' Association, denying that we had such a contract.

Senator MCKELLAR. Have you a copy of that letter of Maj. McCubbin to you?

Mr. AHRENS. No, sir; I have not; but it is on file in the Pittsburgh office.

Senator MCKELLAR. Will you furnish a copy of that letter and make it Exhibit No. 5 with your testimony?

Mr. AHRENS. Yes, sir.

Senator MCKELLAR. Do you remember the contents of the letter—the substance?

Mr. AHRENS. The substance of it was that Maj. McCubbin called my attention to the fact that I had made such a statement at a meeting of the Manufacturers' Association, and he wanted me to retract it, as he had not given me any such contract. That is as near as I remember it. I did not answer that letter, or I did not write the letter that he wanted me to write to the association, because it was not an association matter; that is, the matter never came up in the association meeting. It came up in an informal meeting or discussion that we had after the adjournment of the association meeting, at which I made this statement that we had this order. Therefore I did not think it was necessary or proper for me to write to the association about it or drag them into it.

Senator MCKELLAR. With reference to the affidavit about the order for 25,000 sets of plumbing fixtures, did you not get a priority order for coal on account of that affidavit?

Mr. AHRENS. We asked for a priority order for coal, based on the Government contracts we had, and we did include that order among the rest, Senator.

Senator MCKELLAR. Yes. When was that priority given?

Mr. AHRENS. Shortly after this whole matter occurred. I do not recall the exact date, but it was before I made up my mind that we would get these contracts or this order.

Senator MCKELLAR. It was after the 25th of September, was it not, and after this hearing had begun and Maj. McCubbin had then been before our committee?

Mr. AHRENS. I could not say that, because I do not know when you had the hearing, and I never talked to any of the officers that were connected with this case or with any of the other manufacturers, until recently, and the only talk I had with any manufacturer connected with the case was with Mr. Caldwell the day before I saw you in Memphis, when I talked to him over the long-distance wire. May I make a statement here, Senator?

Senator MCKELLAR. Yes; I would be delighted to have you make any statement you wish.

Mr. AHRENS. What I wanted to say, Senator, was that we have received during this year a number of large orders from the Government, and which we considered orders, before we had the formal contracts. Our first shell contract, amounting to about $1,500,000, was given us practically on the same basis; that is, we went ahead and ordered $400,000 worth of machinery before we had that contract. In fact, we did not get the contract for three months after we had begun operations and after we had invested of our own money approximately $400,000 for machinery. But we had the assurance from the officers of the Ordnance Department that the order was going through in good shape, they gave us an order number, or something like that, and told us not to be uneasy about it, and we went on and spent $400,000 of our own money preparing for that contract three months before it was executed.

Senator, this year was a year of big things, and they were done in unusual ways. This order, while it looked big, was not, in proportion to many other orders that were handled and placed by the Government in the various lines.

Senator MCKELLAR. Without expressing any opinion, but merely giving you my version, it seems to me that your man McCubbin has misled you into a very serious situation. I gather from what you have said, and what he said and what all have said that appears in this record, that you had every reason for believing that you had a contract; and yet when this investigation came up, knowing that he had been simply acting as your agent, he has besought you and others to protect him by making statements, and statements that are going to get somebody into a very serious situation. In other words, he has gotten you and he has gotten a half dozen other officers here to assure me or to assure this committee that you had no contract, and that is exactly what you have testified to and that is exactly what these other men have testified to, when, as a matter of fact Maj. McCubbin in my judgment—I am not expressing it as my final judgment at all—appears to me to be conscious that he has done wrong himself, and in trying to protect himself he has gotten all you gentlemen in a very remarkable situation. You are in the attitude of having sworn to one state of facts on the 25th of September and another state of facts on the 15th of November, which is, I must say, a very serious thing, and all because of this system to which I have been opposed from the very beginning, of having men interested in the business buying for the Government. It is all wrong; absolutely wrong.

You ought to take your chances before a fair and impartial purchasing officer, a man who has no connection with your business, and the department is all wrong in permitting a man from your office to buy goods from you; and I would say, and it would not make any difference who it was, that if an officer was selected from one of these other concerns, your competitors, to do that, it would be perfectly outrageous, unfair, and unjust to you, just as this is unfair and unjust to them. It is a system that can not be defended. I know that Gen. Marshall is a splendid man, and I can not understand how he permits Maj. McCubbin to be in the employ of the Government for 10 minutes after this is disclosed. It is a matter that I had hoped that Gen. Marshall would remedy promptly by suggesting the dismissal of Maj. McCubbin from the service of the Government. He should not be in the service of the Government. It is indefensible that he should be in the service of the Government; and I say this after having heard all the proof—that is, all that has occurred up to this date—and I think practically all the facts are in. He has gone officially and gotten up a very elaborate statement here, and ex parte statements here from witnesses, Maj. Noss and others, that do not agree with the facts in the case at all, and I am surprised to find that anything like that should be done. It is not warranted by the facts and it is not fair to the Government at all, and it is not fair to these other people—not a bit—and as a matter of fact I am rather inclined to think it is unfair to you, because you believed that you had a contract, and have not got one.

Mr. AHRENS. Senator, I did that honestly; yes, sir. I must say, however, in justification of Maj. McCubbin, that I think I am to blame in the matter in simply having talked about having the contract before I had it. Let me put this feature before you, please. I certainly had no business talking to my competitors about having a contract simply, as somebody said yesterday, to boast about it, because that would not do me any good and would only cause bad blood.

Now, my reason for making that statement and telling these other gentlemen that we had such a contract—please remember that I qualified that at once by saying that we had no actual order; no written or formal order—but my reason for advising them of it was because for the last two years, or since the Government has been in this war, we have been cooperating together very closely in every way in order to keep this industry from going on the rocks; and I felt it my duty to advise these other manufacturers that a very large order, a much larger order than was promised me, would be placed, and that they were to receive, or some of them were to receive, the balance of it. Now, that was my reason for making that statement at that time. They, however, took it in another way.

Senator MCKELLAR. Now, the trouble about that is that the very first time that the 60,000 has ever been brought forward has been in your testimony. It has never been mentioned heretofore. The number mentioned has always been 25,000, and Maj. McCubbin has never said anything about 60,000 at all, and he certainly ought to have known something about it if he knew anything about the business at all. In the next place, these gentlemen, none of them, understood that there was anything but the 25,000-set order; and in the next place——

Mr. AHRENS. Pardon me, Senator——

Senator MCKELLAR. Just one moment.

Mr. AHRENS. Yes, sir.

Senator MCKELLAR. In the next place, under the priority order, they would have all gone out of business and you would have had an entire monopoly.

Mr. AHRENS. I have a little information on that point that I would like to give you.

Senator McKELLAR. Those are the things that make this situation absolutely intolerable, and it just shows that the department was all wrong in employing a man out of your office to buy goods from you for the Government. That is absolutely indefensible. The Lord Jesus Christ 2,000 years ago said that no man could serve two masters, and no man can. No man can serve the Government and serve you, too. It is absolutely impossible.

Mr. AHRENS. That same thing happened in a hundred offices, Senator.

Senator McKELLAR. Yes; and it is indefensible, wherever it has been done.

Mr. HERTH. They had to do that because they had to go out into the firms in these different lines in order to get somebody who knew about these things.

Senator McKELLAR. No; the people have gone out, in these different lines, to put these men on the Government, and greatly to the discredit of the Government and to the injury of the Government in securing contracts this way. It is indefensible—absolutely indefensible. I say that with all respect to you, because I think that you have put yourself, by reason of the signing of that affidavit, into an indefensible position, and perhaps into one which you are not entitled to be in, and you have been put in this position by a system that ought not to be tolerated for a moment, and I do not see how any superior officer of Maj. McCubbin can permit him to be in the Army for a moment. He ought to be discharged, and discharged instantly. He ought to have been discharged when this matter was first brought up.

It is a crime against the Government to let a man of that sort, who permits himself to be used in that way, to stay in the employ of the Government; and of course if the War Department can not do it, I am going to see that it is done by publicity. Publicity is the best thing, in this country anyway. I feel outraged at this action on the part of the department and on the part of this whole situation. I speak very plainly. I am a very plain-spoken man. Perhaps I have said here on this record what I ought not to have said. Perhaps I ought to have let the Department of Justice handle this matter in its own way. But, being familiar with it, I feel that you have permitted this young major in the Army, who has been indulging in practices that no man should have indulged in, to put you in the most awkward attitude that you have ever been in in your life, as you will certainly find out. It is an indefensible attitude, and really one that grows out of the course of business that ought not ever to have been tolerated. I may have said more than I ought to, but it is as much in your favor as it is against you. That is the situation. I do not wish you to be unaware of it, because the fact is that you have testified twice——

Mr. AHRENS. I am fully aware of it.

Senator McKELLAR (continuing). And in one case your testimony is opposed to your testimony in the other case.

Mr. AHRENS. Yes, sir.

Senator McKELLAR. And I am really inclined to think that you are not entitled to be in that position.

Now, if there is anything else that you wish to say, I will be glad to hear it.

Mr. AHRENS. I would like to correct some statements here that we discussed yesterday.

Senator McKELLAR. I will be glad to have you put in anything you wish. I want to be absolutely fair about the matter.

Mr. AHRENS. I never had this testimony of Maj. McCubbin and these others until last night. I went through it late last night, and these are points I would like to bring to your attention.

Senator McKELLAR. Surely.

Mr. AHRENS. First, the statement of C. F. Arrott (p. 389 of transcript) and the statement of "Certain manufacturers" (p. 398).

On page 386 you asked this question:

"Senator McKELLAR. If the Government business is confined alone to the Standard Co., what effect would that have on the various other companies engaged in this business, in view of this order?"

To that Mr. Arrott answered:

"Mr. ARROTT. We will have to close our plants down, or turn our plants into making shells or some other Government essential work."

Senator McKELLAR. Yes, sir; you want to comment on that?

Mr. AHRENS. I want to comment on two cases that I am going to cite. I will read now an extract from the "Statement of certain manufacturers," which is appended to the hearing of September 25, 1918, as follows:

"With the further restrictions recently made by the War Industries Board covering expenses for general building improvements and repairs, the present market for sanitary enameled ware is virtually confined to the Government's requirements; and to meet these ultimate requirements, were the business equitably distributed, all of the plants producing enameled ware would be permitted to live."

Now, on that I want to say that these statements are contradicted by the fact that the other manufacturers of enameled ware have, in the first nine months of 1918, sold $4,731,067.69, or 45 per cent, fully 45 per cent, of the enameled-iron ware disposed of in the United States, Government business included. The total amount of enameled ware purchased by Maj. McCubbin from the Standard Sanitary Manufacturing Co. was less than $400,000, being therefore less than 7 per cent of the Standard Sanitary Manufacturing Co.'s sales of enameled ware, and less than 4 per cent of the total business of the country. Our own sales of enameled ware for the same period were $5,385,286.51. This makes a total business of enameled-iron ware in the United States for those nine months of $10,566,354.20. These figures are taken from the reports that we all furnished the secretary of the association, and can be verified. I mention them here to show that after all the amount of business Maj. McCubbin gave us was insignificant compared to the total business of the country, and that these other manufacturers got millions of dollars' worth of business outside of Maj. McCubbin's office.

Senator McKELLAR. But the question that they raise in that testimony is that after January 1, 1919, if the war had continued, you would have been the only man with priority orders, and they would have had to have closed down their businesses, and you would have had the entire enameled-iron-ware business of the country; and I am inclined to think that if Maj. McCubbin had had his way that would have been mighty near the situation.

Mr. AHRENS. Senator, that is not the situation.

Senator McKELLAR. And that is an indefensible situation, of having an employee in the Army in that position.

Mr. AHRENS. I agree that that would be indefensible, but that is not the situation. All these manufacturers sold many hundreds of thousands of dollars' worth of enameled ware for Government purposes through other channels. That is the point I am trying to bring out.

Mr. NUGENT. I will ask the Senator from Tennessee if, after his recital, he does not think a lot of these people should be in the penitentiary instead of longer serving as agents of the Government.

Mr. McKELLAR. I will give the Senator my view about it. I recommended that these men be discharged from the service of the Government just after this proof was taken, and my recommendation was ignored by the War Department. There was not any question in my mind as to what ought to be done with them. I do not think we ought to turn these contracts over to them to settle. I think if we do we will be derelict in our duty, and I, for one, will not do it if I know it. I feel that it is my duty to bring this testimony before the Senate and before the public when passing upon these contracts, and, Senators, it is our duty as representatives of the Government to see to it that the Government is treated fairly and right in the validation of its contracts and in our settlement in regard to them.

I believe that is all I have to say.

Mr. POMERENE. I wish to ask the Senator a question.

Mr. McKELLAR. I was going to yield the floor, but I will be delighted to answer any question.

Mr. POMERENE. The Senator has given a great deal of attention to this matter.

Mr. McKELLAR. I want to say that it is a pretty thankless job, too. I have given great attention to it, but a man gets criticism for it. Any man who defends the interest of the Government now is always criticized for it.

Mr. POMERENE. I mean the legislation now pending rather than the particular contracts to which the Senator refers. Is there anything in either of the bills now pending before the Senate which will protect the interests of the subcontractors?

Mr. McKELLAR. No; there is not.

Mr. POMERENE. I have submitted an amendment which will be printed in the RECORD in the morning that will take care of the interests of subcontractors

Mr. McKELLAR. I think that is a very wise provision. I do not see that the Government has any possible contractual relation, as I understand it, with a subcontractor. It is a difficult provision.

Mr. POMERENE. That is entirely true, but this is my thought about it: If A has a contract with the Government, known as the head contractor, as we call them in Ohio, or in some places the prime contractor——

Mr. McKELLAR. Subcontractors they are called everywhere.

Mr. POMERENE. I am speaking of the head contractor, and he sublets to half a dozen other men.

Mr. McKELLAR. Which is always done.

Mr. POMERENE. They furnish their product to the head contractor for the Government. It seems to me that any money which goes to the head contractor for that product ought to be reserved for the benefit of the subcontractor who contributed toward the execution of the contract with the Government; in other words, that the money which the head contractor gets from the Government should not go to the general creditors of the head contractor at the expense of the subcontractor.

Mr. McKELLAR. I will say to the Senator that I think there is a great deal of merit in his contention, and there is but one way in which it can be effectuated, and that is to put the whole matter in the hands of an independent commission, because the War Department is under no obligation to consider subcontractors. All that is settled by the War Department in these contracts. I do not see how you are going to enforce that obligation upon the department. Many of them have already been settled; but if you will put it in the hands of an independent commission and require the commission to adjust the claims of subcontractors, there is no reason in the world why it can not be done, and I will join the Senator in that.

Mr. POMERENE. There is nothing in the amendment which will be inconsistent with the provisions of either bill, as I understand them.

Mr. McKELLAR. That can be worked out. I will look at it when it is printed, and we will see what can be done.

Mr. FLETCHER. Mr. President, of course, what the Senator from Tennessee has been discussing with respect to leaving to the department the absolute right to adjust these matters is scarcely pertinent to the matter before the Senate, because the House bill is not the bill before the Senate.

Mr. McKELLAR. It is the only bill that is before the Senate, I will say to the Senator. These other measures are amendments to it, and if the matter of protecting the Government is not pertinent, then I am utterly unable to understand what is pertinent.

Mr. FLETCHER. Of course, I understand that perfectly well, but the Senator has been arguing all the afternoon that there ought to be a commission, and there is not any proposal here that there should not be a commission. The substitute offered to the House bill provides for a commission, and the

bill reported by the Senator from Nebraska [Mr. HITCHCOCK] provides for a commission. So we are not confronted with anybody proposing that this matter should be left entirely to the War Department. That is the point I make on that score.

Mr. McKELLAR. Of course, I have explained that fully. The difference is that under the Chamberlain substitute the commission is merely an appeal commission, and you can not get anything before it except by appeal. Under the Hitchcock amendment the commission has full and plenary powers to do justice to all.

Mr. FLETCHER. I understand the difference, but I did not understand that the Senator really expressed much preference one way or the other, just so there was a provision for a commission that took it at some stage of the proceedings out of the hands of the War Department having the entire charge.

Mr. McKELLAR. Oh, no. What I am trying to enforce on the Senate is that I believe in a commission with full power and authority to act—a real commission, not simply an appellate commission.

Mr. FLETCHER. Precisely; I understand the Senator, but still I come back to the original proposition that the measure before the Senate is the report of the Committee on Military Affairs, which proposes a substitute for the House bill, and that report and the bill as reported provides for a commission.

It is a question now for the Senate to decide whether to adopt the substitute to the House bill or not. That is the sole question. Of course, they have a right to amend the substitute, and I take it nobody here is contending in opposition to the adoption of the substitute. I have not heard of any contention.

There is something to be said on the other side of the question if I cared to take the time of the Senate, which I do not, because I realize that this is an urgent matter. It is a matter that ought to be attended to, and we ought to enact this legislation and get it behind us, because there are people in all portions of the country vitally concerned, some of them on the very verge of bankruptcy, as the Senator from Tennessee will recall the testimony before the committee particularly upon that subject, waiting for some adjustment of the differences between them and the War Department, adjustments that are honest, adjustments that are made necessary because the conditions could not be avoided by anybody; in many instances irregular contracts, not the fault of the contractor, not the fault of the department, but irregular, growing out of the very necessities of the conditions and the very urgency of the cases; so no one is to be blamed for that situation. All of a sudden contractors are notified to proceed no further; you are not to go on with your performance. The contractor says, "All right; what will you do about adjusting this case: I have ordered a whole lot of material; I have gone to a great deal of expense; I have incurred obligations; here are men idle on my hands; what are we going to do about it?" Of course, the War Department says, "We will adjust the matter on a fair and equitable basis; come down." They come down and they get together and agree as to what is a fair and equitable basis, and the War Department says, We will adjust it by paying you so much; are you willing to accept that? The contractor says, "Yes; all right."

Mr. McKELLAR. Will the Senator yield to me a moment?

Mr. FLETCHER. When they go to settle they find when they offer the adjustment to the comptroller the comptroller says "No; you can not settle that sort of thing because this contractor had no contract under the law and you have no authority to pay it; you can not adjust it." There they are. As I said, it is nobody's fault, but the law is such and the conditions have been such that these situations have arisen, and these losses are pending, and they ought to be adjusted, and they ought not to wait a day about it. I yield to the Senator from Tennessee.

Mr. McKELLAR. I would just like to ask the Senator this question. The Senator heard the testimony of Mr. Rice, of the firm of Myrick & Rice, in dyestuffs. Would the Senator feel that the Government's interest could be properly looked after when Mr. Rice, representing the Government, settled with Myrick & Rice, representing the dyestuffs?

Mr. FLETCHER. No; I would not. I did not read the testimony, but from what the Senator says about it I would not think of that sort of a thing, and I do not think that is contemplated by anybody. I do not think it is contemplated under the House bill, known as the Dent bill.

Mr. McKELLAR. Would he not be one of the men who would act on the board, acting for the Government? He has been acting for the Government in buying all this dyestuff.

Mr. FLETCHER. No; not at all.

Mr. McKELLAR. Does the Senator know whether Mr. Rice is still acting for the Government in this matter?

Mr. FLETCHER. I have no doubt about it.

Mr. McKELLAR. The Senator knows he was acting a short time ago.

Mr. FLETCHER. As one of the adjusters.

Mr. McKELLAR. He is the man who has charge of that division, and he is the one who makes the contracts. If he comes along and makes a settlement with his own concern would the Senator be satisfied with that?

Mr. FLETCHER. I have never said that. Mr. Rice was one of the original board of adjustment. He was one of the parties concerned in making purchases for the Government at the time the purchases were being made; but I do not understand that he is one of this board of adjusters; and he is certainly not on the appeal board of adjustment. That board is composed of Mr. Garnett, of Virginia; Mr. Malone, of New York; and Mr. Lehmann, of New York. That is the board that is now acting in that capacity. None of them are members of the military forces; they are all three of them from civil life. I mean to say that they are not officials of the War Department; they are civilians. I believe there was some talk—and perhaps that was done—of a sort of commission being issued to them in order to qualify them in some relation so that they might administer oaths; but they are citizens from civil life. They compose the board that is now acting upon this matter. Mr. Rice is not on it, and Mr. Jones is not on it. Those I have named are the ones that compose that board.

I say this matter ought to be speeded, because of the existing situation. Contractors all over the country have hundreds of thousands of dollars involved. Some contractors have only a small amount involved, but it is a great deal to them, although it be small as compared with the claims of other contractors. These contractors are suffering from the lack of an adjustment which would be fair and honorable and equitable and right, and which everybody would agree should be made. However, there is no power to make it and the object of this regulation is to authorize those adjustments.

The law as it stands is found in section 3744 of the Revised Statutes, showing exactly the requirements to make a contract with the United States Government. If a contract is not made in accordance with that law, it is not a valid contract, and any payments made in pursuance of it or under it, or any adjustment on it is rejected by the comptroller and will not be passed by him. No adjustment, therefore, can be reached. That is the law, and I will ask to have it inserted in the RECORD.

There being no objection, the statute was ordered to be printed in the RECORD, as follows:

SEC. 3744. It shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior, to cause and require every contract made by them severally on behalf of the Government, or by their officers under them appointed to make such contracts, to be reduced to writing, and signed by the contracting parties with their names at the end thereof; a copy of which shall be filed by the officer making and signing the contract in the Returns Office of the Department of the Interior, as soon after the contract is made as possible, and within 30 days, together with all bids, offers, and proposals to him made by persons to obtain the same, and with a copy of any advertisement he may have published inviting bids, offers, or proposals for the same. All the copies and papers in relation to each contract shall be attached together by a ribbon and seal, and marked by numbers in regular order, according to the number of papers composing the whole return.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. FLETCHER. Yes.

Mr. CHAMBERLAIN. Does the Senator understand from the statement which the Senator from Tennessee [Mr. McKELLAR] has made that these three gentleman—Charles A. Rice, H. L. Bailey, and Malcolm Donald—are on the adjustment boards?

Mr. FLETCHER. I do not.

Mr. CHAMBERLAIN. I rather inferred from the statement of the Senator from Tennessee that these men were on the regional boards; and if so, I think it is quite a serious statement to make.

Mr. McKELLAR. Oh, no; Mr. President, the Senator from Oregon misunderstood me. I said these gentlemen were chiefs of their several divisions.

Mr. FLETCHER. That is a different thing.

Mr. McKELLAR. And had charge of these contracts. Under the committee substitute, which is known as the Chamberlain substitute, primarily officers of the War Department would settle these contracts; and as to the board about which the Senator from Florida [Mr. FLETCHER] is talking, that board only has jurisdiction when the case comes up on appeal. These officers will settle it; and if they can not settle it with themselves, how can they settle it?

Mr. FLETCHER. But they are not on the board at all.

Mr. CHAMBERLAIN. I did not want the Senate to get the impression that these men were on the board or were adjusting these contracts; and the Secretary of War would certainly be

a very foolish business man if he undertook to put them on the board.

Mr. FLETCHER. The Senator is entirely right. So when the Senator from Tennessee asked me the question if I would stand for a settlement made under those circumstances, with this gentleman on the board, I said no; but he is not on the board. He was one of the original agents of the Government in making the purchases, a head of a division, but I do not understand that he is an adjuster of those contracts.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. FLETCHER. Certainly.

Mr. McKELLAR. As I understand, the War Department's machinery now is that those officers of the War Department who have in charge these contracts attempt to arrive at an adjustment. Suppose there is a legal contract, they will arrive at an adjustment; the War Department follows their recommendation in the matter, and that ends it. The board of which the Senator speaks has nothing in the world to do with it. The question I ask the Senator from Florida is, Is he willing to settle it by these gentlemen?

Mr. FLETCHER. Except that the department arrives at an adjustment in pursuance of such investigation, study, and recommendation as the board may make, I take it.

Mr. McKELLAR. Not at all. It is an appellate board. The testimony disclosed to us that it was an appellate board entirely. For instance, if Mr. Donald, representing the clothing and equipage division, settles with the various firms with which he is connected, that simply goes through as a matter of course, and the settlement is made. The Senator may be satisfied with that kind of a settlement on behalf of the Government, but I am not.

Mr. FLETCHER. Mr. President, there are 8 of these adjustment boards in Washington and 24 of them throughout the country all told. These boards are the boards before whom these claims are presented. They make their recommendation to the Secretary of War. If that recommendation is not satisfactory, then it comes to the board of which Mr. Garnett, Mr. Lehmann, and Mr. Malone are members, and they review it.

Mr. NUGENT. Will the Senator yield to me?

Mr. FLETCHER. Certainly.

Mr. NUGENT. I should like to ask the Senator if he knows the personnel of those committees; if he knows how those committees are made up which are now adjusting these contracts? Are they made up of the gentlemen who made the contracts in the first instance?

Mr. FLETCHER. I think not; not at all. They are designated by the Secretary of War to make the investigations as to the particular matters which are presented in connection with these contracts or quasi-contracts.

Mr. NUGENT. Does the Senator know——

Mr. McKELLAR. If the Senator from Florida will yield to me for a minute, I will say this, which, I think, will probably answer, as well as it can be answered, the question which the Senator from Idaho has asked.

Mr. FLETCHER. I do not think these boards are made up of the chiefs of the divisions that made the contracts.

Mr. McKELLAR. There is not a scintilla of evidence before our committee in reference to who compose the smaller boards. They did not give us the names of the members of the appellate boards who are officers in the Army, and were made officers in the Army purely for the purpose of sitting on appeal.

As to the lower boards, who are on them, who they are, what connection they have with the gentlemen with whom they are doing business, we have no knowledge whatsoever.

Mr. FLETCHER. I do not know their personnel.

Mr. NUGENT. The Senator can not enlighten me with respect to that?

Mr. McKELLAR. It can not be done, because we have not the information.

Mr. FLETCHER. I do not know the personnel of these different boards—8 of them in Washington and 24 of them throughout the country—but I presume we can get their personnel if that is important. I do not understand, however, that the personnel composing those boards is made up of the same persons who made the contracts.

Mr. NUGENT. I should like to know their personnel, I will say to the Senator, before the vote is taken with respect to this matter.

Mr. FLETCHER. I think I can get that information for the Senator.

I have here a letter from Assistant Secretary of War Crowell with regard to Senate bill 5261, which is referred to as the Hitchcock bill. Inasmuch as the Senator from Tennessee [Mr. McKELLAR] based his remarks on a comparison between that bill and the substitute now pending before the Senate, I think it is worth while to refer to that letter and to have it printed in the RECORD. I will not take the time to read it; but I think Mr. Crowell mentions that the department has already provided for these boards, although I am not sure that he gives the method of making up the boards or how they are constituted. But the letter does state:

> In addition to being utterly unable to do its work, the adjustment board provided by S. 5261 is entirely unnecessary for the reason that the War Department already has established and at work a machinery adequate to handle efficiently and promptly all settlements. Without now going into the details, the department has a central board of contract review in each of the eight supply bureaus in Washington; also a total of 24 local or district boards in various sections of the country making settlements for the Ordnance Department and the former Quartermaster Corps. The department has also established in Washington a board of contract adjustment to which the Secretary of War refers for decision all cases in which the contractor and the contracting officer are unable to agree. Furthermore, several thousand contracting officers, accountants, investigators, and other assistants are now at work helping the boards to make prompt settlements. On the enactment of the legislation which the War Department has requested, this machinery is prepared to start immediately on the cases in which contracts were not made or signed as provided by law.

That is the machinery that is now in operation. I do not know whether it is necessary to go further into detail as to how it is constituted than that or to set out the names of all of the officers who are connected with it. I am quite sure that the machinery is ample to arrive at an honorable and a fair adjustment of these matters and to assure to the Government that there is no fraud being committed as against the Government. I will ask to have Mr. Crowell's letter inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

WAR DEPARTMENT,
Washington, January 6, 1919.

Hon. DUNCAN U. FLETCHER,
United States Senate.

MY DEAR SENATOR: I am glad to avail myself of your suggestion that I submit to you a statement with reference to S. 5261, known as the Hitchcock bill.

This bill provides for the establishment of an adjustment commission of three members who shall decide all cases of cancellation of existing valid contracts or orders of the War Department, and also all cases in which a contract was not made or signed as provided by law.

The War Department is strongly convinced that the enactment of this bill would cause great and unjustifiable delay in settling the proper claims of contractors and would most unjustly throw hundreds of contractors into bankruptcy.

It would first be necessary for the President to appoint the members of the commission. The Senate must then confirm the appointments. Thereafter the board must organize and familiarize itself with its duties. If regional boards of examiners are appointed, their membership must be selected and their machinery started.

These various steps will necessarily take time. After they have been performed the board will find itself confronted with a situation which will absolutely prevent prompt settlements. This situation will result both from the magnitude of the task and from the almost total lack of assistance provided for the board in the bill.

Incomplete figures show that the total number of settlements which would come before the board would exceed 25,000. That this is an impossible task for three men in one year is, of course, obvious.

Your attention is invited to the fact that the entire appropriation provided by the bill is only $50,000; that $35,000 of this amount will be used to pay the salaries of the three members of the board and the secretary; and that only $15,000 will be left for the accountants, investigators, clerical assistance, and office expenses of the central board and the entire expenses of all such boards of examiners as may be appointed. Comment on the utter inadequacy of such an appropriation is unnecessary. At the very outset, the board would be choked with work and this condition would become hopelessly more aggravated each succeeding week.

As bearing on the personnel and the expenditures necessary in the determination of large numbers of cases, by prompt and informal methods, your attention is invited to the following illustrations:

(1) The Interstate Commerce Commission consists of nine members. During the year ending October 31, 1917, the commission decided approxiately 1,000 formal proceedings and 10,000 informal proceedings, with an organization of approximately 700 employees and an expenditure of $1,060,000 chargeable to this work. The Hitchcock bill proposes to have three men decide in one year at least twice as many cases on an appropriation less than one-twentieth as large.

(2) The public service commission of New York, second district, a typical State public service commission, decided in 1917 approximately 450 formal proceedings and 1,350 informal proceedings, a total of 1,800 proceedings on an appropriation of approximately $400,000. The Hitchcock bill proposes to have the adjustment commission decide approximately 20 times as many cases with one-eighth the appropriation and personnel.

In addition to being utterly unable to do its work, the adjustment board provided by S. 5261 is entirely unnecessary for the reason that the War Department already has established and at work a machinery adequate to handle efficiently and promptly all settlements. Without now going into the details, the department has a central board of contract review in each of the 8 supply bureaus in Washington; also a total of 24 local or district boards in various sections of the country making settlements for the Ordnance Department and the former Quartermaster Corps. The department has also established in Washington a board of contract adjustment to which the Secretary of War refers for decision all cases in which the contractor and the contracting officer are unable to agree. Furthermore, several thousand contracting officers, accountants, investigators, and other assistants are now at work helping the boards to make prompt settlements. On the enactment of the legislation which the War Department has re-

quested, this machinery is prepared to start immediately on the cases in which contracts were not made or signed as provided by law.

The War Department feels very earnestly that the good faith of the Government is pledged to a prompt settlement and payment of all just claims of contractors. The department stands fully ready to make such settlements and is already doing so where the contracts were made and signed as provided by law.

The Dent bill, as amended by the House Committee on Military Affairs, will meet the requirements of the situation if amended in a few further respects as suggested by the War Department and will enable the department to utilize its existing boards and its existing personnel to make prompt settlements of all formal and informal contracts.

Very sincerely, BENEDICT CROWELL,
The Assistant Secretary of War.

Mr. FLETCHER. Mr. President, I have not any serious objection to this commission. The only thing I am fearful about is that it will delay matters. I believe that the War Department is perfectly capable of dealing with this whole situation if Congress will simply say that certain contracts which ought to have been formally executed and would in the ordinary course of events have been formally executed are valid contracts. If Congress will simply give the authority provided in two sections, I believe, as I have said, that the department will adjust these matters in such a way as to bring relief to the contractors who have undertaken to serve the Government in its hour of need, and to bring it speedily; whereas if we add to that some sort of commission to review what the department does, we will create a condition which will inevitably mean uncertainty and delay. The contractors are not in a position where they can endure that hardship. They have suffered enough already; there has been enough delay already, and, indeed, there has already been too much.

What will it mean, for instance, if we have to wait here until the President names three members who are to constitute the proposed commission? We have had some experience in that direction. We know that whenever the President is authorized to make an appointment it does not come here the next day or the next week. Sometimes it takes several weeks and sometimes several months for the name to come in. The President has difficulty in finding men to fill these responsible positions, and an appointment on this commission is a responsible position, a position that calls for $7,500 a year as compensation.

That is another thing that is made necessary by this bill. It is proposed to spend $50,000 a year, in my judgment, wholly without any necessity at all. It is necessary to set up a court with clerks and stenographers and records, and all that sort of thing—a regular court machinery.

Mr. HITCHCOCK. That is also in the committee bill.

Mr. FLETCHER. I know it is, but I am totally opposed to it. I am opposed to that provision in both bills. I am opposed to the creation of a commission, but I am not going to delay the bill by making any great contest about it. I take it as being the best thing for us to do in order to get some action on this legislation, for other members of the committee seem to be against me on that idea. It is true that both bills—the bill of the Senator from Nebraska [Mr. HITCHCOCK] and the bill now offered as a substitute—provide for a commission, but I repeat I think it is a useless thing, an expensive thing, a costly thing for everybody concerned, to the Government as well as to the contractors, because it means delay. It will be weeks and weeks before we get the three names before the Senate, and then they must be confirmed by the Senate. Both the bills provide for that, and that may take several weeks. We do not know how long. And then after they are appointed and confirmed by the Senate and begin the work they have got to establish their headquarters, their apartments, and organize their forces for conducting this inquiry. So we are going to have claims pending before that court until most of us in this Chamber have passed away, and we will never hear the end of them. It seems to me an absurd thing to establish a court here to deal with these matters which ought to be adjusted without any delay at all and without all of this expensive machinery.

If we provide this commission, we are establishing a fifth wheel to the coach, for we have the Court of Claims anyway without this provision, which may be resorted to where there is a valid contract, and when we make valid contracts that are now irregular we open the way so that any contractor can secure justice, even though he has to bring suit finally in the Court of Claims. But here it is proposed to establish another court ahead of the Court of Claims. We already have the War Department and the whole machinery of that department, with all of its boards, and a final appeal to the Secretary of War himself.

Then, after that, it is proposed to create a commission before which the contractors may go. They can thrash out the matter before the commission, with years and years of delay and detail in connection with proceedings there, and then, after the commission has rendered a decision, they can go to the Court of Claims. When will we reach an end to these matters that are in dispute between citizens who have endeavored to serve the Government and the Government itself? I think it is a useless and expensive piece of machinery that ought to be eliminated from this bill.

Furthermore, coupled with the proposal to establish a court is a provision that it shall be composed of men, according to the very language of the bill, who are pledged to look after particular interests on that commission. One is to represent the War Department, the other is to represent the Department of Justice, and the other is to represent the contractors, I presume; "the business interests of the country," the bill says. In other words, we are creating a court composed of three members, every member of which must go there pledged to look after some particular interest. That is a ridiculous kind of court to create. It is not a court of justice. A court of justice ought to be absolutely free and unhampered to deal with the facts, the law, and the justice of the controversy, and not be composed of partisans, as this bill specifies they must be. It is proposed to create a court of justice to pass upon the claims and to constitute that court of men appointed for the very reason that, respectively, they represent specially, particularly, and peculiarly conflicting interests.

That is another objectionable feature of it; but, as I have said, I am not going to take up more time in discussing the commission idea. I think it is absurd and ought to be eliminated from the bill, and I may offer an amendment to that effect before we get through with it. However, I would rather have the bill passed even with the unnecessary, useless, and expensive provision with respect to this commission than not to have it at all. I want to see the legislation enacted promptly. It ought to have been enacted before this time. It is a pity to have had all this delay about it. There are citizens who have rights, whose rights the department recognizes, and who are suffering daily by reason of the technicalities obtaining which prevent the settlement with them now. They ought to be settled with, and they can be settled with, and I am in hopes that most of them will be settled with without any appeal to this extraordinary commission.

I think there are safeguards thrown around the whole matter by provisions of the bill which protect the Government in every way, although I do not think that anybody is contemplating robbing the Government. I think it is undisputed—the authorities themselves admit it is undisputed—that there are contractors who are entitled to the adjustment and settlement of their rights and their just claims, but they can not get them as the law now stands. This bill opens the way for them to get what is due them. The danger would be rather that the department would be strict with them rather than that the department would not be strict enough. I fail utterly to see that there is any necessity for a commission. It merely puts upon the Government an additional expense, and it is going to cause inevitably serious delay and thereby hardship where there is no occasion for it. As I have said, I think that very likely before we are through I shall offer an amendment to strike out the provision for the commission, but I am not going to delay action on this bill by insisting strongly on it or taking up time discussing it further. I desired, however, to mention these facts in connection with the matter, and to urge, as I have said, speedy action upon the bill, in order that we may afford the relief that ought to be afforded and which those whom it will affect are entitled to receive.

Mr. SMOOT. Mr. President, on January 23 the administrative committee of the American Bankers' Association adopted a resolution in relation to a provision in this bill, which I wish to take just a moment to read into the RECORD, and when the proper time comes I desire to discuss it to some extent. The resolution is as follows:

Resolved, That the American Bankers' Association earnestly urge the passage by the Senate of H. R. 13274, as reported by Mr. CHAMBERLAIN on January 20, with an amendment, subject, however, to the important modification that wherever the right of appeal therein is given to the Department of Justice such right be eliminated.

A provision of this nature places upon the Department of Justice a duty to investigate all contracts or orders now pending validation, adjustment, and final settlement, and will cause a serious and unnecessary delay, to the great detriment of business, and will cause a great financial loss to customers of banks and seriously interfere with the employment of labor.

We believe that there are adequate laws existing to protect the Government in the payment of contracts when validated, and that section 2 of the bill in question protects the Government in the validation of informal contracts and the completion of contracts to replace informal orders and agreements.

At the proper time, Mr. President, I may offer an amendment to the amendment reported by the committee, although at this time I do not care to do so.

From what has been said this afternoon by members of the committee, it seems to me that this bill ought to be guarded a little more carefully in certain particulars than it is; but if there is to be any relief whatever granted to the business interests of this country, let us have early action and let us perfect the bill so that there can not be criticisms against the Government such as have been referred to here to-day. I am rather surprised at what has been said upon the floor of the Senate, and yet I presume if we went into an investigation of all of the departments of the Government we would find that some unheard-of, unthought-of actions have been taken at a time when the demand was pressing, when the question of money counted nothing, and when the main consideration was the question of time. I can not conceive, Mr. President, how the conditions related here to-day can be justified or defended.

To my mind the department itself ought to have taken those matters in hand immediately, and they ought to have been rectified long ago. I have no doubt that there must be some legislation granting relief to the men who have furnished materials to the Government and who in many cases abandoned their regular business to do so, and who have not only all of their capital invested in producing the materials furnished to the Government in time of war but a great deal more. I think the chairman of the committee well said that unless some relief is granted, and that quickly, there are a great many institutions in this country which are going to be driven to the wall financially.

Mr. HITCHCOCK. Mr. President, as I understand the situation, we have before us a bill of the House of Representatives for which the committee has submitted a substitute. I desire to inquire of the Chair whether it is now in order to offer an amendment to perfect the House bill before the substitute is voted on?

The VICE PRESIDENT. It is.

Mr. HITCHCOCK. Then, Mr. President, I offer the amendment which I send to the desk, which I ask to have printed so that the Members of the Senate may have it to-morrow.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. CHAMBERLAIN. Mr. President, I rise to a parliamentary inquiry. The bill as reported by the Senate Committee on Military Affairs is an amendment to the House bill proposing to strike out all after the enacting clause, and to insert.

The VICE PRESIDENT. That comes under Rule XVIII, which was adopted for the very purpose of avoiding what was known as amendments in the third degree. That rule makes the House bill one question and the Senate committee amendment another question, and each is subject to amendment, under the rule the part to be stricken out having precedence in the matter of amendment.

Mr. CHAMBERLAIN. Then when the amendment comes up to which the Senator from Nebraska just called attention, will that be voted on first or will we vote on the committee amendment first?

The VICE PRESIDENT. If the amendment of the Senator from Nebraska is an amendment to amend the House bill, it must be voted on first.

Mr. CHAMBERLAIN. I rather think that the Senator's amendment is practically a substitute for the House bill. Is it not, I will ask the Senator?

Mr. HITCHCOCK. I think the suspicions of the Senator from Oregon are pretty well founded, but I believe that technically I am within the rules of the Senate.

Mr. CHAMBERLAIN. Then, Mr. President, I confess to my ignorance of parliamentary law.

The VICE PRESIDENT. The Chair is of this opinion: The Chair has been sitting here this afternoon, and has heard incidentally, on the side, what was attempted to be done. The Chair thinks that the Senator from Nebraska has a right to move an amendment as in lieu of the amendment offered by the committee; and the Chair thinks, also, that amendments may be offered to the amendment of the Senator from Nebraska. While the Chair has not seen it, from what the Secretary tells the Chair the Chair does not believe it is an amendment of the part that was stricken out at all. It is in lieu of that. The Secretary says, however, that the Senator does save part of the House text.

Mr. SMOOT. He has the right, however, to perfect it.

The VICE PRESIDENT. Oh, yes; the Senator has a perfect right to do that.

Mr. HITCHCOCK. Mr. President, in addition to having the amendment printed, I should like to have it printed in the RECORD. I make that request.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. SMOOT. Why not have it read?

Mr. HITCHCOCK. I am perfectly willing to have it read, although I have suggested to the Senator in charge of the bill that we could not make any more progress to-night, and that we ought to have an executive session.

Mr. FRELINGHUYSEN. May I ask the Senator when we will be able to get copies of his amendment?

Mr. HITCHCOCK. The amendment will be on the desk of Senators to-morrow morning.

The amendment of Mr. HITCHCOCK is as follows:

In line 3, page 1, after the word "That," strike out all down to and including line 24, page 3, and insert the following:

"Where during the present war and prior to November 12, 1918, officers or agents acting under authority of the Secretary of War have placed orders or made contracts with manufacturers or contractors for war supplies or materials, or for the performance of work thereon, or for the construction or enlargement of plants or other preparations necessary to furnish supplies or materials for the War Department, the procurement of which has heretofore been authorized by Congress, and any of said orders or contracts has been partly or wholly performed, or expense has been incurred by the manufacturer or contractor prior to the 12th day of November, 1918, in preparation or partial execution of said contract or order, the fact that any such contract or order or agreement has not been made in the form or signed in the manner required by law shall not invalidate the same if it was entered into in good faith and lacked only the sanction of a contract in legal form. Nothing herein provided, however, shall be held to validate any contract, order, or agreement given or made by an officer or agent of the War Department not legally qualified or authorized to give a formal legal contract, except where such officer has signed as the representative of a superior officer authorized to make such contract, nor to permit an officer to make such contract with any company, corporation, or firm in which he has, or had at the time, directly or indirectly, any interest.

"SEC. 2. That in all cases as above included it shall be lawful to make payments under the terms of the contracts or orders so made or given to the extent that performance thereof has been made, expenditures incurred, or supplies thereunder have heretofore been received and accepted by the United States, provided that payment in such cases shall not exceed the fair value of the supplies or materials delivered to and accepted by the United States, together with remuneration for expenditure properly incurred in preparing to perform said contract, orders, or agreements.

"SEC. 3. That in case of the cancellation, suspension, or annulment of any contract, order or agreement as described in this act, by the Secretary of War, or officers or agents acting by his authority, and in cases where no property or supplies have been delivered to and accepted by the United States, or where only partial delivery and acceptance has been made, contractors shall file with the Secretary of War within 60 days after the passage of this act any claim for remuneration arising out of the discontinuance, cancellation, or suspension of such contract, agreement, or order, properly itemized and set forth. Each claim shall thereupon, or as soon as possible, be transmitted to and filed with the commission hereinafter provided for, together with a statement attached thereto, showing the amount, if any, which the War Department deems to be justly due to said claimant. If the claimant shall file a statement offering to accept the amount awarded by the War Department in full for said claim, the commission shall, within 10 days, order the same paid in the absence of evidence that it is excessive.

"SEC. 4. That for the adjustment of all claims arising out of the cancellation of contracts, orders, and agreements for supplies or materials of war, as described in the foregoing paragraphs of this act, there is hereby created an adjustment commission to be composed of three members, to be appointed by the President and confirmed by the Senate, one representing the War Department, one representing the Department of Justice, and one representing the business interests of the country, none of whom shall be interested in any contracts with the Government or have an interest in any firm or corporation having war contracts, who shall hold their offices for one year and receive as compensation a salary of $10,000 each. It shall be the duty of said commission promptly to examine and pass upon all claims for compensation and reimbursement arising out of cases as set forth in this act for supplies furnished, expenditures or obligations necessarily incurred, or materials purchased under faith of contracts in legal form or orders received from officers and agents of the Secretary of War as heretofore set forth.

"SEC. 5. That in each case, as soon as the commission has made an award, the contractor shall be entitled to receive the same upon giving receipt in full of all demands against the United States arising out of the transaction, or if the contractor is not satisfied with the amount so awarded he shall be entitled to receive, and shall receive at once, 75 per cent of the amount that has been awarded him, and he shall thereupon be entitled to appeal the case to the Court of Claims, which is hereby given jurisdiction to hear the case and render final judgment in such sum as may be required to reimburse the contractor for supplies and materials delivered to and accepted by the United States and expenditure necessarily incurred in good faith in the partial performance of the contract or order above referred to, or in preparing for the same.

"SEC. 6. That in no case, however, shall any award, either by the commission or the Court of Claims, include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled.

"SEC. 7. That the purpose of this act being to secure prompt settlement of claims, the commission is authorized to make its own rules and regulations and to hear and determine the issues informally and promptly upon presentation of the case. The commission is authorized to appoint, under such rules and regulations as it shall prescribe, one or more regional boards of examiners to serve in such districts throughout the country as the commission shall fix and determine to investigate and determine the facts concerning claims, legal or equitable, that may be presented as herein prescribed. The members of such board shall be composed of one representative of the War Department, one representative of the Department of Justice, and one from the business interests of the region, none of whom shall have any interest in the contract, directly or indirectly, and receive no compensation, save and except such per diem compensation as shall be fixed by the commission. Whenever the commission shall refer to any such regional board of examiners any claim they shall proceed informally to hear the parties,

take the proofs, and return the same promptly to the commission with their recommendation thereon.

"SEC. 8. That the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the reasonable expenses of said commission, to be paid out upon the warrant of the chairman, who shall be chosen by the commission from among their own members, and approved by the secretary, who may be selected by the commission, and who shall receive a salary of not exceeding $5,000 for the period of one year, or so much thereof as may be necessary, to be determined by the commission."

Amend the title so as to read: "A bill to legalize informal or defective orders for war supplies and materials; to provide for the cancellation of orders and contracts, for the reimbursement of contractors and manufacturers, for the adjustment of claims on canceled contracts or orders, to provide for the partial payment of awards pending final determination, and for the creation of an adjustment commission."

WASHINGTON'S FAREWELL ADDRESS.

The VICE PRESIDENT. In accordance with the order of the Senate heretofore made, directing the reading of the Farewell Address of George Washington upon the 22d day of February, immediately following the reading of the Journal, the Chair appoints for that purpose this year the Senator from New Jersey [Mr. FRELINGHUYSEN].

EXECUTIVE SESSION.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE ROBBINS.

Mr. PENROSE. Mr. President, I ask that the resolutions received from the House of Representatives on the death of Hon. EDWARD EVERETT ROBBINS, late a Representative from the State of Pennsylvania, be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions as follows:

IN THE HOUSE OF REPRESENTATIVES,
January 25, 1919.

Resolved, That the House has heard with profound sorrow of the death of the Hon. EDWARD EVERETT ROBBINS, a Representative from the State of Pennsylvania.

Resolved, That a committee of 34 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. PENROSE. Mr. President, I offer the following resolutions, which I send to the desk and ask for their adoption.

The resolutions (S. Res. 430) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. EDWARD EVERETT ROBBINS, late a Representative from the State of Pennsylvania.

Resolved, That a committee of seven Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives, to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

The VICE PRESIDENT, under the second resolution, appointed Mr. PENROSE, Mr. KING, Mr. OVERMAN, Mr. WATSON, Mr. BAIRD, Mr. THOMPSON, and Mr. KNOX the committee on the part of the Senate.

Mr. PENROSE. Mr. President, I move as a further mark of respect to the memory of the deceased Representative that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, January 28, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 27, 1919.

APPOINTMENTS IN THE NAVY.

To be ensigns for temporary service.

Jack G. Scott,
Lawrence V. Smith,
Harold E. Aul,
Edwin J. Simons,
Roger K. Hodsdon,
Wilbur J. Schoepfle,
Robert T. Lattin,
Charles A. Harrison,
Edward A. Pedersen,
James R. Bagshaw, jr.,
Arthur R. Curry,
Cecil G. Cooley,
Frank V. Herdman,
Leslie V. Winchester,
William C. Wroe,
Robert C. Saunders, jr.,
Frank E. Goeckler,
Albert L. Struven,
Bascom H. Thomas,
Willard W. Wright,
Arthur T. Leonard,
Perry B. Sample,
William F. Evans,
Alfred G. Scott,
Ceilan A. Hendee,
Kenneth E. Bryant,
Philip H. Smith,
Edwin E. Valentine,
Leon W. Dunbar,
Richard W. Reep,
Edgar V. Carrithers,
Elliott S. Hastings,
James P. Carroll,
Howard L. Clark,
Rodney H. Dobson,
Eldridge W. Reese,
Clinton H. Beckwith,
Terence W. Greene,
Ernest O. Arnold,
William N. Thornton,
Joseph G. Brearley,
Oliver F. Green,
Rudolph J. Anderson,
Thomas J. Spellman,
William H. Terrey,
Edgar A. Self,
Theodore J. Olson,
Lannis A. Parker,
Waldorf B. Brown,
Carl H. Taylor,
David E. Tell,
Herman B. Thompson,
Harold W. Skillman,
Leo W. Baker,
Harry S. Ford,
Robert G. Strong,
Aloysius D. Keller,
Ernest V. Abrams,
Wallace H. Collins,
Ivan L. Kingsley,
Frank P. Doheny,
Alzamore B. Smith,
Leroy S. Miller,
Ralph A. Schuyler,
John E. Walrath,
Frank W. Thunberg,
Frank A. Zimbelman,
John L. Landfair,
David J. Nolin,
Alexander N. Crowder,
Robert L. Rundle,
Charles M. Steele,
William B. Collier,
Clyde R. Kennedy,
Frank M. Andrews,
Joseph S. Fogerty,
James C. Knowles,
Edward L. Sheldon,
James J. Horeau,
Walter E. Peterson,
William T. Ryan,
Foster B. Crutcher,
Charles H. Engelhard,
James H. Joyce,
Irving Thurston,
Charles C. Babcock,
Richard T. Harte,
Ernest M. Moore,
David T. Sanders,
John A. Gee,
Otis Howard,
John A. Scoville,
Verne L. Sullivan,
Merton J. Wakefield,
Lyle H. Gallivan,

Elias M. Doar,
Michael L. Long,
Ernest H. Morris,
Arthur S. Davis,
Jesse H. Gwin,
Fred C. Stevens,
William E. Heaton,
Burton E. Rokes,
Lawrence Doty,
Frank O. Parker,
Lloyd K. Cleveland,
John B. Smith.
Luther Dannecker,
Joseph W. Scheer,
Moseley C. Collins,
Jacob J. Harris,
Carl F. Dilger,
Andrew J. Herold,
Floyd D. James,
James C. Thomas,
Donald R. Comstock,
Edward B. McLee,
Robert H. Reece,
Bryant I. Smith,
Chester W. Williams,
Raymond St. C. Beckel,
Eli G. Braley,
Franklin Morrette,
Raymond C. Hall,
Charles A. Stender,
Maurice P. Condrick,
Joseph A. Pierce,
Arthur W. Bates,
Glen C. Barnaby,
Edward C. Campbell,
James H. Gregory,
Seymour H. Sutton,
John J. Foley,
Daniel J. Sullivan, jr.,
Rollo L. Faubion,
Charles O. Michael,
John F. O'Hagan,
Richard E. Hawes,
Irving J. Stephenson,
Stanley B. Covert,
Clarence W. Johnson,
Harold F. Hale,
Edward C. Holden, jr.,
Lloyd W. Brown,
George S. Curtis,
Andrew M. Parks,
Oscar Allred,
George F. Freeman,
Andrew M. Harvey,
Julian E. Tobey,
Ernest R. Zabriskie,
Edward A. Coady,
Raymond W. Fuchs,
Stanley H. Southwell,
Fred P. Gerhardt,
Edwin L. Gasaway,
Harold DeW. Hoffman,
Burt W. Harvey,
James F. K. Wilcox,
John L. Mickle,
Clarence L. Nicholson,
Joseph T. Collins, and
Stanley W. Curtis.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 27, 1919.

UNITED STATES DISTRICT JUDGE.

Hugh M. Morris to be United States district judge, district of Delaware.

UNITED STATES ATTORNEYS.

Samuel K. Dennis to be United States attorney, district of Maryland.

Erle Pettus to be United States attorney, northern district of Alabama.

Hiram M. Smith to be United States attorney, eastern district of Virginia.

UNITED STATES MARSHAL.

William W. Stockham to be United States marshal, district of Maryland.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be major general.

Lieut. Gen. Robert L. Bullard.

To be brigadier generals.

Maj. Gen. George W. Read.
Maj. Gen. Charles H. Muir.
Maj. Gen. Charles T. Menoher.
Maj. Gen. James W. McAndrew.
Maj. Gen. William G. Haan.
Maj. Gen. James G. Harbord.
Maj. Gen. John L. Hines.
Maj. Gen. Charles P. Summerall.

FIELD ARTILLERY ARM.

To be second lieutenant.

Cadet George Brooke McReynolds.

PROMOTIONS IN THE ARMY.

CORPS OF ENGINEERS.

To be captains.

First Lieut. Girard B. Troland.
First Lieut. Llewellyn M. Griffith.

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

CORPS OF ENGINEERS.

To be captain.

First Lieut. Simon Medine.

To be first lieutenants.

Second Lieut. Roland Jens.
Second Lieut. William E. Thrasher.
Second Lieut. George W. Coffey.
Second Lieut. George O. Consoer.

COAST ARTILLERY CORPS.

To be first lieutenant.

Second Lieut. Charles S. Harris.

FIELD ARTILLERY ARM.

To be captains.

First Lieut. Francis Fielding-Reid.
First Lieut. Harold H. Ristine.
First Lieut. Oscar L. Gruhn.

To be first lieutenants.

Second Lieut. Dennis P. McCarthy.
Second Lieut. Albert Tate.
Second Lieut. Le Count H. Slocum.
Second Lieut. John H. Shelton.

CAVALRY ARM.

To be first lieutenant.

Second Lieut. Gilbert X. Cheves.

INFANTRY.

To be captains.

First Lieut. Augustine J. Zerbee.
First Lieut. Frank A. Heileman.
First Lieut. Lauritz D. Simonson.
First Lieut. Carl R. Perkins.
First Lieut. Franklin W. Cheney.
First Lieut. George F. Wellage.
First Lieut. Alfred F. Biles, jr.
First Lieut. Charles T. Hearin.
First Lieut. John F. Fredin, jr.
First Lieut. James B. Wise, jr.
First Lieut. Clarence M. Culp.
First Lieut. Robert D. Horton.
First Lieut. Charles B. Kehoe.

To be first lieutenants.

Second Lieut. Harrison B. Beavers.
Second Lieut. Elbridge Colby.
Second Lieut. Allan H. Snowden.
Second Lieut. Herbert D. Gibson.
Second Lieut. Goulding K. Wight.
Second Lieut. Harry S. Wilbur.
Second Lieut. Albert S. Johnson.
Second Lieut. Clarence O. Black.
Second Lieut. Paul B. Robinson.
Second Lieut. William L. Coulter.
Second Lieut. Glen E. McCarthey.
Second Lieut. Joseph H. Hinwood, jr.
Second Lieut. Russell F. Walthour, jr.
Second Lieut. James C. De Long.

Second Lieut. Joseph P. Lawlor.
Second Lieut. Timothy A. Pedley, jr.
Second Lieut. Charles N. Owen.
Second Lieut. Charles R. Gideon.
Second Lieut. Archie MacI. Palmer.
Second Lieut. Jack B. Chadwick.
Second Lieut. John R. Bair.
Second Lieut. James S. Varnell.
Second Lieut. Arthur F. Dahlberg.
Second Lieut. Russell C. Chapman.
Second Lieut. Edwin T. Bowden.

PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. LeRoy Lutes, Infantry, to be first lieutenant, Coast Artillery Corps.

INFANTRY ARM.

First Lieut. Richard B. Gayle, Coast Artillery Corps, to be first lieutenant, Infantry.

PROMOTIONS AND APPOINTMENTS IN THE NAVY.

Medical Inspector James C. Pryor to be a medical director with the rank of captain.

Pay Inspector Joseph J. Cheatham to be a pay director with the rank of captain.

Paymaster James C. Hilton to be a pay inspector with the rank of commander.

Lieut. Henry M. Jensen to be a lieutenant commander.

Midshipman John C. Williams to be an ensign.

APPOINTMENTS IN THE NAVY.

To be ensigns, for temporary service.

Jack Garrett Scott,
Lawrence Victor Smith,
Harold Edward Aul,
Edwin Jaggard Simons,
Roger King Hodsdon,
Wilbur John Schoepfle,
Robert Thomas Lattin,
Charles Allison Harrison,
Edward Albion Pedersen,
James Robinson Bagshaw, jr.,
Arthur Reginald Curry,
Cecil George Cooley,
Frank Victor Herdman,
Leslie Victor Winchester,
William Clarke Wroe,
Robert Chancellor Saunders, jr.,
Frank Edward Goeckler,
Albert Louis Struven,
Bascom Henry Thomas,
Millard Wyldre Wright,
Arthur Thomas Leonard,
Perry Bernard Sample,
William Fennell Evans,
Alfred George Scott,
Cellan Abner Hendee,
Kenneth Eugene Bryant,
Philip Harold Smith,
Edwin Ernest Valentine,
Leon Winfield Dunbar,
Richard Wesley Reep,
Edgar Verne Carrithers,
Elliott Sheldon Hastings,
James Patrick Carroll,
Howard Lionel Clark,
Rodney Hiram Dobson,
Eldridge Wiley Reese,
Clinton Henry Beckwith,
Terence Warner Greene,
Ernest Osborn Arnold,
William Nelson Thornton,
Jos. Gillingham Brearley,
Oliver Francis Green,
Rudolph James Anderson,
Thomas Joseph Spellman,
William Homer Terrey,
Edgar Alfred Self,
Theodore Julian Olson,
Lannis Alvin Parker,
Waldorf Barnett Brown,
Carl Herbert Taylor,
David Eugene Tell,
Herman Bernard Thompson,
Harold Williamson Skillman,
Leo Walter Baker,
Harry Stanley Ford,
Robert Galbraith Strong,
Aloysius Deony Keller,
Ernest Valentine Abrams,
Wallace Hardison Collins,
Ivan Lawrence Kingsley,
Frank Patrick Doheny,
Alzamore Bordette Smith,
Leroy Scovell Miller,
Ralph Alexander Schuyler,
John Eli Walrath,
Frank William Thunberg,
Frank Arthur Zimbelman,
John Lysle Landfair,
David Joseph Nolin,
Alexander Norman Crowder,
Robert Lloyd Rundle,
Charles Messinger Steele,
William Bryan Collier,
Clyde Raymond Kennedy,
Frank Monroe Andrews,
Joseph Samuel Fogerty,
James Carroll Knowles,
Edward LeRoy Sheldon,
James Joseph Horeau,
Walter Edward Peterson,
William Thomas Ryan,
Foster Brandenburg Crutcher,
Charles Howard Engelhard,
James Henry Joyce,
Irving Thurston,
Charles Chester Babcock,
Richard Trenton Harte,
Ernest Monroe Moore,
David Tilden Sanders,
John Archer Gee,
Otis Howard,
John Allan Scoville,
Verne Leslie Sullivan,
Merton Jeffrey Wakefield,
Lyle Hugo Gallivan,
Elias Marion Doar,
Michael Luke Long,
Ernest Henderson Morris,
Arthur Shenk Davis,
Jesse Heath Gwin,
Fred Clayton Stevens,
William Everett Heaton,
Burton Emery Rokes,
Lawrence Doty,
Frank Orville Parker,
Lloyd Kenneth Cleveland,
John Bernard Smith,
Luther Dannecker,
Joseph William Scheer,
Moseley Cary Collins,
Jacob John Harris,
Carl Francis Dilger,
Andrew Jackson Herold,
Floyd Dixie James,
James Clifton Thomas,
Donald Remer Comstock,
Edward Brown McLee,
Robert Howell Reece,
Bryany Ingham Smith,
Chester Waring Williams,
Raymond St. Clair Beckel,
Eli Clifford Braley,
Franklin Morrette,
Raymond Charles Hall,
Charles Adolph Stender,
Maurice P. Condrick,
Joseph Alfred Pierce,
Arthur Warner Bates,
Glen Charles Barnaby,
Edward Cleveland Campbell,
James Henry Gregory,
Seymour Hawse Sutton,
John Joseph Foley,
Danial James Sullivan, jr.,
Rollo Linsey Faubion,
Charles Otto Michael,
John Francis O'Hagan,
Richard Ellington Hawes,
Irving Joseph Stephenson,

Stanley Burton Covert,
Clarence William Johnson,
Harold Francis Hale,
Edward Clarence Holden, jr.,
Loyd William Brown,
George Stephen Curtis,
Andrew Mack Parks,
Oscar Allred,
George Foster Freeman,
Andrew Milton Harvey,
Julian Elnathan Tobey,
Ernest Rodger Zabriskie,
Edward Arthur Condy,
Raymond William Fuchs,
Standly Hodges Southwell,
Fred Peter Gerhardt,
Edwin Lee Gasaway,
Harold De Witt Hoffman,
Burt William Harvey,
James Frank Keller Wilcox,
John Lewis Mickle,
Clarence Leroy Nicholson,
Joseph Tasse Collins, and
Stanley Walter Curtis.

POSTMASTERS.

COLORADO.

Vivian Sadler, Cheyenne Wells.
Dwight Cline, La Salle.
Edward M. Robinson, Wray.

DELAWARE.

James J. English, Wilmington.

INDIANA.

Nathan W. Ringo, Dugger.
Earle A. Smith, Gosport.
Fred H. Foster, Oxford.

MISSOURI.

Charles B. Neville, Lawson.

NEBRASKA.

Joseph Fenimore, Merna.

OKLAHOMA.

Baker B. Woodward, Bokoshe.
Hattie E. Malloy, Laverne.
James G. Sprouse, McCurtain.
Irving O. Diggs, Stillwater.
Walter A. Thompson, Tahlequah.
Vernon B. Ellington, Wagoner.
Claud Hannon, Wirt.

SOUTH DAKOTA.

Claud I. Force, Clear Lake.

TENNESSEE.

Jessie R. Alexander, Mountpleasant.
Arch W. Ashton, Hohenwald.
Benjamin W. Scott, Bradford.
Robert L. Long, Church Hill.
Dudley D. Edgemon, Englewood.
Franklin W. Latta, Dyersburg.
Enos O. Thomas, Camden.
William H. Howard, Milan.
Lucille Morris, Tiptonville.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 27, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, help us to do Thy will this day. If we are in darkness, give us light. If we are weak, make us strong. If we wander from the paths of rectitude and duty, call us back; that we may be the instruments, in Thy hands, for the promotion of Thy kingdom upon the earth. In Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, January 25, and of Sunday, January 26, 1919, was read and approved.

DEFICIENCY APPROPRIATIONS.

Mr. SHERLEY. Mr. Speaker, I am directed by the Committee on Appropriations to report (No. 989) the second deficiency bill, for printing under the rules.

The SPEAKER. The gentleman from Kentucky reports a deficiency bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

Mr. STAFFORD. Mr. Speaker, I reserve all points of order.

The SPEAKER. The bill is ordered printed and referred to the Committee of the Whole House on the state of the Union.

EXTENSION OF REMARKS.

Mr. HERSEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life and public services of the late Gen. Joseph S. Smith, of my State, to-day buried at Arlington, with military honors.

The SPEAKER. The gentleman from Maine asks unanimous consent to extend his remarks in the RECORD on the life and public services of the late Gen. Joseph S. Smith. Is there objection?

Mr. WALSH. Mr. Speaker, reserving the right to object, I should like to ask the gentleman if the late Joseph S. Smith was a former Member of this body?

Mr. HERSEY. He was not. He has been the general manager since the late Civil War of two soldiers' homes of this Nation, and he had distinguished military service.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to print a letter from an old soldier, consisting of 20 lines, from the Battle Mountain Sanitarium.

The SPEAKER. The gentleman from Ohio asks unanimous consent to print in the RECORD a letter of 20 lines from an old soldier at the Battle Mountain Sanitarium. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS,
BATTLE MOUNTAIN SANITARIUM,
Hot Springs, S. Dak., January 23, 1919.

From: The Battle Mountain boys.
To: Gen. I. R. SHERWOOD, M. C., Washington, D. C.
Subject: Gratitude.

MY DEAR FRIEND AND NEIGHBOR: I desire on my own account and in behalf of 300 members of Battle Mountain Sanitarium to express our heartfelt gratitude for your success with others in blocking the Gandy bill.

Wish you could have seen the joy expressed by the boys to-day when the Omaha Bee came, with an account of the defeat of the bill, with the names of all who were active in blocking it, and your name was mentioned as one. This did me much good, as I told the boys that I was sure that you would be there in our interest when the time came. So many who are here have tried to live in other places, but on account of this climate they return and say there is no other place that agrees with them, and the treatment does them the good that they get here. And for this and other reasons I am asked to write you in behalf of all the boys and thank you for this and the many good things that you have done for us boys.

We all join in wishing you health and years of active life.

Very truly, yours,

THREE HUNDRED MEMBERS OF B. M. S.,
By SOL. FARBAUGH.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to have read a very short letter from the Pension Commissioner, and desire to make a request concerning the same.

The SPEAKER. Without objection, the letter will be read.

Mr. WALSH. Mr. Speaker, reserving the right to object——

Mr. GARD. A parliamentary inquiry, Mr. Speaker——

Mr. BLANTON. If the gentleman will see the substance of it I do not think he will object.

The SPEAKER. It is not a question for debate. The gentleman asked that a letter be read, and he put the motion that it be read.

Mr. WALSH. The Chair said that without objection the letter would be read.

The SPEAKER. That is what the Chair meant. Is there anybody objecting?

Mr. WALSH. I reserved the right to object and asked the topic on which the letter was written.

Mr. BLANTON. Several days ago——

Mr. WALSH. I would like to know what the letter is.

Mr. BLANTON. Several days ago I had printed in the RECORD a report of a special committee of the Pension Bureau concerning the act of March 4, 1917, which showed——

Mr. WALSH. The letter is about a pension law?

Mr. BLANTON. Indian pensions. It showed the parties in certain commands who were entitled to pensions and those who were not. The commissioner has written a letter stating he would like to have 100 copies of that document for answering inquiries in case it should be printed as a House document. I wanted that letter read as a basis for the request that it be printed as a House document.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF PENSIONS,
Washington, January 25, 1919.

Hon. THOMAS L. BLANTON,
House of Representatives.

MY DEAR MR. BLANTON: I was much pleased to read in the RECORD of January 20, 1919, your remarks concerning the act of March 4, 1917, granting pensions to certain Texas volunteers, etc.

If it be published in pamphlet form, we would like very much to have at least 100 copies in the Pension Bureau that we may use it in answering inquiries. Thank you very much.

Very truly, yours, G. M. SALTZGABER,
Commissioner.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that this report as printed in the RECORD several days ago be printed as a House document with this letter of the commissioner as a preface to it.

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I did not read the matter which the gentleman had inserted in the RECORD, I am sorry to say, but, as I understand, it was an official ruling of the Pension Bureau.

Mr. BLANTON. The commissioner appointed a special committee of five experts in his department to pass upon the old muster rolls of Texas and other ancient documents there bearing upon the act of March 4, 1917, in order that it might be determined which commands of the various ones there that engaged in Indian fighting, and so forth, were entitled to benefits under this act and which were not. A great number of applications have been filed in the Pension Bureau for pensions under this act, and many of the applicants are not entitled to pensions.

Mr. WALSH. I think they have a mimeograph machine down at the Pension Bureau. I object.

Mr. GARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARD. Did my colleague, Gen. SHERWOOD, ask that his letter be read or merely incorporated?

The SPEAKER. He asked that it be printed in the RECORD.

HOSPITAL AND SANATORIUM FACILITIES FOR SOLDIERS AND SAILORS.

Mr. CLARK of Florida. Mr. Speaker, it is not necessary, I think, under the rule to move to go into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13026. Does not the House resolve itself automatically into committee?

The SPEAKER. The House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13026, with Mr. HARDY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 13026, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged soldiers and sailors.

The CHAIRMAN. There are remaining 10 minutes to the proponents of the bill and 32 minutes to the opponents.

Mr. CLARK of Florida. Mr. Chairman, I understand there was some arrangement by which the gentleman from Indiana [Mr. ELLIOTT] would transfer five minutes to the gentleman from New York [Mr. GRIFFIN]. Will he do that now?

Mr. ELLIOTT. Yes. I will transfer five minutes from this side to the other side.

The CHAIRMAN. Making 15 minutes in the control of the gentleman from Florida and 27 minutes in the control of the gentleman from Indiana.

Mr. CLARK of Florida. Mr. Chairman, if the gentleman from Indiana will use some of his time, I shall be glad.

Mr. ELLIOTT. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. KREIDER].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for 15 minutes.

Mr. KREIDER. Mr. Chairman and gentlemen of the committee, I think there is no Member of the House who is not willing that our returning soldiers should receive all the care, all the attention, and all the consideration and hospital treatment which can be given to them. But the bill before us, in my judgment, should not be passed, for the very good reason that the Government now owns and controls a sufficient number of hospitals to take care of all the soldiers that we are likely to be called upon to take care of.

I think it is clearly understood, and yet it might be necessary to say, that the bill provides for hospitals to be operated under the Public Health Service, and under the provisions of the bill the hospitals which the bill provides for are not intended for the soldiers who return from the front. It is intended, as Dr. Banks, who is the Chief of the Bureau of Public Health Service, said, for the patients of the War Risk Insurance Bureau. These patients, in the main, although there are a few others, are those who have never been sent overseas. In fact, they have never been mustered into the Army. They are rather those who have passed the local board of examiners and have been brought to the various cantonments and Army posts and have been rejected and returned to their homes as being physically unfit for military duty. So that we want to have clearly before us a correct understanding of the proposition.

Now, we may as well be frank in order to have a clear understanding that the hospitals which this bill provides for will be administered under the Treasury Department, and the hospitals we now have, of which we have an abundant supply, are being operated under the War Department. It seems to me that here there is a conflict of authority.

I do not want to make statements based on my opinion, rather on the evidence submitted at the hearing.

Mr. MAPES. Mr. Chairman, will the gentleman yield?

Mr. KREIDER. In a moment. I shall try and make no statement that is not borne out by the hearings before the committee. Now I yield to the gentleman.

Mr. MAPES. How does the Bureau of War Risk Insurance get jurisdiction over the men who are not mustered into the service?

Mr. KREIDER. By the provisions of the conscription act which we passed. It is contended that when we selected men from private walks of life and compelled them to appear before our local boards, where they were examined by physicians appointed by the Government and pronounced to be physically fit or sound and sent to the cantonments and thence returned because of being physically unfit, the law presumes that they were physically fit when they were passed by the local boards, and therefore they become beneficiaries under the selective-service law.

Mr. MAPES. That is the provision in the war-risk insurance act?

Mr. KREIDER. That is the provision now.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. KREIDER. Yes.

Mr. RUCKER. Is not the gentleman slightly mistaken? Does not that law provide that they shall have been passed and shall have gone into the service of the Government, and then so-and-so?

Mr. KREIDER. The gentleman is a member of the Committee on Public Buildings and Grounds, and I desire to refresh his memory and call his attention to the hearings. There he will find that in the hearings, No. 14, page 31, the fact I referred to is brought out very clearly.

Mr. DYER. Mr. Chairman, will the gentleman yield to me for a moment?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Missouri?

Mr. KREIDER. Yes; for a question.

Mr. DYER. I do not want to ask the gentleman a question except in this way: This is a bill which, I understand, involves an expenditure of $10,000,000?

Mr. KREIDER. Yes; $10,500,000.

Mr. DYER. Reported under the rule?

Mr. KREIDER. Yes.

Mr. DYER. Probably not one-fourth of the membership of the House knows anything about it.

Mr. KREIDER. I think that is true.

Mr. DYER. And we have present here 15 or 20 Members. If the gentleman will pardon me, I will make the point of no quorum.

The CHAIRMAN. The gentleman from Missouri makes the point of no quorum. Evidently there is no quorum present. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Caldwell	Decker	Eagan
Austin	Carew	Delaney	Edmonds
Bacharach	Carter, Mass.	Dempsey	Emerson
Bell	Chandler, N. Y.	Denison	Esch
Benson	Cleary	Dent	Estopinal
Black	Connally, Tex.	Dewalt	Fairchild, G. W.
Blackmon	Cooper, Ohio	Dies	Fields
Booher	Cooper, Wis.	Dill	Flynn
Borland	Copley	Dixon	Fordney
Britten	Costello	Donovan	Francis
Browne	Cox	Dooling	Freeman
Browning	Crago	Doremus	Fuller, Mass.
Brumbaugh	Curry, Cal.	Drane	Gallivan
Butler	Davey	Drukker	Good
Byrns, Tenn.	Davis	Dunn	Goodall

Goodwin, Ark.	Lea, Cal.	Price	Stephens, Neb.
Gordon	Lesher	Rainey, H. T.	Sterling
Graham, Pa.	Linthicum	Riordan	Strong
Gray, N. J.	Lobeck	Robbins	Sullivan
Greene, Vt.	London	Roberts	Swift
Gregg	McAndrews	Rowe	Tague
Griest	McKenzie	Rowland	Taylor, Ark.
Hamill	McLaughlin, Pa.	Rubey	Templeton
Hamilton, N. Y.	Maher	Russell	Thomas
Hamlin	Mansfield	Sabath	Tinkham
Haskell	Mason	Sanders, La.	Vare
Hawley	Mondell	Sanford	Venable
Hayes	Moore, Pa.	Scully	Voigt
Heaton	Morin	Sears	Waldow
Heintz	Mott	Shackleford	Wason
Helm	Mudd	Shallenberger	Watson, Pa.
Helvering	Neely	Sherley	Watson, Va.
Houston	Nelson, J. M.	Siegel	Welty
Husted	Nichols, Mich.	Sims	Whaley
Hutchinson	Nolan	Sinnott	White, Ohio
Johnson, S. Dak.	Norton	Slemp	Wilson, Ill.
Kahn	Park	Small	Winslow
Kelley, Mich.	Parker, N. Y.	Smith, Mich.	Wise
Kennedy, R. I.	Platt	Smith, C. R.	Wood, Ind.
Key, Ohio	Pou	Smith, T. F.	Woods, Iowa
Kitchin	Powers	Snyder	
Larsen	Pratt	Steenerson	

The committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors, found itself without a quorum, whereupon he caused the roll to be called, when 264 Members, a quorum, answered to their names, and he presented the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. HARDY in the chair.

Mr. KREIDER. Mr. Chairman, for the benefit of those Members who were not here before the roll call, I will state that I tried to explain who were the beneficiaries of the War Risk Insurance Bureau, and in reply to the question of the gentleman from Missouri I will direct his attention to the hearings, No. 14, page 31, where the following statement is made by Dr. Charles E. Banks, chief medical officer for the War Risk Insurance Bureau:

Dr. BANKS. The original bill provided for that contingency, but Congress amended the act some time in July, by which, under the language of the law, "the above-named officer, commissioned officer, or enlisted man shall have been held to have been in sound condition when inducted into the service." Now, The Adjutant General holds that a man is inducted into the service the moment he is passed by the draft board. Consequently, everybody—good, bad, and indifferent—is eligible for the benefits of the war-risk insurance provisions who comes into the Army from the draft board.

I could go on and read further, but I think that answers the question as to who are the beneficiaries, in the opinion of Dr. Charles E. Banks.

Mr. GRIFFIN. Will the gentleman yield?

Mr. KREIDER. I prefer not to be interrupted until I finish my statement. I am quoting from the hearings, which the gentleman can refute, or the accuracy of the statements contained in which he can question, if he desires.

Mr. GRIFFIN. I want to direct the attention of the gentleman to the law, section 300.

Mr. KREIDER. If the gentleman will give me time, he can direct my attention to the hearings, the law, or anything else he sees fit. But, as my time is limited, I also wish to call attention to the question as to who these hospitals are for. At the same hearing the chairman of the committee asked the question as to whom these hospitals are for. And the direct reply was that they are for the patients of the War Risk Insurance Bureau. Read page 34 of the hearings.

The reason I am dwelling on that is to show that these hospitals are not intended to be built for the benefit of the returning soldier who has seen actual service, but that they are intended for those who have become beneficiaries of the War Risk Insurance Bureau through the method which I have tried to explain. It is perhaps needless to say, because I think the majority of the Members know, that during the summer of 1918 the War Department made great preparations in the way of building hospitals in order to take care of the number of wounded whom they believed they would be called upon to take care of. At that time they had supposed that the war would probably continue during 1919; but when the armistice was signed, on the 11th of November, they immediately canceled a large number of the contracts for the building of hospitals on which they had entered, knowing that when those hospitals which were under construction were completed they would have enough and more hospital capacity than they could possibly use.

Statements have been made as to the number of beds available and the number of beds occupied. These statements have been inserted in the RECORD and in the minority report. They have not been brought up exactly to date. This morning before I came on the floor of the House I called up the Surgeon General's Department and asked how many vacant beds there are now, and they told me about 45,000. I said, "How many more beds are about to be completed, not included in the 45,000?" And they told me about 15,000; so that there will be approximately 60,000 vacant beds. This is largely in excess of what they hope they will ever be called upon to use, and they stand ready now, as they have stood ready, to turn over hospitals, which it may be conceded are not the most desirable, but, nevertheless, they are hospitals that are suitable for the purpose, and have been used for the purpose, and are now owned by the Government of the United States and are fully equipped. The department is ready not only to turn over several of these hospitals now but possibly half a dozen more within from three to six months.

The number of wounded has been given as approximately 190,000, of whom approximately 60,000 have been brought to this country. Now, I have no intention to say anything that is not absolutely fair, but I want to direct your attention to the fact that when we speak of these 190,000 wounded we speak of all those who have been sent to the hospitals. I asked the department about the average length of time that is required for a wounded soldier to remain in a hospital until he is discharged. The statistics show that 80 per cent of those who are wounded return to the front within six weeks. Now, that includes the slightly wounded. The department, of course, has no official record, but it was stated to me that if you eliminate the tuberculosis patients and the insane the average stay of the wounded soldier in the hospital is probably about six weeks. Your attention has been directed to 120,000 wounded soldiers. Possibly out of those 120,000 over 60 per cent have been returned to the front and to their commands and are not now patients in any overseas hospital. At any rate, this last report that the Surgeon General's Department has is that there are approximately 104,000 patients now in hospitals on the other side, over 50 per cent of whom are not wounded but are sick, who will probably be returned to their commands. They are no doubt coming in and going out all the time, and they are not the men who will be sent over to this side. During the month of December there were returned about 23,000 soldiers who required hospital attention. It is assumed that during the next two months, before the 1st of April, every soldier will be returned who needs hospital attention. Now, that being the case, I might say here also that the average length of time that a tuberculosis patient remains in the hospital is six months, as testified in the hearings. Now, let us consider what is the project before us. We are considering building hospitals for patients whom we now have, but whom we will not have in 6 months or a year or 18 months or 2 years from now, the very earliest that any of these hospitals can be completed. Now here is the proposition before us: Are we going to authorize the building of hospitals and the spending of tens of millions of dollars to accommodate patients who will not exist when those hospitals are completed? We all want to do everything we can for the returned soldiers, but the Government of the United States now owns a sufficient number of hospitals to take care of the patients. Furthermore, as has been stated, the officials of the War Department and of the Navy Department have both gone on record over their signatures saying they will not discharge any soldier who requires hospital treatment. They have ample facilities for taking care of them themselves, and they do not purpose to turn these men over to the Public Health Service. This is not a political matter. In my humble judgment I do not see why we should now build more hospitals. I have not time to refer to the report of the American Hospital Association. This is the highest medical authority in the United States. They have gone on record and in a circular describing the treatment and the best treatment for our tuberculous patients. They are not advocating the building of large hospitals and segregating them in those hospitals, but prefer treating the men nearer their homes. I have no time to go into the nature of the disease. I think it is generally known that tuberculous patients usually prefer to keep in close proximity to their own homes.

Mr. KEARNS. Will the gentleman yield?

Mr. KREIDER. I will.

Mr. KEARNS. The gentleman said that they will not discharge any soldier who requires hospital treatment. I did not catch the name of the authority that he quoted from.

Mr. KREIDER. The officials of the Navy Department and of the War Department have stated that they will not discharge soldiers or sailors so long as they require hospital treatment.

Mr. KEARNS. If a soldier thought he could get better attention at home than he could in the Army, would they not discharge him?

Mr. KREIDER. That is not pertinent to this bill, because this bill provides for hospitals to be used for the War Risk Bureau patients.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK of Florida. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. RUCKER].

Mr. RUCKER. Mr. Chairman, as a member of the Committee on Public Buildings and Grounds, I confess that in the beginning I approached this question with many misgivings. At first I had views very similar to those expressed by gentlemen here who have spoken in opposition to the bill. The hearings will show that I asked questions which committed me to that viewpoint. But the more I studied it the more I became convinced I was in error. The one fact that stares our country in the face to-day is that we are just emerging from the greatest war that the world has ever known.

Unfortunately a large number of America's best and bravest boys have been wounded. These wounded soldiers must be cared for. Gentlemen say that we have by law pledged care, hospital treatment, and medical aid to the soldiers. Waive that, if you please. Consider that there is not one word of law in existence to-day obligating Congress to take care of and treat the boys after they return, the fact yet remains that there is an obligation on us greater and more binding than mere law can make it. It is an obligation springing from reciprocal duty. These boys fought for our preservation and for the preservation of liberty in this great Republic and in the world, and we must take care of them, not solely because we promised to do it but because in itself it is right to do it. [Applause.]

Gentlemen argue that among the various activities of the Public Health Service it would use the hospitals here provided for in caring for and administering to the needs of men who did not fight on the firing line in France; and the gentleman who has just taken his seat, my good friend from Pennsylvania [Mr. KREIDER], for whom I have a great deal of respect and personal affection, says that the hospitals will be filled with boys passed by the legal draft board but who never entered the service except in that formal way. The gentleman quotes from page 34 of the hearings, in which an eminent surgeon testified—and a splendid surgeon he is, too, but he is not much of a lawyer, because in his testimony before the committee he so misquoted or misstated the law as to mislead the gentleman from Pennsylvania [Mr. KREIDER]. Quoting from testimony of this surgeon, the gentleman read as follows:

> The above-named officer, commissioned officer, or enlisted man shall have been held to have been in sound condition when inducted into the service.

That is not the law, and if the gentleman from Pennsylvania [Mr. KREIDER] ever becomes interested in legal questions in a vital way I will suggest to him to consult a lawyer and not a doctor. Let me read the law:

> That for death or disability resulting from personal injury suffered or disease contracted in the line of duty by any commissioned officer or enlisted man or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay compensation as hereinafter provided; but no compensation shall be paid if the injury or disease has been caused by his own willful misconduct: *Provided*, That for the purposes of this section said officer, enlisted man, or other member shall be held and taken to have been in sound condition when examined, accepted, and enrolled for service: *Provided further*, That this section as amended shall be deemed to become effective as of October 6, 1917.

Mr. KREIDER. Will the gentleman yield?

Mr. RUCKER. Yes.

Mr. KREIDER. Does the gentleman know, as a matter of fact, what the status of these men is? What was their status in the service?

Mr. RUCKER. For many purposes after he passed the draft board he became a soldier and was in the service, necessarily so.

Mr. CLARK of Florida. Under the law.

Mr. RUCKER. Under the law. He was amenable to punishment for desertion or any military offense. But for the purposes of this law Congress had the foresight and wisdom to say that for the purposes of this law—that is, the law providing for compensation—a man shall be considered in sound condition after he shall have been examined, accepted, and enrolled for service. When accepted—by whom? By the medical authorities at the camp and enrolled into the service of his country, and not until then. I can not discuss that any longer, but let me say that I for one will join hands with the gentleman from Pennsylvania [Mr. KREIDER] if the law we passed is as absurd as the doctor said it was, and as the gentleman argued it is by his remarks, and assist him to amend it. Who wants to build hospitals for men who were afflicted with disease, mental or physical, at the time of passing the draft board and who for those reasons were unfit for military service, and therefore were sent back to their homes without being accepted and enrolled for service? Who wants to build hospitals for them? Nobody. On the other hand, when the boys are taken from their homes, from their fathers and mothers, from their wives and children, and put into the camps, accepted by the military authorities, enrolled for duty, and subsequently were discharged because of infirmities and afflictions of service origin, then our duty arises and we should act. It ill behooves any man here to question the right or wisdom of making provision for such men.

I sincerely hope this bill will pass, as it ought to pass. Let us give relief to these boys who are coming back maimed, wounded, and impaired in health.

By unanimous consent, Mr. RUCKER was granted leave to extend his remarks in the RECORD.

Mr. GRIFFIN. Mr. Chairman, may I ask how much time we have upon this side?

The CHAIRMAN. The gentleman has 10 minutes and the other side has 10 minutes.

Mr. GRIFFIN. Mr. Chairman, I have reserved those 10 minutes for the gentleman from Florida [Mr. CLARK], chairman of the committee, and I will ask the other side to use their time now.

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, I desire to call to the attention of the committee what I understand to be the intent of this bill. First, I understand it to be to secure a $10,000,000 appropriation for the purpose of providing hospital treatment for those who were sent to the Army camps and who, after examination in the Army camps by the medical officers, were returned as unfit for service. In other words, Mr. Chairman, only those men who through negligence or inattention or oversight of the draft board were sent to these camps and whom the officers in the camp found were not fit for military service, because of disabilities, are to be cared for by this bill. This bill is intended to take care of that one class.

Mr. PHELAN. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. Will the gentleman yield?

Mr. DYER. I can not yield until I have made my statement. Mr. Chairman, if there is a considerable number of men in this country who were drafted into the service and found unfit for service in a few weeks after they got to the camps by the medical officers, then there is every opportunity in every State in this land for their treatment. There are in my State and in my city hospitals for the treatment of men afflicted with tubercular diseases or with any other trouble. That is one class. It has been stated by the gentleman from New York [Mr. GRIFFIN], who so ably presented the case on the part of the committee, that it is also provided that this bill shall affect and take care of men who were discharged from the service, who had been in the Army for some length of time, who probably contracted tuberculosis or other diseases in France or in the camps of this country. This morning I talked with the Surgeon General's office, and Col. Smith told me they have three large tubercular hospitals in this country that are not by any means filled. Not only that, but he told me this morning that the Surgeon General of the Army had to-day sent a letter to the Secretary of War asking the Secretary of War to ask Congress for authority to readmit to the hospitals of this country soldiers who have been discharged and are found afterwards to need medical treatment.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. GRAHAM of Illinois. Is it not true that to-day, under the Overman bill, the President could make an order of that kind if he desired?

Mr. DYER. He could if he was here and knew the situation and condition in this country.

Mr. PHELAN. Mr. Chairman, will the gentleman yield?

Mr. DYER. No; I have only five minutes, and I trust the gentleman will not interrupt me until I have had an opportunity to make my statement. What other justification is there for this $10,000,000 appropriation. The marine hospitals of this country do not need all their beds for the treatment of patients that they are now authorized under the law to take care of. I have in my city of St. Louis a marine hospital that to-day is not nearly filled, not over two-thirds, at the most, of its beds are filled now or have been filled for many years.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. DYER. I can not at this time.

Mr. RUCKER. Then, I will answer the gentleman in a few minutes in my own time, and I will ask the gentleman then if he wants to put the interest and welfare of the property holders of St. Louis above the boys who have been fighting.

Mr. DYER. That is not a question pertinent to what I said. The marine hospital in St. Louis, owned by the United States, has been admitting men who were in the service in this war. Men have gone there from the camps located near St. Louis, men wearing the uniform of the service, and this hospital has had room to take care of them.

Here is the proposition, pure and simple. It is a question of whether or not the men who have been wounded in fighting the battles of our country, men who have contracted this dreadful disease—tuberculosis—whether those men, men whom we see in the Walter Reed Hospital—and I wish every Member of Congress would go there and see the patients in that hospital——

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. DYER. Mr. Chairman, I will ask the gentleman to yield me a minute more in order to conclude my sentence.

Mr. ELLIOTT. I yield the gentleman one minute more.

Mr. DYER. Shall receive the best treatment possible. We ought not to permit the Public Health Service to take over for treatment men who have fought the battles of this Republic. The War Department ought to do that. It ought to be under the Surgeon General of the Army, who has looked after these men since they left home, who should continue to look after these men as long as they live, whether they are in the service or have been discharged. Surg. Gen. Ireland to-day has written a letter to the Secretary of War, asking the Secretary of War to go to Congress and ask Congress for authority to readmit men to the hospitals who have been discharged for one reason or another and are in need of treatment. In the tuberculosis hospital—a general hospital—in Fort Bayard Hospital they have been admitting patients all of the time, men who have been discharged from the service. You can get a man in there who has served in the Philippines if he has tuberculosis. There is no excuse for asking for an appropriation of this kind. It is an injustice to the men who have fought the battles of this war and who have won it. The Secretary of War is responsible, through the Surgeon General. He has been given ample funds. Let us give him the authority he still needs to care for soldiers discharged.

Mr. ELLIOTT. Mr. Chairman, I think that every Member of this House and everybody in America wants to do everything that is necessary or proper to take care of the men who fought the battles for this country and saved us from the galling yoke of autocracy, but we must proceed in this business in an orderly manner. After more than 50 years have elapsed we are still taking care of the veterans of the Civil War, and we will have to take care of them for some years yet, although I notice in this morning's paper that one-tenth of the veterans of the Civil War who were left had died during this last year. This proposition which we have before us is not for the purpose of building hospitals to take care of soldiers who are in the Army. The Army now has enough hospitals to take care of them, but this is a proposition to take care of those men after their discharge from the Army. There will have to be a comprehensive plan adopted, gentlemen, to take care of the wounded and sick men of this war. We will have to adopt an adequate system of pensions, we will have to build adequate soldiers' homes to take care of these boys who have not homes of their own in which they can be taken care of, and that is the reason why I am objecting to this bill as it is now presented. It is simply a makeshift measure. The Public Health Service and the Bureau of War Risk Insurance do not know whether they are traveling afoot or on horseback. They come in here and ask for an appropriation of $10,500,000 to take care of a proposition that eventually may take $50,000,000 or $100,000,000. Whatever it takes I am for it, but I am not for this bill, because it does not offer any comprehensive plan for taking care of these men in a way on which we can depend. I, for one, am getting tired of having men come before me and ask my vote for an appropriation of $1,000,000, $10,000,000, $50,000,000, or $100,000,000 and not give an adequate reason or give a comprehensive plan for its expenditure, one upon which we can go back to the taxpayers of this country and receive their indorsement. We are just about to engage upon a system of expenditures in this country that is going to appall the taxpayers of the country. They are willing to do everything that is necessary to take care of these boys and to do it right, but they are going to demand of this Congress, of the War Department, and of the various bureaus of this Government, that we get down to a basis of common, ordinary economy and do these things right, so that when we spend a dollar for the benefit of these boys they are going to get the benefit of that dollar.

Now, another thing I object to is this. This matter comes down to this, the turning over to the Public Health Service in conjunction with the Bureau of War Risk Insurance of the treatment of these soldiers. I have said nothing on the floor of this House heretofore in regard to the Bureau of War Risk Insurance, but I wish to say this: I have had considerable experience with this Bureau of War Risk Insurance and I want to say this to you, gentlemen, that if the Bureau of War Risk Insurance would not do any better job in taking care of these wounded and sick soldiers than they have in taking care of the allotments which the soldiers have made to their wives and dependents, God help the poor fellow who had to depend upon them for treatment. [Applause.]

Mr. GRIFFIN. Will the gentleman yield?

Mr. ELLIOTT. No; I have not any time to yield.

Mr. GRIFFIN. I hope the gentleman will be good enough to yield to allow me to correct a statement.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I ask for order.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. The time was taken up by the gentleman from New York interrupting.

The CHAIRMAN. The time of the gentleman had expired when the gentleman from New York interrupted him.

Mr. GRIFFIN. Mr. Chairman, I yield the balance of my time to the gentleman from Florida [Mr. CLARK].

The CHAIRMAN. The gentleman from Florida is recognized for 10 minutes.

Mr. CLARK of Florida. Mr. Chairman, there has been more camouflage about this bill than any bill which I have seen before the House for a long time. Now, it is well enough after all of these attempts which have been made to becloud the issue to come right down to the point and let us see what the facts are. The facts are, Mr. Chairman, in the first place, under the law when a man is discharged from the service—a soldier or a sailor—he can not after that be treated in a hospital under the jurisdiction of the War Department. That is the law and there is no question about it. In the next place, the Bureau of War Risk Insurance under this bill, if gentlemen are so much afraid of that bureau, will not have a thing on earth to do with the treatment of these soldiers. The bill turns this over entirely to the Public Health Service and not the War Risk Bureau. Now, Mr. Chairman, we want to get down to the facts; why the necessity for this bill; and I want to read a letter from the Secretary of the Treasury, for 20 years a distinguished Member of this body, and I hope gentlemen will listen to what he says. This letter was written January 16 and addressed to the chairman of the Committee on Rules, asking for a rule to consider this bill:

JANUARY 16, 1919.

Hon. EDWARD W. POU,
Chairman Committee on Rules,
United States House of Representatives.

MY DEAR MR. POU: I wish to invite your attention to the very urgent need of providing additional hospital facilities for the care and treatment of patients of the Public Health Service and for discharged soldiers and sailors who are beneficiaries of the war-risk insurance, for which the Treasury Department is charged by law with the responsibility of providing hospital accommodations and treatment.

The present total normal bed capacity of hospitals under the control of this department is but 1,548, while on November 20 there were actually 1,556 patients in its hospitals. Indeed, it has been necessary for many months to crowd our hospitals to the limit of their capacity by placing additional beds in undesirable places and to refuse admission to many who are entitled to treatment in our hospitals. This department also has the names and addresses of upward of 50,000 other cases entitled under law to receive treatment, for which there are absolutely no hospital accommodations.

Now, these gentlemen want something "comprehensive." Here it is. That word seems to rest upon their tongues like a sweet morsel—"something comprehensive"—

A comprehensive and carefully worked out scheme of additional hospital accommodations, much of which will be of a more permanent nature and affording a permanent groundwork for the hospitalization of persons entitled to treatment by this department, is provided for in a bill which has been given number H. R. 13026, now awaiting action by the House of Representatives.

It is reasonable to presume from the location of this bill on the House Calendar that consideration of it will not be reached for a very considerable time, possibly not this session, and as the most urgent need of these additional accommodations is for the benefit of discharged soldiers and sailors who require and are entitled to hospital treatment, it is of vital interest to every section of the Nation that the Government may be put in position to promptly carry out its contract in this respect, as expressed in the amended act of October 6, 1917, and prior legislation.

May I not suggest and urge that a special rule be brought by your committee for the immediate consideration of this bill as reported by the Committee on Public Buildings and Grounds on December 21, a copy of which is hereto attached?

Respectfully, (Signed) CARTER GLASS,
Secretary.

Now, Mr. Chairman, if that does not set forth the urgency of this proposition, the facts showing the absolute need of it, nothing can. But what are the facts in the hearings? Gentlemen quoted Col. Smith, of the Surgeon General's office, War Department. One gentleman says we have got all sorts of propositions that can be taken care of, and every time it is procrastination, it is delay. I want to say to you, gentlemen, that on yesterday I talked with a soldier in Walter Reed Hospital. It is crowded down there, and it is not a place where these boys ought to be, if the statements made in the public press and which he repeated to me are true; and yet we are standing around here wanting to wait six months or a year to begin work on hospitals. The sooner we begin, the earlier we will take care of these boys; and we ought to take care of them. We are under a solemn legislative contract to do it, and yet gentlemen say, "If it is not done my way, I do not propose to have it done at all."

Now, then, what are the facts? Dr. Stimpson, the Assistant Surgeon General of the Public Health Service—on page 46, I think it is, of the hearings, or in the beginning of the first hearing—said that the Bureau of War Risk Insurance asked to place their patients in Public Health Service hospitals; that this was done and our hospitals are full. "We have not any rooms at all for more patients. The War Risk Bureau asked us to take care of 14,000 tubercular patients. We took the matter up with the Secretary of the Treasury, who asked us to see the War Department." They did, and there was a conference, of which my colleague spoke, of the three departments—the Navy, the War, and the Public Health Service—and they agreed upon the plan embodied in this bill to take care of them. In a letter from the Acting Surgeon General the War Department says:

The Army has no provision for treating the above class of patients.

And yet gentlemen say we should put them in the Army hospitals. Dr. Banks, the chief surgeon of the War Risk Bureau, said, on page 46:

Something must be done * * * because these men are being discharged now at the rate of five to the thousand for tuberculosis.

Now, what did Col. Smith say? I want to call the attention of this House to the fact, and the hearings show it, that Col. Smith was before the committee representing the Surgeon General's office of the War Department, and I put the question to him time after time:

Colonel, if the War Department has any hospitals that can be turned over to the Public Health Service, tell us about them, because we want to use them.

And every time he said, "Now we can not turn over a single bed for the use of the Public Health Service."

Mr. KREIDER. Will the gentleman yield?

Mr. CLARK of Florida. I have not the time.

He finally did say that he could turn over a hospital at Hot Springs, N. C., and one at some other place; "but," he said, "they are the least desirable of any that we have." And gentlemen will say that these "least desirable" hospitals are good enough for the boys who fought at Chateau-Thierry and who went into the Argonne Forest. Then what are we to understand? He said that those were the two least desirable hospitals that they have, "those that do not suit us and will not suit anybody, but we will turn them over to you, because we can not use them." And yet gentlemen say that we ought to take that kind of treatment for our brave sons who followed the Stars and Stripes.

Mr. KREIDER. Will the gentleman yield now?

Mr. CLARK of Florida. No; I have not the time. He said this:

By the acquisition of buildings by lease and the transfer by the War Department to the Medical Department at various posts of the Army others have been acquired for general hospital purposes up to 37.

I have not time to read it all, but the hearings show that the United States Government does not own more than four general permanent hospitals in the world to-day. They have 37, but they do not own them. They are leased and they are used in one way and another. And the record from the War Department shows that they do not own but four under the shining sun of heaven anywhere to-day. However, they have leased some hotels and they have some cantonments here and there and have places like that. But Col. Smith stated before us that there were 52,000 vacant beds at that time. He was asked, "How many can you turn over to us?" "Not one, because we are saving them as a margin of safety for the soldiers, wounded and sick, coming from across the sea." And he would not give a single, solitary one to the Public Health Service. And yet, Mr. Chairman, these gentlemen say, "Put it off until a more convenient season."

I want to say, Mr. Chairman, that we are under a solemn contract with these boys who have saved democracy for the peoples of the earth and saved this Government, and it is cowardly on our part and it is a violation of our contract not to take every step possible to provide every accommodation for them. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to provide immediate additional hospital and sanatorium facilities for the care and treatement of discharged sick and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and for others entitled to treatment by the Public Health Service by lease or purchase of existing plants or the construction of new hospitals and sanatoria, to include the necessary buildings, with their appropriate mechanical equipment and approach work, including roads leading thereto, for the accommodation of patients, officers, nurses, attendants, storage, laundries, and live stock, on sites now owned by the Government, or on new sites to be acquired by purchase or otherwise at such places as he may elect, including the remodeling of such of the existing or authorized buildings and their equipment, owned by the United States, as may be necessary to economically adapt such facilities to those herein provided, at the sanatorium at Fort Stanton, N. Mex., and at such of the marine hospitals where increased facilities can be placed, at a limit of cost for sites and buildings, etc., as aforesaid, complete, $9,700,000, or as much thereof as may be found necessary; for miscellaneous furniture and equipment for the above, $800,000; in all, $10,500,000, and the above amounts are hereby authorized, and when appropriated to be immediately available and remain available until expended.

Mr. MANN and Mr. GANDY rose.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] is recognized.

Mr. MANN. Mr. Chairman, I offer an amendment.

Mr. CLARK of Florida. Will the gentleman withhold it for a moment and let us dispose of a committee amendment?

Mr. MANN. I am perfectly willing to do so.

Mr. CLARK of Florida. There is a committee amendment. The gentleman withholds his amendment until we can dispose of the committee amendment.

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 1, line 5, strike out "treatement" and insert in lieu thereof the word "treatment."

The CHAIRMAN. The question is on the committee amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MANN].

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 1, line 6, after the word "soldiers," strike out the word "and" and insert after the word "sailors" the words "and marines."

Mr. CLARK of Florida. We will accept that amendment, Mr. Chairman.

Mr. MANN. Mr. Chairman, I assume there is no objection to the amendment which I have offered in order to correct the language.

I have had a good deal of doubt about this bill, and I would like to discuss it for a few minutes with the Members of the House. As I understand the law, the War Department is not authorized under existing law to admit discharged soldiers into the Army hospitals. Of course, the Army is not authorized to admit discharged sailors into the Army hospitals. So that some law, it seems to me, ought to be enacted. We either ought to provide that the discharged men shall be eligible for admission into the hospitals now in existence or being created under the Army, so that they can be taken care of after their discharge in accordance with the practical pledge provided in the war-risk insurance law and in accordance with the sentiment both of Congress and the country, or else we ought to make other provisions separate and apart from the Army for taking care of the discharged soldiers.

It has been stated here that the Army was loath to discharge men now in the hospitals. I suppose other Members of Congress have had the same sort of complaints that I have had from men in the hospitals—that they could not get discharges from the hospitals and go home. I can appreciate the desire of the soldier to go home from a hospital, and also the desire of the Army to keep him in the hospital as long as it is to his advantage to stay there. Some legislation, it seems, is needed, either to provide a method by which discharged soldiers can be taken care of in the Army hospitals or out of the Army hospitals, and it will not do, it seems to me, for Congress to get into the position where it is contesting between the two propositions and then do nothing. [Applause.] It would be a disgrace to Congress if we were unable to determine which horn

of the dilemma we would take. It is our duty to do things, to enact legislation.

Now, it is suggested that the Army has sufficient hospital facilities, either in existence or in process of erection, to provide for all hospitals required. I do not know what the facts may be as to that; no one knows. The Surgeon General's office does not know, because it is finitely impossible for anybody now to tell how much disease there will be among the boys when they have come home which requires hospital facilities. But we had better go a little over the limit than to be away beneath the limit in the way of hospital facilities for the boys who are in the service.

Now, I find that gentlemen have been urging, first, that we employ the hospital facilities now in the Army. That could be done, I suppose, by a provision of law authorizing or requiring the admission of discharged soldiers. That, then, brings up first the question as to whether it is desirable as a permanent policy to say that the Army shall have control over the soldiers' homes, whether you call them homes or hospitals, of discharged soldiers and sailors. That is an old, old contest. We now have soldiers' homes throughout the country, to a large extent the same as hospitals, not under the control of the Army. The Army has the duty of inspecting the soldiers' homes, but Congress long ago, whether wisely or unwisely, determined to take away the control of the discharged Civil War soldiers from the Army. In other words, I take it that it was the opinion of Members of Congress, and probably the opinion of the country at the time, that it was not advisable to put these old soldiers, in ill health or otherwise grouchy and disgruntled in various ways and at various times, under the strict Army discipline. I suspect that they have strict enough discipline in the soldiers' homes now to gall the soldiers without putting them under the strictest kind of Army discipline. Whatever may have been the theory of Congress, however, that was done.

Now, the contest is as to whether men who have been discharged and who have to be taken care of by the Government shall be taken care of in hospitals under the control of the Army or under the control of the Public Health Service. As to the Public Health Service, I was going to say it is a grasping body, but that is true of all Government functions. It is very rare that any bureau or department of the Government does not seek to increase its authority and jurisdiction rather than decrease it. There is that contest going on. I am inclined to think, while it is not such a very positive opinion in my mind, that the soldiers will receive better care and more humane treatment and be less subject to severe and onerous martial regulations under the Public Health Service than they would be under the Army direction and under Army discipline.

I find this provision in this bill as an amendment, and I would be very glad to have information concerning it. We have had a good deal said in the House here—well said, appropriately said—about the Government having facilities already. This bill authorizes——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MANN. This bill authorizes in its first paragraph a limit of cost of $10,500,000 for the acquirement and equipment of these hospital facilities under the Public Health Service. That is the total limit. What it will cost in the end, of course, no one can tell, but that is all the authorization provided in this bill. Then, I read an amendment of the committee, which, so far as I know, is to be offered and voted upon:

Provided, That nothing shall be expended out of the amounts authorized by this act until all buildings, grounds, furniture, and furnishings available for hospital purposes not needed by the said departments or officers of the Government hereinbefore mentioned have been turned over to the Secretary of the Treasury.

Now, the departments mentioned are the War, Navy, Interior, and Labor Departments, and possibly others, under the control of the President, so that apparently the bill provides, first, an authorization of $10,500,000 for hospital facilities and then makes a provision that if, however, the Government now has any hospital facilities in the Army or under the Interior Department or under the Navy Department that are not required for use in that department they shall be turned over to the Public Health Service, and no money can be spent out of the amount authorized in this bill until somebody, I take it, certifies—the different heads of departments and the President—that there is nothing further under their control not needed in that particular department which can be turned over to the Government.

Now, if the War Department has additional hospital facilities which it does not require, under the terms of this bill it is required to turn those facilities over to the Public Health Service, and the same is true of any of the other departments of the Government; so that apparently, if this amendment stays in the bill, when it becomes a law there will be no duplication of unnecessary hospital facilities. I will not say that such a duplication will not occur, because that is an executive matter, but, so far as the legislative end of it is concerned, we have provided for no additional facilities.

Now, I think I shall vote for this bill. I have not fully determined in my mind yet. But this is certain to me: We have got to do something; we have to provide hospital facilities for these boys who have come home, who have received their discharges, who have gone to their homes ill, and soon will become unable to work, and there will be more of them 10 years from now than there are now. Time will increase the number. We can not say that while we quarrel whether we shall cross a "t" or dot an "i" they shall suffer. It is up to us to provide by legislation some method by which they will receive proper attention. [Applause.]

Mr. PHELAN. Mr. Chairman, the gentleman from Illinois [Mr. MANN] has covered the ground so well that it is difficult to add to what he has said. However, there has been so much said, from so many different angles, that it has been more or less confusing to know just what this bill purposes to do and what the situation is.

Now, first of all, let me recall to the Members of this House that the war-risk insurance act provides that these discharged soldiers shall receive hospital treatment. So there is a burden on somebody connected with our Government to take care of these discharged soldiers by actual enactment of law. That is in section 302, subdivision 3, of the war-risk insurance act.

Mr. DYER. Will the gentleman read it?

Mr. PHELAN. Yes; I will read it, if I may have the time:

(3) In addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services and with such supplies, including artificial limbs, trusses, and similar appliances, as the director may determine to be useful and reasonably necessary.

The second proposition is that every man in this body wants these discharged soldiers to receive the best treatment that this Government can give them.

The third proposition is that we must make this provision with the utmost dispatch.

The fourth proposition is that we must do it with absolute certainty. When we leave this body on the 4th of March there must be no doubt that we have performed our full duty to those men in this respect.

Now, what is the situation? If you will take the trouble to read the testimony of Col. Smith, of the Surgeon General's Office, and the report which he submitted to the committee, you will find that Col. Smith, representing the Surgeon General's Office, can assure us of absolutely nothing for months to come, unless possibly it may be some leased buildings, which he himself describes as the least desirable of any of the hospitals that the War Department has.

Mr. CANNON. Will the gentleman yield?

Mr. PHELAN. I will in just a minute. Let me read. The chairman of our committee at the committee hearings asked this question:

Can you state as a matter of fact, Col. Smith, that the Public Health Service can get any beds from the War Department within two years from now; and if so, how many? Let us get down to the facts.

Mr. RUCKER. Either at the cantonments or elsewhere.

The CHAIRMAN. Anywhere that would be suitable for hospital purposes.

Col. SMITH. The only beds now used by the War Department which I could state as a matter of fact would probably be released and thus become available to the Public Health Service within the time mentioned would be beds located in buildings which have been leased by the Government for hospital purposes.

Mr. CANNON. On what page is that?

Mr. PHELAN. This is in the hearings, page 15 of No. 16. That is one of his statements.

Mr. DYER. Just there I want to ask——

Mr. PHELAN. In a moment. The gentleman would not yield to me, but I will yield to him in a few minutes. Now, on page 22 of that same document he makes a written report, to which he gave a great deal of thought and time, because we asked him a great many questions relative to this phase of the situation. In that report he says:

It is impossible to state at this time when any of the hospitals now operated by the Army could be released for use by the Public Health Service. While it is believed that we have provision for a sufficient number of beds in Army hospitals, it is also our belief that we require all that we now have in order to provide a reasonable margin of safety for the care of the sick and wounded returning from overseas and the sickness problem which may develop among the troops in this

country and returning for demobilization. We could turn over at once, if approved by the War Department, a general hospital which is about to be opened at Hot Springs, N. C., namely, United States Army General Hospital No. 23, which has a capacity of approximately 700 beds. This is the only hospital which could be turned over immediately.

Then he goes on to speak of something which might be done relative to the leased hospitals.

While I am on this subject, suppose we turn again to the hearings.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PHELAN. I ask unanimous consent that I may have 10 minutes. I should like to go into this matter.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that his time be extended 10 minutes. Is there objection?

There was no objection.

Mr. DYER. Now, will the gentleman yield?

Mr. PHELAN. I will be glad to yield to the gentleman from Missouri.

Mr. DYER. The gentleman stated that in the hearings Col. Smith said there were no facilities which the War Department could turn over to the Bureau of War Risk Insurance.

Mr. PHELAN. I did not mean to say that, and I am sure I did not say that. I said that Col. Smith said he could give us no assurance as to when they could turn over anything.

Mr. DYER. Now, the gentleman says that Col. Smith has asked from the Secretary of War authority to readmit and take into the hospitals that are now half empty a lot of these men——

Mr. PHELAN. That does not necessarily conflict with anything I said.

Mr. DYER. I want to ask the gentleman a question.

Mr. PHELAN. I do not know what he has in contemplation. He may want more money. He may want more hospitals. He may want to do a number of things that are provided for in this bill.

Mr. DYER. But the hearings show that the hospitals are not built.

Mr. PHELAN. But we have his written statement, which he wrote after he had been interrogated in the committee hearings, and had gone to his office and had had time to think the thing over, and that statement is what I quoted last.

Mr. DYER. I want to ask the gentleman this question: Does he not think it is a better policy and in the interest of the taxpayers of the country to give the War Department authority to look after these cases in hospitals which will be practically no expense to the country than to create another set of hospitals under another jurisdiction?

Mr. PHELAN. I certainly do not, and I do not believe the American people in such a case will ever want to put civilians under military control. I make no criticism whatsoever of our Military Establishment when I say that; but I certainly am not in favor of that policy, when we can get proper accommodations for them elsewhere.

Mr. CANNON. Will the gentleman yield?

Mr. PHELAN. I am glad to yield to the gentleman from Illinois.

Mr. CANNON. How long will it take to construct the hospitals that you seek to authorize?

Mr. PHELAN. I can not answer that; but I will call the attention of the gentleman to the constant misapprehension in discussing this bill. The gentleman from Illinois [Mr. MANN] brought out the point.

The bill provides that these hospitals can be "acquired"—acquired, for example, from some other department of the Government—so that when the gentleman asks "How long will it take to construct them?" he gives the impression that they have all got to be constructed. They expect that they can construct them in about six months, but they do not have to wait for that; they can lease them or they can get them from other branches of the Government.

Mr. CANNON. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. CANNON. The gentleman will correct me if I am wrong. In my judgment, this contemplates that the hospitals will take from 12 months to 3 years to build. Now, I am under the impression—not that I have seen them, but I think I am authorized to make the statement—that at the camps and cantonments there are now hospital beds under the control of the War Department for over 100,000 men; and if the gentleman will allow me, and I know he desires to be candid, as I do, that in the barracks, especially for most of the tuberculous treatment, there would be room for one hundred to two hundred thousand more, for all that class of patients that are treated by sunshine and air and proper food.

Mr. PHELAN. I am coming to that, I will say to the gentleman, and I think the gentleman will agree with me. I have a good deal to explain. If Members will look at page 25 of the hearings No. 16, they will see what the War Department has in the way of hospitals and will find that they have four permanent hospitals. Col. Smith stated that not one could be turned over to the Public Health Service at any time.

Mr. GILLETT. Why not?

Mr. PHELAN. Because the buildings were all constructed and existed before this war ever started. They were using them for the Army then, and if the buildings were, as we presume they are, only reasonably sufficient to take care of the Army purposes then, they will be needed to provide the Army purposes after the war is over. There are only four of them. You will find general hospitals at the Army posts. Yet Col. Smith stated that none of these would be available, and the reason is the same. The Army post hospitals all existed before the war, and every one of them will be needed after the war. They were used for the forces before the war started, and we can not expect that the War Department can get along without them after the war is over.

Now, in the minority report, when they are telling of the hospitals that can be acquired, you will find that every single building that they mention is a leased hospital, leased by the War Department, and owned—leased under the restriction that when the war ceases the department will have no authority to extend the lease beyond a very short time. More than that, the War Department has stated that if there are buildings that can be turned over to the Public Health Service, they will turn them over, and our bill provides that thing shall be done if it is advisable. So the plan mentioned in the minority report will be followed under this very bill to which the minority report objects if it is desirable and advantageous to do it. So that when they say that we have hospitals already they are confusing the issue, because every hospital that they name is made available as a leased hospital.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. GREEN of Iowa. Is it not better to have the hospitals leased instead of being built, because they will not be needed after a few years?

Mr. PHELAN. That is only begging the question, because there is nothing in the bill to prevent that thing from being done. We specifically provide that the Public Health Service may lease buildings.

Mr. GILLETT. Does the gentleman think that the Public Health Service or any other department of the Government will avail itself of that provision?

Mr. PHELAN. I think the general tendency under the administrative branch of the Government, under any administration, under any political party, is to build rather than to lease. I will say this to the gentleman, however, to get down to the meat of the question, what are you going to do about it? What are gentlemen opposed to the bill proposing to do? They propose nothing. I will answer the gentleman's question further by reading the proviso:

Provided, That nothing shall be expended out of the amounts authorized by this act until all buildings, grounds, furniture, and furnishings available for hospital purposes not needed by the said departments or officers of the Government hereinbefore mentioned have been turned over to the Secretary of the Treasury.

While I do not think that is absolutely binding, that they must turn over leased buildings, I think it shows the intention of Congress, and has a strong tendency to induce any administrative department to avoid unnecessary construction.

But to get back to the facts, we have got to take care of these men. How are you going to do it? Are you going to leave here on the 4th of March with everything uncertain in the face of the Surgeon General's statement that he does not know where he can turn anything over to the service of discharged soldiers needing hospital treatment? The gentleman from Illinois stated that there is a contest between those who favor turning them over to the Public Health Service and those favoring turning them over to the military service. I will not deny that there is a contest, but do those favoring military department offer anything in a substantive form. We have got to do something and you can not allow this thing to be hung up in the air. We can not leave it uncertain that these men shall get proper care and medical service when discharged from the Army.

To resume my recapitulation of Army hospitals, in addition to general hospitals, Army post hospitals, and hospitals on leased land, there are some hospitals at the ports of embarka-

tion which, I think, anybody will agree will be of doubtful value.

Outside of those, the only buildings under the control of the Surgeon General's Office are those at camps and cantonments. There is nothing else available except leased buildings, so that we come to this. If the War Department does turn over any hospitals to the Public Health Service, they must turn over those in leased buildings or those in camps or cantonments. If we fail to enact this bill, then the only hospitals available for discharged soldiers would be hospitals in leased buildings, possibly under the control of the War Department, and hospitals in cantonments and camps.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. PHELAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. KREIDER. Mr. Chairman, I shall object unless the gentleman will yield to me. I have asked him to do so two or three times.

Mr. PHELAN. I shall yield to the gentleman, although he would not yield to me, but that does not make any difference.

Mr. KREIDER. I beg the gentleman's pardon. I did not know that he asked me to yield to him.

Mr. PHELAN. Yes; I did.

Mr. KREIDER. Mr. Chairman, I withdraw my objection.

There was no objection.

Mr. PHELAN. I shall be very glad to yield to the gentleman in a moment. So that we come right down to this: We would have to use those cantonment hospitals or hospitals in leased buildings. If we want to use leased buildings for hospitals, we are going to get the least desirable, and if we are going to use the cantonment hospitals, what do we get? We get, first of all, buildings that are not permanent in their construction; buildings that are not suitable immediately for this purpose; buildings that are not fireproof. Most of them are of wooden construction, one story in height. Some of them have no heating apparatus. While there is some testimony that they might be changed into permanent hospitals, there is no testimony that they can be made fireproof, and I say it would be a crime to put boys coming out of our Army, suffering from some disease that is incurable perhaps, into any buildings not fireproof in construction. I shall not vote for any such thing. We come then to this proposition: Are we going to take a chance that somebody somewhere, and there is no evidence where it is coming from in any of the testimony, will make provisions for these men who are discharged from our military and naval services? Are we going to take a chance that from some place we will get those accommodations, or are we going to take a chance that somebody will spend some money, possibly a little more than necessary, while making it absolutely sure that we will have proper quarters and accommodations in hospitals for the men who have been fighting for this country?

Mr. KREIDER. Mr. Chairman, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. KREIDER. Does the gentleman overlook the fact that all the testimony in the hearings is to the effect that these hospitals shall be built for tuberculosis patients?

Mr. PHELAN. I do not overlook it, because it is not so.

Mr. KREIDER. Yes, it is; if the gentleman will read the hearings and refer to them he will find that that is the actual fact.

Mr. PHELAN. I do not judge what a bill states by reading the hearings. I judge what a bill states by reading the bill. There is nothing in the bill, and it is not so contemplated, because we asked every man repeatedly coming before the committee about men suffering from Bright's disease and other incurable diseases.

Mr. KREIDER. And the answer was that they would be taken care of in the hospitals throughout the country.

Mr. PHELAN. I differ with the gentleman. This bill attempts to make certain that we are going to have provision for these boys and does not leave it in doubtful, not leave it in what seems to be the condition that no accommodations or at best not sufficient accommodations can possibly be provided for them otherwise. Which are we going to do? Are we going to take a chance that such a thing will occur? Suppose the Congress does not convene until next December, suppose hundreds, yes, thousands of these boys ought to be taken care of by some branch of the United States Government, and suppose there are no existing facilities available, suppose we give no authority to anybody to do anything, what a condition of affairs will confront us, at least until Congress reconvenes. To what a serious and indefensible charge of neglect do we leave ourselves open? There will be absolutely nobody who can do anything if we fail to do our duty here. It is as plain as can be to me, as the gentleman from Illinois [Mr. MANN] so well stated, that something must be done, and that something must be done now.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. WOODYARD. Mr. Chairman, I ask unanimous consent that his time be extended for one minute, so that I may ask him a question.

Mr. CLARK of Florida. Oh, Mr. Chairman, let us have a vote on the amendment.

Mr. MANN. I would like to get a vote upon my amendment and have it disposed of if I can.

The CHAIRMAN. There is an amendment pending on which there has been the usual discussion on each side.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. CANNON. What is the amendment?

The CHAIRMAN. Adding the Marine Corps. The gentleman from Florida has called for a vote. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk again reported the amendment offered by the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MOORE of Pennsylvania. Mr. Chairman, I would like to discuss the amendment.

Mr. CLARK of Florida. Mr. Chairman, I make the point of order that all debate is exhausted.

Mr. MOORE of Pennsylvania. I want to offer an amendment to the amendment, although I suppose it would be in order to offer that amendment later, and I shall reserve my right to offer an amendment later.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The amendment was agreed to.

Mr. MOORE of Pennsylvania rose.

Mr. CLARK of Florida. Mr. Chairman, there is an amendment pending, and I hope the gentleman will let us have that disposed of.

Mr. MOORE of Pennsylvania. I want to suggest that neither the amendment nor the bill includes Army nurses, female, nor does the bill include members of the Coast Guard who may have been disabled or injured during the war. I call attention to these facts to show how imperfect the bill is. I would seek by my amendment to include these two classes, and I shall do so just as soon as the opportunity arrives.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CLARK of Florida: Page 1, line 8, after the word "service," insert a comma.

The question was taken, and the amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, at the proper point I desire to offer an amendment to the amendment offered by the gentleman from Illinois, to insert "Army nurses, female, and members of the Coast Guard during the period of the war."

Mr. GARD. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARD. The gentleman can accomplish his purpose by inserting the words "Army nurses," without regard to sex.

Mr. MOORE of Pennsylvania. Male nurses would be included as "soldiers." "Army nurses, female," includes women who have been in the service and who may have been injured and need medical treatment. Some have been injured.

Mr. CLARK of Florida. What is the amendment?

Mr. MOORE of Pennsylvania. I had no opportunity to write it. The gentleman was in such haste to press his amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "Marines," in the Mann amendment, insert "Army nurses, females, and members of the Coast Guard during the period of the war."

Mr. CLARK of Florida. I will call the gentleman's attention to the fact that members of the United States Coast Guard Service are entitled to treatment under the Public Health Service.

Mr. MOORE of Pennsylvania. It is a matter of such consequence that we have been obliged to include it in the revenue bill.

Mr. CLARK of Florida. Well, if the gentleman will permit me to call his attention to the fact that the law now provides the following classes shall be treated in the Public Health Service: Merchant seamen, the Mississippi River Commission, the United States Coast Guard Service, the United States Lighthouse Service, the Engineer Corps of the United States Army, the United States Coast and Geodetic Survey, civilian employees injured under the workmen's compensation act, civilian employees injured on Army transports, and cases of discharged soldiers and sailors, under the war-risk insurance act of October 6, 1917.

Mr. MOORE of Pennsylvania. That applies to any time, whether within the war period or without?

Mr. CLARK of Florida. Absolutely.

Mr. MOORE of Pennsylvania. It may refer to a man injured five years from now or one injured five years before the war?

Mr. CLARK of Florida. Surely.

Mr. MOORE of Pennsylvania. I take it that is not the purpose of this bill, to provide that injuries not due to the war——

Mr. CLARK of Florida. Why, Mr. Chairman, I will state to the gentlemen this bill is simply to provide for the building of hospitals to take care of all those people who are entitled to treatment at the hands of the Public Health Service under existing law, and in lines 7 and 8 the gentleman will see——

Mr. MOORE of Pennsylvania. I understand a member of the Coast Guard ordinarily would be treated by the Marine Hospital Service, or a sailor upon a merchantman, provided he were properly qualified, but I take it this is a war act, that the gentlemen who are advocating this——

Mr. CLARK of Florida. No; it is an after-the-war act.

Mr. MOORE of Pennsylvania (continuing). Are urging the passage on the ground of the necessity of taking care of the soldiers who were injured on the other side of the water and who are coming home——

Mr. CLARK of Florida. And who have been discharged.

Mr. MOORE of Pennsylvania. Now it is proposed to expand the service of the Marine Hospital so that under this appropriation any old thing can take place at any time.

Mr. CLARK of Florida. Oh, no; it is not, Mr. Chairman, if the gentleman will permit me; we have a statute declaring that each of these classes of people shall be entitled to treatment by the Public Health Service. That is existing law to-day. Congress has enacted those laws and Congress is under obligation to provide hospitals necessary to treat these people. Now, here comes another class of people, to wit, discharged soldiers, marines, and sailors, whom the War Department, through the Army hospitals, will not treat. They can not under the law, so hospitals have to be provided, and in providing for them the bill simply states these hospitals should be built for the treatment of persons entitled to treatment under the Public Health Service, and the Public Health Service will divide these people out into the different hospitals according to their classes, I assume, as they are entitled to be treated. Now, if the gentleman is really in earnest and wants to get his amendment in to take care of the nurses I think there is no objection to it. I think if they are injured in any way or become sick in the service, that after they have been discharged they would be entitled to it now under the operation of the law. The law makes no distinction as to sex. The gentleman ought to know that where "he" is used it includes "she" in every statute that ever was enacted in this country, but if the gentleman thinks it is necessary to provide particularly for female nurses——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask for a vote on my amendment.

Mr. CLARK of Pennsylvania. I ask that the gentleman may have five minutes more.

Mr. GARD. Mr. Chairman, I desire to offer a substitute for the amendment offered by the gentleman from Pennsylvania, as follows: Insert after the word "marines," where it appears in the amendment offered by the gentleman from Illinois [Mr. MANN], the words "Army and Navy nurses."

The CHAIRMAN. The gentleman offers a substitute, which the Clerk will report.

Mr. MOORE of Pennsylvania. I do not accept that amendment, Mr. Chairman, because it does not specifically include females. Male is already covered by existing law, but female is not, as I understand it.

Mr. GARD. I have no objection to its being included. It is my purpose, I will say to the gentleman, to include the Army and Navy nurses, whether they be male or female. I think they are probably included in the law, and I think this language does include them.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from Ohio [Mr. GARD].

The Clerk read as follows:

Mr. GARD offers a substitute amendment to the amendment of Mr. MOORE of Pennsylvania: After the word "marines," in the Mann amendment, insert "Army and Navy nurses."

Mr. CLARK of Florida. We will accept the substitute.

Mr. SAUNDERS of Virginia. I beg to offer an amendment as a substitute that will meet all these difficulties that the gentleman from Pennsylvania [Mr. MOORE] is trying to meet, and that is to add to the substitute the words "male or female."

Mr. MOORE of Pennsylvania. Mr. Chairman, I would accept that amendment.

Mr. GARD. I have no objection to that. I would suggest, also, as brought to my attention by a member of the committee, that after the word "all" insert "Army and Navy nurses, male or female."

The CHAIRMAN. Does the gentleman from Pennsylvania and the gentleman from Ohio accept the amendment as offered by the gentleman from Virginia?

Mr. MOORE of Pennsylvania. I am satisfied to accept it.

Mr. CLARK of Florida. I would like to say a word about it. I want to ask these gentlemen a question. I know the gentleman at my left, the gentleman from Ohio [Mr. GARD], is a lawyer, the gentleman at my right, the gentleman from Pennsylvania [Mr. MOORE], I believe, is not a lawyer. I want to know if these gentlemen seriously insist that the language "Army and Navy nurses" would not cover "male and female" nurses? Do they seriously insist on this proposition on this floor of the American Congress in this day of progress and civilization?

Mr. MOORE of Pennsylvania. I will say to the gentleman from Florida that the same question has been raised in a conference now being held on a great revenue bill, as to including female nurses who have been injured in the war on the other side, some of whom are coming back on crutches.

Mr. CLARK of Florida. Does the gentleman seriously insist that the word "female" ought to go in?

Mr. MOORE of Pennsylvania. I want to say to the gentleman frankly that I am not in favor of the bill as reported.

Mr. CLARK of Florida. The gentleman is not going to support the bill anyhow?

Mr. MOORE of Pennsylvania. I expect to oppose the bill.

Mr. CLARK of Florida. So the gentleman is a Greek bearing gifts?

Mr. MOORE of Pennsylvania. Not necessarily. I thought if this bill was going through and the gentleman has sufficient votes to pass it or rush it through without care and consideration being given to it I would try to perfect it.

Mr. CLARK of Florida. The gentleman is not trying to perfect it by this amendment.

Mr. MOORE of Pennsylvania. I think the amendment is highly proper. I would dislike to see the female nurses who labored in the war on the other side excluded from this bill.

Mr. CLARK of Florida. Let us have a vote.

The CHAIRMAN. The question first is on the motion of the gentleman from Virginia [Mr. SAUNDERS] to amend the substitute offered by the gentleman from Ohio [Mr. GARD].

The question was taken, and the amendment to the substitute was agreed to.

The CHAIRMAN. The question now is on the substitute offered by the gentleman from Ohio [Mr. GARD] for the amendment of the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, the vote is being taken. I think the Chair should separate the question. I suggest it is debatable.

Mr. CLARK of Florida. It is not debatable while the motion is being put, and I think that all debate has been exhausted on the proposition.

Mr. MOORE of Pennsylvania. The Chair stated the question, and I rose to express myself.

Mr. CLARK of Florida. The gentleman has been standing all the time. He has not taken his seat.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Ohio [Mr. GARD].

The question was taken, and the substitute was agreed to.

The CHAIRMAN. All debate is exhausted. The question now is on the amendment offered by the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to offer an amendment.

Mr. CLARK of Florida. You can not do it while the vote is being taken.

Mr. MOORE of Pennsylvania. I thought the vote had been taken.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania as amended by the substitute of the gentleman from Ohio.

The amendment was agreed to.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the Committee on Public Buildings and Grounds is entitled to our consideration and respect in matters of this kind, but it is easily persuaded to bring in these housing, ground-purchasing, building-constructing measures. It abandoned its purpose to bring in an omnibus bill for reasons which I do not clearly understand, but brings in one that threatens danger in the matter of the use and possible waste of public money. It proposes to bring in other special bills of this

kind, some of which may tend to appall the House, and for that reason I rise and state why, in my judgment, this bill ought to go back to the committee in order that the House may have an opportunity to more carefully consider this very important question of taking care of our injured and sick soldiers.

The boys who are coming back from Europe, those who are being unnecessarily detained over there now, as many of us believe, those who are in the camps and who can not get home to obtain the employment that awaits them, are the very boys that are going to pay for this ground and these buildings that we make appropriations for so lavishly. I am hearing from the employers of these boys now, and from many of the boys themselves, with respect to the expenditures the Government is authorizing for what is believed to be needless purposes. The great tax measure, which must come into the House very soon for approval by this body and another, is being objected to by the substantial men of the United States because it is going to deprive them, they contend, of the opportunity to employ such agencies as they can to give employment to these returning soldiers.

I want to care for the sick. I will go as far as any man in this House to vote the sums requisite for the care of our soldiers. I will go further and help to get them employment, which I am mighty anxious they shall have on their return to the United States, and from which they are being held now in order that this Government may keep its deals with other Governments, about which we in Congress know very little. But I do not believe that in this unfinished, lackadaisical way we should delegate to one bureau or another the power not only to appropriate $10,000,000 specifically, but the power to buy land, grounds, buildings anywhere that a bureaucrat desires to purchase, operate, on the pretense that we are doing it to help the returning soldiers.

This bill gives the Secretary of the Treasury the power to purchase existing buildings, grounds, and equipment. Why, we have been doing nothing but purchasing grounds ever since this war began. We wasted $640,000,000 on aircraft that never gave our boys on the other side a look-in in the matter of aviation, except as we borrowed or bought the machines of foreign nations. The minority report in this particular instance shows that we have hospital facilities now for all the returning soldiers who need hospital attention. But a bureau steps in and asks for power to buy more ground and build more buildings, when we have spent $50,000,000 for housing——

Mr. CLARK of Florida. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Florida?

Mr. MOORE of Pennsylvania. This very Committee on Public Buildings and Grounds came in during the war with housing bills for the Department of Labor, and the result——

Mr. CLARK of Florida. Will the gentleman yield?

Mr. MOORE of Pennsylvania. If the gentleman can help me get five minutes more, I will agree to yield.

Mr. CLARK of Florida. I will try to get the gentleman five minutes more. Can the gentleman inform the House where in the hearings it is stated that there is ample hospital accommodations for these soldiers?

Mr. MOORE of Pennsylvania. Take the minority report.

Mr. CLARK of Florida. No. Will the gentleman point out in the hearings where it is shown that there is ample hospital accommodation for discharged soldiers and sailors? If the gentleman can do that, then I am willing to withdraw the bill.

Mr. MOORE of Pennsylvania. I am willing to take the word of four Members of Congress, two Republicans and two Democrats, who in their minority report show that we have ample hospital facilities.

Mr. CLARK of Florida. The gentleman from Texas [Mr. MANSFIELD] tells me that he did not authorize his name to be signed to the minority report.

Mr. MOORE of Pennsylvania. I observe that there are signed to this minority report the names of AARON S. KREIDER, of Pennsylvania, R. N. ELLIOTT, of Indiana, H. A. BARNHART, of Indiana, and J. J. MANSFIELD, of Texas.

The CHAIRMAN (Mr. SAUNDERS of Virginia). The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent, Mr. Chairman, that I may have five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. KREIDER. Will the gentleman yield to me?

Mr. MOORE of Pennsylvania. Yes; I will yield to my colleague from Pennsylvania.

Mr. KREIDER. I will say to the gentleman from Pennsylvania that the statements in the report regarding hospitals and vacant beds are taken from the hearings, and were taken from them verbatim. I copied them myself, and they are printed exactly as they appeared in the hearings.

Mr. MOORE of Pennsylvania. I take the gentleman's word.

Mr. KREIDER. I further wish to say that Col. Smith in his testimony, in Document No. 14, states clearly, in reply to the question asked by the chairman of the committee covering two statements made by the gentleman from Illinois [Mr. GRAHAM] on the floor of the House, that there are over 50,000 vacant beds; and I would suggest that the gentleman from Florida, the chairman of the committee, in the statement he made this morning regarding the Secretary of the Treasury, reports having received a letter in which Mr. Secretary Glass refers to 50,000 patients. I want to suggest that this morning the Surgeon General's office reports about 45,000 beds now vacant and 15,000 more to be about completed; in all, 60,000 vacant beds.

Mr. MOORE of Pennsylvania. Yes; 60,000 vacant beds to accommodate 50,000 patients——

Mr. CLARK of Florida. In the same statement in which Col. Smith stated that, he stated that the Army needed every one of them. The minority report takes a part of the testimony and leaves out the rest.

Mr. MOORE of Pennsylvania. I always yield to the gentleman from Florida.

Mr. GRIFFIN. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from New York.

Mr. GRIFFIN. I want also to call attention to the fact that if the gentlemen on the other side got any such information from Col. Smith or from the Surgeon General's office it is a deliberate and absolute contradiction of the letter from Col. Willford H. Smith, of the Surgeon General's office, addressed to me and printed as Exhibit D, on page 2056, of the RECORD of Saturday, printed as an exhibit to my remarks, in which Col. Smith said——

Mr. MOORE of Pennsylvania. The gentleman will pardon me. I can not yield unless I have more time.

Mr. GRIFFIN. I will ask that the gentleman have more time, if it is necessary, to get through. He says, "Total number of beds now vacant, 42,530." That was the condition on January 17, 1919.

Mr. MOORE of Pennsylvania. That is substantially what the gentleman from Pennsylvania [Mr. KREIDER] stated. The armistice was signed November 11, 1918. December 11 would be one month, January 11 would be two months, and we are now in the third month, and approaching the end of it, since the armistice was signed; and if we have a vast number of injured on the other side we ought to be informed of it by this time. If it is necessary to go into these new expenditures I am ready to do it, but there is no information, so far as I can gather, that we are now beyond hospital capacity for every boy who needs hospital attention.

Now, since the gentleman has put his figures into the RECORD in this short speech of mine, I will put in the RECORD the figures that the minority of the committee give me, using only the grand totals. Here is a long list of hospitals, general hospitals, camp base hospitals, and hospitals under the direction of the Surgeon General at the ports of embarkation at Hoboken, at Newport News, and large department base hospitals. All these show, according to the minority report, a standard capacity of 98,293, or substantially 100,000 beds—occupied but 59,628 and vacant 52,598. Now, will some gentleman who knows tell me how many men are to be accommodated at the present time? Do we need to spend this additional $10,000,000 and start a still greater expenditure?

Mr. MADDEN. Mr. Chairman, will the gentleman yield right there?

Mr. MOORE of Pennsylvania. In a moment. The gentleman from Pennsylvania [Mr. KREIDER] told me he called upon the War Department this morning and found that 45,000 beds are now vacant. If that is true the minority report is not deceptive, and the gentleman from Pennsylvania says his figures are taken from the hearings. They have 52,598 beds to accommodate 45,000 patients. Now I yield to the gentleman from Illinois.

Mr. MADDEN. The thought I would like to suggest to the gentleman from Pennsylvania here to elaborate on is that the accommodations sought to be created by the authority of this bill are not intended for the use of soldiers at all, but are intended for the use of men who get out of the service.

Mr. MOORE of Pennsylvania. Yes; that is what the gentleman from Florida [Mr. CLARK] admitted in his statement a little while ago. That is what the gentleman from New York [Mr. GRIFFIN] admitted in his discussion with the gentleman from Illinois [Mr. CANNON] on Saturday, that these hospitals were to become substantially a permanent institution, to give extended jurisdiction to the Public Health Service to take care of everybody, at any time, without regard to the war.

Mr. MADDEN. Not soldiers, but civilians.

Mr. MOORE of Pennsylvania. Civilians; that is true. That is the argument, as I understood it. I want to care for these returning soldiers. I want to take care of them until we can put them on their feet to get employment again.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

Mr. CLARK of Florida. I am going to object. The gentleman has had 20 minutes already, I think.

Mr. MOORE of Pennsylvania. I beg the gentleman's pardon. I have had 10 minutes, and nearly all of that was taken up by the gentlemen on that side.

Mr. CLARK of Florida. I think the gentleman has had his time extended twice.

Mr. CANNON. Mr. Chairman, this is so important a matter that there ought to be a quorum present.

Mr. CLARK of Florida. I think so, too, and I am going to insist that they stay here until we finish this bill.

The CHAIRMAN. The gentleman makes the point of order that there is no quorum present. Evidently there is not, and the Clerk will call the roll.

Mr. KEARNS. Has the Chair counted to ascertain whether there is a quorum present or not?

The CHAIRMAN. Evidently there is no quorum present. The Clerk will call the roll.

Mr. KEARNS. Is it too late to ask for tellers?

The CHAIRMAN. Yes. The Chair has announced that there is no quorum present, and there was no quorum present when the Chair made the announcement, and he directed the Clerk to call the roll. It is evident that there is no quorum present. The Clerk will call the roll.

The Clerk proceeded to call the roll, when the following Members failed to answer to their names:

Alexander	Dyer	Kennedy, R. I.	Scully
Austin	Edmonds	Key, Ohio	Sears
Bacharach	Emerson	Lea, Cal.	Shackleford
Benson	Essen	Lesher	Siegel
Beshlin	Estopinal	Little	Slemp
Birch	Ferris	Lobeck	Small
Booher	Fields	London	Smith, C. B.
Borland	Flynn	McAndrews	Smith, T. F.
Britten	Focht	McCormick	Snyder
Brodbeck	Francis	McKeown	Stephens, Nebr.
Browning	Freeman	McLaughlin, Pa.	Sterling
Brumbaugh	Fuller, Mass.	Maher	Stevenson
Caldwell	Garrett, Tex.	Mason	Stiness
Carew	Good	Mondell	Strong
Carter, Mass.	Goodall	Montague	Sullivan
Chandler, N. Y.	Gordon	Morin	Swift
Church	Graham, Pa.	Mott	Tague
Cleary	Gray, N. J.	Mudd	Taylor, Ark.
Cooper, Ohio	Gregg	Neely	Templeton
Cooper, Wis.	Griest	Norton	Thomas
Copley	Hamill	Overstreet	Tinkham
Costello	Hamilton, N. Y.	Park	Vare
Cox	Harrison, Miss.	Parker, N. Y.	Venable
Crago	Haskell	Phelan	Voigt
Crosser	Hawley	Platt	Waldow
Curry, Cal.	Hayes	Pratt	Walker
Davey	Heaton	Price	Ward
Davis	Heintz	Rainey, H. T.	Watson, Pa.
Delaney	Helm	Reavis	Welty
Dempsey	Helvering	Riordan	Whaley
Dewalt	Houston	Roberts	White, Ohio
Dickinson	Husted	Rowe	Wilson, Ill.
Dill	Hutchinson	Rowland	Winslow
Donovan	Johnson, Ky.	Russell	Wise
Dooling	Kahn	Sabath	Wood, Ind.
Drane	Keating	Sanders, La.	
Drukker	Kelley, Mich.	Sanford	
Dunn	Kennedy, Iowa	Schall	

The committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors, found itself without a quorum, whereupon he caused the roll to be called, when 279 Members, a quorum, answered to their names, and he presented the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. HARDY in the chair.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. MOORE] had a pro forma amendment pending. The Chair assumes that that will be considered as withdrawn.

Mr. KREIDER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania, a member of the committee, is recognized for five minutes.

Mr. BURNETT. Mr. Chairman, I am a member of the committee, and I want to reply to the gentleman from Pennsylvania [Mr. MOORE].

Mr. KREIDER. I rise in opposition to the pro forma amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania, who is a member of the committee. The Chair will recognize the gentleman from Alabama later.

Mr. KREIDER. I simply wanted to call the attention of the gentleman from Massachusetts [Mr. PHELAN] to a statement in the hearings. I do not see the gentleman on the floor now. I propounded a question to him, in which he indicated that I was in error. I simply want to say that it is only an indication of how short men's memories are. The question was to the diseases with which these soldiers are afflicted. I read from hearing No. 14, page 34. The question was asked by the chairman of the committee:

Now, Doctor, tell me this: What are these hospitals for?

Dr. BANKS. For soldiers and sailors discharged from the military and naval service of the United States on account of disabilities incurred in line of duty.

The CHAIRMAN. Suffering from any disease?

Dr. BANKS. No; especially tuberculosis, for the reason that the large problem of discharged soldiers is tuberculosis. About 25 per cent of those discharged are suffering from that disease.

The CHAIRMAN. About how many?

Dr. BANKS. About 25 per cent.

The CHAIRMAN. Then you have got 75 per cent who are suffering from other troubles?

This was the question denied by the gentleman from Massachusetts [Mr. PHELAN], who said I was in error.

Dr. BANKS. Yes; of general miscellaneous character, either injuries or organic diseases, like heart disease, kidney disease, etc.

The CHAIRMAN. I understand; but why do you say that all of these are to be especially for tubercular people, when only 25 per cent of them are tubercular?

Dr. BANKS. Because they require longer hospitalization than any other class.

The CHAIRMAN. Yes; but you have got to have conveniences to take care of the other classes.

Dr. BANKS. Yes, sir.

The CHAIRMAN. Then you will need more room for the other classes than you will need for the tubercular people?

Dr. BANKS. Well, it is considered desirable to segregate that class.

The CHAIRMAN. That is what I say, but the fact is you need more space?

Dr. BANKS. Oh, yes.

The CHAIRMAN. For others than you will need for the tubercular ones.

Dr. BANKS. Well, I doubt it, because——

The CHAIRMAN (interposing). Well, if there is 75 per cent of them, you certainly will.

Dr. BANKS. Well, they are of a class that can be treated at their homes, such as kidney disease and heart disease.

The CHAIRMAN. You don't mean that the Government is going to treat them at their homes?

Dr. BANKS. The Government is obligated to do it in one way or another.

The CHAIRMAN. You mean for them to have their own physicians?

Dr. BANKS. To have their own physicians.

The CHAIRMAN. To have local physicians?

Dr. BANKS. Yes, sir.

The CHAIRMAN. I didn't catch that.

Dr. BANKS. They are to have their local physicians.

The CHAIRMAN. Then it is your idea that the Government will employ local physicians all over the country to treat these people?

Dr. BANKS. They will have to do it, because these men will be located all over the United States in small villages and out-of-the-way places.

The CHAIRMAN. Now, let us go a little slow here. I want to get as clear an understanding as a layman may get of this thing. It may sound very foolish to you, some of these questions, but nevertheless you are not talking to a group of doctors now, you know.

What would you say would be the proportion of space to be provided for those patients suffering from diseases that are not tubercular who will go to hospitals? Leave out the home treatment.

Dr. BANKS. Well, in the first place you have got to consider the tuberculosis situation. There are at present about 14,000 beds.

The CHAIRMAN. I want to cut that out and listen to the other for a minute or so.

Dr. BANKS. I wanted to say, as a basis for my statement, there are 14,000 beds throughout the United States for tuberculosis—that is, in hospitals especially devoted to tuberculosis. We have already got between 14,000 and 15,000 discharged. That is not taking into account these sanitoria which are already filled with civilian population. Consequently we have got to provide for this 14,000 elsewhere than in existing sanatoria. Now, the general hospitals of the United States are much more numerous than tuberculosis hospitals. I don't know the bed space of the general hospitals throughout the United States, but it is not adequate to take care of all these special diseases. For instance, we have nearly 4,000 discharges for epilepsy from the Army.

I refer to these matters to show that the proponents of this bill are not arguing in accordance with the testimony of men who appeared before the committee. It is not for the benefit

of the returned soldiers. The chairman asked the question in plain language, "Now, Doctor, tell us what these hospitals are for," and he tells plainly what they are for in as plain language as a man can speak. Now, I want to answer the question of the gentleman from Missouri.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. KREIDER. Mr. Chairman, I ask for five minutes more.

Mr. CLARK of Florida. I shall have to object.

Mr. KREIDER I only want five minutes.

Mr. CLARK of Florida. I will not object at this time provided the gentleman from Alabama [Mr. BURNETT] can have a little more time.

Mr. KREIDER. I shall not object to that.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. CLARK of Florida. Now, will the gentleman yield to me for a question?

Mr. KREIDER. I will.

Mr. CLARK of Florida. The gentleman says that these hospitals are not for people in the Army. Did not they all state that there were 14,000 tubercular patients who had been discharged from the Army, and that they looked for 20,000 more?

Mr. KREIDER. The gentleman knows that those were not men coming from France, men who had been over the sea. Not one of them came from the other side.

Mr. CLARK of Florida. Oh, oh, the gentleman is mistaken.

Mr. KREIDER. Here we have the proposition as to who are the patients. I call your attention to the question which the chairman asked, what are the hospitals for, and the answer that they are for the patients of the War Risk Insurance Bureau. Now, who are these men? I want to answer that by reading from the hearings, page 32:

Dr. BANKS. These men have been drafted into the Army by the Government; they have been taken away from their occupations and their previous methods of existence, you might say, involuntarily. They have been taken by process of law, and they have made no representations regarding physical conditions, and the Government took them as they stood. That is the equity of the case from their standpoint.

Mr. BURNETT. Then, if they are examined the next week, even, by the surgeon at the camps and turned down, they are entitled to compensation from the War Risk Insurance Board?

Dr. BANKS. Yes, sir.

Mr. ASHBROOK. Although they have never seen any service and haven't been from their homes over perhaps a week or two?

Dr. BANKS. Yes, sir.

Mr. ASHBROOK. That is an outrage.

Mr. BURNETT. You say we passed a law to that effect, or is that merely a construction?

Dr. BANKS. No, sir; that is a law of Congress.

Mr. BURNETT. Then we are responsible for it?

Dr. BANKS. Not only that, but Congress amended the law to make that possible. It was not asked for by the War Risk Insurance Board.

Mr. ASHBROOK. Well, we are a set of chumps, then.

Mr. RUCKER. As a matter of fact, if I may put in a word, I think that is right.

[Laughter.]

Now, I want to make these two points clear as to who are the patients of the War Risk Insurance Bureau, what are the hospitals intended for, and I want to say emphatically, according to the evidence I have read, that they are not for the returned soldiers over the sea. Those men are taken care of by the War Department, and they are on record as saying that they will not discharge them as long as they need hospital treatment. Now, there is a sinister reason back of all this. There is not a Member of Congress who desires to deprive a soldier of any benefit and accommodations he needs, or who desires not to do the thing for the soldier, but we can not afford to close our eyes to unnecessary expenditures of the public funds. I am in favor of the stipulation or the amendment written in the bill by the committee providing for the taking over of any hospitals, turning over patients from the War Department, and if that is done we need not expend $10,500,000. I would be perfectly willing to strike out the $10,000,000 and let the $500,000 stand.

I do think that there is a hospital needed at Norfolk, but I do not think we need to build these hospitals in 14 different cities in the United States for these purposes, because we now have all the hospital capacity that is necessary to take care of our soldiers. [Applause.]

Mr. BURNETT. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, the memory of the gentleman from Pennsylvania [Mr. KREIDER] is very defective, indeed. When he comes to make his minority report he simply selects such parts of the testimony of Col. Smith as he thinks bear on his position in opposition to this bill and leaves out the important part of that testimony. I am going to call attention to it. The gentleman talks about the boys coming back from the other side. The gentleman from Pennsylvania [Mr. MOORE] says that they will have to pay part of this expense. Well, Mr. Chairman, I do not believe that there is a soldier coming back from the other side but what will be willing to pay his part of the taxes which we will have to pay to care for or heal those that are discharged both from the other side and this side on account of disabilities for which this Government ought to take care of them.

The gentleman from Pennsylvania [Mr. MOORE] has referred to this, and I would like to know—and possibly the gentleman from Pennsylvania may know, because in a few weeks he will have an opportunity to vote on the question—whether he is willing for a crowd of aliens from the other side to be kept from these shores and kept from taking the jobs of returning soldiers from the trenches and camps. We will see how the gentleman stands when he gets a chance to vote on such a bill.

In regard to disabled men that have been inducted into the service under the draft, the incompetency, if there is any, is in the War Department and the men of those boards that have passed men as being physically satisfactory, and the same men have been returned from the camps by the Government surgeons. It seems to me, Mr. Chairman, that in the War Department we have incompetency in almost every detail. I want to read, because perhaps some gentlemen have not read it, an item from the Washington Star with reference to soldiers at the Walter Reed Hospital. Last Saturday this statement was made to the Star by some of the men, and if there was nothing more to get soldiers from under the control of the War Department which would impel me to vote for this bill this statement would.

I want to read just a few lines from it, to show how these soldier boys are treated—not by the hospital but by the War Department itself:

The regulations, one of the officers said, do not provide for the laundering by the Government, or at Government cost, of the clothes of the men who are able to attend to their own laundry. If the men find the work irksome all they need to do is to have their clothes sent to a city laundry and pay for the work in the regular way at the regular prices. Neither the quartermaster nor the adjutant has power to change a military regulation. The machine must operate in the usual way. Sentiment does not govern a military organization, he said.

As many of the men have not been paid for several months and are without funds, the question of their paying to have their laundry done is eliminated.

As a one-armed man yesterday was washing his shirt in the bathtub he remarked to a reporter he was sure that this great, rich country, for the safety of which he had in common with scores of thousands of others given his blood, did not desire that the crippled soldiers should do their own washing. A group of six or seven men, all leaning on crutches, each shorn of a leg, awaited their turn at the common clothes washing bathtub and good-naturedly urged him to "carry on."

"You see it's like this," said one of the men who had left his leg in France, "we must either do our own washing or not have it done at all. There is no laundry here for the use of the men. At least we haven't been able to find one. When I had two good legs I didn't mind washing my clothes.

"We used to do it at the Argonne and in other parts of France." Then he opened his upper shirt and pointing to the garment beneath, said:

"I have worn this underwear three weeks. I hate like fury to wash it in the bathtub. We could send it down town and have it done at the ordinary rate of expense. But men on $30 a month, who have suffered as we have suffered, feel that the country ought at least do our washing for us.

"Then, again, many of us haven't received any pay for seven or eight months. We are told that we are going to get it. I have had my account fixed up and O. K.'d, and I am told it will come; but I am wondering when, and a great many other boys are wondering the same thing."

HAVE TO BORROW CAR FARE.

It is not an uncommon thing to see several soldiers late in the afternoon trying to borrow a dime from their more financially fortunate "bunkies" to pay car fare down town and back.

That is the way the War Department is taking care of the boys from the other side. I repeat, if there was nothing else in this bill than the proposition to take it from the War Department and put the matter under the control of he Treasury Department—that is, the care of those discharged from the service—it would evoke my approval and my vote.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. DYER. The gentleman states that the War Department is inefficient and incompetent to do this work. How does he figure that the Treasury Department will do better?

Mr. BURNETT. Mr. Chairman, I have never heard any complaint of the Bureau of the Public Health Service in regard to the functions they have been called upon to perform. I say candidly that if it was to be left to the Bureau of War Risk Insurance under the Treasury Department, as it has func-

tioned heretofore, I should be as intensely opposed to it as I am intensely in favor of this proposition coming under the Public Health Service, although, to do justice to those in charge now of the Bureau of War Risk Insurance, I want to say that under the present management I have seen a great improvement.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. BURNETT. Yes.

Mr. LONGWORTH. I want to ask a question for information. There have been so many contradictory statements made in the course of this debate that some of us are in doubt as to what to do. What has the gentleman to say in regard to the statement of the gentleman from Pennsylvania [Mr. KREIDER] that, as a matter of fact, none of the hospitals to be provided for by this bill would be used by the soldiers returning from abroad?

Mr. BURNETT. I do not understand it in any such way.

Mr. LONGWORTH. The gentleman from Pennsylvania has made that positive assertion.

Mr. BURNETT. The gentleman is altogether incorrect. I want to show what the gentleman from Pennsylvania omitted from his report, and that will show exactly what the gentleman was wanting to put in and what he wanted to leave out. He quotes from Col. Smith's testimony. Col. Smith said:

It is impossible to state at this time when any of the hospitals now operated by the Army could be released for use by the Public Health Service. While it is believed that we have provision for a sufficient number of beds in Army hospitals, it is also our belief that we require all that we now have in order to provide a reasonable margin of safety for the care of sick and wounded returning from overseas, and the sickness problem which may develop among the troops in this country and returning for demobilization.

The gentleman from Pennsylvania, in making his minority report, left that out. Let me read you just a little more that he also left out in regard to the hospitals that could be made available. Col. Smith says:

As to the date when any others could be turned over, it is impossible to state at this time, for that depends upon the number of patients for whom we must make provision and the type of the case, which determines the duration of their stay in hospital. It is believed, however, that in six months several of those hospitals could be released, but not before that. The permanent general hospitals would not be available at all.

That is the language of Col. Smith, which the gentleman left from his minority report, and yet it immediately preceded what the gentleman from Pennsylvania did quote.

Mr. KREIDER. Mr. Chairman, will the gentleman yield for a question?

Mr. BURNETT. The gentleman has his own time.

Mr. KREIDER. I know, but the gentleman makes an accusation. I want simply to say this, that none of the general hospitals that are owned by the Government are suitable for tuberculosis patients, but there are eight hospitals under the control of the War Department that are, and I enumerate them in my report and give their capacity in respect to beds, and so forth; so that I have been entirely fair.

Mr. CLARK of Florida. Will the gentleman from Pennsylvania name these hospitals and will he point out in the RECORD where the War Department has ever said they would turn over a single one to the Public Health Service? They said positively they would not.

Mr. KREIDER. I can do it.

Mr. CLARK of Florida. Let the gentleman do it in his own time.

Mr. BURNETT. Mr. Chairman, here we have been two days on this bill. A short time ago there was one hospital that we asked to have constructed, and gentlemen over on that side, who are now rallying against this bill, made the argument that there ought to be a general scheme for such hospitals. Now we come in with a general scheme and for two days gentlemen have been fighting that. Mr. Chairman, we are going to have tuberculosis patients all along, men that have come not only from the ranks in the camps here, but from the shot and shell and the snow and sleet and trenches on the other side.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. BURNETT. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BURNETT. Some one I hear says something about my not hurrying along. Who has been doing the talking? This is the first time that I have spoken, and I would not have taken the floor now had not the gentleman from Pennsylvania [Mr. MOORE] made the speech he did in regard to turning it over to the War Department. We do not know how big the Army is going to be. We do not know how long these brave men are going to be kept on the other side. We ought not to limit the space that a single soldier gets from the hospitals that the Government now has under the charge of the War Department. If this bill gave only one resting place, one sanatorium, for one single tubercular patient, it would be enough for me to say that we ought to spend the ten and a half million dollars and do it at once. If only one man's life can be preserved, if only one sick or wounded soldier or nurse who went with the Red Cross to the other side is saved, it is enough for me. These people took their lives in their hands and risked them on the call of our Government. I hope gentlemen will not delay longer by wrangling over what department shall have control, when we know that the Public Health Service has heretofore had this very character of work under its control. I hope we will not jeopardize by postponing and delaying one minute longer a bill that affects the very life of many brave men and women who offered their lives for their country. [Applause.]

Mr. MANSFIELD. Mr. Chairman and gentleman of the committee, in view of the fact that my name appears signed to the minority report, and in view of the further fact that reference has been made to my attitude in reference to this bill, I feel in justice to myself and in deference to the majority of the committee it is necessary for me to make a brief statement. I did not join in the minority report as appears of record in this matter. My name is there by inadvertence. I did vote against reporting the bill in the committee because from the light before me at that time I did not think that all this expenditure of money was necessary—and I have not yet thoroughly made up my mind upon that point—but after I returned to my office from the committee meeting a member of the majority inquired over the phone as to whether or not I would acquiesce in the majority report. I told them if I decided not to do so I would let them know. That was the last I heard of the matter until a few days ago, when the gentleman from Pennsylvania [Mr. KREIDER] showed me a typewritten copy of the minority report, and inasmuch as I had voted against reporting the bill my name appeared upon this typewritten copy of the minority report. I explained the matter to the gentleman [Mr. KREIDER], and he scratched my name off. But somehow, by some means which I am unable to explain, it appears that some other copy of the report was inadvertently handed to the printer, and my name is printed there. Now, here, gentlemen, is my attitude with reference to these hospitals. I would rather have 10,000 too many beds for returning soldiers than to have one too few. I do not like the idea, however, of having more than 50,000 vacant beds with strings to them, because I want hospital beds that can be used for every discharged soldier, sailor, or marine who may be in need of them; and if we have got 40,000 or 50,000 beds which can not be used for that purpose, I think we need some legislation that will make them available. I do not like the idea of having thousands of beds too many under one branch of the Government and a thousand too few under another. I want it so that every soldier, every sailor, every marine, and every nurse who needs a bed shall be supplied with that hospital bed if the Government of the United States is able to afford it, and I think it is. Gentlemen, I thank you. [Applause.]

Mr. CANNON rose.

Mr. CLARK of Florida. Mr. Chairman, does the gentleman from Illinois desire to offer a real amendment?

Mr. CANNON. I want to offer a real amendment.

Mr. CLARK of Florida. I yield to the gentleman.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

Mr. CANNON. Mr. Chairman, I move the following amendment: To strike out in line 7, beginning with the word "and." I will read the amendment:

And for others entitled to treatment by the Public Health Service.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CANNON. Page 1, line 7, strike out the following: "and for others entitled to treatment by the Public Health Service."

Mr. CLARK of Florida. If the gentleman will yield to me just a moment, I want simply to give notice that I am going to try to insist upon the rule being observed hereafter in debate upon this bill. We have talked all day about it.

Mr. CANNON. I know, but you gentlemen have done most of the talking——

Mr. CLARK of Florida. No; we have not.

Mr. CANNON (continuing). Both upon the committee and off of it. However, I will see when my five minutes are up, and it may be the committee will give me a little more time. It may be I can say all I desire in two minutes or that a man perhaps ought to say. Mr. Chairman, it is time in considering legislation, now that the armistice has been made, and they are coming home to the United States from overseas and being dis-

charged by the tens of thousands, to call a halt in the enactment of legislation and be sure what legislation ought to be enacted. First, what is the real condition; second, what have we to raise revenue for and for what purposes; third, how much useless machinery have we got that is spending money; fourth, what have we to care for in the Treasury for the soldiers and the citizens who are entitled to care; fifth, can we be diverted from the merits of a proposition by patriotic declamations? Why, of course, the United States will take care of every soldier who is entitled to relief under the war-risk act, and those who are entitled to payment or killed and are leaving dependents. Never in the tide of time in this country or any other that ever existed has there been so much guaranteed to the soldiers of any war as we have guaranteed. I merely refer to it. I would not dot an "i" or cross a "t" to take back any pledge we have given to our soldiers, but I am not ready in orating about taking care of the soldier to let creep in along with the soldier the man, the woman, the child, who are not soldiers, and permit them to have relief and treatment in hospitals. Oh, we are caring for the dependents, and that pledge was made if a soldier was killed, and so forth, or if he was wounded, and the Government is caring for the dependents of the soldier by an allotment. It is keeping all of those pledges, every one of them. But now what is the status? First, the civil employees in the War Risk Bureau in the Treasury Department, who never were in the service, not entitled to anything more than anybody else's wife and child and every other civil employee in the Government is entitled to, it is said, and I assume it is true, that we gushed along and are pledged to care for in hospitals now until the time they die, all the civil employees in the War Risk Bureau.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. CANNON. Certainly.

Mr. BANKHEAD. What authority of the law has the gentleman for the statement that the civil employees of the War Risk Bureau would be entitled to the use of these sanatoriums?

Mr. CANNON. The legislation gives it to them. I am correct in that, am I not?

Mr. CLARK of Florida. Absolutely not.

Mr. CANNON. Then the whole debate has proceeded along lines that are founded upon a fallacy.

Mr. CLARK of Florida. I beg the gentleman's pardon. The persons who are entitled to treatment in hospitals as fixed by law are civil employees of the Government injured under the workmen's-compensation act—no relation to the War Risk Bureau at all. And none of the employees of the War Risk Bureau will be entitled to hospital treatment under this bill.

Mr. DYER. The gentleman's own report shows there are others.

Mr. CLARK of Florida. No; it does not.

Mr. STAFFORD. Will the gentleman yield?

Mr. CANNON. I will.

Mr. STAFFORD. In the draft copy of the sundry civil bill, on which hearings are now in progress, there is an item carrying an appropriation of over $1,000,000 for the treatment of those afflicted with venereal diseases under the act of the past year. This bill would give provision for that kind of patients.

Mr. RUCKER. Soldiers.

Mr. STAFFORD. Not soldiers.

Mr. CLARK of Florida. The gentleman knows that the provision of which he speaks will go out under a point of order if anybody makes it.

Mr. STAFFORD. I do not. The bill specifically enumerates the section under which they claim that authority.

Mr. CLARK of Florida. What has that to do with this?

Mr. STAFFORD. It has direct relation to the amendment of the gentleman from Illinois so as to prevent this bureau of health from spreading its arms so as to cover everybody in the United States.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. Mr. Chairman, I ask for an extension of time. I would like 10 minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent for 10 minutes more. Is there objection?

Mr. CLARK of Florida. How much?

Mr. CANNON. I would like 10 minutes.

Mr. CLARK of Florida. Mr. Chairman, I do not object to this, but——

Mr. CANNON. Do not put it on me. I do not care, so far as that is concerned. I am asking no courtesy that is exceptional. I want to be educated as to what the law is if I do not understand what it is.

Mr. CLARK of Florida. I will not object. Let the gentleman go ahead.

The CHAIRMAN. The Chair hears no objection.

Mr. CANNON. From the best reading that I can do and from the report it seems that I have been in error in believing that the civil employees of the War Risk Bureau were entitled to treatment in these hospitals.

Mr. CLARK of Florida. Permit me right there, as long as the gentleman has 10 minutes.

Mr. CANNON. Then I may want 10 minutes more.

Mr. CLARK of Florida. I am willing for the gentleman to have an hour if he can show that this bill provides for the civil employees of the War Risk Bureau. I wish the gentleman, instead of making the assertion, would point out from the act where they are taken care of.

Mr. CANNON. I take it from the report there. Let that be as it may——

Mr. CLARK of Florida. The gentleman knows the bill would settle it. The bill determines that point.

Mr. CANNON. Now, the gentleman wants to go back to the bill.

Mr. CLARK of Florida. That is what we are trying to pass. We are not trying to pass the report.

Mr. CANNON. I read:

Additional hospital and sanatorium facilities for the care and treatment of discharged sick and disabled soldiers and sailors, patients of the War Risk Insurance Bureau.

Mr. CLARK of Florida. Patients.

Mr. CANNON. I read further:

And for others entitled to treatment by the Public Health Service.

Now, my motion is not to strike out the patients of the War Risk Bureau. That can follow later on. But it is for the Public Health Service and others. You enumerate here five or six cases where they are entitled to hospital treatment and then wind up and propose to legislate for all others that are entitled, and when you pass that you can still appropriate for expenditures for the others.

Now, what does "others" mean? Why, gentlemen who have watched the great progress that has been made during this administration, before the declaration of war and since the declaration of war, will find that the Treasury Department through the Public Health Service, by appropriations made by Congress, sometimes without legislation and sometimes with the legislation, has so greatly extended the power of the Public Health Service that there is not one citizen in a thousand in the United States that understands what has been done. For instance, there have been appropriations made to take care of epidemics; appropriations made to take care of venereal diseases. We spend great blocks of money to protect the soldiers in the cantonments, and then we are spending great blocks of money, without cooperation of the States and with the cooperation of the States, with which, from my best judgment, as near as I can ascertain in haste, you can take people afflicted with various diseases in civil life who require treatment in a hospital and put them in a hospital and treat them at the public expense. Does anybody dispute that? The gentleman is silent.

Now, I am not for it. I want every citizen, great and small, to stand with equal privilege before the law, and to care for our soldiers and sailors and their dependents as we have cared for them. Therefore I take it that this amendment ought to prevail.

Now, then, a word about the hospitals. I have read this report. I have been tolerably busy since this Congress met in the Committee on Appropriations, headed by Mr. SHERLEY, on a deficiency appropriation bill, a bill that has taken my time, almost every minute of it, from the commencement of this session up to the present moment. We have reported that bill, and I suppose it will follow this one. We will discuss it when we come to it. But I think it is the most important bill that has been or will be passed during this session of Congress.

Now, we got ready for this war in haste. There are 16 camps and 16 cantonments in the United States, on leased ground in the main. Wherever those camps and cantonments are all, as I understand it, are equipped with hospitals. A hospital means a place for the treatment of the sick and wounded, with all accommodations for the doctors and with all the accommodations for the nurses. Now, we are not needing those camps and cantonments much longer. We are not drafting people to send to them. But here is this property that Uncle Sam owns. To construct a hospital such as this bill contemplates, as near as I can tell from reading of the report, means $3,000 a bed; that is, to make the bed available. And it would take from two to four years to construct a hospital as desired by the supporters of this bill.

Mr. BUTLER. How long? From two to four years?

Mr. CANNON. Yes. We discussed this a little bit when we had the Kentucky proposition before us for a hospital, as you will recollect.

Now, I want to say another thing, and with high respect, for I suppose I am as selfish as most Members of Congress, if not all Members of Congress, in caring for my constituency. But you may take Document No. 14 and Document No. 16 of these hearings, and you may read them all through, and you will find there that the anxiety about the location of the hospitals, the hearings about their location, was pretty near, you know, in interest to many members of that committee, interested in building hospitals in the back yards of their districts, or in their sections. I do not care where they are built, provided they are properly located and built, and provided that they ought to be built at all.

I believe this bill ought to be amended, instructing the War Department and the Navy Department to turn over all these camps and cantonments for use as hospitals for the people who are entitled to relief therein. We have over 100,000 beds, with 50,000 occupied, it is said. A fair reading of these hearings shows that the great mass of men who come back and are not well, but sick, are kept by the War Department until they get well, and then they are discharged. That appears in the hearing. I pause to have it contradicted. Is there any contradiction?

Mr. GRIFFIN. Yes. The gentleman makes the challenge, and I will accept it. I want to call his attention to the fact that, notwithstanding the statements of some of the officials of the War Department that they did not discharge men until they were cured, there were 24,500 tuberculosis cases in the Army that have been discharged, and they are discharging them to-day at the rate of 250 per week.

Mr. CANNON. Precisely; a number of months or weeks of treatment is given for tuberculosis cases. Great stress is laid upon tuberculosis treatment.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CANNON. I am going to ask, Mr. Chairman, for an additional five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. CANNON. Tuberculosis is a terrible disease, but from all the reading that I have been able to give to this hearing and everywhere else I find that there is a certain stage of tuberculosis that practically can not be cured, but there is an earlier stage of it where, with the great improvements in treatment, recoveries are had. What you want is not granite walls and air-tight compartments. That may be contradicted by somebody who will follow me, if he wants to. What we want is sunlight and air, fats and good healthy food to eat. That is the treatment, and about the only treatment, as I have been informed by skilled physicians; that is the only treatment that is proper for tuberculosis. This record shows that after a few months those that are curable are very apt to be discharged cured.

Now, then, suppose a man who has been in the Army contracts tuberculosis after he is discharged. Then he is treated by the doctor in his neighborhood at the expense of the United States. That is the scheme. Or he is treated in a hospital. I am not here to say that such treatment should be denied. We have been liberal with the soldiers. We were liberal with the soldiers of the Civil War. But I am here to say that I believe from these hearings and from this bill and from the legislation that has been had, even before the war commenced, extending the jurisdiction of the Public Health Service, coupled with what has happened since that time, the time has come to call a halt. Not in caring for the soldier, but in caring for the soldier taking care also for the civilian, playing favorites.

Now, I think that is all I want to say. I shall vote for the amendment which I have offered, because that amendment takes care not only of everybody who is entitled under the law to be cared for now, but as legislation may be enacted hereafter, it will take care of them without any further enactment.

I want to refer to the Public Health Service, and I do it respectfully. The head of that Public Health Service is one of the ablest men I have ever met. He is a thorough gentleman. But he is like all the balance of mankind, some stronger and some weaker, in that he tries to extend his jurisdiction and his work, and in many instances I think not for the public good.

Mr. RUCKER. Before the gentleman takes his seat, may I ask him a question?

Mr. CANNON. Certainly.

Mr. RUCKER. The gentleman realizes, from what he knows historically about the war, that it is altogether probable that tuberculosis will develop in many cases after discharge when it is not present at the time of discharge?

Mr. CANNON. Yes.

Mr. RUCKER. Those people, I believe you stated, ought to be treated by the Government?

Mr. CANNON. Yes; but I want to say one other thing: In the legislation that we had caring for the soldiers of the Civil War, they had to prove their injuries by official records.

Mr. RUCKER. That is, in order to get a pension?

Mr. CANNON. Yes; to get a pension. Or they had to prove it by witnesses; and they had to trace the present condition to the service in line of duty. Now, I do not want anything so severe as that for the soldiers of this war.

Mr. RUCKER. The gentleman will realize that injustice was done to thousands of men by reason of that harsh rule?

Mr. CANNON. Yes; I realize all that.

Mr. RUCKER. If a man, able and well, is accepted into the service and after the battle is discharged and suddenly afterwards develops tuberculosis, would not the gentleman agree that that man should be treated by the Government?

Mr. CANNON. I have already stated that I would have him treated by the Government.

Mr. RUCKER. I hope the gentleman will say it with his usual emphasis.

Mr. CANNON. I have already said that.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. CANNON. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. CANNON. The gentleman from Alabama [Mr. BURNETT] is glib of tongue and of great ability, and I want to compliment him on his ability. He comes with great strength, and he picks up this newspaper report about the Walter Reed Hospital, about the inmates there having to do their own laundry work, one-armed and one-legged men. Good God! The appropriations are available, and it is your administration as well as mine. You made it; I did not. I am not in party harmony with it. In many instances I have supported it. But instead of criticizing this or that or the other thing that can be remedied by administration, why do you not take some of these people by the nape of the neck and the slack of the breeches and throw them out of the public service? [Applause.]

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. CANNON. Yes.

Mr. BURNETT. I would be glad to do it if I could; but the gentleman has as much power to do it as I have, and I say therefore let us not give them any more power than they already have.

Mr. CANNON. Oh, no; you control. You have got the President; you have got the Congress. You control it; and while I am not lying awake at night to deny that it has been a difficult task, we helping you as best we could and not throwing chunks in the way, I think the rocks and mountains ought to fall on you, at least temporarily, and put you out of complete power and let us unscramble the eggs. [Applause and laughter.]

Mr. GRIFFIN. Mr. Chairman, in view of the splendid laudation of the head of the Public Health Service by the gentleman from Illinois [Mr. CANNON], who has just taken his seat, I would like to call his attention and also the attention of the House to the letter of the head of the Public Health Service, Robert Blue, Surgeon General, which was printed in my remarks of Saturday. I want to refer specifically to this statement:

> It has been stated that the policy of the Army is to keep its tuberculosis cases until they are incapable of further improvement. As a matter of fact, of the 1,724 war-risk cases now actually under treatment 930 are cases of tuberculosis which have been discharged from the Army.

Mr. STAFFORD. That statement is not at all inconsistent with the other.

Mr. GRIFFIN. And in order to rob this discussion of its uncertainty, particularly where figures are concerned, I want to call the attention of Members, who will take the time and pains to do so, to page 2056 of the RECORD of Saturday, which contains, not the statements or the inferences of men from these departments, given casually two months ago or one month ago, but the figures right up to January 17, 1919; and in the last report from the War Department you will find that their statement is that they have only 42,530 beds, and you will also find on that page a statement that there are 120,000 wounded men now under treatment in French, English, and American hospials on the other side.

Now, coming specifically to this amendment, I want, with all due deference to the gentleman from Illinois [Mr. CANNON], to submit to his judgment this proposition——

Mr. TEMPLE. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. TEMPLE. On the page referred to the total number of men receiving treatment in French and British hospitals is stated to be 8,000, and the vacant beds 42,530.

Mr. GRIFFIN. The gentleman is reading from the wrong table.

Mr. TEMPLE. I am reading from the table on the page the gentleman referred to.

Mr. GRIFFIN. I call the gentleman's attention to Exhibit D, wherein it is stated that the total number of men receiving treatment in American hospitals in France, including the English and French hospitals, as reported from American Expeditionary Forces January 2, was 120,391.

Mr. TEMPLE. The total number that had received treatment all told?

Mr. GRIFFIN. The total number that were receiving treatment on that date. The gentleman is looking at the comparative table in Exhibit C, where the number of men receiving treatment in the various hospitals are compared as of November 28 and January 17. When the figures were differentiated the War Department showed that there were 8,000 men receiving treatment in English and Franch hospitals, and 182,569 receiving treatment in American hospitals.

Mr. TEMPLE. Yes; that is correct. The number not in American hospitals is stated at 8,000.

Mr. GRIFFIN. But as of January 2 there are 120,000 men receiving treatment in English, French, and American hospitals combined.

Mr. TEMPLE. With 42,000 vacant beds in American hospitals.

Mr. GRIFFIN. Over here; yes.

Mr. BUTLER. How many vacant beds in American hospitals?

Mr. GRIFFIN. Forty-two thousand.

Mr. KREIDER. And 15,000 more being completed.

Mr. GRIFFIN. Let me proceed.

Mr. KREIDER. Those men who are being treated are not all of them wounded. Some of them are sick.

Mr. GRIFFIN. That is true.

Mr. KREIDER. And not 50 per cent of them will apply for treatment after they return to this country.

Mr. GRIFFIN. That is merely an inference and a conjecture. If you are willing to draw conjectures of that kind against this bill and against the soldier, I ask you in all fairness to use your sane thought and vision, to infer that thousands of these boys who have been in the trenches and who come back here with their lungs sloughing away as the result of being gassed and as the result of other diseases are likely in the future to appeal to the Bureau of War Risk Insurance for relief; and we have the figures to show that 14,200 of them up to date have made application, and that these applications are coming in at the rate of 250 a day.

Mr. KREIDER. But those are not men who have returned from overseas.

Mr. GRIFFIN. Now, getting down to the specific amendment before the House, the amendment of the gentleman from Illinois, I want to say, with all deference to him, that if that amendment were passed, it would take the vitals out of this law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRIFFIN. I ask unanimous consent to proceed for five minutes.

Mr. MANN. I suppose the gentleman from Florida [Mr. CLARK] is willing?

Mr. BURNETT. The gentleman from Florida is not here, and in his absence I ask it.

Mr. MANN. He is willing to have the time extended?

Mr. BURNETT. Yes.

The CHAIRMAN. Without objection, the gentleman will proceed.

There was no objection.

Mr. GRIFFIN. If this amendment were to pass and we were to cut out these lines on page 1, it would repeal every law that you have been enacting since 1798 putting responsibilities upon the Public Health Service.

Mr. MANN. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. MANN. How would it repeal the law to say, while providing additional hospital accommodations, that people already entitled to hospital accommodations should be entitled to these additional ones?

Mr. GRIFFIN. I will show the gentleman how it would effectually repeal the law.

Mr. MANN. It would take more than five minutes to show that.

Mr. GRIFFIN. Oh, no; have patience. It would have the effect to repeal, although not specifically repealing the existing law, for this reason: That the Public Health Service is required to treat certain departments of the Government—for instance, the Coast Survey, the Geodetic Survey, and persons injured under the workmen's compensation act. Now, all of the other departments are to be excluded from the terms of this act, and we are asked to provide for additional facilities for the exclusive benefit of the soldier, the sailor, and the marine under the proposition in the gentleman's amendment. If this amendment were to be adopted, while nominally on its face it would prevent the additional facilities being used by any but soldiers and patients of the War Risk Insurance Bureau, it would have the effect of not only including them but it would vitiate all of our previous legislation on this subject. It would do that for the reason that the Public Health Service is now treating patients beyond its capacity; they have sent patients to outside hospitals, and they have not room to-day to treat the men who are wounded in the service. They have not the facilities. If gentlemen will look at Exhibit F, on page 2056, they will find that in 1918 the total patients treated were 12,797, and that the total patients treated in contract hospitals during 1918 were 7,812. Now, what do you want to do by the amendment? You say nobody shall have the benefit of the additional hospital facilities of the Public Health Service except the soldiers, sailors, and patients of the War Risk Bureau. What is going to become of those entitled by previous laws to treatment? Do you not see that if you emphasize the fact that it must be used by discharged sailors and soldiers you thereby exclude the other beneficiaries, and for that reason I hope this amendment will not prevail, because it would repeal prior laws?

Mr. JOHNSON of South Dakota. Are there many soldiers and sailors that have taken no part in this war?

Mr. GRIFFIN. I do not know; this bill provides for soldiers and sailors, and that is the main purpose. We can better serve the interests of the sailors and soldiers and marines by giving the Public Health Service a little latitude. If you adopt this amendment, it is true you will prefer the soldiers, sailors, and marines, but you exclude all other people who are entitled to treatment under previous laws or you compel them to send their patients to a contract hospital, as they did in 1918.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. GRIFFIN. I will.

Mr. OLIVER of Alabama. I understood from the arguments made by the gentleman from New York and others in favor of the bill that there was immediate need for additional hospitals for discharged soldiers and sailors, and that the primary purpose of the appropriation here asked was to provide additional hospitals for such soldiers and sailors. The mere fact that you now limit the use to such soldiers and sailors would not in any sense work a repeal of an existing law authorizing the Public Health Service to provide hospital facilities for others, but would limit the use of the additional hospitals acquired hereunder to discharged sailors, soldiers, marines, and Army nurses.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GRIFFIN. Mr. Chairman, I ask for five minutes more.

Mr. MANN. That with the consent of the gentleman from Florida [Mr. CLARK]?

Mr. GRIFFIN. The gentleman from Florida has stepped out, and it was understood that I was to answer the proposal of the gentleman from Illinois, and I am trying to do it the best I can, if I only get a chance.

Mr. BURNETT. The gentleman from New York is asking the consent of the House and not the consent of the gentleman from Florida.

Mr. MANN. No; but the gentleman from Florida gave notice that he would object to any requests for unanimous consent to extend the time after my colleague had finished his speech. I just wanted to know the attitude of that side of the House. I do not want an objection made when some one asks to extend the time on this side and then be absent when some one wants an extension on that side.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. LEVER. Reserving the right to object, Mr. Chairman, it seems to me that the debate has gone along wearily. There is an appropriation bill ready for consideration, and while I would not object, of course it does seem to me that the members of the committee ought to try to make some progress on this bill, so that appropriation bills can be considered.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GRIFFIN. Mr. Chairman, the question has been asked by the gentleman from Alabama whether or not this bill is exclusively intended for soldiers and sailors and the marines. I

answer emphatically that it is, but the lines which were put in this bill by the framer, namely, "for others entitled to treatment by the Public Health Service," were put in there as a protection—to prevent the other beneficiaries of the Public Health Service from being crowded out. In other words, I want to make it plain that we are providing additional facilities for the soldiers and sailors and marines, and also in providing those facilities we do not want to shove the other fellows out who by prior laws are entitled to the benefit of treatment by the Public Health Service.

Mr. CANNON. Will the gentleman allow me?

Mr. GRIFFIN. Surely.

Mr. CANNON. It seems to me the gentleman can not find any other Member of the House on either side that would agree to the statement the gentleman has just made. He says this gives preference to soldiers and sailors. There is nothing in the bill that shows that it gives any preference.

Mr. GRIFFIN. I said it was the intention of the framers to give preference to the soldiers and sailors and marines; but, exercising the proper foresight and intelligence, the bill drafter provided by this law that we should exclude no one entitled by prior laws to the consideration of the Public Health Service. Mr. Chairman, the committee is opposed to this amendment, and I hope it will be defeated.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. GRIFFIN. Yes.

Mr. SAUNDERS of Virginia. This information may have been given before, but I have been out of the House on business. Take the case of a man called by the county board sent to some camp and after staying there two weeks it is ascertained by the medical examination at the camp that he had some disease which rendered him incapable of rendering military service and he is sent home. Would such an individual be a beneficiary under this bill?

Mr. GRIFFIN. He would be. He would be entitled to treatment, because the Government assumed authority over him when he was taken by the local board and was considered in good health. The mere fact that there are a few thousand men in that category, and only a few thousand, should not blind us to the fact that there are 1,167,574 volunteers who are entitled to treatment under this act. Furthermore, there are 2,818,000 drafted men who passed the local boards and the Army surgeons, who were inducted into the service, many of them going across the sea—more than 4,000,000 altogether—who will be entitled to treatment under this law.

Mr. RUCKER. Mr. Chairman, will the gentleman yield?

Mr. GRIFFIN. I do.

Mr. RUCKER. I want to say, Mr. Chairman, that I can not agree with the answer the gentleman from New York [Mr. GRIFFIN] has just given to the question propounded by the gentleman from Virginia [Mr. SAUNDERS]. I think in the case he stated the soldiers referred to would not be entitled to the benefits of this provision, for the reason that the law to which the gentleman evidently had reference provides that all soldiers who were examined, accepted, and enrolled shall be the beneficiaries, not merely those who were inducted into the camps by the district board.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MANN rose.

Mr. CLARK of Florida. Mr. Chairman, how much time does the gentleman from Illinois desire?

Mr. MANN. Five minutes.

Mr. CLARK of Florida. Then I move that at the expiration of five minutes all debate shall close upon this amendment.

The CHAIRMAN. The gentleman from Florida moves that after the expiration of five minutes all debate on the amendment be closed.

The motion was agreed to.

Mr. MANN. Mr. Chairman, the bill is primarily for the purpose of providing hospital accommodations for the men in the military and naval services who have been discharged from the service. We want to take care of them. We want to provide additional accommodations for them, but we want to know that they receive the benefit of what we do. The bill goes further than that. It provides for the accommodation of all others entitled to treatment by the Public Health Service. Some gentlemen stated on the floor to-day that there were 50,000 of those. I do not know how many there are. Nobody knows. The present accommodations of the Public Health Service, the old marine hospitals, are fairly well taking care of those now committed to the Public Health Service for treatment outside of the discharged soldiers and sailors. There is no demand upon the part of the country, there is no need so far as appropriations are concerned, for us now to make special provisions for the others already provided for. The gentleman from New York [Mr. GRIFFIN] said that to agree to the amendment of my colleague from Illinois [Mr. MANN] to strike out this language would be to repeal existing law. That is solely erroneous. There is no repeal of existing law. Those people now entitled to the Public Health Service in the present hospitals, or under contract, would still be entitled to treatment in the same way, but they will not be entitled to preference over the boys discharged from our Army and Navy in these new hospitals. We want to give the boys the preference in the new hospitals. I do not want to provide additional accommodations here for the discharged soldiers and sailors, and then find they are crowded out by somebody from the merchant marines who claims he is ill, or by somebody whom they are entitled now to treat, somewhere in the country, either in the cities or in the rural districts. Let us say emphatically to the boys who are coming home, "We will provide for you by these additional accommodations in the hospitals, and we will see to it that you get the benefit of them." [Applause.] Let us do that instead of providing, through a subterfuge, additional hospitals so that somebody else may get the benefit of them and possibly crowd out these soldiers.

Mr. CLARK of Florida. Mr. Chairman, will the gentleman yield?

Mr. MANN. I have only five minutes, and the gentleman must make his question short.

Mr. CLARK of Florida. The gentleman knows, of course, that all these other people are now provided by law to be taken care of?

Mr. MANN. That is not a question. I have just stated that.

Mr. CLARK of Florida. Would the gentleman object to treating these people in case the soldiers and sailors are taken care of and then some beds are left over?

Mr. MANN. There is present capacity for these other people. When we have these hospitals in operation and we have spare beds in them, Congress will still be in existence, and it then can provide, if necessary, that the extra beds may be used by the civil patients. Give these boys the first chance. Do not let the Public Health Service use us, through a demand for the treatment of our returned soldiers, to get additional accommodations which they would like to have at all times, but the need for which they have not yet been able to impress upon the minds of Congress. Give the boys a chance. Strike that language out, and if this bill becomes a law, as I hope it will if the language goes out, the boys will have the beds in these hospitals.

Mr. CLARK of Florida. Mr. Chairman, I desire to offer a substitute for the amendment offered by the gentleman from Illinois. After the word "service," in line 8, insert:

Provided, That discharged, sick, and disabled soldiers, sailors, and marines, and Army and Navy nurses, male and female, shall first be provided for.

Mr. MANN. Mr. Chairman, I make the point of order that that amendment is not in order. It is not a substitute. It has no relation to the text in the bill which it is proposed to strike out. Such an amendment could be offered if the language does not go out, but it is not germane now.

Mr. CLARK of Florida. It seems to me that it is entirely germane and in order, because it is an effort to perfect the bill in the respect of which the gentleman complained, and surely the gentleman meant what he did?

Mr. MANN. Surely, and if this language stays in the bill, I would like to see the gentleman's amendment adopted.

Mr. CLARK of Florida. That would meet his objection and take care of the soldiers and sailors. That was the intention of the bill.

Mr. MANN. Oh, well, this debate——

Mr. CLARK of Florida. I am discussing the point of order.

Mr. MANN. Very well; I am willing to talk about the point of order all afternoon.

Mr. CLARK of Florida. I am trying to show why it is germane. The intention of the bill was to take care of these people first, and in case there were more beds than they needed, why not let the other beneficiaries of the laws which we have passed from year to year get the benefit of them. There are over 7,000 of them right now in contract hospitals.

The CHAIRMAN. The Chair is ready to rule. Section 5790 of Hinds' Precedents provides—

To a motion to insert words in a bill, a motion to strike out certain words of the bill may not be offered as a substitute.

The rule vice versa also is considered to be good. The Chair thinks the point of order is well taken and sustains it.

Mr. CLARK of Florida. I give notice if this amendment be voted down——

Mr. MANN. I make the point of order again.

The CHAIRMAN. All debate is exhausted, and the question is upon the amendment offered by the gentleman from Illinois.

The question was taken, and the Chair announced the ayes seemed to have it.

Mr. CLARK of Florida. Mr. Chairman, I demand a division.

The committee proceeded to divide.

Mr. CLARK of Florida. Mr. Chairman, I ask for tellers.

Mr. MANN. Let us see whether it is necessary or not.

The question was taken, and tellers were refused.

Mr. SHERLEY. Mr. Chairman, I call the attention of the Chair to the fact that while the vote indicated what the result might be in point of fact the noes have never been counted.

The CHAIRMAN. The Chair believes the gentleman is correct. All those in favor of the amendment of the gentleman from Illinois will rise and stand until they are counted. [After counting.] The ayes are 65. Those opposed will rise. [After counting.] The noes are 22. Upon this vote the ayes are 65 and the noes are 22.

So the amendment was agreed to.

Mr. CLARK of Florida. Mr. Chairman, I think I shall ask the committee to rise and rerefer this bill to the committee. There seems to be a disposition not to make any hospital provision, so I do not think it is necessary to proceed with the bill.

Mr. MANN. I do not think that would be a wise thing to do.

The CHAIRMAN. Does the gentleman make that motion?

Mr. WALSH. Regular order!

The CHAIRMAN. The regular order is demanded. There are no amendments pending, and the Clerk will read.

The Clerk read as follows:

The Secretary of the Treasury, in securing additional sites herein provided for, may request the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, or the Secretary of the Interior to transfer to the Treasury Department such lands or parts of land under their control, not required for other purposes, as may be found suitable for this use, and they are hereby authorized to make such transfer as may be in the interest of the Government.

The committee amendment was read, as follows:

Strike out the paragraph beginning in line 18 and ending in line 25, page 2, and insert in lieu thereof the following:

"The Secretary of the Treasury, in securing additional sites, buildings, fixtures, appliances, furnishings, or furniture herein provided for, may request the President, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Secretary of the Interior, or the Secretary of Labor to transfer to the Treasury Department such lands or parts of land, buildings, fixtures, appliances, furnishings, or furniture under their control, not required for other purposes, as may be found suitable for this use, and they are hereby authorized to make such transfer as may be in the interest of the Government: *Provided*, That nothing shall be expended out of the amounts authorized by this act until all buildings, grounds, furniture, and furnishings available for hospital purposes not needed by the said departments or officers of the Government hereinbefore mentioned have been turned over to the Secretary of the Treasury."

The CHAIRMAN. The question is on the committee amendment.

Mr. BENJAMIN L. FAIRCHILD. Mr. Chairman, I have an amendment to the committee amendment.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 3, line 3, after the words "herein provided for," strike out the word "may" and insert in lieu thereof the word "shall."

Mr. CLARK of Florida. The committee accepts that amendment.

The question was taken, and the amendment was agreed to.

Mr. CLARK of Florida. I submit the vote ought to be put on the committee amendment as amended.

Mr. GREEN of Iowa. Mr. Chairman, I submit that we have a right to offer a further amendment to the amendment.

Mr. CLARK of Florida. The amendment which was adopted was an amendment offered by the gentleman from New York to the committee amendment. The committee amendment itself has not been adopted.

Mr. GANDY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GANDY. I want to inquire whether or not, this being a further amendment to the committee amendment, it ought not to be heard and considered before the vote is taken on the committee amendment.

The CHAIRMAN. Yes; the Chair thought the objection was raised that it could not be offered at this time.

Mr. CLARK of Florida. Not at all; any amendment to the amendment is in order.

Mr. GANDY. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 10, after the word "authorized," insert the words "and directed."

Mr. CLARK of Florida. That amendment is acceptable to the committee.

The question was taken, and the amendment was agreed to.

Mr. GANDY. Mr. Chairman, I offer a further amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 16, add the following to the paragraph:

"*Provided further*, That when the Secretary of the Treasury shall not have further need of such lands or parts of land, buildings, fixtures, appliances, furnishings, or furniture so transferred, he shall cause the same to be returned to the jurisdiction or control of the the department or officer of the Government by whom such transfer was made."

Mr. MANN. Will the gentleman yield?

Mr. GANDY. Yes.

Mr. MANN. Suppose the War Department turns over a building to the Public Health Service which it uses for a good while. What is the object when the Public Health Service gets through with it of requiring that service to turn back to the War Department the buildings, all surgical appliances, and everything else they have with it? Why could not the Public Health Service, the Treasury Department, dispose of it just as well as the War Department?

Mr. GANDY. I want to say this to the gentleman who raises the question. My thought is that there are many places where the War Department, and perhaps other departments, have both lands and buildings that for occupancy for a time they might not have objection to transferring jurisdiction and control to the Treasury Department if they knew under the language of this bill after the Treasury Department gets through with it that they would get the property back. I have no thought that any land will be transferred or any buildings will be transferred under this provision as it now is. I have in mind a military post that has not been in use for some number of years, where there are accommodations for a large number, where every building is either steam heated or furnace heated, where there is hot and cold water in every building, where every building, unless it be two or three, are either of brick or stone construction. Now, it is entirely possible that under the provision of this amendment, where a transfer of property is authorized, that to meet this emergency the War Department might consent to permit a post of that kind to be used by the Treasury Department, but I do not believe that department would turn it over unconditionally.

Mr. MANN. I can see the point of the gentleman's provision, but how would it be where the War Department now has a hospital rented and wished to turn over the rented hospital to the Public Health Service? At the end of the term absolutely, under the gentleman's amendment, they would be required to do an impossible thing, maybe, that would be sufficient to turn it back to the War Department.

Mr. GANDY. I take it that under the provisions of this bill that on leased property the War Department, inasmuch as these leases are subject to cancellation on very short notice, would simply cancel its lease and the Treasury Department take a lease in its own name. I have not any thought that they are going to transfer leased property from one department to another. But there is a lot of property that the departments of the Government own and do not use.

Mr. MANN. It may very probably happen. I do not know.

The CHAIRMAN. The question is on the amendment of the gentleman from South Dakota [Mr. GANDY].

Mr. CLARK of Florida. Mr. Chairman, I hope this amendment will not be adopted, because it is absolutely unnecessary. I do not think we ought to try to legislate here and go through all the ramifications of the years to see what shall be done with this property. If the property is turned over by the Treasury Department to the Public Health Service and the time comes when there is no longer any need for it, the matter is in the hands of Congress, and they can direct that it be turned back if they so desire. There will be no trouble there at all, and I can not see what earthly use the amendment will be.

Mr. NOLAN. If the gentleman will permit, I do not know as I understand what the amendment is. It seems that the Public Health Service is going to become one of the most important adjuncts in connection with our Federal service. They have been given jurisdiction over marine hospitals. If we are going to have a merchant marine, we are going to have need for increased marine hospital service, and the Public Health Service will have its activities largely increased. I do not know whether I clearly understand the gentleman's amendment or not. Is it mandatory that the Public Health Service, provided the War Department needs certain buildings, certain grounds, certain lands, shall return them to the War Department or to the Navy Department, and that, in addition to returning the property, they return appliances?

Mr. GANDY. Will the gentleman yield?

Mr. NOLAN. I am asking that question.

Mr. GANDY. The language of this committee amendment provides that various governmental departments may turn over buildings and grounds available.

Mr. CLARK of Florida. It provides now that they shall turn them over.

Mr. GANDY. If they do not need them. Under the language of the amendment I have offered, it simply provides that when the Treasury Department no longer needs it, the property turned over shall be turned back.

Mr. NOLAN. Is the language of the gentleman's amendment clear enough so that it will be understood that when they are not any longer needed they shall be turned back?

Mr. GANDY. It so states.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. GANDY].

The question was taken, and the amendment was rejected.

Mr. GREEN of Iowa. Mr. Chairman, I offer a further amendment to the committee amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 3, line 16, after the word "Treasury," strike out the period and insert in lieu thereof a comma and add the following: "and for the purpose of determining the needs of the War Department, the Surgeon General shall, on the first day of each month after the passage of this act, file with the Secretary of War a detailed statement showing the needs of the War Department for hospital purposes, having regard to the number of soldiers needing hospital treatment who may be expected to be returned from abroad."

Mr. CLARK of Florida. Mr. Chairman, I make a point of order against that amendment as not being germane to the amendment offered or to the bill.

Mr. GREEN of Iowa. I do not believe I hardly need argue that, Mr. Chairman. It is certainly germane. It explains the application of the committee amendment and specifies the manner in which it shall be applied.

The CHAIRMAN. The gentleman will address himself to the point of order.

Mr. GREEN of Iowa. I prefer, if I may be permitted, to reply to the gentleman from Florida [Mr. CLARK].

Mr. CLARK of Florida. Mr. Chairman, it is very simple to me. I am not a parliamentary expert and do not make any claims in that direction. But here is a bill dealing distinctly with discharged soldiers and sailors, over whom the War Department has no possible jurisdiction. Now, here is an amendment offered requiring the Secretary of War to make certain reports about the hospitals needed, and all that kind of thing, by the War Department. Now, right upon its face it appears to me absolutely not germane to this bill. I shall not discuss it any further.

Mr. GREEN of Iowa. Mr. Chairman, it is perfectly obvious, in the first place, that this committee amendment provides that certain hospitals not needed by the War Department shall be turned over to the Bureau of Public Health, and it provides further that these sums shall not be expended until this provision has been complied with. Now, I add right to the sentence that contains that provision with reference to the turning over of these buildings the further provision that there shall be a method provided whereby we can determine what those needs are, and determine whether the War Department is carrying out in good faith the provisions of the committee amendment. It relates solely to the subject of the committee amendment, and is simply a method of determining what these things are which are referred to in the committee amendment. As the matter stands now, there is no way of determining whether the War Department complies with the provision or not. It says that property not needed shall be turned over to the Bureau of Public Health. The only way to find out what is not needed is to get a statement of its needs. My amendment provides a method of obtaining this statement.

The CHAIRMAN. The Chair will hear the gentleman from Florida, but the Chair is in doubt about the ruling. It seems to me that this bill is applicable to discharged soldiers and sailors, marines and nurses.

Mr. CLARK of Florida. That is all.

The CHAIRMAN. And that the amendment of the gentleman seeks for a general report from the Secretary of War as to hospitals of all kinds and classes, to be made annually, which goes outside of the purpose of this bill and, it seems to the Chair, beyond it.

Mr. GREEN of Iowa. Well, if the Chair will notice, that has got to be determined by the War Department. The sole question is whether it will express this determination in writing where somebody will find it, or whether it will be found in the mind of some War Department official.

The CHAIRMAN. But does not the gentleman's amendment apply not only to those hospitals provided for by this bill but to all hospitals controlled by the War Department?

Mr. GREEN of Iowa. Yes; and so does the bill refer to other hospitals. It says "Those buildings that are not needed for other purposes."

Mr. CLARK of Florida. Mr. Chairman, if the gentleman's amendment simply applied to all these hospitals that the Secretary of War may turn over under this bill, it might be germane; but it certainly is not germane when he wants to have made this exhaustive report as to all hospitals under their control. This bill does not deal with the War Department. It does not deal with soldiers and sailors.

Mr. GREEN of Iowa. Does the gentleman claim that it does not deal with the War Department, when it expressly requires the War Department to turn over those hospitals?

Mr. CLARK of Florida. So is the Navy Department, and so is the Department of Labor and the Interior Department, and practically every other department of the Government. You might offer amendments here until doomsday, asking all those people to make reports about the operations of their departments.

Mr. GREEN of Iowa. That would not have anything to do with the question of whether the amendment was in order.

The CHAIRMAN. The Chair is uncertain.

Mr. SAUNDERS of Virginia. Mr. Chairman, I would like to be heard on the point of order.

The CHAIRMAN. The Chair will recognize the gentleman from Virginia.

Mr. SAUNDERS of Virginia. The purpose of this bill, Mr. Chairman, is that the Secretary of the Treasury shall provide hospital and sanatorium facilities for discharged sick and disabled soldiers and sailors. The amendment calls upon the War Department to furnish information as to the universal needs of the War Department.

Mr. GREEN of Iowa. Yes. That is one thing that has got to be determined by the Secretary of War before he turns over these buildings under the terms of the bill. If he needs the property for other purposes, he is not required to turn it over.

Mr. SAUNDERS of Virginia. Where is that?

Mr. GREEN of Iowa. On page 3, line 8. He says they shall turn over what "is not required for other purposes."

Mr. SAUNDERS of Virginia. But this is not limited to information in that connection. It directs universal information to be furnished with respect to the needs of the War Department.

Mr. GREEN of Iowa. No. It limits it to hospital purposes.

Mr. SAUNDERS of Virginia. That is the wording of the amendment.

Mr. GREEN of Iowa. I wish the gentleman had noticed the reading of the amendment more carefully. It refers to the needs of the War Department for hospital purposes.

Mr. SAUNDERS of Virginia. Mr. Chairman, I will ask for the reading of the amendment.

Mr. CLARK of Florida. The amendment provides for information concerning the needs of the War Department.

Mr. SAUNDERS of Virginia. I ask that the amendment in this connection be read.

The CHAIRMAN. Without objection, the amendment will again be read.

The Clerk read as follows:

Amendment offered by Mr. GREEN of Iowa: Page 3, line 16, after the word "Treasury," strike out the period, insert in lieu thereof a comma, and add the following: "and for the purpose of determining the needs of the War Department the Surgeon General shall on the first day of each month after the passage of this act file with the Secretary of War a detailed statement showing the needs of the War Department for hospital purposes, having regard to the number of soldiers needing hospital treatment who may be expected to be returned from abroad."

Mr. GREEN of Iowa. Mr. Chairman, I will not take up further the time of the committee.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BANKHEAD. Mr. Chairman, I desire to offer an amendment to the paragraph of the bill.

Mr. CLARK of Florida. Is that an amendment to the amendment?

Mr. BANKHEAD. No.

Mr. CLARK of Florida. Let us get through with this amendment first.

Mr. BANKHEAD. I will withdraw that, Mr. Chairman.

The CHAIRMAN. The question is on the committee amendment as amended.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. All debate on the amendment has been exhausted.

The question was taken, and the committee amendment as amended was agreed to.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. CLARK of Florida. There is no last word. I suggest that the gentleman wait until the next paragraph.

Mr. SMITH of Michigan. I want to speak on this amendment.

Mr. CLARK of Florida. But the amendment is disposed of.

The CHAIRMAN. The gentleman's motion ought to come on the next section read.

Mr. SMITH of Michigan. I want to speak on this amendment, if the Chair pleases.

The CHAIRMAN. There is no amendment pending.

Mr. SMITH of Michigan. I rose before the Chair put the motion.

The CHAIRMAN. The debate was then exhausted on that amendment, and there was nothing of the amendment then before the House.

Mr. SMITH of Michigan. Then I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to proceed for five minutes. Is there objection?

Mr. CLARK of Florida. I object. I would like to have the next paragraph read.

Mr. BANKHEAD. Mr. Chairman, I want to offer an amendment as a new paragraph, following the amendment just adopted.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: After line 16, on page 3, add a new paragraph, as follows:

"Where classes giving instruction to disabled soldiers and sailors are maintained by the Federal Board for Vocational Education under the vocational rehabilitation act at any hospital or sanatorium under the jurisdiction of the United States Public Health Service, the said board is authorized and instructed to admit to such classes all patients at such hospital or sanatorium who are employees in the public service of the United States."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. BANKHEAD. May I inquire of the gentleman what is the point of order?

Mr. STAFFORD. It is not germane to the bill under consideration.

Mr. BANKHEAD. If the Chair is in doubt about that, I would like to be heard on it briefly.

Mr. MANN. Mr. Chairman, I make the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Alabama.

Mr. BANKHEAD. Mr. Chairman, I very frankly admit that this amendment possibly does not cover the same field of operation that it would have covered in the event that the amendment offered by the gentleman from Illinois [Mr. CANNON] had been defeated. But in spite of the action of the committee in adopting the amendment offered by the gentleman from Illinois [Mr. CANNON], I think there is a field of operation still left within the bill for the proper application of the subject matter of the proposed amendment. It has been admitted here in this argument that these existing institutions, already provided for by law, for the purpose of enabling the Public Health Service to take care of patients in the public service, will not be abolished or abrogated by this proposed legislation. In other words, Mr. Chairman, if the bill passes in its present form, as now amended up to this stage, it will still be necessary to operate a number of these sanatoriums by the Public Health Service for the purpose of taking care of patients under existing law. There is nothing in this bill, and there is nothing in any provision of it up to this date adopted, that prohibits caring for discharged soldiers and sailors and these other civil employees in the same institution. As a matter of fact and as a matter of practical operation, I have no doubt that some of these general hospitals—I believe four in number—now run by the Public Health Service will have as their patients and inmates not only discharged soldiers and sailors, but some of these men coming under these various classes contained in this report, civil employees, whom it is the duty of the Public Health Service to care for and treat. The language and purpose of the bill is that the Secretary of the Treasury be, and he is hereby, authorized and directed to provide immediate additional hospital and sanatorium facilities for the care and treatment of discharged and disabled soldiers and sailors, patients of the War Risk Insurance Bureau, and so forth. Now, it certainly is an element of treatment, it is an element of care, as admitted by all known authorities on this subject, to include this proposed training and teaching.

Vocational rehabilitation while in the hospital is regarded as of high value in the therapeutic treatment and functional restoration to health of the patient. The general purpose of this bill is for the care and treatment of the inmates of those hospitals, and the vocational board has already made arrangements and has already instituted classes in different sanatoriums for the purpose of giving vocational training to all in them, but it has no authority of law to give vocational training to these people who are in the hospitals as public employees. I offer this amendment at the earnest request of the Director of the Board for Federal Vocational Education, in order that those men who are still in these hospitals along with soldiers and sailors may have authority of law to take advantage of these vocational classes. It seems to me, Mr. Chairman, in view of the general objects of this bill, that it is a regulation that would be germane to the general purposes of this bill, as a part of care and treatment, and is not of an exclusive nature.

Mr. MANN. Mr. Chairman——

The CHAIRMAN. The Chair is ready to rule. The Chair thinks the amendment is not germane to the general purposes of this bill, but that it is along another and an additional line. The Chair sustains the point of order.

Mr. BANKHEAD. I ask unanimous consent to insert in the RECORD, in this connection, the letter and memorandum of Dr. Prosser on this subject.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The letter and memorandum referred to are as follows:

FEDERAL BOARD FOR VOCATIONAL EDUCATION,
Washington, December 23, 1918.

Hon. WILLIAM B. BANKHEAD,
House of Representatives, Washington, D. C.

MY DEAR MR. BANKHEAD: Herewith I send you copy of the proposed amendment to House bill No. 13026, admitting civilian employees of the United States to the benefits of vocational training for tubercular soldiers and sailors located at the same sanatoria. An explanatory memorandum with regard to the same is attached. I understand that this House bill has been reported favorably from the Committee on Public Buildings and Grounds, of which Mr. CLARK of Florida is chairman.

It is being sent you with the hope that you may be able to attach it to the bill. Possibly Mr. CLARK may be willing to accept it for his committee. The amendment and proposal has the hearty support not only of the Federal board but of the War Risk Insurance Bureau and the Surgeon General for Public Health.

Thanking you for your help in this matter, I remain,

Cordially, yours,

C. A. PROSSER, *Director.*

1. From figures already available it is abundantly evident that the largest single disability from which men may suffer after discharge from the military or navy forces is tuberculosis of the lungs and chest. As a large number of men suffering from this disability will be subjects for vocational training and placement under the vocational rehabilitation act the Federal board is paying special attention to the problems involved.

2. By an arrangement jointly with the Bureau of War Risk Insurance and the United States Public Health Service, the Federal board has agreed to undertake the provision of vocational training for all discharged soldiers and sailors sent by the Bureau of War Risk Insurance to the tuberculosis sanatoria conducted by the United States Public Health Service for the purpose of receiving treatment.

3. The purpose of this training is threefold:

(a) In the opinion of the medical authorities, to whose direction, of course, it will always be subject, it has a very definite therapeutic value.

(b) It will prevent the restlessness and constant desire to give up treatment or to be transferred to some other sanatorium, which is such a well-known characteristic of the sufferer from tuberculosis.

(c) In a great many cases it will have a definite vocational value to the man when his disease is arrested and he leaves the sanatorium, either to return to his civilian occupation or to take more specialized vocational training under the vocational rehabilitation act.

4. Inasmuch as there will be many employees of the public service of the United States receiving treatment in the same institutions in which the Federal board will, under the arrangements with the Bureau of War Risk Insurance and the United States Public Health Service, provide vocational training for discharged disabled soldiers and sailors, it seems eminently desirable that any training classes which are provided for the training of discharged soldiers and sailors should also be open to the other patients in the institution. This would be done without any increased cost to the Government, as the classes already operated would be small and civilian employees could be admitted with practically no additional expenditure.

5. The suggested amendment to House bill No. 13026, making an appropriation for the erection of hospital sanatoria under the Public Health Service, would make provision for such vocational training for such civilian employees of the United States Government. See attached amendment.

Mr. GRIFFIN. Mr. Chairman, there is a committee amendment at the desk that applies to this paragraph.

Mr. STAFFORD. I understand the committee proposes a substitute for lines 17 to 25 on page 3.

The CHAIRMAN. The Clerk will first read the paragraph of the bill.

The Clerk read as follows:

In carrying the foregoing authorization into effect the Secretary of the Treasury may enter into contracts for the lease or purchase of existing buildings, grounds, and equipment, or may enter into con-

tracts for the construction, equipment, etc., of such buildings, or purchase materials and labor in open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization.

Mr. GRIFFIN. Now let the Clerk read the proposed amendment.

The Clerk read as follows:

Committee amendment: On page 3, lines 17 to 25, inclusive, strike out all and insert as follows:

"In carrying the foregoing authorization into effect the Secretary of the Treasury is authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for the immediate use, in whole or in part, of their present facilities. He may enter into contracts for the lease or purchase of additions to such existing buildings, grounds, and equipment, and may enter into contracts for the construction, equipment, etc., of such buildings. He may purchase materials and labor in the open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization."

Mr. STAFFORD. Mr. Chairman, I move to strike out of the substitute offered by the committee the last sentence.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. STAFFORD moves to amend the committee amendment by striking out the last sentence thereof, which reads as follows:

"He may purchase materials and labor in the open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization."

Mr. STAFFORD. Mr. Chairman, the war-time conditions which justified the vesting of great authority in the various executive officers to construct buildings, by hiring labor and purchasing material, have passed. Any person at all acquainted even slightly with the conditions of the building trade of the country knows that contractors are only too willing to take contracts for the erection of any kind of public buildings. The exigency has passed. Prices of materials are falling, labor is plentiful, and now when everyone admits that the exigency has passed, why should we grant this authority that was never thought proper to be conferred before the war? I think it is merely a lapse on the part of the members of the committee in drafting language to meet conditions which existed during the war.

I think the House will recognize the need of allowing the contract method to continue. The law prescribes the method for contracting additional buildings. It is agreed generally that there are plenty of contractors willing to do the work, and why is there need now of authorizing the Government to purchase material, contract for labor, and do the work on its own responsibility? We all know that that method is tremendously more expensive than the contract method. Why should we indulge in it when there are plenty of contractors willing to undertake the erection of buildings?

Mr. SMITH of Michigan. Mr. Chairman, I desire to oppose the amendment.

Mr. CLARK of Florida. If the gentleman will pardon me, I want to say this in reply to the gentleman from Wisconsin: This question has been raised by the gentleman from Wisconsin on other bills. It does not confine the department to the buying of material and hiring labor, but it will allow it a broad opening and either let it by contract or, if the contractors are holding up the Government, they can go into the open market, buy materials, and build it itself. It seems to me it is a mighty good thing to go into all public building bills and allow the Government leeway to know that it can not be held up by the conspiracy of builders. Let the Government go into the open market and buy the materials and hire the labor and put up the buildings. They can do it or they can advertise and let it to the lowest bidder. It simply leaves it open for these officials of the Government to do what is best for the Government. I hope the amendment to the amendment will not be agreed to.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. OLIVER of Alabama. Would not your amendment authorize all this money to be expended for the construction of buildings on leased land?

Mr. CLARK of Florida. No.

Mr. OLIVER of Alabama. What is there in the amendment that would restrict the Secretary of the Treasury from constructing buildings on leased land? He could use every dollar of it in erecting buildings on land of some one else. Will the gentleman accept an amendment to read this way, "*Provided*, That no part of this appropriation can be expended in contract buildings on leased land"?

Mr. CLARK of Florida. If the gentleman will show me why that is needed, I will; but what is the use of accepting an amendment if there is no need of it.

Mr. OLIVER of Alabama. The gentleman's amendment reads:

In carrying the foregoing authorization into effect the Secretary of the Treasury is authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for the immediate use, in whole or in part, of their present facilities. He may enter into contracts for the lease or purchase of additions to such existing buildings, grounds, and equipment and may enter into contracts for the construction, equipment, etc., of such buildings.

Mr. CLARK of Florida. That does not say that he may construct the buildings on leased land.

Mr. OLIVER of Alabama. Yes; it gives him authority to take over the leased land and construct buildings, and there is nothing to prevent his spending the money of that purpose.

Mr. CLARK of Florida. The gentleman certainly does not believe that the Secretary of the Treasury would spend millions of dollars to construct buildings on other people's land when he has no authority in the act itself.

Mr. OLIVER of Alabama. You conferred that authority upon him here.

Mr. CLARK of Florida. This is the authority conferred upon him:

The Secretary of the Treasury is authorized to contract with any existing hospital or sanatorium, by lease or otherwise, for the immediate use, in whole or in part, of their present facilities. He may enter into contracts for the lease or purchase of additions to such existing buildings, grounds, and equipment, and may enter into contracts for the construction, equipment, and so forth, of such buildings. He may purchase materials and labor in the open market, or otherwise, and employ laborers and mechanics for the construction of such buildings and their equipment as in his judgment shall best meet the public exigencies, within the limits of this authorization.

Mr. OLIVER of Alabama. That confers on him the authority to lease or purchase.

Mr. CLARK of Florida. We provide for those that he may lease, and then we say he may enter into contract to construct hospital buildings. It can not mean anything else.

Mr. CANNON. Will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. CANNON. What is the date of the introduction of this bill? It was introduced during the war time, was it not?

Mr. CLARK of Florida. Yes; the bill was introduced in war time, and it is war time now.

Mr. CANNON. Not so badly in war time that we can not go back to the construction under the statutes by contract.

Mr. CLARK of Florida. What does the gentleman mean to infer?

Mr. CANNON. I mean the activities of war are not upon us.

Mr. CLARK of Florida. Certainly; we recognize that. We are trying to provide for peace times and not for war times.

Mr. CANNON. Does the Government hire hands and buy materials and construct buildings in peace times?

Mr. CLARK of Florida. It is to be hoped that we learned something in the war, and if we did learn anything we ought to leave something in the hands of the Government, in their discretion, so that they would not be the victims of a conspiracy between the contractors.

Mr. CANNON. Conspiracy is always prohibited.

Mr. CLARK of Florida. That is all right; but the gentleman knows and we know that when buildings are advertised for that frequently the contractors will get together and arrange for bids which are all understood, and so hold up the Government. I do not say that just such a condition as that exists all of the time; but when it does and the Secretary suspects it, he ought to have the right to go out into the open market.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. CLARK of Florida. Yes.

Mr. STAFFORD. Is there anything in existing law that compels the Secretary to award a contract when he suspects there is a combination to raise prices?

Mr. CLARK of Florida. Oh, no; but what can he do? He can readvertise, can he not?

Mr. STAFFORD. Certainly.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. SMITH of Michigan. Mr. Chairman and gentlemen of the House, I do not think we should be too technical about the manner of constructing these buildings. I think the main thing is to have them in case of necessity, and there is not a man in the House who does not want ample provision made for treatment. We are all in favor of plenty of hospitals and good service for the men in the Army who return and need hospital treatment. I was not in favor of this bill as originally drawn. I listened to the testimony very carefully before the Public Buildings Committee, and I will say to you that I was not impressed by the testimony, for the reason that the expenditure was large and I thought we had sufficient hospitals already constructed, with 90,000 vacant beds, to provide for this service.

I know that there is not a better cantonment within the confines of the Republic than there is at Battle Creek, Mich. It is steam heated, and the buildings are suitable for this purpose. They are constructed on a high elevation, on the border of a small lake, with fine nurses and eminent physicians. I wish also to say a word of commendation for the splendid commandant, Maj. Gen. Hutcheson, now in charge of Camp Custer. He went through this last "flu" epidemic with the smallest loss in soldiers of any cantonment in the United States, save possibly one or two. It has a capacity of over 2,000 beds, with all equipment awaiting and ready for 1,500 patients. But after the hearing had on this bill it was amended, and I think the amendment makes it unobjectionable to anyone in this House. The following is the proviso referred to, found on page 3 of the bill:

Provided, That nothing shall be expended out of the amounts authorized by this act until all buildings, grounds, furniture, and furnishings available for hospital purposes not needed by the said departments or officers of the Government hereinbefore mentioned have been turned over to the Secretary of the Treasury.

None of this appropriation can be expended until all of the vacancies and the facilities for hospital purposes are turned over to the Secretary of the Treasury for hospital purposes. When that is done, where is there a man who will deny to a man in the United States wearing the uniform of his country, sick, wounded, or afflicted, the facilities of this hospital treatment? I say this bill ought to pass. They can remodel these hospitals and cantonments under this provision. We were then met with the fact that these cantonment buildings were not fireproof. Well, as to that fact, out here at Walter Reed Hospital, one of the best in the country, they are not fireproof. What this department wants is sufficient means at hand to meet the emergency when it arises, and under this bill they can construct hospitals when they are needed and not until then. Therefore I think the bill should pass. [Applause.]

Mr. OLIVER of Alabama. Mr. Chairman, I have an amendment which I desire to offer to the amendment.

Mr. STAFFORD. Mr. Chairman, there is an amendment already pending.

Mr. OLIVER of Alabama. This is to perfect that amendment. I move to amend by inserting after the word "buildings" the words "on land owned by the Government."

The CHAIRMAN. The gentleman's amendment would be in the third degree.

Mr. MANN. There is already an amendment pending to the committee amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin to the committee amendment.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 13, noes 32.

So the amendment to the amendment was rejected.

Mr. OLIVER of Alabama. Mr. Chairman, I now move to amend by adding, after the word "buildings," in line 8, the words "on Government-owned land."

Mr. CLARK of Florida. Mr. Chairman, we will accept that amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk reported the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama to the committee amendment.

The amendment to the amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. CLARK of Florida. Mr. Chairman, I move that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HARDY, Chairman of the Committee of the Whole House on the state of th eUnion, reported that that committee had had under consideration the bill H. R. 13026, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en grosse. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken.

Mr. CLARK of Florida. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Florida demands the yeas and nays. All in favor of ordering the yeas and nays will rise and stand until counted.

Mr. CLARK of Florida (interrupting the count). Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will lock the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 272, nays 7, answered "present" 3, not voting 147, as follows:

YEAS—272.

Alexander	Ellsworth	Kraus	Rodenberg
Almon	Elston	Kreider	Rogers
Anderson	Esch	Lampert	Romjue
Anthony	Evans	Langley	Rose
Ashbrook	Fairchild, B. L.	Larsen	Rouse
Aswell	Fairfield	Lazaro	Rubey
Bacharach	Farr	Lea, Cal.	Rucker
Baer	Ferris	Lee, Ga.	Sanders, Ind.
Bankhead	Fess	Lehlbach	Sanders, N. Y.
Barkley	Fisher	Lever	Schall
Beakes	Foss	Linthicum	Scott, Iowa
Bell	Foster	Littlepage	Scott, Mich.
Beshlin	Frear	Lonergan	Sells
Birch	French	Longworth	Sherwood
Black	Fuller, Ill.	Lufkin	Sims
Blackmon	Gallagher	Lundeen	Sinnott
Bland, Ind.	Gallivan	Lunn	Siemp
Bland, Va.	Gandy	McArthur	Sloan
Blanton	Gard	McClintic	Smith, Idaho
Bowers	Garland	McCulloch	Smith, Mich.
Brand	Garner	McFadden	Snell
Brodbeck	Garrett, Tenn.	McLaughlin, Mich	Snook
Buchanan	Garrett, Tex.	McLemore	Snyder
Burnett	Gillett	Madden	Steagall
Burroughs	Glynn	Magee	Stedman
Butler	Godwin, N. C.	Mann	Steele
Byrnes, S. C.	Goodwin, Ark.	Mansfield	Steenerson
Byrns, Tenn.	Graham, Ill.	Mapes	Stevenson
Campbell, Kans.	Gray, Ala.	Martin	Sumners
Campbell, Pa.	Green, Iowa	Mays	Sweet
Candler, Miss.	Greene, Mass.	Merritt	Swift
Cannon	Griffin	Miller, Minn.	Switzer
Cantrill	Hadley	Miller, Wash.	Taylor, Colo.
Carlin	Hamilton, Mich.	Montague	Temple
Carter, Okla.	Hamlin	Moon	Thompson
Clark, Fla.	Hardy	Moores, Ind.	Tillman
Clark, Pa.	Harrison, Miss.	Morgan	Timberlake
Classon	Hastings	Mott	Towner
Claypool	Haugen	Nelson, A. P.	Treadway
Coady	Hayden	Nelson, J. M.	Van Dyke
Collier	Heflin	Nichols, Mich.	Vare
Connally, Tex.	Hensley	Nolan	Venable
Connelly, Kans.	Hersey	Oldfield	Vestal
Cooper, W. Va.	Hicks	Oliver, Ala.	Vinson
Copley	Hilliard	Oliver, N. Y.	Volstead
Cramton	Holland	Olney	Walton
Crisp	Hollingsworth	Osborne	Ward
Crosser	Houston	O'Shaunessy	Wason
Currie, Mich.	Howard	Overstreet	Watkins
Curry, Cal.	Huddleston	Padgett	Watson, Va.
Dale	Hull, Iowa	Paige	Weaver
Dallinger	Hull, Tenn.	Peters	Webb
Darrow	Igoe	Phelan	Welling
Davis	Jacoway	Platt	Wheeler
Decker	James	Polk	White, Me.
Dempsey	Johnson, Ky.	Pou	Williams
Denison	Jones	Purnell	Wilson, Ill.
Dickinson	Juul	Quin	Wilson, La.
Dill	Kearns	Ragsdale	Wilson, Tex.
Dillon	Keating	Rainey, J. W.	Wingo
Dominick	Kehoe	Raker	Winslow
Doolittle	Kelley, Mich.	Ramsey	Wise
Doremus	Kelly, Pa.	Ramseyer	Wood, Ind.
Doughton	Kiess, Pa.	Randall	Woodyard
Dowell	Kincheloe	Rayburn	Wright
Dupré	King	Reavis	Young, N. Dak.
Eagan	Kinkaid	Reed	Young, Tex.
Eagle	Knutson	Robinson	Zihlman

NAYS—7.

Dyer	Johnson, S. Dak.	La Follette	Rankin
Elliott	Johnson, Wash.	LaGuardia	

ANSWERED "PRESENT"—3.

Caraway	Moore, Pa.	Sisson

NOT VOTING—147.

Austin	Cooper, Wis.	Estopinal	Hamill
Ayres	Costello	Fairchild, G. W.	Hamilton, N. Y.
Barnhart	Cox	Fields	Harrison, Va.
Benson	Crago	Flood	Haskell
Booher	Davey	Flynn	Hawley
Borland	Delaney	Focht	Hayes
Britten	Dent	Fordney	Heaton
Browne	Denton	Francis	Heintz
Browning	Dewalt	Freeman	Helm
Brumbaugh	Dies	Fuller, Mass.	Helvering
Caldwell	Dixon	Good	Hood
Carew	Donovan	Goodall	Humphreys
Carter, Mass.	Dooling	Gordon	Husted
Cary	Drane	Gould	Hutchinson
Chandler, N. Y.	Drukker	Graham, Pa.	Ireland
Chandler, Okla.	Dunn	Gray, N. J.	Kahn
Church	Edmonds	Greene, Vt.	Kennedy, Iowa
Cleary	Emerson	Gregg	Kennedy, R. I.
Cooper, Ohio	Essen	Griest	Kettner

Key, Ohio.	Nicholls, S. C.	Sanford	Strong
Kitchin	Norton	Saunders, Va.	Sullivan
Lesher	Overmyer	Scully	Tague
Little	Park	Sears	Taylor, Ark.
Lobeck	Parker, N. J.	Shackleford	Templeton
London	Parker, N. Y.	Shallenberger	Thomas
McAndrews	Porter	Sherley	Tilson
McCormick	Powers	Shouse	Tinkham
McKenzie	Pratt	Siegel	Voigt
McKeown	Price	Slayden	Waldow
McKinley	Rainey, H. T.	Small	Walker
McLaughlin, Pa.	Riordan	Smith, C. B.	Walsh
Maher	Roberts	Smith, T. F.	Watson, Pa.
Mason	Rowe	Stafford	Welty
Mondell	Rowland	Stephens, Miss.	Whaley
Morin	Russell	Stephens, Nebr.	White, Ohio
Mudd	Sabath	Sterling	Woods, Iowa
Neely	Sanders, La.	Stiness	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. THOMAS F. SMITH with Mr. PARKER of New York.

Mr. DOOLING with Mr. STRONG.

Mr. CAREW with Mr. GOODALL.

Mr. MAHER with Mr. TINKHAM.

Mr. BOOHER with Mr. HAYES.

Mr. DEWALT with Mr. DUNN.

Mr. SMALL with Mr. MUDD.

Mr. BENSON with Mr. STINESS.

Mr. RIORDAN with Mr. KENNEDY of Rhode Island.

Mr. CARAWAY with Mr. BROWNE.

Mr. HAMILL with Mr. AUSTIN.

Mr. BRUMBAUGH with Mr. BRITTEN.

Mr. CALDWELL with Mr. COSTELLO.

Mr. DONOVAN with Mr. CRAGO.

Mr. DENT with Mr. KAHN.

Mr. FIELDS with Mr. GOULD.

Mr. HARRISON of Virginia with Mr. GRIEST.

Mr. HELM with Mr. HUSTED.

Mr. HELVERING with Mr. HUTCHINSON.

Mr. LOBECK with Mr. MCKINLEY.

Mr. MCANDREWS with Mr. MCKENZIE.

Mr. NEELY with Mr. MASON.

Mr. OVERMYER with Mr. ROWE.

Mr. PARK with Mr. SANFORD.

Mr. PRICE with Mr. SIEGEL.

Mr. SABATH with Mr. EDMONDS.

Mr. SANDERS of Louisiana with Mr. TINKHAM.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. SCULLY with Mr. WATSON of Pennsylvania.

Mr. SLAYDEN with Mr. IRELAND.

Mr. TAYLOR of Arkansas with Mr. BROWNING.

Mr. WHALEY with Mr. GREENE of Vermont.

Mr. SULLIVAN with Mr. FOCHT.

Mr. CARAWAY. Mr. Speaker, did the gentleman from Wisconsin, Mr. BROWNE, vote?

The SPEAKER. He did not.

Mr. CARAWAY. I am paired with the gentleman, and I desire to answer "present."

The name of Mr. CARAWAY was called, and he answered "Present."

Mr. MOORE of Pennsylvania. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman is recorded "no."

Mr. MOORE of Pennsylvania. I ask that I may be permitted to withdraw that vote and vote "present."

The name of Mr. MOORE of Pennsylvania was called, and he answered "Present."

The result of the vote was announced as above recorded.

On motion of Mr. CLARK of Florida, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. A quorum is present; the Doorkeeper will unlock the doors.

Mr. CLARK of Florida. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CLARK of Florida. I ask unanimous consent, Mr. Speaker, to amend the title of the bill by striking out the word "and" between "soldiers and sailors," insert a comma after "soldiers," and then after the word "sailors" add the words "and marines."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CONDITIONS AT WALTER REED HOSPITAL.

Mr. CLARK of Florida. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Florida asks unanimous consent to proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK of Florida. Mr. Speaker, I ask for that time, if the House will be quiet for a moment, in order to read the following resolution:

House resolution 530.

Resolution providing for an investigation of the treatment of sick and disabled soldiers at the Walter Reed Hospital, Washington, D. C.

Whereas the following charges are made in the public press of the city of Washington, viz: That sick and wounded soldiers who have returned from overseas and are now in Walter Reed Hospital have not received any compensation for many months; that the clothing of such soldiers is not laundered for them; that such sick and wounded soldiers are forced to launder their own clothing; and that the food furnished them is not such as should be supplied for sick and wounded persons; and

Whereas these things if true are utterly inexcusable and damnable and a disgrace to this great Nation; and

Whereas the officer or officers responsible for such a condition of affairs should be exposed to the scorn of the outraged people of America and otherwise punished: Therefore be it

Resolved, That the Committee on Military Affairs of this House be, and hereby is, instructed to immediately, and in preference to all other business, make a full and complete investigation of these charges and report their findings to the House at the very earliest practicable moment, and if they find all or any of these wrongs existing to suggest a remedy therefor and report the names of the person or persons responsible for such outrages on the brave soldiers of the United States.

Mr. CLARK of Florida. Mr. Speaker, I ask for its immediate consideration.

Mr. GARNER. Reserving the right to object, Mr. Speaker——

Mr. GARRETT of Tennessee. I do object.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] objects.

LEAVES OF ABSENCE.

By unanimous consent, leaves of absence were granted as follows:

To Mr. DAVEY, for three days on account of important business.

To Mr. COOPER of Wisconsin (at the request of Mr. STAFFORD,) on account of illness.

To Mr. HAWLEY, indefinitely, on account of sickness.

RELIEF OF STARVING POPULATIONS OF EUROPE.

Mr. SHERLEY, from the Committee on Appropriations, presented a conference report on the bill H. R. 13708, an act providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, for printing under the rules.

PENSION APPROPRIATIONS (H. REPT. NO. 997).

Mr. GALLIVAN, from the Committee on Appropriations, reported the bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, which was read the first and second time and referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. MADDEN. Mr. Speaker, I reserve all points of order on the bill.

EXTENSION OF REMARKS.

Mr. GALLIVAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 13879, which was the bill passed by the House last Saturday, providing a pension for the widow of the late Col. Roosevelt.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD on the pension bill for Mrs. Roosevelt. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAHAM of Illinois. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. GRAHAM of Illinois. To ask unanimous consent to extend my remarks on the bill just passed, H. R. 13026.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. PHELAN. Mr. Speaker, I make a similar request.

The SPEAKER. Is there objection to the request? [After a pause.] The Chair hears none.

AGRICULTURAL APPROPRIATIONS.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and pending that I would like to have the attention of the gentleman from Iowa [Mr. HAUGEN] as to the division of time in general debate.

Mr. HAUGEN. I have a number of requests, which will take about three hours on this side.

Mr. LEVER. I intended to suggest to the gentleman that I think we can get along on this side with possibly the half of three hours and a half. I wonder if the gentleman can not come down a little bit in his figures?

Mr. HAUGEN. That would be only one hour and three-quarters on each side.

Mr. LEVER. Yes.

Mr. HAUGEN. I can not possibly do that.

Mr. LEVER. Can not the gentleman squeeze along with two?

Mr. HAUGEN. I would be willing to chance it at two hours and a half. The requests will have to be cut about an hour at that.

Mr. LEVER. I hope the gentleman can make it two hours on a side.

Mr. HAUGEN. I am sure I would like to accommodate the gentleman. I desire to expedite the passage of the bill as much as anyone.

Mr. LEVER. I am sure of that.

Mr. HAUGEN. I will take my chances on that—two hours on each side.

Mr. SHERLEY. Pending the gentleman's motion, it is my understanding, from a talk had with the gentleman from South Carolina, that general debate will run for what length of time it may to-night, and that to-morrow the gentleman will give way in order that there may be taken up for consideration the deficiency bill that I reported to the House a day or two ago?

Mr. LEVER. The understanding is correct.

Mr. MADDEN. If I may inject myself, as to running to-night, if the committee expects to run longer than two hours on general debate to-night, there will have to be a quorum here.

Mr. LEVER. I will say to the gentleman from Illinois that my hope is to finish the general debate to-night.

Mr. MADDEN. The gentleman will have to have a quorum here.

Mr. HAUGEN. I trust arrangements may be made that half of the four hours may be consumed this evening and two hours at the next time we meet for the consideration of this bill.

Mr. LEVER. Let me call the gentleman's attention to the fact that appropriation bills are now ready for the consideration of the House, and we ought at least to complete general debate on this bill to-night. We can do it by 9 o'clock. Some gentlemen need not stay here. I will be here to listen to the eloquence, even if other gentlemen do not desire to listen to it. There will be no business done except that.

Mr. GARNER. Will the gentleman yield?

Mr. LEVER. I yield.

Mr. GARNER. The gentleman assures the House there will be no other business transacted except speechmaking?

Mr. LEVER. Absolutely none, so far as I know.

Mr. GARNER. And if the gentleman from Illinois [Mr. MADDEN] or any other gentleman desires to go to the opera or any other place of amusement or business he can go along, and read the speeches in the RECORD to-morrow.

Mr. LEVER. As he always does, I hope.

Mr. GARNER. Undoubtedly.

Mr. LEVER. I ask unanimous consent, Mr. Speaker, that the general debate on this bill be confined to four hours, two hours to be used by the gentleman from Iowa and two hours by myself.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that the general debate shall not exceed four hours, two hours to be controlled by himself and two hours by the gentleman from Iowa [Mr. HAUGEN]. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the motion that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the Agricultural appropriation bill.

The motion was agreed to.

The SPEAKER. The gentleman from Missouri [Mr. HAMLIN] will please take the chair.

Mr. HAUGEN. Mr. Speaker, I desire to suggest to the chairman of the Committee on Agriculture that some agreement be reached as to the time of adjournment this evening, that we may, at least, have one hour after to-day. It was understood by one gentleman for whom time was reserved that he was to take it to-morrow.

Mr. LEVER. I am glad the gentleman from Iowa mentioned that. There is one gentleman on his side and one on this side who would like to have time for general debate later than to-day. If agreeable to the House, these gentlemen may be permitted to use their time at the conclusion of the bill, when the bill is finished.

Mr. STAFFORD. We could not consent to any such arrangement as that.

Mr. LEVER. I am trying to accommodate the gentleman.

Mr. HAUGEN. Let it be understood that three hours of general debate will be consumed this afternoon, and that will leave one hour for the next day.

Mr. LEVER. I will agree to that.

The SPEAKER. The gentleman from South Carolina will agree to what?

Mr. LEVER. That three hours' general debate be had this evening, and one hour later.

The SPEAKER. The gentleman from South Carolina agrees that three hours of general debate be had this evening, and one hour later.

HOUR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. GARNER. Mr. Speaker, may I make a unanimous-consent request that the House meet at 11 o'clock to-morrow?

The SPEAKER. The gentleman from Texas asks unanimous consent that the House meet at 11 o'clock to-morrow. Is there objection?

Mr. MADDEN. Reserving the right to object, Mr. Speaker, if the gentleman will agree that not more than two hours of the debate shall be consumed to-night I will agree to 11 o'clock to-morrow.

Mr. GARNER. All they want is three hours to-night.

Mr. MADDEN. The gentlemen from Texas [Mr. RAYBURN], as I understand, wants to make a speech on the railroad bill during this general debate, and he is not prepared to make it until to-morrow. I think he ought to be accommodated with time; but what has already been agreed on will accommodate him and also accommodate one man on this side, too.

Mr. GARNER. I understand that the gentleman from Texas has made a request to that effect himself.

Mr. MADDEN. He has not made a request, but I understand he is not ready to go on to-night.

Mr. RAYBURN. I am willing to go on to-night.

The SPEAKER. Is there objection to the request that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow?

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15018, the Agricultural appropriation bill, with Mr. HAMLIN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15018, the Agricultural appropriation bill, which the Clerk will report.

The Clerk read the title of the bill, as follows:

A bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I yield 25 minutes to the gentleman from Alabama [Mr. HEFLIN].

The CHAIRMAN. The gentleman from Alabama is recognized for 25 minutes.

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, one of the greatest duties that a country owes to its people is that which rests upon it with regard to the agricultural classes. No country has long prospered that has neglected and failed to encourage and protect its agricultural class in its legitimate rights and interests. Rome reached the highest point in her civilization when greatest stress and emphasis were placed upon agriculture, and Rome fell when she ceased to protect and safeguard her agricultural interests.

The great Government of the United States owes it to the men who produce the things we eat and wear to protect them from sharks and robbers of every kind. [Applause.] I want to speak a little while this afternoon upon the great cotton industry of the United States, and to call the attention of this House and of the country to the fact that to-day a gambling institution, operating in violation of law, is in existence in the city of New York, and it is destroying cotton values by its future quotations by the millions every day. It has destroyed cotton values this day to the amount of $22,000,000 or $23,000,000. It has destroyed cotton values—11,000,000 bales of cotton—inside of 15 days, $330,000,000. I submit to this House and to the intelligent and fair judgment of the American people that

this is wrong, and that it is outrageous for Congress to permit it. It is wrong and outrageous for this Government to permit it.

I want to call to your attention, gentlemen, the fact that when we had prospects of 15,000,000 bales of cotton, cotton was above 25 cents a pound, and when the drouth came in Texas, the greatest cotton-producing State of the Union [applause], and cut her crop in half, and swept through the South, destroying cotton prospects in July, and cutting down our cotton crop prospects to 11,300,000 bales, all told, cotton has been driven down below 24 cents a pound on the exchanges. The future price for January is at variance with the spot price for January $40 a bale. Now, gentlemen, do you not know that that is gambling and that that is highway robbery? The demand for American cotton of the 1918 crop is six or seven million bales more than the supply. The countries outside of America, with Germany and Austria included——

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. HEFLIN. I can not yield, my time is so limited. It is believed that Germany and Austria will be receiving cotton by the last of February or the first of March. Some of our friends amongst the allies say Germany and Austria ought to be permitted to receive raw material—cotton, amongst other things—so that they can get to work to make money to pay the large indemnities that will be assessed against them. It is claimed that German interests want 1,000,000 bales now to hold, so that when the time comes that they can receive cotton they may be sure of a part of the small crop. Japan has instructed her agents in Louisiana and Texas, Oklahoma, and Arkansas, I am told, to pay a higher price than anybody else to get her supply of cotton and hold it. She realizes that the supply is small. And yet this cotton exchange, day after day, with no cotton to deliver, is tendering the dog-tail stuff upon contracts that no spinner can use.

The spinner can not be supplied from that exchange. It is not helping the producer. It is hurting and robbing him. Then pray tell me, gentlemen, what good service it is performing in our country? What legitimate interest does it serve? The spinner can not get his cotton supply through it. The producer is being robbed by it, and I contend to-day that if this exchange intends to continue to be an outlaw that it ought to be abolished. The Louisiana State lottery is gone. The whisky traffic is doomed, and why not destroy gambling in farm products? Any institution that is morally wrong in its conduct has no excuse for existence in legitimate trade, and I believe that we must come to the idea so ably advocated by my friend from Texas [Mr. SUMNERS] of spot cotton exchanges, of spot produce exchanges of every kind. I have always favored this idea. You do not need an exchange for automobiles, and there are millions and millions of dollars invested in them. It is a flourishing business. You do not need an exchange for horses and mules, yet people deal in them and they make money speculating in them by investing money in them and selling the real article. The hay crop of the United States is nearly as big as the cotton crop. You do not have any hay exchange. Why is it necessary to have a fictitious exchange for cotton and grain, except to give the gambler and the robber an advantage that they can not have in the spot markets of the country? [Applause.]

Mr. HAUGEN. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. HAUGEN. Does the gentleman contend that the exchange in New York is violating the law?

Mr. HEFLIN. I do, and I have called on the Department of Justice to-day for an investigation and prosecution.

Mr. HAUGEN. They are delivering the cats and dogs on the contract, the gentleman says, but is it not a fact that the law legalizes the very thing that is being done by the board?

Mr. HEFLIN. I said that they were delivering dog-tail cotton. The law requires that they deliver the standard grades adopted by Congress—nine grades. Of course, the Bureau of Markets has changed and spread out the grades to 21 or 22. I am opposed to this variation and changing of the grades, and I do not think that they are authorized to do it under the law; but here is what I want to bring to the attention of the Congress and the country. When the ocean was full of submarines, when it was difficult to deliver cotton to any foreign port, when it was difficult to get cotton over there at all, cotton went up to 37 cents a pound. When these submarine desperadoes of the deep were looking out for every ship that bore cotton and ready to sink them, the demand for cotton was so great that the exchanges quoted the price at 37 cents a pound. Why was it? Because the world knew that the crop of Europe was a failure; they were producing food supplies on their former cotton area and were looking to America for cotton, and after the drouth in July our crop was cut short and we were going to have a small supply, and the great demand is what put cotton up to 37 cents. That is what did it.

Now, what is putting it down? The submarines are gone from the sea, the embargo against cotton has been removed to all countries except Germany and Austria, and probably that will be removed in five or six weeks. What is it? I ask you gentlemen, as honest men, what causes this putting down of the price of American cotton?

Here is my answer to that: They have a combination with the foreign spinners and some American spinners, and they are back of the bear speculators and are going on the exchange and selling stuff they do not own; no cotton is delivered on contract; they are settling without regard to the price of spot cotton the differences between the various grades. No delivery of cotton and no settlement according to the difference between the grades in the spot markets.

Mr. SNYDER. Will the gentleman yield?

Mr. HEFLIN. Yes; but I have only a short time.

Mr. SNYDER. When the gentleman speaks of the spinners in this country and the foreign spinners, he includes the spinners of the South?

Mr. HEFLIN. Yes; I think that some of them are in it.

Mr. SNYDER. One more question. The gentleman claims that the exchange in New York is responsible. He does not attempt by that to put the burden of the operation on that exchange in New York—the New York men only—does he?

Mr. HEFLIN. No; I am telling you now that some of the foreign spinners are in a conspiracy and combination and are operating on that exchange.

Mr. SNYDER. One more question and then I will sit down. The Democratic Party has been in power for six years, and the same law has been in existence all of that period.

Mr. HEFLIN. This law was passed about four years ago.

Mr. SNYDER. It was passed by a Democratic Congress. Why during all that period have you not changed it?

Mr. HEFLIN. The law is an improvement on the old law. I am in favor of making a change in the present law, as Senator SMITH of South Carolina is. I am in favor of confining them to the delivery on exchange contracts to about six grades of real spinable cotton, and we have got to come to that. The cotton crop of the United States, 85 or 90 per cent of it, is a good grade and would be represented by these six grades. Now they are seeking to use the low-grade stuff—10 per cent of the crop—to fix the price of the 85 and 90 per cent of the good grade. Now, coming back to what I was discussing when interrupted before.

Mr. EAGLE. Will the gentleman yield for a suggestion?

Mr. HEFLIN. Yes; I will yield to my good friend from Texas.

Mr. EAGLE. If beating down the price from 37 cents, where it was, to 24 cents, where it now is, in spite of the demand for it, which shows its natural course, if that was for the benefit of the consuming public I should look with more complaisance on it, but the fact is that the spinners of the United States came to the Government a year ago, in anticipation of the purchase of this year's crop, and obtained permission to fix the price for goods, wares, and merchandise of America at the contemplated price of 37½ cents a pound. Therefore, every cent per pound that they beat that price down does not help the consuming public in America at all; it merely robs the poor farmer of the South in order to put money into the spinners' pockets. [Applause.]

Mr. HEFLIN. Mr. Chairman, that is precisely true. My good friend from Texas has made a very valuable contribution to the argument that I am trying to make. It has been said on good authority that there is no commodity except iron and steel which plays so great a part in the industrial life of the world and the well-being of its inhabitants as does cotton. Mr. Holland, a recognized authority on all American industries, in the Cincinnati Enquirer, of Ohio, wrote this, from which I read, and he said:

> It is certain that at least for five years after the termination of the war cotton fiber must be relied upon for making up the shortage in wool and flax.

Gentlemen, the wool crop is short, the flax crop is short, the cotton crop is short, and the world is demanding large quantities of American cotton. The ending of the war has set free 151,000,000 spindles, and the sea is free of submarines, but we are permitting in the United States Government a monstrous gambling establishment, and I indict it as such, to beat down without any justifiable excuse the value of the product of thirty-odd millions of American citizens. I have seen cotton sell for $30 a bale. It now costs $30 a bale after it is made to pick it out and gin it and put bagging and ties upon it, and get it on the market. And these figures are not included in the cost of production. It cost 25 cents a pound to produce cotton in America in 1918,

and yet the exchange has beaten down the price up to this time more than $40 a bale in two weeks. Figure that on 11,000,000 bales of cotton and see what the cotton producers of the United States are losing. Get facts, gentlemen, in this connection. The South is not selling her cotton, and she is not going to sell it at these destructive prices. The governors of the cotton-growing States have called on the producers to hold it, and why? Because they know that we can not sell it under 30 cents a pound and make a profit, and the only thing that we can do is to hold it for a fair and reasonable price, and we are doing it. As soon as this Congress adjourns on the 4th of March, Members of Congress from the cotton-growing States are going to tour the cotton belt and urge the farmers to cut down their acreage and tell them that, although they have made an 11,000,000 bale crop and the world needs 18,000,000 bales, they are being held up and robbed of a fair profit, and the only wise and safe thing to do is to cut down their acreage. We will tell them, and it is true, we can get more for 9,000,000 bales than for 12,000,000, and why not make something else, where they produce the other 3,000,000 bales?

The boll weevil is all over the cotton belt; it did more damage last year than in any other year. We planted the largest acreage that we have ever planted and made one of the smallest crops. We will greatly reduce our acreage this year. It is hard to produce cotton in the presence of the boll weevil. We will plant this acreage in something else. We can get more for hogs, more for peas, more for velvet beans, for peanuts, and for hay and corn and all those things than we can get for cotton, and there is no gambling exchange to steal away the profit on these things. So, gentlemen, this section of the United States is driven to this course because here is an institution that beats down the value of its products when the world is demanding their crops. Do you know what spot cotton is worth to-day? Twenty-eight, 29, and 30 cents a pound, and the future market for the same month has put it down to 22 and 23 and 24 cents a pound. It is nothing on this earth but robbery and rottenness in the conduct of an exchange that can produce a condition like that. Suppose here is an exchange operating, and you are selling a product that I am holding and the world has got to have it, and I have not enough to supply the world. Here is an exchange using merely the name of cotton and selling it in unlimited quantites and beating down the price of my product, and they beat it down to the exchange price of $40 a bale, $440,000,000 on an 11,000,000-bale crop, and yet I refuse to sell; I am holding my cotton and the world is demanding more than I have, and, remember, the spot price is around 30 cents a pound. Do you not know there is something wrong and rotten when they can do such a thing as that on the exchange? They do not help to keep in operation the law of supply and demand. They defy it. They stop its operation. They destroy the operation of the law of supply and demand.

Mr. LAZARO. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. I would like to yield to my friend, but I have only a very short time. I will yield for a question——

Mr. LAZARO. Cotton is my money crop, and I am very much interested in the gentleman's speech. I am heartily in favor of eliminating every abuse on the cotton exchange; but the gentleman does not mean that he wants a legitimate cotton exchange destroyed, does he?

Mr. HEFLIN. Not the legitimate cotton exchanges. Judging from their present conduct, those that I refer to do not come within that class.

Mr. LAZARO. What about the cotton exchange in New Orleans?

Mr. HEFLIN. The cotton exchange in New Orleans is not as bad as the cotton exchange in New York, but it is following in its footsteps somewhat. The prices on the New York exchange are reflected on the New Orleans exchange; and one reason why the New Orleans exchange ought to be better is because it is in the cotton-producing country. It ought to be a spot market, but the exchange of New York has no such reason for existence.

It is a thousand miles away from the cotton belt. Why is it that you do not have a grain exchange up there? They have got the great grain exchange in the West, at Chicago, where it ought to be. What business have you got with a cotton exchange in New York? New Orleans or some other place in the cotton belt is where you ought to have a big exchange, and it ought to be a spot exchange. I can not discuss that question now, but will later——

Mr. LAZARO. The gentleman understands——

Mr. HEFLIN. My time is so short——

Mr. LAZARO. The gentleman admits that he is in favor of a legitimate exchange?

Mr. HEFLIN. I am in favor of a legitimate exchange, but they are not being operated as such institutions now and I indict them now as conducted at the present time as enemies to the cotton producer. I am in favor of the prosecution of them and if we can not regulate them I want to abolish them as we abolished the Louisiana State lottery. [Applause.] That is where I stand upon it. An exchange may be needed for hedging purposes, grain and cotton, and, gentlemen, I have a plan. Like life and fire insurance, cotton and grain can be handled. They insure my house; they insure the object itself. They take the risk, and that is legitimate speculation. They insure my life, and if I die those whom I leave behind will get the policy upon my life insurance. Why not have an exchange run upon that system—have real grain or cotton back of every contract. Here is a man who produces 20 bales of cotton. He goes upon the exchange and says, "I want to sell 20 bales of cotton." "Are you a farmer?" "Yes." "Put your name down here, where you live, etc." They keep a record. "You want to sell 20 bales of cotton?" "Yes." The buyer comes up and says, "I will buy your 20 bales for delivery in October." "All right." He is a legitimate speculator, and he is dealing in real cotton. The spinner says, "I have bought 10,000 bales of cotton for my mill, I want to be insured against losses. I want to be protected on the exchange and I will sell futures, 10,000 bales." "All right, I will buy your 10,000 bales," says a legitimate speculator—and then when you get through with that process—and I have not time to go into the details now, I will at some other time—when you get through with it you have confined your speculation in cotton or grain to the crop itself. The merchant, banker, anybody who is interested in spot cotton can use this exchange. And so with wheat and corn. They are dealing in real produce and not in a fictitious stuff that is not in existence. Why, frequently they sell on your grain exchanges millions of bushels of grain more than your crop ever amounted to.

They have sold on the New York Cotton Exchange this year many times the amount of cotton produced in the United States. Now, is that fair? Is it right and just? I want to bring them down to legitimate dealing, and let me say in this connection——

Mr. PLATT. Will the gentleman yield for one question?

Mr. HEFLIN. No; I have not the time, I am sorry. The statement that I wish to read is from the Government's Department of Commerce and Labor. It says:

> The rise in the cost of raw material has been more the result of natural than of artificial causes. There has been a material advance in the prices of practically all commodities, and cotton has shared in this; but in the case of cotton, this advance has also been furthered by a constantly broadening demand for the fiber in the old as well as in the new channels. Cotton is relied upon now in practically all the textile manufactures, either as a primary or a secondary material, and it is utilized in an increasing number in all other manufacturing industries. The ease and rapidity with which cotton fiber is transformed into yarn and its adaptability for all forms of woven fabric accounts for its extensive and increasing use.

It is being put to more use to-day than ever before in the history of the world. [Applause.] It is the smallest crop the world has ever seen with the number of spindles in existence to consume it, and yet when the war is over and people can return to the various fields of activity, when the first crop of cotton is six or seven million bales short of the demand, the manipulators of the exchanges fly in the face of the law of supply and demand and beat down the price.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. I would like to have five minutes if the chairman of the committee has any additional time.

Mr. LEVER. I can not find one single, solitary minute on my list; I have promised it all.

Mr. YOUNG of North Dakota. If the chairman will make his allowance to me now I will give just a little bit of that time——

Mr. HEFLIN. I would like to have five minutes more in which to finish.

The CHAIRMAN. The time was fixed in the House.

Mr. HEFLIN. I have been interrupted and a good deal of my time was taken up in that way.

Mr. HAUGEN. I had requests for more than three hours' time which was cut down to two hours. I spoke to a number of gentlemen and they gave in part of their time, and I hope with part of that time I will be able to take care of a number, and I hope to be able to take care of all of them.

Mr. HEFLIN. I ask unanimous consent——

The CHAIRMAN. The time is in the control of the gentleman from Iowa [Mr. HAUGEN] and the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. I regret very much that I have not the time. I would be glad to yield to the gentleman from Alabama, but I have promised more time really than I have.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks. [Applause.]

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection. [After a pause.] The Chair hears none.

Mr. HAUGEN. Mr. Chairman, I yield 30 minutes to the gentleman from Minnesota [Mr. ANDERSON].

Mr. ANDERSON. Mr. Chairman, I want to take advantage of the general debate to discuss a problem which is not directly dealt with in the Agricultural appropriation bill but which will presently be here for solution. I recognize the fact that the House desires to get through these appropriation bills at the earliest possible moment, and I intend to reach the particular phase of the problem which I intend to discuss by the shortest possible route, eliminating every statement of fact which is not necessary to the discussion which I intend to pursue.

Under the food-control act the President has guaranteed the price of wheat produced in 1919 until the 1st day of June, 1920. I do not intend to discuss the wisdom or the unwisdom of making that guaranty. But I would not be fair to myself or to the administration if I did not say that, in my opinion, the guaranty was wisely made and justified by the conditions which existed at the time it was made as a war measure. But whether it is wise or unwise, we have made it, and I assume it will be the intention of the Congress and of the Government to make it good. Not to make it good will be to invite social, political, and economic consequences which will be far-reaching and long continued. The question which I intend is not whether the guaranty shall be made good but how shall the guaranty be made good. What plan shall be adopted by the Government to make it good? Two plans have been proposed for this purpose. The first of these plans proposes that the Government, using the same machinery and the same methods which have obtained in making good the guaranty of the 1918 crop, shall undertake to maintain the price of the 1919 crop; and, of course, that means maintaining a guaranty not only of price of wheat at the guaranteed level, but also the price of wheat products made from that wheat bought at the guaranteed price. It means that all of the loss represented by the difference between the world's price of wheat of this year—1919—and the guaranteed price shall be implemented against the consumer of wheat flour and wheat products.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. YOUNG of North Dakota. I wonder if the gentleman received a letter from the Bay State Milling Co. this morning?

Mr. ANDERSON. Yes; I received that letter.

Mr. YOUNG of North Dakota. Under date of January 22. What is your action as to the proposal made by this concern?

Mr. ANDERSON. I am going to discuss the plans I have in mind, and one of them is substantially the same as the plan which the writer of the letter that the gentleman refers to outlines.

The second plan contemplates that the difference between the world price and the guaranteed price for the 1919 crop shall be absorbed by the Government at the source, and that from that point on the wheat shall move forward in the regular commercial channels at the world price. In other words, the second plan contemplates the Government shall pay full guaranteed price to the farmer at his own local elevator, which, of course, would mean the price at the nearest terminal, less the freight, and from that time on the grain shall move through the regular channels at the world price. The statement of these two plans in general is very simple, but they both involve difficulties and possible commercial and economic losses very much greater than the simplicity of the statement would in itself indicate.

I want to very briefly outline, if I can, the objections and difficulties to be met with in adopting either one plan or the other. The objections to the first plan, it seems to me, are not only great but absolutely insurmountable.

The first of these objections is that it is doubtful whether we have the power under the Constitution to extend the war powers under which we passed the food-control act in such a way as to give to the Food Administration or some similar agency the power to carry out the guaranteed price in the sense of maintaining that price throughout the entire period between the 1st of June, 1919, and the 1st of June, 1920. The second objection lies in the fact that the commercial risk involved in handling wheat or wheat products, bought at a price very much higher than the world's price and undertaking to sell that product in the market, is so great or would be so great under the fixed or maintained price theory that no commercial concern could afford to undertake it.

The third objection is that with a large surplus, such as we are likely to have next year, it is desirable to increase consumption. The plan of maintaining the price of wheat and wheat products on the basis of the guaranteed price would result naturally in reducing consumption and thereby defeat the very object which we have in mind.

The fourth objection is that the whole cost of maintaining the guaranty would implement itself against the consumer in this country, while the foreign consumer would get the benefit of our very large export, because, of course, the exports would have to be on the basis of the world's market, and all the sacrifice that would be made by the consumer in this country in maintaining the price would entirely inure to the benefit of the consumer in the foreign country.

Mr. YOUNG of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. YOUNG of North Dakota. Does not the gentleman think that if the price were reduced voluntarily by the consent of the Government and by the aid of the United States Food Administration Grain Corporation that would help in itself to establish a low world price?

Mr. ANDERSON. I do not know that I get the gentleman's question exactly.

Mr. YOUNG of North Dakota. Well, the action of Congress or our Grain Corporation along the line the gentleman suggests might be an important factor in establishing the world's price.

Mr. ANDERSON. Unquestionably so. In what I am saying I am referring entirely to the theory of meeting this guaranty by maintaining the wheat price, both to the producer and for consumption on the basis of the guaranteed price of wheat. I am not now referring to the other plan.

The fifth objection to which I desire to call attention is that while under the first plan the consumer will have borne the entire loss during the crop year, at the end of June 1, 1920, we shall still have in some way to absorb the loss represented by the difference between the guaranteed price at that time and the world price that then exists; while, of course, under the second plan that I have mentioned, that absorption would take place immediately at the local market, beginning with this crop year.

The sixth objection to this plan is that it involves a larger expenditure, a larger initial capital, both on the part of the Government and on the part of the private commercial concern. It seems to me that these objections are absolutely insurmountable. They are such that the commercial work out of that plan is absolutely out of the question.

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. SLOAN. It may not be directly in point, but it is contemplated in all these proceedings that there shall be an embargo on the importation of wheat until June 1, 1920, is reached, to prevent the competition of foreign wheat with our own Government-controlled price.

Mr. ANDERSON. I assume that if we should get the maximum or anything like the maximum crop from the present indicated acreage, what would amount to an embargo on the importation of wheat would be necessary; and I may say that, on the basis of the present acreage, the crop might run all the way from 825,000,000 bushels to 1,275,000,000 bushels.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. SNYDER. Do I understand the gentleman to state that in the first plan is contemplated the guaranteeing not only of the price of wheat, but also the price of all the by-products of wheat?

Mr. ANDERSON. It seems to me that is the inevitable result of it, because a miller or any other wheat-product manufacturer could not afford to buy wheat on the basis of $2.20 and sell his flour on the basis of $1.65; so that a wheat-price maintenance plan contemplates, of course, not only that the price of wheat be maintained, but that also the price of flour to the consumer shall be maintained on the same level, as we have done in the past year.

Mr. SNYDER. Not only flour, but other products?

Mr. ANDERSON. It seems to me so; yes.

As I have indicated, the Government's loss—and it is probable that there will be a loss on the guarantee—will be taken up at the source—that is, at the elevator at which the farmer sells his grain; and from that time onward the grain shall move forward in the regular commercial channels on the basis of the world's price.

Now, the method of taking up that difference is, of course, a mere matter of mechanics.

A plan that has been suggested is that the farmer who brings his wheat to the elevator shall be given a check for the full guaranteed price indicated at his particular station, and that that check shall be deposited at the bank, and at the bank the proportionate part of it which should be charged to the commercial buyer shall be charged against the account of that commercial buyer, and the balance, indicated by the then existing world market, shall be charged against an account kept for that purpose by the Government. There are other plans of the same sort. The whole question is one, as I say, of mechanics, and one which is certainly not impossible of solution.

Mr. YOUNG of North Dakota. Will the gentleman yield?

Mr. ANDERSON. I yield to the gentleman.

Mr. YOUNG of North Dakota. I dislike to interrupt the gentleman if it bothers him at all in the discussion of the question, but I should like to suggest that the method of settlement which he has just described would involve a very difficult matter of accounting upon the part of the Government in making the settlements and auditing them and checking them up.

Mr. ANDERSON. There is no doubt that there is certain room for fraud, and that certain mechanical difficulties are incident to and perhaps inseparable from that method. But they are so small relatively when compared with the difficulty of meeting the guaranty in the other way that I do not think they are, by any means, impossible to overcome. I have talked with men who have had to do with the making good of the guaranty during the current year, and they all seem to think that the mechanics of that proposition can be worked out in some way which will reduce the possible fraud to a very small minimum. I feel confident that that can be done.

Mr. YOUNG of Texas. This second plan that the gentleman speaks of is set forth in a letter that I presume all of us got from a millman.

Mr. ANDERSON. It has been incorporated in several letters.

Mr. YOUNG of Texas. I got only one. It strikes me that there is this danger with it under the Government guaranty of $2.26: The Government has got to make good to that extent. We settle with the farmer at the elevator on the basis of $2.26. That leaves it so that the millmen and the elevator men all over the country have an interest to batter down the price. If they could do it, and get the wheat at 90 cents, then the Government would have to shoulder the additional load.

Mr. ANDERSON. There is no chance of battering down the price, because the settlement would be made on the basis of the price at the terminal, where, of course, the ordinary commercial machinery would be in operation, so that the price would be fixed on the world's basis, just as it would be if no guaranty were fixed at all.

Mr. YOUNG of Texas. How would you arrive at the commercial price?

Mr. ANDERSON. The commercial price will be fixed in exactly the same way as it would be under normal conditions; that is, by buying and selling upon the exchange.

Mr. YOUNG of Texas. Would anybody feel interested in keeping up the high price of the wheat? The producer has got his $2.26. Therefore would not the interest at the other end of the line be to beat down the commercial price?

Mr. ANDERSON. I am frank to admit that the situation which the gentleman outlines represents an objection which is at least partially good, but I assume that the Government will be in the market all the time, and that the Government will be prepared to take any surplus that may be thrown into the channels of trade, so that the ordinary channels of consumption and manufacture will never at any time be overloaded with a surplus of the product coming to the mills.

Mr. SLOAN. May I suggest that the Government would be in a position to tell what the average market would be, not only in America but in Liverpool and other places throughout the world, and the Government would practically say what the commercial price was, and speculators could not control it.

Mr. ANDERSON. I think that would be entirely true.

Mr. FAIRFIELD. Not without purchasing it, would it?

Mr. LEVER. And would not this be true: That the farmer would sell his wheat just as fast as possible in order to get the guaranteed price and get the money into his own possession?

Mr. ANDERSON. I think he would, subject, of course, to the fact that the bringing of wheat into the market is, to a certain extent, subject to the convenience of the farmer and road conditions and weather conditions and everything of that sort.

Mr. LEVER. And custom as well?

Mr. ANDERSON. And custom as well. And, of course, the same objection that is urged to this plan is just as sound when urged against the plan of maintaining the price all the way through.

Mr. HAUGEN. Will the gentleman yield?

Mr. ANDERSON. I will.

Mr. HAUGEN. Speaking of the loss likely to be incurred, is not it fair to assume that, with the arrangement made in cooperation and at the suggestion of those associated with us in the war, they will assume their share of responsibility and bear their part of the burden? As the gentleman knows, it was at their suggestion that the price of American wheat was cut in two, and it is up to them now, after they have entered into the agreement in cooperation with our Government, to make good with proper safeguards so there will be no surplus of wheat.

Mr. ANDERSON. I think the gentleman is correct. I now want to discuss a proposition which the gentleman suggests. Despite the fact that we are perhaps confronted with a large surplus of wheat during 1919 over our probable consumption, the loss to the Government on the guaranty will depend not nearly so much on the fact that the surplus exists as it will upon the conditions that exist in this country and the world generally industrially. In other words, if we have an era of prosperity in the country, if we can remove the export limitation, if we can remove the embargo so that we have every channel open for an outlet and can take full advantage of the consumption capacity of the European countries and the low state of their supply, I think there will be very little difficulty in getting rid of this surplus which we have at a fairly reasonable price.

In that connection I want to say that in 1893, when there was a period of considerable depression in this country, we had a crop of 396,000,000 bushels, which was some 100,000,000 bushels less than the average.

Mr. YOUNG of North Dakota. That was both winter and spring wheat?

Mr. ANDERSON. Yes. We had an export that year of 164,000,000 bushels, leaving us net 232,000,000 bushels, which was equivalent to a per capita consumption in this country of 3.5 bushels. Yet with that very small supply in this country, under industrial conditions that then existed, the price still stood at the lowest of any time in the country's history; while in 1915, under conditions of unexampled prosperity in this country, the supply of wheat in the United States was equivalent to 7.8 bushels per capita, and the effect upon prices in the United States was practically not noticeable. In other words, if we can have generally throughout the world a condition of industrial prosperity, there will be no difficulty in absorbing whatever surplus of wheat the country may have.

In addition to that it is noticeable that most of the increase acreage of both spring and winter wheat will result in the almost equivalent decrease in the acreage of corn. So that, taking the rough products of the farm as a whole, there will not be anything like the actual surplus indicated by the present acreage. After all, the whole question here, it seems to me, and the whole proposition now confronting Congress and the country, resolves itself into establishing a condition of confidence in the Government's ability to maintain the price of wheat during the present crop year and establishing a condition of industrial stability in the country for the next crop year. In other words, if we are not successful in creating a condition of confidence of the country touching the maintenance of the present price and touching conditions for the next year, we may have a situation in which the price of wheat, and probably of other farm products in sympathy, will go far below the normal cost of production. And, incident to that, we may suffer a loss in farms and farm-land values which will far exceed any possible loss that any reasonable man can conceive under the proper administration and payment of the difference involved in the guaranty.

But there is one other situation I want briefly to discuss and that is the question involved in the stepping down from the guaranteed price of wheat to the world's price which will confront us at the beginning of next April.

I do not know that Members generally know it, but it takes about eight to ten million bushels of flour moving from the mills to the channels of consumption constantly, and about the equivalent of eight to ten million barrels of flour in wheat, which would be around 40,000,000 bushels moving from the elevators to the mills in order to supply the consumption of the country.

Mr. YOUNG of North Dakota. The gentleman means per month?

Mr. ANDERSON. I mean that much is in transit all of the time. That means that the period between the consumption at one end and the country elevator at the other is in the neigh-

borhood of 60 days. During these 60-day periods the miller is receiving the wheat at the guaranteed price.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. HAUGEN. Mr. Chairman, I yield the gentleman five minutes more.

Mr. ANDERSON. During the same period the wheat is coming into the market and flour is being made out of it on the basis of the world's price. Some means must be found whereby we can step down from the one basis to the other without putting all of the mills in the country out of business. How this may be done I am not prepared to outline now, but I hope later to offer a suggestion for meeting this difficulty.

Mr. HAUGEN. Mr. Chairman, I yield now to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, the subject which the gentleman from Minnesota [Mr. ANDERSON] has been discussing is one of very great interest to every citizen of the country. There is one thing in connection with the guaranteed price for wheat which I am very glad to notice, and that is that so far as I know there is not a single Member of Congress who has any disposition to fail to go through with it and make good the guaranty contained in the proclamation made by the President. I listened with very great interest to the speech made by the gentleman from Minnesota. I am inclined to think there is a grave danger in the plan suggested by him. Personally I have held the opinion that if the Food Administration Grain Corporation had proper backing, if it were given plenty of money and were given a free hand to handle this crop, it could force a better price for the amount of grain shipped to Europe than the superficial examination of the trade conditions and stores of wheat throughout the world would now indicate. If we were to follow the plan suggested by the gentleman from Minnesota [Mr. ANDERSON], it would seem to me that we would simply capitulate, we would accept the prices that the European buyers would fix, which would mean that the Government would assume an increased financial burden and a much greater burden than there is need for.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. SNYDER. Of course the gentleman has not overlooked the fact that the foreign consumer has another market to look to for his wheat.

Mr. YOUNG of North Dakota. I have not overlooked that at all, but I tell you this: I think some have in the United States magnified these other possible sources where Europeans may get their supply. A good deal is made in the papers about the fact that there are large stores of wheat in Australia and large stores of wheat in Argentina, but those supplies are hardly available for Europe now, with the very great shortage in ship tonnage.

Mr. SNYDER. It is just as available as ours, only it takes a few days longer to get it there.

Mr. YOUNG of North Dakota. It takes three times as long.

Mr. SNYDER. Oh, no; it does not take three times as long.

Mr. YOUNG of North Dakota. It takes 120 days to make the round trip from Australia.

Mr. SNYDER. The point I make is that there has always been a market for wheat outside of the United States, and we have to consider that in deciding what is going to be done with this question, and before you can determine what the loss is going to be under the Government guaranty we have to know something about what the other countries are going to charge for their wheat.

Mr. YOUNG of North Dakota. We are never going to determine what the losses will be until we sell the wheat, but what the loss is going to be will depend upon the way in which we dispose of the question right here.

Mr. SNYDER. I direct the gentleman's attention to the fact that all of the export markets, all of the market for the surplus of the world is outside of the United States.

Mr. YOUNG of North Dakota. Of course they are outside of the United States, but if the gentlemen from Minnesota or any other man were standing at the port of shipment at New York with the entire supply of American wheat, and could absolutely control it, knowing the very great difficulty and almost impossible conditions of Europe getting its supplies because of the shortage of ship tonnage, from Australia and Argentina, I think he could force a better price. There is no use of becoming panicky about this. Some gentlemen are disposed to yell before they are hit. Our exportable balance of wheat this year is not likely to be more than from 250 to 350 millions and the National Treasury need not be made to stand the shrinkage in price upon more than that amount. If we were to follow Mr. ANDERSON'S plan, the loss might be figured on as high as 1,000,000,000 bushels. If the gentleman insists upon urging that plan, he is likely to scare away many friends in this House of the idea of making good the President's wheat guaranty.

Mr. SNYDER. Will the gentleman yield again?

Mr. YOUNG of North Dakota. I think we can get better prices under the conditions I have outlined than if we were to capitulate at the start by following the suggested plan to settle with our farmers at the guaranteed price and the Government accept the loss every day as measured by the world's market price. That would be a surrender to my mind.

Mr. SNYDER. The gentleman will recollect when he was making a statement of this kind some time ago——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, I yield to the gentleman from Indiana [Mr. FAIRFIELD].

Mr. FAIRFIELD. Mr. Chairman, there is much of interest and no little uncertainty among the farmers of my district as to what we intend to do in reference to the guaranty. That is really a reflection, in their minds, upon the integrity of this Congress. The truth is that this law fixing the minimum price was made for just such a time as this. No other thought, I think, was in the minds of a majority of the Members of this House when that law was framed, and we have heard no suggestion on the part of any man that he would consider for a moment not living up to the promise we made to the farmer. I have had some little correspondence in reference to the matter, and just to-day I received a letter from a man—we are not a large wheat-growing country—who said that he had bought a tractor, even out in Indiana, where the farms are small; that the boys were gone; that they rented much land; had invested two or three thousand dollars; and in that particular locality the promise of a good crop is not very great; and he wanted to know what we were going to do about it. Of course, there is no disposition on the part of Congress not to fulfill the promise we made to the farmer. I was at a loss, a little bit, to understand the reasoning of the gentleman from Minnesota [Mr. ANDERSON] when I understood him to say that there would be no purchasing corporation in the second plan——

Mr. ANDERSON. No; the gentleman is mistaken about that. Of course, I intended that the grain corporation would continue exercising the same function it does now, having the same power to buy and sell wheat that it has now with reference to the 1918 crop, and it would be in the market at all times to protect the interests of the Government in the maintenance of the price.

Mr. FAIRFIELD. That is really just a continuation of the present plan, rather than two distinct methods of sales, is it not?

Mr. ANDERSON. I think the two plans fundamentally are entirely different——

Mr. FAIRFIELD. I agree with that.

Mr. ANDERSON. But both involve the same question and use the identical machinery. Of course, I want to see the machinery used that we have set up, but I want to see that machinery used to accomplish a different result.

Mr. FAIRFIELD. Then, if I understand the gentleman, what would occur is this, that the grain corporation would continue and that it would have a fund at its disposal to protect the Government in maintaining prices.

Mr. ANDERSON. Exactly so.

Mr. FAIRFIELD. And the problem then is whether the grain corporation ought to endeavor to hold the price at the point of the guarantee. I am very glad, indeed, I have that cleared up, because I was laboring under a misapprehension in connection with it. It would certainly be foolish for us not to make an appropriation to maintain the machinery we have in order that the Government should be protected.

Mr. BAER. Will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. BAER. And does not the gentleman think if we keep this machinery intact that the machinery should keep the restrictions on all the by-products and the manufactured products of the grain? For instance, I understand in Minnesota the other day the Food Department took off the restriction from bran and middlings of wheat, and the mills went up in their price from $26 to $46 a ton, and it went up $2 more the next day. While we are fixing the price for wheat and flour a lot of millers are obtaining extortionate prices for the by-products.

Mr. FAIRFIELD. Well, evidently, if you hold the price high the by-products will be kept high. And it is a question as to how far we should go in controlling the selling. Now, I agree with the gentleman that it would be my judgment on the by-products, so far as middlings and bran are concerned, it would be wise to restrict them if we could; but, if I remember, subsidiary organizations were formed, and the farmer

really never got the benefit of the restriction. So I am not sure that the Government, now that we are entering upon peace times, would be any more efficient than it was during war times, when the exigency was great upon us.

Mr. SLOAN. Will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. SLOAN. Just to find out how high the mountain ahead of us is, does the gentleman know what the wheat product of the Southern Hemisphere is? It is just being harvested now; and, as I understand, do we know practically how many bushels Australasia, South Africa, and South America are producing this year?

Mr. FAIRFIELD. I do not know. I would be glad if the gentleman would inform me.

Mr. SLOAN. I do not know. I just wanted to know how high the mountain is that is ahead of us.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. FAIRFIELD. Yes.

Mr. SMITH of Michigan. The suggestion was made by the gentleman from North Dakota [Mr. YOUNG] that when the price is taken off the by-product is doubled in value the same day or the next day. Is there any assurance that that same thing would not occur if they would take the price off of wheat at the present time?

Mr. FAIRFIELD. I think the general opinion is that if the guaranteed price was taken off wheat, and I think it has been asserted here on the floor of the House, and by the honored chairman at one time not long ago, wheat would go to $1.25 a bushel.

Mr. BAER. If they had not fixed a price on it it would have gone to $5 or $6 a bushel. Mr. Hoover said that.

Mr. FAIRFIELD. There is no doubt, gentlemen, that the only two products whose price is restricted and not allowed to soar were the two products of wheat and wool.

Mr. BLACK. Will the gentleman yield there?

Mr. FAIRFIELD. Yes.

Mr. BLACK. Let me suggest to the gentleman that the Food Administration fixed the price on cotton seed and on linters during the same time.

Mr. FAIRFIELD. They did it on linters, but I was not informed they did it on cotton seed. I know that cotton seed, which formerly ran from $5 to $8 a ton, went up to $75 or $80 a ton.

Mr. BLACK. The gentleman does not want to be unfair.

Mr. FAIRFIELD. How high did it sell during the war?

Mr. BLACK. Before the United States entered the war we sold it as high as $60. Of course, cotton seed did go up. It is a vegetable fat, much needed, and it soared very rapidly.

Mr. FAIRFIELD. I assure the gentleman I had no idea of provoking that sort of discussion. I mean to be absolutely fair.

Mr. BLACK. I am sure of that.

Mr. LEVER. My recollection is that when the price was fixed on cotton seed it was selling at $82 a ton.

Mr. FAIRFIELD. And will the gentleman kindly inform me when the price was fixed?

Mr. LEVER. Shortly after the passage of the food-control act.

Mr. FAIRFIELD. And what was the Government price?

Mr. LEVER. Seventy to seventy-one dollars a ton.

Mr. YOUNG of Texas. I may state to the gentleman that in my State it sold at $66 a ton.

Mr. FAIRFIELD. I confess to the gentleman it will be very interesting to me to know the absolute facts on all of these questions. I think that any man who speaks here ought not to be willing to say what is not true as to the facts in the case.

Mr. SMITH of Michigan. Is it not true that the price of wheat was reduced 75 cents on the same day that they fixed the price at $2.25?

Mr. FAIRFIELD. I know the price of wheat was ranging between $2.75 and $3 a bushel, and it was fixed at $2.20.

Mr. SMITH of Michigan. That is right.

Mr. FAIRFIELD. But be that as it may, gentlemen, it seems to me that it would be utterly foolish for us to permit the organization, which is already effected, to lack an appropriation big enough at any time to control the buying in this country. It is, in my judgment, the only protection that the Government will have.

For if the Government should buy the whole crop at the $2.20 price per bushel and should then sell at the world's price, it will have lost nothing on the guarantee, and who is there that would say that such action on the part of the Government would not enhance the price, and thus save the Government from much of loss. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HAUGEN. Mr. Chairman, I yield 15 minutes to the gentleman from Idaho [Mr. FRENCH].

Mr. FRENCH. Mr. Chairman and gentlemen, I am sorry to change the subject that the committee is considering at this time, but I want to invite the attention of members of the committee to a matter that, in my judgment, is very important and which I think ought to be given attention.

I now want to speak about the manner in which claims against the United States are handled. Under the Constitution the United States may not be sued, yet claims are constantly arising against the United States—claims so meritorious that were an honest citizen in the place of the United States he would not rest until he had made settlement. The Government should do no less. The Government should be as honest as it wants its citizens to be. These claims arise and have arisen in a multitude of ways, and we have tried to meet them; but our whole system has been imperfect.

Early in the history of our country we recognized the obligation we owed to those who had fought our country's battles, and we passed laws making land grants as a sort of reward or compensation for services rendered. We did this by act of Congress. In this same connection we granted more favorable conditions under land laws to those whom the Government owed for military service. We have granted special consideration to them touching employment. Beyond that, and involving a vast expenditure, we have recognized the Nation's obligation or debt to our soldiers and those dependent upon them by a system of pensions more generous than has ever been devised by any other Government. Chiefly these grants have been provided for by general law, yet, too, largely by special act, and to-day thousands of individual pension cases receive the special attention of Congress.

But still other claims arose, and with the expanding business of the Government, the taking over by the Government of vast works that private interests had handled in earlier days, the liability of the Government increased. I shall not go into minute detail, but the expansion of Government activities and Government liabilities caused us to pass a few years ago the employees' compensation law, through which automatically claims of a certain class against the Government are adjusted without reference to Congress.

Again, we established the Court of Claims and provided that that court should hear certain causes referred to it from executive departments and from the Congress.

Yet, in spite of all this, the Congress finds itself called upon to consider at every session a multitude of claims. Some of the claims are large, some are small; and the merits of the claims are as wide apart as are the amounts different in size.

SAMPLES.

Let me mention to you a few clear-cut claims that may suggest the general demand that is made upon Congress along this line:

Case 1. The Government issues patent to a piece of land to A, an Indian, who was not required to make any improvements, and later issues patent to the same piece of land to B, a homesteader. B has made extensive improvements, built a house, fences, brought the land under cultivation, planted an orchard, lived upon the land for years. He has made a home. Yet in a court B's patent can be set aside or canceled, for the Government had no authority to issue it. Yet how about the Government's liability to B? The Government has committed an outrageous blunder. Surely liability exists.

Case 2. The Post Office Department awards C the contract to carry the mail on star route Y to Z for $1,500 per annum. C is told that bond will be adjusted as soon as possible, but in meantime he should go ahead with work. C does so, and sends in bond in a few weeks. Error is discovered and bond is returned to C. C's bondsmen discover that C has under bid and are delighted that bond is imperfect and refuse to renew it. C continues to carry mail for six months under direction of department till new contract is awarded to X. Then C is told that under the law he can not be paid, because his bond was imperfect. The Government owes him $700 that any honest man in the Government's place would pay at once.

Case 3. A Government department is about to build a public building at W. Before awarding building contract office arranges by a special contract with D to drive piling to test out character of foundation necessary at a cost of $125. By oral arrangement inspector is to be notified when D is ready for test and is to report at once. D performs his duty fully, inspector is notified, but delays reporting for four days. Contractor is paying $2.50 each to 4 laborers, who are to help with test, $10 per day. After four days' delay, inspector shows up. Government admits its fault but says it has no authority to pay D the $40 that he as an honest man has had to pay his

workmen. Any honest man in the Government's place would pay D.

Case 4. The Government Forest Service, through the utter recklessness and carelessness on part of its employee or agent, and while the latter is doing official work for the Government, burns $1,000 worth of logs and telephone poles belonging to E. Any honest man in the Government's place would make full settlement at once with E.

Now, in all the above cases and others that I could mention, an honest claim has arisen against the Government—a claim so honest, so just, that if it were against any Member of this House settlement would be made at once.

PRESENT METHOD OF SETTLEMENT A SORRY STORY.

More than that, in each of the foregoing claims referred to the particular executive department under which the claim arose could not make settlement. The claims are recognized as just, and yet no settlement may be made under any general law. Moreover, the injured party may not sue the Government in any court. What shall B, C, D, and E do under the circumstances? Why, they take up the matter with their Representatives in Congress or their Senators. A bill is introduced, it is referred to a proper committee, and evidence is furnished. From that point on the progress of the matter is a sorry story. Each of the claims referred to above has been recommended favorably by the department in which it arose, each has been reported by a committee in the House or Senate from one to three or four different times. One of them has passed both House and Senate in different Congresses. No lack of diligence has existed on the part of the claimant or on the part of the Member of Congress in prosecuting the claims. Yet the claims are still unpaid. In one instance the claim is 10 years old. They are all on the calendar of the House to-day, the first one having been on the calendar since June 4, 1918. We simply have not had time to consider these small items in the stress of big matters. If a private individual were involved instead of the Government we would say he did not have time to be honest and pay his just debts. Let us not say that of our Government. Let us say, rather, that we are working under a most stupid system in the matter of claims of this character, and let us see if we can not work out a better system.

The claims above referred to involve amounts ranging from $40 to $750. Why, in any community in the country a court would direct a trustee or administrator of an estate to pay a claim that was as well authenticated and not contested by a living soul; or if the claim were in dispute between neighbors it would be tried before a justice of the peace in my State or in the district court. Yet here we say that since the Government is involved we shall ask 435 busy Representatives and 96 busy Senators to pass upon each claim. We ask, first of all, that busy committees of some 17 or 19 members shall consider each claim, and then after they have reported unanimously we ask that the claim be put on the calendars of the House or Senate, that it then be considered, if it ever can be reached, and then, if passed, that it run the same gauntlet in the other Chamber, and then go to the President for his approval. A $40 claim! Think of it. A claim that a justice of the peace or a jury—and a jury by a three-fourths vote in Idaho—would pass upon so satisfactorily that there would be no appeal in 9 cases out of 10 if it were between private citizens. Yet as it involves the Government, notwithstanding the fact that the Executive, under whom it arose, admits it, notwithstanding he would pay it, notwithstanding the evidence is overwhelming, and that a jury of 17 or 19 Members of this body, called a committee, say it is just and should be paid, why, we still can not pay it. The bill must pass Congress as though it were a $10,000,000 appropriation measure. And, gentlemen, it has gotten to the point that, with the pressure of tremendously important business, we do not have time to take up the calendar for the consideration of claims. I turn to the calendar of the House and find the dates claims were placed upon the calendar. Here is one dated March 20, 1918, another March 22, and so on. Yet the House has not even considered these bills.

Why, if you will pick up the calendar of the House for to-day you will see there are something like nine pages devoted to an itemized list of bills which are upon the Private Calendar. You will find there are something like three pages of bills which are upon the Unanimous-Consent Calendar and a large number of them are of private character. You will find that you have something like 200 separate bills of that character reported favorably from committees and awaiting action by the House.

IMPORTANT BUSINESS COMES FIRST.

Now, I am not going to urge that we have been following a policy that is wrong in considering the vast and important subjects of legislation that we have been considering during this most remarkable session of Congress which has crowded out of consideration the Private-Calendar bills.

Mr. BLANTON. Will the gentleman yield for a question?

Mr. FRENCH. I will be very glad to do so.

Mr. BLANTON. Is not the cause of which the gentleman so justly complains, the delay of consideration, due more to the fact that a great majority of these private claims are absolutely without merit? Is not that the fact, and is not that the reason for the delay in getting action here through the regular way; that is, the Claims Committee, and through them action by the Congress?

Mr. FRENCH. Well, I would say to the gentleman that I realize that there are many worthless claims presented to the various committees for their consideration. The plan that I shall propose will at once weed out the worthless claims and take care of the just ones. I was upon one of the claims committees of the House for a couple of years and am on one of them now, and I realize that the work of the committee is in large part given over to sorting out worthless claims from those that are good, and yet at the same time it must be admitted that there are hundreds of meritorious claims where, if the gentleman from Texas himself were the one under obligation, he would settle those claims before he would go to bed to-night, because he would recognize their justice.

Mr. BAER. They probably would not get through committee if they were not meritorious.

Mr. FRENCH. No; not at all, generally speaking.

Mr. BLANTON. And they do not get through the committee.

Mr. FRENCH. The unworthy claims for the most part do not, and many of the worthy claims do not get through the committees. Yet we do not come to an end. Bad claims are presented year after year—the same claims, mind you—and we should have a system by which bad claims would be finally disposed of and good claims promptly paid.

Now, gentlemen, it is an outrageous way to treat our citizens. One of the cases I referred to by way of illustration is that of an old man nearly 70 years of age. His claim has been reported at least three times unanimously by a committee of the House or Senate. It has passed the House and the Senate at different Congresses. It is now on the calendar. The department wants to pay it, but the law is so narrow it may not be done. Now, I submit such treatment does not make for good feeling toward our country. Such treatment makes discontent and arouses outraged feelings. Such treatment helps to make Bolshevists. It helps to make anarchists.

I have seen normally law-abiding men do criminal acts when they have been the victims of an injury, and so have you. And lawlessness is anarchy. Gentlemen, we are asking that our people be honest—that they pay their debts. Yet it is commonly said that it is most impossible for a little fellow to collect a claim from the Government, no matter how just.

THE REMEDY.

Now, what is the remedy? Well, we have done a few things that suggest an answer. When we undertook the construction of the Panama Canal, the operation of the railroad, steamship lines, and so forth, we knew accidents would occur just as they occur for other employers of labor, and that the employer—this time the Government—would sometimes be at fault. So we passed the employees' compensation act of May 30, 1908. Under that act, almost automatically are adjusted claims against the Government. The law has worked admirably.

But this is not all we have done. On September 7, 1916, we passed a more general compensation act for settlement of claims against the Government arising out of employment.

But we have gone further. In the War Risk Insurance act of 1917 we applied the same principle to those in the service of the Government who might sustain injury by reason of such service.

Beyond that we have gone. A few days ago we passed a bill through the House providing that the Secretary of War should have the right to adjudicate contracts arising in the present war, aggregating something like $2,700,000,000, that were in various stages of completion, but had not been perfected. In other words, we gave to the War Department the power largely to adjudicate those claims.

Now, I submit that we should apply a similar principle in disposing of the miscellaneous claims that arise against the Government.

In the case of the bill we passed a few days ago authorizing the Secretary of War to adjudicate contracts we met a demand from every State in this Union. But, gentleman, no matter how just the claims may be that will be adjudicated, not one of them will be found more just, more deserving, than that

of the poor old man in Idaho who carried the mail 10 years ago for the Government and has not been paid a single penny for his services. Not one will be more just than that of the homesteader who, through a blunder of some Land Office official or official of the Indian Bureau, was permitted to live for years and improve as a homestead a piece of land that had been patented to an Indian, only to be told by the Government to "Get out" after he had received patent and supposed he had builded a home for himself and family.

What, then, do I propose? I propose as a solution of this question that we authorize every executive department of the Government to adjudicate and make settlement of every claim arising in such department. Since the Government of the United States can not be sued, we can say what shall constitute final action. I would have the action of the secretary of the particular department final in the case of any claim up to, say, $2,000. Then I would provide in claims larger than that that there might be an appeal, an appeal either on the part of the Government or on the part of the claimant, to the Court of Claims; or possibly you could provide that an appeal be taken, if you want to call it that, to Congress itself in the larger cases. I would also provide that claims be presented within a reasonable time after injury occurred.

Surely, this is a reasonable solution. Gentlemen, if a little question arose in your community involving $40 or $750 you would be perfectly willing to trust the disposition of the case to the justice of the peace or to the court that has the smallest jurisdiction. In my State a justice of the peace has jurisdiction of cases up to $300, or the district court in amounts over that. You would possibly waive a jury, and if you did not a jury, not unanimously, but by a three-fourths vote, would bring in a verdict that in nine cases out of ten would commend itself to the approval of both parties to the litigation, and there would not be an appeal. The case would be settled.

But what shall we say of cases where both sides agree? What shall we say of cases, for instance, that would come before the probate court where a person comes in with a claim and the administrator of the estate says, "Yes; I recognize the justice of the claim and I want to pay it"? Who would say that the probate court in any State of this country would refuse to order that the bill be paid if that were the proper procedure to follow in his particular jurisdiction? Yet that is precisely what is occurring in all these cases that I have brought to your attention, cases in which not only the claimant asserts the justice of the claim and furnishes proof overwhelming, but where the Government, through the department where the claim arose, admits the justice of the claim but can not pay it for lack of authority in law.

WHAT WILL BE GAINED?

Now what would be gained by the plan that I propose?

First. There would be a speedy adjustment of claims against the Government.

Second. Fictitious claims would be turned down and would not come in hoary with age as their chief measure of merit.

Third. There would be orderly procedure.

Fourth. The claims would be disposed of by the department having the facts before it.

Fifth. Claims that should be disposed of by one competent department head and that in civil procedure are disposed of by justices of the peace would not need to challenge and engross the attention not of one Member of Congress and not of one committee but of 435 busy Members of the House and 96 Senators as well as the attention of the department where the claim arose, and finally the President.

Sixth. The Senators and Representatives would have more time for the large and important legislative problems.

Mr. LEVER. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. OVERSTREET].

The CHAIRMAN. The gentleman from Georgia is recognized for 15 minutes.

Mr. OVERSTREET. Mr. Chairman, just 12 years ago to-day I had the honor and privilege of addressing the Fifty-ninth Congress on the merits of the general Agricultural appropriation bill, which was then up for consideration. I had been elected to fill out the unexpired term caused by the death of Hon. Rufus E. Lester, and this was my first appearance before this body of American legislators. I had occasion then to criticize Congress for the parsimonious policy adopted by our Government toward the great agricultural classes. The bill under discussion carried an appropriation of only $9,000,000. This bill carries an appropriation of $31,000,000, to be wisely and judicially expended for the promotion of the interests of the American farmer, and I desire to congratulate the country upon the fact that we have at last come to regard agriculture in the proper light—the foundation stone upon which rests all our material greatness. I shall be glad to support this bill, and I hope there will be no material changes in it when it finally passes the House.

But, Mr. Chairman, I desire to make some observations on a different line. I had hoped that it would not become necessary for me to make these remarks, but I have patiently waited for some other Member on our side of the House to answer the charges that I shall undertake to answer, but thus far no one has come forward to make a reply. I much preferred that some Member longer in the service would perform the duty that I shall endeavor to perform.

At the outset I desire to state that I hold no brief for the President nor his administration. I am not the authorized spokesman for the National Democratic Party. I do not pretend to represent the views of a majority of the Members on my side of the House, but I am the Representative of my district and have a right to speak for them.

The Republican Party has controlled this Government so long that they feel that they have a right and title to it by prescription. They seem to look upon the Democratic Party as mere trespassers without even a color of title to the offices from the President down. The people of this country may well congratulate themselves upon the fact that President Wilson has occupied the White House during the past six years, the most memorable and exciting in our country's history. There seems to have been an effort on the part of the Republican Party to weaken his influence from the beginning of his first presidential term. No President of this country has ever had to deal with as many grave and complicated questions as President Wilson has had to meet and dispose of. For weeks and weeks I have sat silent in my seat, expecting some Member on this side of the House to defend him and his administration against certain charges. It seems to me that some of the leaders on the other side have endeavored to block and thwart the purposes of the President in a great many instances. They have tried to amend a number of important war measures in order to take from the President some of the power and authority carried in the bills. This, of course, would have emasculated the bills, and those Members attempting to pass these amendments knew it at that time. I refer especially to the Food Administration bill, where it was attempted to pass an amendment creating a commission of three to perform the work and duties that have been so admirably performed by Mr. Hoover.

Another instance is where it was attempted to create a commission practically to carry on the war and to take out of the hands of the President, as Commander in Chief of the Army and Navy, the power and authority lodged in him by the Constitution of the United States.

In the President's last address before Congress, just before his departure for Europe, you endeavored to embarrass him. In the course of his speech, when he made the statement that he himself proposed to attend the peace conference, our side of the House arose en masse and applauded him, but you remained in your seats like statues of stone to show to him and to testify to the world in no uncertain manner your disapproval of his course.

It seems to me that there has not been that full cooperation that should have existed, especially when this country has been engaged in war. And yet I have recently heard prominent Members on the other side of the House charge that if an extra session of Congress should become necessary the Democratic side of the House was responsible for it. Why should we want an extra session of Congress? We know that the President desires and the country desires that all the appropriation bills should be passed before the 4th of March, and we are making every effort in our power to have these bills passed before that time; but, as I have already stated, Members on the other side have had the temerity, and even the effrontery, to charge this side of the House with an effort to delay the passage of these important measures.

Why should we desire an extra session of Congress? Would we prefer a Republican Speaker to a Democratic Speaker? Would we prefer a Republican majority to a Democratic majority? Would we prefer to see the offices appertaining to this House, from the Clerk down to the smallest paid employee, filled by persons of the opposite political faith? To ask these questions answers them. We are not in favor of an extra session, and we hope that an extra session may not be necessary.

Not only have the Members of this House and others holding public office attempted to annoy the President and embarrass his administration, but citizens in private life who have enjoyed the highest office in the gift of the American people have contributed their portion toward making the road thorny for the President to travel.

Mr. FAIRFIELD. Will not the gentleman yield?

Mr. OVERSTREET. Yes.

Mr. FAIRFIELD. I would be glad if my friend would specify the things in which the President has been hampered by this side of the House. The gentleman makes a general charge. Let him state specific measures.

Mr. OVERSTREET. I can not attempt to enumerate all the measures, but particularly do I mention the Food Administration bill. When this bill came up for a vote, the Republicans sought to amend it by creating a commission, and thus take from the President the power and authority mentioned in the bill of designating some one to act for him, and it is well known to everybody that should this bill pass Mr. Hoover would be nominated as the Food Administrator. And there are other measures, but I can not take the time to enumerate them.

Mr. HAUGEN. The gentleman states that all of us undertook to create a food commission.

Mr. OVERSTREET. No; I did not say all of you.

Mr. HAUGEN. I desire to say that the members of the committee worked hand in hand, the Republican members with the Democratic members of that committee, and we aided in every way that we possibly could, and that the suggestions which were adopted came from the Republicans as much as they did from the Democrats, and met with the approval of the administration.

Mr. LEVER. If the gentleman from Georgia will permit me, I have not a moment's further time to yield him, and he is allowing his time to be consumed by others.

Mr. OVERSTREET. Mr. Chairman, how much time have I left?

The CHAIRMAN. The gentleman has five minutes.

Mr. OVERSTREET. I am sorry, gentlemen, but I can not yield any more. Now, what is true, some of you have voted for these measures, because you knew your constituents would defeat you for reelection if you did not support them. Some of you, I am persuaded, voted for them grudgingly, but you felt compelled to vote as you did, because you represented the views of your constituents.

Mr. HAUGEN. If the gentleman will yield, I want to say this——

Mr. OVERSTREET. I can not yield any more, as I have but a few minutes left. Mr. Chairman, up to a few weeks ago the greatest representative the Republican Party ever had, living or dead, contributed weekly to the Kansas City Star editorials that were calculated to embarrass the President in his conduct of the war and in his great undertaking to unite and organize the peoples of the earth into a league of nations to prevent the recurrence of future wars.

Mr. DYER. Mr. Chairman, I make the point of order that no quorum is present.

Mr. HAUGEN. I do not want to take the gentleman's time, but I know he wants to be fair——

Mr. OVERSTREET. All I ask is just to let me finish the sentence.

The CHAIRMAN. The gentleman from Iowa and the gentleman from Georgia are out of order, and the gentleman from Missouri has made the point of no quorum.

Mr. DYER. Mr. Chairman, as one Member of this House, I do not intend to sit here while insults are being heaped upon a distinguished citizen——

Mr. OVERSTREET. I ask that the gentleman permit me to conclude the sentence.

The CHAIRMAN. The gentleman from Missouri must either make or withdraw his point of no quorum.

Mr. DYER. If the gentleman from Georgia will refrain from attacking ex-President Roosevelt and the Members on this side, I will not insist upon a point of order.

Mr. OVERSTREET. I assure the gentleman that he can find no fault with my statement if the House will permit me to complete the sentence. I said the greatest representative of the Republican Party ever had, living or dead, up to a few weeks ago, contributed weekly to the Kansas City Star articles that were calculated to embarrass the President in the prosecution of the war and his great undertaking to unite and organize the peoples of the earth into a league of nations to prevent the recurrence of future wars, and I want it clearly and distinctly understood that I am not attempting to minimize one particle the wonderful achievements of the great ex-President, and far be it from my purpose to reflect in the slightest upon the character or memory of the illustrious dead; but I feel it is my duty to call the attention of this House to every human agency or instrumentality that has been at work during the past six years to weaken or diminish the influence and power of President Wilson in the estimation of the people, both at home and abroad.

Mr. HAUGEN. Mr. Chairman, I yield one minute more to the gentleman, for I know he wants to be fair. The gentleman has charged this side of the House with cowardice.

Mr. OVERSTREET. No, I have not.

Mr. HAUGEN. The gentleman said that we did not dare to vote otherwise than for these bills, because we were afraid we would be defeated in the election. The question has been submitted to the American people and the returns would indicate that the position taken by the gentleman is not well taken.

Mr. OVERSTREET. Yes; you went before the people for reelection, and in Kansas and in Nebraska and in the other western States you told the people that the Democratic Party had acted unfairly, that they had fixed the price of wheat and refused to fix the price of cotton. In the New England and Northern States you said the South was in the saddle. Your majority was won by making appeals to the passions and prejudices of the people by declaring that the South was in the saddle and controlled and dominated the national democratic administration. Now, recently the National Republican Committee met in Chicago to lay their plans for the next presidential election, and, judging from an account of the proceedings of this committee, the South will be your chief target of attack. The poisoned missiles of your misrepresentation and abuse will be aimed at—in the language of a member of that committee—"one corner of the country," a reference to the South made contemptuously by Gov. Harding, of Iowa. I hold in my hand a copy of an article from the Washington Post, dated January 11, the day after this National Republican Committee met, and it seems that the burden of their song was to criticize and malign the South. Gov. Beeckman, of Rhode Island, a member of the committee, said that the people of the North were tired of paying 90 per cent of the taxes and having it expended by a minority of the South, which dominated the national democratic administration; and Gov. Harding, of Iowa, said that this is too big and too great a country to be ruled by one corner of it.

Now, gentleman, I submit that I am disappointed at the membership of the Republican National Committee. I would have thought that that committee would be composed of broad-minded statesmen who are too big to cast any slurs upon the South, especially since it has been more than 50 years since the great Civil War, which left the South naked and destitute. But I am glad to say, Mr. Chairman, that she has recovered from that destitution and nakedness, and such a recuperation the world has never seen before and I doubt if it ever will again.

In the beautiful words of Senator JAMES HAMILTON LEWIS, from an article recently appearing in the Washington Post:

> Yet this South paid her share of the Government debts, bore her burdens, sent her boys to die in the Spanish-American War—from San Juan to Santiago in Cuba, from Manila to Zamboanga in the Philippines. She sent her boys to France, cheering for the flag of the Union, and for America they died and sleep in unmarked mounds in France in every vale and riverside, from the English Channel to the Rhine. Who is there to say of these people that because once or twice in 50 years their northern and western brethren granted them some of the places of honor in the Government they should be the objects of national political party vengeance?

What we need, Mr. Chairman, is broad-minded patriotism; sectional feeling and prejudice should be cast aside. What we now want is confidence in the wisdom of our delegates at the peace conference in France to give to the world a lasting peace—confidence in the parties to the contract, confidence in our great Government at Washington, and confidence in the President of the United States, confidence in each other and ourselves. Do not rock the boat but "stand by" your great captain, who will steer the old ship of state into a haven of safety at last.

Mr. HAUGEN. Mr. Chairman, all I care to say is this: The question was submitted to the American people, and if the gentleman is satisfied with the results we certainly are, for we have no complaint to make.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, briefly, along the line that I talked about.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I desire to inquire of the gentleman from Iowa if he has anyone present ready to go on.

Mr. HAUGEN. I have used more time than the gentleman from South Carolina has, and it was understood that we would rise after the gentleman finished.

Mr. LEVER. May I inquire how the time stands?

The CHAIRMAN. The gentleman from South Carolina has 60 minutes remaining and the gentleman from Iowa 53 minutes.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. GARRETT of Tennessee. I thought there was a distinct agreement that general debate should proceed until 9 o'clock, with the provision that one hour should then be used to-morrow at such time as the House resolved itself into the committee again for the consideration of this bill. That was my understanding.

Mr. LEE of Georgia. That is correct.

Mr. LEVER. The gentleman is not quite right about that. The understanding was that we would proceed for three hours, at which time the committee would rise, and that we would then give way to the Appropriations Committee to bring up a deficiency appropriation bill to-morrow, which would leave us still one hour of general debate. Certain gentlemen to whom I have promised time are unavoidably absent. That is true also with respect to the gentleman from Iowa. While they ought to be here, yet they are not here, and I do not want to shut them out, because I understand the chairman of the Committee on Appropriations is not going to have any general debate at all upon his bill, other than his own opening statement. It is just a matter of trying to keep good faith with these men.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield further?

Mr. LEVER. Yes.

Mr. GARRETT of Tennessee. I thought there was a very distinct understanding on the part of the Members of the House that the general debate should proceed for three hours.

Mr. LEVER. That is true; but the gentleman recognizes this fact——

Mr. GARRETT of Tennessee. This is going to delay the passage of the appropriation bill further.

Mr. LEVER. That is true.

Mr. GARRETT of Tennessee. Of course, I can not prevent the gentleman from making a motion to rise, but I shall vote against it. I have remained here, as have many others, with the understanding that what I state was agreed to. There could not possibly be a misunderstanding.

Mr. STAFFORD. There was no agreement. It was merely an assertion on the part of the chairman that he would make that effort.

Mr. HAUGEN. Objection was made against that agreement.

Mr. GARRETT of Tennessee. We innocent bystanders always believe in the statements made by the chairman and the ranking Members, and we have remained here. I would have gone long ago if it had not been for that understanding.

Mr. LEVER. We have consumed two hours and 20 minutes, and it will make a difference of about 40 minutes. If it is necessary, of course, I can send for these Members.

Mr. GARRETT of Tennessee. Why not go on with the debate now?

Mr. STAFFORD. Mr. Chairman, I demand the regular order.

Mr. LEVER. If the gentleman will withhold that for a moment——

Mr. STAFFORD. Very well.

Mr. LEVER. I would like to say to the gentleman from Tennessee that I made very diligent effort to reach a member of my committee, to whom I had allotted 15 minutes of time. I happen to know that the gentleman left the hall believing that he would be able to take his time when we met again, and I know that the gentleman is not very well. I have not been able to locate him, so that we have run out of soap just now, and I do not feel, in justice to these gentlemen, who think they are going to have time, that they should be denied the opportunity all for the sake of saving 40 minutes in debate.

Mr. GARRETT of Tennessee. Will the gentleman yield? The agreement or the statement was made with a full membership, or as nearly a full membership as we ever have present.

Mr. LEVER. Yes; I recognize——

Mr. STAFFORD. Mr. Chairman, I demand the regular order.

Mr. GALLAGHER. Who is to speak?

Mr. LEVER. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the Chair announced the noes seemed to have it.

On a division (demanded by Mr. LEVER) there were—ayes 9, noes 1.

So the motion was agreed to.

Accordingly the committee rose; and Mr. GARRETT of Tennessee having assumed the chair as Speaker pro tempore, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15018, and had come to no resolution thereon.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the committee report from the Pension Bureau, appearing in the Appendix to the CONGRESSIONAL RECORD, be printed as a House document and that a short letter from the Commissioner of Pensions, read to-day from the Clerk's desk, be printed as a preface to the document.

Mr. LEVER. Mr. Speaker, reserving the right to object, may I inquire of the gentleman from Texas if he has taken up this matter with the chairman of the Committee on Printing [Mr. BARNHART]?

Mr. BLANTON. No; but I will state for the benefit of the gentleman from South Carolina that this is a report of a special committee of experts from the Pension Office appointed by Commissioner Saltzgaber a short while ago to report on the various companies of Indian fighters in Texas, as to which of them are entitled to the benefits of the act of March 4, 1917, and which are not. It will save a great deal of correspondence for the 18 Members of Congress from Texas in answering inquiries——

Mr. LEVER. Mr. Speaker, if the gentleman will permit, I think I recall this matter was before the House before, and I suggest to the gentleman from Texas that he defer his request until the chairman of the Committee on Printing is present.

Mr. BLANTON. The chairman of the Committee on Printing has made no objection to it.

Mr. LEVER. If the gentleman will permit, there was some gentleman who objected to this same request this morning.

Mr. BLANTON. Mr. WALSH of Massachusetts.

Mr. HAMLIN. Does he consent now?

Mr. BLANTON. I do not know; he is not present.

Mr. HAMLIN. Well, I think it would hardly be fair to take it up to-night——

Mr. LEVER. I object, Mr. Speaker, for the time being, and I move that the House do now adjourn.

The question was taken, and the Chair announced the ayes had it.

Mr. BLANTON. Mr. Speaker, on that question I demand the yeas and nays.

The SPEAKER pro tempore. The gentleman from Texas demands the yeas and nays. One gentleman has arisen, not a sufficient number.

Mr. BLANTON. Mr. Speaker, I make the point of order there is no quorum present.

Mr. LEVER. If the gentleman will withhold for a moment——

Mr. BLANTON. I will withhold for a moment.

Mr. LEVER. I hope the gentleman will not do that.

Mr. STAFFORD. Mr. Speaker, a question of order. It does not require a quorum to adjourn.

Mr. LEVER. Mr. Speaker, I make the point of order it does not require a quorum to adjourn.

Mr. BLANTON. I ask for a division on the vote to adjourn.

Mr. STAFFORD. I make the point of order it is too late; the gentleman has already demanded the yeas and nays and the yeas and nays have been refused.

Mr. BLANTON. A decision has not been made by the Chair, and I ask for a division on the question to adjourn.

The SPEAKER pro tempore. Division is demanded. The question is, Shall the House now adjourn?

The House divided; and there were—ayes 13, noes 1.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum.

The SPEAKER pro tempore. It does not require a quorum to adjourn.

ADJOURNMENT.

So the motion was agreed to; accordingly (at 7 o'clock and 10 minutes p. m.) the House, under its previous order, adjourned until Tuesday, January 28, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of New Buffalo Harbor, Mich. (H. Doc. No. 1730); to the Committee on Rivers and Harbors and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War, chairman of the committee of the Arlington Memorial Amphitheater Commission, submitting a supplemental estimate of appropriation for the care and maintenance of the Arlington Memorial Amphitheater, Arlington National Cemetery, Va., fiscal year 1920 (H. Doc. No. 1731); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, chairman of the Arlington Memorial Amphitheater Commission, submitting a supplemental estimate of appropriation required to supply a deficiency in the original appropriation for the construction of the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va. (H. Doc. No. 1732); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation required by the Geological Survey for the continuation of the collection of coal and coke production and distribution statistics for the report of the mineral resources of the United States for the fiscal year 1920 (H. Doc. No. 1733); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of communication, submitting a supplemental estimate of appropriation required by the Engineer Department for flood control of the Mississippi River, in addition to the sum heretofore estimated for (H. Doc. No. 1734); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Assistant Secretary of War, submitting supplementary report of the claims determined to January 24 by the board appointed to consider, ascertain, and determine the amounts due on all claims for damages and loss to private property occasioned by the explosion at the plant of the T. A. Gillespie Loading Co., at Morgan, N. J. (H. Doc. No. 1735); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SIMS, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12352) for the retirement of employees in the classified service, reported the same with amendment, accompanied by a report (No. 988), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the joint resolution (S. J. Res. 208) providing that one term of the United States District Court for the Eastern Judicial District of Oklahoma shall be held annually at Hugo, Okla., reported the same with amendment, accompanied by a report (No. 990), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on the Library, to which was referred the bill (H. R. 13482) creating a commission for the maintenance, control, care, etc., of the Perry's Victory Memorial on Put in Bay Island, Lake Erie, Ohio, and for other purposes, reported the same without amendment, accompanied by a report (No. 991), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ALMON, from the Committee on Roads, to which was referred the bill (H. R. 14497) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, by increasing the maximum of Federal aid in the construction of roads to $15,000 per mile, reported the same without amendment, accompanied by a report (No. 992), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MAYS, from the Committee on the Public Lands, to which was referred the bill (S. 4103) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto, reported the same without amendment, accompanied by a report (No. 993), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (S. 4244) for the relief of entrymen within the Castle Peak irrigation project, Utah, reported the same without amendment, accompanied by a report (No. 994), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill (S. 2088) to consolidate certain forest lands within the Cache National Forest, Utah, and to add certain lands thereto, reported the same without amendment, accompanied by a report (No. 995), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BEAKES, from the Committee on the Post Office and Post Roads, to which was referred the bill (H. R. 13878) granting a franking privilege to Edith Carow Roosevelt, reported the same without amendment, accompanied by a report (No. 996), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. CLARK of Florida: A bill (H. R. 15141) to prohibit the payment of compensation to Senators, Representatives, and Delegates in Congress and other officers and employees under certain conditions; to the Committee on the Judiciary.

By Mr. SIMS: A bill (H. R. 15142) to provide for the incorporation of certain companies engaged in foreign trade; to the Committee on Interstate and Foreign Commerce.

By Mr. CLASSON: A bill (H. R. 15143) increasing the limit of cost for a Federal building at Oconto, Wis.; to the Committee on Public Buildings and Grounds.

By Mr. ADOLPHUS P. NELSON: A bill (H. R. 15144) authorizing the Secretary of War to donate to the city of Park Falls, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HARRISON of Mississippi: A bill (H. R. 15145) providing for the employment by the United States Government of soldiers and sailors of the United States and prescribing the preference to be extended them in filling clerical and other vacancies; to the Committee on Reform in the Civil Service.

By Mr. OLIVER of New York: A bill (H. R. 15146) to authorize and empower the Postmaster General to construct, maintain, and operate a mail tunnel in the city of New York; to the Committee on the Post Office and Post Roads.

By Mr. McKEOWN: A bill (H. R. 15147) increasing the limit of cost for a Federal building at Shawnee, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. LITTLE: A bill (H. R. 15148) to provide for the erection of a Federal building at Olathe, Kans.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15149) to provide for the erection of a public building at Paola, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. HICKS: A bill (H. R. 15150) authorizing the Secretary of War to donate to the village of Smithtown Branch, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15151) authorizing the Secretary of War to donate to the village of Sea Cliff, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 15152) to provide for extra pay when discharged for officers and enlisted men who were in the Army of the United States when war was declared against Germany or have since entered the Army; to the Committee on Military Affairs.

By Mr. DOOLITTLE: A bill (H. R. 15153) to provide for a site and Government building at Council Grove, Kans.; to the Committee on Public Buildings and Grounds.

By Mr. CLARK of Pennsylvania: A bill (H. R. 15154) for the enlargement of the Federal building at Erie, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15155) authorizing the Secretary of War to donate to the borough of Girard, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KRAUS: A bill (H. R. 15156) to enlarge and extend the post-office building at Logansport, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15157) authorizing the Secretary of War to donate to the city of Hartford City, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GLYNN: A bill (H. R. 15158) to donate a captured cannon or gun to the city of Ansonia, in the State of Connecticut; to the Committee on Military Affairs.

Also, a bill (H. R. 15159) to donate a captured cannon or gun to the town of Winsted, Conn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15160) to donate a captured cannon or gun to the town of Salisbury, Conn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15161) to donate a captured cannon or gun to the town of Torrington, Conn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15162) to donate a captured cannon or gun to the city of Waterbury, in the State of Connecticut; to the Committee on Military Affairs.

By Mr. GILLETT: A bill (H. R. 15163) to acquire a site and erect a building thereon at Springfield, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. FLOOD: A bill (H. R. 15164) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes"; to the Committee on the Post Office and Post Roads.

Also, a bill (H. R. 15165) authorizing the Secretary of War to donate to the town of Newcastle, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LEA of California: A bill (H. R. 15166) for the purchase of a site for and the erection of a post-office building at Marysville, Cal.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15167) for the purchase of a site for and the erection of a post-office building at Petaluma, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. MAPES: A bill (H. R. 15168) authorizing the Secretary of War to donate to the village of Sand Lake, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CARY: A bill (H. R. 15169) to establish a zoological park in the State of Wisconsin; to the Committee on Public Buildings and Grounds.

By Mr. KNUTSON: A bill (H. R. 15170) to donate two cannons of obsolete pattern to the city of Staples, in the State of Minnesota; to the Committee on Military Affairs.

By Mr. FREAR: A bill (H. R. 15171) authorizing the Secretary of War to donate to the city of Menomonie, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15172) authorizing the Secretary of War to donate to the city of Hudson, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15173) authorizing the Secretary of War to donate to the city of Eau Claire, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15174) authorizing the Secretary of War to donate to the city of Rice Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15175) authorizing the Secretary of War to donate to the city of Chippewa Falls, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WINGO: A bill (H. R. 15176) to provide for the erection of a public building at Nashville, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15177) to provide for the erection of a public building at De Queen, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. CARTER of Oklahoma: A bill (H. R. 15178) for the purchase of a site and the erection thereon of a public building at Madill, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15179) for the purchase of a site and the erection thereon of a public building at Wilburton, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15180) for the purchase of a site and the erection thereon of a public building at Hugo, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15181) for the purchase of a site and the erection thereon of a public building at Idabel, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15182) for the purchase of a site and the erection thereon of a public building at Antlers, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15183) for the purchase of a site and the erection thereon of a public building at Marietta, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15184) for the purchase of a site and the erection thereon of a public building at Poteau, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15185) for the purchase of a site and the erection thereon of a public building at Atoka, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. HASTINGS: A bill (H. R. 15186) to authorize the acquisition of a site and the repairing and enlargement of a Federal building thereon at Okmulgee, Okla., or to authorize the acquisition of a site and the erection of a Federal building thereon at Okmulgee, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. PORTER: A bill (H. R. 15187) increasing the limit of cost for a Federal building at Tarentum, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. HASKELL: A bill (H. R. 15188) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. CARAWAY: A bill (H. R. 15189) for the purchase of a site and the erection of a public building at Wynne, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. RAMSEY: A bill (H. R. 15190) authorizing the Secretary of War to donate to the borough of East Rutherford, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PORTER: A bill (H. R. 15191) authorizing the Secretary of War to donate to Aspinwall, Pittsburgh, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15192) authorizing the Secretary of War to donate to Etna, Pittsburgh, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15193) authorizing the Secretary of War to donate to Bellevue, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15194) authorizing the Secretary of War to donate to the Fineview district of the city of Pittsburgh, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 15195) authorizing the acquisition of a site for a public building at Island Pond, Vt.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15196) authorizing the acquisition of a site for a post-office building at Bellows Falls, Vt.; to the Committee on Public Buildings and Grounds.

By Mr. TILLMAN: A bill (H. R. 15197) for the erection of a public building at Sulphur Springs, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15198) for the erection of a public building at Decatur, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15199) for the erection of a public building at Gentry, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. JACOWAY: A bill (H. R. 15200) for the erection of a public building at Conway, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15201) for the erection of a public building at Morrillton, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15202) for the purchase of a site and the erection of a public building at Little Rock, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. GARLAND: A bill (H. R. 15203) authorizing the Secretary of War to donate to the town of Mooseheart, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15204) authorizing the Secretary of War to donate to the town of Charleroi, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROWLAND: A bill (H. R. 15205) authorizing the Secretary of War to donate to the town of Philipsburg, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALTON: A bill (H. R. 15206) authorizing the Secretary of War to donate to the New Mexico Military Institute, at Roswell, N. Mex., German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. COOPER of West Virginia: A bill (H. R. 15207) granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLITTLE: A bill (H. R. 15208) authorizing the Secretary of War to donate to the city of Strong, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15209) authorizing the Secretary of War to donate to the city of Cottonwood Falls, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CLAYPOOL: A bill (H. R. 15210) to authorize the Judge Advocate of the United States Army to classify the soldiers of the American Expeditionary Forces who have been court-martialed and return to those who were fined for misde-

meanors the amount of fine collected therefrom; to the Committee on Military Affairs.

By Mr. JOHN M. NELSON: A bill (H. R. 15211) to increase the limit of cost for the proposed new Federal building at Madison, Wis., and the site thereof; to the Committee on Public Buildings and Grounds.

By Mr. MORIN: A bill (H. R. 15212) for the purchase of a site for and the erection of a post-office building at Pittsburgh, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. WELLING: A bill (H. R. 15213) increasing the limit of cost for a Federal building at Spanish Fork, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15214) for the construction of a Federal building at Nephi, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15215) increasing the limit of cost for a Federal building at Park City, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15216) increasing the limit of cost for a Federal building at Eureka, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15217) increasing the limit of cost for a Federal building at Vernal, Utah; to the Committee on Public Buildings and Grounds.

By Mr. YOUNG of North Dakota: A bill (H. R. 15218) to authorize the erection of a Federal building at Jamestown, N. Dak.; to the Committee on Public Building and Grounds.

By Mr. GALLIVAN: A bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes; to the Committee of the Whole House on the state of the Union.

Also, a bill (H. R. 15220) providing for a site and public building for post office and other Federal purposes at Boston, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. McCULLOCH: A bill (H. R. 15221) to donate a captured cannon or gun to the city of Wooster, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15222) to donate a captured cannon or gun to the city of Dover, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15223) to donate a captured cannon or gun to Ragersville, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15224) to donate a captured cannon or gun to the city of Dennison, Ohio; to the Committee on Military Affairs.

By Mr. GALLIVAN: A bill (H. R. 15225) to provide for the enlargement, extension, and remodeling of the Federal building at Boston, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. TREADWAY: A bill (H. R. 15233) authorizing the Secretary of War to donate to the town of Lee, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15234) authorizing the Secretary of War to donate to the town of Stockbridge, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15235) authorizing the Secretary of War to donate to the town of Charlemont, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WALTON: Resolution (H. Res. 522) providing increased compensation to the official stenographers to committees; to the Committee on Accounts.

By Mr. TILLMAN: Resolution (H. Res. 523) declaring T. A. Chandler a duly elected Member of the House of Representatives from the State of Oklahoma; to the Committee on Elections No. 2.

By Mr. JOHNSON of Washington: Resolution (H. Res. 524) directing the Secretary of War to furnish the House of Representatives certain information regarding investigation of complaint made by E. L. Rice; to the Committee on Military Affairs.

By Mr. LUNDEEN: Resolution (H. Res. 525) to initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness; to the Committee on Rules.

By Mr. ALMON: Resolution (H. Res. 526) providing for printing additional copies of soil survey of Lauderdale County, Ala.; to the Committee on Printing.

By Mr. PAIGE: Resolution (H. Res. 527) directing the Clerk of the House to post conspicuously in the House wing of the Capitol and in the House Office Building notices of committee hearings in advance thereof; to the Committee on Accounts.

By Mr. SHERWOOD: Resolution (H. Res. 528) providing for pay for examiner detailed to the Committee on Invalid Pensions from the Bureau of Pensions; to the Committee on Accounts.

By Mr. CLAYPOOL: Resolution (H. Res. 529) to initiate the necessary steps to open opportunities for employment to all workers in the United States who face enforced idleness; to the Committee on Rules.

By Mr. CLARK of Florida: Resolution (H. Res. 530) providing for an investigation of the treatment of sick and disabled soldiers at the Walter Reed Hospital, Washington, D. C.; to the Committee on Military Affairs.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon, favoring the enactment of Senate bill 5234, war minerals bill; to the Committee on Mines and Mining.

Also, memorial of the Legislative Assembly of the State of Oregon praying that loganberry and apple juices be exempted from taxation in the pending revenue bill; to the Committee on Ways and Means.

By Mr. CLARK of Missouri: Memorial from the Legislature of the State of Oregon, favoring the enactment of Senate bill 5234, war minerals bill; to the Committee on Mines and Mining.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FOCHT: A bill (H. R. 15226) granting an increase of pension to James K. Brewer; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 15227) granting a pension to Amelia Erdman; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 15228) granting a pension to Charles Dolderer; to the Committee on Pensions.

Also, a bill (H. R. 15229) granting a pension to Starling N. Caron; to the Committee on Pensions.

By Mr. LANGLEY: A bill (H. R. 15230) granting a pension to Henry Fields; to the Committee on Pensions.

Also, a bill (H. R. 15231) granting a pension to Lee Begley; to the Committee on Pensions.

By Mr. MAHER: A bill (H. R. 15232) granting a pension to Frances E. Herlehy; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of the Un-a-quaw-ian Society, calling for Indian representation; to the Committee on Indian Affairs.

By Mr. CARY: Petition of citizens of Milwaukee, Wis., protesting against and asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Fur Workers' Union, Local No. 77, protesting against the proposed tax on furs; to the Committee on Ways and Means.

Also, petition of Sindorf & Stein, Milwaukee, Wis., protesting against luxury tax provision levying 10 per cent tax on hats, shirts, etc.; to the Committee on Ways and Means.

By Mr. CLARK of Pennsylvania: Petition of Frederick W. Miller, East South Illinois Street, Corry, Pa., demanding repeal of postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Ajax Iron Works, Corry, Pa., urging repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. DALLINGER: Memorial of city council of Cambridge, favoring the proposal to give men discharged from service an amount equal to six months' pay; to the Committee on Military Affairs.

Also, petition of citizens of Massachusetts, urging repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. ESCH: Petition of La Crosse Printing Pressmen's Union, No. 189, protesting against postal zone law; to the Committee on Ways and Means.

By Mr. GILLETT: Petition of Native Races' Anti-Liquor Traffic Committee of New York City, favoring destruction of opium now held in China; to the Committee on Foreign Affairs.

By Mr. GLYNN: Petition of certain citizens of Salisbury, Conn., protesting against the increase in postage on periodicals; to the Committee on Ways and Means.

Also, memorial of Friends of Irish Freedom of Terryville, Conn., in favor of the principle of self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. HAMILTON of Michigan: Petition of Mary E. Smith, Mildred E. Gould, Emma Owen, and Daisy Bergman, urging repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of citizens of South Haven, Mich., urging repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of members of Woman's Christian Temperance Union of Cloverdale, Mich., urging repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Petition of George P. Hamner and 16 other citizens of Steubenville, Ohio, protesting against postal zone system; to the Committee on Ways and Means.

Also, petition of Miss Mabel E. Anderson and others, of Cadiz, Ohio, rural route 3, protesting against zone system of postage; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of certain residents of Hartford, Conn., relative to postal-zone law; to the Committee on Ways and Means.

By Mr. LUNDEEN: Petition of Minnehaha Lodge, No. 827, International Association of Machinists, Minneapolis, Minn., requesting a congressional investigation of the policies of Postmaster General as to labor conditions in the telegraph and telephone service; to the Committee on Interstate and Foreign Commerce.

Also, petition of Northwestern Lumbermen's Association, of Minneapolis, opposing Government ownership of railroads and declaring for Federal control; to the Committee on Interstate and Foreign Commerce.

By Mr. McARTHUR: Petition of Cattlemen's Association, Douglas County, Oreg., on disposition of Oregon & California Railway Co. land grants; to the Committee on the Public Lands.

By Mr. MOORE of Pennsylvania: Memorial of Philadelphia Board of Trade, relating to inland transportation; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Petition of J. W. Williams, manager Williams Hardware Co., Clarksburg, W. Va., urging that new taxation bill shall be held at $4,000,000,000; to the Committee on Ways and Means.

Also, petition of F. W. Patton, secretary Northern West Virginia Coal Operator's Association, Fairmont, W. Va., urging that the new taxation bill be kept at $4,000,000,000; to the Committee on Ways and Means.

By Mr. POLK: Petition of members of State Board of Education of Delaware, urging full support in passage of Senate bill 4987; to the Committee on Education.

Also, petition of Joseph W. F. Quin and others, favoring House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Commercial Telegraphers' Union of America, Chicago, Ill., protesting against their treatment by United States Telegraph and Telephone Administration; to the Committee on Ways and Means.

Also, petition of Mrs. A. N. Wilson, Doyle, Cal., urging repeal of postal zone system; to the Committee on Ways and Means.

Also, petition of Chamber of Commerce of Sacramento, Cal., protesting against war tax on letter mail and retention of zone second-class rates on advertising matter; to the Committee on Ways and Means.

Also, petition of H. H. Gross, president Universal Military Training League, Chicago, Ill., urging bill for universal training for boys between ages of 18 and 20 years; to the Committee on Military Affairs.

Also, petition of School Woman's Club of Alameda, Cal., indorsing Senate bill 4987; to the Committee on Education.

Also, petition of certain citizens of Nevada County, Cal., demanding the repeal of postal zone-rate bill; to the Committee on Ways and Means.

Also, memorial of California Congress of Mothers and Parent-Teacher Association, requesting Congress to pass Senate bill 4987; to the Committee on Education.

Also, petitions of citizens of North Branch, Valley Springs, and San Andreas, Cal., urging repeal of postal zone system; to the Committee on Ways and Means.

By Mr. STEENERSON: Petition of Nonpartisan League Local of Dalton, Ottertail County, Minn., relative to House bill 13909, motto on coins; to the Committee on Coinage, Weights, and Measures.

SENATE.

TUESDAY, *January 28, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, father of our spirits, the source of our freedom, the defender of our liberties, we come before Thee to ask Thy guidance and blessing as we seek to maintain the precious inheritance that has been passed to us from our fathers and to advance the interests of Thy kingdom. We pray that we may have the satisfaction of knowing that we are God's chosen men, directed in paths to the fulfillment of God's great purpose in us as a Nation. To this end do Thou endue us plenteously with heavenly wisdom, and give us Thy guidance and blessing for the duties of this day. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

GERMAN PROPAGANDA—PERSONAL EXPLANATION.

Mr. OVERMAN. Mr. President, I rise to a matter in the nature of a question of personal privilege. This morning there appeared in the Washington Post a statement by the Secretary of War. I will ask the Secretary to read the headlines and the first two paragraphs.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

REPUDIATED BY BAKER.—A. STEVENSON'S "PACIFIST" LIST DENOUNCED BY SECRETARY—NOT WITH WAR DEPARTMENT—SENATE WITNESS CONNECTED WITH NEW YORK INTELLIGENCE BUREAU—"GERMAN PROPAGANDA" LIST, SAYS SECRETARY. CONTAINS NAMES OF PEOPLE OF DISTINCTION AND UNQUESTIONED LOYALTY—DISCLAIMED ALSO BY STATE DEPARTMENT—MANY TELEGRAMS OF PROTEST.

[By Albert W. Fox.]

The investigation which the subcommittee of the Senate Committee on the Judiciary is conducting of pro-German propaganda took on a new aspect yesterday when Secretary of War Baker came boldly to the defense of some of the so-called pacifists whose names were contained on a list prepared by Archibald Stevenson, understood to be representing the military intelligence department. Mr. Baker denounced the list and repudiated the suggestion that Mr. Stevenson represented any branch of the War Department. He issued the following statement:

"I am receiving telegrams and letters with regard to a list of persons handed to the Senate committee by Mr. Archibald Stevenson, who is represented in newspaper accounts as a member of the Military Intelligence Division of the War Department. Mr. Stevenson has never been an officer or an employee of the Military Intelligence Division of the War Department.

Mr. OVERMAN. Mr. President, in answer to that, I ask the Secretary to read the statement I send to the desk.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

"I assume the Secretary of War in his statement published in the press this morning did not intend to criticize the Senate Committee on the Judiciary, charged with the investigation of German propaganda. Whether he approves of the method adopted by the committee or not is a matter of no concern to the committee. But when he undertakes to repudiate and escape responsibility for a witness called by that committee at the instance of one of the branches of the War Department his statement can not be permitted to go unchallenged.

"The facts are these: Secretary Baker declares that 'Mr. Stevenson has never been an officer or an employee of the Military Intelligence Division of the War Department.'

"This committee never heard of Mr. Stevenson until his name was called to the attention of the committee in a communication from the office of Military Intelligence, War Department, New York City, dated December 17, 1918, addressed to the Director of Military Intelligence, Washington, D. C., which communication, with a notation to rush, was delivered by the office of the Director of Military Intelligence, Washington, D. C., to this committee, and the portion thereof relating to Mr. Stevenson reads as follows:

"WAR DEPARTMENT,
"OFFICE OF MILITARY INTELLIGENCE,
"ROOM NO. 806, 302 BROADWAY,
"*New York City, December 17, 1918.*

"From: Office M. I. D., 302 Broadway, New York.
"To: Director of Military Intelligence, Washington, D. C.
"Subject: Senate inquiry.

"1. It is respectfully suggested that the following witnesses be called to testify before the Senate inquiry:

* * * * * * *

"Archibald Ewing Stevenson, of the propaganda section, who has studied German propaganda in the United States for over a year and concentrated on the subject, and is probably more familiar with the various interlocking groups of German and radical propagandists in the United States at this time than anyone else.

* * * * * * *

"JOHN B. TRAVOR,
"*Captain, U. S. A.*"

"It is evident that the Secretary of War did not familiarize himself with the employees of his department or the work which was being done by the Bureau of Military Intelligence."

Mr. OVERMAN. Mr. President, I hold in my hand the original letter that came to the committee, signed by Capt. Travor. Senators will notice this pink slip of paper inscribed "Rush." The letter was rushed to the committee, calling our attention to this man Stevenson, asserting that he had been in the department for a year studying German propaganda and was the man who should be brought before our committee. With that pink slip there was another slip of a different color—I do not know why they use different colors—also containing the inscription "Rush." It was rushed to me, and after getting this letter, as I have set forth in the statement read by the Secretary, I

subpœnaed Mr. Stevenson. He came before us and testified that he had been employed by the War Department, knew all about this matter, and would give us some very valuable testimony. So the Secretary of War, under the circumstances, it seems to me, ought to have made some investigation before he gave out the statement appearing in the newspaper.

STATE, WAR, AND NAVY DEPARTMENT BUILDINGS (S. DOC. NO. 362).

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of the Treasury, transmitting a letter from the Superintendent of the State, War, and Navy Department buildings, submitting a supplemental estimate of appropriations in the sum of $507,624 required for salaries and expenses of buildings under his supervision for the fiscal year 1920, etc., which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. Smith, its chief clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat to determine the practicability of their utilization as a fuel and in producing commercial products.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The message further announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The message also announced that the House had passed a bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 390. An act to establish the Grand Canyon National Park, in the State of Arizona; and

S. 5318. An act granting a pension to Edith Carow Roosevelt.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented resolutions adopted by the Legislature of the State of Arizona petitioning Congress to pass the woman suffrage amendment, which were ordered to lie on the table.

He also presented resolutions adopted by the Legislature of the State of Montana petitioning Congress to pass the woman suffrage amendment, which were ordered to lie on the table.

Mr. SMITH of Arizona. I present a house joint resolution of the Legislature of the State of Arizona favoring the passage of the constitutional amendment granting the right of suffrage to women. As it comes from the legislature of a State, I ask that it be printed in the RECORD. Otherwise I would not ask to have it so printed.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

STATE OF ARIZONA.
OFFICE OF THE SECRETARY.

UNITED STATES OF AMERICA,
State of Arizona, ss.:

I, Mit Simms, secretary of state, do hereby certify that the within is a true, correct, and complete transcript of House joint resolution No. 3 of the Fourth Legislature of the State of Arizona, 1919, petitioning the "Senate of the United States to approve and pass at the earliest convenient moment the proposed amendment to the Constitution of the United States, now pending before that body, which has for its object the granting of the right of suffrage to the women of the United States of America," all of which is shown by the original copy on file in this department.

In witness whereof I have hereunto set my hand and affixed the great seal of Arizona. Done at Phoenix, the capital, this 22d day of January, A. D. 1919.

MIT SIMMS.
Secretary of State.

House joint resolution 3.

Be it resolved by the House of Representatives of the State of Arizona (the Senate concurring herein):

SECTION 1. That the Fourth Legislature of the State of Arizona, this day assembled in regular session, most respectfully petitions and requests the Senate of the United States to approve and pass at the earliest convenient moment the proposed amendment to the Constitution of the United States, now pending before that body, which has for its object the granting of the right of suffrage to the women of the United States of America.

SEC. 2. *Resolved further*, That the secretary of state be, and he is hereby, instructed, immediately upon the passage of this resolution, to forward, under the great seal of the State of Arizona, to the Secretary of the United States Senate and to Hon. HENRY F. ASHURST and Hon. MARCUS A. SMITH, United States Senators for the State of Arizona, individual transcripts hereof.

Passed the house January 14, 1919, by the following vote: Ayes 33, no —, 2 absent.

A. C. PETERSON,
Speaker of the House.
SAM B. BRADNER,
Chief Clerk of House.

Third reading, January 21, 1919, and passed the senate by the following vote: Ayes 16, no —, absent —, excused 3.

A. A. JOHNS,
President of the Senate.
L. F. SWEETING,
Secretary of Senate.

Approved January 21, 1919.

THOMAS E. CAMPBELL,
Governor of Arizona.

Filed in the office of the secretary of the State of Arizona this 21st day of January, A. D. 1919, at 4 p. m.

MIT SIMMS,
Secretary of State.
By R. E. MCGILLEN,
Assistant Secretary.

Mr. SMITH of Arizona. I also present senate memorial 2 from the Legislature of the State of Arizona, touching the publicity of the returns of income taxes, which I ask may be printed in the RECORD and referred to the Committee on Finance.

The memorial was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

SENATE CHAMBER, STATEHOUSE,
PHOENIX, ARIZ.

Senate memorial 2.

To the Senate and House of Representatives of the Congress of the United States of America:

Your memorialist, the State Senate of the Fourth Legislature of the State of Arizona respectfully represents that—

Whereas the assignment of quotas to raise funds for various war purposes, such as the sale of liberty bonds, war savings stamps, Red Cross, Young Men's Christian Association, Knights of Columbus, and similar purposes, during the recent war waged by the Government of the United States against the Imperial German Government, has shown the necessity of having some definite means of ascertaining the wealth of citizens other than the means of popular estimation; and

Whereas unjust hardships have been inflicted upon certain citizens of our State by compelling them to subscribe more than they could really afford to the various war activities, and in some instances citizens have been penalized for not subscribing what some arbitrary individual or committee thought they should subscribe; and

Whereas other citizens who were well fixed in this world's goods failed miserably to subscribe more than a pittance for war purposes: Now, therefore, be it

Resolved by the Senate of the Fourth Legislature of the State of Arizona, That the Congress of the United States be, and it is hereby, urged to enact any legislation that may be necessary to make "income-tax returns" public records; be it further

Resolved, That engrossed copies of this memorial be sent to Arizona's Senators and Representative in Congress, and that they be respectfully requested to use their every influence and all the power at their command to accomplish the enactment of such legislation.

Passed the senate January 21, 1919, by the following vote—16 ayes, 3 excused.

A. A. JOHNS,
President of the Senate.

Attest:

L. F. SWEETING,
Secretary of the Senate.

Mr. MYERS. I present a memorial to the United States Senate from the Legislature of Montana upon the passage of the resolution for a suffrage constitutional amendment. I ask that it be printed in the RECORD.

The memorial was ordered to lie on the table and to be printed in the RECORD, as follows:

House joint memorial 1.

A memorial to the Senate of the United States to pass an amendment to the Federal Constitution and submit the same to the several States for ratification, extending the right of suffrage to the women citizens of the United States of America.

To the honorable SENATE OF THE UNITED STATES OF AMERICA:

Your memorialists, the members of the Sixteenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent:

Whereas it appears that a majority of the people of the United States of America are in favor of extending the right of suffrage to the women citizens of the United States of America, and,

Whereas there is now pending before the Senate of the United States a measure proposing an amendment to the Federal Constitution designed to effect such extension of suffrage; now, therefore, be it

Resolved by the house (the Senate concurring), That we, the members of the Sixteenth Legislative Assembly of the State of Montana, do hereby petition and earnestly pray the Senate of the United States that such measure proposing an amendment to the Federal Constitution so extending the right of suffrage be passed and submitted to the several States for ratification; and

Resolved further, That a copy of of this memorial be forwarded by the secretary of state of Montana to the Senate of the United States, and

that copies hereof be transmitted by the secretary of state of Montana to the Montana Senators in the Congress of the United States.

(Signed) O. W. BELDEN,
Speaker of the House.
(Signed) J. E. EDWARDS,
President of the Senate pro tempore.

Approved January 23, 1919:
(Signed) S. V. STEWART, *Governor.*

UNITED STATES OF AMERICA,
State of Montana, ss:

I, C. T. Stewart, secretary of state of the State of Montana, do hereby certify that the foregoing is a true and correct copy of house joint memorial No 1, "A memorial to the Senate of the United States to pass an amendment to the Federal Constitution and submit the same to the several States for ratification, extending the right of suffrage to the women citizens of the United States of America," enacted by the Sixteenth Legislative Assembly of the State of Montana, and approved by S. V. Stewart, governor of said State, this 23d day of January, 1919.

In testimony whereof, I have hereunto set my hand and affixed the great seal of said State. Done at the city of Helena, the capital of said State, this 23d day of January, A. D. 1919.

[SEAL.] C. T. STEWART, *Secretary of State.*

Mr. CURTIS. I desire to have a telegram read embodying a resolution of the Kansas Legislature.

There being no objection, the resolution was read, as follows:

TOPEKA, KANS., *January 28, 1919.*

HON. CHARLES CURTIS,
United States Senate, Washington, D. C.:

Both Houses of the Kansas Legislature unanimously passed the following concurrent resolution:

"Whereas there is now pending in the Senate of the United States a constitutional amendment providing for national woman suffrage; and

"Whereas it is an acknowledged fact that the enfranchisement of the women of Kansas has worked satisfactorily and tended toward better government in the State; and

"Whereas equality and justice to all people, for which the nations of the world have been struggling and for which the great war has been waged, requires the granting of suffrage to American women who, equally with the men of this country, have borne the burden of the war and have loyally and ungrudgingly given their sons and their personal services that liberty might live and the world be made free to the end that our own Government might not perish: Therefore be it

"*Resolved*, That the Senate of the United States is most earnestly requested to, without delay, pass the Federal amendment giving the women of the United States full suffrage."

HENRY J. ALLEN, *Governor.*

Mr. JOHNSON of South Dakota. I have received a communication from the secretary of state of the State of South Dakota, transmitting a certified copy of a concurrent resolution passed by the legislature of that State relating to inundated lands in Charles Mix County. I ask that the communication and accompanying resolution be printed in the RECORD and referred to the Committee on Public Lands.

The communication and accompanying resolution were referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,
DEPARTMENT OF STATE,
Pierre, January 24, 1919.

HON. ED. S. JOHNSON,
Washington, D. C.

DEAR SENATOR: I have the honor to hand you herewith certified copy of concurrent resolution, which originated in the house of representatives and is concurred in by the senate, relating to inundated lands in Charles Mix County, said inundation being caused by the overflow of certain wells, and requesting the Congress of the United States at its next session to appropriate a sufficient sum to reimburse the owners of said lands.

Will you please give the matter your careful attention?

Very truly, yours,

C. A. BURKHART,
Secretary of State.

Certificate.

UNITED STATES OF AMERICA.
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed bill, to wit, house concurrent resolution, was duly passed by the sixteenth session of the Legislature of the State of South Dakota, and that the same is now in full force and effect.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, January 24, 1919.

[SEAL.] C. A. BURKHART,
Secretary of State.

HON. C. A. BURKHART,
Secretary of State:

The following concurrent resolution has been adopted by the house of representatives and concurred in by the senate:

Be it resolved by the House of Representatives of the State of South Dakota (the Senate concurring)—

Whereas Congress has at various times appropriated funds for the purpose of sinking four flowing artesian wells on the border of a certain meandered lake known as Lake Andes, and located in the county of Charles Mix and State of South Dakota, for the purpose of furnishing water and fish for the Indians; and

Whereas the level of said lake has been raised several feet by the continuous flow of water discharged from the above-mentioned wells, causing the water to inundate large areas of valuable surveyed and patented agricultural land adjacent to the said lake, and that the lands so submerged are rendered worthless thereby to the owners thereof for either agricultural or grazing purposes, and that there are at least 1,500 acres of such land so submerged, and that the damage to these lands by said inundation or overflow is not less than $100 per acre, and that the owners of said lands are justly entitled to full compensation for such damage from the Government of the United States, by whose authority the said wells were sunk which caused the submergence or overflow of said lands: Therefore, be it

Resolved by the Senate of the State of South Dakota (the house of Representatives concurring), We earnestly though respectfully request the Congress of the United States at its next session to appropriate a sufficient sum to reimburse said overflowed land owners.

For the house:

LEWIS BENSON,
Speaker.
WRIGHT TARBELL,
Chief Clerk.

For the senate:

C. S. AMSDEN,
President pro tempore.
A. B. BLAKE,
Secretary.

Dated at Pierre, S. Dak., this 22d day of January, A. D. 1919.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Mines and Mining.

There being no objection, the joint memorial was referred to the Committee on Mines and Mining and ordered to be printed in the RECORD, as follows:

Senate joint memorial 3.

To the honorable the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas the Government of the United States required war equipment and supplies which could not be produced without chromite; and

Whereas the urgent need for ships for military purposes cut off the supplies from abroad upon which this country previously had depended; and

Whereas the Government, through its departments and war boards at Washington, advertised this great need for chromite by issuing circulars, bulletins, and letters urging the people to search for, to mine, and to deliver chromite ore; and

Whereas a large number of Oregon miners, most of whom are men of small means, responded freely to these Government advertisements by building roads and trails, making open cuts and otherwise developing chromite mines and preparing to furnish this mineral to the Government, and who will be financially ruined unless relief comes immediately; and

Whereas there is now pending in the Congress of the United States a bill entitled "A bill to supplement an act of Congress approved October 5, 1918 (Public, No. 220), and to authorize the Secretary of the Interior, from the funds appropriated by said act, to determine, to adjust, and pay losses sustained by investments preparatory to production of war minerals mentioned in said act." Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House concurring), That the Legislative Assembly of the State of Oregon favor the enactment by Congress of Senate bill 5234, and to that end the Senators and Representatives in Congress of the United States from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the chief clerk of the Senate of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the house January 20, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 16, 1919.

W. J. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD.

The joint memorial was ordered to lie on the table and be printed in the RECORD, as follows:

Senate joint memorial 8.

Whereas there is now pending before the Congress of the United States an act "to provide revenue, and for other purposes," commonly known as the 1918 revenue bill; that section 628 of this bill as passed the House of Representatives contained a provision in section 628 thereof authorizing the collection of a tax of 20 per cent of the selling price on all fruit and berry juices produced in the United States, according to a ruling of the Treasury Department of the United States in construing a similar provision in the revenue act of October 4, 1917; and

Whereas said provision of the bill was amended by the Senate of the United States so as to except from the operation thereof fruit and berry juices, and afterwards passed by said body as amended; and

Whereas a conference committee appointed by each House of Congress is now considering the amendment as adopted by the United States Senate, and, according to information received by the manufacturers of loganberry and apple juices in this State, intends to submit a report to each House of Congress recommending that the bill be amended so as to impose a tax of 10 per cent of the selling price of such fruit and berry juices; and

Whereas the imposition of such a tax would render valueless great manufacturing industries which have been built up in the States of Oregon, Washington, and elsewhere at a cost of vast sums of money; and

Whereas a large portion of the most fertile agricultural land in the Northwest is now devoted to the growth and culture of loganberries and apples, which are manufactured into loganberry and apple juices, thereby giving permanent employment to thousands of our citizens, which could not continue under the burdens of such tax; and

Whereas the taxation of the loganberry and apple juices as contemplated by said revenue bill, and the consequent destruction of our manufacturing and agricultural industries, would deprive this State of giving employment to the returning soldiers, sailors, and marines now in the service of their country; and

Whereas loganberry and apple juices as manufactured in the Northwest are food products rather than beverages, and therefore should not be classified with synthetic concoctions, such as root beer, ginger ale, pop, etc., as is proposed by said pending bill:

Be it resolved by the senate (the house concurring), That our Senators and Representatives in Congress be, and they are hereby, memorialized and requested to use their utmost endeavors to procure the passage of said revenue bill with the elimination of loganberry and apple juices from taxation therein as passed by the Senate of the United States; that copies of this concurrent resolution be forthwith forwarded to each member of the conference committee of the Senate and House of Representatives in Congress, and also copies to the Senators and Representatives from the States of Oregon and Washington.

Adopted by the house January 22, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 21, 1919.

W. J. VINTON,
President of the Senate.

Mr. LODGE presented a petition of the Linden Methodist Episcopal Church, of Malden, Mass., and a petition of the Society of Friends, of Lynn, Mass., praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. NELSON presented resolutions adopted by the Minnesota Shorthorn Breeders' Association, of St. Paul, Minn., favoring an increase in the salaries of veterinarians of the Bureau of Animal Industry, which were referred to the Committee on Agriculture and Forestry.

Mr. CURTIS presented a petition of the Board of Trade Association, of Hutchinson, Kans., and a petition of the Kansas Traffic Association, of Topeka, Kans., praying for the return to private ownership of the railroads of the country, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by Local Lodge No. 340, International Brotherhood of Boiler Makers, Iron-Ship Builders, and Helpers of America, of Herrington; of Local Council No. 32, International Brotherhood of Blacksmiths and Helpers, of Topeka; of Local Lodge No. 240, International Brotherhood of Boiler Makers, Iron-Ship Builders, and Helpers of America, of Arkansas City; of the Central Labor Union of Fort Scott; of Local Lodge No. 24, International Association of Machinists, of Topeka; of Local Lodge No. 277, International Brotherhood of Railway Carmen of America, of Parsons; of Local Lodge No. 292, International Boiler Makers, Iron-Ship Builders, and Helpers of America, of Parsons; of Local Lodge No. 13, International Association of Railroad Supervisory Foremen of Locomotive and Car Department, of Parsons; and of Local Lodge No. 409, International Brotherhood of Blacksmiths and Helpers, of Parsons, all in the State of Kansas, favoring Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a memorial of Sunnyside Grange, No. 1588, Patrons of Husbandry, of Gridley, Kans., remonstrating against compulsory military training, which was referred to the Committee on Military Affairs.

Mr. COLT presented a petition of sundry citizens of Newport, R. I., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. TOWNSEND presented a petition of Local Lodge No. 997, International Brotherhood of Railway Carmen of America, of Detroit, Mich., and a petition of sundry citizens of Port Huron, Mich., praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by the Michigan State Board of Registration of Nurses, favoring the granting of commissions to Army nurses, which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Commerce of Pontiac, Mich., praying for a speedy settlement of war-munition contracts, which was ordered to lie on the table.

He also presented memorial of Carpenters Local Union, No. 1226, of Manistee, Mich., remonstrating against the operation of the Federal Employment Service, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by the Teachers' Club, of Saginaw, Mich., favoring the establishment of a department of education, which was referred to the Committee on Education and Labor.

DISTRICT ATTORNEY OF NEW YORK.

Mr. FLETCHER, from the Committee on the Judiciary, to which was referred the bill (S. 2124) to fix the salary of the United States district attorney for the eastern district of New York, reported it without amendment.

ASSISTANT CLERK OF THE COMMITTEE ON THE JUDICIARY.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 424, submitted by Mr. OVERMAN on the 27th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to as follows:

Resolved, That the authority given to the Committee on the Judiciary by S. Res. 325, agreed to October 24, 1918, to employ an assistant clerk at a salary not to exceed $5 per diem, for a period not to exceed four months, be, and the same is hereby, extended and continued in full force and effect until the end of the Sixty-fifth Congress.

AGNES KELLEY.

Mr. THOMPSON, from the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 427, submitted by Mr. THOMPSON (for Mr. SMITH of Maryland) on the 27th instant, reported it favorably without amendment, and it was considered by unanimous consent and agreed to as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay from the miscellaneous items of the contingent fund of the Senate to Agnes Kelley, widow of John N. Kelley, late a laborer in the employ of the Senate under supervision of the Sergeant at Arms, a sum equal to six months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

SENATOR FROM MICHIGAN.

Mr. POMERENE. I present an amendment to Senate resolution 415. I ask that it may be read for the information of the Senate, printed, and lie on the table.

The VICE PRESIDENT. The Secretary will read the proposed amendment.

The Secretary read as follows:

Resolved further, That the Committee on Privileges and Elections, or any subcommittee or subcommittees or members thereof, duly authorized by the Committee on Privileges and Elections, be, and they are hereby, authorized, empowered, and directed to investigate fully the statements of facts, charges, and allegations contained in the communication of Mr. Truman H. Newberry by Mr. J. O. Murfin, his attorney at law and in fact, dated January 23, 1919, and presented to the Senate of the United States on January 27, 1919, as appears of record, relating to the election of a United States Senator on November 5, 1918, and to make report thereon to the Senate as early as may be, and from time to time, if they deem best, submit to the Senate all the teestimony and the results of these said hearings thereon.

And for the purposes herein contained there is hereby conferred upon the Committee on Privileges and Elections of the Senate, or any subcommittee or subcommittees or members thereof, all the powers, privileges, and duties hereby conferred upon them in this resolution, relating to the petition filed with the Senate by Mr. Henry Ford contesting the election of Mr. Truman H. Newberry.

And the Sergeant at Arms of the Senate and his deputy are hereby required to attend the said Committee on Privileges and Elections, or any subcommittee thereof, and to execute their directions.

The VICE PRESIDENT. The amendment will be printed and lie on the table.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5447) to increase the cost of the public building at Spanish Fork, Utah;

A bill (S. 5448) to authorize the appropriation of $50,000 for the erection of a public building at Nephi, Utah;

A bill (S. 5449) to increase the cost of the public building at Eureka, Utah; and

A bill (S. 5450) to increase the cost of the public building at Vernal, Utah; to the Committee on Public Buildings and Grounds.

By Mr. PENROSE:

A bill (S. 5451) to repeal the power of the President of the United States to requisition vessels building in the shipyards of the United States;

A bill (S. 5452) to repeal a portion of section 37 of the shipping act of 1916; and

A bill (S. 5453) to repeal the act approved October 6, 1917; to the Committee on Commerce.

By Mr. KENYON:

A bill (S. 5454) granting an increase of pension to Amanda F. Mahin (with accompanying papers);

A bill (S. 5455) granting an increase of pension to Franklin Bryan (with accompanying papers); and

A bill (S. 5456) granting a pension to Joseph W. Wolf (with accompanying papers); to the Committee on Pensions.

By Mr. CURTIS:

A bill (S. 5457) donating captured cannon and cannon balls to the city of Conway Springs, Kans.;

A bill (S. 5458) donating captured cannon and cannon balls to the city of Dodge City, Kans.; and

A bill (S. 5459) donating captured cannon and cannon balls to the city of Goodland, Kans.; to the Committee on Military Affairs.

A bill (S. 5460) granting a pension to Fred Thompson (with accompanying papers); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5461) granting a pension to John Francis Buckley (with accompanying papers); to the Committee on Pensions.

By Mr. THOMAS:

A bill (S. 5462) to increase the cost of the public building at Durango, Colo; to the Committee on Public Buildings and Grounds.

By Mr. CHAMBERLAIN:

A bill (S. 5463) to authorize the Secretary of War to turn over certain Army supplies to the American National Red Cross; to the Committee on Military Affairs.

Mr. MARTIN of Virginia (for Mr. SMITH of Maryland):

A bill (S. 5466) granting a pension to William Dugent, alias William Brown; to the Committee on Pensions.

By Mr. HOLLIS:

A bill (S. 5467) to amend the Federal farm-loan act, approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. TOWNSEND:

A bill (S. 5468) granting a pension to Benjamin A. Sturtevant with accompanying papers); and

A bill (S. 5469) granting a pension to Annie Manchester, with accompanying papers); to the Committee on Pensions.

EDUCATION OF ILLITERATES.

Mr. SMITH of Georgia. I introduce a bill providing for the education of native illiterates, of persons unable to understand or use the English language, and of other resident persons of foreign birth, which I ask to have printed in full in the RECORD and referred to the Committee on Education and Labor.

The bill (S. 5464) to promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; to provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship, was read twice by its title, referred to the Committee on Education and Labor, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Secretary of the Interior, through the Bureau of Education and in cooperation with any other Federal agencies which may be able through their existing organizations to furnish assistance therein, is hereby authorized and directed to cooperate with the several States in the education of illiterates, of persons unable to understand, speak, read, or write the English language, and of other resident persons of foreign birth, and in the training and preparation of teachers, supervisors, and directors for such educational work.

SEC. 2. That for the purpose of cooperating with the several States in paying the salaries of teachers, supervisors, and directors of the educational work herein there is hereby authorized to be appropriated for the use of the several States and subject to the provisions of this act for the fiscal year ending June 30, 1919, the sum of $5,000,000 for the fiscal year ending June 30, 1920, and annually thereafter until the end of the fiscal year ending June 30, 1926, the sum of $12,500,000.

SEC. 3. That for the purpose of cooperating with the several States in preparing teachers, supervisors, and directors for educational work under this act there is hereby authorized to be appropriated for the use of the several States for the fiscal year ending June 30, 1919, the sum of $250,000, for the fiscal year ending June 30, 1920, and annually thereafter until the end of the fiscal year ending June 30, 1926, the sum of $750,000 annually.

SEC. 4. That any State may secure the benefits of this act by acceptance of its provisions and by the designation of an appropriate official to act as custodian of moneys allotted and by authorizing its department of education or chief school officer to cooperate with the United States in the educational work herein authorized, and after June 30, 1919, the appropriation herein made shall be available only in the event that each State or municipal corporation thereof acting through or in conjunction with the State shall appropriate, make available, and use for such educational work an amount equal to that allotted by the United States: *Provided*, That no State shall be entitled to participate in the benefits of this act until it shall by appropriate legislation require the instruction for not less than 200 hours per annum of all illiterate minors or minors unable to speak, read, or write the English language more than 16 years of age at schools or places or by other methods of elementary instruction until such minors have completed a course in English generally equivalent to that supplied by third-grade schools: *Provided further*, That no money authorized to be appropriated by the preceding sections of this act or appropriated by any of the States to carry out its provisions shall be authorized to be used for any other purpose than for the salaries of teachers, supervisors, or directors of education or for the preparation and training of such teachers.

SEC. 5. That the sums herein authorized to be appropriated shall be apportioned to the several States annually in the proportion which the total number of resident illiterate persons 10 years of age and over and of persons 10 years of age and over unable to speak the English language in that State bears to the total number of illiterate resident persons 10 years of age and over and of persons 10 years of age and over unable to speak the English language in the United States, exclusive of the District of Columbia, according to the last published preceding United States census.

SEC. 6. That in order to secure the benefits of this act each State, acting through its proper board or officer, shall submit to the Secretary of the Interior for his approval plans showing the manner in which it is proposed that the appropriation shall be used, including the kind of instruction and equipment to be provided, courses of study, methods of instruction, qualifications of teachers, supervisors, and directors, and the kind of schools in which and the conditions under which training of teachers, supervisors, and directors is to be given.

SEC. 7. That it shall be the duty of the Secretary of the Interior to ascertain whether the several States are using or are prepared to use the money allotted to them under this act, and on or before the 10th day of August in each year he shall certify to the Secretary of the Treasury those States which have accepted the provisions of the act and complied therewith, specifying the amounts of money which each State is entitled to receive under the provisions of this act. Upon such certification the Secretary of the Treasury shall pay to the States entitled thereto the moneys available under this act, payments to be made quarterly on the 15th day of August, November, February, and May of each year.

SEC. 8. That it shall be the duty of the Secretary of the Treasury to withhold the allotment of moneys to any State whenever it shall be determined by the Secretary of the Interior that moneys previously allotted have not been expended for the purposes and under the conditions of this act, or that other terms and conditions of this act have not been complied with.

SEC. 9. That if any portion of the moneys received by any State under the provisions of this act shall be diminished, lost, or expended for purposes other than those authorized and contemplated herein, such moneys shall be replaced by the State and until so replaced no subsequent appropriation for such educational work shall be made to that State. That whenever any portion of the fund allotted to any State has not been expended within the year for the purpose provided in this act, a sum equal to the unexpended portion shall be withheld by the Secretary of the Treasury from the next succeeding annual allotment under this act to such State.

SEC. 10. That there is hereby authorized to be appropriated the sum of $250,000 for the fiscal year ending June 30, 1919, and annually thereafter until the end of the fiscal year ending June 30, 1926, the sum of $1,000,000 for the purpose of administering, carrying out, and enforcing the provisions of this act for cooperative work hereunder, for investigations, studies, and reports through the Bureau of Education, for salaries of officers and assistants, other office and incidental expenses, including the cost of printing, personal services in the District of Columbia and elsewhere, necessary traveling expenses of employees, stationery, office furniture and equipment, and any other expenses necessary in the administration of this act.

SEC. 11. That except as provided in section 10 hereof no moneys appropriated under this act shall be applied directly or indirectly to the purchase, erection, preservation, or repair of any building or buildings or equipment, or for the purchase or rental of lands, or for the support of any religious or privately owned and conducted school or institution.

SEC. 12. That the Secretary of the Interior shall make an annual report to Congress on or before December 1 of each year of all operations, expenditures, and allotments under the provisions of this act, including statement as to what has been done by the several States thereunder.

SEC. 13. That the Secretary of the Interior is hereby authorized to perform any and all acts and make all rules and regulations which he shall deem necessary and proper to carry this act into full force and effect.

COTTON FUTURES.

Mr. SMITH of Georgia. I introduce a bill to amend paragraph 5 of section 5 of the so-called cotton-futures act, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The bill (S. 5465) to amend paragraph 5 of section 5 of the United States cotton-futures act, approved August 11, 1916, and for other purposes, was read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the fifth paragraph of section 5 of the United States cotton-futures act, approved August 11, 1916, be, and is hereby, amended by striking out all of paragraph 5 after the word "cotton," on line 1, and inserting the following: "to be delivered on, under, or in settlement of such contracts shall be middling, strict low middling, low middling, strict middling, and good middling, the grades mentioned being of the official cotton standards of the United States of white cotton, and the average deliveries shall not grade below middling," so that the paragraph as amended will read as follows:

"Fifth. Provided that cotton to be delivered on, under, or in settlement of such contract shall be middling, strict low middling, low middling, strict middling, and good middling, the grades mentioned being of the official cotton standards of the United States of white cotton, and the average deliveries shall not grade below middling."

AIDS TO NAVIGATION.

Mr. JONES of Washington submitted an amendment intended to be proposed by him to the bill (H. R. 13706) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. KIRBY submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AMENDMENTS TO APPROPRIATION BILL.

Mr. FLETCHER submitted an amendment proposing to appropriate $106,000 for investigation of rural education, industrial education, physical education, and school hygiene, including personal service in the District of Columbia and elsewhere, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. KELLOGG submitted an amendment providing that where the constitution of any State prohibits the same from

engaging upon internal improvements, or from contracting public debts for extraordinary purposes in an amount sufficient to meet the monetary requirements of the act of July 11, 1916, etc., the sum to which such State is entitled shall be withdrawn by the Secretary of the Treasury from the principal fund, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

COMMITTEE SERVICE.

On motion of Mr. WARREN it was

Ordered, That the Senator from Minnesota, Mr. KELLOGG, be relieved from further service as a member of the Committee on Privileges and Elections and that the Senator from Missouri, Mr. SPENCER, be assigned as a member thereof; and

That the Senator from Wyoming, Mr. WARREN, be relieved from further service as a member of the Committee on Agriculture and Forestry and that the Senator from New Hampshire, Mr. MOSES, be assigned as a member thereof.

THE CENSUS—CONFERENCE REPORT.

Mr. SHEPPARD. I submit a conference report on the census bill, which I ask may, with the accompanying statement, be printed in the RECORD.

The VICE PRESIDENT. It is an unusual procedure in the Senate to print statements filed by conferees.

Mr. SHEPPARD. Then I withdraw the statement and ask that the report lie on the table and be printed in the RECORD.

The VICE PRESIDENT. It will be so ordered.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 24, 27, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall included each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the Governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "$5,000; the chief clerk and three chief statisticians for the divisions of population, manufactures, and agriculture, respectively, $4,000 each; three"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following: "for the divisions of vital statistics and statistics of cities, and the chief statistician provided for in section 3 of this act, $3,600 each"; also, on page 4, line 9, of the engrossed bill, strike out the word "and"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "$3,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That whenever possible women and honorably discharged soldiers, sailors, and marines shall be employed in the positions herein provided for, if in the judgment of the Director of the Census they are found to possess the business capacity necessary for the proper discharge of the duties of such positions."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "subject to the approval of the United States Civil Service Commission, these"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "applicants claim to have"; also on page 6, line 16, of the engrossed bill, strike out the word "or" where it occurs the first time and insert the word "of"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"*And provided further*, That in the selection of the additional clerks and employees provided for by section 6 the Director of the Census is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26 and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, tenure of home and the encumbrance thereon, and the name and address of each blind or deaf and dumb person.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

"Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

"The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census."

And the Senate agree to the same.

MORRIS SHEPPARD,
HENRY F. ASHURST,
Managers on the part of the Senate.
W. C. HOUSTON,
J. B. ASWELL,
CHARLES A. NICHOLS,
Managers on the part of the House.

FOOD SUPPLIES FOR EUROPE—CONFERENCE REPORT.

Mr. MARTIN of Virginia. Mr. President, I submit the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary. It needs prompt action if it is to be acted upon at all. There has been no change made in what the Senate did, and I am sure it will take but a minute to secure action on the report. I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The conference report will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, and from the amendment amending the title of the bill, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following and transpose the same so that it will precede the word "as," in line 7, on page 1 of the bill: " : *Provided, however*, That Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor, now or formerly subjects of Turkey, may be included within the populations to receive relief under this act"; and the Senate agree to the same.

THOMAS S. MARTIN,
LEE S. OVERMAN,
F. E. WARREN,
Managers on the part of the Senate.
SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

Mr. TOWNSEND. Mr. President, I am not going to make opposition to the adoption of the conference report at this time, because I realize how futile it would be. The Senate has recently passed upon the measure by an overwhelming majority, and, inasmuch as the conference report does not change the attitude of the Senate taken a few days ago, I shall simply be content, so far as I am concerned, with voting against the adoption of the conference report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

SALARIES OF JUDGES—CONFERENCE REPORT.

Mr. SMITH of Georgia. I present a conference report on House bill 12001, but I shall not ask action on it now.

Mr. SMOOT. What is the bill on which the Senator from Georgia presents a conference report?

Mr. SMITH of Georgia. It is the bill in reference to judicial salaries.

The VICE PRESIDENT. Without objection, the report will lie on the table and be printed.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

"The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the circuit court of appeals of the United States, and such salaries shall be paid as now provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 5. That the judges of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid judges of the Circuit Court of Appeals of the United States, payable monthly from the Treasury."

And the Senate agree to the same.

HOKE SMITH,
WILLIAM H. KING,
J. O. WOLCOTT,
FRANK B. BRANDEGEE,
LE BARON B. COLT,
Managers on the part of the Senate.
E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEORGE S. GRAHAM,
Managers on the part of the House.

HOUSE BILL REFERRED.

H. R. 13026. An act to authorize the Secretary of the Treasury to provide hospital and sanatorium facilities for discharged sick and disabled soldiers, sailors, and marines was read twice by its title and referred to the Committee on Appropriations.

VALIDATION OF WAR CONTRACTS.

The VICE PRESIDENT. The morning business is closed.

Mr. WADSWORTH. Mr. President——

Mr. CHAMBERLAIN. May I interrupt the Senator for a moment?

Mr. WADSWORTH. I yield.

Mr. CHAMBERLAIN. I simply ask that the unfinished business be laid before the Senate so that it may have its proper place.

Mr. WADSWORTH. Very well.

The VICE PRESIDENT. The question is on the motion of the Senator from Oregon that the Senate proceed to the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The motion was agreed to.

AMERICAN EXPEDITIONARY FORCES (S. DOC. NO. 361).

Mr. WADSWORTH. Mr. President, the remarks which I ask the privilege of making this morning will not be in the form of a narrative of a journey. Such an attempt on my part would be undesirable, and, indeed, impossible. They will be rather in the form of a statement of the occurrences of first-class importance happening in France and of conditions existing there during the war and immediately following the armistice. My attempt to describe these conditions and occurrences is based in part upon some very well-known facts, known to all Senators, and also upon inquiry from and conversations with a large number of officers and enlisted men as well as civilians in that country.

It should be remembered, Mr. President, that this topic is so vast, the occurrences upon the other side of the ocean were of such tremendous scope, that no man upon earth can know all there is to be known about the war, or, indeed, even the last six months of the war.

I am fully aware, sir, that whatever knowledge I may have acquired by conversation and personal observation of events and conditions may be described as that little knowledge the possession of which is so often "a dangerous thing." I am fully conscious that my conclusions are not infallible, but I nevertheless beg to present some of them to the Senate in the hope that they may contribute some little bit to a better understanding of what has occurred.

November 11, 1918, will go down in history as one of the most significant dates of all times. It marks the final and abject surrender of the greatest military power the world has ever known. Had any person prophesied in April or May, 1918, that such a result would be brought about before the conclusion of the calendar year he would have

been scoffed at as the wildest of dreamers. Indeed, such a prophecy would have received no support from any of the military authorities of the allied nations. And yet the great result loomed into view, as it were, in a moment of time, in the twinkling of an eye, and before the world could realize the blessing that was coming to it it had arrived. Investigators, experts, savants had been telling us for at least two years that if Germany were to be conquered it would be through an industrial collapse within the German Empire. Most Americans and most of our allies believed this to be true and had grave doubts of being able to overcome the German Army in the field. Indeed, during all those glorious weeks, commencing in the midsummer of 1918 and running into the autumn, the prevailing public opinion was that the German Army, although it was being driven back, would undoubtedly intrench itself along the Rhine and defy for many months to come the allied offensive; and, furthermore, that that army would keep the field and maintain its defense until the industrial structure behind it, and upon which it was depending, collapsed. Those of us who entertained such a belief were mistaken. The victory was primarily a military victory, achieved upon the field of battle. Although it is true that the German industrial organization was weakened and was constantly losing strength, it was able, until the very end, to maintain the army in the field with supplies and munitions proportionate to the strength of that army. It was the army itself that was beaten, and its high command admitted the situation when it accepted the terms of the armistice submitted to it by Marshal Foch and his colleagues. A cursory examination of the terms furnishes the proof of this assertion.

The year 1917 witnessed some exceedingly important events. First was the revolution in Russia, resulting in the deposing of the Czar, the establishment of the so-called Kerensky government, and the beginning of the poisoning of the Russian Army and the Russian people with the virus of Bolshevism, which finally brought about the utter collapse and withdrawal from the conflict of that great power. The month of March in that year, 1917, marked in effect the withdrawal of Russia as an aggressive factor in the war. The other event of surpassing importance was the entry of the United States into the war on April 6, 1917. Our entrance had no immediate effect on the battle fields; we were unprepared and compelled to start in, practically de novo, to build up a great military organization—an undertaking which consumed many months and many millions of money. Italy stood fast on the Piave. The British and French, scarcely realizing the extent of the Russian disintegration then in progress, started an offensive in the spring. The French achieved but mediocre results, at great cost, followed by much discouragement. The British in Flanders were more successful, particularly at Vimy Ridge and Messines Ridge, and continued their offensive practically throughout the rest of the season. Their gains, while a little more successful in the neighborhood of Ypres and Paschendaele Ridge, were not decisive and were made at a staggering cost in casualties. The year 1917 closed with very little to the credit side of the allies. The end of the war was still far away. By the middle of the winter 1917–18 the Russian collapse became complete. That great Empire was destroyed by internal dissensions, its armies disbanded, a disgraceful peace with Germany signed soon thereafter, and the forces of civilization definitely and finally lost the services of 6,000,000 soldiers. This Russian collapse changed completely the whole picture. The German armies upon the Russian front were moved during the winter of 1918 to the west, to confront the British and the French. The weight of man power as between the two forces was definitely shifted to the German side. Commencing in early spring of 1918 there ensued a race between the Germans, on the one hand, attempting to crush the British and French armies, and the Americans, on the other, hastening to the succor of their gallant and hard-pressed allies. Can we ever forget the dark days following the great German offensive against the Fifth British Army in Picardy on March 21, 1918? It was launched in the direction of Amiens and was intended to split apart the British Army on the north and the French Army on the south. It came within an ace of succeeding. The Germans were finally held 9 miles from the city of Amiens, and even at that distance the main-line railway connecting the British area with the French area was under the fire of the German long-range guns. Can we ever forget the German offensive against the British in Flanders that followed on April 8, which recaptured most of the ground gained by the British in the neighborhood of Ypres in 1917, including Kemmel Hill, and which was aimed to drive the British Army back upon the channel ports? It was at this moment that Marshal Haig, like a true Briton, spoke the truth and told his soldiers they were fighting "with their backs to the wall." The German attack was brought to a standstill in the nick of time. Can we ever forget the iron that entered into our souls on May 27, when the Germans smashed through the French line at the Chemin des Dames and reached the Marne at Chateau-Thierry on June 1, covering, Mr. President, nearly 30 miles in four days? Indeed, Mr. President, those three great offensives seemed to indicate that the German military machine was invincible. The British and the French had in each case managed to stop them, but only after a terrific struggle and with great losses.

No man can tell what might have occurred had our allies been left unsuccored. It may be that eventually they would have held their own. It is certain, however, that they would have been subjected to enormous strategic handicaps, that the war would have been prolonged indefinitely, and that the Germans would have made further inroads upon the garden soil of France. Could we get there in time to turn the tables? That was the one and only question in the hearts and minds of the allied peoples.

Let us consider for a moment how we got there and how long it took us to get there. We went into the war on April 6, 1917, as I have said, unprepared. We sent our First Division to France in June of that year, quite untrained and only partly equipped. It was followed by the Twenty-sixth Division, then by the Forty-second, and then by the Second Division. Through the autumn of 1917 and the winter of 1918 more divisions followed and an appropriate number of units to serve in the system of supply. During the winter of 1918 the First, Second, Twenty-sixth, and Forty-second Divisions, still in training areas and trenches in comparatively quiet sectors, attained a reasonable degree of efficiency, particularly the First Division, which landed first upon the shores of France Other divisions, including the Thirty-second and the Third, following them, were in the training process and on the road toward efficiency. It takes a long time, Mr. President, to fit troops and the supply system back of them for participation in modern warfare.

I desire to place emphasis upon an important date in the year 1918, namely, May 28. Let it be remembered that prior to that date the German offensives of March 21 and April 8 had occurred; furthermore, that another, the third German offensive, had been launched with signal success on May 27, the day before. Let it be remembered—indeed, let it never be forgotten—that America on May 28 had been in the war, a belligerent, since April 6 of the year before, a period of 13 months and 3 weeks. Let it be remembered and understood that by that date, May 28, after 13 months and 3 weeks of American participation in the war, no American troops had taken part in any major engagement. Let it be understood that the great French and British public, comparatively uninformed as to the difficulties of arming a hitherto unarmed nation and transporting its armies thousands of miles, were commencing to despair of American assistance and wondering if Americans would ever get into the fight.

In painting this picture I am trying to portray the suspense, the doubt, and, indeed, the cost resulting from our unpreparedness. I attach no blame whatsoever to the leaders of the American Expeditionary Forces in France. They did their best, and they did it well, with the puny weapons placed at their disposal at the outset by this great Republic. On May 28 the First American Division launched an attack on a division front against the German lines at Cantigny, the first action of importance participated in by American troops. It was successful, eminently so. It came, as I have indicated before, the day following the launching of the third great German offensive. It was not important as a part of the strategy of the war, but it was of great importance in that it showed the hard-pressed British and French that American troops had at last arrived in the theater of active operations and that the American soldiers could fight as well as the best of them. And even the fame of this comparatively small operation was submerged somewhat by the tremendous events that were transpiring. A week later, however, another and more dramatic event cheered the souls of the British and French, when, on June 4, the American Second Division, including a brigade of marines acting as infantry, performed a vital service in repulsing the Germans at Chateau-Thierry in their drive toward Paris. The moral effect of these two actions, culminating in the dramatic repulse of the Germans at Chateau-Thierry, can not be overestimated. Its effect upon the British and French armies and peoples was enormous—America had arrived at last! Her men could fight, and did fight, with dash and punch. They were a revelation to the war-worn veterans who for four years had withstood the German onslaught. The services which these two divisions performed were proportionally much greater than their numerical strength and their actual fighting weight. Their arrival and their conduct upon the field of battle was a guaranty to our allies that the American troops that were even then pouring into France would eventually turn the scale.

Senators can well understand the feeling of a German soldier and the feeling, we will say, of a French or British soldier in a situation of this sort. The German soldier, as I shall indicate later on, never lost his morale during this war; he fought savagely until the end; but he all the time knew when he was fighting that the reinforcements which he could expect to reach him coming from the rear were dwindling day by day, and that the day would come when he could get no more help. The French soldier and the British soldier, on the other hand, fighting with equal bravery and with astounding tenacity, knew after June 4 that, no matter how long they fought, how much they suffered, reinforcements were coming to them from behind.

On July 15, east of Rheims, the Germans launched their last and one of their greatest offensives; and it was an offensive, Senators, that has never received the public notice to which it is entitled. Over a 25-mile front they attacked the French Army under Gen. Gouraud and against what was perhaps the most skillfully contrived defense of the whole war. I may say, in passing, that Gen Gouraud ascertained but a few days before that attack was launched the exact minute that the Germans were going to attack, and he made his dispositions in such a manner that they resulted in the annihilation, almost, of an entire German army. He was assisted in the defense by a part of the Forty-second American Division, which occupied a small portion of the 25-mile front. The Germans suffered a complete and fearfully bloody repulse. On the Marne on the same day they took and for a few hours held some ground against the French and the American Third Division. The Third Division promptly counterattacked and drove the Germans back to the river, capturing a large number of them, and definitely crushed the attack. On July 18, three days after the repulse of the last German advance, with an ever-increasing number of American divisions, aggregating, as I remember, nine combat divisions, Marshal Foch launched his French armies and his American divisions against the sides of the famous Marne salient. The salient was crushed in, and from that time until November 11 not a day went by without witnessing a retreat by the German armies upon some portion of the far-flung line.

As the midsummer and autumn seasons progressed, hundreds of thousands of German soldiers were killed, wounded, captured, or exhausted. The organization of that army remained intact and its morale showed only slight signs of impairment; but its numbers were dwindling, likewise its capacity to endure. Driven, finally, to the point where its lateral lines of communication were cut, at Sedan on November 6 and Meziers about the same date, its north and south wings separated, in a military sense, with its back against the forest of the Ardennes, through which it would have been impossible to escape the onslaughts of the allies, realizing that more and even heavier blows were to be rained upon it, and which, had they been delivered, would have brought about a great military debacle, the German military machine laid down its arms. It preferred to quit rather than sustain the overwhelming defeat. The German can be likened to the prize fighter who, seeing the knockout blow coming from his more powerful and more skillful opponent—and I use the term "skillful" advisedly—lies down and takes the count. When this happened on November 11 of all the great German Army there were but two divisions in reserve rested up and fit to go into the line afresh. Marshal Foch possessed a large and ever-increasing reserve—American, French, and British, principally American. And I venture the opinion that had the war lasted two weeks longer we would have witnessed the launching of a terrific and overwhelming attack against another point in the German line which would have rolled up and captured great masses of their troops. Mr. President, I am as confident of that statement as I am that I am standing on this floor. The Germans undoubtedly knew this. They may or may not have known, too, that the British air squadrons were prepared to bomb Berlin within a week following November 11. Indeed, the Hun was beaten on the field of battle.

Let us now consider the part which the American Expeditionary Forces played in this great drama.

First of all there is the enlisted man, popularly known as the doughboy. One sees him everywhere in France. It was my privilege to see him, too, for only a few hours, it is true, in the occupied region of Germany. You will find him on nearly every road and lane, trudging along with his unit, driving a motor truck, running a motorcycle, and, when off duty, strolling about. You will find him living in the cellars of wrecked houses in that ghastly, devastated region, in captured German dugouts, in shacks and huts contrived for his shelter, and in comfortable billets in the billeting areas. He is unloading freight on the docks, handling electric cranes, switching railway cars, running locomotives, setting signals, tossing red-hot rivets in machine shops, running laundries, telephones, telegraphs, regulating traffic in crowded cities, digging, building bridges, railroads, and highways, guarding German prisoners—a rather satisfactory sight—gathering and piling up abandoned German shells and hand grenades—a rather ticklish job—and engaging in a thousand and one other occupations. I can not think of anything that the doughboy does not do. I am inclined to believe that there is one occupation he delights in above all others when he is off duty, and that is playing with little children. One can readily imagine how he has crept into the hearts of the civilian population of France through his gentle affection for the children of France—those little children who have suffered so much during this war.

Our soldier, Mr. President, is a home boy. He is very far from his own home. He is hungry for the atmosphere of home, and, that being so, he gets much happiness and consolation from chatting with the children in the French homes. To his officers he is a never-ending source of wonder. He astonished them by the avidity with which he sought to learn the business of war, by the ardor with which he went at his training, sometimes under wretchedly unfavorable circumstances. In chilly rain, drizzle, and mud—and outdoor France in wintertime is all mud—his desire to learn never slackened. Apparently his officers could not give him too much to do. He had come to France to lick the Germans. He suspected there were some people who doubted his ability to do so. He was determined to show them that he could—and he did. His officers were confident from the beginning of his courage, his intelligence, and his initiative. But he surprised them with the dashing quality of his courage, with his terrific punch. Well trained, half trained, or trained not at all, he showed that same supreme courage; and he surprised his officers most of all by his patience, a quality that is sorely tried under the miserable conditions that must attend war, but which our men managed to maintain through it all; and as a nation, Senators, Americans have not had a reputation for being patient. The American soldiers showed that quality to a superlative degree, and, most of all, sir, in the hospitals where the wounded lay—patience and cheerfulness; not a murmur, not a complaint; no sign of discouragement; nothing but cheerfulness. The regard in which he is held by his own leaders is reflected in the observations which on many occasions I heard falling from the lips of officers: "Don't give us the credit; don't compliment us. It is the enlisted man that did this job. He is the man, and he is a great man."

But the soldier, Mr. President, no matter how brave he is, no matter how strong he is, can not fight unless he is fed, armed, and transported. A great organization must be built up behind the soldier in the front line. And if that organization is not efficient, if it can not cause the soldiers, the rations, the equipment, and the ammunition to arrive at the right place at the required time the soldiers themselves are hopelessly handicapped. Not only are they handicapped but their very lives are in danger—the cause itself may be lost. In speaking of the organization back of the lines, I mean what is generally known as the staff. Good staff work brings victory and saves lives; bad staff work means defeat and death.

Mr. President, we have never had here in the United States a well organized and efficient Army staff. It has never existed here, save with the possible exception of the closing year of the Civil War under Gen. Grant, in the War Department nor elsewhere in the country. The public and the Congress have taken little interest in this subject. Many people have been inclined to the belief that staff work was a "soft job," sought after by officers who preferred to avoid the hardships of the front line. It is extremely unfortunate that this indifference and misunderstanding has existed. Indeed, in the days of peace, before we went into the war, a considerable body of Regular Army officers fought against the establishment of a genuine General Staff system for our Army. We went into the war without a staff system worthy of the name in its modern meaning. Bureaus and divisions were working at cross-purposes—there was no centralized control, no body of officers instructed and trained to put into force the policy of the Commander in Chief. Those of us who followed the inquiries of the Senate Committee on Military Affairs last winter remember well the chaotic condition which at times existed in the War Department, due not so much to the fault of individuals as to an utter lack of system, such a lack of system as we witnessed here in 1917, and which, if duplicated in France, would have made it utterly impossible for the American Expeditionary Force to have accomplished one-tenth of its task. Gen. Pershing realized from the beginning, as he indicates in his report to the Secretary of War under date of November 20, 1918, that he must build up a genuine staff in France. He and

his officers learned from the experience of the British and French in this regard. At the beginning of the great European war the British had but an indifferent staff organization. They learned from bitter experience the necessity of modernizing it. At the beginning of the war the French found themselves in possession of an excellently trained and highly competent general staff, and the possession of it saved the French Armies, and, upon one or two occasions, helped mightily to save the armies of her allies.

Let me cite an instance that will illustrate what I mean. It will be remembered that in the autumn of 1916 the Germans and Austrians struck a fearful blow at the Italians on the Isonzo River; that the Italians, taken by surprise, were outflanked, driven back, and lost very heavily in men and guns. It became apparent immediately that men and guns must be sent to Italy. Thereupon this incident took place—I have it from an officer well acquainted with the French staff work:

On a certain midnight—I do not know the date—immediately following the decision of the French high command to send an army to Italy a French general officer received a telephone order to the effect that he was to command the army to be formed and sent to Italy. That general officer spent the rest of the night and early morning hours in telephoning and summoning to his assistance the officers who were to compose his staff. By noon of the same day the first French division entrained for Italy. And then followed rapidly the entraining of division after division through the succeeding days. And when I say "division," I mean a complete division, equipped and supplied for fighting—infantry, artillery, machine gunners, motor transport, animal-drawn transport, including the horses and mules, rations, ambulances, medical supplies, field hospitals; in fact, everything needed for the business at hand. I am told, and I believe it to be true, that the van of this French army detrained back of the Italian lines and marched up to the rear of the Italian positions on the evening of the second day after their departure from France; furthermore, that the movement was completed in two weeks, and included the sending of half a dozen British divisions in addition to nine French divisions that were sent; that it took 30,000 railway cars to move those armies; and that the whole movement was conducted with the utmost smoothness and dispatch upon an instant's notice. The French staff system responded to the sudden emergency without the slipping of a cog. Indeed, it is highly probable that their staff officers months before had laid out the plans for just such a movement should it be required. It may be that that very efficiency in the French general staff saved Italy and saved the allied cause. The incident illustrates what I mean by staff work.

And so Gen. Pershing and his lieutenants started in June, 1917, to build up a staff system competent to assure the proper handling and management of the Expeditionary Force. The system was modeled largely upon the French system, with some valuable contributions from the British. It had to be planned and laid out on a scale sufficiently large to meet the needs of the American Army no matter how large that Army might become during the progress of the war. That is where we Americans had a tremendous advantage. We could lay out our installations and plan them upon a tremendous scale, because we could profit by the experience of the British, who had to build their installations piecemeal and had to scatter them in several small units. They were overtaken by an emergency about once a month, or once in two months, and had to meet it instantly, without much planning ahead. We had the advantage in that respect, for while the British and the French soldiers were holding off the Germans and our Army here in the United States was being trained our staff officers in France could lay out these enormous installations on a tremendous scale, allowing for indefinite expansion. Docks, storage depots, railway yards, intermediate depots and rail heads, hospitals, convalescent hospitals, replacement camps, repair shops for ordnance and motor trucks and every other mechanical device used by an army, freight-car assembling plants, locomotive-erecting shops, and railway repair shops. Rivers and harbors had to be dredged, additional double tracking of railroads had to be provided. In short, a great supply system had to be thought out sufficient to meet the needs of 2,000,000, 3,0000,000, 4,000,000 men—men, mind you, who were to be employed in a vocation in which conservation of material is seldom practiced—employed, rather, at a business which involves ruthless consumption and destruction of material. The task required vision, conviction, and daring. To accomplish it required many, many months of unremitting effort, ofttimes with discouragement and disappointment attending those efforts. The supplies shipped from America being insufficient, in spite of their ever-increasing volume, the American Expeditionary Forces were compelled to purchase, according to a plan agreed upon with the French and British purchasing authorities, actually more tons of material than were shipped from the United States up to the time of the signing of the armistice.

This gives some idea of the size of this undertaking. We are proud, of course, of the amount of cargo that we shipped from America. We purchased more than that amount in France and in neighboring neutral countries. Much of this work had to be well under way before a single American fighting man could be put in the front line. As it grew, as it approached completion, as it acquired efficiency, more and more combat troops were sent to the front, and as the number of troops increased and the system of supply, known in the Army as the S. O. S., expanded, the staff to handle the whole gigantic effort was slowly and painfully gathered together and trained. We had never planned for such an undertaking. None of our officers had ever handled large bodies of troops, and the centralized control had to be created, inspired, and educated.

The Army was short of several items of material and equipment. Some of the shortages were unavoidable; some, I believe, can be traced to the makeshift system, or lack of system, here at home. It is a matter of common knowledge—and the fact has been stated by Gen. Pershing—that the American Expeditionary Force had to rely almost entirely upon the French for its field artillery and, up to the last few moments of the war, for the shells to feed the guns. The same is true of aeroplanes. I need not go into a detailed discussion of that subject. It has been thrashed out here upon many occasions in the past. As an instance of our shortage in planes, however, I may state the fact that on the occasion of the American attack against the St. Mihiel salient, on September 12, of the 14 pursuit squadrons operating with our forces only 3 were all American; the rest were French. We borrowed hundreds of motor trucks from the French and British because we did not have enough of our own. On several occasions American combat divisions were transported from one point in the line to another in French motor-truck trains. No American-built tanks reached the battle front. The French supplied us with what tanks they could spare. Most of them were manned by our own personnel. With the exception of the machine guns in two or three divisions at the very end of the war, all the machine guns, light and heavy, were obtained from the French. I may say in passing that two or three divisions did secure an issue of the famous light Browning gun and that it gave excellent satisfaction. That was in the last 10 days or two weeks of the war.

One can not exaggerate the embarrassments and difficulties to which these shortages gave rise. Nor do I believe that it can be contended that the supplying of all this equipment did not strain the resources of our allies. And yet they supplied these things with a cheerfulness and alacrity which should and does elicit our highest praise and deepest gratitude. They knew, of course, that this equipment would be used in the common cause. They put aside all selfish considerations and gave us all they could spare, and perhaps a little more.

One shortage was, from time to time, very serious, and that was the shortage in forage and horses, particularly for the Artillery. Through some miscalculation, derangement, or change in plans the supply of forage for animals actually approached the vanishing point during last winter. Artillery horses had to be put on short rations. Short rations are not conducive to the staying powers or the long life of a horse. To meet the shortage in animals, which was so severe upon occasion that many batteries of Artillery were rendered almost incapable of moving, thousands of horses were purchased in France and 13,000 were supplied to us by the British during the last weeks of the contest in preparation for the Argonne offensive. It is quite possible, I realize, that this shortage in horses and forage was unavoidable. I do not know its cause. It may be that the scarcity of trans-Atlantic tonnage accounts for it. I venture this criticism, that the American Army, generally speaking, does not know how to take care of horses. The officers in charge of artillery and transport units did not receive sufficient instruction to enable them in turn to teach their men how to care for a horse. We teach our people at West Point and at our mounted service schools how to ride, but we do not teach them enough about the feeding, the grooming, the shoeing, and what might be called the coddling of a horse. The Artillery and transport horse in war time is put under a terrific strain; the irregular hours of work and feeding tend to upset him. He must be nursed and petted and coddled constantly or he will start to go downhill in condition. Once started downhill he fades rapidly, and it is exceedingly difficult to save him.

One has only to see the British horses in France to understand what can be accomplished. In traveling about one en-

counters upon the road from time to time long columns of British transport. The horses are fat, sleek, and with shining coats; they are well fed and well groomed. Proper grooming is a great restorative to a hard-worked horse. The leather of the British harness and saddles is well oiled and cleaned. It fits the horse. The vehicles themselves are in first-class condition, well painted, and with shining brass hub caps. The British transport never fails to get there with rations, ammunition, and shells. I gathered that our officers in France are properly envious of the British in this respect. I hope the lesson will never be forgotten and that the American Army horse of the future will be properly cared for.

But in spite of the shortages, Mr. President, to which I referred a few moments ago, the American Expeditionary Forces managed to go ahead with ever-increasing strength. A general staff system was slowly built up and reached a stage of development at which it was functioning with power and ever-increasing efficiency. Had the war continued another six months America would have displayed her real power. The S. O. S. would have reached approximate completion. The fact is that on November 11 we had just commenced to fight. I suspect the Germans knew this. We can be sure that they knew of the valor of our fighting men. They had good reason to know of it. It is quite probable that they knew something of the great docks at Bordeaux newly built, a mile long; of the storage depot near that port a mile wide and three miles long; of the freight-car assembling plant near La Rochelle, where a hundred freight cars were being turned out every day; of the locomotive erecting shops in the same neighborhood which turned out six locomotives every day; of the great pier at Montoir, up the river Loire from St. Nazaire—a pier 5,000 feet long, with berths for 12 ships, almost completed. The storage depot at Montoir as large as that at Bordeaux, completed and in full operation; the great intermediate depot at Gievres, 7 miles by 2 miles in extent, and the forestry companies which cut and sawed nearly 60,000,000 feet of lumber in the French forests. All these and a dozen more gigantic undertakings, just approaching completion, just reaching their full stride, were probably sensed by the Germans. One can easily understand their state of mind when they realized they were confronted with such a power.

Mr. President, I am glad that Gen. Pershing and his people had a free hand in France. I am glad that they were many, many miles away from Washington and comparatively free from its prejudices, jealousies, and out-of-date military traditions. They had their troubles; they made mistakes; their machinery was new and untried; they encountered handicaps of various kinds; but they were eager to profit by the experience of our allies, and they builded upon a broad foundation. But for the inevitable loss of life which would have ensued, I could wish that the staff and supply systems and our combat divisions, which upon November 11 were just commencing to reach their stride, had been permitted to operate against the Germans for another six months. And, Mr. President, I do not believe the Congress can legislate to the best advantage for the establishment of a permanent military policy for the United States, including the vital question of a general staff, until Gen. Pershing's people come home and tell us something of their experience. A general staff can not be created overnight. It takes months, yes, years, to create such an organization and to permeate the whole Army with its spirit and its purpose. I hope that every Member of the Senate and every Member of the House of Representatives will read Gen. Pershing's report, and when those men come home I hope that every Member will seek information from them, will learn of their successes and their failures, and that Congress and the public. and, indeed, the Army itself, having learned the lesson, will never forget it.

Mr. President, the development of the American Expeditionary Forces reached such a stage in the middle of the summer after the action at Chateau-Thierry, after the actions in the Marne salient and on the Vesle River, as to warrant Gen. Pershing in organizing the first American Field Army. He did that through the month of August, summoning to the sector in the neighborhood of St. Mihiel, the sector commonly known as the sector north of Toul, divisions which had been operating with French divisions or which up to that time had been in quiet trench training or in areas of training in the rear.

Most of the month of August was consumed in the organization of the first American Army. It attacked the St. Mihiel salient on September 12. The success of that attack is familiar to every Senator. Suffice it to say that it was completely successful. All the combat troops on the front line attack were American, with the exception of a few French troops at the point of the salient near the town of St. Mihiel itself. The French contributed for that attack a considerable body of artillery with its personnel to supplement our artillery. We never had enough artillery all our own, but the French always managed to give us what we lacked, guns to be manned either by our men or by their own men.

The aerial mobilization accompanying the St. Mihiel salient was the largest in the history of the war. Something like 1,400 airplanes were mobilized for that offensive under the command, as I understand it, of an American aviation officer. A comparatively small proportion of those planes were American, of course. The British loaned several squadrons and the French many squadrons, as I have indicated, in the case of the pursuit squadrons.

The losses in that attack were, on the American side, comparatively small, something like 2,000 men. The plans worked perfectly; everything moved on time—indeed, a little ahead of time—and resulted in the capture of the entire salient in about one day and a half, or two days, and the capture of something like 15,000 German troops as well as a large amount of material.

Mr. FLETCHER. The Senator means that the total loss on the American side was about 2,000 men? He does not mean that with reference to the air squadron?

Mr. WADSWORTH. Oh, no.

Mr. FLETCHER. But the total loss?

Mr. WADSWORTH. The total casualties on the American side. I have no idea what the casualties in the air squadrons were.

I need not enlarge upon any description of that engagement. It was not as bitterly or as savagely fought by the Germans as the succeeding engagements or some of the preceding engagements. In fact, it seems to be generally understood that they were about to retire from that salient and were taken by surprise by the suddenness and power of our attack.

When that particular task was finished the Army took over, with increased numbers and with the organization of a second American field army, a front extending from the Meuse River, near the city of Verdun, westward to and through the forest of Argonne. On September 26 the great offensive up through the Argonne forest commenced. The first attack launched against the carefully prepared German position was eminently successful. The American troops forced their way through it, with the help of a tremendous artillery barrage in which the French artillery assisted the American artillery, but after crossing and overcoming the first prepared German line the American Army found itself face to face with the most difficult country in France. I had never supposed that such a wilderness existed in France. It is a series of jumbled hills of varying degrees of steepness and height, covered in large part by tangled undergrowth, which gives perfect opportunity for a defending force to secrete itself.

The German positions were not elaborately prepared systems of trenches as they were in the first line that was overrun. They were rather a series of defensive positions filled with machine-gun nests hidden under the bushes and tangled underbrush on the hills and on the hillsides and in little cuplike valleys. Artillery observation and aerial observation was exceedingly difficult, and the only way in which the American Army could force its way through that country was by constant pressure day and night, by a succession of small attacks and big attacks, endeavoring to filter in amongst the machine guns and surround them and overpower them.

It was an exceedingly difficult task, and made more so because there were only two roads leading into that region of a character to permit the transportation of any large amount of supplies. It was difficult upon occasion to reach the men in the front line with supplies. Owing to that lack of roads and the character of the country, it took five weeks to overcome some of those series of machine-gun nests and it cost many casualties—inevitably so.

But, Mr. President, it must never be forgotten that the Argonne offensive was part of a general scheme which was at the same time taking effect from Belgium to Lorraine, that the attack of the American Army up through the Argonne and up the country on the west side of the Meuse River was timed to have its best effect, taken together with the British attack in Picardy, which was going on at the same time, and the French pressure on the west of the Argonne forest on the American left flank.

Attacks were pushed by the British, mind you, from August 8, at which date Marshal Haig started his great offensive against the Germans. The British continued their attacks until November 11 without a day's cessation, and their casualties averaged 30,000 per week.

I venture the opinion that these attacks were pressed by the British, the French, and the Americans through the months of September and October as the result of a conviction which came

to the high command that Germany could be whipped within the year, a result which was not suspected in July; and when it did appear possible, and indeed highly probable, that the German Army could be driven back before the winter set in and its lines of communication cut, then indeed the savage attacks were kept up day after day without any cessation whatever. They were costly in casualties, Mr. President, but they ended the war and thereby saved, no man can tell, how many thousands of lives that would otherwise have been poured out this winter and next spring and summer.

Before discussing any other American activities it ought to be stated that the Argonne offensive, conducted by the Americans and assisted on their left by the French, although it is fair to say the Americans had by far the more difficult country to traverse, reached its culmination on November 6 when, with one last dash, the railway line which joined the German armies on the south in the neighborhood of Metz and the German armies on the north in Belgium and Flanders was cut at Sedan and at Mezières. When that line was cut the doom of the German Army was at hand.

American troops were active upon other sectors, and I beg leave to describe one of those operations, for, to be frank, I made a special examination of it.

In May and June of 1918 we sent 10 divisions of American troops to France to be trained back of the British lines in northern France and to be used if need be in reinforcing the British Army. But in August, when Gen. Pershing commenced to organize the first American field army for the St. Mihiel offensive, 8 of those 10 divisions were taken away from the British areas and sent down to the St. Mihiel area to form a part of the first American Army. The two American divisions that were left with the British served with the British during their entire service in France. They were the Twenty-seventh and Thirtieth Divisions, the first made up of the New York National Guard Division and the second the National Guard Division from Tennessee and North Carolina and South Carolina.

These men used the British rifle. They stored their own rifles and took the British rifle in order to simplify the problem of small-arms ammunition supply. It may be of interest to know that these men say that the British service rifle was entirely satisfactory. They lived entirely on British rations. Their wounded and sick were taken care of in British ambulances, British field hospitals, and British base hospitals, and their wounded were evacuated to England. In fact, those two divisions, in a sense, were an integral part of the British Army. They did not even have their own supply trains with them. Their artillery, too, had been sent to the St. Mihiel sector to operate with the American First Army and later with the American Second Army in Argonne.

Those two divisions consisted only of infantry, the machine gunners, the engineers, and the Signal Corps battalions, all, practically, foot soldiers. Everything was supplied by the British. They served for many weeks in Belgium in the trenches. It was they, Mr. President, who reoccupied Kemmel Hill. But in the middle of September they were moved down farther to the south. On September 29 they were thrown against the Hindenburg line.

I have attempted to describe something of the Argonne country; perhaps Senators will bear with me if I attempt to describe, inadequately, I fear, something of the nature of the defense which these two divisions found confronting them and which they attacked and captured. The Canal du Nord, which, if I remember correctly, connects the Oise River and the Scheldt, running approximately north and south, passes through the towns of St. Quentin and Cambrai. St. Quentin and Cambrai, Senators will remember, were towns situated upon or close to the famous Hindenburg line. Midway between those two towns the canal itself runs under a hill through a tunnel, which is approximately 3 miles long. The Hindenburg line in that sector was based upon that canal along most of the distance between St. Quentin and Cambrai. Its strongest point was the point where the canal pierced this hill and ran through this long tunnel. The Germans had established two immensely strong lines out in front of the hill pierced by the tunnel, and an immensely strong defensive position along the top of the hill pierced by the canal. From the tunnel itself they had cut long passageways, built in the form of stairways, at least 5 feet wide, at frequent intervals, which enabled their troops, taking refuge in this 3-mile tunnel, on a moment's notice, to climb the stairways and get into the trenches on top of the hill and in front of the hill. It was a vast maze of passageways. The tunnel was lighted with electricity, and the German troops had their kitchens there. Canal barges had been backed into the tunnel by the Germans, the German troops living in bunks built into the barges. Each end of the tunnel was blocked by an enormously thick concrete wall, with slits in it for machine guns.

On September 29 the Twenty-seventh and Thirtieth Divisions of American troops were launched against that position. It required three days for them to overcome it. Their losses were very severe. Frankly, Senators, I do not see how men could have gone through such a position and come out alive. The achievement was astounding. I think it would seem so to any civilian after seeing that maze of trenches and underground passages, acres and acres of barbed wire, and the canal itself. The men were subjected to a fearful enfilading fire from their left flank as they pushed their way into this position. A British division assisted upon the right flank—a famous division, the Forty-sixth Highlanders. They crossed the open canal south of the tunnel. The American objectives were 3 kilometers away from their starting point, but they reached them on the first day.

Then ensued a terrific hand-to-hand contest to hold what they had taken. An Australian division was thrown in to help them, and the Australians and the Americans fought side by side there for two days. One battalion—the One hundred and seventh Infantry, which Senators may be interested in knowing is largely the old Seventh New York—was for two and a half days separated, far out in advance, having reached the objective assigned to them, and was reached by airplanes, which dropped cartridges and chocolate to the men. At the end of two and a half days support reached those men, and the action was complete.

Gen. Haig and Gen. Rawlinson, the British field army commander, showered compliments on those two divisions. They had achieved what I honestly believe to be one of the greatest achievements of this war. It shattered the strongest German defensive position in France, and resulted in the crumbling of that whole portion of the German line.

Whether it be in the Argonne or whether it be in Picardy, where this attack took place, or in Belgium, where we loaned two divisions—the Thirty-seventh and the Ninety-first—to assist the British and the Belgians on the River Scheldt, our men have done their duty, done it splendidly.

This brings me to a brief discussion of the replacement system. Senators will realize that replacements must be brought to the front, and the division units which have suffered casualties and wastage must be kept filled or they will lose their power. This was carried out upon a large scale by the American Expeditionary Force. The replacements did reach the divisions, but in a way that I think is susceptible of comment. When the American soldier was wounded and was sent back from the front line to a hospital in the American area he was treated and given good treatment. When he recovered he was sent to a replacement camp, and when fit for duty it was expected, of course, that he would resume a position in the fighting line. When, however, the man having thus been wounded was sent back to the hospital and eventually found himself in a replacement camp, and then was sent back to the front line, he was not sent back to his original company nor to his original regiment, nor, indeed, to his original division, but in many cases—in fact, in the majority of cases—he was sent to a strange division, a strange regiment, or a strange company. Mr. President, this caused many heartburnings. Nothing can be a more severe blow to a soldier than to separate him from the company with which he has fought, with which he has trained, and with the members of which he is thoroughly acquainted. I hope that when we further systematize and perfect our military system we shall work out a replacement system which shall be automatic as nearly as may be, but which shall, so far as possible, insure that when a man has dropped out of the line to have his injuries treated he shall go back to that same company and serve with the same men with whom he was serving when he was wounded.

Mr. WEEKS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Massachusetts.

Mr. WEEKS. The statement which the Senator from New York has just made is one of great importance, in my opinion, in the organization of an army. I have been somewhat familiar with it, and I have wondered why the present policy has been adopted and followed. I should like to ask the Senator if he knows the theory on which it was done? I suppose there must have been some reason for it.

Mr. WADSWORTH. Mr. President, I can only give the opinion of an amateur. I think we got off on the wrong foot in this replacement effort. It started in this country. I remind the Senator from Massachusetts that, as our divisions were formed in cantonments in this country during the autumn of 1917 and the winter of 1917–18, men were taken out of divisions when they were on the point of reaching a stage where

they had esprit and morale, sent off on special duty, and definitely separated from their divisions. The result was that when most of our divisions were ready to sail for France they were far below war strength and were hastily filled up with new men and strange men on the eve of sailing.

Mr. NELSON. Mr. President, will the Senator allow me to interrupt him?

Mr. WADSWORTH. I am about to complete just one phase of the explanation.

Mr. NELSON. Very well.

Mr. WADSWORTH. The Seventy-seventh Division, before it left Camp Upton for France, received 9,000 new, strange men two weeks before its departure. They came from Camp Devens. The replacement system should have had its basis in this country; the combat divisions that were sent across should have been reinforced by a constant stream of trained replacements from this country; and, so far as possible, a soldier drafted from the State of New York should have been sent to a New York division, and, so far as possible, a soldier drafted from Minnesota should have been sent to a division recruited and organized from Minnesota and adjoining States; for there is nothing more valuable in warfare than that esprit and morale which attends the perpetuation of a military unit and its recruitment from a certain locality, if that can be accomplished.

Mr. NELSON. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Minnesota.

Mr. NELSON. I entirely agree with the Senator, and I rose simply to state what occurred in one of our very best Minnesota regiments, the First Regiment of the Minnesota National Guard. They had been training for a long time, but the regiment was all broken up by taking out what were called "replacement troops" and sending them to France. In this way the regiment was entirely demoralized and broken up, and the men who were left here and those who were sent abroad to make replacements were demoralized and discouraged.

Mr. WADSWORTH. There is no question, Mr. President, as to the effect of that kind of thing upon the morale of the enlisted man. I have known of men sent back to the front line to join and serve in strange divisions, in strange companies, who deserted those companies and tramped the roads of France to get back to their old company and fight with it. Sometimes I believe that the higher ranking officers of our Military Establishment are inclined to handle soldiers as automatons, and do not understand some of the human equations which enter into a soldier's life. The heartache that that kind of thing causes can not be described adequately.

To our Regular Army prior to this war no such problem presented itself. Our Regular regiments are recruited from all over the country; they have no local attachment; they have no local pride back of them. As they enlist and are assigned to companies, they do not know their neighbors in the ranks, never have heard of them before, and when they leave that company they never hear of them again, and they do not care much. A Regular regiment in our Army does not know what that kind of spirit and morale means. They are merely numbered serially. I have always believed that one of the handicaps that the Regular Army has had to contend with was the fact that no portion of America has the slightest interest in any unit of of the Regular Army. The name "Thirteenth Infantry" or "Fifteenth Cavalry" or "Sixteenth Field Artillery" does not mean anything. It is just a serial number given to a group of men who have been gathered and thrown together and welded into a regiment without any distinguishing character.

Note how the British do it, Mr. President. So far as they could they operated their replacement system so that a soldier who volunteered from the county of Suffolk, in England, joined a Suffolk battalion in France, where he would have some friends. Battalion after battalion was organized in the British Army, as it grew from a small regular establishment up to a great force of 4,000,000 men, upon that basis and upon that theory. The Worcesters, the Norfolks, the Northamptons, the Sussex, the Irish, the Welsh, the Scotch all were recruited, so far as possible, from certain counties or regions, and replaced, so far as possible, from those same regions. The result is that the Suffolks had great pride in their own organization, and tried to outdo and outrival the Sussex battalions. The Scotch, all serving together, rival the Welsh, and the Connaught Rangers, from Ireland, had the same kind of friendly rivalry and spirit and morale. Such a system, Mr. President, makes better soldiers. To have that kind of feeling in a military unit is a great military asset.

Mr. NEW. Mr. President——

The PRESIDING OFFICER (Mr. FLETCHER in the chair). Does the Senator from New York yield to the Senator from Indiana?

Mr. WADSWORTH. I yield to the Senator from Indiana.

Mr. NEW. Mr. President, I should like to remind the Senator from New York that at the time the creation of our Army was under consideration this very point was dwelt upon at length in the Committee on Military Affairs. It was very strongly urged there that the system of replacement suggested by the Senator be followed out, that troops be brigaded together and put in divisions with reference to localities and all that; but the advice was evidently disregarded by the high military authorities.

Mr. WADSWORTH. It is fair to say, Mr. President, that upon making inquiry upon that point from many officers, some of whom deplored the failure to carry out the plan to which the Senator has just referred, and some of whom defended the plan that was being followed, it was asserted that our whole preparation for this war, occurring as it did after we got into the war, had to be so hasty and the Army had to be thrown together and trained so quickly that there was no time to work out a scientific replacement system, and that men had to be treated as automatons; a soldier was merely a soldier and must be sent anywhere and put into any company, no matter whether he knew anybody in that company or not, or taken out of one company and sent 300 miles away and put in some other company. That applied to officers as well as to enlisted men.

Mr. HENDERSON. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Nevada.

Mr. HENDERSON. I see how the plan just suggested by the Senator from Indiana [Mr. NEW] could be carried out; but after your units are formed and get into action and a soldier is wounded, does the Senator mean that you should hold that position for him until he has recovered and then return him to that place?

Mr. WADSWORTH. Not at all; not at all. Experience will show that no military unit can ever be kept up to full war strength while it is fighting, while it is in the field. There is always room, and always will be room, for more men in it, up to the authorized maximum strength. At the time of the signing of the armistice you could not find a company or a division or a regiment of ours in France that did not have room for more men. My contention is that if we ever have to repeat this great effort we should try to have that replacement system operate so that those places could be filled by the men who served in that company up to the time that they were wounded, or filled by men who come from the same locality at home.

Mr. HENDERSON. If they are there.

Mr. WADSWORTH. If they are available. I would not lose a battle waiting for them.

Mr. HENDERSON. I can see where it would be impossible to put anyone in place who might be acquainted with those in that company, so that in some cases it would be an absolute impossibility to carry out that plan.

Mr. WADSWORTH. You can not regulate that by rule of thumb. You can not wage war by rule of thumb. Some people have tried it, and it always results in defeat. But the thing with which I do disagree is the contention made by a great many Regular Army officers that locality pride in a military unit is of no value; and I have argued it with them hour after hour. They insist that a regiment that is recruited without any regard to the prior acquaintance of the enlisted men, without any regard to the localities from which they come, without any pride of locality in addition to their pride as Americans, is just as good as a regiment made up of men who know each other, and who fight side by side, each knowing that the other will take care of him if he is hurt, and write back to his mother.

Mr. HENDERSON. On the same principle as college pride and State pride—along that line?

Mr. WADSWORTH. Absolutely. That is where I differ with some of the people in the War Department and people in the American Expeditionary Forces. They deny that there is any advantage in that. I claim that all human experience proves that there is advantage in it, and that every other army tries its best to carry out that same system. I think it should be applied to our Army if it ever should repeat the undertaking of 1918.

Mr. McKELLAR. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Tennessee.

Mr. McKELLAR. I take it that the Senator does not agree that the order of Gen. Ansell, virtually mustering out the National Guard or doing away with the National Guard is a proper order. Is that correct?

Mr. WADSWORTH. To tell the truth, I have not seen the order. I know nothing about it.

Mr. McKELLAR. The order simply provides that the National Guards shall not go back as organizations to the States from which they come, but that they shall be mustered out absolutely, and if there is to be a National Guard the various States will have to organize National Guards in the future.

Mr. WADSWORTH. I see. My remarks did not have reference alone to National Guard units in France. They apply just as much to the so-called draft divisions as they do to the National Guard divisions. There is no difference in principle involved.

Mr. McKELLAR. I want to say that I agree with the Senator entirely. The Senator recalls that we had identical views on that subject when the matter was before the Military Affairs Committee. We both contended for that at the time, as I recall; and I agree with the Senator absolutely on the proposition.

Mr. WADSWORTH. Senators may remember that I have always been an earnest advocate of universal military training. I believe that we shall have to have it before we ever get a genuine military policy in the United States, so as to be provided with an army that can respond to any emergency—that together with a General Staff. If we are to have a system of universal military training, I hope it will be so arranged that the men selected for that training at a certain age shall be trained in areas marked out geographically, and that when they have finished their training they shall be organized into regiments and divisions whose headquarters for administrative purposes shall be each in a given locality, and that those regiments shall be known as belonging to or coming from those localities, such as a State, or a group of small States if the State by itself is not large enough to supply a complete unit; that they shall be completely federalized; that they shall be under the orders of the Federal Government; but that, in addition to their pride as Americans, in addition to their spirit and their patriotism as Americans, they shall have the added benefit of locality support and locality pride; and in that connection I call the attention of the Senate to a statement made a few days ago by Maj. Gen. O'Ryan, of the Twenty-seventh Division, the New York Guard division. In explanation of the statement let me say that that division to which I have already referred, and also the Thirtieth Division, received scarcely any replacements during those terrific battles. They went into those fights as the New York Division and as the Tennessee-Carolina Division, respectively. They came out of those fights remnants, it is true, of the New York Division and of the Tennessee-Carolina Division. Gen. O'Ryan states that, in his judgment, had not his units possessed that locality pride in addition to their American pride and patriotism, that sympathetic touch of elbow, that teamwork that comes from long acquaintance between men in the ranks who come from the same town or the same street in a great city, they could not have performed the task assigned to them. He counts it, as I think a very large number of military men count it, a vast military asset; and it is a fact which can not be contradicted that the violation of that principle, and the consequent treatment of soldiers whom I have already described this morning as "home boys" as mere automatons who can be put into any division, any regiment, any company, anywhere, is a violation of the humanities and injures the efficiency of the soldier; and when it does that it injures the efficiency of the unit in which he serves.

Mr. President, the great contest is over. We did our full share at the end. My observations upon this point are in retrospect, in a sense, and are given for what they are worth when the Senate comes to the consideration of military legislation which eventually must reach the statute books.

I want to mention one other topic, and that is the effect of the order of November 11 upon the American Expeditionary Force.

Senators will remember that an order was issued, immediately upon the signing of the armistice, forbidding all promotions from that time on. I never have been able to find out the reason for the order. It may have very good reasons back of it. I know something of its effect upon the spirits of the men. It was most regrettable. It had a very profound effect. Many a lieutenant, Mr. President, was commanding a battalion in the Argonne Forest, had commanded troops in action for days and days, his own captain and major having been killed or wounded. He was entitled to some recognition. But it was impossible for his commanding officer to make out the required papers in the heat of action, with men scrambling through that wilderness, fighting day and night. That had to be postponed until the regiment or the unit could settle down somewhere in a quiet place and give the commanding officer a chance to catch up with his paper work and send in his recommendations. Scores and scores of those young men shouldered and carried responsibilities higher than those of the grade which they occupied. In scores and scores of cases their commanding officer had prepared the papers recommending them for promotion. They could not be gotten in by November 11. On November 11 comes the order saying that no one shall be promoted, and all the machinery of promotion was stopped.

Mr. WEEKS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Massachusetts.

Mr. WEEKS. I agree with the Senator from New York as to the harmful effects of that order. On yesterday the Chief of Staff was before the Military Affairs Committee to testify in regard to a bill which had been introduced commissioning the men who had been recommended before the 11th of November, and the explanation which he made to the committee was that these promotions were not made because there were no vacancies; that the Army, its size, its officers, and everything relating to it, was fixed by an act of Congress; and that it was not within the power of the War Department to make promotions unless there were vacancies.

Now, I do not undertake to say whether there were or were not vacancies in some particular organization, but I think that would be a technical objection to making the promotions. Do not understand, however, that it would move me in being opposed to legislation which would enable those men to receive the promotions which they had earned, and which I think could be done without any very great difficulty.

Mr. WADSWORTH. I regret that I was not at the hearing referred to by the Senator from Massachusetts. I was tremendously surprised to learn that there were no vacancies in the commissioned personnel of the Army. It seems to me that there must be some vacancies. It is inevitable that with such an enormous organization there shall be vacancies in the commissioned personnel. I am not contending that all the officers recommended for promotion by their respective commanding officers should receive promotion, but I do think it was a mistake to stop all the machinery of promotion—to say that no one shall be promoted. The effect was to discourage and disappoint men. They thought, "We have no more chance. It is gone. The war is over. We went in as first lieutenants. We did our work. Our captain was wounded. We commanded the company. Our major was wounded. We commanded the battalion. Now our Government says that we shall never be anything but first lieutenants"—unless, indeed, it is contemplated that when that young man is mustered out, many months from now, he shall be mustered out with an advanced rank. The sweetness will be largely lacking, Mr. President, in that kind of promotion.

Mr. McKELLAR and Mr. CHAMBERLAIN addressed the Chair.

Mr. WADSWORTH. I yield to the Senator from Tennessee.

Mr. McKELLAR. In further explanation of what took place yesterday—does it inconvenience the Senator to be interrupted?

Mr. WADSWORTH. Not at all. I desire to conclude very soon, however.

Mr. McKELLAR. I shall be very brief. I want to say that I thoroughly concur with the views which the Senator has just expressed. I have a bill which virtually does away with the order of November 11, 1918, and it was about this bill that the Chief of Staff testified yesterday. He testified as the Senator from Massachusetts has stated, but in addition he said that it was expected to promote these men on the reserve list. The question which I wish to propound to the Senator, in view of what he has seen and heard over there, and his knowledge of the facts as they exist among the officers, is this: Does he think that promoting men on a reserve list will have the effect of properly promoting these men who have earned their promotions?

Mr. WADSWORTH. It is hard to estimate, of course, the comparative value of the two promotions that we are discussing. Of course, the longer it is postponed, the less it means to the man. There is nothing that so delights an officer's heart, nothing that so delights the hearts of the men who have served under him, as recognition, if possible, upon the field of battle, or as soon thereafter as possible. The longer it is postponed the less it means.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

Mr. WADSWORTH. Certainly.

Mr. CHAMBERLAIN. In addition to what the Senator from Massachusetts has said about the hearing before the committee yesterday, I call the Senator's attention to page 2107 of the CONGRESSIONAL RECORD of yesterday, where there appears a letter from the Secretary of War on exactly the same subject, and giving the reasons for the course that was pursued. I am frank to say that after having read that letter, and after having heard Gen. March's testimony at considerable length, my views were changed as to the power of the War Department; and I think to promote these men to the rank for which they have been recommended will just promote a number of officers to vacancies where there is no place for them to go.

Mr. WADSWORTH. I have not contended for that. I have not contended for the promotion of all these men. The only criticism I have had to make is that all the machinery for promotion is arbitrarily stopped, and no one can be promoted, whereas there must be vacancies, and there always will be

some. It is the blanket character of the order that created the discouragement and the dismay. If an order had been sent out to the effect that no promotions should be made except to fill vacancies, the Army would have understood it; but, as I understand it, the order went out saying, "There shall be no promotions anywhere."

Mr. McKELLAR. They were all stopped.

Mr. WADSWORTH. Yes.

Mr. WEEKS. Mr. President, I wish to add just one word to what the Senator from Oregon has said. I think he is right in the conclusion which he has reached. I believe we owe it to these men, who have performed conspicuous service, to see that in some way they shall receive the rewards for which they have been recommended, and, as the Senator from New York has very justly said, the sooner that is done the better. Any delay means taking away something from the value of the reward which is given.

Mr. WADSWORTH. Mr. President, I was about to conclude my remarks. I regret that I have kept the Senate so long. One can not help but admire the achievement that is recorded in France by the American Expeditionary Force. Of course, from time to time criticism will be leveled against some of the things they did or failed to do, but the balance is distinctly upon the credit side of the ledger. The task which confronted them was enormous.

My words here this morning have not commenced to describe—I doubt if any one man knows enough about it or has the power of language adequate to describe—the scenes and the conditions through which that Expeditionary Force operated. Those devastated regions, those ghostly cities of the dead, town after town, village after village, hamlet after hamlet, farmhouse after farmhouse, all in utter, hopeless ruin. Our people had to traverse that, to live in that atmosphere, to encounter all kinds of hard conditions. So did the British; so did the French. One can understand, let me say in passing, something of the feeling of the French people when one has seen the devastated regions in France. Dozens and dozens of magazine articles have been written about it, hundreds of speeches have been delivered about it, and thousands of dispatches have come over the wires describing it, and each and every one of them is inadequate. No spoken word or written word can commence to describe that condition. When one can go along a road in France, reach a fork in the road in the center of some little wrecked town, and stop a French soldier and ask him the way to the next town and have him tell you that he lives in that very neighborhood and can not find his own way home, then one may understand the extent of that wreckage. When one may be taken to the battle field of Verdun and conducted to a ridge near Fort de Souville and have a French officer ask one, "Would you like to see the village of Fleury," and when one replies, "Yes; where is it?" and he says, "You are standing in the middle of it," then one may have some comprehension of what France has suffered. Not a single brick of that village left; all ground to powder, returned to the earth from which they came. Tortured earth, shattered rock, not a tree, not a bush, not a weed, a tumultuous sea of upturned earth and rubbish.

The world will never know what this means to France, for every piece of property that was destroyed in that vast area belonged to some little French family. The French are a home-owning people. Every bit of that ground is owned by some French family, if that family is surviving, some one has title to it, and to see them going back to those regions, those refugees actually trying to find where they used to live, is enough to break one's heart.

Such is only a part of the picture of the crime that Germany inflicted upon France and upon civilization—a war deliberately planned, a war with the deliberate purpose of destroying not only the French soldiers and the British soldiers and lately the American soldiers but every atom of French property that could be destroyed in such a way as to handicap and cripple the French nation for generations to come. They took the machinery out of the factories or destroyed it in order to prevent Belgians and French from being their rivals again in commercial pursuits. That is why they shelled towns after they retired from those towns and when there was nothing left in them but civilians. That is why they poured gas shells into the little village of Bohain, from which they had retired and which contained 700 civilians and no allied troops, and choked to death women and children. That was done in 1918 within six weeks of the signing of the armistice. That is why they would cunningly hide under the carpet in a poor woman's kitchen a detonating fuse taken from a 5.9 shell, hide it under the carpet in a little crack in the floor, and leave it there for her to strike some day by accident and suffer mutilation. This was done in many instances. They put hand grenades under the bodies of their own dead, so that when a British soldier came along and lifted up the dead German to bury him he would be blown to atoms.

When we come to discuss terms of peace, Senators, when we come to discuss the treatment that is to be accorded to the German people, and these things were done by German people, if we are wise, we will take into consideration the feelings of the French people and the Belgian people. Since the days of Julius Cæsar France has stood in dread of the hordes of barbarians that have poured from time to time out of the northern forests. Since the days of Julius Cæsar scarcely a century has gone by but what she has been called upon to repulse those Teutonic hordes. All she wants is security. She wants something to be brought about in these peace terms that will make it impossible for the German hordes to repeat this tragedy, and that is all.

The German people to-day—I believe it as I know that I am standing on this floor—have no conception of the feelings of other nations toward them. They have no feeling of humiliation or remorse, not one bit. They are sorry that they have lost the war, but their ideals are purely materialistic. There is no tribulation of the spirit.

I rejoice that we sent over there 2,000,000 men, who, hastily trained and hastily organized as they were, contributed to this great victory. We helped win this war; all four of the great nations won it together.

Mr. CHAMBERLAIN. May I interrupt the Senator?

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from New York yield to the Senator from Oregon?

Mr. WADSWORTH. I yield.

Mr. CHAMBERLAIN. Speaking of the Germans, the Senator has said that their ideals have not changed, that they regret having lost the war, and only feel humiliated that they have lost it. Does the Senator think that they have been so whipped that it will be unnecessary to maintain a force there in order to hold them in order and eventually to humiliate them, if that time comes?

Mr. WADSWORTH. My own opinion is, and I remind the Senator it is only my opinion, that Germany in a military sense is absolutely prostrate to-day; that she can not possibly renew the war. Her whole fleet is gone, a large proportion of the rolling stock of the railways, a large proportion of the airplanes, a large proportion of her guns, a large proportion of her motor trucks. She could not move an army qualified to compete with either the French, British, or American armies as they stood on November 11. She is prostrate in a military sense.

It depends, Mr. President, upon the conditions contained in the terms of peace how soon Germany can recover in a military sense. I do not know what those terms will be; I think none of us know; but I am somewhat dismayed that the Germans themselves exhibit no sign of sorrow or remorse or humiliation, that they still continue to view this whole matter from the most materialistic viewpoint. They made a bid for world power and they used every weapon, no matter how savage it was, to get it, and having failed to get it they regret the failure, but not the use of the weapons. And unless a great change comes over the heart and soul of German people, if they are led again as they were led in 1914, to start another war, I believe they would wage it in exactly the same way.

Mr. McLEAN. Does the Senator think that the change in their form of government will make any difference in the military ambitions of the German people?

Mr. WADSWORTH. I am not convinced of that.

Mr. KING. Will the Senator permit one question along the line indicated by the Senators who have just interrogated him?

In view of the unsettled condition of Germany and of the mental attitude of the people, their lack of appreciation of the enormity of their crime, their materialistic point of view, does not the Senator think it becomes imperative for a considerable length of time that the allies shall keep in Germany, around and about Germany, a large number of troops to police, to enforce the guaranties and exactions that will find place in the peace treaty?

Mr. WADSWORTH. The question of the Senator is very difficult to answer, because the answer has to be conditioned upon so many events that are yet to happen, most important of which are the terms of peace itself. The question might be answered with a reasonable degree of accuracy if we knew now what the terms of peace will be. In any event, the terms of peace must see to it that the crime of 1914 shall not be and can not be repeated by Germany or any of her allies.

I rose in the first place, Mr. President, to state in an inadequate way my admiration for the way in which the American Expeditionary Force was handled. As Senators who have taken an interest in this matter, who have worked at this end of the

line as hard as we could to support and help them, and as Americans, I know we are proud, as we ought to be proud, of that splendid force and the achievements that they have placed upon the record of American history.

Mr. NEW. Mr. President, I have had it in mind to submit some ideas and suggestions of my own concerning the reorganization of the Army. The address which has just been delivered by the Senator from New York [Mr. WADSWORTH], to which we have all listened with such interest and so much benefit, has made the subject particularly opportune, and I should like, under ordinary circumstances, to proceed with my remarks at this time. But, Mr. President, the hour of 2 o'clock having arrived, I realize that there is before the Senate a bill of transcendent importance, as I regard it, and I am not willing to interpose anything that will interfere with the immediate consideration of that measure.

I therefore content myself at this time by saying that at the earliest opportunity I shall ask for the privilege of presenting the remarks, and in connection therewith I shall submit a bill.

LEAGUE OF NATIONS.

Mr. POLLOCK. Mr. President, I have listened with a great deal of interest to the narrative of the war by the Senator from New York [Mr. WADSWORTH]. It is as he states, largely in retrospect. I merely rise to give notice that on to-morrow, immediately after the morning business, I shall endeavor to submit a few remarks looking to the future and as to what should be the course of this Government with reference to the creation of a league of nations for the maintenance of the peace of the world.

CALLING OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll and the following Senators answered to their names:

Bankhead	Hitchcock	Nelson	Smoot
Beckham	Johnson, S. Dak.	New	Spencer
Borah	Jones, N. Mex.	Nugent	Sterling
Calder	Kellogg	Overman	Sutherland
Chamberlain	Kenyon	Page	Thomas
Culberson	King	Pittman	Thompson
Cummins	Kirby	Poindexter	Townsend
Curtis	Knox	Pollock	Trammell
Fletcher	La Follette	Pomerene	Vardaman
France	Lenroot	Ransdell	Walsh
Frelinghuysen	McKellar	Reed	Warren
Gay	McLean	Saulsbury	Weeks
Gore	McNary	Shafroth	Wolcott
Gronna	Martin, Ky.	Sheppard	
Hale	Moses	Sherman	
Henderson	Myers	Smith, Ariz.	

Mr. POLLOCK. I wish to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained by illness.

Mr. SAULSBURY. I desire to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. KENYON. I wish to announce that the Senator from Nebraska [Mr. NORRIS] is absent on official business.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The PRESIDING OFFICER. Sixty-one Senators having answered to their names, there is a quorum present.

VALIDATION OF WAR CONTRACTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. HENDERSON. Mr. President, on January 20 I sent to the desk an amendment to House bill 13274. Yesterday the Senator from Nebraska [Mr. HITCHCOCK] introduced that amendment to the bill. In order to protect my amendment, I submit an amendment to the amendment of the Senator from Nebraska and also one to what is known as the Chamberlain bill, so as to perfect the proposed amendment that I had printed the other day.

The PRESIDING OFFICER. The amendments will be ordered printed and lie on the table.

Mr. CHAMBERLAIN. I think it would be proper to take up the bill as reported by the committee and have it read for the purpose of amendment. The bill has not yet been read, and I suggest that it be read for the purpose of amendment.

The PRESIDING OFFICER. The Secretary will read the substitute bill.

The Secretary read the amendment of the Committee on Military Affairs, which was to strike out all after the enacting clause of the bill and in lieu to insert:

That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure or aid in procuring the same for the War Department, for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government, but the agreement did not comply with statutory requirements, in every such case the Secretary of War is authorized and directed to waive, on behalf of the Government, such noncompliance: *Provided*, That he finds such waiver is not inconsistent with the public interest, and in this event the said agreement shall have the same validity and effect it would have had if such statutory requirement had been complied with.

That whenever, prior to said November 12, 1918, any individual, firm, company, corporation, or foreign Government has made any agreement, oral or written, express or implied, with, or has received any order or request, oral or written, from, the Secretary of War, or any officer, agent, or agency as aforesaid, for any of the purposes aforesaid, and the same has not been reduced to contract form, but such individual, firm, company, corporation, or foreign Government has in good faith made expenditures, incurred obligations, acquired or furnished facilities, equipment, materials, or supplies, or rendered services, in reliance on such agreement, order, or request, in every such case the Secretary of War is authorized and directed, on behalf of the Government, to enter into such contract with such individual, firm, company, corporation, or foreign Government as will, under all the circumstances, fairly and equitably compensate him or it for the expenditures made, obligations incurred, equipment, materials, or supplies furnished or acquired, or services rendered, as aforesaid: *Provided*, That in no event shall such contract provide for compensation on terms more favorable than the terms, if any, for which the aforesaid agreement, order, or request may have provided.

That whenever, prior to said November 12, 1918, the War Department, through its officers or agents, has taken possession of any land, or whenever the holder or owner of any land has removed from or removed any improvements from such land at the order or request of the War Department and no valid contract has been made with respect thereto, then the Secretary of War, if he finds that the public interest does not require the possession or occupancy of such land by the Government, is authorized to make compensation to the owner or holder thereof for the fair value of such improvements so removed and the expense incurred by such owner in removing therefrom or for the fair value of the use of such land of which the War Department has taken actual possession and for any expense or loss incurred by the owner or holder by reason of such possession.

SEC. 2. That a commission is hereby created and established, to be known as the War Contracts Appeals Commission (hereinafter referred to as the commission), which shall be composed of three members, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall continue in office for one year from the date of this act. One member of the commission shall represent the War Department, one member shall represent the Department of Justice, and one member shall represent the business interests of the country. None of the members of the commission shall be interested in any order, contract, or agreement within the purview of this act or have any interest in any firm or corporation having such orders, contracts, or agreements. Each member of the commission shall receive a salary of $7,500 a year, payable in the same manner as the salaries of judges of the courts of the United States. The commission shall choose a chairman from its own membership and may appoint a secretary, who shall receive a salary not exceeding $5,000 a year, to be determined by the commission and payable in the same manner as the salaries of the members of the commission.

That there is hereby appropriated, for the purpose of defraying the reasonable expenses of the commission, including the payment of salaries herein authorized, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of $50,000.

That within 30 days of the date when the Secretary of War tenders any contract or compensation as provided in this act, or refuses to tender such contract or compensation, the party to whom said contract or compensation is tendered or refused, or the Government by a duly authorized officer from the Department of Justice may file with the chairman of the commission a notice of appeal: *Provided, however*, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government, but settlement can be made at once. Thereupon, the commission shall proceed to examine and review the facts and circumstances of the case and make its award or finding thereon. Upon giving receipt in full of all demands against the United States arising out of the transaction by reason of which the award is made, the appellant shall be entitled to receive the amount of any award so made, and the proper officer of the United States is hereby authorized and directed to pay the same, but if the appellant is dissatisfied with the amount so awarded he shall be paid 75 per cent of the amount awarded and shall be entitled to sue the United States in the Court of Claims to recover such further sum as added to said 75 per cent shall make up such amount as will be fair and just compensation as provided in this act, and the Court of Claims is hereby given jurisdiction to hear said suit and render judgment therein.

That whenever any dispute arises in the matter of the adjustment or settlement, or as the interpretation or application of the terms, of any contract which has been made for any of the purposes set forth in this act, and in the execution of which there has been compliance with statutory requirements, the contractor or the Government by a duly authorized officer from the Department of Justice may give notice to the Secretary of War of intention to appeal to the commission, and provided notice of appeal is filed with the chairman of the commission within 30 days: *Provided, however*, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government but settlement can be made at once. On an appeal being taken the commission shall thereupon proceed to determine the questions at issue as set forth in said notice of appeal; and the contractor shall be entitled either to receive the whole amount of such award as may be made as in full of his claim on the questions submitted or 75 per cent of the same and sue the United States in the Court of Claims for any remainder, all as provided next above as to agreements otherwise within the purview of this act.

That in executing the duties and powers conferred by this act the commission may make its own rules and regulations and may hear and

determine issues informally. It shall be the duty of the Secretary of War to furnish to the commission such evidence, documents, or papers pertaining to transactions as to which notice of appeal has been filed as the commission may request. The commission is authorized, in its discretion, to appoint an examiner in any region or district when such region is within the United States where, in its judgment, the taking of additional testimony is necessary to the determination of any case. Such examiner shall be a resident of the region or district for which he is appointed, and shall not have any interest, directly or indirectly, in any contract or transaction coming before him or receive any compensation save and except such per diem compensation and expenses as shall be fixed by the commission. Whenever the commission shall refer to any such examiner any claim presented hereunder, the examiner shall proceed, under the direction of the commission, to hear the parties, take the proofs, and return the same to the commission with his recommendations thereon as promptly as possible.

SEC. 3. That nothing in this act contained shall be held to validate any such contract unless the officer who was at the time of the making of such contract the chief of the division or bureau, as the case may be, in which said contract was negotiated, or, in the event that such officer was not responsible for the making of such contract, then the officer in such division or bureau who was so responsible, together with the officer who signed said contract, shall each severally make and subscribe to an affidavit in writing, giving the definite terms of such contract, the name or names within his knowledge, of any such officer or officers who took part in the negotiation or making of the same, and stating whether or not within his knowledge any officer aiding in such making was interested, directly or indirectly, in said contract, and in addition subscribing to an oath to be appended to said affidavit in substantially the following form and tenor:

"I, ———, Chief of the Division or Bureau (naming it) in which the contract hereinbefore mentioned was negotiated, at the time of negotiation thereof, and the officer in the Division or Bureau (naming it) responsible for the making of the contract hereinbefore mentioned, and I, ———, the officer who actually signed said contract, do hereby each severally swear that I am not and was not at the time of the making of said contract directly or indirectly interested in said contract."

That in respect to any such contract as to which any one of said officers can not take the foregoing oath, or after diligent search or inquiry by the contractor can not be found, or is at the time actually engaged in foreign service, or refuses to take said oath, then upon such facts and the fact required in the oath of such officer, appearing by an affidavit of the contractor, or of one of its partners, chief officers, or chief agents acting in its behalf, the Secretary of War shall promptly report such contract to the War Contracts Appeals Commission and furnish to said commission such evidence, documents, and papers pertaining to the transaction as may be within his control, and such commission may request, and original jurisdiction is hereby vested in, said commission to hear and determine said claim with the powers and upon the procedure hereinbefore described in this act. Said commission shall make its award or finding thereon and deny said claim or grant it in whole or in part, according to the justice and equity thereof, and the award or finding shall have the same force and effect and create the same rights as if made under the provisions of section 3 of this act. And it shall be the further duty of said commission in hearing, investigating, and determining such claim to find and determine whether any of such officers is or was at the time of making of said contract directly or indirectly interested in said contract.

SEC. 4. That nothing in this act contained shall be construed to relieve any officer or agent of the Government from prosecution under the penal statutes of the United States for any fraud, criminal conduct, illegality, or irregularity in connection with any of the agreements or orders referred to herein or the execution or signing thereof.

Mr. McKELLAR. Mr. President, if it is in order, I desire to offer an amendment to the pending bill, on page 10, line 5, to strike out the period and make a semicolon, and to add what I send to the desk.

The PRESIDING OFFICER (Mr. NEW in the chair). The amendment will be stated.

The SECRETARY. On page 10, line 5, before the period, and after the word "possible," it is proposed to insert:

Provided, That in no case, however, shall any award either by the Secretary of War or by the commission or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled.

Mr. McKELLAR. That is the provision that is in the Hitchcock amendment, and it should be inserted here. I think no one will say that there should be a payment for prospective or speculative profits. This is the matter as to which the Senator from Wisconsin [Mr. LENROOT] and others argued on yesterday, and I hope the chairman of the committee will accept the provision.

Mr. CHAMBERLAIN. I think I have no objection to the first part of the amendment, but the latter part of the amendment is even broader than the Senator from Wisconsin argued for. I do not think it ought to be included in the bill.

Mr. POMERENE. I ask to have the amendment again reported.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The Secretary again stated the amendment proposed by Mr. McKELLAR.

Mr. CHAMBERLAIN. The latter part of the amendment I am not willing to accept.

Mr. McKELLAR. Are the words to which the Senator from Oregon objects the words "and a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled"?

Mr. CHAMBERLAIN. Take one illustration. I understand that in some cases the Government of the United States has insisted that a contractor shall go ahead and use patents that had been obtained and issued in the names of other parties, and that the Government would stand behind the contractors to defend them against any proceedings that might be instituted to recover penalties or royalties. I think the Senator's amendment goes to an extent that it would preclude recovery in cases of that kind.

Mr. McKELLAR. I do not think so. If the Senator will look at lines 10, 11, and 12, I think he will find the language there is sufficient to include the objects which the Senator suggests. It provides for remuneration. It requires the Government to make "remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled." I should think that that language would be broad enough.

Mr. CHAMBERLAIN. It in part nullifies the provisions of the bill, just as it nullifies the provisions of the Hitchcock bill itself, if it be inserted in it. It ought not to be in here. I am perfectly willing to accept that portion of the amendment which refers to prospective or possible profits on unperformed portions of a contract. I think that is as far as it ought to go.

Mr. FRELINGHUYSEN. Will the Senator from Tennessee suffer an interruption?

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. I yield to the Senator.

Mr. FRELINGHUYSEN. Mr. President, I understand the effect of this amendment would be the same practically as section 6 of the Hitchcock substitute?

Mr. McKELLAR. It merely includes the Secretary of War. It is the exact wording of the Hitchcock substitute, except that the words "and the Secretary of War" are added for the purpose of making it apply to the Chamberlain bill.

Mr. FRELINGHUYSEN. Mr. President, I am not defending the validation of any unearned profits, nor do I believe that any of the great profits which might accrue to a contractor by reason of the validation of a contract or a contract that can not be canceled should be paid, but there are certain contracts which, I understand, have been made by the Secretary of War—verbal agreements, probably some of them agreements by letter—that involve an adjustment of profits. I do not know what those contracts are. I only know that the Secretary of War states that some of those contracts have been made by reason of the fact that the department had to induce contractors to change their method of manufacture, to change their machinery, to enlarge their plants, and that certain promises and assurances have been made to those contractors.

Now, I want this bill so written that it shall not repudiate those agreements; that those agreements may be adjusted either by the Secretary of War or by this proposed commission. A repudiation of any agreement of that character would involve the good faith of the Government when it has been pledged by an agent of the Government.

I wrote to the Assistant Secretary of War, Mr. Crowell. I might say, if I am not encroaching too much on the Senator's time in this connection, the Assistant Secretary of War has given a great deal of attention to the adjustment of these contracts, and he has accomplished a great deal in ascertaining the facts regarding them. Many of them are ready for settlement as soon as they are validated. In reply to my query, the Assistant Secretary of War sent me the letter which I hold in my hand, in regard to section 6 of the Hitchcock bill, which is practically the same in effect as the amendment proposed by the Senator from Tennessee [Mr. McKELLAR]. I desire to ask the Secretary to read this letter, if the Senator from Tennessee has no objection.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). Without objection, the Secretary will read as requested.

The Secretary read as follows:

WAR DEPARTMENT,
OFFICE OF THE ASSISTANT SECRETARY,
DIRECTOR OF MUNITIONS,
Washington, D. C., January 28, 1919.

Hon. JOSEPH S. FRELINGHUYSEN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: You have asked my views as to the effect of section 6 of the Hitchcock bill. This bill gives to a proposed commission complete jurisdiction over the adjustments of all contracts, valid and invalid, entered into by the War Department for war supplies which are suspended, canceled, or terminated prior to complete execution, by reason of the termination of hostilities. Section 6 provides that neither the commission nor the Court of Claims shall make any allowance in such cases for any profit to the contractor other than on goods and supplies actually delivered to the United States with the remuneration for expenses necessarily incurred in preparing to perform the contract or order that is canceled. Under this provision, though a contractor may have employed large amounts of his capital and months of hard work upon the work in process, he is to be permitted no reward whatever for such use of his capital and for such services where the con-

tract is terminated before the actual delivery of supplies. In the event that any supplies are delivered his reward is limited to that part of his capital and services which go to the completion of those supplies, and no reward is permitted for the use of that part of his capital and his services which are embodied in work in process, the completion of which is abandoned at the direction of the Government. Such a restriction would involve direct violation of obligations entered into by the American Expeditionary Force with foreign governments and with the citizens of foreign countries, and would cast a reflection upon the good name of this Government, which I believe Congress would regret just as much as this department.

As to contracts in this country, the standard termination clause in use by the department provides for the allowance to the contractor of a certain percentage of the cost to the contractor of materials, unfinished articles of work in process, and component parts furnished by the contractor and on hand, which are in compliance with provisions of the contract and specifications. This allowance is by way of compensation for the use of the capital furnished by the contractor and the services rendered by him in the performance of work for the Government which at its instance is not completed.

It seems to me that section 6 would impair the obligation of such contracts. The good faith of the Government seems equally involved where work has been undertaken by contractors on the faith of receiving a contract in this form and where the armistice has interposed to prevent its actual execution.

Very truly, yours,

BENEDICT CROWELL,
The Assistant Secretary of War, Director of Munitions.

Mr. HITCHCOCK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Nebraska?

Mr. McKELLAR. I yield to the Senator.

Mr. HITCHCOCK. The Assistant Secretary of War is mistaken when he refers to my bill as covering legal contracts. One of the differences between the bill proposed by me and the substitute reported by the committee is that mine is limited to those cases in which the contracts are defective or the orders are informal. The House bill, like my bill, only covers those cases. It does not attempt to cover cases where there is a legal contract providing the terms under which it may be adjusted.

Mr. LENROOT. Mr. President——

Mr. McKELLAR. I yield to the Senator from Wisconsin, who has some suggestion to make about the matter, I believe.

Mr. LENROOT. I should like to suggest to the Senator that, while his amendment as incorporated in the Hitchcock amendment covered only contracts defectively executed, when offered as an amendment to the committee bill it also covers contracts fully executed in compliance with all statutory requirements. I do not believe the Senator would desire to have Congress abrogate a legal right, and I therefore wish to ask the Senator whether he will not accept an amendment to his amendment adding these words:

Provided, The foregoing shall not apply to any contract executed in compliance with all statutory requirements.

Mr. McKELLAR. That amendment will be entirely satisfactory, although I think the same result could be perhaps accomplished by having my amendment read:

That in no case of a contract validated by this act—

And so forth. Probably that would make it shorter; but the Senator's amendment covers it absolutely.

Mr. HITCHCOCK. Mr. President, I think the Senator from Wisconsin will have to qualify his proposed amendment to the amendment. I understand that there are some contracts entirely legal in form which contain no provision for cancellation and the settlement of damages; so that the only exception should be those cases covered by contract.

Mr. McKELLAR. The Senator from Nebraska is entirely right about that. As I recall the testimony, there are only a very small number of contracts legally drawn and executed that have the cancellation provision; in other words, I think only until recently, I think in October——

Mr. CHAMBERLAIN. In July.

Mr. McKELLAR. The Senator from Oregon corrects me, and I am sure that he knows the fact—in July they adopted a new form of contract, which contained a cancellation provision. All the contracts up to that time contained no cancellation provision.

Mr. LENROOT. Mr. President, may I ask the Senator if he thinks that as to any contract that is legally executed Congress now can change the measure of damages to which a contractor may be entitled?

Mr. McKELLAR. That is perhaps true. When a contract has already been signed and is valid, while Congress under the Constitution can impair the obligation of such a contract, yet we do not permit the States to do so, and therefore it would not be proper for us to do so, either as a matter of policy or on any other ground.

Mr. LENROOT. I appreciate that. If an amendment is in order, Mr. President, I will offer such as an amendment.

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Wisconsin?

Mr. McKELLAR. I will accept the amendment offered by the Senator.

Mr. LENROOT. Very well. Then I wish to ask the Senator whether he will not accept another amendment?

Mr. McKELLAR. Perhaps it would be better to have the amendment already presented adopted.

Mr. POMERENE. Let me ask to have the amendment to the amendment again stated.

The PRESIDING OFFICER. Without objection, the Secretary will state the amendment offered by the Senator from Wisconsin to the amendment of the Senator from Tennessee.

The SECRETARY. At the end of the amendment offered by Mr. McKELLAR, it is proposed to insert the following proviso:

Provided, The foregoing shall not apply to any contract executed in compliance with all statutory requirements.

So that it will read:

That in no case, however, shall any award, either by the Secretary of War or by the commission or the Court of Claims, include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and a remuneration for expenses necessarily incurred in preparing to perform said contract or order so canceled: *Provided,* The foregoing shall not apply to any contract executed in compliance with all statutory requirements.

Mr. McKELLAR. Mr. President, I wish to make a statement with reference to the letter written by the Assistant Secretary of War. I do not agree with his construction of section 6. I do not know whether or not the Assistant Secretary of War, who is a very fine gentleman, is a lawyer; but if he is, he has very incorrectly interpreted the meaning, as I believe, of section 6, because I think the last three lines in section 6 cover exactly the case which the Senator from New Jersey [Mr. FRELINGHUYSEN] suggested awhile ago, where it provides that such proper remuneration can be made. Section 6 does cut out prospective or possible profits, and I think it ought to do so. There ought not to be any prospective or possible profits allowed in these settlements.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. I yield to the Senator.

Mr. FRELINGHUYSEN. Possibly the Senator is correct. My anxiety is only to avoid any statutory prohibition which will work an injustice on a contractor who, in good faith, has gone ahead and expended his capital in order to provide materials upon an order from the Secretary of War.

Mr. McKELLAR. I will say to the Senator that I join him in that. I am just as anxious to protect the rights of contractors as anyone else could be; and I think they ought to be protected. At the same time I think the rights of the Government should be protected in like manner and a provision should be enacted that will be fair for all alike.

Mr. FRELINGHUYSEN. I am not seeking to have the Government's rights invaded in any way whatsoever.

Mr. McKELLAR. I am sure of that.

Mr. FRELINGHUYSEN. But I am informed by the Secretary of War that there are certain contracts—verbal contracts, I believe—which have been made, where assurances have been given to the contractor of certain profits, where no cancellation has been agreed upon. In order to get the materials and supplies, they have been compelled to give a quantity order; and they feel that when they cancel that order, having no agreement as to cancellation, there should be some adjustment as to profits without their being compelled to take the full order which they agreed to take. Does the Senator understand the situation?

Mr. McKELLAR. I understand that situation.

Mr. FRELINGHUYSEN. Now, I claim that if the Secretary of War has made any such agreement involving the payment of profits, which according to the technical provisions of this act may be unearned, it is unfair to write such a prohibitory section in this law.

Mr. McKELLAR. Do I understand the Senator to mean that the Secretary of War has entered into a contract giving to the contractor prospective or possible profits on the unearned portions of the contract? It is inconceivable to me that the Secretary of War would do such a thing.

Mr. FRELINGHUYSEN. I understand that there have been some orders given for a certain quantity of materials—let us assume, for illustration, a million yards of cloth. The manufacturer has bought the machinery and increased his facilities.

Mr. McKELLAR. That is all provided for here.

Mr. FRELINGHUYSEN. The Secretary of War has stated that he would take that million yards of cloth, and the contractor has practically figured his profits on that million yards of cloth upon the assurance that the Secretary of War would accept delivery. Now, there is no provision for cancellation.

Does the Senator believe that that contractor should be prohibited from receiving his profits on that million yards of cloth when he has bought the materials and put the machinery in his plant?

Mr. McKELLAR. Let me see if I understand the Senator. If I understand the Senator correctly, I most certainly do believe that the Secretary of War ought not to permit any such possible profits to be allowed to the contractor.

Let us assume that a mill has put in $5,000 worth of machinery on a very large order and it is only out the $5,000, and that much of the machinery can be used by the contractor, as shown by the facts, and if he had carried out his entire contract with the Government he would have had half a million dollars of profits. Does the Senator mean to say that we ought to validate a contract that would permit this contractor on an expenditure of $5,000 for machinery which he still owns to reap from the Government $500,000 of possible or expected profits?

If that is what the Senator means, I most emphatically say I do not agree to any such proposition.

Mr. FRELINGHUYSEN. Of course, the Senator has inflated the figures somewhat, but I do not mean to assume that at all. I mean that when the Secretary of War has given a contractor the assurance that he will make certain profits by giving him a quantity order, and he has expended for machinery or for changes in his mill an amount of money practically in excess of the profit to be derived, it is a proper case for adjustment, and possibly some unearned profits may have to be paid in order to do justice to that contractor. Therefore I say that cases of this character should be subject to an appeal to the commission and should not be made the subject of a prohibitory statute.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator for just a moment?

Mr. McKELLAR. I yield; surely.

Mr. CHAMBERLAIN. Let me ask the Senator what he would do in a case of this kind, which I put by way of illustration, where a contractor has been contracted with to supply a very large amount of shells, for instance. He goes to work and he supplies the Government one-half of the goods in that line that he has already manufactured and has on the ground. What is the Senator going to do with a man of that kind? This amendment provides that there shall be no profits on any part of the contract beyond the goods and supplies delivered to and accepted by the Government.

Mr. McKELLAR. Oh, no; the Senator misinterprets the language.

Mr. CHAMBERLAIN. No.

Mr. McKELLAR (reading)—

Beyond the goods and supplies delivered to and accepted by the United States——

Mr. CHAMBERLAIN. Certainly.

Mr. McKELLAR. That is one, and what else? Why—

A remuneration for expenditures necessarily incurred in preparing to perform said contract or order.

That takes in all that the Senator means.

Mr. CHAMBERLAIN. I beg the Senator's pardon. The first part of his provision provides only for the reimbursement of the contractor for the goods actually manufactured, delivered to, supplied, and received by the Government. Now, where these goods are on the ground and have not been delivered or accepted there is no compensation provided for at all.

The latter part of this section to which the Senator calls attention has reference to the expenditures made by a man to increase his plant, for instance; and if the Senator is looking to the protection of the Government, he mulcts the Government by that last provision. Why?

Suppose a manufacturer or contractor has gone to work and spent a million dollars in the enlargement of his plant. That has been necessary to carry out the contract that he had with the Government. Now, then, the Government cancels his contract. He has not used or utilized the extended plant, and the Government must pay him for all of it, notwithstanding there may be a very large salvage. Now, there is the instance where the Government is imposed upon, and in the first part of it the contractor is imposed upon.

Mr. McKELLAR. Mr. President, I think the Senator does not get at the real meaning of this section.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Ohio?

Mr. McKELLAR. Just one moment. Let me reply to the Senator from Oregon for just a moment. I will read the language:

That in no case, however, shall any award, either by the Secretary of War or by the commission or the Court of Claims, include prospective or possible profits on any part of the contract—

Now, wait a minute. We are not talking now about real profits. We are not limiting the real profits that are made on it. We are limiting, in the latter part of this section, only the possible or prospective profits. That is the only limitation that is in this section—

Prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and—

In addition to that—

a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled.

Under that provision—and I will yield to the Senator from Ohio in just a moment—every justice can be done the contractor. He is remunerated, given his real profit; full justice can be done to him, full justice can be done to the Government; but it does not provide that he shall receive the kind of profits that I have suggested a few moments ago, where a man puts $5,000, for instance, into the increase of his plant on an order that might involve a million dollars when completed. It might take two or three years to complete it. He may have a half million dollars of prospective profits if he completes the order, but he has put only $5,000 into it. It may be that he has put only $1,000 into it, to use an extreme case; and yet is it to be arranged so that he can, under the terms of this validating act, receive $500,000 of prospective profits?

I do not think the Senator contends that he should do it. I say that we ought to pay the contractor liberally; we ought to pay him well; we ought to pay him everything that is due him and give him a profit on it; but we ought not to give him a possible or prospective profit on unearned portions of his contract. This is what this section prohibits, and it ought to be adopted.

I now yield to the Senator from Ohio.

Mr. POMERENE. Mr. President, I think certainly the Senator will have to amend his proposed amendment quite a good deal.

Mr. McKELLAR. If the Senator will offer some amendments that will be good, I shall be delighted to accept them.

Mr. POMERENE. I will make a suggestion that I know the Senator will think is right.

Mr. McKELLAR. I will admit anything that is right to carry out that purpose.

Mr. POMERENE. Suppose, as a matter of fact, a concern is manufacturing cannon. They have to go through many processes, I understand. I do not know anything about the manufacture of them. They may have their shops filled with cannon that are half completed. They have not been delivered to or accepted by the Government. They are there in an uncompleted state. The material of the contractor is in them, and a large part of his labor is in them. Now, it does seem to me that the contractor ought to be allowed a reasonable profit upon that work and material, even if the goods have not as yet been delivered to or accepted by the Government.

Mr. McKELLAR. There is not any difference between the Senator and myself on that subject. If the Senator will read this provision carefully and give it the care that he usually does, being the very able lawyer that he is, I am quite sure there will be no difference between us on that subject. This section refers to prospective or possible profits. It refers to daydreams of contractors—a man who has a contract of $100,000 and expects to make a million dollars out of it, especially if he has not done the work. It just does away with that kind of thing; but it does not prevent the contractor from getting the profits to which he is entitled.

Mr. POMERENE. It does not on the goods which are delivered, but it does prevent his getting any profits on the goods that are only half completed. That is my objection.

Mr. McKELLAR. Oh, no; it is only prospective or possible profits. That is all it refers to.

Mr. POMERENE. I think the Senator is wrong.

Mr. CUMMINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. McKELLAR. I yield to the Senator. I was about to yield the floor. I will yield the floor to the Senator.

Mr. CUMMINS. I wish to ask this question of the Senator from Tennessee, because he has the faculty of very clear statement, and I am deeply interested in this bill, because there are a good many people in my State who are in grave danger of suffering a loss which they can not easily bear.

Mr. McKELLAR. I will say to the Senator that I am the last man in the world to make any contractor bear a loss which he should not bear.

Mr. CUMMINS. I do not know much about these matters. The members of the Military Affairs Committee are a great deal more competent than I am to apply this language to the actual cases. What I should like to know is this, and I ask it

both in regard to the committee amendment and in regard to the proposed Hitchcock amendment:

Is it the purpose of the proposer of the amendment to put those who have entered into contracts or partial contracts with the Government in precisely the same situation or condition as though the acts which had been performed by both parties had been performed between private individuals and allow the individual to recover from the Government the damages or losses upon recognized principles of the law which would be recoverable if the same things had been done between two persons instead of between a person and the Government? If the Senator from Tennessee will explain that to me, I shall be a good deal better able to follow the language of these bills and reach a conclusion as to which one will be most equitable.

Mr. McKELLAR. Mr. President, I shall take great pleasure in giving the Senator my views.

Generally speaking, that is the purpose of both bills. They can not be put in the same position as those who have valid contracts. To illustrate what I mean, the greater portion of these properly signed contracts are contracts without any cancellation clause at all. A grosser piece of negligence can hardly be imagined. Here we have given unlimited sums of money to the departments to furnish lawyers, and how, even by accident, a cancellation clause could have been left out of the contracts it is difficult to see.

Mr. CHAMBERLAIN. Mr. President, let me make this statement to the Senator about that: The Secretary advises me that a great many of the contracts made prior to the 1st of July last had the cancellation clause in them, but that since that time all of them have.

Mr. McKELLAR. Well, that is not the proof before our subcommittee; that is all I can say. The proof before our subcommittee is that comparatively few of the valid contracts have the cancellation clause.

Mr. CUMMINS. I will ask the Senator to make that just a little clearer to me about the cancellation. Does the Senator mean a cancellation clause that would permit the termination of the contract without any damages?

Mr. McKELLAR. Oh, no; providing for the damages and providing the conditions and methods of procedure and all about how they should be computed. All of those things are provided for in the cancellation clause; and in every contract that is prepared by a lawyer there is a cancellation provision, as every lawyer knows. As I say, it is absolutely inconceivable to me why they were not in all the contracts; but they are not, and we need not bother about the water that has passed the mill.

I might say to the Senator right there that, of course, any validating of a contract that has a cancellation clause in it but is improperly signed would not put it on an exact equality with the good contract, the properly executed contract, that has no cancellation clause; so we can not put them back exactly as they were. It is impossible to do that. What is proposed by both bills, however, is to see that every contractor in this country who has done work for this Government shall be fully and amply paid. We want them to receive a profit on what they have done for the Government. The subcommittee of which the Senator from Nebraska [Mr. HITCHCOCK], the Senator from New Jersey [Mr. FRELINGHUYSEN], and myself were members, pursued that policy. It was the purpose of the committee to do it; and we instituted this commission, following out the precedent, because there was after the Civil War, as I understand, a commission with independent authority and original jurisdiction created for that purpose; and then after the Spanish-American War there was an independent commission, just such a one as the Hitchcock amendment undertakes to create here, provided to do exact justice, as far as that could be done, between the Government and the contractor. There is not a purpose on the part of anyone to do anything that is unjust. It is merely a difference of opinion as to how it can best be done.

Mr. FRELINGHUYSEN rose.

Mr. McKELLAR. Will the Senator excuse me just a moment? I have a matter that I want to bring before the Senate, and then I will yield to him.

Now, I say "all contracts." There is one class of contracts that both amendments except from that rule, and that is contracts that have been fraudulently made or contracts that have been made contrary to the statutes—not simply not carrying out the statutes but that have been made in violation of the statutes, which are equivalent to fraudulent contracts. The bill, in the fourth section, I believe, or the third section, provides what shall be done even in the case of those contracts; for instance, where a concern sent its officer down here, and he became a dollar-a-year man, and then, after that, became an officer of the Army.

For instance, take the one that is in the RECORD to-day, if you gentlemen are interested in it, and will look it up—the case of John C. McCubbin, who was an officer of the Standard Sanitary Co., recommended by the officers of that firm to come down here and become a purchasing agent for the Government in connection with enamel ware. He came down here, became a major in that department, bought all of his goods from the concern which he represented, and is going back, as soon as he is released, to that concern. I think there was something like $800,000 worth bought from that concern and $34,000 worth bought from all the other concerns of like kind in the country. Maj. McCubbin, according to the proof here, was not representing the Government, though he was an officer sworn to represent it, but he was virtually an officer of the United States representing his own concern.

A Senator asks me if he called for bids. Oh, no; he simply bought outright from his own concern.

Now, even in the case of a contract like that, what do we do? Take a contractor like that. He comes in with unclean hands. In my judgment, that officer ought to be court-martialed and sent out of the Army; and yet, with a contract like that, the desire of the committee was to do equal and exact justice to a contractor of that kind; and we provided here that the Secretary of War shall segregate even that kind of a contract and submit it to this commission; but if the commission finds, notwithstanding the circumstances under which the contract was obtained from the Government, that they have done something or furnished goods for which the Government ought to pay, the commission is allowed to pay for them. It could not be fairer.

Mr. CUMMINS. Mr. President, no one could have any sympathy with that sort of contract; and I not only have no defense to make of a proceeding of that kind, but I should like very clearly to differentiate such contracts from the ordinary obligations which have been entered into.

Mr. McKELLAR. Will the Senator excuse me just a minute? If he will look into this bill, the Hitchcock bill, and the Chamberlain bill, too, that class of contracts is very clearly differentiated from the other classes, and it ought to be. My natural propensity, anyone's natural propensity, would be, in a case like that, to say, "You come in here with unclean hands. You can not recover anything from the Government"; but we do not do that. We put it in the power of this independent commission which we create to deal fairly even with that man, notwithstanding he comes in with unclean hands.

Mr. CUMMINS. I am not speaking of any such case. I am speaking of an honest contract; but section 6 provides:

> That in no case, however, shall any award either by the commission or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies received and actually delivered.

Mr. McKELLAR. The Senator does not read it all. Will not the Senator do the provision the justice to read it all?

Mr. CUMMINS (reading)—

> Beyond the goods and supplies received and actually delivered to the United States, and a remuneration for expenses necessarily incurred in preparing to perform said contract or order so canceled.

Mr. McKELLAR. Yes.

Mr. CUMMINS. I am speaking, mark you, of an honest contract, made properly or validated properly under this bill.

Mr. McKELLAR. Surely.

Mr. CUMMINS. I understood the Senator a moment ago to say that in such a case he wanted to put the contractor and the Government in exactly the same position as though the contract had been made between two individuals, and allow a recovery from the Government of those damages which, under recognized principles of the law, would be recoverable. It was that thought which led me to make the inquiry. Now, I think the Government of the United States ought to be just as honest as an individual.

Mr. McKELLAR. I do, too.

Mr. CUMMINS. It can not, of course, always be sued. It has some immunities in that respect; but whenever we find a contract that would be enforceable between private persons, I think the Government ought to pay just the same damage and upon the same rule which its courts would enforce against a private person who had violated his contract or who had failed to carry it out.

Mr. McKELLAR. I agree with the Senator entirely.

Mr. CUMMINS. This section will not do that.

Mr. McKELLAR. No; the Senator is entirely mistaken about it. If the Senator will simply read the Cramp case, in Two hundred and sixteenth United States, page 494, he will find that the Supreme Court has definitely held that the departments can not allow unliquidated damages.

Mr. CUMMINS. I am not speaking about the law. Let the law come as it will; it will be administered either by the commission or the Court of Claims.

Mr. McKELLAR. If we give the commission the right to consider prospective or possible profits our action is final. I want to leave it where the law is, and that is what this section does. It puts them exactly where the law leaves them and where the other settlements are left.

Mr. CUMMINS. You can not put them above the law.

Mr. McKELLAR. But we can prepare a law especially for them, and if the Senate strikes out section 6 and we adopt the provision of the House, there will be a special law in their favor in so far as possible or prospective profits are concerned.

Mr. CUMMINS. Where is that found? I am asking purely for information. Where do we make a special law for the recovery of damages in such a case?

Mr. McKELLAR. The Secretary of War, under the terms of the bill, is given the power to allow such damages and profits as he may see fit upon the cancellation of the contract unless limited. When I say the Secretary of War, we known the Secretary of War does not do it, but some second lieutenant or major or captain. For instance, if it is enamel ware, this man McCubbin will allow it. He can allow the Standard Sanitary Co., where he comes from, whatever profit he sees fit.

Mr. NEW. Mr. President——

Mr. McKELLAR. I will yield in just a moment.

Mr. CUMMINS. I am speaking now of the case of a contract either originally made or validated in the way provided for in either the Hitchcock amendment or the committee amendment.

Mr. McKELLAR. I am speaking of that, too.

Mr. CUMMINS. Does the Senator mean to say that in such a case there is any special provision in either of these amendments with regard to the measure of damages?

Mr. McKELLAR. No; but here is what we do. Without the restricting feature set out in section 6 of the amendment, these officers of the Army who make the settlements on valid contracts already validated or those that we validate will be permitted to make any settlement they please, and the Government will be bound by it. If they allow prospective and possible profits and unliquidated damages, it will be absolutely good under this provision.

Mr. CUMMINS. Would the Government then have the opportunity to appeal to a commission or the Court of Claims?

Mr. McKELLAR. They have a limited right of appeal in the Chamberlain bill. In the Hitchcock amendment, which is much better, the commission itself settles the matter.

Mr. FLETCHER. Mr. President——

Mr. McKELLAR. I promised to yield to the Senator from Indiana [Mr. NEW].

Mr. FLETCHER. Just in connection with what the Senator from Iowa said——

Mr. McKELLAR. All right.

Mr. FLETCHER. If the Senator will allow me to point it out, the Senator from Iowa, I think, is correct in that the bills do not cover profits. Section 5 of the Hitchcock bill reads:

> Jurisdiction to hear the case and render final judgment in such sum as may be required to reimburse the contractor for expenses necessarily incurred in good faith in the partial performance of the contract or order above referred to.

I do not think provision is made for profits in either of these measures. Therefore I can not see that there is any reason for negativing something that is not provided for elsewhere.

Mr. McKELLAR. The Senator makes the same mistake that other Senators have made. This section does not apply to profits at all; it applies only to prospective and possible profits, and there is a very wide distinction between the two classes of profits, as we all know.

Mr. FLETCHER. In the authority given elsewhere in the bill, there is nothing anywhere requiring the commission or the Secretary of War to allow profits. That is the point the Senator from Iowa makes. I also want to ask the Senator this question: He referred frequently in his remarks to the Hitchcock amendment. He has reference to the bill proposed by the Senator from Nebraska [Mr. HITCHCOCK]?

Mr. McKELLAR. I have.

Mr. FLETCHER. The bill that is about to be offered as a substitute?

Mr. McKELLAR. Yes.

Mr. FLETCHER. May I ask the Senator, if he has reference to that, whether section 6 of that amendment covers what is offered in the other bill?

Mr. McKELLAR. Of course it does, and what we are doing now is trying to perfect the Chamberlain amendment.

Mr. FLETCHER. I ask the Senator if he proposes to substitute the Hitchcock amendment?

Mr. McKELLAR. I wish to have that measure adopted. I am very much in favor of the Hitchcock amendment. I think it is a very much juster measure than this. I now yield to the Senator from Indiana.

Mr. NEW. Mr. President, I wish to make an inquiry by stating a case. I know, for instance, one concern, a woodworking concern, which was called upon in the early stages of this contract making to depart from its own line of products and to take up an entirely new one for the department; that is, new, except that it was in the line of woodworking. They did not want to do it, because it involved a very radical change in their plant, the addition of a lot of machinery, and all that. They carried on their negotiations with the department verbally; there was not a stroke of the pen on any of it. They demurred against it, objected to it, but finally, at the insistence of the department, agreed that they would depart from their own line and go into this side line that the department wanted them to take on.

They never did reach the point of making a written contract, but they did this, Mr. President: They estimated what it would cost them to put in the new plant and what it would cost them to dismantle that new plant when they got through with the Government job, because when they do get through with that the additional machinery that they put in in order to turn it out is of no value to them whatever. They have to take it out, every single stitch and particle of it, and their agreement with the Government as to the price they were ultimately to receive was fixed on the profit that they expected to make out of the Government contract.

Now, only a part of their goods have been delivered. They have a very large quantity of undelivered stuff in a partial stage of completion only left on their hands, and they owe something like $600,000 in the banks which they have borrowed in order to complete that contract. That is four times as much as ordinarily they would be able to borrow from the banks according to their capital and all. The banks can not go any further with them. They can not dismantle and go back to their own line. They are tied up without being able to settle this contract at all. They are at a standstill. Their employees are idle. In other words, they are out of business.

Now, I want to know if the Senator thinks under the amendment he has just offered, if it prevails, it would be possible for the War Department to make an adjustment with them, allowing what they expected to get on the face of which they went into the contract.

Mr. McKELLAR. I will answer the Senator's question. If this amendment should prevail, that concern would get a return for all the money expended, a reasonable profit on what has been done. The Secretary of War or the commission would be in position to give that concern everything, including a real profit that the concern was justly entitled to. But if the concern, with that verbal understanding stated, just as the Senator has stated, which seems to me to be quite vague, turns up and says, "Now, we have spent $75,000 and we expected to make a million dollars out of it," it would not permit those possible or prospective profits of a million dollars on a $75,000 investment. This section would prevent that, but the section would provide that what was right and proper and reasonable should be paid the contractor.

Mr. FRELINGHUYSEN. Mr. President——

Mr. McKELLAR. Now, let me take just one moment to state a case that actually came up. I do not know whether the Senator from New Jersey [Mr. FRELINGHUYSEN] was on the subcommittee or not. I am talking from the record now. I am not talking of hearsay or possible hearsay.

The PRESIDING OFFICER (Mr. BANKHEAD in the chair). Does the Senator from Tennessee yield to the Senator from New Jersey?

Mr. McKELLAR. In just one moment I will yield. One division of the Army here last September gave verbal orders for 25,000 bathtubs for the Army. I believe in bathtubs and I believe in taking baths, but it looks to me like 25,000 enamel-ware bathtubs for the Army was a pretty good order. This Mr. Ahrens, the president of the Standard Sanitary Co., in Pittsburgh, who had his agents down here buying bathtubs from him for the Government, went to the Bathtub Manufacturers' Association meeting and bragged about it. They were the people who did not get any contracts. Mr. McCubbin had cribbed all the contracts for the Standard Co., and they had not gotten these contracts and they came down here and told us about it. Mr. McCubbin denied that he had given the contract for 25,000 bathtubs. It appeared that there was no doubt about it. He

had just as good a contract as the one referred to by the Senator from Indiana [Mr. NEW]; but when he found out the monstrous proposition there was in the purchase of 25,000 bathtubs, enamel ware, zinc, and closets, and everything of that sort, what happened? Where they are going to put them in the Army it is difficult to find. I do not know where so many could have been used. But here was a great company. It had bathtubs to sell; it had its agents buying them for the Government; it had its agents selling them to the Government. Gentlemen, that is the proof. Look in part 2 of the hearings and you will find the proof of this very thing that I say. Now, had we not better put just a little hold on these boys who are settling up with themselves?

Mr. CUMMINS. Those contracts ought not to be validated at all.

Mr. McKELLAR. Certainly it ought not to be validated so as to get what the president of this company may consider is a prospective or possible profit out of it.

Mr. CALDER. Will the Senator yield to me?

Mr. McKELLAR. I promised to yield to the Senator from New Jersey, and then I will yield to the Senator from New York. Indeed, I am ready to yield the floor.

Mr. FRELINGHUYSEN. I will say to the Senator from New York that I shall take only a moment. The Senator from Tennessee has clearly stated his definition of the amendment in regard to certain cases that have come under his observation which clearly are contracts that should never have been made. I have very little knowledge of contract law. The Senator, who is a lawyer, knows a great deal more about it than I do. As I stated before, I am very anxious to avoid any injustice by inserting in the act any phraseology which will repudiate any honest contract made by the Government.

Mr. McKELLAR. I have the same view the Senator has.

Mr. FRELINGHUYSEN. Now, I will put a concrete case, and I would very much like to have the Senator's opinion as to whether his amendment will not practically repudiate this agreement made by the Government.

Mr. McKELLAR. I shall be glad to give the Senator any information I can.

Mr. FRELINGHUYSEN. A by-product coke manufacturing concern was solicited by the War Department to add to its plant additional ovens in order to increase for the Government the supply of toluol and ammonia.

Mr. McKELLAR. I am familiar with that class of contracts.

Mr. FRELINGHUYSEN. The business of the company in normal times did not need the additional equipment, and it was unwilling to expend the money required for this addition unless it was secured by a contract for the sale of these products, which were merely by-products in its coke production. The War Department therefore made a contract with the concern whereby the concern obligated itself to build additional ovens and sell its entire output of toluol and ammonia to the Government for the period of two years.

The contracts contained a provision authorizing the War Department to cancel the contract at any time, in which event it agreed to pay the producer for the balance of the term of the contract the difference between the contract price and the amount which the producer would realize on the market for such product. The manufacturers decided that if they had a sale of these products for two years at the contract price, which was the standard price paid by the Government, they could take the business risk of having a larger plant than they needed at the termination of the war.

Now, that was a two years' contract. It is canceled, and your provision provides that no unearned profits shall be paid——

Mr. McKELLAR. The Senator is mistaken about that. That contract, if I caught it right, and I think I did, would be perfectly plain. It provides what profits shall be made. They are fixed in the contract. Of course those profits will be allowed under the settlement. Under section 6 there is no doubt in the world about that. Why? Because the parties, before the contract was made, agreed upon what the profits should be, and they are not prospective or possible profits; they are excluded by the terms of the contract from prospective or possible profit.

Mr. FRELINGHUYSEN. They are prospective profits.

Mr. McKELLAR. Not at all. Prospective profits are not profits that the parties have agreed to beforehand and fixed themselves. Of course not.

Mr. LENROOT. Does the Senator mean to say if there is a contract where they propose to pay a profit of 10 per cent on a billion dollars' worth of goods and only $1,000,000 worth is accepted, yet that is liquidated damages?

Mr. McKELLAR. No, no; I mean this: As I understood the reading of the contract by the Senator from New Jersey, it was that the profits which should accrue were fixed by the parties themselves in the making of the contract, and if it is liquidated damages it is not prospective or possible profits at all, and it comes directly within this provision.

Mr. FRELINGHUYSEN. I will take only a moment more. I have another case, and possibly the Senator from Tennessee can tell me whether it will come under section 6.

Mr. McKELLAR. You know what they say about a lawyer who gives an offhand opinion; it is not very good. But I will be delighted to give such an opinion as I can.

Mr. FRELINGHUYSEN. I am very glad the Senator has made that reservation. Possibly when he reads the RECORD he will want to correct it a little.

In a number of instances the Government has required the manufacturers of articles, which were covered by patent which were not owned by them, to make such articles. In such instances there was not time to stop and have careful inquiry as to whether an infringement was involved, and the Government has inserted in its contract a clause agreeing to protect the manufacturer from any claims of the owner of the patent. Would your amendment affect in any way those agreements?

Mr. McKELLAR. I will answer the Senator's question by asking another. Was the acquirement of those patents necessarily incurred in order to carry out the contract?

Mr. FRELINGHUYSEN. I understand that this is the situation as it occurred in many cases where is was necessary for the Government to procure war equipment. The questions of infringement of patent rights or royalty and other questions were simply postponed for future settlement, and in the emergency the Secretary of War assured the owners of the rights and the patents that a settlement would be hereafter made and adjusted.

Mr. McKELLAR. The patents were necessary in order to carry out the contracts, were they not?

Mr. FRELINGHUYSEN. Absolutely.

Mr. McKELLAR. Then it comes directly within the very terms of section 6. It is not left to doubt or to construction, but it comes direcly within the terms of section 6.

I now yield to the Senator from New York.

Mr. CALDER. I wish to make an inquiry of the Senator.

Mr. McKELLAR. I make the same reservation about curbstone opinions that I made to the Senator from New Jersey.

Mr. CALDER. I am not a lawyer, as is the Senator from Tennessee, who is a distinguished lawyer, and there is every indication that he has given much thought to this particular provision. I am disposed to agree with the Senator in many of the provisions of the so-called Hitchcock amendment, but the talk on both sides of the Chamber indicates that there is some doubt in the minds of some as to just what section 6 means. I agree substantially with what the Senator says it means, and I wonder if he will be willing to insert this language in the section——

Mr. McKELLAR. There have been some insertions already made, but let the Senator state it.

Mr. CALDER. After the words "United States," in line 10, insert "or ready for delivery or in process of manufacture."

Mr. McKELLAR. I am inclined to think that that would be a proper amendment; I have no objection to it. If the Senator will offer it, I will accept it.

Mr. CALDER. I offer that as an amendment.

The PRESIDING OFFICER. Does the Senator from Tennessee accept the amendment?

Mr. McKELLAR. I accept the amendment.

Mr. CHAMBERLAIN. May I make one suggestion to the Senator from Tennessee? I think he misapprehends that section. The section does not protect the contractor against liability which he incurred; absolutely not. In the case put by the Senator from New Jersey, where the contractor is indemnified by the Government for the use of patents that are held by other parties, every man who uses the patent violates the law, and the royalty may be recovered. Here is an institution going ahead under the guaranty of the Government and using the patents of other individuals, or it may be hundreds of them, as far as that is concerned. All these individuals will have recourse to that contractor, who has acted in reliance upon his guaranty. There is nothing in section 6 to protect those men against those liabilities.

Mr. McKELLAR. I can not possibly agree with the Senator, because it provides in specific terms remuneration for expenditures necessarily incurred. If they have incurred these expenditures, even though they have done so in violation of patent rights, they come directly within the wording of the section just the same. I yield the floor now.

Mr. LENROOT. I offer an amendment to strike out and insert.

The PRESIDING OFFICER (Mr. WOLCOTT in the chair). The Secretary will read the amendment.

The SECRETARY. In lieu of the amendment offered by the Senator from Tennessee, as modified, insert the following:

That in no case shall any award, either by the Secretary of War, the commission, or the Court of Claims, include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and a remuneration which may include a reasonable profit for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order so canceled.

Mr. McKELLAR. I will accept that amendment.

Mr. LENROOT. Thank you.

Mr. McKELLAR. I withdraw my amendment and accept this one.

The PRESIDING OFFICER. The Senator from Tennessee withdraws his amendment to the amendment and accepts the one just offered by the Senator from Wisconsin.

Mr. CHAMBERLAIN. I should like to have it read again.

The PRESIDING OFFICER. It will be again read.

The Secretary again read the amendment to the amendment.

Mr. POMERENE. May I ask the Senator from Wisconsin a question? Is the language broad enough to include remuneration for profits upon goods which might be in whole or in part manufactured, but which had not been delivered?

Mr. LENROOT. The language is "in performing or preparing to perform," which clearly would include that.

Mr. POMERENE. I so understand it, but I wanted to be certain about it.

Mr. FLETCHER. It is not clear to me as to the last clause of the proposed amendment. As I caught it, it says the remuneration shall include a reasonable profit.

Mr. LENROOT. Which may include.

Mr. FLETCHER. Which may include a reasonable profit for expenditures.

Mr. LENROOT. Or obligations or liabilities.

Mr. FLETCHER. A "reasonable profit" is one thing and "expenditures necessarily incurred" quite another thing. You do not mean a profit on expenditures?

Mr. LENROOT. I think the Senator is correct, and that should be changed.

Mr. FLETCHER. "Reasonable profits and expenditures."

Mr. LENROOT. No; the language is that the award may permit a remuneration which may include a reasonable profit for expenditures and obligations, and so forth. I think that is correct.

Mr. FLETCHER. Reasonable profits on the performance of the contract is one thing, but remuneration for expenditures, it seems to me, is a different thing. I should think what the Senator perhaps has in mind is to provide for a reasonable profit, and, in addition to that, remuneration for expenditures necessarily incurred.

Mr. LENROOT. I am permitting that. That is what I intend to do.

Mr. FLETCHER. I think the word "and" should be inserted.

Mr. McKELLAR. I think the Senator has it exactly right. The difference between the amendment he has offered and the one offered by me is that his specifically provides for reasonable profits on what the contractor has done. The amendment offered by me provides for precisely the same thing. Both amendments exclude possible or prospective profits. That is my understanding of it, and I think it is entirely satisfactory to the Senate.

Mr. FLETCHER. It seems to me it would be perfectly absurd to provide for reasonable profits and to have a profit for expenditures necessarily incurred in preparing for the contract.

Mr. LENROOT. No; it is remuneration for expenditures, which remuneration may include a reasonable profit.

Mr. FLETCHER. I would not object to that, but a "reasonable profit for expenditures" is a thing that I can not comprehend.

Mr. LENROOT. No; the Senator does not read it correctly. It is remuneration for expenditures—that is the grammatical construction—which may include a reasonable profit.

Mr. FLETCHER. I can understand that; but what I can not quite comprehend is the expression "remuneration * * * for expenditures * * * necessarily incurred" or remuneration for profits on expenditures.

Mr. HITCHCOCK. I should like to ask the Senator from Wisconsin to explain how the term "remuneration" can include a profit. Remuneration means to make good to a man what he has expended. It is therefore less than profit. How can the lesser include the greater?

Mr. LENROOT. I do not understand that remuneration for expenditures necessarily is limited to the actual amount of the expenditures. Remuneration and compensation, I think, are synonymous terms in this, that compensation for expenditures might include the actual amount of expenditures and something added to it for profit.

Mr. FLETCHER. I agree with the Senator, but I think the language is a little unfortunate in that it seems to provide for remuneration for profits on expenditures.

Mr. LENROOT. Let me read it as it stands, and then if the Senator thinks so I shall be glad to accept an amendment to it to make it clear:

And a remuneration, which may include a reasonable profit, for expenditures.

That is, remuneration for expenditures, which remuneration may include a reasonable profit.

Mr. FLETCHER. It might depend upon the punctuation. Do you put a comma after "remuneration"?

Mr. LENROOT. I have a comma after "remuneration" and one after "profit."

Mr. McKELLAR. That will cover it.

Mr. CHAMBERLAIN. I will accept that amendment.

The PRESIDING OFFICER. The Senator from Oregon accepts the amendment to the amendment on behalf of the committee.

Mr. POMERENE. I offer to the substitute the following, to be added to section 4——

Mr. CHAMBERLAIN. The amendment to the amendment has not been voted on by the Senate.

Mr. McKELLAR. It has not been voted on.

The PRESIDING OFFICER. The Chair begs pardon. The question is on the adoption of the amendment offered by the Senator from Wisconsin to the amendment of the committee.

Mr. LENROOT. My amendment was not a substitute, because it left the proviso in which had theretofore been accepted by the Senator; so that the amendment as adopted includes the proviso. I merely desire to understand whether that is correct.

The PRESIDING OFFICER. Let the Chair state the question properly. The question is on the adoption of the amendment offered by the Senator from Tennessee to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Senator from Ohio [Mr. POMERENE] has presented an amendment, which will be stated.

Mr. CHAMBERLAIN. Pardon me, Mr. President, but I am not entirely satisfied with what the RECORD will show in reference to this matter. There seems to be a little pride of opinion in relation to this amendment. The amendment which the Senator from Tennessee proposed was not accepted at all.

The PRESIDING OFFICER. But the Chair calls the attention of the Senator from Oregon to the fact that the Senator from Tennessee offered an amendment; then the Senator from Wisconsin offered an amendment to it, and the Senator from Tennessee said that he accepted that amendment.

Mr. CHAMBERLAIN. That is all right.

The PRESIDING OFFICER. So that the amendment becomes the amendment of the Senator from Tennessee, which was adopted. The Senator from Ohio [Mr. POMERENE] has offered an amendment, which will be stated.

The SECRETARY. At the end of section 4, on page 12, it is proposed to insert the following:

In all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers, and letters or other documents, and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

Mr. CHAMBERLAIN. I have no objection to that amendment.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Ohio.

Mr. HITCHCOCK. I should like to ask whether the Senator is offering that amendment to the committee substitute or to my substitute?

Mr. POMERENE. I am offering it to the committee substitute.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Ohio.

The amendment was agreed to.

Mr. POMERENE. I offer the amendment which I send to the desk, to be designated as section 5.

The PRESIDING OFFICER. The Senator from Ohio offers an amendment, which will be stated.

The SECRETARY. It is proposed to add as a new section the following:

SEC. 5. Whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor who shall have sublet any part of said contract for material, equipment, or supplies to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to any prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, the Secretary of War shall apportion the amount of said award justly due to each of the subcontractors of said prime contractors. Before payment of said award the Secretary of War shall require any

prime contractor to present satisfactory evidence of having paid said subcontractors or of the consent of said subcontractors to look for their compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractors the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditors of said prime contractor.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Ohio.

Mr. CHAMBERLAIN. Mr. President, I am not going to oppose the amendment, but I believe that under the terms of the bill reported by the committee the amendment of the Senator is covered. I shall not, however, make any objection to it.

Mr. POMERENE. Mr. President, I have had serious doubts of that. I may say that this matter has been studied by some constituents of mine who are especially interested in it, and I am disposed to take their view of it. I do not believe that the interests of subcontractors are protected by this proposed legislation as they ought to be. I have not any private opinion about this matter, and I shall be very glad, if the amendment shall be adopted, to let the conferees work it out as they think it ought to be.

Mr. CHAMBERLAIN. I have no objection to that, Mr. President.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Ohio.

The amendment was agreed to.

Mr. FLETCHER. Mr. President, I desire to move to strike out the proviso, beginning in line 14, page 5, to the end of the paragraph, including line 17, and to insert instead of it another proviso, which I will ask the Secretary to read.

I think the present proviso in the bill as submitted makes it a rather one-sided sort of proposition, and I think that which I propose would clear up the whole matter. I believe it will be agreeable to the chairman of the committee and other members of the committee if they will listen to it.

The PRESIDING OFFICER. The amendment proposed by the Senator from Florida will be stated.

The SECRETARY. On page 5, line 14, after the word "*Provided*," it is proposed to strike out the remainder of the paragraph and to insert the following:

That payment of expense incurred or loss and damage suffered in preparing for or in the performance of such informal agreements or of formal contracts shall not exceed the fair value of labor performed or services rendered or the actual cost of the materials used, as determined by the Secretary of War.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Florida.

Mr. McKELLAR. I do not agree to that amendment. That means, Mr. President, that whatever agency in the entire country, or even abroad, which happens to be representing the War Department, can fix any compensation they desire. It would not be fair to the Government; it would be very unwise and unjust. The committee has provided a plan here which does equal and exact justice. I think, if we adopt the amendment offered by the Senator from Florida, we might just as well simply turn this matter over and say to the Secretary of War, "You may employ any agency you choose and settle it in any way you can." That is really the meaning and effect of the amendment offered by the Senator from Florida. It gives the Secretary carte blanche to settle these contracts in any way he wishes, and I hope the Senator will not insist upon the amendment.

Mr. FLETCHER. It does not change the provision of the bill at all as to the powers of the Secretary of War or of the commission or anything else.

Mr. McKELLAR. Let the amendment be again read.

The PRESIDING OFFICER. The Secretary will again state the amendment offered by the Senator from Florida.

The Secretary again read the amendment.

Mr. McKELLAR. The words "as determined by the Secretary of War" are absolutely the important language in the proposed proviso.

Mr. FLETCHER. I am willing to strike out those words if that is the objection to the amendment.

The PRESIDING OFFICER. Does the Senator from Florida propose to strike out any portion of his amendment?

Mr. McKELLAR. As I understand, the Senator from Florida is willing to strike out the clause which he has indicated.

The PRESIDING OFFICER. Will the Senator from Florida please state what portion of the amendment he desires to strike out in order that the Secretary may understand it?

Mr. FLETCHER. I propose to strike out the words "as determined by the Secretary of War," and to let the amendment end with the word "used."

Mr. FRELINGHUYSEN. Mr. President, I simply wish to say to the Senate that this amendment practically nullifies the amendment which we have just adopted, as offered by the Senator from Wisconsin [Mr. LENROOT]. So I hope the Senators are aware of the effect of the amendment.

Mr. CUMMINS. Mr. President, the amendment not only nullifies or neutralizes the amendment offered by the Senator from Wisconsin, but it is inconsistent with the spirit of the provision as reported by the committee, and is so repugnant to the whole idea that is sought to be expressed that it ought not to be approved at all.

Senators will observe that the provision of the committee amendment is that there shall be awarded such relief "as will under all the circumstances fairly and equitably compensate him or it for the expenditures made, obligations incurred, equipment, materials, or supplies furnished or acquired, or services rendered, as aforesaid." That is the rule laid down by the committee for the ascertainment of losses. Then the committee qualifies that rule by the proviso:

Provided, That in no event shall such contract provide for compensation on terms more favorable than the terms, if any, for which the aforesaid agreement, order, or request may have provided.

That is understandable; it is a real limitation or qualification upon the rule laid down by the committee; but, if this amendment is adopted, we shall find ourselves in the rather unfortunate attitude of having laid down one rule and immediately afterwards having prescribed another—a most unsatisfactory ending, I should think, for a very happy expression of the rule as the committee has reported it.

Mr. CHAMBERLAIN. Mr. President, I am in accord with the views expressed by the Senator from Iowa [Mr. CUMMINS], and I hope the amendment will not be adopted. It is a great pleasure to me at this time to have, for once, the Senator from Tennessee in accord with me. It proves that he is sometimes right.

Mr. McKELLAR. Mr. President, I am very frequently in accord with the distinguished Senator from Oregon, whom I love very dearly, and when I am not in accord with him I regret exceedingly that he is wrong.

Mr. FLETCHER. That would simply indicate that if both of those Senators are in accord I must be wrong, and I ask to withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. HENDERSON. I have an amendment on the desk to the bill, to be known now as section 6, I believe.

The PRESIDING OFFICER. The Senator from Nevada offers an amendment, which will be stated.

Mr. LENROOT. I have an amendment to offer.

Mr. HENDERSON. I will yield to the Senator from Wisconsin, as I understand he has a new paragraph to offer.

Mr. McKELLAR. The amendment of the Senator from Wisconsin applies to the text itself.

The PRESIDING OFFICER. The Senator from Wisconsin offers an amendment, which will be stated.

The SECRETARY. On page 4, lines 6 and 7, it is proposed to strike out the words "or aid in procuring the same."

The PRESIDING OFFICER. The question is on the adoption of the amendment.

Mr. LENROOT. Mr. President, in order that the Senate may understand the purpose of this amendment, I will say that unless the amendment is adopted the bill is going to open the door to a veritable flood of claims not contemplated at this time at all. Under the language reported by the committee, if any department of the Government, if any dollar-a-year man on the War Industries Board, has made a request that somebody should do something with reference to the preparation of a contract or to do anything to aid the Government in securing munitions, although there is not a semblance of authority to make a contract, nevertheless the Government under the language of the bill is bound.

Mr. CHAMBERLAIN. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Oregon?

Mr. LENROOT. Yes.

Mr. CHAMBERLAIN. The committee thought that the idea which the Senator now has in mind was fully provided for in lines 4, 5, and 6, where the bill reads:

Has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure or aid in procuring—

Mr. LENROOT. "Or aid in procuring."

Mr. CHAMBERLAIN. Yes. It is only those contracts which are authorized to be made that are covered. We thought that was adequate protection.

Mr. LENROOT. It must be remembered, however, that all of these contracts were authorized to aid in the procuring of supplies. It is not so important, so far as the first paragraph is concerned, but the Senator will recall that with reference to the

subsequent paragraphs of the bill, where the claim is founded upon a mere request, it may be founded upon the kind of an agency I have suggested.

Mr. CHAMBERLAIN. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

Mr. FLETCHER. Let the amendment be again stated.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The SECRETARY. On page 4, line 6, after the word "procure," it is proposed to strike out "or aid in procuring the same," so as to read:

Or with any agency of the Government authorized to procure for the War Department.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LENROOT. I offer another amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The SECRETARY. On page 8, line 17, after the word "requirements," it is proposed to insert "or compliance has been waived as herein provided."

Mr. LENROOT. That is to cover the objection made by the Senator from Iowa [Mr. CUMMINS] on yesterday.

Mr. CHAMBERLAIN. I have no objection to that amendment, Mr. President.

Mr. LENROOT. I will merely state the purpose of it. The bill as it now stands does not provide for an appeal to the commission in the case of contracts where compliance has been waived. This will permit such an appeal.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LENROOT. I offer another amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 8, line 12, it is proposed to strike out the words "any dispute arises" and to insert "the Secretary of War and the contractor shall fail to agree."

Mr. LENROOT. Mr. President, the contention has been made that the language of the bill would permit an appeal before the contractor and the Secretary of War had come to a disagreement. I doubt very much whether that is a proper construction; but I take it there will be no objection to making it clear that the appeal can only be had after a failure to agree.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. LENROOT. Mr. President, I have one more amendment to offer. I send it to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin will be stated.

The SECRETARY. On page 4, at the end of line 20, it is proposed to insert the following:

And provided further, That such waiver shall not validate such contract or procurement order in so far as any claim for unearned profits may be involved.

Mr. LENROOT. Mr. President, this is the matter that was discussed yesterday as to making valid a contract that had not been validly executed, and there was some little discussion here as to whether the validation of such a contract would not give the contractor a valid, legal claim to all unearned profits. I offer this amendment, which is in harmony with the one which has already been adopted by the Senate.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wisconsin.

The amendment was agreed to.

Mr. CUMMINS. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment offered by the Senator from Iowa will be stated.

The SECRETARY. On page 5, line 3, after the word "form," it is proposed to insert the words "or when the Secretary of War has not waived such noncompliance."

Mr. CUMMINS. Mr. President, the amendment is intended to give the Secretary of War, and afterwards the commission, the opportunity to do justice in those cases in which a compliance has been waived.

Mr. McKELLAR. On what page and line, may I ask the Senator, does the amendment come in? My attention was temporarily diverted.

Mr. CUMMINS. On page 5, line 3, after the word "form." It is akin to an amendment offered by the Senator from Wisconsin [Mr. LENROOT] and is necessary to complete it. In other words, it brings into paragraph 2 the cases in which compliance with strict statutory forms has been waived by the Secretary.

Mr. CHAMBERLAIN. So far as I am concerned, I am willing to accept the amendment, Mr. President.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Iowa.

The amendment was agreed to.

Mr. McKELLAR. Mr. President——

Mr. CUMMINS. Will the Senator allow me just another suggestion, and then I will not interfere again, I hope. I have another amendment, but unfortunately have mislaid it for the moment and can not put my hands upon it, but I should like to ask the Senator in charge of the bill, as well as the Senator from Tennessee, who is interested in another form of bill, a question. Suppose the Secretary of War, under the first paragraph of the committee amendment, declines to waive the failure to comply with the statutory requirements or form and the contract is therefore invalid, strictly considered. I want to provide jurisdiction on the part of the commission to review the action of the Secretary of War in that respect exactly as it is provided that the commission may review the action of the Secretary of War in every other respect which affects the rights of the contractors. Would the Senator from Oregon and the Senator from Tennessee have objection to such a provision?

Mr. McKELLAR. I have no objection to it. I think a better plan, however, would be for the Senator to vote for the Hitchcock amendment, which will put it beyond question; but, of course, that is a matter for him to determine. I have no objection to the amendment.

Mr. LENROOT. Mr. President, if the Senator will yield, may I ask why there should be any such provision now that the bill has been amended giving the contractors the benefit of the other provisions of the bill which do absolutely guarantee them a reasonable compensation?

Mr. CUMMINS. Mr. President, there is a difference between the remedy given under the second paragraph of the bill and the remedy that might be given under the first paragraph; and it seems to me that, if the commission is to stand in review of the act of the Secretary of War, it ought to have the power to review his act in refusing to validate a contract.

Mr. McKELLAR. I think clearly, under the Chamberlain bill, that if the Secretary of War should refuse, then the contractor could appeal to the commission. If that is not the construction to be placed upon the bill, I will be very glad to vote for an amendment which will effectuate that object, because the contractors ought to have that right.

Mr. CUMMINS. I do not think there could be an appeal prosecuted upon that ground.

Mr. McKELLAR. If the Senator will offer such an amendment, so far as I am concerned, I will be glad to have it made a part of the bill.

Mr. CUMMINS. I now have the amendment which I had in mind and will send it to the desk and ask to have it read.

The PRESIDING OFFICER. The Senator from Iowa offers an amendment, which the Secretary will state.

The SECRETARY. On line 21, on page 7, it is proposed to strike out the word "Thereupon," and insert the following:

If the Secretary of War shall refuse to waive noncompliance with statutory requirements in respect to any agreement within the purview of the first paragraph of section 1 of this act, or upon the expiration of 60 days from the date of the taking effect of this act shall have failed to waive such noncompliance, the contractor named in any such agreement may, within 30 days after such refusal or after the expiration of such 60 days, file with the chairman of said commission a notice of appeal in all cases where an appeal is taken hereunder.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa.

Mr. LENROOT. Mr. President, before the amendment is acted on, I should like to ask the Senator from Iowa a question. I should like to ask him if he has considered how that amendment affects the language of the remainder of the section? Do I understand that it is to be inserted before the word "Thereupon"?

Mr. CUMMINS. It is inserted in lieu of the word "Thereupon."

Mr. LENROOT. I ask to have the amendment again stated.

The PRESIDING OFFICER. The Secretary will again state the amendment.

The amendment was again stated.

Mr. LENROOT. That is all right.

Mr. CHAMBERLAIN. I think the amendment is all right, Mr. President. It takes away from the Secretary of War the arbitrary power to refuse a waiver.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Iowa.

The amendment was agreed to.

Mr. McKELLAR. Mr. President, I think all sides to this contract controversy have ignored the House bill, which was sent over here to us to be considered. A careful perusal of that bill shows that it contains some very good provisions, and one especially that ought to go in this bill. I am going to offer an amendment, which I will read, because, in the form in which it is found, I believe I can read it better. After the word "thereof," in line 12, on page 12, I move to insert the following:

And provided further, That no settlement of any claim arising under any such agreement shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties.

Mr. President, of course, that applies only to a settlement which is made in fraud of the Government, and I take it that there will be no objection to that amendment.

Mr. CHAMBERLAIN. Where does the Senator take it from the House bill?

Mr. McKELLAR. If the Senator will look at the bottom of page 2 and the top of page 3, he will see the words "That no" right at the bottom. I desire to have it come in as a new section immediately after the Pomerene amendment that was adopted. I had forgotten that the Senator from Ohio offered an amendment which was adopted a while ago.

The PRESIDING OFFICER. This is to be inserted after the last word of that paragraph as it is amended now?

Mr. McKELLAR. Yes.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Tennessee.

Mr. CHAMBERLAIN. Mr. President, just one moment. I believe that it would improve the amendment if the Senator would amend it just a little, by striking out the words "any such agreement" and inserting in lieu thereof the words "any contract covered by the terms of this bill."

Mr. McKELLAR. The amendment goes a little further than that, I believe.

Mr. CHAMBERLAIN. The amendment that the Senator has proposed reads as follows——

Mr. McKELLAR. It is identically the House provision on that subject.

Mr. CHAMBERLAIN. Yes. [Reading:]

That no settlement of any claim arising under any such agreement—

What agreement? I want it to read "any contract provided for in this bill."

Mr. McKELLAR. I will accept that amendment.

Mr. CHAMBERLAIN. Strike out the words "such agreement."

Mr. McKELLAR. I will accept that amendment; and I desire to ask unanimous consent that I may add the second proviso as well:

And provided further, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct.

The PRESIDING OFFICER. The Senator incorporates that in his amendment?

Mr. McKELLAR. Yes.

The PRESIDING OFFICER. Now the Senator from Oregon will please state his amendment.

Mr. CHAMBERLAIN. I want it to read in this way:

No settlement of any claim arising under the provisions of this bill shall bar the United States—

And so forth.

The PRESIDING OFFICER. Does the Senator from Tennessee accept that amendment?

Mr. McKELLAR. I accept it.

Mr. HITCHCOCK. I should like to know where it goes in.

Mr. McKELLAR. Immediately after the Pomerene amendment. Oh, the Senator means the Chamberlain amendment?

Mr. HITCHCOCK. Yes.

Mr. McKELLAR. That goes in at the top of page 3, in lieu of the words "such agreement." He inserts there "the contracts provided for in this act," which I think is very proper, on page 3 of the Chamberlain bill. It goes in as a new section.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. Following the amendment heretofore agreed to, offered by the Senator from Ohio [Mr. POMERENE], it is proposed to insert the following as a new section:

That no settlement of any claim arising under the provisions of this bill shall bar the United States——

Mr. McKELLAR. It ought to be "this act."

The SECRETARY (reading)—

That no settlement of any claim arising under the provisions of this act shall bar the United States Government, through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct.

Mr. CHAMBERLAIN. May I ask the Senator whether this portion of his proposed amendment will not delay the payment by the Government to these contractors and others?

Mr. McKELLAR. Why no. Why should it?

Mr. CHAMBERLAIN. I am going to ask the Senator now and call his attention to the language. Take the language of the House bill, if you please—"from the right of review of such settlement." Suppose a claim has been adjusted and liquidated under the provisions of this bill; will it not still be open to a review before the payment has been made?

Mr. McKELLAR. Oh, no; this applies only in cases of fraud. By the way, the third proviso should be added to this. I am going to ask unanimous consent in a moment that it shall be added. This section applies only to cases of fraud. Where a settlement under a contract has been procured by fraud the Government is not precluded by such settlement if it is fraudulently made.

Mr. CHAMBERLAIN. There may be some doubt about the language.

Mr. McKELLAR. It is only about fraud; and, if there is any doubt, the Senator can fix it in conference.

Mr. CHAMBERLAIN. We can probably adjust it in conference if there is that doubt.

Mr. McKELLAR. Yes.

Mr. President, I ask unanimous consent to insert also the third proviso:

And provided further, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement.

The PRESIDING OFFICER. The Senator does not need unanimous consent for that. The amendment has not yet been adopted. It is the Senator's amendment.

Mr. McKELLAR. I move, then, that that be added to the amendment. I perfect the amendment by adding that.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Tennessee, as modified, to the amendment of the committee.

The amendment, as modified, to the amendment of the committee was agreed to.

Mr. FRELINGHUYSEN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from New Jersey offers an amendment to the amendment which will be stated.

The SECRETARY. On page 7, line 23, after the word "thereon," it is proposed to insert the words "according to the justice and equity thereof," so that if amended it will read:

And make its award or finding thereon according to the justice and equity thereof.

The amendment to the amendment was agreed to.

Mr. HENDERSON. Mr. President, I offer as a new section the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Nevada offers an amendment, which will be stated.

The SECRETARY. It is proposed to add, as a new section, the following:

SEC. 7. That the Secretary of the Interior be, and hereby is, authorized and directed to ascertain and determine the amount or amounts of money heretofore invested or contracted to be invested and obligations incurred by any and all persons and investors for producing or for the purpose of producing or preparing for producing or acquiring property for producing, within the United States, to supply the urgent, published, and evident needs of the Nation during the war, any ores, metals, minerals, or mineral substances mentioned and enumerated in an act of Congress approved October 5, 1918 (public, No. 220), entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply;" the production of which was requested or demanded by the War Industries Board, the Shipping Board, the Department of the Interior, or other agency of the Government.

And that said Secretary ascertain, determine, adjust, liquidate, and out of the moneys provided and appropriated by said act pay to the parties entitled thereto the amount of such losses and damages as he, the said Secretary, shall find and determine have been sustained and suffered or are likely to be sustained and suffered by reason of having made such investments for said purposes or having produced surplus stocks of such materials; and that in each case he shall make such

determination, provision, settlement, advancement, or final payment, and by agreement with owners and claimants make such other adjustment or take such other action as he shall find and determine to be just, equitable, reasonable, and expedient; and that he make such provisions as he may deem necessary, advisable, and reasonable to prevent further losses pending final decision, settlement, and disposition in any case or cases; that the payments herein authorized be made to the claimant or claimants the said Secretary shall find to be morally, equitably, and justly entitled thereto; that in ascertaining and determining the losses and damages sustained or to be sustained, and the adjustments, settlements, payments, and provisions to be made the said Secretary shall consider the prices and conditions existing at the time of each investment and the prices and conditions existing prior to the war, as well as those existing at the time of such determination, adjustment, and settlement, together with all of the circumstances and conditions of each case; that the final determination, decision, provision, disposition, and action of said Secretary in each case shall be conclusive and final; that all payments shall be made and all expenses incurred by the Secretary paid from the funds and appropriations provided and appropriated by said act of October 5, 1918 (public, No. 220), and that said funds and appropriations shall continue to be available for said purposes until such time as the said Secretary shall have fully exercised the authority hereby granted and performed and completed the duties hereby provided and imposed: *Provided, however*, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act.

That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Nevada to the amendment of the committee.

Mr. SMOOT. Mr. President, I notice that this amendment authorizes the Secretary of the Interior—

To ascertain and determine the amount or amounts of money heretofore invested or contracted to be invested and obligations incurred by any and all persons and investors for producing or for the purpose of producing or preparing for producing or acquiring property for producing, within the United States, to supply the urgent, published, and evident needs of the Nation—

And so forth. I want to call the attention of the Senator from Nevada to the words "or acquiring property for producing." It seems to me that is going too far. I think that where a man has purchased a piece of property for producing these metals we should not authorize the Secretary of the Treasury to go into the question as to what he paid and whether he lost upon the purchase price of that property because of the fact that the war closed sooner than he anticipated. I believe that is going altogether too far. I will ask the Senator if it would not be very much better to strike out the words "or acquiring property for producing"?

Mr. HENDERSON. I will consent to that, Mr. President.

Mr. SMOOT. I offer that amendment to the amendment, on lines 6 and 7, of page 1, of the amendment.

Mr. CURTIS. Mr. President, could not this amendment be printed and go over until to-morrow? Some of us have not had a chance to read it. It is a very long and very important amendment.

The PRESIDING OFFICER. The Chair will state that the amendment has already been printed.

Mr. CURTIS. Some of us have had no opportunity to read it; and, as I understood, the Senator this afternoon offered some additional amendments to the one that he offered yesterday. We have had no chance at all to read his perfected amendment offered this afternoon.

Mr. CHAMBERLAIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kansas yield to the Senator from Oregon?

Mr. CURTIS. Certainly.

Mr. CHAMBERLAIN. I have tried to impress on the Members of the Senate the very great importance of the enactment of this measure, or some measure, for the relief of those that have been dealing innocently and patriotically with the Government of the United States.

Mr. CURTIS. Mr. President, I want to state to the Senator that I have no desire to delay action on the bill reported by him. I think there should be early action upon it; but I do object to passing upon an amendment offered here in the afternoon which none of us have had a chance to read, and which, it seems to me, goes very, very far indeed, and is liable to constitute a very bad precedent on the part of the Senate.

Mr. HENDERSON. If the Senator will yield just a moment, I wish to state that this amendment was proposed by me and printed on January 20 and is on the desks of all of the Senators.

Mr. CURTIS. But the Senator offered amendments to it this afternoon.

Mr. HENDERSON. No; it is absolutely in the form in which it was presented, with the exception of striking out two words.

Mr. CURTIS. The Senator stood upon the floor this afternoon and announced that he wanted to perfect his amendment.

Mr. HENDERSON. Yes. That was in order to introduce the same amendment that was printed on the 20th of November to the Chamberlain bill and the Hitchcock bill, so as to perfect them, to be sure that it would be considered under whichever bill passed the Senate. However, I have no objection to the amendment going over, so as to explain it to-morrow.

Mr. CURTIS. Some of us have been very busy with committee meetings; and, as far as I am concerned, I have not had time to read the amendment offered by the Senator.

Mr. HENDERSON. I have no objection to the amendment going over until to-morrow.

Mr. CURTIS. If the members of the committee have read the amendment and are able to state to us what it contains, and what its effect will be, I am perfectly ready to vote upon it.

Mr. CHAMBERLAIN. Mr. President, I will say to the Senator that in view of the feeling of some of the Senators about the matter, I am going at the proper time to move that the Senate take a recess until to-morrow at 12 o'clock.

Mr. HITCHCOCK. Before the Senator makes that motion I ask for a reprint of the bill showing the committee amendment in italics and the amendments adopted thereto in the Committee of the Whole printed in small capitals. I ask that the bill be reprinted and ready for the use of the Senate to-morrow morning.

Mr. CHAMBERLAIN. I join in that request.

The PRESIDING OFFICER. That order will be made, without objection.

Mr. FLETCHER. Mr. President, before any action is taken may I ask the Senator from Nebraska if he would be willing, on page 2, line 12 of his proposed substitute, in case that should be adopted, to change the word "signed" to the word "acted," so that it would read:

Not legally qualified or authorized to give a formal legal contract, except where such officer has acted as the representative of a superior officer—

Instead of "signed"?

Mr. HITCHCOCK. Yes; I have no objection to that.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). Without objection, the amendment to the amendment is agreed to.

Mr. McKELLAR. Mr. President, on yesterday I asked to have inserted in the RECORD certain testimony taken from the evidence of Mr. Charles A. Rice. Only a portion of that testimony was inserted; and I ask unanimous consent to have the remainder of it inserted now as a part of my remarks.

The PRESIDING OFFICER. Without objection, it will be so ordered.

Mr. SMOOT. The Senator only wishes to have the additional testimony inserted?

Mr. McKELLAR. That is all; just the additional testimony.

The matter referred to is as follows:

DYEING INDUSTRY.

The statement of Mr. Charles A. Rice is as follows:

STATEMENT OF MR. CHARLES A. RICE.

Senator McKELLAR. Mr. Rice, what position do you occupy with the Government?

Mr. RICE. I am chief of the cotton converting section of the cotton goods branch in the Quartermaster General's Office.

Senator McKELLAR. How long have you been there?

Mr. RICE. I came to Washington the latter part of February and started in the very last of February.

Senator McKELLAR. Started in this present section?

Mr. RICE. Yes, sir.

Senator McKELLAR. Had you been connected with the Government before in any way?

Mr. RICE. Not at all.

Senator McKELLAR. What was your firm in New York?

Mr. RICE. The firm of Myrick & Rice.

Senator McKELLAR. Are you connected in any way with that firm now?

Mr. RICE. Not at all, sir.

Senator McKELLAR. Do you own any stock in it?

Mr. RICE. No, sir; none whatever. In fact, it was a partnership—it was not a stock company—acting as agents.

Senator McKELLAR. And you have disposed of all agency you had with the firm?

Mr. RICE. I have.

Senator McKELLAR. Do you expect to go into it after the war?

Mr. RICE. I can not say as to that. I mean, I have not any agreement to; none whatever with Mr. Myrick. In fact, that all depends. I can not say what I would do or will do after that—after the war is over.

Senator McKELLAR. Have you done any business with that firm since you have been in the employ of the Government?

Mr. RICE. I am doing business with concerns that they represent.

Senator McKELLAR. With concerns that they represent. To what extent are you doing business with firms that they represent?

Mr. RICE. Only to the extent that I consider that they are equipped to handle certain lines of work that have been needed; that is, along the lines of sulphur dyeing.

Senator McKELLAR. Will you explain your method of contracting in the sulphur-dyeing industry?

Mr. RICE. My personal plan when I took hold of it was to get a statement as to the equipment of all the finishers, and knowing what the equipment should be from the practical point of view I lined up

the contractors all over the country as to their equipment, as to wide machinery and narrow machinery and what character of machinery they had for dyeing of light and heavy goods, and then later I made a personal investigation, a personal inspection of these plants in connection with the inspectors, the chief inspectors of the depot quartermaster; and then I sent out lists asking quotations from all contractors whom I considered capable of handling this business, and apportioned out the material to the lowest bidders, considering, of course, their equipment and their organization, as to their being capable of handling this material, and apportioned out the business.

Senator McKELLAR. Was it done on the competitive basis?

Mr. RICE. It is not; always.

Senator McKELLAR. What methods do you pursue? Do you let it to the lowest bidder?

Mr. RICE. I do, provided I consider they are equipped properly and understand the handling of this particular kind of work.

Senator McKELLAR. Can the dye operators of the country do all the Government work without any trouble?

Mr. RICE. Without any additional equipment.

Senator McKELLAR. Is there sufficient now to do it?

Mr. RICE. I so consider. In fact, it has been so, and I believe it is so.

Senator McKELLAR. Why would not the cheaper plan for the Government be to ask for sealed bids and give it to the lowest bidder who was responsible?

Mr. RICE. Of course. I do not know that I am correct on this, but my position is that I believe the dyeing and finishing business is somewhat different from advertising for a supply of boots and shoes, or even cotton goods. I know that the dyeing and finishing business especially, under present conditions and in such conditions as we have had during this war, is a business that has got to be very carefully handled; you have to consider the personnel and the equipment, as to whether these firms are able to handle bleaching or dyeing—on account of varying cotton materials and chemicals and dyestuffs and the various manufactures of chemicals and

* * * * * * *

Senator McKELLAR. But, at the same time, Mr. Rice, the manufacturing concerns and the houses that you formerly represented as sales agent and broker are receiving many contracts under you.

Mr. RICE. No; but a very small amount.

Senator McKELLAR. And the same thing is true of Mr. Bailey. I am talking to you in all frankness. Complaints have come in that you both came down here, as I believe, as dollar-a-year men, and that you were connected with these firms.

Mr. BAILEY. I did; Mr. Rice did also.

Senator McKELLAR. Maybe not. Maybe he came in after any necessity for the dollar-a-year men in the Quartermaster Department.

Mr. BAILEY. Yes; I think so.

Senator McKELLAR. But, anyway, it is claimed by your competitors, or men who have been your competitors, that by reason of your position you say which contractors shall get and which contractors shall not get a particular job. Just take the particular illustration that Mr. Rice made a while ago. He asked for quotations on the dyeing of khaki cloth, and numerous bids were made at 4 cents, and the Sayles Co., I believe, put in a quotation of 4.75 cents; and Mr. Rice, after going over it, said that he would give it to Mr. Sayles, but he must put it at the 4 cents. Now, you can easily understand how every bidder who bid 4 cents feels that Mr. Rice ought never to have done that; that they were the cause of the Government getting it at 4 cents; and they ought to have had it at 4 cents.

Mr. DONALD. They had all they could handle without it.

Mr. RICE. They had all they wanted first.

Senator McKELLAR. They do not feel so. They would not have put those figures in if they had not felt that they could do it, and they feel that they are just as competent to know what they can do as you gentleman here in Washington; and they do not feel as if they had had a square deal about it; and one of them said to me that at the very time you gave this contract to the Sayles Co., the Sayles Co. was filled up, and really was delayed in the getting out of these goods, whereas they were open and able to deliver to the Government quicker.

Mr. RICE. No.

Senator McKELLAR. Now, those are the practical questions that confront you gentlemen here this morning. We want to be absolutely fair, now, and we want to protect the Government and we want to be fair to everybody alike. My opinion is that a system ought to be instituted that will be fair, and such that no man can say that the Government's agents are not treating him fairly. Now, we must make it so that no man can say that, and that is what the Navy has done. We ought to follow the Navy's lead in the proposition.

Mr. RICE. I think you will always have that, Senator.

Senator McKELLAR. Who is the Southbridge Printing Co.?

Mr. RICE. A concern at Southbridge, Mass. They have been in sulphur dyeing for the last two years or more.

Senator McKELLAR. Who owns it?

Mr. RICE. Mr. Schuster, Mr. Heyward, Mr. Saunders—James A. Saunders—R. A. Rice, and Mr. Myrick. Mr. Hartley had some stock in there.

Senator McKELLAR. Who is Mr. R. A. Rice?

Mr. RICE. He is a brother of mine.

Senator McKELLAR. He is still interested in it?

Mr. RICE. Yes; he is still interested in it.

Senator McKELLAR. What amount of stock does he own?

Mr. RICE. It is my recollection, something like 75 shares. I would not state exactly. Of course, that is of record.

Senator McKELLAR. What interest did you have in the business before you came down here?

Mr. RICE. I had about a little over one-quarter of the stock.

Senator McKELLAR. How much is it capitalized at?

Mr. RICE. $135,000.

Senator McKELLAR. How much, in contracts, has that concern got?

Mr. RICE. I believe about, all told, during the year—of course I can give you an exact account of it.

Senator McKELLAR. I would be glad to have it.

Mr. RICE. About 3,000,000 yards.

Senator McKELLAR. 3,000,000 yards?

Mr. RICE. The recent contract, the gas-defense contract, they are doing some of the parafining for the gas defense.

Senator McKELLAR. What did you do with your stock? To whom did you sell it?

Mr. RICE. To my wife. The Quartermaster's Department stated that should be done, and I transferred it to my wife.

Senator McKELLAR. You did not sell it to her, did you?

Mr. RICE. I just transferred it over for $2.

Senator McKELLAR. You just put it in her name, so you would not be interested in it?

Mr. RICE. Yes; I transferred it over to her. In other words, it belongs to her.

Senator McKELLAR. Is there any other company you are connected with which you transferred to your wife the stock in?

Mr. RICE. Yes; I had some stock of the Fiskdale Finishing Co.

Senator McKELLAR. What is the capital of that company?

Mr. RICE. The capital is $200,000 preferred and $300,000 common.

Senator McKELLAR. And what was your interest in that?

Mr. RICE. My recollection is that it was a little over a quarter interest.

Senator McKELLAR. And you transferred that to your wife?

Mr. RICE. That was in the common stock of that company; and I had, I think, about $15,000, if I recall, of preferred stock. I turned that over to my wife.

Senator McKELLAR. Have you done any business with that company?

Mr. RICE. Yes, sir.

Senator McKELLAR. How much have you allotted to them?

Mr. RICE. I should say about 3,000,000 yards during the year.

Senator McKELLAR. Have those contracts been filled?

Mr. RICE. Not all of them. They are working on them now. In fact, some of the material has been delivered to them. Gray mills are behind on the gray contracts.

Senator McKELLAR. Are there any other companies with which you were connected?

Mr. RICE. No, sir; those are the only two companies I had owned any stock in.

Senator McKELLAR. Your partnership was with Mr. Myrick?

Mr. RICE. Mr. Myrick.

Senator McKELLAR. What contract have you with Mr. Myrick about your firm business while you are down here?

Mr. RICE. None whatever. I sold out to Mr. Myrick. I have resigned and am no longer a member of the firm of Myrick & Rice. I am out of it entirely.

Senator McKELLAR. Who are the owners of that firm?

Mr. RICE. Mr. Myrick is the sole owner now of the firm.

Senator McKELLAR. Would you object to stating upon what terms you sold out that business?

Mr. RICE. Certainly; I will be glad to state. I sold out of the firm for $5,000, and all the interest that I had there for $15,000, the total amounting to $20,000. The $15,000, of course, was pay for back contracts on commercial business; nothing whatever on any Government business.

Senator McKELLAR. When were these transactions; last March, before you came down here?

Mr. RICE. Last March; yes.

Senator McKELLAR. At whose instance did you come?

Mr. RICE. At the request of Mr. Albert Scott and Mr. Miller Wilson.

Senator McKELLAR. What has become of Mr. Scott? What is he doing now?

Mr. RICE. I could not say. He is in Boston. I could not tell you just what he is doing.

Senator McKELLAR. Mr. Scott was interested in nearly all these mills, was he not?

Mr. RICE. I could not say.

Senator McKELLAR. You did not know that he had large interests in them?

Mr. RICE. No, sir; I did not know anything about it. In fact, I had never met Mr. Scott but once in 1917.

Senator McKELLAR. Mr. Scott, I do not believe, had any interest in any of these competing plants, but he had interests in all the cotton manufactories, or was represented in them.

Mr. DONALD. Only a very few, Senator.

Senator McKELLAR. That is neither here nor there. It does not make any difference.

Mr. DONALD. Of his firm, Lockwood Green was agent for three or four or five cotton mills.

Mr. BAILEY. Yes.

Senator McKELLAR. Now, what dyeing concerns among those you have here were represented by Myrick & Rice?

Mr. RICE. On the commercial business only, the Martin Dyeing & Finishing Co. We never had anything to do with Government business.

Senator McKELLAR. The Martin Dyeing & Finishing Co. at Bridgeton?

Mr. RICE. Yes. The Government business was entirely handled by Mr. Fred S. Bennett.

Senator McKELLAR. Where is he?

Mr. RICE. In New York City.

Senator McKELLAR. He represents the Martin Dyeing & Finishing Co.?

Mr. RICE. He is the representative of the Martin company on Government business only.

Senator McKELLAR. He never has been connected with the Government in any way?

Mr. RICE. No; not to my knowledge.

Mr. BAILEY. Never.

Senator McKELLAR. Was he ever here in Washington?

Mr. BAILEY. Not in any official capacity.

Senator McKELLAR. Did he work here for the Government at all.

Mr. BAILEY. No, sir.

Senator McKELLAR. In an unofficial capacity?

Mr. BAILEY. Oh, no, sir. He was an original member of the cotton-goods committee of the Council of National Defense.

Senator McKELLAR. That is, of the old Council of National Defense?

Mr. BAILEY. Yes.

Senator McKELLAR. How long did he serve with that committee?

Mr. BAILEY. He served from April until June. I am speaking from recollection. He resigned very early from that.

Senator McKELLAR. So that he was connected with this cotton-goods committee of the Council of National Defense, which had in charge these things?

Mr. BAILEY. He was on the cotton-goods committee of the committee on supply, the subsidiary committee representing the industry.

Senator McKELLAR. Were there any other firms that your firm represented, Mr. Rice, besides the Martin Dyeing & Finishing Co.?

Mr. RICE. Yes; the Mansfield Bleachery.

Senator McKELLAR. At Mansfield, Mass.?

Mr. RICE. At Mansfield, Mass.

Senator McKELLAR. Any others?

Mr. RICE. The Southbridge Printing Co.; the Fiskdale Finishing Co.; the Slatersville Finishing Co., at Slatersville, R. I.; the Edgewater Dyeing & Finishing Co., of Philadelphia.

Senator McKELLAR. The Martin, the Mansfield, the Southbridge, the Slatersville; and were there any others?

Mr. RICE. The Edgewater. I believe there were eight.

Senator McKELLAR. You have named six of them. Have all these concerns gotten contracts from the Government?
Mr. RICE. No, sir.
Senator McKELLAR. Which ones have not?
Mr. RICE. The Martin Co.——
Senator McKELLAR. The Martin Co. has not?
Mr. RICE. The Martin Co. has had contracts.
Senator McKELLAR. All right, sir.
Mr. RICE. The Edgewater has had contracts; the Southbridge and the Fiskdale have had contracts.
Senator McKELLAR. And the Mansfield?
Mr. RICE. They had one or two contracts in the spring.
Senator McKELLAR. The Slatersville?
Mr. RICE. Only one or two, recently. We have been giving them some recently.

Mr. CHAMBERLAIN. I move that the Senate take a recess until 12 o'clock noon to-morrow.

Mr. FRELINGHUYSEN. Mr. President, before the recess is taken I think we should point out to the Senator from Nevada that the amendment which he proposes to this bill undoubtedly will delay the bill in conference. This is one of the most important bills which has come before the Senate. It involves the settlement of nearly $2,000,000,000 worth of contracts. This legislation should have been passed two months ago; and I do hope the Senator will not press that amendment on this bill when the time comes.

RECESS.

Mr. CHAMBERLAIN. I renew my motion for a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, January 29, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 28, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Lead us, O Lord God, our Heavenly Father, by Thy counsels through the remaining congressional hours of this day.

Give to these Representatives of our people clear minds, conscientious scruples, high ideals, that they may hallow Thy name in all the legislative acts they may record in history. In the spirit of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4887. An act making an appropriation for a sewer system at the Carson Indian School at Stewart, Nev.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 2784) to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916.

The message also announced that the Senate had passed the following resolutions:

Senate resolution 430.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of the Hon. EDWARD EVERETT ROBBINS, late a Representative from the State of Pennsylvania.

Resolved, That a committee of seven Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

And that the Vice President, under the second resolution, had appointed Mr. PENROSE, Mr. KING, Mr. OVERMAN, Mr. WARREN, Mr. BAIRD, Mr. THOMPSON, and Mr. KNOX as said committee on the part of the Senate.

Also the following resolution:

Senate resolution 422.

Resolved, That the Senate expresses its profound sorrow in the death of Hon. ROBERT F. BROUSSARD, late a Senator from the State of Louisiana.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives, and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Also the following resolution:

Senate resolution 423.

Resolved, That the Senate expresses its profound sorrow in the death of Hon. WILLIAM HUGHES, late a Senator from the State of New Jersey.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4887. An act making an appropriation for a sewer system at the Carson Indian School at Stewart, Nev.; to the Committee on Indian Affairs.

THE RAILROADS.

Mr. GARNER. Mr. Speaker, I want to insert in the RECORD some resolutions passed by the State Senate of Texas touching the railroad question.

The SPEAKER. Is there objection?

Mr. DENISON. Reserving the right to object, Mr. Speaker, will the gentleman state what is the nature of the resolutions?

Mr. GARNER. They express the opinion that the railroads ought to be turned back to the owners of them. If the gentleman wants to know the substance of it, that is what it is.

The SPEAKER. Is there objection?

There was no objection.

Following are the resolutions referred to:

Whereas postwar and reconstruction conditions have brought these United States of America many problems of great import, and perhaps the one of greatest importance is the question of Government ownership of the railways of the United States; and

Whereas our great democratic President, in whose wisdom we have every reason to confide, in his address to Congress on December 2, said: "The question which causes me the greatest concern is the question of the policy to be adopted toward the railroads. I frankly turn to your counsel upon it"; and after making other illuminating statements on this subject, further says, "Let me say at once that I have no answer ready. The only thing that is perfectly clear to me is that it is not fair either to the public or to the owners of the railroads to leave the question unanswered and that it will presently become my duty to relinquish control of the roads, even before the expiration of the statutory period, unless there shall appear some clear prospect in the meantime of a legislative solution. Their release would at least produce one element of its solution, namely, certainty and a quick stimulation of private initiative"; and

Whereas in wisdom, so characteristic of the man, our President has turned to Congress for counsel on this momentous subject, in his keen sense of justice endeavoring to deal fairly with the owners of the railroads and protectively to the public welfare; and

Whereas we feel that the Congress of the United States will, by being informed of public sentiment, be better able to solve and direct the course of the problem, and recognizing the necessity, as expressed in the President's address, of relinquishing control of the railroads as quickly as possible and the certainty of conditions that said release of the railroads by the Federal Government would immediately establish; therefore, be it

Resolved by the Senate of this the Thirty-sixth Legislature of the State of Texas, That we favor the return of the railroads to their owners as immediately as it can be accomplished without confusion or losses; be it further

Resolved, That we believe and think private ownership under strong Government control and regulation in service, income, and disbursements is desirable, and we do not believe Federal Government ownership of railroads is for the best interests of the people at this time; be it further

Resolved, That the secretary of the senate forward properly authenticated copies of this resolution to each United States Senator and Member of Congress from Texas for their consideration, and a copy to the chief clerks of the house of representatives and the senate of each State.

EXTENSION OF REMARKS.

Mr. MONTAGUE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the letter of Chief Justice Taney, under date of February 16, 1863, known as his remonstrance against the imposition of an income tax upon judicial salaries, and also the opinion of Attorney General Hoar in relation to the same. I do this for the benefit of the conferees of the House and the few lurking lovers of the Constitution throughout the country.

The SPEAKER. Is there objection?

There was no objection.

ADMINISTRATION OF THE OVERMAN ACT.

Mr. GOULD rose.

The SPEAKER. For what purpose does the gentleman from New York rise?

Mr. GOULD. I rise to make a privileged motion, Mr. Speaker. I move to discharge the Committee on the Judiciary from further consideration of House resolution 481.

Mr. GARNER. Mr. Speaker, is the gentleman recognized for that purpose?

The SPEAKER. He has a privileged resolution, unless somebody can pick a hole in it. [Laughter.] The Clerk will report it.

The Clerk read as follows:

House resolution 481.

Resolved, That the President is hereby requested to inform the House of Representatives of the result, in detail, of his administration of the provisions of the so-called Overman Act, approved May 20, 1918, entitled "An act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government."

Mr. WEBB. Mr. Speaker, I make the point of order that the resolution is not privileged.

The SPEAKER. What is the point of order that keeps it from being privileged?

Mr. WEBB. I have only examined it casually, but——

The SPEAKER. It was referred to the committee two or three weeks ago.

Mr. WEBB. I have not been requested as chairman of the committee to act upon the resolution at all.

The SPEAKER. That is it.

Mr. WEBB. The clerk of the committee spoke to me about it and said it was not privileged, and therefore no immediate action was taken on it.

The SPEAKER. The Clerk will again report it.

The resolution was again read.

Mr. WEBB. Mr. Speaker, I think it is clear from that reading that it is calling upon the President to express an opinion as to the result.

The SPEAKER. Where does it call upon the President for that?

Mr. WEBB. It asks for the results in detail.

The SPEAKER. The Chair knows it asks for results in detail; but two and two make four, and such stuff as that.

Mr. WEBB. That is very true; but to call on the President for the results of a thing is to call upon him for an expression of opinion.

The SPEAKER. I do not see why.

Mr. MANN. It is a question of fact.

Mr. WEBB. No; I beg the gentleman's pardon. It does not seem to me he calls upon him for a fact. If he did, it would be a privileged question; but it seems to me he calls upon him for the result of the Overman resolution.

The SPEAKER. The Chair has no doubt whatever that it is privileged. The question is on the resolution.

Mr. CRISP. The question is on the motion of the gentleman to discharge the committee.

The SPEAKER. The gentleman is correct. The question is on the gentleman's motion to discharge the committee.

The question being taken, on a division (demanded by Mr. MANN) there were—ayes 18, noes 22.

Mr. MANN. I ask for tellers.

Tellers were ordered; and the Speaker appointed Mr. WEBB and Mr. GOULD.

The House again divided; and the tellers reported—ayes 25, noes 19.

Accordingly the motion of Mr. GOULD was agreed to.

Mr. MANN. Now, Mr. Speaker, the question is on the resolution.

The SPEAKER. The question is on the resolution.

The question being taken, the resolution was agreed to.

THE FEDERAL JUDICIARY—CONFERENCE REPORT.

Mr. WEBB. Mr. Speaker, I desire to call up the conference report on the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911. I ask that the report be read. It is brief.

The SPEAKER. The Clerk will read the conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

"The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the Circuit Court of Appeals of the United States, and such salaries shall be paid as now provided by law."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 5. That the judges of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid judges of the Circuit Court of Appeals of the United States, payable monthly from the Treasury."

And the Senate agree to the same.

E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEO. S. GRAHAM,
Managers on the part of the House.
HOKE SMITH,
WILLIAM H. KING,
J. O. WOLCOTT,
FRANK B. BRANDEGEE,
LEBARON B. COLT,
Managers on the part of the Senate.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MANN. Mr. Speaker, may I ask the gentleman from North Carolina a question?

Mr. WEBB. Certainly.

Mr. MANN. As I caught the reading of the conference report, it said that the judges of the Court of Appeals of the District of Columbia shall receive salaries the same as those fixed by the bill for judges of the circuit court of appeals.

Mr. WEBB. Yes; the same salaries as the judges of the United States circuit courts.

Mr. MANN. I suppose it is not necessary that there be harmony in legislation coming from the Committee on the Judiciary, and it may be that I am under a misapprehension. My recollection is that while there is no circuit court there are circuit judges and district judges, and we fix the salaries of the district judges and then we fix the salaries of the circuit judges. Now, the gentleman introduces a new title for circuit judges, by calling them "judges of the circuit court of appeals."

Mr. GARNER. That is what they are.

Mr. MANN. That is not what they are, so far as the law providing for the fixing of their salaries is concerned. At least my recollection is that the circuit court of appeals is constituted by the sitting of circuit judges. As I say, I do not suppose it is necessary that there be harmony; but if my recollection is right, it does not look very well for Congress in the same act to provide a salary for a circuit judge and then refer to it as a salary for a judge of the circuit court of appeals.

Mr. WEBB. That is the language the Senate used, I will say to my friend.

Mr. MANN. I can not help that. I am not talking about the language the Senate used, I am talking about the language that the conferees used.

Mr. WEBB. Yes; we adopted their language.

Mr. MANN. Of course, I will not say anything further about the Senate.

Mr. GARNER. Let it go at that.

Mr. WEBB. I do not know but I might agree with the gentleman, but it was the Senate's language and expresses the thought and meaning intended.

Mr. MANN. But the gentleman has changed it in conference.

Mr. WEBB. Yes; but we changed according to the Senate's suggestion and language, though.

Mr. MANN. Oh! Then, of course, we are ready to believe that the House conferees agreed upon all the Senate amendments except certain amendments which the House conferees insisted should be changed to correspond with the desire of the Senate managers in the conference.

Mr. WEBB. I think my friend is "sticking in the bark"—too technical The gentleman can not tell the difference between the circuit court of appeals and the circuit judges constituting

the circuit court of appeals. The one is interchangeable with the other in common language. That is the way we looked at it.

The SPEAKER. The question is on agreeing to the conference report.

Mr. GARD. Mr. Speaker, I desire to ask the gentleman to explain to the House the action of the conferees relative to the Court of Claims and to the judges of the Supreme Court of the District of Columbia as to whether they are included in the proposition for a Federal judiciary?

Mr. WEBB. I will say to my friend that the House, as he remembers, increased the salaries of the judges of the Court of Claims $1,500, as we increased the salary of every district and circuit judge in the United States. When the bill went to the Senate they increased the salary still more and made it $8,500 instead of $7,500. In conference the Senate receded, and we reduced the amount allowed to the judges of the Court of Claims back to where the House put it, $7,500. We have included the Senate amendment giving the District of Columbia supreme court judges the same increase as other judges, $1,500. We felt that was nothing but right and fair. If it had not gone out on a point of order, I think the House would have adopted the increase when the bill was here on this floor. Everyone knows that the District of Columbia is one of the costliest places in the United States to live in, and we could see no reason why we should not agree to give these supreme court judges here, who are declared by law to be district judges of the United States, just like other judges throughout the United States, the $1,500 increase, especially when the city of Washington pays half of that increase. We thought that was perfectly fair that we should do that.

Mr. DENISON. Will the gentleman yield?

Mr. WEBB. I yield to my friend.

Mr. DENISON. Will the gentleman state to the House what changes were made in the provision of the House bill by the conferees with reference to the forcible retirement of judges?

Mr. WEBB. None at all.

Mr. DENISON. I think there are some changes there, are there not?

Mr. WEBB. No, sir; not at all.

Mr. DENISON. There are some shown on this document that I have here.

Mr. WEBB. It is a mere change of language. There is no change in the substance of the law at all. Mr. Speaker, I ask for the previous question.

Mr. GARD. Mr. Speaker, I would like five minutes.

Mr. WEBB. I will yield five minutes to the gentleman from Ohio.

Mr. GARD. Mr. Speaker, there is a great deal of doubt in my mind as to whether some of the courts added by the conferees are properly Federal courts. I make the statement after very considerable investigation and a knowledge there has been a difference of judicial expression as to whether these are Federal courts or not. They are called district courts. The jurisdiction of the Supreme Court of the District of Columbia is a variant one, and the jurisdiction of the Court of Appeals of the District of Columbia is, of course, based upon the primary jurisdiction of the supreme court.

Now, assuming that they come within the purview of being United States courts, and I myself do not believe they do, since they are not a part of the Federal judicial system—assuming that they do, we are called upon by what may not be unfairly termed "legislation by favoritism" to include a number of judges of the District of Columbia in the increase of salaries, when by no possible means could there be any further extension than to say that one judge's salary having been increased the others will be so entitled. There is no question but what the judges of the Supreme Court of the District of Columbia do some Federal business—such as injunctions and mandamus of Cabinet officers peculiar to this District—and there can be no contention, Mr. Speaker, that these men, the entire number of judges, six in number, do more business than any one judge in any particular district court of the United States.

Therefore under the guise of the increase of salary of Federal judges we are increasing the salaries of these men who sit as the Supreme Court of the District of Columbia in cases almost entirely local for doing a Federal business which is but an incident to their appointment as district judges, and district judges, so called, because this is a governmental reservation known as the District of Columbia.

Now, I call the attention of the House to the report of the Attorney General of the United States, which all might read with profit, concerning the work of the Court of Appeals of the District of Columbia. This is the disclosure of business: There were pending at the close of June 30, 1917, 17 patent cases, 77 civil cases, 2 criminal cases, or a total of 96. In 1918 there were pending 64 patent cases, 49 civil cases, 6 criminal cases, a total of 119.

It is also interesting to read in the same report of the courts in the District of Columbia, in which a statement is made as to civil cases to which the United States was a party. These civil cases are designated first at the close of business June 30, 1918, as being 1 safety-appliance case, 1 hours-of-service case, 6 forfeiture cases under proceedings of the food and drug act, and unclassified business 46, which includes all cases of the most minor and ex parte cases. This is the Federal business which the judges of the Supreme Court of the District of Columbia are doing.

In criminal cases it is also interesting to note that they terminated 20 cases pertaining to internal revenue, and this was their method of terminating them: Eleven pleaded guilty and there were 9 pleas of nolle prosequi. Under the post-office cases there were 9 convictions only, 1 nolle prosequi, and 7 pleaded guilty. Under the food and drugs act there were 166 pleas of guilty, and under the interstate-commerce cases there was 1 plea of guilty.

The SPEAKER. The time of the gentleman has expired.

Mr. GARD. I ask for five minutes more.

Mr. WEBB. I yield five minutes more to the gentleman.

Mr. GARD. There were 46 cases under the interstate-commerce laws which were discontinued and dismissed. There is a statement of cases to which the United States was not a party, which showed a great volume of business, amounting to 10,546 cases. So that the contention I make, Mr. Speaker, is that the judges in the District of Columbia, being a part of the Federal governmental reservation, and having its peculiar jurisdiction necessarily incident to this District, are not, in the broadest sense of the word, Federal judges. They only come within the scope of that name because of the certain limited and peculiar jurisdiction which they may have. It occurs to me that the inclusion of these courts without committee recommendation is what may be termed legislation by favoritism, and I regret that the bill has taken the peculiar angle it has, since I was one of those who supported the proposition that in certain instances which were governed by population and business necessarily I felt that there was ground for some increase in the salary of the Federal judges. But I can not bring myself to the belief that as a general proposition the flat salary or level extension all over the country should have been adopted as a change from the bill as originally presented by the Committee on the Judiciary to this House.

Nor can I bring myself to the belief that the interests of justice are best subserved by incorporating two or three courts which are peculiarly local in their character. The Court of Claims, while possibly Federal, is not strictly a court. It can be best described as being a judicial commission to find facts. These other courts, it seems, are peculiarly and particularly local in their character and in their work.

Now, it can not be said that because these men reside in the District of Columbia, where the price of living has been high, that therefore this salary increase should come to them, because that would apply to every local court in the United States more or less, and the fact is that here in the District of Columbia there has been little or no effort on the part of organized District authority or local interests to prohibit, suppress, or control the acknowledged extortion and profiteering which everyone whose business has called him here has experienced.

I desired to inform the House of this matter, because for the public welfare there should here be an understanding of the conduct of judicial business in this District. In the report of the pending judicial business of the District of Columbia there is carried something over 10,000 cases, including nearly 7,000 criminal cases. That is a manifest error. The truth of it is there is not one-tenth of that amount of real criminal business in the District of Columbia. If there were over 10,000 undisposed of cases demanding trial in the District of Columbia there would be such a hue and cry for adjudication, and a rightful hue and cry, that it could not be denied; but the fact is that the clerk's office carries here this great number of 10,000 or more cases in the District of Columbia under a technicality which continues them in operation, and which makes of each motion or any procedure in the criminal case a special case until finally disposed of, and they build it up so that in the report there now appears, as I said, something over 10,000 cases. This is a matter that is not fair to the District of Columbia, and it is not fair to the general and proper understanding of the work of the judges here or of the judicial system.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. WEBB. Mr. Speaker, just one word in reply to that. There is a great demand in this District for more judges on this District Supreme Court. I was talking with a distinguished ex-Member of this House yesterday, a gentleman who came from the Speaker's own State, and he said that the situation in the District of Columbia was a positive denial of justice, and was inuring to the benefit of the corporations of this city, because if a poor man wanted to sue one of them he could not get a trial within two years, although he might have a good claim for $10,000. The corporation can drift the thing along, and finally might compromise it for $2,000. This House has twice passed a bill giving two additional judges to this court, and the Senate passed it once, but it died in conference, because we could not get an agreement upon an amendment. I say without fear of contradiction that it is the hardest worked Federal or nisi prius court in the United States. They have more drudgery work to do than any Federal judges in the United States. They keep court open more days than any judges; they sit there nine months every year, and the court is never closed, even when they take a little summer vacation. Tell me why it is that when the law creating these courts declares them as having all of the power and jurisdiction of district and circuit court judges, and when, in addition to that work, they do all of the duties of a nisi prius court in this Capital City—tell me why we should go all over this great country, even into the gentleman's own State of Ohio, and give the judges an increase of $1,500, give to the Hawaiian and Porto Rican judges this increase, and yet leave out the hardest worked judges in America? The conferees would not agree to it, and I hope the House will not agree to it.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. WEBB. Yes.

Mr. GARD. Is not the real trouble in this city the fact that they have a most inadequate judicial code?

Mr. WEBB. Yes; I agree with the gentleman that the Judicial Code of this District might be amended, and the judges on that bench have been before the gentleman's committee and mine for the last three years trying to get us to amend it so as to take some of the heavy work off them, but we have not done it. The lower courts now have jurisdiction to send a man to jail for one year. That is one way in which we could relieve the congestion in the District of Columbia.

Mr. GARD. Does not the gentleman recall the statement of the distinguished ex-Member of this House, and also of the body at the other end of the Capitol, who said that since he had been practicing at the bar of the District of Columbia that there were only three cases of sufficient importance to attract his consideration?

Mr. WEBB. Yes; and he said he never cared for more than six cases at a time in any or all the courts, but that is no criterion. He came before the committee and said that one of the hardest worked benches in the world was the District of Columbia bench, and said most earnestly that it ought to have a larger increase in salaries than we are giving here. Remember the people of this District pay one-half of this increase. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, at the request of Mr. MCARTHUR, Mr. HAWLEY was granted indefinite leave of absence on account of illness.

FOOD RELIEF—CONFERENCE REPORT (NO. 998).

Mr. SHERLEY. Mr. Speaker, I call up the conference report upon the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

The SPEAKER. The gentleman from Kentucky calls up the conference report on the food-relief bill, which the Clerk will read.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, and the amendment amending the title of the bill; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following and transpose the same so that it will precede the word "as," in line 7, on page 1 of the bill:

"*Provided, however*, That Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor now or formerly subjects of Turkey may be included within the populations to receive relief under this act."

And the Senate agree to the same.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.
THOMAS S. MARTIN,
LEE S. OVERMAN,
F. E. WARREN,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Inserts the amendment, proposed by the Senate, including among the peoples to receive relief under the act Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor now subjects of Turkey, transported so that it will more clearly make certain that relief may be granted to such peoples whether they are subjects of Turkey or not, and whether or not they are living in enemy territory.

On No. 2: Inserts the amendment, proposed by the Senate, excluding from the relief authorized in this bill populations of German-Austria, Hungary, Bulgaria, and Turkey.

On Nos. 3 and 4: Provides, as proposed by the Senate, that expenditures under the act shall be audited in the same manner as other expenditures of the Government.

On Nos. 5 and 6: Provides, as proposed by the Senate, for the report of an itemized statement of receipts and expenditures made under the act.

On No. 7: Inserts the amendment, proposed by the Senate, requiring that so far as said fund shall be expended for the purchase of wheat, preference shall be given to grain grown in the United States.

The House agrees to the amendment of the Senate amending the title of the bill.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

Mr. SHERLEY. Mr. Speaker, there was one substantive proposition placed upon the bill as it passed the Senate, and that was to make clear that among the populations in Europe that should be included within the relief to be afforded by the bill were Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor. As the amendments, which were numbered 1 and 2, were offered and agreed to by the Senate the effect of No. 2 would have been to nullify and destroy in part amendment No. 1, because the bill as it passed the House provided for the relief of various populations in Europe and territory contiguous thereto, outside of Germany. The Senate undertook to include in amendment No. 1 the countries I have enumerated, and then in No. 2 provided that the relief should be to populations outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey. The very class they wanted to include were populations inside German-Austria, Hungary, Bulgaria, and Turkey. The conferees carried out the spirit of the Senate amendment by providing that the relief should go to the populations in Europe and contiguous territory and the enumerated classes of Armenians, Syrians, Greeks, and other Christian and Jewish populations, excluding all of Germany and others than the enumerated class I have just

spoken of in Austria, Hungary, and in Turkey. The other amendments of the Senate were amendments that undertook to make it more clear that there should be a complete audit and detailed report of receipts and expenditures, and the House was very glad to accept those Senate amendments.

Mr. DENISON. Can the gentleman give substantially the language of the exclusions in the bill as finally agreed upon?

Mr. SHERLEY. The exclusions of the bill are Germany, German-Austria, Hungary, and Turkey——

Mr. STAFFORD. And Bulgaria.

Mr. SHERLEY. And Bulgaria, except Armenians, Syrians, Greeks, and other Christian and Jewish populations of Asia Minor, now or formerly subject to Turkey, may be included with the populations to receive relief. Mr. Speaker, I ask for a vote.

The question was taken, and the conference report was agreed to.

LIGNITE COALS AND PEAT—CONFERENCE REPORT (NO. 972).

Mr. FOSTER. Mr. Speaker, I call up the conference report on the bill S. 3220.

Mr. SHERLEY. May I ask, pending the gentleman's motion, how long the gentleman proposes to take? It was the understanding of the House on yesterday that the House would consider the deficiency bill this morning.

Mr. FOSTER. I do not suppose it will take very long, but I can not inform the gentleman.

The SPEAKER. What is the conference report?

Mr. FOSTER. On the lignite bill.

The SPEAKER. The Clerk will report the conference report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 2 and 3, and agree to the same.

M. D. FOSTER,
OTIS WINGO,
E. E. DENISON,
Managers on the part of the House.

CHARLES B. HENDERSON,
T. J. WALSH,
MILES POINDEXTER,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to Senate bill 3220, authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, submit the following statement in explanation of the action taken by the conference committee, and respectfully submit the following statement as to the action of the managers on the part of the House:

Amendment No. 1: Page 1, line 5, the managers on the part of the House receded from its amendment and agreed to the same, restoring the words "and peat," so if the conference report is adopted and the bill becomes a law it will permit investigations in reference to peat as a fuel.

Amendment No. 2: Page 1, line 10, the House struck out "$150,000" and inserted "$100,000." The Senate receded from its disagreement to this amendment, leaving the amount as fixed by House, "$100,000."

Amendment No. 3: Section 2, page 2, the amendment was placed in the bill by the House and the Senate receded and agreed to the same. This is an amendment providing that when the investigation is completed the Secretary of the Interior is authorized and directed to sell or otherwise dispose of property used in the investigation and make a report to Congress of the results of such experiments and investigations.

M. D. FOSTER,
OTIS WINGO,
E. E. DENISON,
Managers on the part of the House.

Mr. STAFFORD. Will the gentleman yield?

Mr. FOSTER. I yield.

Mr. STAFFORD. When the Senate bill was under consideration, no consideration whatsoever was given to the amendment of the committee striking out of the Senate bill authority to the Bureau of Mines to investigate peat production. Now, I understand that the conferees have agreed to restore the word "peat," so as to include peat with lignite-coal production in this investigation?

Mr. FOSTER. Peat was stricken out because it was thought we would only investigate lignite coal, but after investigation further it was found they could do this on the $100,000, so we restored it.

Mr. STAFFORD. The question was not so much the feasibility but merely to use up the $100,000?

Mr. FOSTER. No; it was not that at all.

Mr. STAFFORD. I beg the gentleman's pardon; then I misunderstood his explanation as to the reason for including peat.

Mr. FOSTER. We eliminated peat——

Mr. STAFFORD. I remember when the bill was under consideration some one stated they would strongly oppose having an investigation made as to the commercial value of peat as a fuel product, and it was eliminated by the committee and no consideration was given to it on the floor.

Mr. FOSTER. There could not be; it was passed under suspension of the rules.

Mr. STAFFORD. That emphasizes more the need, perhaps, of some real explanation as to why peat was included within the purview of this bill.

Mr. FOSTER. The conferees talked with the head of the Bureau of Mines, and he thought they could make this investigation of peat. There were some men from the States of Minnesota and Florida who were very insistent, especially from Florida, in having that language restored, and so it was done after finding we could do that on the amount of money provided, $100,000.

Mr. STAFFORD. Is the gentleman quite sure it will not go beyond $100,000?

Mr. FOSTER. That is the limit of the amount in this bill.

Mr. STAFFORD. I have many times known of a limit on appropriations where bureaus, especially the Bureau of Mines, have come to Congress for a larger appropriation.

Mr. FOSTER. I can not say as to that; the gentleman and myself will not be here next session.

Mr. STAFFORD. And we will not be responsible after this term of Congress for the raid of these bureaus upon the Treasury.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. GREEN of Iowa. Was not this bill originally introduced as a war measure?

Mr. FOSTER. I do not know that it was——

Mr. GREEN of Iowa. I think the gentleman himself here told us so. Now the war is over and the gentleman presses it just the same.

Mr. FOSTER. I think the gentleman is wrong. Mr. Speaker, I ask for a vote.

The question was taken, and the conference report was agreed to.

SECOND DEFICIENCY BILL.

Mr. SHERLEY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15140, the second deficiency appropriation bill.

The motion was agreed to.

The SPEAKER. The Chair had asked the gentleman from Texas [Mr. GARNER] to act as Chairman of this committee, but he has been called out for a few minutes to his office, and the Chair will ask the gentleman from North Carolina [Mr. WEBB] to act until the gentleman from Texas returns.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15140, the second deficiency bill, with Mr. WEBB in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15140, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the first reading of the bill may be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman from Kentucky may have such time as he desires to explain the bill under consideration.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Chairman and gentlemen of the committee, the bill which is now presented to the Committee of the Whole House on the state of the Union for its consideration, while designated a deficiency bill, is very much more than a deficiency bill. It makes provision for an appropriation of several hundred million dollars to take care of existing and anticipated deficiencies, and if it stopped there it would differ from any other deficiency bill only in regard to detail, but it does very much more than that. It provides for the cancellation of appropriations made since the beginning of the war in an amount greater than $7,000,000,000, and it provides in addition for a cancellation of authorizations under which the departments could further obligate the Government of about $8,000,000,000.

And in this regard it is perhaps a bill without precedent, and let us hope it is a bill that in its magnitude may never need to be followed in the future.

When the war was declared against Germany, Congress pledged the entire resources of America to the prosecution of that war to a successful conclusion, and following that pledge Congress proceeded to appropriate from time to time amounts in the aggregate greater than had ever been dreamed of by any nation or any people at any previous time. Of necessity many of those amounts had to be voted on short notice and largely upon the statement of administrative officers, and particularly upon the statements made by the Army and Navy Departments touching the needs of the Government. That the action of Congress was wise is, to my mind, clearly shown by the results that flowed from those appropriations and from the conduct of the war. While individuals may quarrel or criticize as to particular achievements or lack of achievements on the part of the Government and of various bureaus of the Government, it can never be forgotten, and it never will be ignored by the true historian, that America's weight thrown, as it was, into the war at the time it was and to the extent it was made certain the result that has been accomplished [applause], and thereby, beyond the belief or hope of any of us, the war was shortened. If it has been shortened a month or a week or a day, whatever extra millions might have been voted and spent out of undue zeal were more than paid for in the saving of life, in the ending of this horrible world catastrophe, and in bringing us to a point where the world might look forward to a reconstruction that would mean a newer and a better and a more permanent civilization. So I feel that I voice not only my own views but the views of Congress and of the country generally, when I say that we have no apology for the very large sums of money that we appropriated under the conditions that confronted the country at the beginning of the war and up to the end of the war.

But just because we did appropriate such huge sums and appropriated them of necessity with haste, because to have made an inquiry into the detail of expenditure would have been to defeat the very purpose for which the appropriation was asked—just because, I say, we did make these appropriations, so now is it incumbent upon Congress and the Government to see to it that expenditures are brought to the narrowest possible extent consistent with the carrying out of the obligations that the Government has undertaken. And the Committee on Appropriations, having had in large measure thrown upon it the burden of appropriating much of these vast sums, peculiarly felt the obligation upon it of now endeavoring to recover and to take back appropriations and authorizations that had been made with a view of the war's continuation and which are not now necessary.

I doubt if many can realize the tremendous responsibilities that were placed upon some of us who by fortune or chance found ourselves in a position where we had to take the initiative in matters of such magnitude that all previous responsibilities pale in comparison with them. Speaking for myself, I know that I have never gone through—and I hope never to go through again—a year that brought with it heavier responsibilities or a more complete realization of my own inadequate facilities for meeting in the full those responsibilities. And in the days that we were appropriating these many millions of dollars I determined that if a Member of this House when the war should cease I would endeavor to show as much zeal in safeguarding the expenditures of the Government and in covering back into the Treasury appropriations no longer needed as I had shown in the making of those appropriations in order to facilitate the vigorous prosecution of the war. [Applause.]

When the armistice was signed, upon the 11th day of November, I realized that it was necessary that Congress should immediately ascertain conditions in connection with our expenditures and should immediately take steps looking to prevent their continuation except to the very least degree required. And so on the 27th day of November, prior to the convening of Congress for the regular session, during an informal meeting of the Committee on Appropriations and as the result of their approval of the proposal I then submitted to them, I sent the following letter to every Cabinet officer and to the head of every independent organization in the Government:

NOVEMBER 27, 1918.

It is the purpose of the Committee on Appropriations of the House of Representatives to begin hearings next Monday with the view of returning to the Treasury such appropriations and the cancellation of such authorizations, or parts thereof, granted in connection with the prosecution of the war, as no longer may be required under present conditions.

The committee has no desire to interfere with the equitable and legal execution of such contracts or to abolish or curtail such services as may be vitally necessary to the period of national readjustment, but realizes that large sums placed at the disposal of many departments for use during the war now may be covered into the Treasury without injury to the public service or the general welfare of the country.

The difficulty which some branches of the service may have in making absolutely accurate settlements of accounts at this time is appreciated, and the committee would be pleased if you would acquaint the various officials of your office with its purpose, so that you may be prepared when called upon to present the best information available.

Following that, informal talks were had with various heads of the departments, and particularly with Army and Navy officials. It became apparent at once that these various departments were not in a position to present immediately that sort of financial statement which was almost a necessary predicate to any work that the committee might do; and it required a good many days of constant conference and talk with these various heads to get financial tables before the committee and undertake to show the following facts:

First. The amounts that had been appropriated since April 6, 1917, including any available balances that existed as of that date.

Second. The amounts that had been expended as of November 1, 1918.

Third. The contract obligations that the Government had undertaken and which it might be required to meet in full or in part.

Fourth. The additional needs, if any, that might confront the department for the balance of the fiscal year.

Fifth. A statement as to what sums, in the judgment of the various departments, might not now be necessary and could be covered into the Treasury.

Gentlemen will find these various tables printed in the hearings as they have been finally revised. They have gone through a number of evolutions, and repeatedly the committee was faced with a situation where it would have to postpone a hearing until statements might be put into a form that would enable it really to ascertain some of the facts.

And all of this grows out of a situation that has impressed itself upon me for many years, to which from time to time I have called the attention of the Congress, and which has been accentuated to a degree that can not be overstated since the war started, and that is the absolutely inadequate and obsolete method of bookkeeping employed by the Government. The Congress which is to follow this one can perform no greater duty to the country than to provide for a modern up-to-date system of bookkeeping that shall be uniform in all the departments. I shall not now permit myself to be diverted as to other reforms that are connected with this reform, but if the committee had had brought to it statements conforming to one system of bookkeeping, even though it be a bad one, its labors would have been infinitely lightened instead of having constantly to consider all sorts of methods of presenting balances and statements of financial accounts; we would no sooner become acquainted with one system than we would be presented with another that might be as good or better, but which represented simply the view of a particular department. We have tried in the statements that are filed in the hearings to present financial statements that in their general form correspond with each other.

Now, it is well that there should be stated to the House at the outset what the committee has not done as well as what it has undertaken to do, because we do not desire that either the Congress or the departments themselves should misunderstand the scope of the action taken by the committee, which we hope will be ratified by the Congress. In recommending the repeal of various appropriations and the cancellation of various

authorizations the committee does not mean in any sense or to any degree to say that in its judgment the sums that are left with the departments need in their entirety to be expended.

Now, I desire to emphasize that; that as to the moneys that we have covered back we do not, by covering them back, say that the moneys that are not taken back are needed in their entirety. The committee was faced with a task not only Herculean, but a task which, if performed in a radical or extreme manner, would bring about results very disastrous to the country. The obligations of this Government to its citizens and to third parties and to foreign governments run into billions of dollars. The committee might have made a paper showing greater than what is shown here by radically taking away moneys that had been appropriated to the various departments, with the result of very seriously crippling the departments in the meeting of the just debts of the Government. The committee undertook simply to take those moneys that from a survey of the situation as of this time were plainly not necessary in order to meet the obligations of the Government, that could not be canceled and the Government relieved of, and to carry on the activities which it must carry on until July 1 next.

Now, there necessarily came up from time to time questions about the Government's activity in the further prosecution of various enterprises undertaken during the war; and individual Members and the public generally may want to know why it was that the committee did not undertake by its action to prevent the doing of this thing or the other thing. All that is needed in response to that suggestion is a statement, a bare outline, of the problem that it would have involved. The moneys that necessarily must be left with the Army and Navy Departments are so great that any individual enterprise, even though it involved a number of millions of dollars, could be carried on out of those funds without any appreciable effect upon the amount of the funds as of this time, and therefore if we were to endeavor, by taking away moneys, to prevent particular activities being carried on, we would have to go into such a detailed examination of the entire activities as would involve a rigid segregation of all moneys for particular purposes.

Now, that is manifestly an impossible task. The Ordnance Department has 15,000 major contracts and 70,000 subsidiary contracts. The same is true in less degree of many of the other departments. In point of fact, I should mention what I had intended to state in the beginning, that while the committee started out with the idea of making a survey of the appropriations that had been made to all of the departments of the Government, it soon found itself in a position where it would not be able to report a bill until so near the end of the session as to imperil its enactment if it undertook so ambitious a program. And so it has confined its recommendations to the War and Navy Departments, and in dealing with them has dealt with the major problems that confronted the Congress and the country touching expenditures.

Mr. GREEN of Iowa. Mr. Chairman, will the gentleman yield there?

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Iowa?

Mr. SHERLEY. Yes.

Mr. GREEN of Iowa. Can the gentleman give us an estimate of the total expenditures for this year?

Mr. SHERLEY. I am going to come to all of that later on, if the gentleman will permit.

There has been appropriated since the war started for the Military Establishment proper $24,235,425,260.35. There have been total disbursements as of December 1, 1918, of $9,899,057,601.41, leaving a cash balance as of December 1 of $14,336,367,658.94. There is recommended in this bill to be covered into the Treasury—to be repealed as appropriations, to speak more accurately—$6,844,795,077.70, which would leave a balance remaining to the Military Establishment of $7,491,572,581.24.

The bill proposes a repeal of 28.2 per cent of the appropriations that have been made for the Military Establishment since the war started. As to the authorizations that have been made for the Military Establishment and which have not been covered by appropriations, they amounted to $8,521,309,662, and of those authorizations there is recommended as a repeal by this bill $8,190,029,294.70, or 96 per cent.

Now, it is perhaps wise to make a statement here, not for the House, which is familiar with the matter, but in order that the country may not misunderstand the scope of the bill, both as it deals with appropriations and with authorizations. The action of this Congress, if it shall pass this bill, does not mean that we put $7,000,000,000 in cash into the Treasury. It means that warrants upon the Treasury which Congress has given to the departments in that amount of cash have been taken away; that they have not been permitted longer to have the right, for the purposes for which the appropriations have been made, to draw upon the Treasury for that amount of money. And, of course, that does not carry with it the opinion that a casual or ignorant observer of Government finances might have, that we were actually placing that amount of money in the Treasury.

Mr. MANN. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Illinois.

Mr. MANN. The gentleman says "ignorant people" have that impression. Still that is the impression the newspapers have had, apparently; and is it not an error in connection with this bill to print a note which reads:

Repeal of appropriations and authorizations.

Military Establishment:		
Cash	$6,844,795,077.50	
Authorization	8,190,029,294.70	
		$15,034,824,372.40
Naval Establishment:		
Cash	334,361,866.98	
Authorization	31,000,000.00	
		365,361,866.98
		15,400,186,239.38

Would not any educated persons reading that receive the same impression?

Mr. SHERLEY. Perhaps, from the standpoint of people who are not familiar with the technical use of these phrases in connection with legislation; but the gentleman will understand that the committee printed that note in the bill in order that those who are familiar with Government methods of appropriation and finance might be technically advised. So we spoke of cash which had been appropriated and of authorizations.

Mr. MANN. If the gentleman had said "appropriations," it would have been technically correct, but when the gentleman speaks of it as cash it is not technically correct.

Mr. SHERLEY. Oh, well, if I have not made a greater mistake than that in connection with this very great task I shall be happy.

Mr. MANN. I do not know. That grave mistake has gone out all over the country, through the newspapers stating that the Committee on Appropriations has recommended that there be covered back into the Treasury of the United States about $7,000,000,000 in cash. That is a tremendous mistake to go out over the country.

Mr. SHERLEY. If the gentleman will permit, I do not think all the newspapers have carried it that way.

Mr. MANN. All that I saw did. I do not know. I did not see them all.

Mr. SHERLEY. Even the gentleman does not see them all.

Mr. MANN. I do not see many of them.

Mr. SHERLEY. I took occasion to explain to quite a number of the newspaper correspondents who came to see me touching the matter just what was meant, and if there has been the great mistake which the gentleman thinks has been made, I hope the statement now made by me, and the gentleman's statement, will serve to correct it before it does any further damage.

Now, touching authorizations, there has been in the Congress for a great many years, from time to time, the practice of authorizing obligations to be incurred by departments rather than voting the direct appropriation, in order that we might have in many ways a more fluid status for moneys in the Treasury, and when the last deficiency bill passed Congress just before the adjournment of the last session the Committee on Appropriations carried the major part of those appropriations in the way of authorizations, because there were some of us in the committee who believed that the war was at an end. I personally held that belief. Yet I was not in a position to act legislatively upon what was simply a belief, and it was necessary that the Congress should make provision for the further prosecution of the war, because in the event that my belief or other people's belief should be in error the result of a failure to provide would be disastrous, and it was a responsibility that no man would be willing to take or that the Congress would be willing to take. The result was that we appropriated very large sums of money and authorized obligations in still greater sums of money in a bill that did not become a law until the 4th day of November, and the armistice was signed just one week later. So it results that we are able now to cancel the very large authorizations of which I have spoken. Appropriations for the Military Establishment were originally predicated upon an army of a million men, but that idea rapidly expanded until we were appropriating at the end for an army of 4,850,000 men and, in regard to ordnance, were making provision not only for 80 divisions abroad and 18 at home but a further reserve back of that. It follows inevitably, therefore, that with the cessation of active fighting abroad and the reduction of the size of the Army very

great sums for pay, subsistence, transportation, forage, clothing, and various other activities of the Government were no longer necessary, and a large amount of these appropriations that are now to be canceled are cancelable because of that major fact.

The same situation existed in regard to the Navy. We started out with a Navy that had a strength of about 54,000 men. We built up a Navy that had at its maximum peak 497,000 men. I hope we are going to get back to a Navy that will not be in excess of 225,000 men. All of that made necessary the very large appropriations that have been made. In point of fact the Navy estimates which were submitted for this current fiscal year were predicated upon a very much smaller number of men—314,000 men—and it is because of the Navy having reached a maximum peak of 497,000 men that we are met with and are carrying in this bill deficiencies amounting to $280,000,000.

The two great money-spending bureaus of the War Department are what we commonly speak of as the Quartermaster's Department and the Ordnance Department, though the old Quartermaster's Department as such has been very largely merged, if not entirely merged, into the Division of Purchase, Storage and Traffic. In regard to the Quartermaster's Department this situation exists: Touching all manner of supplies, save those which are bought from day to day, so to speak, or from time to time, like subsistence, we not only have a quantity on hand, but including what we will necessarily have to receive because of its having been in the process of manufacture, we have and will have amounts that, in the judgment of Gen. Wood, the head of the Quartermaster's Department, are sufficient to take care of the needs of the Army for the next year or two, and there will then be a very large surplus of supplies of various material, so that it is inconceivable that the Congress should be called upon to appropriate in connection with the Military Establishment, except here and there for some special articles, any money in connection with quartermaster stores other than those that relate to subsistence; and touching subsistence, as to canned goods we have a very large surplusage.

The problem, therefore, that confronted the Quartermaster's Department at the end of the war was not one of what it wanted to acquire, but what it could get rid of; and the effort has been made, and should continue to be made, to relieve the Government of all obligations entered into where the physical conditions permit. In other words, there is no excuse, speaking by and large, for the carrying out of any contract because of the desire for the goods that that contract was to supply. Our surplus was so great that the problem will be a problem of disposition rather than of acquiring additional quantities.

Now, touching the reductions of the Quartermaster Corps that are recommended in this bill, amounting to $3,740,385,307.76, that very large sum is made up of many items, but the major items for which we get return are as follows:

Subsistence	$700, 608, 753. 72
Regular supplies, which includes fuel, forage, and many other items	261, 914, 072. 05
Transportation	909, 142, 497. 98
Clothing	908, 303, 821. 82
Hospital construction	62, 189, 503. 88
Pay	654, 557, 911. 68
Inland and port storage and shipping facilities	50, 026, 000. 00

The House will understand that the estimates and appropriations for subsistence, pay, and other items were made on the basis of maintaining an army of a given size. As I have said, our estimates were made finally for an army which would be 4,850,000 men by July 1, 1919. It is the present program of the War Department, as far as you can accurately use the word program, to reduce the Army to a strength of 500,000 men by the 1st of July. Personally, I have attached no very great importance to statements as to the size that the Army would reach at a given date in the near future, because, to my mind, there are so many events of first importance yet in the making which will control that determination that any opinion now expressed, even by the highest officials, must be taken subject to variations that make it of very little value. But so far as the opinions have been expressed, they have been to the effect that they looked to a reduction of the Army to 500,000 men by the 1st of July. Manifestly, the size of the Army that may be overseas is dependent upon the events that are happening from day to day and the conclusions which may be reached by the peace conference and the time when those conclusions will be reached.

It was constantly testified that it was the desire of the department to demobilize the Army here at home and abroad as fast as possible. It is my understanding touching the Army at home that within the next 30 days there should be a complete demobilization, except as to very small units that may be necessary at various camps and cantonments in connection with the work of receiving men from over the seas.

Mr. GILLETT. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. GILLETT. Does not the gentleman intend by saying that the intent to have an Army of 500,000 men by the 1st of July is that we expect to have an average Army of 500,000 during the next year, but not that we would get it reduced by the 1st of July?

Mr. SHERLEY. I think the gentleman's statement of the proposition is more nearly what is likely to happen, The statement originally made was to have an Army reduced to 500,000 by the 1st of July. I never took any stock in it, because I was satisfied that events, which are stronger than men, would prevent any such reduction.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. WHITE of Maine. The gentleman has spoken of the enormous surplus of supplies for the Army. Will the gentleman state what authority there is in law for the disposition by the War Department of the supplies, whether any means of converting those supplies into cash have been considered. What brought up the question is the fact that I had a letter the other day in which there was reference to some two or three million pairs of rubbers, and there was some newspaper comment that the rubbers were to be sold at public auction. Can the gentleman state what the law is in respect to that and whether the matter has been considered?

Mr. SHERLEY. There was a provision carried in the Army bill, approved July 9, 1918, regarding the sale of war supplies, which is as follows:

Sale of war supplies: That the President be, and he hereby is, authorized, through the head of any executive department, to sell, upon such terms as the head of such department shall deem expedient, to any person, partnership, association, corporation, or any other department of the Government, or to any foreign State or Government, engaged in war against any Government with which the United States is at war, any war supplies, material, and equipment, and any by-products thereof, and any building, plant, or factory acquired since April 6, 1917, including the lands upon which the plant or factory may be situated, for the production of such war supplies, materials, and equipment which, during the present emergency, may have or may hereafter be purchased, acquired, or manufactured by the United States: *Provided further*, That sales of guns and ammunition made under the authority contained in this or any other act shall be limited to sales to other departments of the Government and to foreign States or Governments engaged in war against any Government with which the United States is at war, and to members of the National Rifle Association and of other recognized associations organized in the United States for the encouragement of small-arms target practice: *Provided further*, That a detailed report shall be made to Congress on the first day of each regular session of the sales of any war supplies, matériel, lands, factories, or buildings, and equipment made under the authority contained in this or any other act, except sales made to any foreign State or Government engaged in war against any Government with which the United States is at war, showing the character of the articles sold, to whom sold, the price received therefor, and the purpose for which sold: *Provided*, That any moneys received by the United States as the proceeds of any such sale shall be deposited to the credit of that appropriation out of which was paid the cost to the Government of the property thus sold, and the same shall immediately become available for the purposes named in the original appropriation: *Provided further*, That there shall be allotted to the Aircraft Board, by the head of the bureau or department charged with the production of aircraft, from the appropriations herein made for aircraft production for the fiscal year 1918 and 1919, the sum of $100,000, or so much thereof as may be necessary, which money shall be available during the fiscal year for the payment of such clerks or other employees, either in the District of Columbia or elsewhere, as may be necessary for the conduct of its business, including such technical experts and advisors as may be found necessary; and for the payment of rental of offices in the District of Columbia or elsewhere, purchase of necessary office equipment and supplies, including scientific publications, printing, necessary administration and contingent expenses of said board.

Now, in this bill we are carrying a provision proposing to repeal that part of the statute which I have just read, which provides:

That any moneys received by the United States as the proceeds of any such sale shall be deposited to the credit of that appropriation out of which was paid the cost to the Government of the property thus sold, and the same shall immediately become available for the purposes named in the original appropriation.

If the Congress should agree to the recommendations of the committee it would result that while the power for sale of war supplies is not taken away the receipts from such sales would be covered into the Treasury as miscellaneous receipts, as has been the practice heretofore.

Mr. MANN. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. MANN. In reference to the demobilization of the Army, I understood the gentleman to say that the Army within this country expected to be practically demobilized within 30 days.

Mr. SHERLEY. Yes.

Mr. MANN. I would like to ask the gentleman, having made that statement, whether it is his belief or his hope?

Mr. SHERLEY. I stated it neither as a belief nor as a hope. I stated it as a statement made to me by—I am not sure what officer of the War Department, but I think either the Secretary of War or the Chief of Staff.

Mr. MANN. It is the most important statement concerning the demobilization of the Army that has been made public in many a day. It has not been made public through the newspapers, to which the Army refers us for our information generally. It has not been made public to other Members of Congress. One gentleman here says that it was in last night's paper. Perhaps it came from a hearing.

Mr. SHERLEY. It did not come from me, for I did not make the statement publicly until a moment ago.

Mr. ALMON. It was stated in the Star last night as having come from Gen. March in a hearing before some Senate committee yesterday.

Mr. SHERLEY. Of course, the gentleman will realize that with the tremendous amount of testimony I have taken I could not trust my memory as to details.

Mr. MANN. I understand.

Mr. SHERLEY. But my impression is that Gen. March made the statement before the committee recently.

Mr. MANN. I would like to see some of it, if it is being carried into effect. It will have to be very speedy to get them demobilized in 30 days. That is what we have been told all of the time—they are going to demobilize very rapidly, but I would rather see them being demobilized than to hear about it.

Mr. CRISP. Mr. Chairman, before the gentleman resumes his argument, I would like to ask him this question, because I think there is no man in the House so well qualified to answer it as the gentleman from Kentucky. I will ask the gentleman to tell the House in round numbers how many billions of dollars have been appropriated since we entered the war? How much of that amount was direct appropriations, and how much authorization, and what part of it is in appropriation and what part is authorization, which is canceled by this bill?

Mr. SHERLEY. The gentleman has added to the value of his compliment by the character of his question. I do not know that I can give anything like an accurate reply to a statement so all embracing as that. But, as I stated a while ago, there had been appropriated for the Army something over $24,235,000,000 since the beginning of the war, and practically all of the authorizations which have been granted to the Army are either repealed here or have been taken care of by the appropriations of cash made and which are included in the sum of $24,235,000,000, so that speaking by and large there have been appropriated for the Military Establishment, as such, about twenty-four and a quarter billions of dollars. For the Navy there has been appropriated $3,376,000,000.

Some of that went to the three-year building program of the Navy and may or not be classed as direct war appropriations. These figures, of course, do not include the appropriations that have been made in connection with the shipping program nor the appropriations that have been made in connection with a great many other activities, and I am not prepared now to present in detail a statement as to total appropriations. I hope a little later on to deal with the question that was inquired about by the gentleman from Iowa [Mr. GREEN] as to expenditures made by the Government and the amount that will likely be expended during this fiscal year. Roughly speaking, we disbursed during the fiscal year 1918 something over $12,696,000,000, and a little over $1,229,000,000 during the last three months of the fiscal year 1917. It is estimated that we will spend this fiscal year something like $18,000,000,000. Many believe that it is likely to be as much as $19,000,000,000, which would indicate that since the war started and to June 30, 1919, the expenditures of the Government would be somewhere between thirty-two and thirty-three billion dollars; but all of these statements necessarily are rather loose estimates, because there are a great many obligations that have not reached the form of actual expenditure and necessarily for a number of years to come there will be matters coming up for adjustment and payments growing out of the war. I doubt if there is anybody in the world now who knows accurately what the Civil War cost us. The public debt at the end of the Civil War was about $2,740,000,000, and estimates as to expenditures have been all the way from $5,000,000,000 on up. Speculating on it, and that is all anyone can do, I take it that something like thirty-three or thirty-four billion dollars would represent the cost of this war to the Government of the United States exclusive of interest on the debt.

Mr. BUTLER. Would that include the loans to the allies?

Mr. SHERLEY. Yes.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. FESS. Reverting to the subject the gentleman was discussing before the question was dropped, in my listening to the reading of the law it seemed to me that the sale of the unused facilities that have been purchased by the departments would be limited to some other department of the Government.

Mr. SHERLEY. No; I think the gentleman did not catch the detailed language of the text. It provided for the sale to individuals, associations, corporations, or to other departments of the Government, and to foreign Governments that were at war with any Government with which we were at war.

Mr. FESS. So that the Government might sell unused material to any buyer in the open market.

Mr. SHERLEY. Under that law I take it that as to property that has been acquired since the beginning of the war they could so dispose of it; and, in fact, they did dispose of very large quantities of material during the active period of the war in connection with aircraft matters. The gentleman will recall that we supplied the allies with a great deal of material of various kinds, which we had manufactured or procured and which they needed in further manufacture of aircraft.

Mr. FESS. I think it is very necessary that we have that latitude. I want also to ask the gentleman whether in his judgment it would be better for the sale to be made by the heads of departments rather than by having an agency created by the Congress to dispose of this unused material.

Mr. SHERLEY. I was one of the men who foresaw the situation that was going to confront this country, and I undertook to deal with it in an affirmative way. The gentleman will recall that in the deficiency appropriation bill I alluded to a while ago, which was reported to Congress in October last, I carried there a provision for the creation of a commission for the purpose of study and report upon the salvage of Government property.

The gentleman from Illinois [Mr. MADDEN] made a point of order against it, and it was necessary I should get my bill through speedily, so I was not able further to press the matter. I think it is unfortunate that there was not created at that time or at an earlier period a commission that could have made a very broad survey. Now, answering the gentleman's question directly, I do not believe that it is physically possible for the Congress of the United States to undertake to control or in any direct way to supervise the disposition of Government property that has been acquired since the war, and I say that irrespective of any view as to the desirability of it. It is perfectly manifest that if the Congress undertakes to acquaint itself with the facts that warrant a judgment—and I take it none of us would want a judgment that was not predicated upon facts—the time involved would be so great that you would lose the opportunity surrounding the disposition of much property now at advantageous terms that will not exist in the future; and while I think every department ought, of course, carefully to see to it that they get the utmost that they can for the disposition of any Government property, I am also thoroughly of the belief that as to much property, if too much stress is laid upon getting what might represent its cost value, or near that, that there will be such delay that the cost of taking care of it, storing it, inventoring it, and of the overhead machinery that the Government always piles up in connection with everything that it undertakes, will make the result anything but advantageous. Take a concrete case. Take the matter of animals. We have a good many horses and other draft animals. It was not proposed to dispose of very many of them. I personally protested to the Secretary of War about what I understood was the staff's view as to the number of horses they wanted to dispose of because it is a very patent fact, irrespective of the price you get, that the keep of a horse that was not needed is such that in a year you are out of money as compared with giving the horse away. Now, that is a direct case, and it is a case that is illustrative of many others concerning the cost of Government property.

Mr. FESS. If the gentleman will permit, my question was in the best of faith, but information has come to me——

Mr. SHERLEY. I am not questioning that at all——

Mr. FESS (continuing). That indicated we were not getting the best results out of leaving it with the heads of departments.

Mr. SHERLEY. Let me say another thing about that. It is very difficult to get accurate information. A story gets started which may be true as to a particular instance, but it loses nothing in the telling, and in a few weeks it is used as an illustration of a general situation without any foundation in fact. There were a number of horses sold out West in order to test the market. They sold for a very low price. I have heard repeatedly in the cloakrooms and elsewhere that we were selling

all horses and mules at that price. I took occasion to inquire into it and found that it was not so. Now, I have not the time to follow these things down to get accurate information. Of course, there are going to be instances in which property will be sold at an inexcusable price. I hope they will be few, but I know what we are dealing with, and when we get into matters affecting so many people the result is that you get what might be called the run-of-the-mine, and you are going to get just that efficiency that the average of American men will give, or at least you are not going to get greater than that.

Mr. WHITE of Maine. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. WHITE of Maine. So far as the gentleman knows, has anyone had the temerity to predict what we are likely to get in cash from these salvaged properties? We should admire their courage, but that question has been asked me.

Mr. SHERLEY. There is nobody that I know of who has looked at the whole picture. Perhaps the Committee on Appropriations has had as many different angles of it presented as almost any other group of men, but gentlemen will find running through these hearings various estimates made by various individuals as to what they think might be salvaged out of the property. There was a statement made in regard to engineer equipment, some statement in regard to some railway equipment, which I think has some value, because it is made by a man who speaks with considerable knowledge.

Mr. WHITE of Maine. But there has been no effort made to total those?

Mr. SHERLEY. I have not undertaken it; I do not think it will be worth the labor.

Mr. PLATT. Will the gentleman yield?

Mr. SHERLEY. I do.

Mr. PLATT. Does not the department put an amount of complication upon the purchase of anything that makes it a pretty difficult matter to get at what you can do? For instance, I wrote to the War Department a while ago to see if I could buy a typewriter and put in my application to buy a typewriter. I did not secure it, and after waiting I finally decided I did not want it at the present time. The departments have got typewriters to sell, but the thing is so complicated that you can not go and buy one.

Mr. SHERLEY. The problem is neither new nor soluble. It is only bigger because of the big figures. It is one that has always confronted the people in connection with the Government, and that is the problem of red tape. Now, some man will frequently rail against red tape and then complain of the informal method in which some Government official has acted. Whenever the thing that is done suits him he is glad the red tape was cut; whenever it does not suit him, then he is quite sure that the man ought to be punished for disregarding the rule which is simply another way of saying the red tape of a department.

Now, we can talk for the rest of time, but it is going inevitably to follow that most of the adjustments have to be made through the agencies that created the obligations. I do not see any other possible course.

Mr. RAGSDALE. I would like to ask the gentleman if he has any conception of about what sum was expended for and will be realized in the sale of saddles and harness? My information was that if this war should last 10 years beyond the period of time at which the armistice was signed, and we had used every available animal in America that could be used for that purpose, that we had saddles and harness enough to have lasted for that period of time. And I was just wondering if we were going to use the same instrumentalities that purchased that harness and saddle for their disposition.

Mr. SHERLEY. I am neither prepared to admit nor deny the gentleman's statement as to quantities. The gentleman will find in the hearings—I can not turn to it immediately—some testimony as to the amount of money that has been expended in connection with harness, which would include saddles, by the Military Establishment. But, as I stated a while ago, it is impossible for me to come to a conclusion touching a great many statements that I hear made. Frequently they are unwarranted, and sometimes they are warranted; and there never has been a time when as much of a tax was put on real judgment as there is to-day. I think men could very easily spend a good deal of time by running down a lot of things that have no foundation in fact. On the other hand, there ought to be, and I hope will be, considerable inquiry touching matters upon which there is a reasonable basis to suppose that the statements concerning which are warranted and represent conditions that are unjustifiable.

I want to say this in behalf of the Committee on Appropriations: That committee has volunteered to do an amount of work that can not be overstated in connection with this bill, and it is not the function of that committee in the slightest degree to undertake to make itself into a court of inquiry touching various activities of the department. Whenever information came to us that seemed to warrant an inquiry we undertook to make it, but the committee could not possibly attend to its business, or one-tenth of its business, if it undertook to go into all the activities of the various departments. And that work, if it is to be done, ought to and could be done by many other committees of the House that have not the responsibility and the burden of the supply bills upon them that are upon the Committee on Appropriations.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MOORE of Pennsylvania. I regret not having heard the first part of the gentleman's statement, having been in conference on the tax question. I am very anxious to obtain some information with regard to salvage and the repeal of appropriations. My recollection is that the appropriation bill brought in by the gentleman for war purposes for the current year carried $24,000,000,000?

Mr. SHERLEY. The gentleman's recollection is not correct.

Mr. MOORE of Pennsylvania. We surely have made appropriations equal to $24,000,000,000 for the fiscal year 1919?

Mr. SHERLEY. Yes. We have made more than that.

Mr. MOORE of Pennsylvania. But the appropriations shown by the gentleman's statement to Congress totaled $24,000,000,000, and those figures were confirmed by the Secretary of the Treasury, who said that our expenditures might exceed that amount. Subsequently a deficiency bill was brought in by the gentleman carrying $7,000,000,000 additional of appropriations, which would make for the fiscal year a total of $31,000,000,000. Am I correct as to that?

Mr. SHERLEY. Well, the gentleman is correct in a broad, general way. He is quite incorrect in his statement as to how appropriations were made and the Committee on Appropriations making them. I repeat what I said a moment ago, that there has been appropriated for the Military Establishment since the war started, in the way of cash appropriations, $24,235,000,000. In addition to that there have been authorizations of a total of $8,521,000,000. Authorizations to the extent of $8,190,000,000 are being cancelled here, so that the gentleman can practically ignore for present purposes authorizations and deal with twenty-four billions and a quarter. Of that there have been nine billion nine hundred million and odd dollars spent as of the 1st of December.

Mr. MOORE of Pennsylvania. The gentleman, of course, will appreciate the importance of these questions. I am seeking information, because we started out to raise $8,000,000,000 by taxation——

Mr. SHERLEY. I think I can answer what the gentleman is after, and I stated it a while ago. In my judgment we will spend somewhere between $18,000,000,000 and $19,000,000,000 this year.

Mr. MOORE of Pennsylvania. This fiscal year?

Mr. SHERLEY. This fiscal year.

Mr. MOORE of Pennsylvania. Ending June 30 next?

Mr. SHERLEY. Ending June 30 next. You gentlemen are supposed to bring in a bill that might produce in the way of internal taxation $6,000,000,000 or more, and most of the remainder would come from the proceeds of bond sales. That, in a nutshell, is my idea of the situation that confronts the country.

Mr. MOORE of Pennsylvania. I am not seeking to confuse the gentleman, because he can help us. We were told to raise $8,000,000,000. We are now supposed to be content with $6,000,000,000, and it has been suggested that $4,000,000,000 would be sufficient. My proposition is one of simple arithmetic. If we have authorized to be spent $24,000,000,000 plus $7,000,000,000, making $31,000,000,000, it appears there should be a very great salvage and repeal of appropriations or more money must be raised both by taxes and by loans.

Mr. SHERLEY. I do not think the gentleman can approach the matter from the standpoint of moneys that have been appropriated and authorizations which have been granted. The way to approach it is figuring on what will probably be spent out of the Treasury during the fiscal year.

Now, I was hoping to give this to the House in some form and shape, instead of as the result of questions and answers, but as long as the gentleman has entered the field perhaps I can give him some of the information.

Mr. MOORE of Pennsylvania. Before the gentleman does that, merely so he can answer the whole thing at once, let me say that my understanding of the situation is that we authorized the expenditure of a total of $31,000,000,000 for this fiscal year, and the Government is certainly obligated for that.

Mr. SHERLEY. The Government is not obligated necessarily by moneys that are appropriated. The Government is affected by expenditures that are made within appropriations.

Mr. MOORE of Pennsylvania. We stood to expend $31,000,000,000 this year.

Mr. SHERLEY. On its face we stood to spend less than that. I have not had the time to check up the actual figures. What I have tried to give the gentleman, if he will just bear with me, is a statement that for the Military Establishment since the beginning of the war there have been about twenty-four and one-quarter billion dollars appropriated. I am proposing to take back from them about $7,000,000,000.

Mr. MOORE of Pennsylvania. That would make a saving that would be apparent to anyone, and that is what I am trying to get at.

Mr. SHERLEY. I think it will induce a saving, but it will not necessarily produce a saving. The gentleman is assuming that whatever is appropriated will be expended.

Mr. MOORE of Pennsylvania. If we were obligated to expend, or if we appropriated $31,000,000,000, what have we to pay it with except $5,000,000,000 raised by loans this year and $4,000,000,000 that has come in by taxes, a total of $9,000,000,000?

Mr. SHERLEY. I answer the gentleman in this way: I think we will have to meet this fiscal year from $18,000,000,000 to $19,000,000,000. We have raised from loans this year about $6,000,000,000. Presumably you gentlemen are going to raise by internal taxation $6,000,000,000, which makes six or seven billion dollars to be paid from the proceeds of other loans and from other sources of revenue.

Now, personally I answer the gentleman's inquiry by this statement, as I answered it within five days after the war started, and every event that has transpired since then has been an event to accentuate the wisdom of my statement; and that was that the Congress could not overtax, and would not, and that the danger all the time would be of undertaking to borrow instead of raising by taxation. And men can talk about the high cost of living until the rest of time, but until the nations of the world cease to feed into the currencies of the world their promises to pay you will not get rid of the inflation that is bothering all the world.

Mr. MOORE of Pennsylvania. I think the gentleman will see that I am trying to help him when I try to find out whether it is necessary to get along without loans or increasing taxes.

Mr. SHERLEY. My interest is in helping the gentleman in the way of the determination of taxes, because I remember that the gentleman was one of those who constantly insisted that we could pass this burden on to future generations, and ought not to tax too much.

Mr. MOORE of Pennsylvania. The gentleman is mistaken as to that. I stated that we were obligated to pay, and I have not yet seen how we can pay without raising some money by taxes.

Mr. SHERLEY. I remember when we discussed whether we should raise one-third or one-four by taxation, or a greater sum. The problem that confronts the Finance Committee of the Senate and the Committee on Ways and Means of the House is not how much of taxation they can get rid, but how much they can properly tax, because it is in the interest of the people of America that we should really get out of borrowing and as soon as possible go on to the basis that all sound going concerns must go on.

Mr. MOORE of Pennsylvania. I again say to the gentleman that he clearly misunderstood my attitude, and he evidently quotes some other gentleman of the House.

Mr. SHERLEY. If I have, I am glad to know it.

Mr. MOORE of Pennsylvania. I am asking these questions, I will say to the gentleman, because the President asked us to raise $8,000,000,000 by taxes, and as a loyal citizen and a Representative I have been trying to get that money where the President said we must get it. Now, we are told to get less, and I want to know whether by getting less we shall be able to pay the debts we have incurred. That is all.

Mr. SHERLEY. Of course, you are not going to be able immediately to pay them by getting either the maximum or the lowest sum.

Mr. MOORE of Pennsylvania. I have given the reason why I sought the information from the gentleman.

Mr. SHERLEY. I am not quarreling with the gentleman. If I had not been interrupted I think I would have been able to give it in one-third of the time, and I think I have given it now three times by summary.

The expenditures that have been made so far will be an index for the balance of the year. We have expended in the first six months of the fiscal year 1919 $8,570,160,890.43 in the way of expenses other than loans to our allies. We have expended in the way of loans $2,061,986,697.70, or a total of $10,632,147,588.13. Now, if we should spend during the last six months of the fiscal year the same amount of money that we have spent during the first six months, our total expenditures would be over $21,000,000,000. But it is to my mind perfectly manifest that our loans will practically cease to our allies, and that we have reached the peak of monthly expenditure. We are spending now at the rate of about $50,000,000 a day, and, basing a judgment simply upon the testimony of various individuals in various departments touching their activities, I look to see a constant falling off in expenditures up to April, and after April a very marked falling off, because by the first or middle of April we should have cleaned up a very large part of our contract obligations, and inasmuch as we have ceased production to a very great extent the Government's expenses ought to get down more nearly toward normal.

Mr. MOORE of Pennsylvania. We are still spending about a billion and a half a month, including our loans.

Mr. SHERLEY. We spent in December, excluding our loans, $1,670,890,000, and we have spent this month, excluding loans, according to the Treasury statement of January 27, $1,415,000,000, and, figuring $50,000,000 a day for the remaining four days, would make $200,000,000 more, or something over $1,600,000,000 for the month of January, exclusive of loans.

Mr. MOORE of Pennsylvania. I think the gentleman will concede that the total of expenditure in the 8 or 10 months we have been working on the revenue bill trying to raise $6,000,000,000 or $8,000,000,000, whichever sum may be realized, would certainly have a bearing on the amount that we are going to raise by taxes.

Mr. SHERLEY. Nobody I ever heard of has thought we were going to pay our debts this year simply by the money we raised from taxation.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. LONGWORTH. In view of what the gentleman has said as to the wisdom of providing as much as possible of our expenses by taxation, considering everything, does the gentleman think it is wise now to decide upon the amount of taxes that we shall raise for the year 1920 without further information as to what our actual expenses will be in 1920?

Mr. SHERLEY. Well, I do not know that I can answer that question. My own belief—and I say it very soberly—is that the Nation for a number of years ahead of us must face very heavy taxation, and that the tendency of every legislative body the world over is to evade the very disagreeable duty of levying taxes, and that it never evades that duty by borrowing without hurting the country. The one great lesson of the Civil War, to which I took occasion to call the attention of the House when this war broke out, was that it was only at the end of that war, practically, that the Congress had the courage to tax really heavily. It kept on borrowing and borrowing and borrowing until the credit of the Government had gotten to the lowest possible ebb, and it only began to reestablish the credit of the Nation when it showed a willingness to pay.

Now, what is true of an individual is true of a nation. It is only by showing a willingness to pay that a man maintains his credit.

Mr. LONGWORTH. Is not the argument of the gentleman an argument against the unwisdom of deciding now the total amount that we shall raise by taxation for the year 1920, when we have no idea how much our expenditures in 1920 will be?

Mr. SHERLEY. That might well be an argument against a conclusion as to the amount that ought to be raised rather than as to the attempt now to plan for it.

Mr. LONGWORTH. I do not suppose the gentleman cares to give a guess as to what the actual expenses of this Nation will be in 1920; but without guessing very far the gentleman, I think, would concede that they will be considerably more than $4,000,000,000, would he not?

Mr. SHERLEY. I think they are likely to be more than $4,000,000,000.

Mr. LONGWORTH. Nearer to $8,000,000,000 or $10,000,000,000, does not the gentleman think?

Mr. SHERLEY. No; I would not say nearer $10,000,000,000 than $4,0000,000,000, unless you gentlemen run more riot than I think you will.

Mr. LONGWORTH. We will try to quell the riot to some extent.

Mr. SHERLEY. I was giving you that benefit. So I say I do not think our expenditures in 1920 will go nearer to $10,000,000,000 than to $4,000,000,000.

Mr. LONGWORTH. But does not the gentleman think—and he is guessing, as we all must guess—that it is the height of unwisdom now to pass a revenue law raising a given amount of money when we believe—the gentleman and I believe, at least—that that amount will not come within 50 per cent of paying the total expenses for the year 1920. In other words, would it not be better to wait until 1920 and see how much taxes ought to be raised?

Mr. SHERLEY. The gentleman knows that I am a modest man——

Mr. LONGWORTH. All the truly great are modest.

Mr. SHERLEY. And that I have a great deal more to do than I can attend to in regard to the appropriating end. It has been a consolation to me to know that the gentleman was on the committee dealing with the taxing end. [Applause.]

Mr. MOORE of Pennsylvania. May I ask the gentleman what amount of appropriations is repealed by this deficiency bill?

Mr. SHERLEY. The report gives it to you in detail.

Mr. MOORE of Pennsylvania. I was not sure whether it was——

Mr. SHERLEY. Roughly speaking, over $7,000,000,000 of appropriations and over $8,000,000,000 of authorizations.

Mr. MOORE of Pennsylvania. Does that mean $15,000,000,000?

Mr. SHERLEY. It means of appropriations and authorizations, $15,000,000,000.

Mr. MOORE of Pennsylvania. A total of $15,000,000,000?

Mr. SHERLEY. Yes.

Mr. MOORE of Pennsylvania. May I ask the gentleman one more question, and then I will subside?

Mr. SHERLEY. Certainly.

Mr. MOORE of Pennsylvania. In view of the gentleman's statement as to the necessity for taxation over a period of years, is he satisfied to state that we should raise $8,000,000,000 in the present taxation bill, or $6,000,000,000—$6,000,000,000 being sufficient to carry us only four months at the present rate of expenditure?

Mr. SHERLEY. Frankly, I do not think that my opinion as to the total that you can or ought to raise is of very much value. I have not undertaken to ascertain what moneys could be received from various characters of taxes. All I have tried to do was to impress upon the House a point of view, in order that men who have to deal with the details of it—like the gentleman—might approach it from what I think is the right point of view, and that is, that as far as you can you ought to use the taxing power. Now, there is a limit to that. The wealth of the Nation is not the determining factor, as some people think, as to what amount of tax can be levied. What is more nearly a determining factor is the liquid wealth of the Nation, because there are certain values that exist, and while they are real they are not of such a character that they will readily yield revenue, and you can not afford so to oppress industry that you will prevent that *creation of* wealth by labor of all forms that is, after all, the source from which the Government must live.

Mr. MOORE of Pennsylvania. I agree with the gentleman as to that; but my question was specific as to raising eight millions or six millions at the present time, in view of the necessity stated by the gentleman.

Mr. SHERLEY. If we can in an equitable bill raise eight billions, I would be glad to see it, rather than six. As to the detailed proposal confronting the gentleman, I am not familiar enough to base a judgment upon it.

Mr. SNELL. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. SNELL. In the consideration of the bill has the gentleman any information coming to the committee in regard to the Army motor trucks on hand and the disposition of the same?

Mr. SHERLEY. Yes; there is published in the hearings money appropriated for motor trucks and the number they have, as far as they know. There is an inventory being made all over the country to ascertain that fact, but I have not in my memory the figures just now. The gentleman will find that in the hearings.

Now, I would like to come back to where I left off when speaking of the Quartermaster Corps. These savings grow out of the fact, as I stated, that the reduction of the Army from the maximum so as to reach down to 500,000 or even a somewhat larger figure makes possible these reductions.

In pay of the Army there has been left with the department money sufficient to pay the number of men with the colors to July 1, including a month's extra pay, in the event that that should be voted. It is rather interesting to know that a month's extra pay amounts to about $153,000,000. Of course, if that sum should be increased by action of Congress in voting two month's extra pay, it would amount to over $300,000,000, and if it was increased to six months, as suggested by some, it would be approximately $900,000,000.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. SMITH of Michigan. Would the increase of pay of the Army for an extra month include the officers?

Mr. SHERLEY. Yes; the increase of a month's pay in the figures I have given would include the payment of both officers and men.

The committee undertook in regard to all the various items under the Quartermaster's Department to get submitted to us a statement somewhat in detail as to the amount of money that has been appropriated, that had been allotted for a particular purpose, and the amount that had been expended. And a table was made up as of the 1st of November of the amount necessary to expend for the balance of the year. These tables were under various items, such as "Regular supplies," "Water and sewers," "Roads, walks, and drainage," and "Incidental expenses," "Army transportation," "Clothing," and "Equipment." Gentlemen will find in the hearings rather detailed information touching a lot of these matters. That information in many instances is not now current, but it was presumably current at the time the testimony was given.

As a result of the hearings we had the Quartermaster's Department take their original tables and revise them according to what developed at the hearings. The amount we took from them is in keeping with the tables as revised, and which they agreed they can surrender in connection with their appropriations. I confidently believe that there will be additional amounts that will not be expended, and ought not to be expended.

In connection with ordnance we did this. Their tables show a certain amount of appropriations and a certain amount expended as of a given date. Contract obligations of an amount stated and what they call authorizations or reserves, which differ from contract authorizations in this: A project would be approved of in the department and an estimate would be made as to what it was going to cost. There would be placed under the column of reservations so much money for this project, and if that project went into fruition and resulted in a formal contract and the undertaking of actual work, it would be taken out of the reservation column and come over into the column of obligations. But frequently matters reached a point involving third party liabilities and the doing of considerable work, and yet had not been transferred over to what are called obligations in their system of bookkeeping. They estimated in their contracts that they would have to spend 75 per cent of their face in order to relieve the Government of them. In other words, that they could cancel 25 per cent, or about that; that of their reservations they would require but 15 per cent, and they could eliminate 85 per cent. On that basis the amounts in connection with the ordnance are made up.

Manifestly, that is a simple and broad generalization, but it is a generalization predicated upon examination more or less detailed, in some matters quite so, and others very little so, by various corps, as to what they felt they could relieve the Government of and what they could not. My own judgment is that it is a very conservative statement, that they ought to be able to relieve the Government of 45 or 50 per cent of contract obligations rather than 25, but the committee did not feel that it would be warranted in putting its own judgment about he matter against the statement of these officials. We did not want to put the Government in the situation where it was not able to pay its bills. It ought to be able in settling contracts to have the money to pay them. One of the best ways of settling them would be for the Government to be in a position to pay the actual sum agreed to and not leave it to a matter for future appropriation.

Mr. DENISON. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. DENISON. In the consideration of this question, these contracts that were canceled and authorized, are they considered under the head of authorizations and appropriations?

Mr. SHERLEY. They were not considered under either necessarily.

Mr. DENISON. Did the committee take into consideration on this coming back into the Treasury, or the cancellation of authorizations, the amount the Government would have to spend in settling these canceled contracts?

Mr. SHERLEY. Of course.

Mr. DENISON. How much did the committee estimate that would require?

Mr. SHERLEY. I just stated that, as to the ordnance people, they stated that they needed 75 per cent of the face of their obligations. If the gentleman will examine the various financial sheets printed, he will catch it readily. What was done is that they presented a table of the amount of cash they have been authorized to spend.

It would be well just to forget the authorizations because we have practically wiped out all of the authorizations, and what we did not wipe out have been taken care of by appropriations which have been made, converting them from authorizations into appropriations. They had so much cash, they had spent so much as of a given date, and that left them a balance of so much. Against that balance were obligations of such amount and reservations as I have spoken of. Those obligations and reservations frequently represented a sum very greatly in excess of the available cash left, but when you cut 25 per cent of the contract obligation off and 85 per cent of the reservation off it left an amount considerably under the cash that was available. That amount taken from the cash available left the amount of appropriation that we could repeal, except as a corps might need additional moneys for the balance of the fiscal year, and when that was taken away it gave you the net which we carry in this bill. In regard to the ordnance it represents, as also the quartermaster, practically their revised statements by which they are willing to stand.

Mr. SNELL. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. SNELL. Does the gentleman know whether the contracts for motor trucks have been canceled, or are some firms still making them for the Government?

Mr. SHERLEY. The gentleman will find a statement about that made by Gen. Wood. They have canceled a great many of them, and Gen. Wood stated that they were not going to manufacture any that had not been begun; that only where the work had progressed to a certain extent that it would require completion did the quartermaster propose to continue, and that they had suggested to the ordnance people that they also shut down on all such work, and the ordnance people have testified generaly that they are going forward with no work where the physical conditions of the work do not make it advisable in their judgment to complete a thing rather than to scrap something that scrapped would have no value whatever. Gen. Wood also testified that the automobile people had kicked a good deal against the curtailment of their orders, but that that was their policy, and as fast as they could relieve the Government they were going to do it.

Mr. SNELL. Are not these trucks standard, so that parts could be used in the regular manufacture of heavy trucks?

Mr. SHERLEY. Of course, they could be, except for an attitude of mind of the American people and the American manufacturers. The average American manufacturer wants to make his particular design, and then he will spend a good part of his money in advertising to convince the people that that particular design is the desirable one. Out of that comes a good deal of the wonderful progress this country has shown in the way of betterment of things, but out of it comes also the scrapping of a great deal that is valuable but which people are led to believe is not just what they need or want.

Mr. SNELL. The last inventory I see here of trucks, and so forth, was made November 25. Does the gentleman know whether there has been a later one than this?

Mr. SHERLEY. I understand they are daily at work in regard to checking up; that there have been a number of officers sent out over the camps and cantonments. There were various corps that did buying to supply their own needs, and an effort has been made to assemble gradually all of the trucks under the Motor Truck Division, but out in the camps and cantonments there are a good number of trucks and automobiles of which they have not here a complete inventory, and they are undertaking to get that now.

Mr. SNELL. Does the gentleman know whether it is the fact that there are 9,000 over here near Baltimore in a field?

Mr. SHERLEY. I do not.

Mr. SNELL. I have been informed that is so.

Mr. SHERLEY. I know that there are a great many more trucks than the Government has any possible need for.

Mr. SNELL. I heard a man make that statement yesterday.

Mr. SHERLEY. I think that the truck manufacturers have been very insistent that the Government should not sell trucks in large quantities, because it would smash their market. That is just one of the problems that confronts the Government right along.

Mr. SNELL. I heard this statement made the other day by a gentleman who was not talking to me, or rather I overheard it, and I do not think that he knew that I was a Congressman. He said they had just been to Washington—the truck manufacturers—and they had fixed up their matters and were going to manufacture trucks for the Government until about the 30th of June. He said that the thousands of them that were in France would be scrapped over there and never returned to this country, and also that there were 9,000 at the present time stored out here near Baltimore in a field.

Mr. SHERLEY. All I can say in response to the gentleman is that I have no other information than that which is contained in the hearings. To my mind it would be absolutely inexcusable for the Government to go into the manufacture of additional trucks except as manufacture may mean the finishing of work that has already gone to such an extent that not to finish it would be more wasteful in that you would get nothing of value and would get less salvage than if you finished it.

Mr. SNELL. With so common an article as a motor truck, it would seem to the average man that you could stop manufacture of it inside of seven months after the armistice was signed.

Mr. SHERLEY. I should be very much surprised if it developed that the truck manufacturers were to carry on any governmental manufacture on a large scale for a period as late as that.

Mr. SNELL. That is the way it impressed me, and I was wondering if the Committee on Appropriations had any definite opinion along this line. There is nothing in this; I have looked through it and it does not give definite information.

Mr. SHERLEY. The gentleman will notice in reference to the Quartermaster's Department we had that hearing first.

Mr. SNELL. I notice, two months ago.

Mr. SHERLEY. And a good deal of time has passed since then working as fast as we could and I have not been informed of any such situation as the gentleman speaks of.

Mr. SNELL. I think that is a matter that is worthy of attention.

Mr. SHERLEY. I think the gentleman can easily verify that and very quickly, and the way to verify it is to call up either the Secretary of War, the Assistant Secretary of War, or the Traffic and Storage people, who ought to be able to give definite information touching that.

Mr. DENISON. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. DENISON. Does the War Department have absolute and unlimited authority in the question of salvage?

Mr. SHERLEY. Well, it has the authority contained in the statute which I read a while ago to the committee.

Mr. DENISON. I happened to be out of the Chamber at the moment.

Mr. SHERLEY. It is pretty broad authority.

Mr. DENISON. I asked the gentleman the question because I noticed in to-day's paper the Quartermaster's Department were selling something like a thousand mules over here in Baltimore, and I could not understand why they would sell those mules at Camp Meade in Baltimore.

Mr. SHERLEY. I do not know whether Baltimore is a mule market, but I suspect that the reason that controlled them was that the transportation to another market would be sufficiently heavy as to be unjustifiable, and personally, while I think they ought to get all for the mules they can, yet every mule and horse that the Government sells the Government is the gainer thereby.

Mr. DENISON. I think that is true; but in this case I think it was bad judgment, because everyone who knows anything about the mule market—the stock market—knows that mules are bought in this country largely in the Northern States and shipped into the Southern States, where the principal mule market is, and those mules that were sold at Camp Meade will be bought by speculators, put on a train and shipped to the cotton States, and sold at a great big profit, and I think that is what the Government ought to have done with them.

Mr. SHERLEY. I am not quite sure the Government ought to do it.

Mr. DENISON. If they wanted to get real salvage.

Mr. SHERLEY. I am not so sure of that. Theoretically that works out very well, but by the time you got the Government organization following the mules down with the overhead it more than eats up what you get as an additional price. I am anxious that the Government should get out of business. I do not believe that we are going to gain very greatly by assuming that the Government can run a thing with the close economy that a man who is in that particular business alone can. I suspect if we could follow the bookkeeping, which you never can, we would find that by the time we paid for everything, including the men kept in the service because of this, that you would make a poor bargain in having the military organization take mules down South and sell them rather than sell them here. Now, I do not know much about it. I have never been a mule trader.

Mr. SNELL. I entirely agree with the gentleman's statement, and I am glad to hear him make the statement that it is a good time for the Government to get out of business.

Mr. HARDY. Will the gentleman yield for one question?

Mr. SHERLEY. I will.

Mr. HARDY. That is in reference to Government manufacture. Is it the policy of the department always to discontinue the manufacture of such articles as the Government will have no need for itself, to stop the completion of the matter?

Mr. SHERLEY. Well, I do not know that you could answer that by saying yes or no. The Government might have a building with four walls up and no roof on it and with no use on earth for the building, and yet it would be wise to turn in and put a roof on it as a means of salvaging that place.

Mr. HARDY. The illustration the gentleman makes is all right, but take a certain war material, for instance, for which, now that peace has come, we have no need. Is it the policy ever to finish any of those or are they cut off?

Mr. SHERLEY. Now, I have never been particularly concerned with the agitation that has gone around as to the condition in connection with unemployment that we were facing. I believe if the Government will take its hand off the citizen wherever it is possible and leave him to go back to his old method of self-reliance, the industry of the country will largely take care of the labor situation and all other situations.

Mr. HARDY. In which I thoroughly agree with the gentleman.

Mr. SHERLEY. But it is also perfectly manifest you can not stop everything overnight without playing smash. It is a question of judgment, and it is a question of judgment as to the particular cases. The testimony repeatedly given again and again and again by these officers was that they were trying to the utmost degree to slow down and to eliminate the manufacture of things that were not desired, and they cited only four instances in which the labor situation had determined a policy to continue manufacture for a limited length of time. I do not recall the four cities, but they were named. And I do not happen to have knowledge enough to qualify as to whether a given thing should be done or not done in most instances.

Mr. HARDY. What had occurred to me was that rather than to use up raw material it would not be better to pay the wages and stop the work and save the material at the same time.

Mr. SHERLEY. I doubt if there are many cases where you have raw material in that condition. What you have is usually raw material in the sense that one man uses it, but a finished material in another sense and cut in such shape as to be available only for the purposes intended by the Government, and it becomes scrap and junk if you do not use it in that way. It all depends on what the article is and the conditions that surround it. And I know of no way in which to lay down a hard and fast rule.

The gentleman will appreciate that there are a great many factors that enter into a thing of that kind. It is very hard, of course, to convince military men that they are not going to have need of some sort for war material, although we have such quantities now. I do not think that factor is playing any considerable part, but here is a thing that is 80 or 90 per cent completed——

Mr. HARDY. That is the very point.

Mr. SHERLEY. Wait a moment. It may be 80 or 90 per cent completed, not in the way of finished but in a way of obligation that has been incurred. Now, it might be desirable to spend 10 per cent more and get a 155-millimeter gun, for instance, than to scrap it and lose the whole out of an unwillingness to spend that 10 per cent.

Mr. HARDY. If you do not have any use for the millimeter gun when completed, does not the gentleman's argument fall to the ground and should we not stop and save the 10 per cent?

Mr. SHERLEY. My own judgment is that we should stop everything we can, but we are not free agents, however, as we have a great many obligations which we have to carry through. Now, another thing. You can not put a sudden stop to the country's wheels without having a good deal of damage done..

If the committee please, I have wandered very far afield and have not been able to make, as I had hoped, anything like a connected statement; but I want to make a statement touching a situation that came about through the Navy estimates that were submitted to Congress. The Navy has had appropriations, including a three-year building program previously authorized, of $3,376,956,000. They had disbursed as of November 1, $1,568,710,000, which left a cash balance of $1,808,245,000. They came in and asked for a deficiency appropriation of $419,294,526. They made an estimate of moneys that they would not need and which they could surrender of $274,407,641, or a net deficiency of $144,886,884. The committee spent two or three pretty hard weeks with the Navy. We could not understand a situation that would require us at this time to make a net deficiency appropriation of $144,000,000. The result of the hearings was such that we recommend to repeal $334,361,866 which they do not need to spend and that the deficiencies which they need, instead of being $419,294,526, are cut to $280,762,225, so that the bill recommends a net saving on Navy appropriations of $53,599,641 instead of a net deficiency that they estimated when they originally came before the committee of $144,886,884.

Now, I notice in the recent hearings before the Naval Committee that the distinguished Secretary of the Navy suggested that one of his difficulties had been that he had to go to the Committee on Appropriations for a number of matters and that they were not familiar with naval matters, and that that made it difficult for the committee and for himself. I desire only to say in response that the committee may not be familiar with the details of naval matters, but it believes that it is somewhat familiar with financial statements, and it submits as a fact of its familiarity, for the benefit of the Treasury, a difference of getting back $53,000,000 instead of giving up an additional $144,000,000. But it might also suggest that usually the committee's knowledge of naval affairs was not involved, because we were presented with deficiencies that had been incurred without the authorization either from the Naval Affairs Committee or any other committee of Congress, and the only thing we could do was to pay the bills.

I recall that the Committee on Naval Affairs voted $215,000,000 for a Navy emergency fund in connection largely with the building of torpedo-boat destroyers and what are known as chasers. The Committee on Appropriations, at the insistence of the Navy Department, added to that sum $100,000,000, making a total of $315,000,000. The Navy Department overobligated that fund by $96,000,000, embracing activities of every known description, practically, in connection with the Navy Department, and the Committee on Appropriations and the Naval Affairs Committee of the House were met with a situation where $315,000,000 had been voted for an emergency fund and obligations considerably over $400,000,000 incurred. And one of the deficiencies that we carry in this bill is $33,000,000 for the completion of destroyers that were undertaken in connection with this naval emergency fund.

Mr. MADDEN. Does that include the "Eagle" boats that are being made in Detroit?

Mr. SHERLEY. No; that $33,000,000 does not. But, of course, a great deal of this money from this emergency fund did go for "Eagle" boats, but it was available for any purpose in the prosecution of the war that they thought necessary to expend it for. By expending it for one purpose they left just that much less to be expended for another purpose.

It is also true in connection with the cantonments that the Navy built that practically all of them were built without any direct appropriation having been made for them, and then the bills presented in the form of deficiencies.

Now, I am not altogether quarreling about some of that, because the exigencies that confronted the Navy were great. All of us take a pride in their achievements and accomplishments, and they have had estimates that were predicated, as I stated awhile ago, on a Navy of very much less size than what it developed into. When the war broke they had 300 ships in commission. When the war ended they had 2,003 ships in commission. That meant a tremendous expansion, and it meant that they had to do a great many things and come to us afterwards. But in view of those facts it seems to me that there was hardly much excuse for the Secretary's apparent regret that the Committee on Appropriations was not familiar with naval affairs.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. MANN. The question that came to my mind in that connection was how would the Secretary of the Navy know that the Committee on Appropriations is not acquainted with naval affairs? I did not know that he knew enough about the Navy to qualify as a judge whether anybody else knew anything about it. [Laughter.]

Mr. SHERLEY. Well, I am not prepared to adopt that statement in regard to the matter, but I think it is due to the Committee on Appropriations to say that when they do not know they try to learn, and when they fail to learn it is usually because they are unable to obtain information that would give them the knowledge by which they would know.

Mr. MADDEN. In other words, you have difficulty in getting information from those who are supposed to have it?

Mr. SHERLEY. That frequently is the situation. But we have very carefully gone over the Navy matters this time, and we are prepared to defend the action which we have taken.

Now, gentlemen, this, I believe, has resulted from the committee's labors: In the first place, if our action meets the approval of the Congress, we will have taken away the possibility of expenditure in the amounts which I have indicated. It may be answered by some that the departments would not have spent these sums anyway. That may or may not be accurate. But when you take it away, you remove any doubt. But over and beyond all that, the value of the committee's work has been this: That for the first time in many, many years the departments have been required to throw into a financial sheet a statement of the moneys that have been given to them, and the moneys that have been expended, and the moneys that were available; and officer after officer has stated that the examinations which they have been compelled to undertake have brought about a knowledge, a clarity of vision, as to their situation and problems that they probably would not have obtained otherwise in many, many months. I am satisfied that as a result of this examination there can be savings running up into the hundreds of millions of dollars. And I can not overemphasize the importance of saving to this country at this time. I think the American people are going to demand of the Congress and of administrative officers the elimination of all those things that can be eliminated without real hurt to the people of America.

Now, it is difficult to say as to many matters that are on the borderland as to whether they ought or ought not to be carried forward, but the doubt ought always to be resolved in favor of the Treasury, and in favor of not doing, rather than in favor of doing.

Mr. TILSON. Mr. Chairman, will the gentleman yield for a question?

Mr. SHERLEY. Certainly.

Mr. TILSON. Work on my committee has compelled my absence during a good part of the gentleman's remarks. Has he explained in regard to those things, both in the Army and in the Navy, that have arrived at a partial state of completion—those things that we must have hereafter? Are such things going on to completion, or will there be a large amount of contracts canceled or authorizations revoked of matters already in a state of partial completion?

Mr. SHERLEY. I have made two or three general statements from time to time. Touching the ordnance, they will have—with the exception of a very few things, either delivered or necessary to be completed and delivered, because of the inability to relieve the Government of its contract obligations—as a reserve more than a sufficient quantity for 48 divisions of the Army, which they figured was the number of divisions they wanted a reserve for. The gentleman will find in the hearings tables undertaking to set out in detail the number of guns and the number of howitzers of various sizes and kinds that they will have, the number that their tables of organization make it desirable for them to have for 48 divisions, whether that number represents a plus or minus, and to what extent; the number of shells of various calibers they will have; and so forth. Now, the problem, practically, is not a problem of getting something that you should have, but of getting rid of obligations for things that you have already got in quantities sufficient; and in practically every instance the Government ought to measure its cancellations by its ability to cancel.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. MADDEN. In taking back the appropriations which the committee recommends to be taken back, will it be necessary, as the result of that, to reappropriate the amount that will be found to be due when the contracts are adjusted?

Mr. SHERLEY. In my opinion there is not a single instance where we have taken moneys away in such quantity as not to leave a balance that ought to be amply sufficient to take care of the department's needs in meeting its obligations and its necessities for the balance of the fiscal year.

Mr. MADDEN. That is not exactly what I said.

Mr. SHERLEY. I mean obligations and contracts.

Mr. MADDEN. I mean readjustments.

Mr. SHERLEY. I mean that, too. I mean it ought to be able to pay its debts and maintain itself until July 1 on the moneys that are left.

Mr. TILSON. Mr. Chairman, will the gentleman yield further?

Mr. SHERLEY. Certainly.

Mr. TILSON. I wish to submit this statement to the gentleman: The Ordnance Department was before our committee the other day and asked for an amount of money to continue the manufacture of the Springfield rifle, as it was intended that that should be our rifle hereafter, and asked that we should continue the manufacture of that rifle, not in large, maximum capacity at all, but that we should continue the manufacture of that rifle. At the same time we know that a number of rifles and rifle barrels have reached a stage of completion where it will be almost a dead loss if they are not completed. Query: Is it provided in the gentleman's bill that contracts like that shall be canceled, stopping the manufacture of rifle barrels, for instance, where the manufacture is already proceeding, junking the rifle barrels, and then in the Army bill this year or next year provide for buying those very same rifles?

Mr. SHERLEY. No; we do not undertake to compel action in any given instance. Take the illustration. They have so many rifle contracts. They estimate that they can relieve themselves of a certain quantity, and that they will have to accept the balance. They have a table as to the number of rifles of the modified Enfield pattern which they expect to get under this program. The same applies to other ordnance material. Now, pooling it all they figure that they can relieve the Government of 25 per cent of the face of their contract obligations. My own judgment is, as I have stated before, that they can relieve the Government of considerably more than that. We have the same problem before the committee in connection with the fortification bill, and it is my opinion that as to any new appropriations that are being asked for in connection with particular projects, assuming that the Congress agrees to those projects, we could safely pay for them out of existing moneys that they have, which will remain available in some cases until expended; and I hope in connection with the fortification bill that a provision will be carried covering into the Treasury all unexpended balances as of the end of 1920, so as to prevent having for many years hereafter sums that we do not know about at the disposition of the department.

Mr. MANN. Mr. Chairman, in connection with the questions which have been asked I would like to call attention to a particular item, which is like many other similar items. On page 21 is this item:

For horses for Cavalry, Artillery, Engineers, etc., fiscal years 1917–18 and 1918, $32,170,956.08.

First, I would like to inquire what is meant by the "fiscal year 1917–18"?

Mr. SHERLEY. Funds were made available by legislation from one fiscal year over to another, and they were thrown together in the Treasury accounts as of one fund, so that the appropriations were appropriations made both in 1917 and in 1918, and these are actual incurred deficiencies that exist, for which there are no moneys now available to pay them.

Mr. MANN. These are not deficiencies. These are sums covered back into the surplus fund of the Treasury.

Mr. SHERLEY. The gentleman is right. I looked at the page in regard to the Navy and thought it was in regard to the Army.

Mr. MANN. That apparently is a balance?

Mr. SHERLEY. Yes.

Mr. MANN. Does that mean that all the accounts for 1918 are settled, or is there liable to be a further deficiency to be taken care of in the future for the accounts of 1918 under this particular item?

Mr. SHERLEY. There will probably be some items that will still come in for those fiscal years, but this does not mean that we have taken all the money that they had from those years, but that we simply have taken that amount that they feel certain they can give up as not being needed to meet any bills or obligations incurred in those fiscal years.

Mr. MANN. You are getting it down to a pretty fine point—8 cents in an item of $32,000,000. Of course, I know how those things come.

Mr. SHERLEY. Those items of odd cents come by taking certain items of balances.

Mr. MANN. I know how they come; but I did not know whether that was a complete balance. There is nothing to indicate whether it is a whole or a part balance.

Mr. SHERLEY. It is not a complete balance, but it is an amount in connection with certain things for which they will not have to make an expenditure, and therefore give it up. It is predicated upon that basis. I would have to look at the hearings for that particular item.

Mr. MANN. I am not inquiring about particular items.

Mr. SHERLEY. Now, in connection with the deficiencies that are in the bill, most of them of any magnitude relate to the Navy, and I shall be glad, when any of them are reached, to give to the Committee of the Whole any information that I may have touching the reason for them.

The deficiencies that relate to the War Department amount to $6,400,000. Of that sum, $4,000,000 is in regard to the temporary clerks in the War Department. They estimated a need of $6,000,000 additional, and I am just in receipt of a letter from the Secretary of War urging that we give the $6,000,000

additional. That is because of the relief from clerical work of a lot of men in the service, so that the temporary employees will have to be maintained at a considerable number, though not at the number that they reached at their maximum a few months back; and he says that their present pay roll, unless very severely reduced, will not enable them to get through on the $4,000,000 that we here appropriate, and that they need the $6,000,000 that they asked for. I do not know how you can come to any real conclusion touching these matters. The Adjutant General's Office comes and urges a tremendous increase in force, stating that it is behind in a lot of its work—and we all know that—and that a great deal of additional work will come upon that office because of the work that will be thrown upon it as the result of the draft and the bringing in and classifying of those records; and that as the men go out of the service the work that is thrown upon that office is very greatly increased.

There is a good deal of truth in what they say. It is also true that the finance division in the near future claims that it needs a greater force than they needed at any other time, but there seems to be a general belief on the part of the House that there is a lot of unnecessary clerks being employed. The Committee on Appropriations has never given all the clerks that were asked in the various departments. We have tried to hold them down. One man does more work with 100 clerks than another will do with 150 clerks. The committee can not undertake to come to any hard and fast conclusions as to the numbers they need. We want to put pressure on the departments to hold down the clerical force and produce efficiency in them, instead of coming to Congress and asking for additional employees on the plea that the work is behind. If I felt that the work could be made current by giving in its entirety the amount they ask in the way of clerical hire, I would be glad to do it, because it would be money well spent in order to get the work current and get things accomplished, but I have been forced to the conclusion that efficiency of output does not bear always a direct relationship to the number of employees, but frequently in inverse ratio. What is needed is not so many additional clerks as a proper supervision of clerks and elimination of doing unnecessary things. We have infinitely too many forms in the Government. We have requirements in connection with paper that have not any basis of reason for them and that could be eliminated without in the slightest degree lessening the safeguards to the Government and would result in a very great deal of saving. It is just one of those perpetual problems that every Government has, and I know of no solution except through the individual who happens to be charged with the responsibility of the work.

Now, there is a deficiency of $2,473,782 for the disposition of remains of officers and soldiers and civilian employees. While the language does not hold the appropriation to the men who died here in America, the deficiency is for the expense incident to the burial of men who died in America and does not result from any expense that may arise in the return of the bodies of men who die overseas, if that policy should be entered upon.

The epidemic of influenza which swept over this country caused in the Army, as in civil life, a great increase in deaths. The result was that funds available for this purpose were not sufficient to carry them through the balance of the fiscal year, and the estimate was made which we allowed in its entirety. It is a more or less fixed expenditure, and the total is dependent on the deaths that take place in the service.

The other items, except the Navy, are minor ones in connection with the various departments of the Government, the District of Columbia, and Employees' Compensation Commission, the Treasury Department, and so forth. Under the five-minute rule if anyone desires information touching any one of them I will be glad to supply it if possible.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. LONGWORTH. I gathered from reading the hearings that a request was made of the subcommittee on behalf of the Tariff Commission, for an increase of appropriation in order to carry out certain projects that they have under contemplation. Will the gentleman state whether that request was given careful consideration and what induced the committee to refuse to allow the increase?

Mr. SHERLEY. That request, like all requests, was given careful consideration. It was the judgment of the committee that at this time it was not particularly desirable or necessary for the Tariff Commission to increase its activities; that in a great many areas conditions were so unsettled as to make any study proposed of little value in coming to a permanent conclusion. The gentleman will recall that the law creating the Tariff Commission provided for a maximum expenditure of $300,000. We have appropriated this year $200,000, and their estimate was for $100,000 more. It would have meant, if given, that for the last six months they would be running at a rate of expenditure in excess of what the law authorized. They have very carefully and very scrupulously observed the limitation upon their funds. They so allotted their work that they spent during the first six months just half of their fund. If they were given the additional $100,000 it would have meant for the last six months an expenditure at the rate of $400,000 a year. There was some difference of opinion on the part of the members of the subcommittee as to whether they should be given any additional sum or not, but the result of the majority opinion was—and by majority I do not mean a political majority necessarily—that there was no need of an appropriation at this time.

Mr. LONGWORTH. Did the committee think of giving them an appropriation which would have gone as high as $50,000?

Mr. SHERLEY. Fifty thousand dollars? That was suggested by one member of the subcommittee, but did not meet with the concurrence of other members.

Mr. LONGWORTH. As I understand the situation, it is this: The act creating the Tariff Commission was passed in 1916 and authorized an appropriation of $300,000, but, as a matter of fact, in the first year, necessarily not being able to perfect the organization, something less than $200,000 was spent. The next year, on account of the war activities and otherwise, they naturally would not go ahead, and so a little less than $200,000 was spent. For the first half of this year $100,000 was spent. Now, as I understand their request, it was that, in view of the fact that an armistice had been entered into and members and employees returned who had been in the war, they felt that they could broaden the sphere of their activities, and therefore asked for a larger amount, an amount, though, in excess of the amount authorized.

It occurs to me that under the circumstances it might be wise to appropriate up to but not in excess of the amount authorized by law which created the commission, and that was my purpose in asking the gentleman whether it had been seriously considered that they be given the amount they were authorized to expend in the original act.

Mr. SHERLEY. Mr. Chairman, the gentleman will appreciate that in presenting the bill I speak for the committee and not for myself. The committee did not feel warranted at this time in appropriating additional moneys for the Tariff Board, but the matter was considered, and the very suggestion that the gentleman makes was made by one member of the subcommittee. The judgment of the subcommittee, however, which was acquiesced in by the full committee, though I do not know that the full committee's attention was particularly drawn to the matter, was that at this time no additional moneys should be appropriated. I will say to the gentleman that there is pending in connection with the sundry civil appropriation bill an estimate, I think, for $400,000 for the next fiscal year for the Tariff Commission, and I think this ought to be said in regard to the commission, that whatever views may be held as to the desirability of a commission or as to the efficiency of the work of any particular commission, this commission scrupulously kept faith with Congress touching expenditures. As I have already indicated, having received $200,000 for this year, they very carefully refrained from spending more than $100,000 the first six months. They frankly said that if Congress did not vote them the additional amount of money they would try to live within their present appropriation.

Mr. LONGWORTH. If I understand the gentleman correctly, then, he says that even if this money were not given this year, and while their functions would be necessarily limited for the next fiscal year, beginning on the 1st of next July, the committee has under consideration the question of even increasing the amount authorized?

Mr. SHERLEY. I would not put it that way. I meant to convey simply the fact that the commission in submitting an estimate for the next fiscal year submitted one for $400,000, and the committee on the sundry civil appropriation bill, where it would be carried, has not functioned on that at all.

Mr. LONGWORTH. That would be carried in the sundry civil appropriation bill?

Mr. SHERLEY. If carried at all, it would be there. Unless some member of the committee desires to ask something touching some matter I have overlooked, I shall not longer detain the committee, but will endeavor in a revision of my remarks to bring them into some sort of coherence and to amplify the matters I have overlooked. The work that is presented here must in a very large measure be accepted somewhat on faith by the Committee of the Whole. I realize that the hearings and the matters that they deal with are so great as to make difficult any

ascertainment touching many matters reported on in the bill, but there is nothing here contained that is not conceded, not always in the first instance, but conceded as a result of examination by the various departments affected to be proper, and, in my judgment, this proposed enactment can not in the slightest degree hamper the Government in going forward in the settlement of its debts and in maintaining the various corps of the Army and Navy for the balance of the fiscal year. If we have erred, we have erred on the side of conservatism, and I wish, in conclusion, to again express the hope that these sums which we are now taking back shall not by any means represent the total saving of amounts heretofore appropriated or authorized, but that the departments in working out the settlement of their obligations and by the curtailment of their activities may save sums of very great amount. I hesitate to suggest the amount, but I can not but believe that if a determination to forego the doing of everything that is not strictly necessary is followed and good business judgment is used in the adjustment of contracts the amount here carried can be augmented by a very considerable sum.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. SNYDER. I would like to ask the gentleman if in considering the amounts left in the War and Navy Departments the amount is sufficient to cover the $1,600,000,000 of unsettled contracts that we passed the legalizing act for recently?

Mr. SHERLEY. Not at their face.

Mr. SNYDER. But sufficient to recover what your committee considers will be a fair adjustment of these amounts?

Mr. SHERLEY. Unquestionably. Not only will that be so, but as I said a moment ago I think they will be more than sufficient.

Mr. SNYDER. I do not recall hearing the gentleman state in his argument that it covered that particular thing.

Mr. SHERLEY. If I did not directly state it I did by inference, because I stated in regard to the Ordnance Department that they were surrendering 25 per cent of the face of their obligations, and I think they ought to be able to make adjustments on a bigger scale. The Quartermaster's Corps, in connection with cotton goods and other matters, have made settlements that will represent more than 25 per cent of saving on the face of their contracts. All the departments presented estimates as to the extent they would be able to cancel contracts and relieve the Government of obligations, and the amounts left with them they concede as sufficient to meet the obligations that can not be canceled and also their future needs to July 1. [Applause.]

Mr. Chairman, under leave to extend my remarks, I submit herewith tables showing the sums appropriated, expended, and amounts stated as no longer needed for the various divisions of the Military and Naval Establishments. An examination of these will make plain many matters I was unable to deal with in addressing the House. Following these tables is appended a statement showing the cancellations of appropriations and authorizations recommended by the committee.

Statement of military appropriations made since May 12, 1917, as of Dec. 1, 1918.

[Parentheses indicate negative figures.]

SIGNAL CORPS.

Titles.	Appropriations.	Disbursements made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled.	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriation not required.
Signal Service of the Army, acts July 9 and Nov. 4, 1918	$155,946,054.77	$22,640,790.22	[1] $45,507,864.51	[2] $4,424,200.00	[1] $83,373,200.04
Seacoast defense, Signal Service, act July 8, 1918	180,000.00	[3] 31,613.83	[3] 148,224.88	161.29	
Seacoast defense, insular possessions, act July 8, 1918	15,000.00	[3] 1,190.44	[3] 7,224.56	6,585.00	
Seacoast defense, Signal Service, Panama, act July 8, 1918	15,000.00		[3] 1,901.96	13,098.04	
Washington-Alaska military cable and telegraph system, act July 19, 1918	147,445.00	27,414.19	[3] 87,516.81	32,514.00	
Commercial telephone system, Coast Artillery posts, act July 9, 1918	15,150.00	[3] 4,459.29	[3] 10,690.71		
Replacing Signal Corps supplies and equipment	34,287.73		[3] 1,709.98	32,577.75	
Total	156,352,937.50	22,705,467.97	[1] 45,765,133.41	4,509,136.08	83,373,200.04

DIVISION OF MILITARY AERONAUTICS.

Air Service, military, acts July 9, Nov. 4, 1918	$184,304,758.00	$53,254,806.40	[4] $46,050,000.00	[5] $23,467,026.42	$61,532,925.18
Aviation stations, seacoast defense, act July 8, 1918	8,000,000.00			8,000,000.00	
Total	192,304,758.00	53,254,806.40	46,050,000.00	31,467,026.42	61,532,925.18

BUREAU OF AIRCRAFT PRODUCTION.

Air Service (Production), act July 9, 1918	$760,000,000.00	$34,490,492.11	$225,251,843.63	[6] $100,257,664.26	$400,000,000.00
Increase for Aviation, Signal Corps, act July 24, 1917	640,000,000.00	522,161,120.38	[7] 117,838,879.62		
Signal Service of the Army, acts May 12, June 15, Oct. 6, 1917	99,067,766.00	81,596,746.98	15,471,019.02		2,000,000.00
Total	1,499,067,766.00	638,248,359.47	358,561,742.27	100,257,664.26	402,000,000.00

QUARTERMASTER CORPS.

General appropriation, Quartermaster Corps, acts July 9, Nov. 4, 1918:					
Subsistence	$985,859,485.00	$138,275,313.40	$81,134,713.53	$65,840,704.35	$700,608,753.72
Regular supplies	444,492,208.00	90,243,596.46	44,758,017.98	47,576,521.51	261,914,072.05
Incidental expenses	100,070,770.00	13,101,210.06	13,957,893.79	46,537,419.34	26,474,246.81
Army transportation	1,974,552,420.00	108,797,452.43	234,015,793.89	722,596,675.70	909,142,497.98
Water and sewers	72,182,622.00	19,849,745.03	14,631,554.08	5,149,508.00	32,551,814.89
Clothing and equipage	1,397,704,704.00	295,558,487.05	171,565,045.87	22,277,349.26	908,303,821.82
Horses for Cavalry, etc	90,616,331.00	35,391,133.23		669,600.00	54,555,597.77
Barracks and quarters	175,100,000.00	38,239,378.83	87,179,583.44	15,550,447.53	34,130,590.20
Military post exchanges	4,875,662.00	498,842.09	1,618,619.73	1,031,500.00	1,726,700.18
Roads, walks, wharves, and drainage	35,117,175.00	14,814,124.61	10,096,054.17	3,638,201.00	6,568,795.22
Barracks and quarters, Philippine Islands	500,000.00	22,335.97	314.90	477,349.13	
Construction and repair of hospitals	166,469,930.00	17,974,051.34	77,310,561.96	8,995,812.82	62,189,503.88
Quarters for hospital stewards	66,600.00	16,674.75	216.25	23,646.00	26,063.00
Shooting galleries and ranges	343,110.00	485,183.01	1,017,568.99	195,902.00	(1,355,544.00)
Maintenance, Army War College	12,200.00	4,768.44	1,424.06	6,007.50	
Rent of buildings, Quartermaster Corps	100,015.00	8,000.00		55,209.00	36,806.00
Claims for damage to and loss of private property	30,000.00			18,000.00	12,000.00

[1] $1,491,729.87 turned over to the Motor Transport Corps, not used and released by that corps.

[2] General equipment (photographic equipment), $200,000; communication equipment (pigeons, $110,000; special telephone and telegraph equipment, $200,000), $310,000; maintenance (all applicable to commercial telephone service and leased lines, United States), $1,750,000; maintenance and operation in United States possessions, $14,200; pay, subsistence, and traveling expenses of civilian employees, $250,000; experiment and research, $300,000; miscellaneous expenses and supplies (including departmental expenses).

[3] As of Nov. 1, 1918.

[4] Includes $25,000,000, which is the balance of estimated amount required for overseas purposes, which balance has not yet been placed to credit of American Expeditionary Forces.

[5] Cost of training cadets, $496,000; maintenance photographic sections, $448,000; maintenance squadrons and balloon companies, $5,729,000; acquisition of land, $4,437,832; maintenance of fields and depots, $2,486,000; mileage for officers, $205,000; salaries and wages, civilian employees, $3,000,000; experimental investigation, $1,333,000; completion of construction work (permanent fields), $4,000,000; incidental expenses, $1,332,193.60; total, $23,467,026.42.

[6] A portion of this amount will be needed to cover a portion of the overobligation indicated above. The remainder will be used to operate the bureau during the balance of the fiscal year.

[7] This appropriation has been overobligated by $233,698,275.21, for which amount there are obligations in addition to those shown. This overobligation will be entirely eliminated in the liquidation of existing contracts. There was no appropriation to cover the overobligation.

Statement of military appropriations made since May 12, 1917, as of Dec. 1, 1918—Continued.

QUARTERMASTER CORPS—Continued.

Titles.	Appropriations.	Disbursements made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled.	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriation not required.
General appropriation, Quartermaster Corps, acts July 9, Nov. 4, 1918—Contd.					
Vocational training	$75,000.00	$7,906.75	$94,355.67		($27,262.42)
Rifle ranges for civilian instruction	10,000.00	.90		$9,999.10	
Quartermaster supplies, equipment, etc., Reserve Officers' Training Corps	2,788,096.00	351,624.15	18,426.79	2,861,795.62	(443,749.96)
Quartermaster supplies, military equipment, schools and colleges	45,505.00	443.40	888.25	44,173.35	
Total	5,451,011,833.00	773,640,271.90	737,401,033.35	943,555,820.61	2,996,414,707.14
Pay, etc., of the Army, acts May 12, June 15, Oct. 6, 1917; July 9, Nov. 4, 1918	3,199,696,318.44	1,287,197,405.24		1,257,941,001.52	[1] 654,557,911.68
Supplies, service, and transportation, acts June 15, May 12, Oct. 17, 1917; Mar. 3, July 8, 1918	2,913,979,794.52	2,754,365,381.31	152,642,952.76		[2] 6,971,460.45
Mileage to officers and contract surgeons, acts May 12, June 15, Oct. 6, 1917; Mar. 28, July 8, July 9, Nov. 4, 1918	19,781,109.12	11,734,388.01		8,046,721.11	
Horses for Cavalry, Artillery, Engineers, acts June 15, May 12, Oct. 6, 1917	65,400,003.00	29,146,797.85	4,082,246.07		32,170,956.08
Barracks and quarters, acts June 15, May 12, Oct. 6, 1917; Mar. 28, July 8, 1918	188,938,918.52	161,756,158.14	24,200,673.02	2,982,087.36	
Roads, walks, wharves, and drainage, acts Aug. 15, May 12, Oct. 6, 1917; Mar. 28, July 8, 1918	34,503,369.00	25,603,195.55	6,892,712.91	2,007,460.54	
Military post exchanges, acts June 15, May 12, Oct. 6, 1917; Mar. 28, July 8, 1918	1,549,820.88	1,281,009.26	287,661.92		(18,850.30)
Construction and repair of hospitals, acts June 15, May 12, Oct. 6, 1917; Mar. 8, July 8, 1918	71,455,582.00	57,309,821.30	10,671,808.00	3,473,952.70	
Civilian military training camps, acts June 15, May 12, Oct. 6, 1917; July 8, 1918	[3] 8,961,000.00	8,376,998.18	339,723.41		244,272.41
Quartermaster supplies, equipment, etc., Reserve Officers' Training Corps, acts May 12, 1917	4,385,000.00	991,784.72	237,326.81	3,155,888.47	
Shooting galleries and ranges, acts May 12, Oct. 6, 1917; Mar. 28, 1918	7,043,540.00	3,576,245.49	420,758.55	3,046,535.96	
Rent of buildings, District of Columbia, acts May 12, Oct. 6, 1917; July 8, 1918	79,250.10	69,096.03	10,004.07	150.00	
Disposition of remains of officers, soldiers, and civil employees, acts July 8, 1918; June 15, 1917; Oct. 6, 1917; July 1, 1918; Nov. 4, 1918	1,620,274.52	1,014,246.37	26,651.72	579,376.43	
Inland and port storage and shipping facilities, acts Mar. 28, 1917; July 8-9, 1918	297,000,000.00	146,134,316.18	64,103,016.49	36,736,667.33	50,026,000.00
Total	12,265,405,810.10	5,262,197,115.53	1,001,316,575.08	2,261,525,662.03	3,740,366,457.46

[1] Balance of appropriation of $654,557,911.68 not required, is out of the amounts provided in the acts of July 9, 1918, and Nov. 4, 1918.
[2] This includes a saving of $16,969,010.12 effected by the cancellation of contracts for horse-drawn vehicles.
[3] This includes $250,000,000 which the United States Treasury has transferred for the payment of troops overseas.

MEDICAL DEPARTMENT.

Medical and hospital:					
Act May 12, 1917	$1,000,000.00	[1] $1,000,000.00			
Act June 15, 1917	29,780,000.00	[1] 27,226,783.51	$2,553,216.49		
Act Oct. 6, 1917	100,000,000.00	[1] 100,000,000.00			
Act July 8, 1918	33,000,000.00	[1] 12,868,602.66	19,845,493.65	$285,903.69	
Act July 9, 1918	[2] 267,408,948.00	[1] 112,126,069.35	101,137,364.92		$54,145,513.73
Act Nov. 4, 1918	30,000,000.00		17,824,556.21	12,175,443.79	
Total	461,188,948.00	[1] 253,221,455.52	141,360,631.27	12,461,347.48	[3] 54,145,513.73

[1] Disbursements made to Nov. 1, 1918.
[2] Of this amount $69,250,000 was transferred to Chemical Warfare Service, disbursed and accounted for by them; $25,825,000 was transferred to Motor Transport Corps, disbursed and accounted for under Quartermaster appropriations:
[3] The estimated additional cash needs are as follows:

1. American Expeditionary Forces disbursements	$5,000,000.00	5. Hospital laundry	$1,825,000.00
2. Printing and binding	486,650.00	6. Additional supplies, drugs, etc.	2,944,975.49
3. Employees, civilian, pay	1,000,000.00	Total	12,461,347.48
4. Civilian medical service	1,204,722.00		

CORPS OF ENGINEERS.

Titles.	Appropriations.	Disbursements made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled.	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriation not required.
Engineer operations in the field:					
1918, acts May 12, June 15, Oct. 6, 1917; Mar. 28, 1918	$350,800,000.00	$314,621,372.10	$29,622,158.30	$300,000.00	$6,056,469.60
1919, acts July 9, Nov. 4, 1918	1,018,250,000.00	97,278,794.83	324,952,687.61	16,422,474.84	579,596,042.72
Engineer equipment of troops:					
1918, acts May 12, June 15, Oct. 6, 1917	49,150,000.00	48,826,208.02	3,164,526.97	590.00	(2,841,234.99)
1919, act July 9, 1918	135,000,000.00	1,265,269.42	3,665,649.43	3,536,114.99	126,532,966.15
Total	1,553,200,000.00	461,991,644.37	[1] 361,405,022.31	[2] 20,459,089.83	712,185,478.48

[1] Obligations incurred prior to Dec. 1, 1918, to be fulfilled:

Chargeable to—		
Engineer operations in the field, 1918, general engineer depot and director of purchases, to Dec. 6, 1918	$23,026,974.81	
For Motor Transport Corps, per General Order 75, War Department, 1918, to cover motor-vehicle contracts	6,442,252.66	
All other disbursing officers to Oct. 31, 1918	152,930.83	
		$29,622,158.30
Engineer operations in the field, 1919, general engineer depot and director of purchases, to Dec. 6, 1918	120,301,222.58	
Reserve for American Expeditionary Forces	200,000,000.00	
For Motor Transport Corps, per General Order 75, War Department, 1918, to cover motor vehicles	4,466,110.27	
All other disbursing officers to Oct. 31, 1918	185,354.76	
		324,952,687.61

Chargeable to—		
Engineer equipment of troops, 1918, general engineer depot and director of purchases	$3,157,675.30	
Other disbursing officers	6,851.67	
		$3,164,526.97
Engineer equipment of troops, 1919, general engineer depot and director of purchases, Dec. 6, 1918	3,662,799.30	
Other disbursing officers to Oct. 31, 1918	2,850.13	
		3,665,649.43
		361,405,022.31

[Footnote [2] at bottom of next page.]

Statement of military appropriations made since May 12, 1917, as of Dec. 1, 1918—Continued.

ORDNANCE DEPARTMENT.

	Opening balance and subsequent appropriations available Apr. 6, 1917, to Nov. 30, 1918.	Disbursements, Apr. 6, 1917, to Nov. 30, 1918.	Obligations outstanding Nov. 30, 1918, to be fulfilled.	Balance of reservation after deducting savings as of Nov. 30, 1918.	Total savings.
APPROPRIATIONS.					
Purchase, manufacture, and test of field, railway, antiaircraft, and trench warfare artillery, field artillery for National Guard, balance as of Apr. 6, 1917, act May 12, 1917; antiaircraft guns, Army, acts May 12, 1917, and June 15, 1917; armament of fortifications B, balance as of Apr. 6, 1917, acts June 15, 1917, Oct. 6, 1917, Mar. 28, 1918, and July 8, 1918; armament of fortifications J, balance as of Apr. 6, 1917; armament of fortifications No. 46, balance as of Apr. 6, 1917; field artillery for Organized Militia, balance as of Apr. 6, 1917	$1,371,726,896.83	$571,246,135.36	$427,451,211.41	$198,386,912.08	$174,642,634.98
Purchase, manufacture, and test of ammunition for field, railway, antiaircraft, and trench warfare artillery, ammunition for field artillery, National Guard, balance as of Apr. 6, 1917, act May 12, 1917; ammunition for antiaircraft guns, Army, balance as of Apr. 6, 1917, acts May 12, 1917, and June 15, 1917; Army powder factory, balance as of Apr. 6, 1917; armament of fortifications C, balance as of Apr. 6, 1917, acts June 15, 1917, Oct. 6, 1917, July 5, 1918, and Nov. 4, 1918	3,253,085,383.06	1,704,918,880.26	1,155,211,848.07	392,954,654.73	.....
Subcaliber ammunition for field, railway, antiaircraft, and trench warfare artillery, armament of fortifications N, balance as of Apr. 6, 1917, acts June 15, 1917, and July 8, 1918	94,470,364.65	8,208,124.23	621,132.33	222,930.71	85,418,177.38
Alteration and maintenance of field, railway, antiaircraft, and trench warfare artillery, armament of fortifications L, balance as of Apr. 6, 1917, acts June 15, 1917, Oct. 6, 1917, and July 8, 1918; armament of fortifications O, balance as of Apr. 6, 1917	384,687,341.91	36,222,881.17	53,925,918.34	61,455,297.62	233,083,244.78
Manufacture of arms, balance as of Apr. 6, 1917, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, Mar. 28, 1918, and July 9, 1918; manufacture of rifles, acts Oct. 6, 1917, and July 9, 1918	492,062,599.12	133,247,586.84	139,951,889.68	7,985,065.51	210,878,057.09
Ordnance stores, ammunition, balance as of Apr. 6, 1917, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, May 28, 1918, and July 9, 1918	687,680,874.53	202,441,853.38	137,019,531.89	149,272,168.89	198,947,310.37
Small-arms target practice, balance as of Apr. 6, 1917, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, Mar. 28, 1918, and July 9, 1918	187,262,293.63	66,572,049.79	17,571,916.23	3,009,936.77	100,108,390.84
Automatic machine rifles, automatic rifles, balance as of Apr. 6, 1917, acts May 12, 1917, Oct. 6, 1917, June 15, 1918, and July 9, 1918; automatic rifles for National Guard, balance as of Apr. 6, 1917, act May 12, 1917	538,317,346.25	132,760,862.22	114,050,722.17	35,290,318.74	256,215,443.12
Armored motor cars, balance as of Apr. 6, 1917, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, and July 9, 1918	317,280,936.63	25,771,912.94	79,584,252.82	14,586,428.47	197,338,362.40
Ordnance stores and supplies, balance as of Apr. 6, 1917, acts Apr. 17, 1917, May 12, 1917, June 15, 1917, Oct. 6, 1917, Mar. 28, 1918, and July 9, 1918	416,957,629.41	250,153,249.91	65,253,716.87	67,521,347.35	34,029,315.28
Ordnance service, acts May 12, 1917, June 15, 1917, Oct. 6, 1917, and July 9, 1918	43,762,447.38	19,594,612.17	6,160,267.77	10,878,422.89	7,129,114.55
Miscellaneous: Ordnance stores and equipments, civilian military training camps, 1917–18, acts June 15, 1917, and July 9, 1918; ordnance stores and equipment, etc., Reserve Officers' Training Corps, 1917, 1918, 1919, acts May 12, 1917, June 15, 1917, and July 9, 1918; ordnance equipment for Home Guard organization, 1919, act July 9, 1918; ordnance supplies for military equipment of schools and colleges, 1917, 1918, 1919, acts May 12, 1917, June 15, 1917, and July 9, 1918; special aids and appliances for manufacture of arms, ammunition, etc., balance as of Apr. 6, 1917	13,552,425.00	6,062,218.51	82,249.53	1,850,000.00	5,557,956.96
Total appropriations	7,800,846,565.40	3,157,200,406.78	2,196,884,667.11	943,413,483.76	1,503,348,007.75

[Footnote to table on preceding page.]

[2] Estimated additional cash needs, as follows:

1. Engineer operations in the field, 1918, to meet probable requirements which in the nature of the case can not now be forseen		$500,000.00
2. Engineer operations in the field, 1919:		
(*a*) Purchase of floating derricks, locomotives, spare parts, stevedore material, and for clerical hire of director general, military railways	$8,265,000.00	
(*b*) For completing maps of artillery firing ranges. Camp Jackson project, $12,900; Camp Bragg project, $57,248.96	70,148.96	
(*c*) To make payments to field parties and office assistants on mapping work (this amount necessitated by changing from a military to a civilian status)	107,000.00	
(*d*) Purchase of aerial cartographic equipment	5,000.00	
(*e*) Payment of liberty loan and other allotments of civilian clerks overseas	40,000.00	
(*f*) Engineer training of Ninth to Twentieth Infantry Divisions	225,815.88	
(*g*) Engineer training at Infantry School of Arms, Columbus, Ga	100,000.00	
(*h*) Expenses of supply and engineer training of special units like the last item above	2,000,000.00	
(*i*) Expenses of demobilization	2,000,000.00	
(*j*) Additional for engineer training at Field Artillery firing centers	4,000.00	
(*k*) Operation of central photographic laboratory, military trade schools, central mapping plant, etc., Washington Barracks	71,030.00	
(*l*) Camp Humphreys: Engineer school, $20,180; vocational schools, $208,900; pontoon, bridge, and pioneer schools, $20,000	249,080.00	
(*m*) Development works, camouflage (remainder of development work under engineer equipment of troops)	5,000.00	
2. Engineer operations in the field—Continued.		
(*n*) Changing personnel of camouflage development work from military to civilian status	$2,900.00	
(*o*) Operations of engineer depot, Hoboken, estimated by depot officer at $200,000 per month (this would make for remaining six months)	1,200,000.00	
(*p*) Office expenses of Machinery and Engineering Materials Division, chargeable to engineer appropriations	77,500.00	
(*q*) To meet probable requirements in the United States and Europe which in the nature of the case can not now be forseen	2,000,000.00	
		$16,422,474.84
3. Engineer equipment of troops, 1918, probable requirements not now foreseen		500.00
4. Engineer equipment of troops, 1919:		
(*a*) Development work: Material and equipment—Pontoon and bridge, $31,000; searchlights, $350,000; sound ranging, $12,000; sapper and train equipment, $7,500	400,500.00	
(*b*) Changing personnel on development from military to civilian status	69,380.00	
(*c*) Maintenance of electrical equipment and searchlights and sound ranging equipment	100,000.00	
(*d*) Fabrication and maintenance of pontoon and other engineer equipment at depots throughout this country and the insular possessions	59,000.00	
(*e*) To cover deficit shown under "Engineer equipment of troops, 1918"	2,841,234.99	
(*f*) Probable requirements which in the nature of the case can not now be foreseen	75,000.00	
		3,536,114.99
		20,459,089.83

The following engineer appropriations are not included in the above statement, since the requirements to which they are applicable are not affected by the cessation of hostilities: Engineer depots, 1919; Engineer School, Washington, D. C., 1919; civilian assistants to engineer officers, 1919; contingencies, Engineer Department, Philippine Islands, 1919; military surveys and maps, 1918, Dec. 31, 1919.

Statement of military appropriations made since May 12, 1917, as of Dec. 1, 1918—Continued.

ORDNANCE DEPARTMENT—Continued.

	Opening balance and subsequent appropriations available Apr. 6, 1917, to Nov. 30, 1918.	Disbursements, Apr. 6, 1917, to Nov. 30, 1918.	Obligations outstanding Nov. 30, 1918, to be fulfilled.	Balance of reservation after deducting savings as of Nov. 30, 1918.	Total savings.
CONTRACT AUTHORIZATIONS.					
Purchase, manufacture, and test of field, railway, antiaircraft, and trench warfare artillery, armament of fortifications B, acts July 8, 1918, and Nov. 4, 1918.	$1,816,514,192.00				$1,816,514,192.00
Purchase, manufacture, and test of field, railway, antiaircraft, and trench warfare artillery ammunition, armament of fortifications C, acts July 8, 1918, and Nov. 4, 1918	2,839,511,235.00		$265,489,667.43	$50,499,316.14	2,523,522,251.43
Subcaliber ammunition for field, railway, antiaircraft, and trench warfare artillery, armament of fortifications N, act Nov. 4, 1918	65,175,061.00				65,175,061.00
Alteration and maintenance of field, railway, antiaircraft, and trench warfare artillery, armament of fortifications L, act July 8, 1918	100,000,000.00				100,000,000.00
Manufacture of arms, acts July 9, 1918, and Nov. 4, 1918	242,481,200.00				242,481,200.00
Ordnance stores, ammunition, acts July 9, 1918, and Nov. 4, 1918	1,117,289,421.00				1,117,289,421.00
Small-arms target practice, acts July 9, 1918, and Nov. 4, 1918	143,861,293.00				143,861,293.00
Automatic machine rifles, automatic rifles, acts July 9, 1918, and Nov. 4, 1918	441,788,000.00				441,788,000.00
Armored motor cars, acts July 9, 1918, and Nov. 4, 1918	406,640,000.00				406,640,000.00
Ordnance stores and supplies, acts July 9, 1918, and Nov. 4, 1918	372,299,260.00				372,299,260.00
Miscellaneous, general contract authorization, act July 9, 1918	500,000,000.00		15,291,383.73		484,708,616.27
Total contract authorizations	8,045,559,662.00		280,781,051.16	50,499,316.14	7,714,279,294.70
Total appropriations	7,800,846,565.40	$3,157,200,406.78	2,196,884,667.11	943,413,483.76	1,503,348,007.75
Grand total	15,846,406,227.40	3,157,200,406.78	2,477,665,718.27	993,912,799.90	9,217,627,302.45

CHEMICAL WARFARE SERVICE.

Titles.	Appropriations.	Disbursements made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled.	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriation not required.
Antiaircraft guns, act June 15, 1917	$19.80		$19.80		
Armament of fortifications, acts June 15, 1917, and July 8, 1918	84,937,959.27	$20,580,409.52	26,174,927.86		$38,182,621.89
Medical and hospital department, acts Oct. 6, 1917, and July 9, 1918	80,802,000.00	27,851,019.34	41,097,617.83		11,853,362.87
National security and defense, War Department, act July 1, 1918	250,000.00	75,457.39	27,975.56		146,567.07
Ordnance service, acts Oct. 6, 1917, and July 9, 1918	1,062,552.62	54,262.62	788,418.57		219,871.63
Ordnance stores ammunition, acts June 15, 1917, Mar. 28, 1918, and July 9, 1918	30,857,658.12	1,618,920.38	2,213,523.34		27,025,214.40
Ordnance stores and supplies, acts Apr. 17, 1917, Mar. 28, 1918, and July 9, 1918	9,082,013.54	53,500.00	14,589.64		9,013,923.90
Repairs of arsenals, act July 1, 1918	60,000.00	4,776.34	44,487.22		16,736.44
Small arms target practice, act June 15, 1917	272.00		272.00		
Chemical warfare service, act Nov. 4, 1918	100,000,000.00		43,632.72	[1] $2,482,054.78	97,474,312.50
Total	307,058,475.35	50,238,345.37	70,405,464.54	2,482,054.78	183,932,610.51

[1] Estimated additional cash needs are for the following purposes: Administration, research, development, supplies, repairs, maintenance, and contingencies, $2,482,054.78.

RECAPITULATION.

APPROPRIATIONS.

Titles.	Appropriations.	Disbursements made to Dec. 1, 1918.	Obligations incurred prior to Dec. 1, 1918, to be fulfilled.	Estimated additional cash needs balance fiscal year 1919.	Balance of reservations after deducting savings.	Balance of appropriation not required.
Chemical Warfare Service	$307,058,475.35	$50,238,345.37	$70,405,464.54	$2,482,054.78		$183,932,610.66
Bureau of Aircraft Production	1,499,067,766.00	638,248,359.47	358,561,742.27	100,257,664.26		402,000,000.00
Signal Corps	156,352,937.50	22,705,467.97	45,765,133.41	4,509,136.08		83,373,200.04
Medical Department	461,188,948.00	253,221,455.52	141,360,631.27	12,461,347.48		54,145,513.73
Division of Military Aeronautics	192,304,758.00	53,254,806.40	46,050,000.00	31,467,026.42		61,532,925.18
Corps of Engineers	1,553,200,000.00	461,991,644.37	361,405,022.31	20,459,089.83		[1] 712,185,478.48
Quartermaster Corps	12,265,405,810.10	5,262,197,115.53	1,001,316,575.08	2,261,525,662.03		3,740,366,457.46
Ordnance Department	7,800,846,565.40	3,157,200,406.78	2,196,884,667.11		$943,413,483.76	1,503,348,007.75
Total	24,235,425,260.35	9,899,057,601.41	4,221,749,235.99	2,433,161,980.88	943,413,483.76	6,740,884,193.30

[1] Engineers negative balance not taken off, $2,841,234.99.

Total balance of appropriations not required	$6,740,884,193.30
Total balance of authorizations not required	8,190,029,294.70
Grand total	14,930,913,488.00

Contract authorizations.

	Authorized.	Obligations less canceled contracts.	Balance of reservations after deducting savings.	Balance of authorizations not required.
Bureau of Aircraft Production				
Division of Military Aeronautics				
Signal Corps	$45,000,000.00			$45,000,000.00
Chemical Warfare Service	150,000,000.00			150,000,000.00
Medical Department	65,000,000.00			65,000,000.00
Engineer Corps	200,000,000.00			200,000,000.00
Quartermaster Corps	15,750,000.00			15,750,000.00
Ordnance Department	8,045,559,662.00	$280,781,051.16	$50,499,316.14	7,714,279,294.70
Total	8,521,309,662.00	280,781,051.16	50,499,316.14	8,190,029,294.70

Naval emergency fund as of Nov. 1, 1918.

Project.	Amount specifically allotted.	Expenditures to Nov. 1, 1918.	Unpaid obligations.	Unobligated balances or over-expenditures.	Reductions by contract cancellation.	Reductions in work contemplated but not obligated	Total estimated reductions.
New construction	$142,271,500.00	$141,980,395.00	$155,474,605.00	*$155,183,500.00*	$46,490,000.00		$46,490,000.00
Increased compensation	20,000,000.00	700,000.00	4,000,000.00	15,300,000.00		$15,300,000.00	15,300,000.00
Construction and Repair	1,000,000.00		968,020.58	31,979.42		31,979.42	31,979.42
Steam Engineering	8,897,857.00	6,876,713.96	781,658.90	1,239,484.14	205,375.00	639,484.14	844,859.14
Supplies and Accounts	2,474,687.35	1,507,682.21	211,937.31	755,067.83	12,850.00	755,067.83	767,917.83
Contingent	255,979.45	134,665.45	121,314.00		2,500.00		2,500.00
Vessels purchased	7,076,629.00	35,956,929.55	1,771,260.24	*30,651,560.79*			
Charter of vessels, Shipping Board	11,000,000.00		11,000,000.00				
Water supply, Hampton Roads	3,000,000.00	3,000,000.00					
Ordnance	22,771,981.28	17,469,075.62	5,094,847.54	208,058.12			
Navigation	5,101,000.00	2,978,784.39	466,135.28	1,656,080.33			
Yards and Docks	21,951,120.62	14,687,950.56	6,310,033.26	953,136.80		*146,352.58*	*146,352.58*
Not allotted	69,199,245.30	112,767.03		69,086,478.27			
Total	315,000,000.00	225,404,963.77	186,199,812.11 *96,604,775.88*	*96,604,775.88*	46,710,725.00	16,580,178.81	63,290,903.81
Unexpended balance			89,595,036.23				

Total estimated cost of projects undertaken	$411,604,775.88
Amount appropriated	315,000,000.00
Less reductions through cancellations	96,604,775.88
	163,290,903.81
Amount required to complete projects already authorized and which can not be canceled	33,313,872.07
	315,000,000.00
	348,313,872.07
Or—	
Total appropriated	315,000,000.00
Expended to Nov. 1, 1918	225,404,963.77
Unpaid obligations	186,199,812.11
Total	411,604,775.88
Total reductions	63,290,903.81
Net total expenditures and authorizations	348,313,872.07

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918.

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
SECRETARY'S OFFICE.						
Pay, miscellaneous		$8,535,500.00	$8,680,908.42	[1] $145,408.42	$3,347,284.04	[1] $3,492,692.46
Contingent, Navy		246,000.00	178,376.48	67,623.52	402.67	67,220.85
Care of lepers, isle of Guam		40,000.00	21,544.56	18,455.34	3,190.53	15,264.81
Aviation, Navy		281,516,119.00	68,580,458.89	212,935,660.11	102,510,926.05	110,424,734.06
Increase of the Navy, construction and machinery	$400,000,000.00	493,123,000.00	23,852,690.25	469,270,309.75	156,532,365.48	312,737,954.27
Increase of the Navy, torpedo boats	30,700,000.00	104,028,280.00	26,037,139.87	77,991,140.13	35,383,255.48	42,607,884.65
Increase of the Navy, torpedo boat destroyers		350,000,000.00	129,248,645.08	220,751,354.92	233,387,254.92	[1] 12,635,900.00
Improving and equipping navy yards for construction of ships		23,570,000.00	6,805,702.24	16,764,297.76	5,692,389.68	11,071,908.08
Expenses civilian consulting board		200,000.00	93,418.11	106,581.89		106,581.89
Investigation of fuel oil		120,000.00	19,225.40	100,774.60	685.00	100,089.60
State marine school		125,000.00		125,000.00		125,000.00
Basic patents for aircraft		1,000,000.00		1,000,000.00		1,000,000.00
Naval emergency fund		315,000,000.00	225,404,963.77	89,595,036.23	186,199,812.11	[1] 96,604,775.88
Temporary concrete office buildings		7,265,000.00	5,826,700.34	1,438,299.66	309,391.94	1,128,907.72
Total, Bureau of Secretary's Office	430,700,000.00	1,584,768,899.00	494,749,773.51	1,090,019,125.49	723,366,947.90	366,352,177.59

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage and estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
SECRETARY'S OFFICE.						
Pay, miscellaneous			[1] $7,148,502.72		[1] $7,148,502.72	
Aviation, Navy	$34,866,541.00	24 per cent	54,789,123.32	49 per cent	89,645,664.32	42 per cent.
Increase of the Navy, torpedo-boat destroyers		13 per cent				
Basic patents for aircraft			1,000,000.00		1,000,000.00	
Naval emergency fund	46,710,725.00	25 per cent	16,580,178.81		[1] 33,313,872.07	
Total, Bureau of Secretary's Office	81,577,266.00		65,210,799.41		50,183,289.53	

[1] Deficit.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
NAVIGATION.						
Contingent navigation		$40,000.00	$23,313.60	$16,686.40	$20,034.53	[1] $3,348.13
Transportation navigation		18,431,348.00	11,068,155.64	7,363,192.36	174,807.20	7,188,365.16
Gunnery and engineering exercises		850,000.00	527,765.89	322,234.11	322,234.11	
Arming and equipping Naval Militia		1,527,617.70	873,193.48	654,424.22	218,593.47	435,827.75
Outfits on first enlistment		36,138,920.00	17,550,968.62	18,587,951.38	3,703.45	18,584,247.93
Instruments and supplies		9,663,240.00	2,669,286.05	6,993,953.95	692,668.87	6,301,285.08
Ocean and lake surveys		310,000.00	97,882.39	212,117.61	15,157.80	196,959.81
Naval Training Stattion, R. I.		550,000.00	375,252.19	174,747.81	279,187.49	[1] 104,439.68
Naval training station, St. Helena, Va.		390,000.00	138,107.05	251,692.95	242.00	251,650.95
Naval training station, Great Lakes, Ill.		921,400.00	502,452.30	418,947.70	85,462.77	333,484.93
Naval Training Station, Cal.		417,000.09	309,775.45	107,224.55	3,736.30	103,488.25
Naval War College		77,700.00	37,454.08	40,245.92	7,264.82	32,981.10
Pay, Naval Academy		1,050,005.40	501,222.70	548,783.70		548,783.70
Current and miscellaneous expenses, Naval Academy		150,800.00	51,135.88	99,664.12	12,423.19	87,240.93
Maintenance and repairs, Naval Academy		1,109,992.00	712,857.12	397,134.88	21,625.09	375,509.79
Ships, Naval Militia		135,500.00	1,104.16	134,395.84		134,395.84
Organizing Naval Reserve Force		630,000.00	470,966.55	159,033.45	60,334.97	98,698.48
Schools or camps of instruction for recruits and Naval Reserve Force		5,340,720.00	1,744,975.25	3,595,744.75	383,311.33	3,212,433.42
Recreation for enlisted men of the Navy		700,000.00	74,395.43	625,604.57	21,108.76	604,495.81
Recruiting, Navigation		1,419,228.84	847,374.51	571,854.33	57,467.01	514,387.32
Total, Bureau of Navigation		79,853,472.94	38,577,638.34	41,275,834.60	2,379,366.16	38,896,468.44
Emergency fund		5,101,000.00	2,978,784.39	2,122,215.61	466,135.28	1,656,080.33

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage and estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
NAVIGATION.						
Contingent, navigation			[1] $5,000.00		[1] $5,000.00	
Transportation, navigation			[1] 630,235.04		[1] 630,235.04	
Outfits on first enlistment			6,388,870.23		[1] 6,388,870.23	
Instruments and supplies			4,000,000.00		4,000,000.00	
Naval Training Station, R. I.			[1] 450,000.00		[1] 450,000.00	
Naval training station, St. Helena, Va.			[1] 610,278.35		[1] 610,278.35	
Naval training station, Great Lakes, Ill.			[1] 1,650,000.00		[1] 1,650,000.00	
Naval Training Station, Cal.			[1] 22,066.25		[1] 22,066.25	
Total, Bureau of Navigation			632,420.36		632,420.36	
Emergency fund			450,000.00		450,000.00	

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
ORDNANCE.						
Ordnance and ordnance stores		$98,247,759.00	$37,412,502.57	$60,835,256.23	$42,062,941.45	$18,772,314.68
Contingent, Ordnance		99,500.00	42,441.36	57,058.64	27,270.23	29,188.41
Repairs, Ordnance		30,000.00	1,327.32	28,672.68		28,672.68
Torpedo station, Newport, R. I.		600,000.00	274,727.81	325,272.19	207,476.75	117,795.44
Naval gun factory, Washington, D. C.		10,500,473.00	1,902,417.64	8,598,055.36	7,543,013.22	1,055,042.14
Experiments, Ordnance		485,000.00	115,616.20	369,383.80	68,264.82	301,118.98
New batteries for ships in the Navy	$20,000,000.00	235,809,098.00	71,391,094.82	164,418,003.18	104,947,488.75	59,470,514.43
Torpedoes and appliances		22,291,280.00	3,198,801.13	19,092,473.87	7,150,390.23	11,342,088.64
Reserve ordnance supplies		145,417,460.00	60,989,040.75	84,428,419.25	54,381,250.65	30,047,168.60
Contingent, building fund		10,000.00	6,152.74	3,847.26		3,847.26
Antiaircraft guns and ammunition at naval stations		3,800,000.00	2,338,541.91	1,461,458.09	1,454,829.00	6,629.09
Increase of the Navy, ammunition	39,544,690.00	61,072,733.00		61,072,733.00	26,137,288.58	34,935,444.32
Increase of the Navy, armor and armament	76,371,064.00	140,551,064.00	1,596,817.18	138,954,246.82	77,117,746.91	61,836,499.91
Ammunition for ships of the Navy		3,500,000.00		3,500,000.00	2,953,844.39	646,155.42
Projectile plant, Navy		1,375,345.00	971,055.85	404,289.15	694,648.79	[1] 290,359.64
Armament and ammunition for Coast Guard cutters		159,590.00	5,569.49	154,021.51	74,447.48	79,574.03
Ammunition for vessels	11,000,000.00	202,330,508.00	87,345,588.94	114,984,919.06	79,590,372.91	35,391,546.15
Ammunition for auxiliaries and merchantmen		19,986,800.00	11,299,867.76	8,688,932.24	5,991,543.05	2,697,585.19
Navy mine depot		3,000,000.00		3,000,000.00	114,615.69	2,885,384.31
Navy nitrate plant		9,150,000.00		9,150,000.00	1,575,926.50	7,574,073.50
Fuel lands for armor and projectile plants		25,000.00	486.84	24,513.16		24,513.16
Increasing facilities for proof and test of ordnance material		1,000,000.00	96,195.87	903,804.13	43,451.96	860,352.17
Ammunition for merchant auxiliaries		7,731,941.00	5,097,435.71	2,634,505.29	1,265,146.95	1,369,358.34
Batteries for merchant auxiliaries		4,731,174.00	1,236,342.89	3,494,831.11	3,788,309.87	[1] 293,478.76
Total, Bureau of Ordnance	146,915,754.00	971,906,725.00	285,322,023.88	686,584,701.12	417,190,668.47	269,394,032.65

[1] Deficit.

NOTE.—In the hearings it was stated that if the deficiencies requested were granted a saving of $450,000 could be made in the naval emergency fund.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings on reductions.	Percentage total estimated savings of unexpended balance.
ORDNANCE.						
Ordnance and ordnance stores	$541,216.00	1 per cent plus	$4,633,873.00	24 per cent plus	$5,175,089.00	8 per cent plus.
Contingent, Ordnance			10,000.00	34 per cent plus	10,000.00	17 per cent plus.
Experiments, Ordnance			125,000.00	41 per cent plus	125,000.00	33 per cent plus
New batteries for ships in the Navy	30,305,257.00	28 per cent plus	30,000,000.00	50 per cent plus	60,305,257.00	36 per cent plus.
Torpedoes and appliances			7,000,000.00	58 per cent plus	7,000,000.00	36 per cent plus.
Reserve ordnance supplies	21,620,373.00	39 per cent plus	20,000,000.00	66 per cent plus	41,620,373.00	49 per cent plus.
Contingent, building fund			3,347.46	100 per cent	3,847.26	100 per cent.
Increase of the Navy, armor and armament	1,714,750.00	2 per cent plus			1,714,750.00	1 per cent.
Projectile plant, Navy	[1] 250,359.64				[1] 290,359.64	
Armament and ammunition for Coast Guard cutters			79,574.03	100 per cent	79,574.03	51 per cent plus.
Ammunition for vessels	11,805,400.00	14 per cent plus	16,500,000.00	46 per cent plus	28,305,400.00	24 per cent plus.
Ammunition for auxiliaries and merchantmen	277,500.00	4 per cent plus	2,400,000.00	88 per cent plus	2,677,500.00	30 per cent plus.
Navy mine depot						
Navy nitrate plant	966,867.00	60 per cent	7,355,014.00	97 per cent plus	8,311,881.00	90 per cent.
Fuel lands for armor and projectile plants			24,513.16	100 per cent	24,513.16	100 per cent.
Increasing facilities for proof and test of ordnance material						
Ammunition for merchant auxiliaries			1,300,000.00	94 per cent plus	1,300,000.00	49 per cent plus.
Batteries for merchant auxiliaries	1,550,000.00	40 per cent	[1] 293,478.76		1,256,521.24	36 per cent plus.
Total, Bureau of Ordnance	68,481,003.36		89,138,342.69		157,619,346.05	

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
YARDS AND DOCKS.						
Maintenance, yards and docks		$24,788,000.00	$19,069,615.23	$5,718,384.77	$4,979,630.14	$738,754.63
Repairs and preservation		10,225,000.00	7,848,470.62	2,376,529.38	552,991.35	1,823,538.03
Contingent, yards and docks		4,340,000.00	3,577,170.71	762,829.29	672,613.30	90,215.99
Emergency expenses, yards and docks		4,750,000.00	503,133.85	4,246,866.15	346,746.06	3,900,120.09
Marine Corps rifle range, Winthrop, Md		10,000.00	[1] 10,000.00			
Navy yard—						
Portsmouth, N. H		614,000.00	104,290.71	509,709.29	9,678.55	500,030.74
Boston, Mass		2,151,500.00	196,651.42	1,954,848.58	136,612.66	1,818,235.92
New York, N. Y		2,469,000.00	983,792.49	1,485,207.51	317,961.51	1,167,246.00
Philadelphia, Pa		3,855,000.00	817,912.92	3,037,087.08	2,283,029.00	754,058.08
Washington, D. C		8,161,600.00	3,973,329.41	4,188,270.59	2,455,502.34	1,732,768.25
Norfolk, Va	$450,000.00	7,156,508.69	3,856,829.81	3,299,678.88	1,138,986.65	2,160,692.23
Charleston, S. C	2,850,000.00	4,757,000.00	219,302.67	4,537,697.33	19,150.92	4,518,546.41
Key West, Fla	1,500,000.00	2,525,000.00		2,525,000.00		2,525,000.00
New Orleans, La		510,000.00	30,002.63	479,997.37	66,067.00	413,930.37
Mare Island, Cal		3,455,000.00	1,450,713.62	2,004,286.38	96,262.75	1,908,023.63
Puget Sound, Wash	350,000.00	2,045,500.00	573,409.67	1,472,090.33	136,685.86	1,335,404.47
Naval station—						
Island of Guam		160,000.00	30,392.13	129,607.87	2,658.60	126,949.27
Guantanamo, Cuba		234,000.00	28,069.09	205,910.91		205,910.91
Pearl Harbor, Hawaii		1,077,775.00	318,954.15	758,820.85	587,800.76	171,020.09
Naval training station—						
Rhode Island, buildings		423,000.00	19,546.30	403,453.70	29,987.00	373,466.70
California, buildings		155,000.00	25,099.76	129,900.24		129,900.24
Naval magazine—						
New England coast		135,000.00	105,000.00	30,000.00		30,000.00
New York Harbor		68,000.00	30,998.10	37,001.90	9,783.25	27,218.65
Fort Lafayette, N. Y		26,000.00		26,000.00		26,000.00
Dover, N. J		118,000.00	64,809.32	53,190.68	47,134.21	6,056.47
Fort Mifflin, Pa		502,700.00	112,115.88	390,584.12	657.90	389,926.22
Norfolk, Va		117,000.00	80,586.22	36,413.78	28,223.47	8,190.31
Mare Island, Cal		16,000.00	15,941.32	58.68		58.68
Puget Sound, Wash		49,600.00	40,607.96	8,992.04		8,992.04
Marine barracks—						
Norfolk, Va		25,700.00	19,384.95	6,315.05		6,315.05
Quantico, Va		475,000.00		475,000.00		475,000.00
Philadelphia, Pa		280,000.00	181,320.69	98,679.31	98,691.98	[2] 12.67
Mare Island, Cal		55,000.00	17,938.53	37,061.47		37,061.47
Depots for coal		3,572,500.00	1,977,597.93	1,594,902.07	966,958.01	627,944.06
Buildings and grounds, Naval Academy		4,920,000.00	3,883,249.28	1,036,750.72	173,042.21	863,708.51
Naval training station, Great Lakes, buildings		922,500.00		922,500.00		922,500.00
Torpedo station, Newport, R. I., buildings		1,197,000.00	50,306.96	1,146,693.04	206,204.51	940,488.53
Naval proving ground, Indianhead, Md		1,160,000.00	221,746.46	938,253.54	544,277.55	393,975.99
Naval station, Tutuila, Samoa		90,000.00	44,922.51	45,077.49	2,799.75	42,277.74
Marine recruiting station, Port Royal		369,500.00	104,784.31	264,715.69	78,884.25	185,831.44
Navy aeroplane station, Pensacola, Fla		345,000.00	202,622.70	142,377.30	25,966.21	116,411.09
Naval fuel depot, San Diego, Cal		175,000.00		175,000.00	3,090.00	171,910.00
Torpedo station, Keyport, Wash		16,000.00	15,814.63	185.37		185.37
Land for naval warehouses, South Brooklyn, N. Y		659,085.90		659,085.90	658,000.00	1,085.90
Experimental and research laboratory		500,000.00		500,000.00		500,000.00
Naval magazine, Charleston, S. C		120,000.00	98,631.59	21,368.41	20,123.84	1,244.57
Marine barracks—						
Peking, China		172,000.00	54,682.23	117,317.77	139,817.00	[2] 22,499.23
San Diego, Cal		2,100,000.00	236,955.69	1,863,044.31	232,840.39	1,630,203.92
Torpedo storage facilities, Navy		250,000.00		250,000.00		250,000.00
Lighting facilities, navy yards and stations		200,000.00	152,685.05	47,314.95	2,124.00	45,190.95
Submarine base, New London, Conn		2,090,000.00	1,277,799.06	812,200.94	610,361.70	201,839.24
Quarters for Marine Guards at naval magazines		100,000.00	88,233.12	11,766.88	6,422.37	5,344.51
Submarine facilities, navy yards, and stations		1,500,000.00	696,905.59	803,094.41	444,015.54	359,078.87
Power plants and distributing systems, navy yards and stations		4,250,000.00	1,762,291.37	2,487,708.63	1,499,153.91	988,554.72
Ordnance storage		3,000,000.00	2,499,859.39	500,140.61	483,217.85	16,922.76
Naval operating base, Hampton Roads, Va		7,322,628.93	4,181,761.86	3,147,867.07	3,507,457.10	[2] 359,590.03
Hospitals and medical supply depots		21,595,000.00	8,008,125.77	13,586,874.23	6,272,457.43	7,314,416.80
Handling appliances at navy yards		450,000.00	60,862.76	389,137.24	332,617.24	56,520.00
Naval training camps		58,810,807.61	30,336,251.12	28,474,556.49	16,177,797.94	12,296,758.55

[1] Carried to surplus fund June 30, 1918.

[2] Deficit.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
YARDS AND DOCKS—Continued.						
Marine railways at navy yards		$375,000.00	$74,996.18	$300,003.82	$301,372.99	[1] $1,369.17
Improvements at ordnance stations		6,477,000.00	2,210,161.88	4,266,838.12	2,248,511.32	2,018,326.80
Temporary storage facilities, Navy		5,700,000.00	1,353,192.95	4,346,807.04	277,356.72	4,069,450.32
Naval air station site, Cape May, N. J		150,000.00		150,000.00		150,000.00
Naval hospital—						
Great Lakes		20,000.00	20,000.00			
Portsmouth		20,331.29	20,000.00	331.29		331,299.00
Reimbursement for damaged property, Indianhead		755.01	755.01			
Temporary naval prison		200,000.00	200,000.00			
Purchase of dry dock, Boston, Mass		4,550,000.00		4,550,000.00		4,550,000.00
Total, Bureau of Yards and Docks	$5,150,000.00	219,117,992.43	104,140,605.57	114,977,386.86	49,231,725.00	65,745,661.77
Naval operating base, Hampton Roads, Va			[1] 359,590.03		[1] 359,590.03	
Naval training camps	257,885.00	1 per cent plus			257,885.00	1 per cent plus.
Marine railways at navy yards			[1] 1,369.17		[1] 1,369.17	
Total, Bureau of Yards and Docks	257,885.00		[1] 383,458.43		[1] 125,573.43	
SUPPLIES AND ACCOUNTS.						
Pay of the Navy		354,752,284.57	194,492,479.45	160,259,805.12		160,259,805.12
Provisions, Navy		117,692,151.85	98,055,523.91	19,633,627.94	59,819,025.86	[1] 40,185,997.92
Maintenance, Supplies and Accounts		30,586,625.00	21,906,686.41	8,679,938.59	2,733,303.21	5,946,635.38
Freight, Supplies and Accounts		6,600,000.00	12,333,036.34	[1] 5,733,036.34	6,355,709.48	[1] 12,088,745.82
Fuel and transportation		75,262,420.00	26,462,312.91	48,800,107.09	6,118,187.25	42,681,919.84
Naval Academy, Annapolis, Md		55,000.00	26,764.93	28,235.07	8,037.96	20,197.11
Clothing and small stores fund		38,071,000.00	38,071,000.00			
Reserve material, Navy		5,000,000.00	1,527,675.89	3,472,324.11	2,462,396.36	1,009,927.75
Total, Bureau of Supplies and Accounts		628,019,481.42	392,878,479.84	235,141,001.58	77,497,260.12	157,643,741.46

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage and estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
SUPPLIES AND ACCOUNTS.						
Pay of the Navy			[1] $137,407,735.34		[1] $137,407,735.34	
Provisions, Navy			[1] 49,202,130.00		[1] 49,202,130.00	
Maintenance, Supplies and Accounts			[1] 7,869,493.28		[1] 7,869,493.28	
Freight, Supplies and Accounts			[1] 18,970,014.00		[1] 18,970,014.00	
Fuel and transportation, Naval Academy, Annapolis, Md			22,096,000.00	46 per cent plus.	22,096,000.00	46 per cent plus.
Total, Bureau of Supplies and Accounts			[1] 191,353,372.62		[1] 191,353,372.62	

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
CONSTRUCTION AND REPAIR.						
Construction and repair		$130,177,340.09	$87,775,244.49	$42,402,095.51	$23,467,328.23	$18,934,767.28
Construction plants at navy yards		400,000.00	138,669.65	261,330.35	96,306.05	165,024.30
Total, Bureau of Construction and Repair		130,577,340.00	87,913,914.14	42,663,425.86	23,563,634.28	19,099,791.58

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage and estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
CONSTRUCTION AND REPAIR.						
Construction and repair	$5,400,000.00	23 per cent plus.	[1] $23,400,000.00		[1] $18,000,000.00	
Construction plants at navy yards						
Total, Bureau of Construction and Repair	5,400,000.00		[1] 23,400,000.00		[1] 18,000,000.00	

[1] Deficit.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
STEAM ENGINEERING.						
Engineering		$107,230,500.00	$65,292,324.12	$41,938,175.88	$13,562,608.89	$28,375,566.99
Engineering experimental station, Annapolis, Md		273,000.00	182,134.52	90,865.48	11,316.86	79,548.62
Machinery plants at navy yards		190,000.00	190,000.00			
High-power radio stations		600,000.00	233,108.42	366,891.58	383,422.13	[1] 16,530.55
Machinery plant, navy yard, New York		1,420.33		1,420.33		1,420.33
Machinery plant, naval station, Hawaii		394.66	429.60	[1] 34.94		[1] 34.94
Total, Bureau of Steam Engineering		108,295,314.99	65,897,996.66	42,397,318.33	13,957,347.88	28,439,970.45

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
STEAM ENGINEERING.						
Engineering	$3,895,000.00	29 per cent plus.	[1] $12,004,433.00		[1] $8,109,433.00	
Engineering experimental station, Annapolis, Md			[1] 14,500.00		[1] 14,500.00	
High-power radio stations			[1] 16,530.55		[1] 16,530.55	
Machinery plant, navy yard, New York					1,420.33	
Machinery plant, naval station, Hawaii			[1] 34.94		[1] 34.94	
Total, Bureau of Steam Engineering	3,895,000.00	28 per cent plus.	[1] 12,035,498.49		[1] 8,139,078.16	

Appropriation title.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over-obligations Nov. 1, 1918.
MEDICINE AND SURGERY.						
Medical Department		$12,621,740.00	$5,896,697.34	$6,635,042.66	$8,273,818.09	[1] $1,638,775.43
Contingent, Medicine and Surgery		3,291,080.00	1,917,705.61	1,373,374.39	1,543,984.93	[1] 170,610.54
Bringing home remains of officers, etc., Navy Department		982,658.00	373,351.54	609,306.46	162,944.75	446,361.71
Care of hospital patients		7,000,000.00	4,867,064.69	2,132,935.31	2,331,942.91	[1] 199,007.60
Naval hospital, Port Lyons, Colo		19,600.00		19,600.00		19,600.00
Total, Bureau of Medicine and Surgery		23,915,078.00	13,144,819.18	10,770,258.82	12,312,690.68	[1] 1,542,431.86
MARINE CORPS.						
Maintenance, Quartermaster Department, Marine Corps		126,892,228.00	54,226,247.66	72,665,980.34	28,625,492.61	46,040,487.73
Reserve supplies, Marine Corps		16,677,200.00	133,881.63	16,543,318.37	1,883,337.37	14,659,981.00
Pay, Marine Corps		69,667,476.92	31,725,500.97	37,941,975.95		37,941,975.95
Expenses, Marine Corps		25,000.00		25,000.00		25,000.00
Total, Marine Corps		213,261,904.92	86,085,630.26	127,176,274.66	28,508,829.98	98,667,444.68

Appropriation title.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balance.
MEDICINE AND SURGERY.						
Medical Department			[1] $1,976,118.08		[1] $1,976,118.08	
Contingent, Medicine and Surgery			[1] 722,286.40		[1] 722,286.40	
Bringing home remains of officers, etc., Navy Department			[1] 350,000.00		[1] 350,000.00	
Care of hospital patients			[1] 1,096,321.00		[1] 1,096,321.00	
Total, Bureau of Medicine and Surgery			[1] 3,144,725.48		[1] 3,144,725.48	
MARINE CORPS.						
Reserve supplies, Marine Corps			9,677,200.00	66 per cent plus.	9,677,200.00	66 per cent plus.
Pay, Marine Corps	$4,518,059.86	12.46 per cent	6,028,916.10	16 per cent plus.	10,546,975.96	27.8 per cent.
Expenses, Marine Corps				100 per cent	25,000.00	100 per cent.
Total, Marine Corps	4,518,059.86		15,706,116.10		20,249,175.96	

[1] Deficit.

Statement of condition of naval appropriations made since Mar. 2, 1917, as of Nov. 1, 1918—Continued.

RECAPITULATION.

Bureaus.	Authorizations not yet covered by appropriations.	Total amount appropriated, including authorizations.	Expenditures to Nov. 1, 1918.	Unexpended balance Nov. 1, 1918.	Unpaid obligations Nov. 1, 1918.	Unobligated balance or estimated over obligations Nov. 1, 1918.
Secretary's office	$430,700,000.00	$1,584,768,899.00	$494,749,773.51	$1,090,019,125.49	$723,366,947.90	$366,652,177.59
Yards and Docks	5,150,000.00	219,117,992.43	104,140,695.57	114,977,386.86	49,231,725.09	65,745,661.77
Navigation		79,853,472.94	38,577,638.34	41,275,834.60	2,379,366.16	38,896,468.44
Ordnance	146,915,754.00	971,906,725.00	285,322,023.88	686,584,701.12	417,190,668.47	269,394,032.65
Construction and Repair		130,577,340.00	87,913,914.14	42,663,425.86	23,563,634.28	19,099,791.58
Engineering		108,295,314.09	65,897,906.66	42,397,318.33	13,957,347.88	28,439,970.45
Supplies and Accounts		628,019,481.42	392,878,479.84	235,141,001.58	77,497,260.12	157,643,741.46
Medicine and Surgery		23,915,078.00	13,144,819.18	10,770,258.82	12,312,690.68	[1] 1,542,431.86
Marine Corps		213,261,904.92	86,085,630.26	127,176,274.66	28,508,829.98	98,667,444.68
Total	582,760,000.00	3,959,716,208.70	1,568,710,881.38	2,391,005,327.32	1,348,008,470.56	1,042,996,856.76

Bureaus.	Estimated savings by contract cancellations of obligations existing Nov. 1, 1918.	Percentage estimated savings of obligations existing Nov. 1, 1918.	Estimated savings (work contemplated not to be done) of unobligated balances existing Nov. 1, 1918.	Percentage estimated savings of unobligated balances.	Total estimated savings or reductions.	Percentage total estimated savings of unexpended balances.
Secretary's office	$81,577,266.00		$65,210,799.41		$50,183,289.53	
Yards and Docks	257,885.00		[1] 383,458.43		[1] 125,573.43	
Navigation			632,420.36		632,420.36	
Ordnance	68,481,003.36		89,138,342.69		157,619,346.05	
Construction and Repair	5,400,000.00		[1] 23,400,000.00		[1] 18,000,000.00	
Engineering	3,895,000.00		[1] 12,035,498.49		[1] 8,139,078.16	
Supplies and Accounts			[1] 191,353,372.62		[1] 191,353,372.62	
Medicine and Surgery			[1] 4,144,725.48		[1] 4,144,725.48	
Marine Corps	4,518,059.86		15,706,116.10		20,249,175.96	
Total	164,129,214.22		[1] 60,029,376.46		6,921,482.21	

[1] Deficit.

The following tables set forth the items recommended for repeal by the committee in the bill under consideration:

Statement of appropriations to be covered into the Treasury and authorizations repealed, Military Establishment.

Purpose.	Appropriations.	Authorizations.	Total.
Signal Service of the Army, expenses	$83,373,200.04	$45,000,000.00	$128,373,200.04
Division of Military Aeronautics, military air service	85,000,000.00		85,000,000.00
Bureau of Aircraft Production, aerial appliances, aviation stations, vocation training, etc.	402,000,000.00		402,000,000.00
Quartermaster Corps:			
General appropriations, Quartermaster Corps	2,996,414,707.14	15,750,000.00	3,012,164,707.14
Pay of the Army	654,557,911.68		654,557,911.68
Supplies, services, and transportation, Quartermaster Corps	6,971,460.45		6,971,460.45
Horses for Cavalry, Artillery, Engineers, etc	32,170,956.08		32,170,956.08
Civilian military training camps	244,272.41		244,272.41
Inland and port storage and shipping facilities	50,026,000.00		50,026,000.00
Total, Quartermaster Corps	3,740,385,307.76	15,750,000.00	3,756,135,307.76
Medical Department	54,145,513.73	65,000,000.00	119,145,513.73
Engineer Department:			
Engineer operations in the field	666,056,469.60	200,000,000.00	866,056,469.60
Engineer equipment of troops	126,532,966.16		126,532,966.16
Total, Engineer Department	792,589,435.76	200,000,000.00	992,589,435.76
Ordnance Department:			
Field artillery	174,662,634.98	1,816,514,192.00	1,991,176,826.98
Field artillery ammunition		2,523,522,251.43	2,523,522,251.43
Field artillery, practice ammunition	85,418,177.38	65,175,061.00	150,593,238.38
Field artillery, alteration and maintenance	233,083,244.78	100,000,000.00	333,083,244.78
Manufacture of arms	210,878,057.09	242,481,200.00	453,359,257.09
Ordnance stores, ammunition	198,947,310.37	1,117,289,421.00	1,316,236,731.37
Small-arms target practice	100,108,390.84	143,861,293.00	243,969,683.84
Automatic machine rifles	256,215,443.12	441,788,000.00	698,003,443.12
Armored motor cars	197,339,362.40	406,640,000.00	603,979,362.40
Ordnance stores and supplies	34,029,315.28	372,299,260.00	406,328,575.28
Ordnance service	7,129,116.55		7,129,116.55
Ordnance and ordnance supplies and material		484,708,616.27	484,708,616.27
Miscellaneous ordnance funds	5,557,936.96		5,557,936.96
Total, Ordnance Department	1,503,369,009.75	7,714,279,294.70	9,217,648,304.45
Chemical Warfare Service	183,932,610.66	150,000,000.00	333,932,610.66
Grand total, Military Establishment	6,844,795,077.70	8,190,029,294.70	15,034,824,372.40

Statement of appropriations to be covered into the Treasury and authorizations repealed, Naval Establishment.

Purpose.	Appropriations.	Authorizations.	Total.
Aviation in the Navy	$98,000,000.00		$98,000,000.00
Bureau of Navigation, instruments and supplies	4,500,000.00		4,500,000.00
Bureau of Ordnance:			
Ordnance and ordnance stores	8,000,000.00		8,000,000.00
Contingent expenses	10,000.00		10,000.00
Experiments	150,000.00		150,000.00
Batteries for ship of the Navy	60,305,257.00	$20,000,000.00	80,305,257.00
Torpedoes and appliances	8,000,000.00		8,000,000.00
Reserve ordnance supplies	43,000,000.00		43,000,000.00
Contingent building fund	3,847.26		3,847.26
Armor and armament of vessels	1,714,750.00		1,714,750.00
Armament and ammunition, Coast Guard-cutters	79,574.03		79,574.03
Ammunition for vessels	30,000,000.00	11,000,000.00	41,000,000.00
Ammunition for auxiliaries and merchantmen	2,677,500.00		2,677,500.00
Navy nitrate plant	8,311,881.00		8,311,881.00
Fuel lands for armor and projectile plants	24,513.16		24,513.16
Ammunition for merchant auxiliaries	1,300,000.00		1,300,000.00
Batteries for merchant auxiliaries	1,255,521.24		1,255,521.24
Total, Bureau of Ordnance	164,833,843.69	31,000,000.00	195,833,843.69
Public works, Bureau of Yards and Docks—			
Naval training camps	257,885.00		257,885.00
Boston Navy Yard	570,000.00		570,000.00
Washington Navy Yard	100,000.00		100,000.00
Charleston Navy Yard	17,000.00		17,000.00
New Orleans Navy Yard	30,000.00		30,000.00
Mare Island Navy Yard	290,000.00		290,000.00
Naval Academy	15,000.00		15,000.00
Naval training station, Great Lakes	400,000.00		400,000.00
Hospital construction	1,008,742.00		1,008,742.00
Handling appliances at navy yards	25,000.00		25,000.00
Total, public works	2,713,627.00		2,713,627.00
Bureau of Supplies and Accounts, fuel and transportation	23,096,000.00		23,096,000.00
Bureau of Steam Engineering-machinery plant, New York Navy Yard	1,420.33		1,420.33
Marine Corps:			
Reserve supplies	7,000,000.00		7,000,000.00
Maintenance, Quartermaster's Department	20,000,000.00		20,000,000.00
Pay	14,191,975.96		14,191,975.96
Expenses, Reserve Corps	25,000.00		25,000.00
Total, Marine Corps	41,216,975.96		41,216,975.96
Total, Naval Establishment	334,331,866.98	31,000,000.00	365,331,866.98

RECAPITULATION.

MILITARY ESTABLISHMENT.			
Signal Service	$83,373,200.04	$45,000,000.00	$128,373,200.04
Division of Military Aeronautics	85,000,000.00		85,000,000.00
Bureau of Aircraft Production	402,000,000.00		402,000,000.00
Quartermaster Corps	3,740,385,307.76	15,750,000.00	3,756,135,307.76
Medical Department	54,145,513.73	65,000,000.00	119,145,513.73
Engineer Corps	792,589,435.76	200,000,000.00	992,589,435.76
Ordnance Department	1,503,369,009.75	7,714,279,294.70	9,217,648,304.45
Chemical Warfare Service	183,932,610.66	150,000,000.00	333,932,610.66
Total, Army	6,844,795,077.70	8,190,029,294.70	15,034,824,372.40
NAVAL ESTABLISHMENT.			
Aviation in the Navy	98,000,000.00		98,000,000.00
Bureau of Navigation	4,500,000.00		4,500,000.00
Bureau of Ordnance	164,833,843.69	31,000,000.00	195,833,843.69
Public Works, Bureau of Yards and Docks	2,713,627.00		2,713,627.00
Bureau of Supplies and Accounts	23,096,000.00		23,096,000.00
Bureau of Steam Engineering	1,420.33		1,420.33
Marine Corps	41,216,975.96		41,216,975.96
Total, Navy	334,361,866.98	31,000,000.00	365,361,866.98
Grand total, Army and Navy	7,179,156,944.68	8,221,029,294.70	15,400,186,239.38

Mr. CANNON. Mr. Chairman, I yield to the gentleman from Illinois [Mr. MANN] such time as he may desire.

Mr. MANN. Mr. Chairman, I do not intend to detain the committee very long, but to say just a word or two in passing. First, I would like to say that the appropriation bill under consideration is unique in one respect, the main respect probably, in the cancellation of appropriations and authorizations heretofore made, a natural thing, however, to be expected from the Committee on Appropriations. Really it is a wonderful committee. I think I could readily include the other members on the subcommittee on deficiencies in congratulatory remarks that I might make, but I desire to say that two of the gentlemen upon that subcommittee, the chairman, Mr. SHERLEY, and the ranking Republican, my colleague, Uncle JOE, I regard as the best posted men to-day in public life upon the subject of appropriations and retrenchments. We are going to lose one of them in the next House. Of course, the gentleman who succeeds the gentleman from Kentucky [Mr. SHERLEY] is a Republican, and I welcome him to the Republican majority in the next House, but the country will miss and the House will miss the experienced and valued services of the distinguished gentleman from Kentucky, the chairman of the Committee on Appropriations. [Applause.] As for the other distinguished gentleman whom I have named, I shall not be here when the time comes for him to quit, because I shall not live that long. He will remain as long as God continues to put the fire of enthusiasm into his soul and heart. [Applause.]

Having said that in passing, I want to say something that is not so sweet. I have a letter in my hand from a skilled workman, whom I have personally known for many years, and whom I have always found to be capable and bright and honest.

This is from Sheffield, Ala.:

> We have been working here at nitrate plant No. 2, at Muscle Shoals, Ala., since June 12, 1918. The waste of money here has been unbelievable. Hope Congress will investigate and fix blame. Some one ought to be shot as an example.

I do not know what the Republicans in the next Congress will do, but if they do not investigate some of the charges which

are made about the extravagant waste of money, especially by those not so much directly concerned with the direction of the war, and ascertain whether the charges are true or false, and if they are true to punish some of the people connected with the robbery of the Government, they will have failed in performing a function, one reason for which gave them power. Now, I have got another grouch. I read an advertisement which recently appeared in some of the papers of the country. Here it is:

The ——— Service offers to men in good standing an opportunity to go into business for themselves backed by a large manufacturing concern whose products are in great demand among farmers. You can earn from $2,000 to $5,000 per year, provided you can furnish two responsible bondsmen and a team or an auto. No other investment necessary. Men are now earning this income.

That sounds like a get-rich-quick advertisement published by an ordinary advertiser, and most people would assume that somebody was intended to be stung by the advertiser and to be bled properly. But, who issues this advertisement, this $5,000 per year for a man with no means to sell products to the poor farmers of the country, intending to beat them? Who issues this advertisement? The Government of the United States! This advertisement is issued by the United States Employment Service, signed "Address Frank A. Weaver, United States Employment Service, Minneapolis, Minn." Now, I can appreciate the desire and perhaps the need for the Government, through some service of the Government, to attempt to take care of unemployed labor, but I can not understand why the Government should pay the cost of an advertisement which anybody can get up designed to beat some one. Of course, this concern may be a reputable concern. I do not know, but it has some new product that it thinks it can work off on the poor farmer or the good rich farmers—they are all rich now, I believe, according to some stories—and then, instead of paying the expenses of trying to do this, they want the Government of the United States to pay the expense. I believe there is no item in this deficiency appropriation bill to cover this sort of a scheme.

Mr. SHERLEY. If the gentleman will permit?

Mr. MANN. Certainly.

Mr. SHERLEY. The bureau of which the gentleman speaks gets its funds out of the sundry civil bill.

Mr. MANN. I know.

Mr. SHERLEY. I had hoped in connection with this bill to find out what the balances were with the Labor Department, the Food and Fuel Departments, but it was not possible to do it and get the bill in, but I hope to be able to do it in connection with the sundry civil bill, and to cover back in the sundry civil bill a lot of moneys that presumably will not be needed for the balance of this fiscal year for a lot of these bureaus.

Mr. MANN. Well, certainly we do not need the money appropriated by this bureau to issue this kind of an advertisement. In the first place, such advertisements might properly be barred from publication and issuance through the post office by anybody, but for the Government of the United States, on the theory that it is trying to secure employment for those out of employment, to try to tell men how they can earn $5,000 a year by taking hold of some new patent and selling it at an outrageous price to people out in the rural districts—it would be just as bad and perhaps more effective if it were among the rich people in the city districts, because usually they are easier taken in than the others—I protest against the gross extravagance of a Government or a governmental agency that indulges in this kind of waste of money. [Applause.]

Mr. CANNON. Mr. Chairman, I do not intend to consume much time in general debate upon this bill. Under the five-minute rule I may or may not take some time, according to certain conditions; but I want to say that I have listened to the remarks of the gentleman who reports this bill, the chairman of the Committee on Appropriations [Mr. SHERLEY], and I may state I agree with the remarks of the gentleman, my colleague from Illinois [Mr. MANN], touching his ability, his industry, and his fidelity to the public service. [Applause.] But I do not mean I trot at all in his class. I used to think in normal times, having been a member of the Committee on Appropriations for 24 years—its chairman during the War with Spain and for some time after that; I think for 14 years altogether—that I knew something touching the merits of proposed appropriations. I want to say, while I am not an idle man, while I have grown older and do not claim to have that same industry and same capacity physically or mentally I had in former years, yet I have done the best I could in the performance of my duties as a member of the committee, and I am just delighted that I was associated with the gentleman from Kentucky [Mr. SHERLEY], because he has far greater ability, far greater industry, clothed with less of age than I have, and I grew very soon to repose confidence in him, kept the best track of this bill I could, and I still retain that confidence. So much for that.

The administration has the power, as has been stated, to cancel contracts, and it has been pretty busily engaged in their cancellation. There are many legal contracts, and I believe we passed a bill to legalize contracts that were made in good faith but were not legally executed. I think that legislation has not yet been enacted. I believe it is pending in the Senate, if I am not mistaken. I hope it will be considered and enacted, because I have no doubt that many of these contracts that were made verbally or by wire or without legal formalities were made in good faith by the Government on the one hand and the contractor on the other hand.

It is a wonderful responsibility that the administration has, in the cancellation of contracts and where they are canceled, in adjusting the damages that result from their cancellation. If it is vigorously and wisely done, the sooner it is done the better. Otherwise legislation will linger in Congress after Congress until we are all dead and gone. If I recollect, in the adjustment of the French spoliation claims and many other claims almost as ancient substantially a century passed before claims of that kind were adjusted by the Congress. The Government stands to lose and the individual citizen of the Government stands to lose where adjustments are not made as promptly as possible.

Now, I have no doubt that in some of these adjustments and cancellations there will be a want of knowledge upon the part of the Government or the agents of the Government. But that is no reason why an adjustment should not be made. Perchance, once in a while—and, God knows; I do not, and I could not specify anybody or any bureau or any department—there may be carelessness, there may be dishonesty here or there; but as one Member of Congress I want to give notice now that this Congress, I think, is wide awake, and I am quite sure the next will be and I am more sure that the next one will be, and that the light will be turned on if there have been abuses. Anathema maranatha to the man that undertakes to deal with important matters who is not competent or does not act in good faith!

Now, in the Lord's Prayer the sentence that always appealed to me stronger than any other is, "Lead us not into temptation," because if you are not led into temptation to do improper things you will get along very well. Oh, the weaknesses of human nature are many, and with over 100,000,000 of people there are a per cent of us who are weak. Now, that standpoint forms an additional reason why I stood for the enactment of this bill. It only deals with the Army and Navy appropriations and authorizations. The gentleman from Kentucky [Mr. SHERLEY] has well said that that is as far as we could go. He hopes to go further still when the sundry civil bill is reported, and I think there is plenty of room when you come to investigate matters outside of the Army and Navy appropriations and authorizations in which we can run and glorify and legislate to a good advantage. And I should not wonder, inasmuch as this Congress comes to an end on the 4th day of March next, if the next Congress that is organized will have much of investigation to do, though not from a political standpoint. Oh, I would not harm a dog; I would not harm the weakest or the strongest of the human race or anything in all animal creation just for the mere matter of harming. But this Congress, and the next Congress, and the next Congress, and the next Congress; this administration, and the next administration, and the next administration will have greatly more important work in comparison with what we have had in the past for legislation, for economy, for cleaning house, for unscrambling the eggs and getting back to a normal condition where the American citizen under the Constitution, rich or poor, great or small, will receive protection equally under that Constitution. And then you will come back again to normal times, where you will have legislation as we have had heretofore, where you will have the competition, where each unit from the standpoint of selfishness, to support himself and support the family and the hearthstone, will do the best he can to perform his duty. And then you will get the best of service.

You may ask if I am abusing anybody. No. I could criticize some people in the United States, but I am not going to do it by name. You could not have a worse condition than has come with this war condition. Wars are demoralizing. They must come and have come during the history of the human race. There is an old maxim that reaches away back a thousand or two thousand years, to the effect that "in war laws are silent." And that is true.

Mr. FESS. Will the gentleman yield before he leaves that?

Mr. CANNON. Yes.

Mr. FESS. A good many Members of the House have heard this statement about investigations and exposures. What do you expect to gain by it? What advantage will there be, when the thing is done, in making any investigations, and even suggest that there is nothing to it except to discredit our Govern-

ment in the eyes of the world? I should like to have a man of the distinction of the gentleman on his feet now make answer to that general statement that we hear so often.

Mr. CANNON. Well, I can not specify, although "I hae me doots" about many things that have been done. I am charitable and can make allowance for things that have to be done in haste if they are wisely and honestly done.

Now, I think neither side of the House would claim for a moment that there had not been serious mistakes made, some of them excusably made, because action had to be had, and some of them, I have no doubt, not honestly made. Well, I think that we may ascertain the condition during the present and during the recent past and punish those who have improperly acted and to give notice to those who are called upon to act now and notice to those who shall succeed us that we had best not draw the blanket concealing what is past and forget it, because thereby you would be encouraging other violations of law through maladministration.

Now, I am not going to say or intimate—because I do not know—whether during this war there have been more mistakes made in the United States by Congress and under the administration than have been made in other countries, considering the size of the great contest; whether more mistakes have been made relatively than were made during the War of the Revolution, according to numbers, or during the War of 1812, or the Mexican War, or the Civil War, or the Spanish-American War. Those are behind us. The present is with us. I am a believer in forgiveness, I will say to my friend from Ohio [Mr. FESS]. "Blessed is he who forgives." Yes; I believe in all that. Shakespeare, in his Timon of Athens, says, "Nothing emboldens sin so much as mercy."

For the remainder of this Congress or in the next Congress we are not going to confine ourselves to "stomach aching" on the one hand and criticizing on the other, but something of that kind will have to be done. There will be plenty of work for these investigating committees that have not been holding meetings formally for many years and have not been exercising their jurisdiction as committees on expenditures. There will be plenty of chance for investigation. However, I would not neglect the proper legislation in order that we might investigate.

The next Congress, no doubt, as this Congress has done, will perform its duties with such wisdom as it may have. I have great confidence in Congress. I have great confidence in the House and Senate. I have great confidence in the courts. There is plenty of room to criticize here and there and yonder. I have great confidence in the American people, proceeding under the Constitution and the law. I am a pretty "mad democrat" in the broad sense of the word. In my recollection I have trod every path, almost, from the cradle up to the time I expect I ought to die, that the humblest citizen of the United States has trod in his early life. I repeat, I am a democrat in the broad sense of the term, and I am a citizen of the one country on earth that has the greatest capacity for self-government. [Applause.] And, God knows, I want it to keep that capacity. [Applause.]

There is talk about autocracies and democracies. Who are the autocrats? The Kaiser was one; the Austrian monarch was another. There was autocracy in Turkey. There was autocracy in Russia, and Russia has graduated in anarchy. There is not much of autocracy in Great Britain. They have a pretty good Government there, by the people, a pretty fair democracy there, because it has been well said that they respond promptly to the sentiment of the people as it is voiced at the ballot box. An Englishman said to me, "While we have great respect for the King, yet we all understand that he is like unto a figure 9 with the tail cut off." [Laughter.] Well, thank God, that is not exactly the case in this country, although sometimes I wish part of the tail was cut off. [Laughter.] I speak with high respect for everybody.

Somebody said once of a friend of mine—a Member of Congress, by the way—and the remark originated on that side of the House about another man on that side of the House, and both are out of Congress and both are dead: "See D.; he sets his tongue to running and then goes off and leaves it." [Laughter.] I do not want to be subject to that criticism nor do I want to be subject to another criticism, such as one that ex-Speaker Reed made about a Member of Congress who was talking and consuming a good deal of time. A page came to me and said, "The Speaker wants to see you." I walked up to the Speaker's chair, and I said, "What is it, Mr. Speaker?" "Joe," he said, mentioning the Member's name, "when he talks he subtracts from the sum total of human knowledge." [Laughter.]

For fear I will do the same I will bring my remarks to a close, with the statement that I believe this is a good bill. It is not perfect. I would be glad if we could remove the temptation to spend money that has been appropriated and authorized by repealing the laws appropriating it and authorizing it to the aggregate of $15,000,000,000. [Applause.]

Mr. Chairman, I yield to the gentleman from Wyoming [Mr. MONDELL] such time as he may desire.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GARNER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13708) providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, as may be determined upon by the President as necessary.

SECOND DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The gentleman from Wyoming is recognized.

Mr. MONDELL. Mr. Chairman, I think at the beginning of my remarks, which I hope will be reasonably brief, I should state to my colleagues and Members of the House who are not acquainted with the organization of the Committee on Appropriations that I am not a member of the subcommittee on deficiencies which prepared this bill, but it so happened that I was requested by the chairman to attend the hearings in connection with the preparation of the bill which we now have before us, and so far as I was able to do that, and still give attention to the hearings before the subcommittee on the sundry civil bill, I did so. I do not, therefore, claim to be familiar with all of the facts on which the final action of the committee was based.

The hearings and examination have been most exhaustive. The chairman of the committee has again shown his ability and capacity as an investigator, as a seeker after and a developer of facts, and he has been ably assisted by the members of the subcommittee on both sides.

This bill, unique in all the history of legislation, proposes to repeal appropriations heretofore made amounting to approximately $7,000,000,000. It proposes to withdraw authorizations to contract heretofore given amounting to approximately $8,000,000,000; $15,000,000,000 in all, an enormous sum, a gratifying sum, taken from the totals that might have otherwise been expended. And yet, after all is said and done, it is not extraordinary that we are able to withhold from the War Department approximately $7,000,000,000 of appropriations out of a total of $24,000,000,000 granted to that department since the war began and out of a total of nearly $17,000,000,000 appropriated for the War Department within a twelvemonth. Only four months of the fiscal year now running had passed when the armistice was signed, and yet the committee was only able to find the sum of less than $7,000,000,000 out of appropriations of almost two and one-half times that sum for the fiscal year which it felt it could safely withhold. So much of the War Department, indicating the tremendous rapidity with which we were spending money at the time the armistice was signed.

So far as the naval service was concerned, after the most careful and painstaking examination of its estimates, the committee found only $331,000,000 of its appropriations for 12 months that could be saved, the war ending 8 months before the close of the fiscal year. What would have been the condition of affairs with regard to appropriations had the war continued? How much would the Navy have spent at that rate had conditions existed as they were at the time of the signing of the armistice? What it means is that the Navy has spent and proposes to spend as much money in 4 months of war and 8 months of peace as it was estimated it would spend in 12 months of war, and that the Army in 4 months of war and 8 months of peace expects to spend nearly three-quarters as much as it estimated and as was given in appropriations for a full year in the highest tide of the great war.

It is not remarkable that the committee was able to withhold and withdraw these sums. The extraordinary thing is that these services were spending money at such a rate that with only four months of war and one-half of the year past and gone the very great proportion of the appropriations were either spent or so obligated that the appropriations can not be safely repealed. The committee is not therefore entitled to any particular credit because it has brought in these repeals and withdrawals of authorizations in the sums carried in the bill. It is, however, entitled to credit for having conceived the idea of bringing in a general repeal bill, and it is entitled to great credit for the businesslike thoroughness of the examination

made, a thoroughness which will be demonstrated by a perusal of the hearings, which do not, by the way, contain half of the testimony actually given before the committee. The subject was gone over with very great thoroughness, particularly with regard to the War Department, and not once, but several times, in an effort to still further increase the amount which might be withheld and withdrawn from expenditure.

Mr. TILSON. Will the gentleman yield for a question there?

Mr. MONDELL. I yield to the gentleman from Connecticut.

Mr. TILSON. The gentleman says that not half the testimony appears in the printed hearings. Was the remainder of it confidential, or is there any reason at this time, after the war is over, why the information upon which the gentleman's committee based its conclusions should be withheld from the remainder of the House?

Mr. MONDELL. The gentleman is a member of a committee which has exhaustive hearings, and the gentleman knows that in taking testimony before a committee there must necessarily be a good deal of preliminary talk and examination in many cases in order to arrive at a mutual understanding as to the character of the information sought and what can be hoped to be secured in the way of evidence before beginning to make the official record. That is for the purpose of making the record clear and concise, and not burden it with talk back and forth intended to clear up the situation. This in order that in the record the questions may be to the point and the answers clearly intelligible. There was very little testimony withheld from the record because of its confidential character. There was some testimony as to the saving in expenditure expected to be made by reason of closing out contracts which it would serve no good purpose to publish at this time, but it was a very small part of the testimony given. There are sometimes conversations between the chairman or members of a committee and the gentlemen who appear before the committee to give testimony, in the way of opinions expressed, which while interesting and forceful do not necessarily belong in a printed statement of testimony given before the committee.

Mr. TILSON. I think the gentleman's idea is a good one, and I wish more committees, including my own, would follow that idea of eliminating nonessentials.

Mr. MONDELL. The idea is not mine. It has been the practice of the Committee on Appropriations since I have been with it, and it is peculiarly the practice of the present chairman of the committee, who endeavors to clear a situation before the record is made. I think it is a wise and proper procedure.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MONDELL. I yield to the gentleman from Iowa.

Mr. GREEN of Iowa. If the War Department have been spending money at so greatly an increased rate over what they originally estimated, what assurance has the gentleman that the amount now allowed is going to be sufficient to carry the department through?

Mr. MONDELL. I do not think anyone need have any fear on that point, and I am glad the gentleman asked me that question, because it is in line with what I have in mind to discuss.

As vast as are the sums of appropriation repealed—and $7,000,000,000 is quite a considerable sum even in these days—we still leave available such enormous sums that by no possibility can the War Department or the Navy Department run short in any necessary and essential line of activity. And while I am personally of the opinion, from what I have heard of the testimony, that we might safely have still further increased the repeal of appropriations by several hundred million dollars, I yield my opinion in that matter to members of the committee who are better informed as to some of the details of the examination than I am. I believe, however, that we could have increased very largely the sums of appropriations repealed, not only for the War Department but for the Navy Department as well. But the Navy Department clings to its appropriations with a tenacity that leads one to doubt the proverbial story of the drunken sailor, and to believe that the citizen who, while in an intoxicated condition, flung his money about so freely was not a sailor at all. [Laughter.] He must have belonged to some other branch of the service. At any rate, the Navy Department certainly does not willingly let go of any of its appropriated money when it is sober, and the Navy Department was very sober all the time it was before the committee.

As a matter of fact, the longer the hearings continued the smaller the sum of the contemplated repeal came to be. Early in the progress and development of the investigation there was a very considerable hope of a withdrawal of appropriations several hundred millions of dollars in excess of the sum actually carried in the bill. But as time went on and the gentlemen connected with the services further considered the situation, they concluded that in order to play a perfectly safe game it would be necessary to increase their estimates of the amount of liabilities that must be met. Out of the sums remaining enterprises can still be carried forward that ought not to be carried forward. Expenditures can be made that in my opinion ought to be dispensed with, and it is for that reason I would have been glad to have seen the appropriations still further trimmed in order, if possible, through this action to give the Congress control, to a very considerable extent at least, of the peace-time activities of these war organizations.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. GREEN of Iowa. The gentleman is aware of the fact that it is seldom indeed that a department having a sum awarded to it does not spend all that is given it.

Mr. MONDELL. I thank the gentleman for that suggestion. It leads to this thought, that while the war was on—and I was one of those who said and practiced it—it was our duty to give the departments of the Government every dollar which they insisted was necessary for the successful conduct of the war. We were justified in that attitude. It is the only attitude that a legislative body could properly take in time of war in the absence of unquestioned knowledge and information on the subject, which a legislative body can very seldom have. It was argued in favor of such a policy that the money would not be spent unless it is needed.

This bill is a denial of any such claim or suggestion as that. Why are we able to withdraw but $7,000,000,000 from the enormous war appropriations totaling $24,000,000,000 since the war began, with the war virtually at an end four months after the beginning of the fiscal year? Because the War Department having the money proceeded to spend it as fast as they could. The only reason why there is any considerable sum to take back is not because there was careful consideration of needs and a withholding of placing of obligations in view of such consideration, but because the productive capacity of this mighty Nation, great as it is, far beyond that of any other people on earth, was not great enough to enable them to spend the money they had, or even contract to spend it.

In the main, they went just as far and just as fast as the ability of the Nation to make or the disposition of the citizens to contract would allow them to go, with the result that they are obligated to take vast quantities of material for which we have no need and much of which is of little peace value—which are practically of no value.

I do not want to be unfair. I realize the pressure upon all these people to provide material, and more material, and still more material, to pile it mountain high against our needs over yonder, and that they knew they would be seriously criticized if there was any shortage. Therefore the necessity of procuring and contracting material in great quantities. The difficulty was there was no careful intelligent consideration of the amount of certain classes of material that under all the circumstances could be, or was likely to be, used. So that the amount bought and the amount contracted for was based very largely not on the probable needs carefully considered but on the capacity of the country to make and the willingness of the contractor to agree to make.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. KELLEY of Michigan. I am interested in what the gentleman has to say about the expenditures in the Navy Department, and I have been wondering during the course of his remarks if the gentleman would be kind enough to particularize a little further, as it might have some bearing on the appropriations asked for from the regular Naval Committee. So far the gentleman's remarks have been rather general to be of any value in detail.

Mr. MONDELL. I thank the gentleman for making the suggestion, because what I have said relates very largely to the Army and Army expenditure. The committee did not go into anything like as detailed an investigation of naval expenditures that they did of the Army expenditures, for the very good reason that they were met at the threshold with the statement that the Navy did not have any considerable amount of money they could give up. The committee did withhold $334,000,000 from the Navy, but turned around and gave them $280,000,000; so, as I recollect it, we are only $54,000,000 to the good as far as the Navy is concerned, as between pulling back and handing out. The naval appropriations for the fiscal year 1919 have amounted to almost $1,800,000,000. About $54,000,000, or less than 3 per cent, is the net salvage.

Mr. KELLEY of Michigan. I judge from what the gentleman says that there were projects that the Navy Department insisted on carrying forward that could have been cut off.

Mr. MONDELL. My statements in regard to these matters relate principally to the Army, and what I am saying, except what I said in regard to the Navy disposition to cling to its funds, mainly relates to Army expenditures.

Mr. LAZARO. Will the gentleman yield?

Mr. MONDELL. I will.

Mr. LAZARO. Is it not a fact that the Navy had a nucleus, a real organization, and were in a position to submit more accurate estimates?

Mr. MONDELL. The gentleman means that they did not have so much to give back because their estimates were more reasonable or more nearly within their actual needs?

Mr. LAZARO. The Navy was really a going concern and had its nucleus organization, whereas the Army, under the new draft system, was new.

Mr. MONDELL. I am not inclined to make comparisons.

Mr. LAZARO. I am just asking the gentleman the question for information.

Mr. MONDELL. It has heretofore been developed, and developed by the chairman of this committee and stated by him on the floor at the time the first deficiency bill was brought in, what character of estimates the War Department made, estimates apparently with little rhyme or reason. The gentleman will remember the details of those estimates as explained by the gentleman from Kentucky at that time and as elaborated somewhat by myself. Congress could not very well withhold an appropriation insisted upon of $94,000,000 for bandages, but there was not a Member in Congress who did not know that amount of bandages would wrap every soldier in the Army like Rameses when he was laid away for his long slumber. The Military Committee ought to have known when they made their appropriations for horseshoes and forage and matches and other things that they were appropriating much more than the Army could possibly use for such purposes unless they shod the soldiers with horseshoes and had the soldiers put in most of the time striking matches. The vice of that kind of estimating is that it gives a fund that is used or contracted, and when you come to the piping times of peace, or to the dawn of that glad and happy time, you find that no matter how large the appropriations were and how much in excess of actual need, there was a temptation, which was unfortunately frequently yielded to, to spend the money or obligate it if there was a place under the sun where the material could be found or a citizen willing to contract to furnish it.

There were some things brought out in these hearings and in other hearings touching matters on which some committee of the House ought to have functioned before this time. It is not the business of the Committee on Appropriations to legislate touching military affairs. How many camps and cantonments shall we permanently maintain in this country? How many enormous areas for artillery practice, how many aviation schools and fields, how much money shall be spent on enterprises of that character? Where shall work cease, and to what extent shall it be carried forward? Up to this good hour it is all left to the War Department, except for suggestions that may have been made here and there by some one on the floor of the House or the Senate. We have left money enough in the hands of the War Department, after withdrawing all these vast sums, that it may go as far as it desires with regard to any one of these camps or cantonments or fields.

I did not have the opportunity of hearing the chairman of the committee make his statement, but I presume in the course of his remarks he referred to the opinion to be voiced by him of the members of the Committee on Appropriations as to what should be done and should not be done with regard to three certain camps.

Mr. SHERLEY. Mr. Chairman, if the gentleman will permit, I did not, although I had a memorandum to do that. I was diverted, and I talked more than two hours. I propose to do that, however, when the various items are reached before the bill is passed.

Mr. MONDELL. Then I shall leave that to the gentleman from Kentucky, because that is a matter that he was to present to the House and which I supposed he had presented as he tells you he will do so later.

Mr. GREEN of Iowa. There is another question which I think the gentleman might well propound with reference to these other committees, and that is, How much longer are we going to continue in time of peace making lump-sum appropriations by tens of millions or even hundreds of millions?

Mr. MONDELL. The gentleman does not expect me to answer that question, does he?

Mr. GREEN of Iowa. No; except in the way that he has spoken of a somewhat similar fault, so it seems to me, on the part of other committees.

Mr. MONDELL. Having given all the sums that were asked for, where the need and necessity could not be absolutely disproven, which was the proper practice in the war, I suppose we shall so continue along certain lines, more or less sentimental, connected with the war and with the men who fought in it, for some time to come. We may not always act wisely in those matters, but the probability is that most of us will resolve our doubts in favor of the opinion of those who are charged with certain responsibilities touching the establishments we created, and particularly affecting the interests of the men who composed them.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KELLEY of Michigan. In considering these various bureaus, having to do with the expenditures for aviation, did the Committee on Appropriations come to any opinion as to whether or not there was great waste due to the multiplicity of agencies contracting for aviation materials and trying to erect an aviation outfit?

Mr. MONDELL. There is no way of determining whether the Committee on Appropriations as a committee had any opinion on that subject, because the committee was not called upon, officially or unofficially as a committee, to express an opinion upon that matter or to function upon it.

If the gentleman asks my opinion——

Mr. KELLEY of Michigan. That would be very acceptable.

Mr. MONDELL. Which may or may not be of value, I would say that in my opinion there was enormous waste, common to all of these enterprises, and additional waste in view of the fact that so many different agencies of the Government had to do with the same sort of activity, each insisting on its own plant and facilities. Until we shall once more in the grace and providence of God have a Government in which the legislative branch controls the policy, that will go on. We have been drifting into a condition—and I am not saying that wholly with regard to this administration by any means—under which the great policies of the Government are not fixed and established by the men the people select for that purpose, but by executive officials who, through one plan of persuasion and coercion and another, manage to successfully fix and establish the national plans and policies. I regret as much as anyone can, as a Member of this House, to be compelled to say that, but it is the truth, and it is a truth for which we are all somewhat responsible.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. McKENZIE. The gentleman from Wyoming, of course, is on the Committee on Appropriations. I want to ask the gentleman from Wyoming if he does not believe that some of the evils of which he has been speaking in connection with the Military Establishment of this country could be cured to some extent if all the power to make appropriations for the Military Establishment were centered in one committee?

And I want to ask, further, whether or not he would not favor such a proposition?

Mr. MONDELL. Well, now, frankly, I will say to my friend that I do not care to give expression to the opinion I have on that subject in this presence. We have had some experience in the Committee on Appropriations relative to Army appropriations we did not originate that leaves in my mind certain opinions which I do not think I care to express here and now. Of course, the gentleman's inquiry involves the possibility of transferring it all to the Committee on Appropriations——

Mr. McKENZIE. Yes.

Mr. MONDELL (continuing). Full jurisdiction over it.

Mr. McKENZIE. Yes.

Mr. MONDELL. In that connection let me make this suggestion: In my opinion it would be a splendid thing for this land of ours if one committee appropriated for every branch of the Federal Government. Not because one committee has more able or courageous men than another, but that a committee having to do with one service in the very nature of things comes to be greatly influenced by that service. I have heard folks say—I am not expressing it as my opinion or denying the truth of it—that committees having one branch of the service to appropriate for come to be to a considerable extent simply the mouthpiece of the particular service for which they appropriate, the champions of and apologists for that particular service.

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. MONDELL. Yes.

Mr. KELLEY of Michigan. I have some sympathy with what the gentleman is saying, but are there hours enough in a day for the men on any one committee to familiarize themselves with all the different branches of the service so that they could carefully make appropriations for those various services?

Mr. MONDELL. I grant you that the plan which my statement suggests is not without its serious difficulties. It would mean a dividing of one committee up into many subcommittees, and you might find in those subcommittees the same condition to which I have referred; but this is true, and I say this of the work of the Committee on Appropriations not because I am a member of that committee, but because I have watched the work of that committee for 22 years, that because of the fact that the committee in its work has a survey of all public activities—sooner or later, either in direct appropriations or deficiencies, it is brought into contact with every activity of the Federal Government—the committee takes a broader and more impartial view of governmental affairs than any other committee. By reason of the character of its work it is never tempted to become the special champion of any particular service. It has to balance one service against another and one class of appropriations against another, and comes to realize more clearly, I think, than a one service appropriating committee does, that one of the most important functions of an appropriating committee is not to give but to withhold. In such a general committee we learn that the most energetic and faithful public servant in the executive departments is frequently the man who must be most checked in his demands upon the Public Treasury.

Mr. SHALLENBERGER. Will the gentleman yield?

Mr. MONDELL. I do.

Mr. SHALLENBERGER. I gather from the gentleman's very interesting discussion that he criticizes the extent of our appropriations for the war, does he not?

Mr. MONDELL. I could not well do that, for I voted for every one of them.

Mr. SHALLENBERGER. Does not the gentleman think that the reason we have this amount of money to be saved to the Treasury is rather because of the termination of the war than because of appropriating too large a sum? Is it not the gentleman's opinion that if this war had gone on for the fiscal year as it was going on that instead of being able to turn money into the Treasury we would in all possibility have had a deficiency to make good?

Mr. MONDELL. My friend did not hear my opening remarks.

Mr. SHALLENBERGER. I did not.

Mr. MONDELL. Because in my opening remarks I emphasized that fact that the wonder was not that we were able to withhold $7,000,000,000 of appropriations but that, with only four months of the fiscal year in war and but six months passed, so large a portion of the enormous appropriations made must, in the opinion of the officials charged with responsibility, still remain subject to obligations that had been placed upon them. Why, had the war gone on at full tide, there is no calculating how much money we would have spent; and, inasmuch as we only withhold $54,000,000 from the Navy, it is very evident that, had the war continued, the Navy would have spent very much more than had been appropriated.

Mr. SHALLENBERGER. Is it fair to criticize the War Department for placing orders that Congress had empowered them to place, no matter how large they were, if they were to be required as the war went on?

Mr. MONDELL. I discussed that at some length a moment ago.

Mr. SHALLENBERGER. I am very much interested, and that is the reason of the remark.

Mr. MONDELL. I did discuss that at some length. I want to discuss for a moment some of the great enterprises, the great objects of expenditure which are still fully and completely under the control of the War Department, the policy touching which Congress has at no time had in its control or guidance. Let me again suggest now that a very distinguished member of the Committee on Military Affairs is here and I can speak freely; that I have not been able to understand why the Committee on Military Affairs has not functioned, beginning directly with the signing of the armistice, on the proposition of what the policy of the Government is going to be touching all these camps and cantonments which have been built at such an enormous expense——

Mr. GORDON. I will answer the gentleman.

Mr. MONDELL. And touching the lands on which they are located.

Mr. GORDON. I will tell the gentleman why. The Secretary of War appeared before our committee and said he was considering buying these cantonments and had all the authority he needed and all the money he needed, but he would like to have the advice of the committee on it, and before giving our advice we asked him to give us a list of the real estate that the War Department owns, including what had been purchased before the war, and we are now waiting for that list before giving our advice. [Laughter.] Does that answer the gentleman's question?

Mr. MONDELL. Well, it is as good an answer, I take it, as can be given, because the gentleman is apparently in possession of all the information there is on the subject. But how about Nitro, W. Va.? What are you going to do about the $60,000,000 investment?

Mr. GORDON. We have never done anything about it up to date. We appropriated lump sums, and you say you voted for all of them.

Mr. MONDELL. That particular lump sum I voted for after a statement made before our committee with regard to it, to the effect that no part of it was going to be used for the building of plants unless it might be a few thousand dollars. That statement was made, and is of public record, relative to the appropriation out of which that costly plant was built or started. I am informed it is to be yanked. Does the Military Committee know?

Mr. McKENZIE. Will the gentleman yield right there?

Mr. MONDELL. I will.

Mr. McKENZIE. Out of what appropriation is the War Department now paying for land in South Carolina and in Kentucky for three additional Artillery firing fields? Certainly it did not come from our committee.

Mr. MONDELL. May I ask the distinguished gentleman, who is a member of the committee that legislates on such matters, under what law or appropriation they are paying for it?

Mr. McKENZIE. I do not know.

Mr. MONDELL. Then, who does, if a member of the Military Committee does not?

Mr. GORDON. It is under the same appropriation as the Nitro plant about which you speak. The Committee on Appropriations probably appropriates for those.

Mr. MONDELL. The Committee on Appropriations does not control or assume to control the policy of the War Department. If it did, its items would go out on a point of order. The gentleman knows that.

I do not want to criticize any committee of this House. Heaven knows that we all have troubles enough, and I realize that the gentlemen on that committee are strong, honest, courageous men. I do not want to criticize them, and I will not criticize them. But may I be allowed to criticize a policy or a lack of policy? I think there are some very fertile fields to plow, and they are mighty weedy, and some one ought to get into them, and some one ought to give the opinion of the Congress touching the policy that is to be followed. My understanding is that the War Department wants to continue all the camps and all the cantonments and all the firing fields and all of everything else that it has. It has abandoned Nitro because even the War Department could not stand for it. But otherwise the work largely goes on. There is this other side to it. After all, is it not the duty of Congress to say to the War Department what they should do? After all, is it not our duty to say to these gentlemen, "This is our plan; this is our policy"? Who is to blame that they go on with these developments and building and buying programs, when the Congress, which is supposed to fix policies both in peace and in war, has expressed no opinion in regard to them, except as our committee has expressed an opinion with regard to certain camps, which will be stated by the chairman of the committee as the bill is discussed? We owe it to the War Department to say to them what the Congress thinks about these matters. If they go on with all the camps and cantonments and all of the other plants to a final conclusion with the moneys that are left—and there will be plenty of moneys left after the $7,000,000,000 are withdrawn—we will not be free from responsibility.

Congress told them what to do in time of war, and that was to provide for the men that Congress ordered into the field, prepare for the great struggle, fight it to a finish, and they went about doing that. But what of the future? If we are going to have universal military service in the United States, and every man of a given age in camp, we may want all the camps and cantonments. If we are not, we do not need them. I take it that nobody on the Committee on Military Affairs hesitates to express an opinion, because they have not made up their minds on the highly important subject. If we are going to become a great military Nation at the time when we are preaching peace on earth, good will to men, then we want all the camps and firing fields we have; but if we are not, if we mean what our eloquent spokesman is saying for us over yonder, then we want to halt some of these tremendous expenditures of the public money and try to get back to a sane and sound basis, whatever we may determine that sane and sound basis to be.

Mr. Chairman, there will be many things to be inquired into after the 4th of March. There will be no more things to be inquired into because it is a Republican Congress than ought to be inquired into if the Congress were Democratic. As one Republican I want to express the view and the opinion that the Republican Party when given a majority of this House by the American people was not granted any license to run amuck.

The worst thing we could do from a political standpoint would be to try to use the faults and the failures of this war for political purposes. But, on the other hand, billions of the people's money have been spent; great programs have been carried out, many of them without the warrant of congressional sanction. It is claimed that the expenditure has been grossly extravagant, and we have a very good reason for the opinion that it was when we hear men in the public service, charged with responsibility over enormous sums, say, "Yes; we propose to get results without any sort of regard to what they cost." From one viewpoint, perhaps, that was justified. But to spend money lavishly because it is necessary to accomplish a given purpose and to throw money to the winds unnecessarily in the accomplishment of that purpose are two very different things. The American people are entitled to know what has been done with their money. They are entitled to know who planned and proposed certain programs. They are entitled to know why they were carried on, and it will become the duty of the Republican Congress in good conscience and without malice and without desire to gain political advantage to develop the truth.

We have been engaged in a great work. It has necessarily cost a great deal of money. It was unavoidable that there should be mistakes. Enormously increased costs were unavoidable. Taking all these into consideration, giving them all due weight, in my opinion many things will come out that will astound the American people.

Gross recklessness, the wildest extravagance, and, above all, a lack of judgment and horse sense that is almost unbelievable. Responsibility can not be lodged on the shoulders of subalterns here and there. It goes back finally to the source of power; "Like master, like man." Given strong, vigorous, virile, intelligent, courageous direction, and the spirit permeates the entire organization down to the humblest man in the ranks; but given lack of initiative, lack of courage, lack of force, lack of directive effort, a disposition to smirk it all away and let it rip, and the outcome we have seen is inevitable.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Such a lack of proper spirit will permeate the mass and eventually reach every man in the organization.

Mr. GORDON. I infer from the gentleman's observations that he is prepared to be shocked and astounded by the revelations which are to come by these investigations?

Mr. MONDELL. I have been.

Mr. GORDON. Already? [Laughter.]

Mr. MONDELL. I am now immune. I think nothing can come out now that will shock me. [Laughter.]

Mr. MASON. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Illinois?

Mr. MONDELL. I yield.

Mr. MASON. My recollection is that about a year ago, when you were on the floor, you explained the danger of the cost-plus plan which the party in power had for the letting of contracts. I think you demonstrated that it was an invitation to larceny. I think you stated that even good men would be tempted by it, the promise that the more they spent the more they would get. They even got a commission on the money they stole from the Government. I was going to ask the gentleman, who is on the Committee on Appropriations, whether there was any change in the matter of letting contracts after his speech of that day I think it was a year ago. Or did they still continue to say to those favorites who received contracts, "The more spent, the more you get"? I ask if there was any change in the program after your speech? [Laughter.]

Mr. MONDELL. If the gentleman's inquiry is whether my statement had any effect on the executive departments, I would say to him, so far as I know, it did not; I did not expect it to have any. [Laughter.] The executive has not at any time been accepting suggestions from Congress. I merely felt it my duty to make those observations.

When I was a young man I was left in charge of what we called a force-account contract. That is one of your cost pluses. It was an intricate, difficult job in frozen ground, in a cold, miserable country, under trying conditions. The people who had to have the work done did not know how much it ought to cost and therefore were not willing to let a contract. As I was the youngest and most easily imposed upon member of the organization, I was left in charge of the job.

We were to get so much a day for men and teams and tools and machinery and 10 per cent on top of that. As the old gentleman who owned the outfit bade me good-by, smirking because he was going to get out of a hard job, he said, "Frank, I hope you will come out of this thing with some conscience left."

Mr. BUTLER. Did the gentleman succeed. [Laughter.]

Mr. MONDELL. I will leave that for the gentleman to judge. Modesty forbids an answer. [Laughter.]

Mr. BUTLER. I think you did.

Mr. MONDELL. He said, "You will have everybody loafing on the job in spite of all that you can do; even the mules will know that the more they loaf and the more the job costs the more we get. But," he said, "for heaven's sake, keep the organization down to hard work as well as you can under the circumstances."

I knew by experience that nothing so disorganizes a working force as that sort of a job; and when I heard of the cost-plus business I took the first opportunity, out of recollection of those early days, to express my opinion of that utterly indefensible system of doing business. I am utterly unable to understand how anyone with any knowledge of human nature, with the slightest experience in business matters, could expect anything but the scandal and disaster which come out of the system. Those cost-plus contracts have been responsible, very largely, for the general industrial disorganization of the country. The evil effect of it did not cease with the spending of unnecessary money. It carried on and on, diffusing its evil influence all over the country and into practically every avenue of industry.

Mr. BUTLER. The gentleman is a member of the Committee on Appropriations. Did he vote in favor of the report on this bill that we have here?

Mr. MONDELL. Yes; I voted for the report.

Mr. BUTLER. Does the gentleman remember the item on page 11 of the naval emergency fund of $33,000,000? Does the gentleman know what that covers?

Mr. MONDELL. I am frank to say to the gentleman that I am not as fully informed about that item as I would like to be.

Mr. SHERLEY. I am familiar with it, and I will ask the gentleman from Pennsylvania what he would have done if he had been on the Committee on Appropriations?

Mr. BUTLER. I would have done the same thing, but I would not have criticized the plan after I had voted for it.

Mr. SHERLEY. Oh, that does not follow at all. I may be required to pay the obligations of the Government without agreeing that the obligations of the Government ought to have been incurred.

Mr. BUTLER. I doubt, too, whether they should; but nevertheless we have to vote.

Mr. MONDELL. Now, I realize what is running through the gentleman's mind. Because an undertaking was unwarranted, because an evil policy has been followed, and because there has been extravagance, should we withhold an appropriation to meet the obligation? What sort of a fix would we find ourselves in if we proceeded to do that?

Let me again state to the gentleman the view I have had with regard to these appropriations from the beginning. Every appropriation that a responsible executive officer said was necessary to the conduct and successful prosecution of the war and every item of appropriation or legislation which on their honor they said was necessary to meet the Government obligations I voted for and shall vote for, but in doing so I did not give my approval, and I do not now give my approval, of the expenditure or of the way in which the money was spent.

Mr. LONDON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. Yes.

Mr. LONDON. Has there been a change of system, so far as the cost-plus contract is concerned?

Mr. MONDELL. Well, I think it is true that since the signing of the armistice there have been no such contracts. I have not heard of any. Of course, there would not be the slightest excuse for such a contract after the signing of the armistice, if there was any excuse at any time.

In view of the criticisms, in view of the knowledge coming to the officials themselves of the vicious character of these contracts, I think much earlier than that there was an effort to get away from them; but still the departments adhered to them with some more or less important modifications far too long, resulting in enormous expenditures.

Now, Mr. Chairman, some of the newspapers carry headlines announcing the reporting of this bill to the effect that we are turning back $7,000,000,000 into the Treasury. Some of them have gone so far as to say that we have turned back $15,000,000,000 into the Treasury. No part of the money that we are trying to save by withdrawing the authority to spend it is

in the Treasury. Far from it. There are billions of appropriations still current for the meeting of which there is no money in the Treasury. We are simply clearing the books to a certain extent, so that he who runs may more easily read the probable obligations of future bond issues and future tax burdens. It is well that the committee did this. It is the only thing the Congress has done up to this good hour that I can recall that in any way affects the policy of this Government touching expenditures, touching the carrying out of programs. It does not go far enough to clip or compel the abandonment of such selected or aggregated programs as the department may insist on carrying forward, but it does not leave money enough for them all. To that extent Congress is asserting its authority in determining that there shall be some limit to the expenditures. I do not want to seem to overcriticize naval and military men, who are insisting upon still holding vast sums for expenditure. They would not be worthy of their profession if they did not believe in it and believe in its maintenance and expansion; but it is our duty to say how far these things shall go. Our view should be the view of the people as against the military view.

Therefore we might well go further, and the Military Affairs Committee of the House might well go further, in laying down a program and in checking expenditures along lines of questionable value to the country. Thank God that the time has come when we can pass a bill like this; that the time has come when we can begin to think sanely, when the dove of peace is again returning to the earth. May the coming of peace bring with it a revival in this House of the proper spirit of our American institutions, a revival of the determination on the part of Congress to take its place again as the body in this Government charged with the responsibility of outlining programs, establishing policies, and placing the limit upon governmental activities. [Applause.]

Mr. MAGEE. Will the gentleman yield for a question for information?

Mr. MONDELL. I yield to the gentleman from New York.

Mr. MAGEE. I did not clearly understand the gentleman's statement. It has been stated that some $7,000,000,000 is turned back into the Treasury. Do I understand that that is an amount which has been appropriated?

Mr. MONDELL. Evidently the gentleman was not present to hear the early part of my remarks. The bill repeals approximately $7,000,000,000 of appropriations and repeals approximately $8,000,000,000 of authorizations of expenditure.

Mr. MAGEE. Has any part of this $7,000,000,000, which the gentleman says was appropriated, been actually raised?

Mr. MONDELL. I just said, if the gentleman was listening, that the loose statement frequently made that we were turning money back into the Treasury was, of course, not true. Not only has this $7,000,000,000 not been raised, but the money for appropriations of many other billions of dollars has not been provided for in the way of revenue and must be provided for through the bond issues that are coming and the payment of the tremendously heavy taxes provided for in the revenue bill. As a matter of fact, we are this day sailing without any very great balance in the Treasury; but in the offing is a great bond sale and the enormous sums that will be raised by the revenue bill. Notwithstanding all of the faults and failings of those who are charged with responsibility, all of the tremendous expenditures that have been made, and all the vast sums that will have to be raised and paid, it is after all well with the Republic, for by the valor of the boys who went overseas the tide of the great Hunnish wave was turned back and victory came. May the peace conference now gathered at Versailles establish that peace in perpetuity by establishing it in righteousness and justice. [Applause.]

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DISTRICT OF COLUMBIA.

CONTINGENT AND MISCELLANEOUS EXPENSES.

District Building: For fuel, light, power, repairs, laundry, mechanics, and labor, not to exceed $2,500, and miscellaneous supplies, $12,000.

Mr. HUDDLESTON. Mr. Chairman, I hold in my hand a clipping from the Waco News-Tribune, of Waco, Tex., dated January 8, 1918. This clipping purports to give copy of an order issued by Gen. Buck, who is in command at Camp MacArthur. This clipping is as follows:

OFFICERS ADVISED SOCIALLY—CAN'T MINGLE WITH ENLISTED MEN—BY COMMAND OF GEN. BUCK ORDER POSTED REGARDING ENTERTAINMENTS.

The following order has been posted at Camp MacArthur:

Headquarters, Camp MacArthur, Waco, Tex., January 6, 1919, General Orders, No. 1.

1. The attention of officers of this command is called to the impropriety of attending social affairs at which enlisted men, or persons in the uniform of enlisted men, are present.

Hereafter any officer of this command who finds enlisted men present with proper authority, i. e., duly invited or permitted to pay their way in, at any social affair at which the officer is a guest, such officer will at once depart from such social affair, and if he finds persons in the uniform of enlisted men permitted to be present he will take the same action.

When an officer finds enlisted men present at any social affair without proper authority, he will take such steps as the occasion may warrant to cause them to leave, and will report any violation of regulations which may occur.

By command of Maj. Gen. Buck.

W. H. WOOLWORTH,
Major, Infantry, United States Army, Acting Executive Officer.

Official:

E. E. LAMBERT,
Major, Adjutant General's Department, Adjutant.

Mr. Chairman, this clipping shows the spirit of caste existing in our Army even to this day. It shows the harsh and overbearing attitude of the officer class. It shows, as I have often said before, that our Army is the most undemocratic institution in America.

Mr. Chairman, we have heard a good deal of this un-American system of caste. The fact that this system of social discrimination is practiced in the Army has been denied from time to time. It has even been officially denied, but all who are familiar with Army life know that this order here at last brought to light in print discloses an actual practice lived up to by our officers of the Army, and which has been lived up to for years.

We have carried on a war for democracy. We have gone to Europe to carry democracy to the people there, and yet we are fighting against it here at home. In Europe our Army and Navy are being used to promote democracy. Here at home these same instrumentalities are being used to suppress democracy. Those who are responsible for the spirit of caste which characterizes the Army have no comprehension of the principles they are affecting to teach.

I want to say that there can be no real political democracy where there does not exist a social democracy. [Applause.] There can be no real democracy that we can carry into a foreign land when we deny to our boys who carry that torch in their hands the right to be regarded as men here at home. The men who fight our battles are good enough for any officer to meet as equals. They are entitled to be treated with respect and consideration.

Look at this order and analyze it. An officer is supposed to be a gentleman; this order put into effect would make it impossible for an officer to be a gentleman. If I were to invite two brothers to eat at my table, one being an officer and the other an enlisted man, that one who was an officer when he saw his brother at the table would be compelled to leave, or if he felt that his brother was not rightfully there, then he would be compelled to force his enlisted brother to leave the premises. Under this order even a discharged soldier wearing his uniform can never be good enough for an officer to associate with. There is not a boy who has been in the service who has not felt the effects of this caste spirit and system. There is not one who does not resent it. There is not an enlisted man who does not dread the social gulf that exists between officer and enlisted man more than the dangers that he endures. They dread it more than they do the hardships of the service.

Most high Army officers are in favor of a permanent system of conscription. I want to say to them here that by their overbearing conduct toward the enlisted men they are doing more to make Army life unpopular than any "pacifist" could by preaching against militarism. I warn them that they can not get away with it. No system of compulsory service in time of peace will ever be endured by the American people so long as Army officers adhere to such outworn, overbearing, and undemocratic methods as disclosed by this order. What are we going to do about it? What are the American people going to do? Well, so long as the Army was a matter of professional soldiers, of men who were not compelled to go into it, the people took no great interest in the matter. But since the Army is composed of men who are serving whether they want to or not, the people of this country are going to see that they are treated decently. We will have a democratic Army or we will have none at all. Let the General Staff ponder that. They are pushing for a big Army. They consider themselves patriotic in that. Yet by tolerating—yes, fostering—the caste system they are making it impossible to recruit an Army.

Talk about violating the espionage act. Hundreds of honest men have been sent to jail for talking against conscription. Yet by keeping up a system of social oppression of enlisted men the officer class have done more to make them dissatisfied than thousands of unbridled agitators could have done with their talk. I do not blame Gen. Buck more than others. He has merely put into black and white a rule of the Army recognized by every officer. It is the men who control the Army, mold its spirit, and

who make and change its customs and practices who are responsible. And the Navy is worse than the Army. [Applause.]

The Clerk read as follows:

For the disposal of city refuse, including the same objects and under the same limitations specified for this purpose in the District of Columbia appropriation act for the fiscal year 1919, $220,000: *Provided*, That the Commissioners of the District of Columbia are authorized to investigate conditions affecting the existing contract for the collection and disposal of ashes in the District of Columbia during the fiscal year 1919, with a view to determining whether any adjustment should be made in the compensation paid thereunder, and to adjust the same, provided the facts disclosed the necessity for such adjustment: *Provided further*, That the said commissioners may, in their discretion, with the consent of the contractor and his bondsmen, cancel such contract, and in that event, or in the event of failure of the contractor, to take such steps as may be necessary to carry on the work covered thereby, and for that purpose to purchase or lease the necessary plants, buildings, and land, to purchase or hire horses and horse-drawn vehicles, passenger-carrying and other motor-propelled vehicles, equipment, and machinery, and to employ expert and other personal services, and labor, and to pay traveling, maintenance, incidental, and contingent expenses: *Provided*, That not more than $70,000 of this sum shall be expended for the collection and disposal of ashes.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph in order that the chairman may make some explanation of it.

Mr. SHERLEY. The gentleman from Mississippi has had charge of this matter, which is a District of Columbia matter, and he can better advise the gentleman than I myself.

Mr. SISSON. Mr. Chairman, this item involves primarily the ash contract. They have under this item several matters to dispose of. The ash contract was entered into, as I recollect it, for about $79,000. After the war broke out wages were increased to such an extent that the company that got the contract was unable to carry out the contract to move the ashes. Now, the District Commissioners have the option, of course, to declare the contract void, and under the contract they could, if the money was sufficient, perhaps go along and remove the ashes, but they would have to take over the plant. The purpose of this provision is to enable the District Commissioners to make the best arrangement they can in reference to the removal of the ashes, because they might take a forfeiture of the bond—and I have no objection to their taking that course—but that would not move the ashes. The principal expense of moving the ashes will be in this present month and the two months succeeding. What ought to have been done prior to this is what we have done in reference to garbage, to allow the District of Columbia to take over the entire matter, because the wagons and equipment that have been used for one purpose can be used interchangeably for the other. The purpose of the provision is to enable the District Commissioners, if they decide to do so, to take over so much of the plant, the wagons, and horses as will be necessary to move the ashes.

Mr. MANN. Why does the gentleman say that the wagons for moving the ashes can be used to move refuse and garbage?

Mr. SISSON. Because they can be.

Mr. MANN. It might be in a country town, but not in the city. If the wagons are moving ashes, they can not move garbage.

Mr. SISSON. The gentleman ought to understand that in summer there are very few ashes to move; there is a great deal more garbage moved in the summer than in the winter.

Mr. MANN. The purpose of this is to let the District Commissioners let the contract, but the gentleman has given us no information on that subject. When was this contract entered into?

Mr. SISSON. The contract was entered into something like 14 or 15 months ago.

Mr. MANN. These are annual contracts, are they not?

Mr. SISSON. Yes; I think this is. Some are for three years, but I think this is an annual contract. The facts are that this labor was worth $1.25 a day or $1.50.

Mr. MANN. Labor was worth as much 15 months ago as it is now and perhaps more.

Mr. SISSON. The labor that this man employed has gone up to where it is impossible for the man to complete his contract. Horses have gone up, and we even went into the price of feed to the extent of getting the quotations about the date that this contract was entered into.

Mr. MANN. I know there has been no special increase in the price of labor during the last year, and certainly no increase in the price of horses, and no special increase in the price of feed. What this amounts to is that if the contract goes against the contractor we relieve him, but if it is going in his favor he keeps the contract. That is all it amounts to. Heads I win and tails you lose by the contractor.

Mr. SISSON. We are not confronted with a theory here; it is a condition. What we want is to get the ashes moved.

Mr. MANN. The gentleman makes the primary mistake of providing a contract that will not get the ashes moved.

Mr. SISSON. It would get the ashes moved in normal conditions.

Mr. MANN. These are normal. The contract had been entered into.

Mr. SISSON. If the gentleman will look into every department of the Government he will find that every department is paying nearly twice as much and sometimes more than twice as much for labor as they were before.

Mr. MANN. Twice as much every day as it was the day before, does the gentleman say?

Mr. SISSON. No; I did not say that, but prior to the war.

Mr. MANN. This has no relation to conditions prior to the war.

Mr. SISSON. It has, absolutely.

Mr. MANN. The gentleman stated that the contract was entered into for this fiscal year.

Mr. SISSON. It was entered into some time before the actual date for moving ashes.

Mr. MANN. The fact is that the District Commissioners are disposed to give contracts to friends.

Mr. SISSON. I do not know that that is true.

Mr. MANN. And if the contracts do not pay the contractors, they want to let the contractor out and have the Government pay the difference.

Mr. SISSON. My information, on the contrary, is that the District Commissioners desire to take a forfeiture on this man's bond, but they want to be in a position to move the ashes when they do take it.

Mr. MANN. Oh, they presented this item, and this item came from the District Commissioners.

Mr. SISSON. I know it did.

Mr. MANN. It does not provide for a forfeiture of the bond.

Mr. SISSON. They do not have to do that.

Mr. MANN. It provides that the District Commissioners shall settle the contract; and why do they ask that? Because they already have agreed to do it, if they get the authority.

Mr. SISSON. I do not know whether that is true.

Mr. MANN. Oh, it is a matter of public information.

Mr. SISSON. The purpose of this is to have the ashes removed.

The CHAIRMAN. Does the gentleman from Illinois insist on the point of order.

Mr. MANN. I shall insist upon the point of order as to the proviso.

The CHAIRMAN. The point of order is sustained.

Mr. MANN. I have reference to the first and second provisos, and on them I make the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

For additional for two tractors, motor driven, $4,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I rise for information. I have never heard of this term "tractors" being used in connection with the apparatus of a fire department. Will the gentleman explain what a tractor is?

Mr. SISSON. A tractor takes the place of the horses, and carries the fire equipment, whatever it may be, to the fire, instead of having it drawn by horses.

Mr. STAFFORD. But you provide in the next paragraph for three engines, motor driven, and also in the following paragraph for chemical and hose cart, motor driven.

Mr. SISSON. They are substituting these motor-driven tractors for horses wherever they can.

Mr. STAFFORD. I suppose, then, it is like the forward part of the truck, where it is intended to put the trailer behind, and have it rest on the part carrying the motor.

Mr. SISSON. If you have a hook and ladder, for example, instead of having it drawn by horses you would have it drawn by a tractor.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Employees' compensation fund: For compensation provided by "An act to provide compensation for employees of the United States suffering injuries in the performance of their duties, and for other purposes," approved September 7, 1916, including medical, surgical, and hospital services, and supplies provided by section 9, and the transportation and burial expenses provided by sections 9 and 11, $700,000, to be available until expended.

Mr. LONGWORTH. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 5, line 21, after the word "expended," insert as a new paragraph the following:

"For salaries and expenses of the United States Tariff Commission, including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1919, $50,000."

Mr. LONGWORTH. Mr. Chairman, I confess that I offer this amendment, as I would any amendment to this bill, with some hesitation, because the bill has been most thoroughly considered, this item—or at least this general proposition—among others. For one, I feel that the Committee on Appropriations is deserving of great credit for this bill. I of course do not assume to know all the details of the bill, but, on the face of it, it saves to this Government something like $15,000,000,000.

It is difficult for the average human mind, gentlemen, to appreciate the significance and vastness of this sum, but if I do not forget entirely the figures that I am about to mention, this bill authorizes a saving of an amount equal to more than half the total amount that it cost this Government to live from the first inauguration of George Washington until the second inauguration of President Wilson. The committee deserves great credit for having brought in a bill which will bring about this enormous saving of the public funds. The gentleman from Kentucky will go down undoubtedly in history as the master money saver of the American Congress. [Applause.] For one, I infinitely regret that he is not to be with us in the next Congress, and I know that I am right in saying that it is the unanimous judgment of Members on both sides of the aisle that his shoes will be mighty difficult to fill. [Applause.] Now, the gentleman from Kentucky explained this morning the request made by the Tariff Commission. Let me call attention to the fact that the language of this amendment I propose would be simply and solely to appropriate for the use of the Tariff Commission the amount authorized by the law which created it. This commission was created in 1916, and $300,000 was authorized to be expended annually for its maintenance. As a matter of fact, however, due probably in the first year to its small organization, something less than $200,000 was expended. Last year, on account of the war, necessarily having to diminish its functions to some extent, and being deprived also of the services of some of its employees who went to the war, it again lived within less than $200,000. It is true, as the gentleman from Kentucky has stated, that it might not be wise to go so far as the Tariff Commission suggested, which was to appropriate $100,000 in this bill, which would bring the average expenditures up to $400,000. I do not advocate that. I merely advocate that we should allow the Tariff Commission, under all the circumstances, the actual amount authorized by the act which created it. I realize, of course, that conditions are abnormal, and they may continue abnormal for some years. I do not undertake to prophesy when Congress may pass or propose a tariff law. It is utterly impossible to predict, but it seems to me that in the meantime we can not get too much information as to facts, whether they are gathered under abnormal conditions——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. May I have a few minutes?

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LONGWORTH. Even though those facts are collected under abnormal conditions, it may be possible that this Congress will necessarily bring in tariff legislation under abnormal conditions, and it seems to me that the facts that might be acquired even now would be of service to the Government. I am one of those who believe that Congress can not get too much information about industrial questions. I, perhaps, if I had been charged with the appointment of this particular Tariff Commission might not have named every one of its members. I think it would have been wiser if a division of the two political schools of thought had been better carried out than they evidently are in the personnel of our present Tariff Commission. But, after all, their function is not to advise the Congress as to policies, but merely to provide the facts which will be reduced to legislation in accordance with the views of whatever party may be in power. Now, the effect of this amendment if passed would merely be to give to the commission the amount authorized, and certainly some increase over the funds now available is necessary if any larger investigations are to be undertaken. In fact, I think it would be fair to say that $200,000 nowadays would not bring results greater than would $150,000 at the time we first authorized the creation of this Tariff Commission. It seems to me, then, it would be wise if we now, instead of waiting until a later date, establish a policy of granting this commission at least the funds which were authorized by the act which created it. [Applause.]

Mr. CANNON. Mr. Chairman, this Tariff Commission was created and it is legal. The amendment is justified under the law. The amount fixed under the law to be expended as authorized was $300,000. There was expended last year, I believe—that is, the first year of its existence—$188,000 in war times.

There was appropriated for the service this year $200,000. That is $100,000 less than was authorized, and not directed by the legislation creating the commission. Of course, it awaits appropriation, whether it should be $188,000, $200,000, or $300,000. It seems to me, as one Member of the House, I am not in favor of the amendment. The amount, I say again, that was appropriated was $200,000, and in the first six months the commission expended $100,000. It could not have expended more under the law touching appropriations. That leaves for the last six months the same amount that was expended for the first six months of the fiscal year, namely, $100,000. Now, the amendment is to appropriate $50,000 for this six months, which would make——

Mr. LONGWORTH. Will the gentleman yield?

Mr. CANNON. I will.

Mr. LONGWORTH. It would make $150,000 for the six months.

Mr. CANNON. Which would be running at the maximum that is authorized by the law.

I am not going to run amuck and criticize the organization of this Tariff Commission. Gentlemen understand about it. It consists, I believe, of five who are not of the same political party. Well, we could not have an issue of fact to say whether it was fairly appointed or not from that standpoint. If we would submit it to a jury and I should take the affirmative, I think I would have no difficulty in showing that there was a mistake made in carrying out the true intent of the law of Congress. But I will not discuss that. I doubt the propriety now of expending at the rate of the limit of the law for the last six months. We have not peace yet. Our principal competitors are Great Britain, Germany, France, the Balkans, Russia—in fact, the world—that are not producing at this time. We have an abnormal condition touching production in the United States. The gold dollar is worth only half as much as it was when this war broke out, which means that other products measured by the gold dollar are worth just what they were before, but double in dollars when you come to consider the whole proposition.

Now, we could not abolish this Tariff Commission if we were to try. It would not be in order upon this bill. What good could possibly come now from a practical standpoint by having this commission investigate by sending people abroad? A friend of this appropriation appealed to me and said, "We want to send people to Europe." I replied to him, "If you send them to Europe, you would have to give them a guard to protect their lives." Now, I think we had better go along as we have been going.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Just one minute more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. I think we had better go along and make the expenditure as was recommended by the committee, which is less than was expended last year. Some friend has said that they wanted this done because there are a lot of people that know a heap about economic questions and that have been employed in the war, and they are now being discharged and would like to have the money for a few months in order to give them employment, and that it was thought they would do valuable service. Well, that would be good for the men, but will it bring anything that will enable the next Congress or the one after that, with changing economic conditions, to come to a just and proper conclusion? I think we best let the bill stand as it is.

The CHAIRMAN. The question is on the amendment.

Mr. SISSON. Mr. Chairman, I do not wish to detain the committee more than a moment, except to say that I agree with what the gentleman from Illinois has said in regard to this matter.

The act provides that $300,000 may be appropriated for this purpose. The Congress last year appropriated $200,000. That commission asked in this deficiency for $100,000, the balance that we authorized to be paid. Now, as was explained to the committee a moment ago, the subcommittee cuts this out for the reason stated by the gentleman from Illinois [Mr. CANNON]. Whatever information you might be able to get about the cost of things now and about the price of labor at this time would be of no earthly use to us when things are in the abnormal condition in which they are now throughout the world. In view of that fact, the subcommittee did not give the appropriation.

Mr. LONGWORTH. Will the gentleman yield?

Mr. SISSON. I do.

Mr. LONGWORTH. Let me suggest to the gentleman one industry, at least, which has sprung up in this country since the war began and which did not exist in this country at the time war was first entered into. I mean the dye industry, and with that industry other chemical industries. It is an abnormal

growth, if you please. We had little information in the past as to the methods and the cost of production of dyes in this country. Would not that one industry be enough to justify at a time like this, when we must realize that no one can tell how soon Germany will be able to produce dyes again, this increase in appropriation? Would it not be of value to have all possible information? And the Tariff Commission has been working very hard upon that question. Does not that justify the continuance of the Tariff Commission?

Mr. SISSON. The gentleman understands this does not interfere at all with the Tariff Commission. It is simply a special fund that they want in addition to the amount Congress has heretofore appropriated. It does not interfere with their present activities.

Mr. LONGWORTH. It interferes with their present activities to the extent they are now receiving only two-thirds of the amount Congress authorized them to receive.

Mr. SISSON. That was the very limit of cost.

Mr. LONGWORTH. This necessarily cripples their field of usefulness.

Mr. SISSON. As to the dye industry, that would be in just the condition other industries are in so far as labor and the cost of producing dyes in Germany and the cost here are concerned. You can not establish any rule, in my judgment, upon which to base a tariff, either from a revenue or protection point of view, that conditions might not change overnight. The changes will be very rapid, and for that reason the committee did not allow it.

Mr. HULL of Tennessee. Mr. Chairman, I do not rise for the purpose of entering into any detailed discussion of this matter, but in common with some of the other members of the committee I was disappointed when I learned that this item was not embraced in the pending bill.

I am impressed with what the gentleman from Mississippi [Mr. SISSON] says, so far as it goes; but it is very important for this country to follow the changing economic conditions, especially during the reconstruction period, and to gather from them such lessons as they offer, just as other commercial countries are doing at this time, and I think really it is a mistake not to allow this commission to proceed at this time with the normal development of the work which it has in hand and which during the next 6, 12, and 18 months will be of extreme value to every Member of Congress and to every business man in the country who is earnestly striving to understand economic conditions as they will be more or less transformed following the war. I say, therefore, I regret that the committee did not see fit in its wisdom to make this allowance.

Mr. SISSON. If the gentleman will permit an interruption, I think he will understand that this money will only be available until the 1st of July anyway, and within that length of time the amount of information they could get would be very slight, and the current appropriation bill will take care of the investigations that will be made after July by this commission.

Mr. HULL of Tennessee. I will say to the gentleman that he has doubtless done so, but if he has not, if he will run through the documents, the manuscripts, the productions, and the reports which the Tariff Commission has already prepared with extreme care, he will recognize the value of the work that is being done. With some of the information I frankly say I do not agree. Some of it will be agreeable to my views, and some of it will be more agreeable to those of some of my colleagues on the other side; but in view of what I consider to be the importance and the accuracy of the economic facts which they are developing, which will be of much value to every Member of the House, no matter what his predilections may be with respect to customs or other phases of economic conditions, I am of opinion that this small amount of money could not be expended better than in the direction asked for by the commission.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio [Mr. LONGWORTH].

Mr. MANN. Mr. Chairman, it has always been a peculiar thing that when the total amount of an appropriation which is authorized by law for any commission is not appropriated the commission at once is up in arms.

Now, here is the Tariff Commission. I have read their last report. I doubt whether very many Members of the House have done them that honor. They have been practically useless during the war. But the Tariff Commission remained as a commission, and all of them who remained drew their salaries, although several of them are doing other work—one of them in the Post Office Department, giving no attention whatever to the work of the Tariff Commission, and one of them somewhere else, giving no attention to the Tariff Commission. I am probably expressing the opinion of those two gentlemen at least when I say that there was no work for the Tariff Commission to do during the war, and I reckon the rest of the Tariff Commission practically acquiesce in that view, because they have done nothing.

But I will say this: The commission is made up entirely of what we call "free traders" on our side of the House. Contrary to the spirit of the law, there is no protectionist on the commission. This distinguished commission of free traders have expressed the opinion that a tariff for protection in some cases is highly advisable and necessary. Now, to that extent I welcome their education, although acquired at considerable expense to the National Treasury.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. MANN. In just a second. On this side of the House we do not need the education. On that side of the House it is useless to attempt to educate them on the subject. [Laughter.]

Mr. LONGWORTH. So far as the Tariff Commission itself is concerned, does not the gentleman believe that the result of the investigations will lead to the irresistible conclusion that some protection is necessary?

Mr. MANN. I do not know what conclusion it will lead them to. I do not need it. If they could ascertain facts as to the cost of production of articles, either here or abroad, that would be of value. But we all know perfectly well that they can not obtain facts relating to the production of any article, including dyestuffs, either here or abroad, which would be useful under normal conditions. Now, I am in favor of putting a protective tariff upon dyestuffs to protect the American industry that is built up on dyestuffs. I do not undertake to say what the rate should be, and I undertake to say that the Tariff Commission will not know what the rate should be before it is fixed.

I think it is a good thing for the Tariff Commission and the other commissions under the Government to feel that they will have to be economical for a while. We will have the very mischief to pay to bring down any department of the Government to any reasonable idea of economy, and we can not afford to go ahead and appropriate money as we have done in recent years and months for what they call the normal expenses of the Government, because they have increased. I know of no branch of the Government to-day outside of the War and Navy Departments which is not asking for an increase of money. Although they have already had increases beyond the normal conditions, they now want more. Somebody has got to pay the bills if we appropriate the money.

Mr. SHERLEY. Mr. Chairman, I shall not detain the committee more than a minute or two on this matter, but I think it is only fair to take issue with the statement of fact that the gentleman from Illinois [Mr. MANN] asserts, that the entire personnel of this Tariff Commission is made up of men such as are normally designated as "free traders," and I am quite sure that the actual fact is far from that. Certainly Mr. Culbertson, a member of that commission, would very indignantly deny that the characterization correctly represented his political viewpoint.

Just another word touching the debate that has developed. It is interesting, to say the least, that the two gentlemen who are not by committee assignments engaged in special work in connection with tariff making should deny the need of any information, whereas the gentleman on the Republican side, who by Republican committee assignment is charged with that particular work, should admit the desirability of it.

Having said so much, I simply desire to say that the committee did consider, in view of the questions that are larger than simply the question of the tariff commission, that at this time it was not desirable to appropriate additional money; and with the latter part of the speech of the gentleman from Illinois [Mr. MANN] I am in entire accord. It is going to require the constant vigilance of Congress to hold the departments of the Government down to anything like normal activity, and there will, to my mind, be a very heroic struggle in the next Congress to reduce to order and to ordinary size the departments of the Government that have very greatly expanded in recent years. And you are going to be met constantly by the advocates of the departments with pleas for their special activities. And then the same people who make the pleas will complain over the sum totals of the burdens that are placed on the Government. It was having those general views in mind that made the committee, irrespective of its individual views touching the work of the commission and of its personnel, agree to eliminate from the bill the estimates that were submitted; and on behalf of the committee I hope its action may be approved by voting down the amendment of the gentleman from Ohio.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

The Clerk read as follows:

PUBLIC BUILDINGS.

New Orleans, La., customhouse: For additional for the completion of the remodeling, repair, or improvement of the old customhouse and post office, $13,700.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question with regard to the remodeling of the customhouse at New Orleans, where an appropriation of $13,700 is recommended.

I have before me the estimate of appropriations for construction in connection with this deficiency bill, where the department asked that the sum of $18,000, which was realized from the sale of the old copper roof of the customhouse, be returned for that purpose. I find that the committee in its wisdom and sense of economy has seen fit to reduce that amount by some $5,000. I shall be very glad if the gentleman will tender some explanation.

Mr. SHERLEY. If the gentleman please, the committee did not consider that because a given amount had been realized from the sale of the roof therefore that amount should be appropriated. If the gentleman will turn to page 682 of the hearings, he will find that there was an estimate made there as to the amount of money that would be required to do the work that the Supervising Architect indicated they desired to do now and which totaled $17,700. There was one item for the lining or facing of walls and spandrels under stairs at front entrance with marble. That seemed to the committee to be an expenditure that was not fully warranted under the present circumstances, and therefore the committee recommended a reduction of the amount from $17,700 to $13,700.

Mr. DUPRÉ. My inquiry was in view of the fact that this sum had been realized from the sale of the copper roof. It was not directed to the point that that amount should be returned to the source from whence it emanated. I wanted to know why the committee in its wisdom had seen fit to cut down the estimate of the Supervising Architect. The committee is opposed to marble facings, I understand.

Mr. SHERLEY. I would not say they are opposed to them or in favor of them, but they are opposed to this particular item in this particular instance, because it did not seem to the committee that at this time that expenditure of $4,000 for the facing of walls and spandrels of the stairway with marble was a necessary expenditure.

Mr. DUPRÉ. In connection with the gentleman's desire to reduce expenditures, then, he has cut down this amount by $4,000 in order to prevent this amount being spent for that purpose?

Mr. SHERLEY. Yes.

Mr. DUPRÉ. I want to commend the gentleman and the committee for their economy. I hope they will practice it on all other measures. I notice, of course, that they have done so in connection with the Tariff Commission.

Mr. SHERLEY. I am human and make mistakes, but on the floor I simply voice the sentiment of the committee, and in this matter that is their judgment.

Mr. DUPRÉ. The gentleman from Kentucky is humorous.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT.

TEMPORARY EMPLOYEES.

For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the existing situation may demand, $4,000,000: *Provided*, That the Secretary of War shall submit to Congress on the first day of its next regular session a statement showing by bureaus or offices the number and designation of the persons employed hereunder and the annual rate of compensation paid to each: *Provided further*, That no person shall be employed hereunder at a rate of compensation in excess of $5,000 per annum, not more than five persons shall be employed hereunder at a rate of compensation in excess of $2,400 per annum each, and not more than 35 persons shall be employed at a rate of compensation in excess of $1,800 per annum each.

Mr. DYER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 9, end of line 3, strike out period, insert colon, and add the following:

"*Provided*, That no part of the appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the position."

Mr. SHERLEY. Mr. Chairman, to that I reserve a point of order.

Mr. DYER. The point of order, I am sure, Mr. Chairman, does not lie.

Mr. SHERLEY. I am serious in saying to the gentleman that it does lie. I think I can point out three or four statements that make it not germane. It is not germane, although camouflaged by the language "*Provided*, That no part of any appropriation herein shall be used," and so forth.

Mr. DYER. It is a pure limitation. We have had the question up; the identical language was submitted on the legislative, executive, and judicial appropriation bill, and the point of order was overruled by the then Chairman, the gentleman from Missouri [Mr. ALEXANDER]. It was the opinion of those who spoke upon it, including quite a number of Members of the House and some of the best parliamentarians in the House, that it was a limitation on the fund of money provided for in the bill.

The CHAIRMAN. Does the gentleman from Kentucky insist on the point of order?

Mr. SHERLEY. I do, and I want to be heard on it. Mr. Chairman, I am not familiar with what the gentleman stated occurred in regard to the legislative bill, and while I do not care to be put in the position of appealing from the court, I am still of the opinion that, though as distinguished a gentleman as the gentleman from Missouri [Mr. ALEXANDER] held this in order, he was wrong. I think it can be clearly demonstrated.

There has grown up in the House a practice, a very loose and vicious practice—and I say it without meaning to reflect upon the merits of the amendment—of assuming that by simply saying, "*Provided*, That no part of the sum shall be expended," that you can do anything afterwards affirmatively that you see fit and not thereby violate the rule in regard to legislation upon an appropriation bill.

The language of this amendment reads:

Provided, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the position.

That requires affirmative action on the part of the bureau to which it applies, and undertakes to make the expenditures of money conditioned upon the doing of an affirmative thing, whereas the rules of the House provide that the limitation shall simply restrict the money upon a negation and must not involve an affirmative proposition necessary to be carried out. It is conceivable that the purpose which the gentleman desires to accomplish might be so worded as to come within the limitation, but the language as submitted requires affirmatively that the department shall reinstate the applicants to their former positions if honorably discharged and members of the military service. I insist that it is clearly legislation and not a limitation. The chairman will find in connection with the rule in the House Manual, page 825, this statement:

Such limitation must not give affirmative direction and must not impose new duties—

And so forth.

That was the ruling made by Chairman CRISP, one of the best parliamentarians in this House, March 11, 1916.

The CHAIRMAN. The Chair understands from the parliamentary clerk that this identical question was up the other day and that this identical language was used.

Mr. SHERLEY. That may be true, but I do not happen to agree with the decision of the Chairman on that date.

The CHAIRMAN. The Chair would like to see the ruling of Chairman ALEXANDER, and if the gentleman will indulge the Chair and pass this over temporarily——

Mr. SHERLEY. I am quite willing to do that.

The CHAIRMAN. Without objection, the paragraph will be passed over temporarily.

There was no objection.

The Clerk read as follows:

NATIONAL CEMETERIES.

For the disposition of remains of officers, soldiers, civilian employees, etc., including the same objects specified under this head in the sundry civil appropriation act for the fiscal year 1919, fiscal years 1918 and 1919, $2,473,782.68.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 9, after line 9, insert—

"Ordnance Department: For payment of the claims for damage to and loss of private property occasioned by the explosions and fire at the plant of the T. A. Gillespie Co., at Morgan, N. J., which have been agreed upon by the War Department and the claimants and are enumerated in House Document No. 1735 of the present session, $268,211.26."

Mr. STAFFORD. Mr. Chairman, on that I reserve the point of order.

Mr. SHERLEY. Mr. Chairman, the committee will recall that some months ago there occurred a very disastrous fire and explosion over at Morgan, N. J., in connection with what is known as the T. A. Gillespie plant. It was a governmental plant being operated by the Gillespie Co., but a plant the ownership of which was in the Government, and it was in the strict sense of the term a Government plant. As a result of that explosion great damage was inflicted upon the property of people living in the vicinity, and in point of fact on property of people living quite a number of miles away. In the last deficiency act that was passed a provision was carried instructing the Ordnance Department to inquire into and ascertain the extent of the claims for damage to property that had resulted from this explosion. The Ordnance Department did create a commission that has functioned, and they made a number of reports to the Congress. They have actually examined and cleaned up claims that aggregate something like $900,000, but they were not in shape to-day to present to the Congress a formal statement enumerating the amounts, so as to make a clear identification. It is expected that before this bill shall have become a law they will be in a position to submit the additional claims in such form as to enable them to be clearly identified legislatively, and those claims will embrace all of the damage sustained except by, perhaps, the railroad and telephone companies and one or two other claimants. Most of these claims represent small amounts of money for people who had their homes more or less destroyed, who had windows blown out and ceilings destroyed, and many of whom have been out of doors and subject to more or less charitable aid in order to maintain themselves and their families pending the adjustment of these claims. The committee therefore felt that it should do everything that it reasonably could to expedite the settlement of claims of this character. The committee has very carefully safeguarded, by reference in the proposed amendment to enumerated claims just recorded, the moneys which will be expended, and those moneys will all go to the claimants therein named, who will not in any instance be the representatives of claims about which there could be any question, and the question of the reimbursement of the Red Cross, questions that might involve matters of remote cause, are not included herein. Under the circumstances the committee felt warranted in proposing this amendment to the House.

Mr. STAFFORD. Mr. Chairman, under the reservation of the point of order, I desire to say that only to-day was the document, No. 1735, referred to in the amendment available to Members of the House. When this proposition was presented as an addendum to the bill as reported by the subcommittee I do not believe any member of the general committee had any conception that the total amount of claims would run into the millions of dollars. Certainly I did not. The report shows that the grand total, as stated on page 5, covered by this report is $3,151,810. It is true that, beginning on page 5 and running back to page 67, there are a large number of small claims, I suppose aggregating several thousand dollars, for damages to window glass and paint and the like, where I notice that the commission, consisting of a colonel of the Ordnance Department and a major of the Ordnance Department and a civilian, reported virtually in full for the claims as presented. In the report they said that the amount is about 10 per cent less than the total face value of the claims. I am surprised that on a mere inspection perhaps 90 per cent or even 99 per cent of all these claims have been allowed. I can not think that this board of three went into the adjudication of the merits of the claims very closely.

Mr. SHERLEY. Mr. Chairman, I think the gentleman is drawing a conclusion that is not entirely warranted. There are a great many instances in which these people did not present a formal claim in dollars and cents, but simply made a claim for damages done to their houses; and this board then investigated the matter and undertook to ascertain the extent of the damage, and I gather the impression on the testimony before the committee, as well as the reports previous to this that were filed, that this board had functioned pretty intelligently and pretty conservatively.

Mr. STAFFORD. Well, if the gentleman would examine the report closely he would see that 9 out of 10 of the claims presented were allowed at the very amount as presented. For instance, I just read at random. Take the very first claim, that of George Horley. The claim is for $5.35 and the amount allowed is $5.35. Take the next claim, $18.73; amount allowed, $18.73. Take the next, $71.21; amount allowed, $71.21. Take the next, $514.06; amount allowed, $514.06. And right on down the allowance of these claims is the amount as presented.

Mr. SHERLEY. If the gentleman will permit, if he will look at the character of the claims he will see they are matters about which there need be no dispute. The question of the value of the glass of a window that has to be replaced is one easily ascertainable. Now, the testimony of these men was that they had their own experts to examine into the damage and estimate the cost of restoration, and that they have taken every proper method of checking up those expenditures; but here are a lot of little claims, such as the gentleman has indicated. Now, I think my record in this House is that of one not to be swept off his feet in the desire to pay claims, because I have appreciated how frequently the Government was liable to be imposed upon; but here are dozens of people, poor people—literally poor people—people who have to live from day to day, with claims running from $5 to $75 or $100, and so forth. It seems to me that the Government having its own agency, having created a board for the determination of these claims, can afford to appropriate the money without holding the claims up to a time when probably it will mean nothing to the recipients thereof.

Mr. STAFFORD. I quite agree with the gentleman that these claims should be disposed of, but I was quite surprised on an inspection of this document, as there reported, that in so many instances they allowed a claim at its face value. But I rose more to inspect the language of the amendment as it is prepared to see that it would not involve the Government in recognizing claims as carried in this report of which there may be some question and as to whether there is an obligation on the part of the Government, as, for instance, the Pennsylvania Railroad, the Central Railroad of New Jersey, and those very large claims running into hundreds of thousands of dollars. It may be a question whether the Government should reimburse these corporations, for the reason that they carry, if I am not misinformed, an insurance fund to reimburse them against the very character of losses such as are sought to be recompensed by this bill. As I understand the report of this board of two Army officers and one civilian, they say on page 2 of the report they do not in any instance allow any claim which was covered by insurance.

I read from the report:

This is in all cases the amount of loss less any insurance received thereon.

As I stated a moment ago, I did not wish to have this phraseology in any wise a recognition of any obligation on the part of the Government to pay these large claims which run up into hundreds of thousands of dollars. For instance, the Pennsylvania Railroad Co. has a claim for $644,000 here, though we only appropriate the total amount as carried for these small claims——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask for three minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. STAFFORD. I was wondering whether the phraseology would recognize the obligation to pay any of these large claims.

Mr. SHERLEY. It was not so intended. It was for the very purpose of avoiding the paying of any claim that might be of doubtful validity that the committee did not carry the provision in the bill as reported out. But, as the gentleman will recall, the chairman was authorized to offer an amendment to deal with such claims as might be arranged, classified, and scheduled, and I took the trouble of suggesting to the Ordnance Department that the committee wanted to have enumerated in each case the amount of the claim, the character of the claim, the amount that had been asked, and the amount that had been awarded, so that we might know in detail that we were not paying any claims that we ought not to pay. I think the gentleman will find from an examination of these claims, which total the amount I am proposing to carry in this bill, that there are none in here of doubtful value. I am perfectly willing, if the gentleman thinks it will make it any more certain, after the word "enumerated" in the amendment which I have offered, to insert the words "and scheduled," so that it will appear as "enumerated and scheduled" in the House document.

Mr. STAFFORD. I think that would make it somewhat clearer.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to modify his amendment. Is there objection? [After a pause.] The Chair hears none, and the Clerk will report the amendment as modified. The reservation of the point of order is withdrawn.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 9, after line 9, insert:

"Ordnance Department: For the payment of the claims for damage to and loss of private property occasioned by the explosions and fire at the plant of T. A. Gillespie Co., at Morgan, N. J., which have been agreed upon by the War Department and the claimants, and are enumerated and scheduled in House Document No. 1735 of the present session, $268,211.26."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. SHERLEY. Mr. Chairman, I desire to offer a further amendment to follow the amendments that have just been agreed to.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 9, after line 9, insert:

"The Secretary of War is directed to consider, ascertain, and recommend to Congress the amounts which in his judgment are due on claims of persons, not employees of the United States, for compensation for disability or death resulting from personal injury sustained from the recent explosions and fire at the plant of the T. A. Gillespie Co., at Morgan, N. J.

"*Provided*, That claims shall not be recommended hereunder for persons or in amounts which would not be allowable under the United States employees' compensation act if the individual were an employee of the United States."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that.

Mr. SHERLEY. Mr. Chairman, the purpose of this amendment is to enable this same board to function upon some claims for injury to individuals resulting in physical disability or in death. The testimony shows that there were something like 21 Government employees of this plant who were killed and some 31, not employees of the plant, who were killed. There were perhaps 30 or 40 persons who suffered injuries of more or less serious character, but which did not result in death. It seemed to the committee that it was well, in view of the machinery that existed in connection with these claims, that they might have authoriy to investigate and to report. The amendment does not give authority to make findings that would be binding upon Congress. It expressly instructs them, in making their findings, to make them within the scope that exists in regard to the payment for injuries of Government employees under the workmen's compensation act.

Mr. STAFFORD. Mr. Chairman, reserving the point of order, I was under the impression that the committee had directed that there should be a qualification or a condition inserted in the amendment that the board should investigate as to whether the deceased or injured had received any compensation under any State law; and if so, that that should be reported also to the Congress.

Mr. SHERLEY. My impression is that the workmen's compensation act takes in view, in connection with awards that may be made to governmental employees for injuries received, just such matters as those to which the gentleman is alluding, whether they have insurance or whether third persons have incurred partial liability, and to the extent that may be the Government's liability is controlled.

Mr. STAFFORD. I wish to say to the gentleman that I obtained a copy of the Government workmen's compensation act yesterday afternoon, intending to review it last evening, but I had other work which prevented my examining it. Has the gentleman any objection to allowing this to go over until to-morrow, subject to the reservation of the point of order?

Mr. SHERLEY. Not at all.

Mr. STAFFORD. I ask unanimous consent to pass it over, Mr. Chairman.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to pass over the amendment, with the point of order reserved. Is there objection? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

For rental of additional quarters for the Navy Department, $2,570.84.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, and had come to no resolution thereon.

Mr. HOUSTON and Mr. KIESS of Pennsylvania rose.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS—HOUR OF MEETING.

Mr. SHERLEY. Mr. Chairman, if the gentleman from Tennessee [Mr. HOUSTON] will permit, I would like to ask unanimous consent that when the House adjourns to-day it adjourn to meet to-morrow at 11 o'clock.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, that would depend upon whether the business in order to-morrow would be dispensed with or not.

Mr. SHERLEY. To-morrow being Calendar Wednesday, I will couple with that a request that the business in order on the calendar to-morrow be dispensed with.

The SPEAKER. And the gentleman from Kentucky couples with that the request that the business in order to-morrow, Calendar Wednesday, be dispensed with. Is there objection?

There was no objection.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HOUSTON, by direction of the Committee on the Census, submitted for printing under the rule the conference report and accompanying statement on the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, as follows:

CONFERENCE REPORT (NO. 1005).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 24, 27, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census."

And the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "$5,000; the chief clerk and three chief statisticians for the divisions of population, manufactures, and agriculture, respectively, $4,000 each; three"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7 and agree to the same with an amendment, as follows: In lieu of the matter proposed to be stricken out insert the following: "for the divisions of vital statistics and statistics of cities, and the chief statistician provided for in section 3 of this act, $3,600 each; also, on page 4, line 9, of the engrossed bill, strike out the word "and"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8 and agree to the same with an amendment, as follows: In lieu of the matter proposed by the Senate insert the following: "$3,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following:

"That whenever possible women and honorably discharged soldiers, sailors, and marines shall be employed in the positions herein provided for, if in the judgment of the Director of the Census they are found to possess the business capacity necessary for the proper discharge of the duties of such positions."

And the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "subject to the approval of the United States Civil Service Commission, these"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "applicants claim to have"; also, on page 6, line 16, of the engrossed bill, strike out the word "or" where it occurs the first time and insert the word "of"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"*And provided further*, That in the selection of the additional clerks and employees provided for by section 6 the Director of the Census is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, tenure of home and the encumbrance thereon, and the name and address of each blind or deaf and dumb person.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

"Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

"The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census."

And the Senate agree to the same.

W. C. HOUSTON,
J. B. ASWELL,
CHAS. A. NICHOLS,
Managers on the part of the House.

MORRIS SHEPPARD,
HENRY F. ASHURST,
Managers on the part of the Senate.

STATEMENT.

On amendment No. 1: This amendment strikes out all of section 1 as passed by the House and proposes to insert a provision providing for a very much enlarged census covering the additional subjects of education, health, and insurance, to be taken every five years, which would result in more than doubling the cost of the census. Your conferees restored the House provision and added thereto after the word "manufactures" in the first line of this section the words "forestry and forest products," so as to conform to section 8 of the bill as passed by the House, which directs an inquiry upon this subject.

On amendment No. 2: This amendment related to the quinquennial census directed by Senate amendment No. 1. The Senate recedes and restores the House provision without change.

On amendment No. 3: The House conferees accepted this amendment for the reason that it reduced the number of statistical experts from 15 to 10, thus decreasing the appropriation for this grade of experts $10,000 annually, or $30,000 for the three-year period.

On amendment No. 4: Your conferees recede from this amendment for the reason that the necessity for this legislation has passed in view of the fact that hostilities have ceased and the draft process is no longer in operation.

On amendments Nos. 5, 6, 7, 8, and 9: These amendments all relate to the salaries of the executive and administrative officials of the Census Office. The bill passed by the Senate provided for four chief statisticians, at $4,000 each, and three other chief statisticians, at $3,000 each. The compromise reduced the number of chief statisticians by one and provides for three, at $4,000, and three, at $3,600. As amendment No. 3 reduced the number of statistical experts from 15 to 10, there is only a net increase of $1,300 in this section over the bill as passed by the House, and there is a decrease of $2,200 over the bill as passed by the Senate. Your conferees therefore accepted the compromise and receded.

On amendment No. 10: This amendment provides for a graduated scale of salaries, beginning at $900 and terminating at $1,800, with a difference of $60 between classes from $900 to $1,440, and $120 between classes from $1,440 to $1,800, so as to provide more frequent promotions. It will also make possible a more equitable adjustment of salary to the varying degrees of merit and efficiency of employees.

The section as passed by the House failed to provide for the employment of clerks at $1,000 and $900 or for an engineer and two photostat operators, which was undoubtedly an oversight.

During the decennial census period the bureau will undoubtedly occupy one or more buildings outside the Commerce Building, where the permanent force is now housed, so that it will be necessary to have an engineer to look after the heating, lighting, and other equipment of the bureau.

On account of the tremendous increase in the volume of work they will also require the services of two photostat operators. The bureau states that these operators will save their salaries over and over again in making photostat copies of tables, letters, etc., which would otherwise have to be typewritten or copied by hand. The House recedes.

On amendment No. 11: This amendment prohibits the Director of the Census from employing more than 150 clerks at the rate of $1,440 or more per annum, and is made so as to conform to amendment numbered 10; hence your conferees recede.

On amendment No. 12: The conferees changed the phraseology of this amendment so as to include marines, and added at the end of the changed paragraph the following provision: "if in the judgment of the Director of the Census they are found to possess the business capacity necessary for the proper discharge of the duties of such positions." This language is similar to that contained in section 1754 of the United States Revised Statutes, giving preference to persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty.

On amendment No. 13: This amendment provides that the examinations for clerical positions prescribed by the Director of the Census shall be subject to the approval of the Civil Service Commission. The House recedes.

On amendment No. 14: This amendment simply provides that the clerical force employed in the Census Office shall be selected by the Director of the Census in the order of rating. Hence the House recedes.

On amendment No. 15: This amendment strikes out "Census Office" and inserts "Government service," which change is in conformity with existing law. The House recedes.

On amendment No. 16: This amendment simply strikes out the word "may" and inserts the word "shall." The House recedes.

On amendment No. 17: This amendment is simply a change of phraseology. The House recedes.

On amendment No. 18: This amendment corrects a grammatical error. The House recedes.

On amendment No. 19: This amendment is simply the insertion of a comma. The House recedes.

On amendments Nos. 20, 21, 22, and 23: These amendments propose to correct grammatical errors by changing the phraseology from singular to plural. The House recedes.

On amendment No. 24: This amendment proposed to strike out a provision of the House that not more than one person shall be appointed to a clerical position from the same family. The Senate recedes.

On amendment No. 25: This amendment provides that, so far as practicable, the director shall use the reemployment registers established by the Civil Service Commission as a result of the Executive order of November 29, 1918. The House recedes with an amendment that the words "of the Census" be added after the word "Director," in line 20 of the bill.

On amendment No. 26: This amendment proposed to strike out all of section 8 as passed by the House and to insert certain provisions that would have been required in case Senate amendment No. 1 had been adopted by your conferees. In conference the House text of section 8 was restored and the words "forestry and forest products" added in the second line of the third and fourth paragraphs of said section in order to conform with the language used in the first paragraph of the bill as passed by the House. In addition thereto the phraseology of the last paragraph, relative to the number, form, and subdivision of inquiries, as passed by the House, was changed so as to make it clearer.

On amendment No. 27: Section 9 as passed by the House provided for the appointment of supervisors by the Secretary of Commerce upon the recommendation of the Director of the Census and the Senate amendment proposed that they shall be appointed by the President by and with the advice and consent of the Senate. This amendment also contained certain legislation relating to amendment No. 1, which was not agreed to. The Senate recedes.

On amendment No. 28: This amendment is not necessary, as Senate amendment No. 1 was not adopted by your conferees; hence the Senate receded from this amendment and restored the House text.

On amendments Nos. 29, 30, and 31: These three amendments simply correct typographical errors that were made in the printing of the bill. The House recedes.

On amendment No. 32: This amendment simply changes the phraseology, so the House recedes.

On amendment No. 33: The House bill directed that an enumerator should be an actual resident of the subdivision within which his duties are to be performed, but made an exception in the cases of persons residing in the same city. The amendment simply makes the same rule applicable to persons living in townships and other civil divisions. The House recedes.

On amendment No. 34: This amendment proposes to expedite the enumeration in cities which had a population of 2,500 or more inhabitants at the last census. This means that the work must be completed in two weeks instead of one month. A large number of cities which had more than 2,500 inhabitants and less than 5,000 inhabitants in 1910 now have over 5,000 inhabitants. The House recedes.

On amendments Nos. 35 and 36: These two amendments simply correct grammatical errors. The House recedes.

On amendment No. 37: This amendment conforms to a similar provision in the Thirteenth Census act. The House recedes.

On amendment No. 38: This amendment provides that the Director of the Census is authorized to furnish transcripts of tables and other records upon the payment of the actual cost of such work, with the understanding that in no case shall the information furnished be used to the detriment of the person to whom such information relates. The House recedes.

W. C. HOUSTON,
J. B. ASWELL,
CHAS. A. NICHOLS,

SANITARY CONDITIONS—PORTS OF EMBARKATION IN FRANCE.

Mr. KIESS of Pennsylvania. Mr. Speaker, I ask unanimous consent to insert in the RECORD a copy of a letter addressed by me to the Secretary of War.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to insert in the RECORD a letter which he has addressed to the Secretary of War. Is there objection?

Mr. FOSTER. Reserving the right to object, Mr. Speaker, what is it about?

Mr. KIESS of Pennsylvania. It is with reference to the sanitary condition of the ports of embarkation in France.

The SPEAKER. Is there objection?

There was no objection.

Following is the letter referred to:

JANUARY 22, 1919.

HON. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

MY DEAR SIR: I have just returned from a visit to the battle fields and devastated areas of France, where I had an opportunity to observe certain conditions as they affect our Army. I am prompted to set before you some of the adverse conditions which have come to my attention. My information comes from observation and through conversation with many officers and hundreds of private soldiers whom I have met and with whom I talked on trains, at stations, and in the villages and camps. I am fully mindful of the fact that conditions of army life can not be made to compare in comfort and convenience with those in civil life. Neither officers nor soldiers expect any such conveniences, but as citizens of the United States we feel that they are entitled to the best accommodations that can reasonably be provided.

We have been led to believe, through governmental publicity agents, that our combat troops were surrounded with safeguards to health and morale such as have never been known before in the history of warfare. To that end we have contributed without stint or limit. From personal observation I am convinced that the statement concerning the exceptional welfare of the troops is far from the truth, and when the soldiers return and are free to speak they will condemn in no uncertain language the incompetency and neglect of those who have been responsible for the loss of life and wasted health of their comrades.

I am free to admit that even under the most favorable circumstances war is wasteful; that irregularities are unavoidable; and that because of the uncertainties and sudden exigencies in the movement of troops proper provision can not always be made. But now that hostilities have ceased it seems to me to be wholy inexcusable and indefensible that soldiers should be subjected to such conditions as prevail in some parts of the Army in France to-day.

To make concrete what I have stated in general terms, may I call your attention to conditions existing at Camp Pontazzen, 4 miles from Brest? This is one of the ports where returning soldiers await the time of their embarkation to the States. For a year and a half this port has been a place of debarkation. One might naturally suppose that within that time adequate facilities for the care of troops would be found here. Yet wholly opposite conditions prevail. Troops arrive in crowded box cars, and, after standing for hours without cooked food, are marched through slime and mud and rain to this camp, where accommodations are supposed to be provided. It must be remembered that the men who have been brought to Brest during the past two months are mostly class B and C men, who have just been discharged from hospitals, where they have been treated for wounds and disease. Each man carries a full equipment (weighing about 60 pounds), with the exception of his arms and ammunition. Is it any wonder that out of a casual company of 150 men 64 of the number should fall out on the march from the station to the camp? Many of the tents have no floors and the troops do not all have even the customary straw ticks, but have had to sleep on the wet ground with only their blankets for protection. The lack of camp kitchens compels these convalescent soldiers to stand in line in the rain for from one to two hours to be fed. The very few barracks that have been provided for the officers leak, and most of them have no heat. The sanitary conditions, or, rather, the lack of sanitary conveniences, is thoroughly disgraceful.

The only explanation of the wonderful endurance and patience of the men under existing conditions is the overwhelming desire to return home at the earliest date and the knowledge that if they are taken to the hospital or make complaint that it will delay their home-coming.

I am aware that an investigation of conditions was recently ordered and that the public was told that the situation had been improved. I regret to advise you that most of my information deals with conditions subsequent to the superficial inspection, and I would most earnestly urge you to take some drastic action in this matter.

Surely the people of America, who willingly gave their sons and gladly contributed money to provide for their welfare, have a right to insist that decent provisions shall be made for them. Unless something is done to relieve such situations as I have described we may expect a harvest of death and disease that will make the casualties sustained in battle seem small by comparison. I am firmly convinced that this is a matter of vital importance, affecting, as it does, the lives of our returning soldiers.

Very truly, yours,
EDGAR R. KIESS.

ADJOURNMENT.

Mr. FOSTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned, pursuant to its previous order, until to-morrow, Wednesday, January 29, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Assistant Secretary of the Treasury, transmitting letter from A. W. Lyman suggesting additional taxation on life insurance companies and also Federal control and operation of such companies (H. Doc. No. 1737); to the Committee on Ways and Means and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior, submitting a supplemental estimate of appropriation required by the Geological Survey for a special investigation and report on the power supply for the Boston-Washington industrial region to be made during the fiscal year 1920 (H. Doc. No. 1738); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior submitting a supplemental estimate of appropriation required by the Bureau of Mines for the American University Experiment Station, fiscal year 1920 (H. Doc. No. 1739); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of War, transmitting supplemental statement showing balances of appropriation, total amounts withdrawn from the Treasury, amounts covered into the surplus fund, and balances remaining in the Treasury, also expenditures made by the several bureaus and offices of the War Department since the passage of the act of June 15, 1917 (H. Doc. No. 1740); to the Committee on Expenditures in the War Department and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. BURNETT, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 15098) to expel and exclude from the United States certain undesirable aliens, reported the same without amendment, accompanied by a report (No. 1000), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ZIHLMAN, from the Committee on War Claims, to which was referred the bill (H. R. 5777) to refund to the corporate authorities of Frederick City, Md., the sum of $200,000, exacted of them by the Confederate Army under Gen. Jubal Early, July 9, 1864, under penalty of burning said city, reported the same without amendment, accompanied by a report (No. 999), which said bill and report were referred to the Private Calendar.

Mr. CLAYPOOL, from the Committee on Claims, to which was referred the bill (H. R. 13480) providing for the refund of taxes collected for stamp tax on certain policies under the emergency-tax act of October 22, 1914, under the proviso to which act such policies were exempt, reported the same without amendment, accompanied by a report (No. 1001), which said bill and report were referred to the Private Calendar.

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (H. R. 12960) for the relief of Frank Walsh, Fred F. Fuller, and Otto F. Schroeder, reported the same without amendment, accompanied by a report (No. 1002), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13109) for the relief of Clyde M. Giddings, reported the same without amendment, accompanied by a report (No. 1003), which said bill and report were referred to the Private Calendar.

Mr. CRAMTON, from the Committee on the Public Lands, to which was referred the bill (H. R. 13469) to authorize the Secretary of the Interior to issue patent in fee simple to the county of Huron, in the State of Michigan, for a certain described tract of land for public-park purposes, reported the same with amendment, accompanied by a report (No. 1004), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. STEVENSON: A bill (H. R. 15236) to provide for the erection of a Federal building at Cheraw, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15237) to provide for the erection of a Federal building at York, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. TOWNER: A bill (H. R. 15238) to create a department of education, to appropriate money for the conduct of said department, to appropriate money to encourage the States in the promotion and support of education, and for other purposes; to the Committee on Education.

By Mr. SISSON: A bill (H. R. 15239) to provide for the purchase of a site and the erection of a public building thereon at Winona, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. HICKS: A bill (H. R. 15240) authorizing the Secretary of War to donate to the village of Centerport, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 15241) authorizing the Secretary of War to donate to the city of Walton, N. Y., one German cannon or fieldpiece, to be placed in the city park; to the Committee on Military Affairs.

By Mr. GARRETT of Texas: A bill (H. R. 15242) for the erection of a public building at Brownsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. McCULLOCH: A bill (H. R. 15243) authorizing and directing the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a suitable site and cause to be erected thereon a suitable building for the use and accommodation of the post office and other governmental offices at Canton, Ohio, at a cost not to exceed $630,000, and to sell the present building and site; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15244) authorizing and directing the Secretary of War to cause a survey to be made of the Colorado River, in Texas, with a view to controlling the flood waters of said stream, and for other purposes; to the Committee on Flood Control.

Also, a bill (H. R. 15245) authorizing and directing the Secretary of War to cause a survey to be made of the Brazos River, in Texas, with a view to controlling the flood waters of said stream, and for other purposes; to the Committee on Flood Control.

By Mr. HOWARD: A bill (H. R. 15246) to amend paragraph 5 of section 5 of the United States cotton futures act, approved August 11, 1916, and for other purposes; to the Committee on Agriculture.

By Mr. HUTCHINSON: A bill (H. R. 15247) providing for the extension of the post office in Trenton, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. POU: A bill (H. R. 15248) for the purchase of a site and the erection of a post-office building at Smithfield, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. McFADDEN: A bill (H. R. 15249) authorizing the Secretary of War to deliver to the village of East Smithfield, in the State of Pennsylvania, one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. HUTCHINSON: A bill (H. R. 15250) donating a captured German cannon or fieldpiece to the borough of Far Hills, State of New Jersey, for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. TREADWAY: A bill (H. R. 15251) for the purchase of a site for and the erection of a post-office building at Adams, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15252) for the purchase of a site for and the erection of a post-office building at Great Barrington, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. SUMNERS: A bill (H. R. 15253) donating captured cannon, cannon balls, and shell to the county of Dallas, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 15254) donating captured cannon, cannon balls, and shell to the county of Ellis, Tex.; to the Committee on Military Affairs.

Also, a bill (H. R. 15255) donating a captured cannon, cannon balls, and shells to the county of Rockwall, Tex.; to the Committee on Military Affairs.

By Mr. BUCHANAN: A bill (H. R. 15256) to provide for the erection of a post-office building at Georgetown, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15257) for the purchase of a site for the erection of a post-office building at Lockhart, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15258) to provide for the erection of a post-office building at Taylor, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. FRENCH: A bill (H. R. 15259) to provide for the enforcement of laws upon Indian reservations and superintendencies; to the Committee on Indian Affairs.

By Mr. ASWELL: A bill (H. R. 15260) for the erection of a Federal building at Winnfield, La.; to the Committee on Public Buildings and Grounds.

By Mr. HAMILTON of Michigan: A bill (H. R. 15261) providing for the erection of a public building at the city of Sturgis, Mich.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15262) providing for the erection of a public building at the city of South Haven, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. BACHARACH: A bill (H. R. 15263) for the acquisition of additional grounds and the erection and construction thereon of an addition to the United States post-office building at Atlantic City, N. J.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15264) to increase the limit of cost of post-office site and building at Millville, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. GOULD: A bill (H. R. 15265) for the erection of a public building at Lyons, N. Y.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15266) to increase the limit of cost for the Federal post-office building at Waterloo, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. RAMSEY: A bill (H. R. 15267) authorizing the Secretary of War to donate to the borough of Sussex, Sussex County, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 15268) to establish a gold currency and a silver currency on a basis of interchangeable value throughout the world; to the Committee on Coinage, Weights, and Measures.

By Mr. ANTHONY: A bill (H. R. 15269) donating captured German cannon and cannon balls to the city of Leavenworth, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15270) donating captured German cannon or cannon balls to the city of Topeka, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15271) donating captured German cannon and cannon balls to the city of Seneca, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15272) donating captured German cannon or cannon balls to the city of Hiawatha, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15273) donating captured German cannon and cannon balls to the city of Troy, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15274) donating captured German cannon or cannon balls to the city of Holton, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15275) donating captured German cannon and cannon balls to the city of Oskaloosa, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15276) donating captured German cannon or cannon balls to the city of Atchison, Kans.; to the Committee on Military Affairs.

Also, a bill (H. R. 15277) donating captured German cannon and cannon balls to the city of Horton, Kans.; to the Committee on Military Affairs.

By Mr. OSBORNE: A bill (H. R. 15278) increasing the limit of cost for a Federal building at San Pedro, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. BOWERS: A bill (H. R. 15279) donating a captured German cannon or field gun and carriage to the city of Piedmont, Mineral County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15280) donating a captured German cannon or field gun and carriage to the town of Davis, Tucker County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15281) donating a captured German cannon or field gun and carriage to Romney, Hampshire County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15282) donating a captured German cannon or field gun and carriage to Petersburg, Grant County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15283) donating a captured German cannon or field gun and carriage to the city of Morgantown, Monongalia County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15284) donating a captured German cannon or field gun and carriage to the city of Keyser, Mineral County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15285) donating a captured German cannon or field gun and carriage to the town of Parsons, Tucker County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15286) donating a captured German cannon or field gun and carriage to the town of Franklin, Pendleton County W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15287) donating a captured German cannon or field gun and carriage to the city of Elkins, Randolph County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15288) donating a captured German cannon or field gun and carriage to the town of Thomas, Tucker County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15289) donating a captured German cannon or field gun and carriage to the city of Charles Town, Jefferson County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15290) donating a captured German cannon or field gun and carriage to the city of Philippi, Barbour County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15291) donating a captured German cannon or field gun and carriage to the town of Kingwood, Preston County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15292) donating a captured German cannon or field gun and carriage to the city of Martinsburg, Berkeley County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15293) donating a captured German cannon or field gun and carriage to the town of Harpers Ferry, Jefferson County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15294) authorizing the acquisition of a site and the erection of a public building at Philippi, W. Va.; to the Committee on Public Buildings and Grounds.

By Mr. DRUKKER: A bill (H. R. 15295) authorizing the Secretary of War to donate to the borough of Prospect Park, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEAGALL: A bill (H. R. 15296) to provide for the purchase of a site and the erection of a public building thereon at Ozark, in the State of Alabama; to the Committee on Public Buildings and Grounds.

By Mr. O'SHAUNESSY: A bill (H. R. 15297) for the erection of a Federal building for the United States post office at Warren, R. I.; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 15298) for the purchase of a post-office site at Batesburg, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15299) for the purchase of a post-office site at St. Matthews, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15300) for the purchase of a post-office site at Bishopville, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 15301) increasing the limit of cost for a Federal building at McKees Rocks, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. BURNETT: A bill (H. R. 15302) to prohibit immigration for a period of four years, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. WEAVER: A bill (H. R. 15303) authorizing the Secretary of War to donate to the town of Columbus, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15304) authorizing the Secretary of War to donate to the town of Hendersonville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15305) authorizing the Secretary of War to donate to the town of Brevard, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15306) authorizing the Secretary of War to donate to the town of Sylva, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15307) authorizing the Secretary of War to donate to the town of Franklin, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15308) authorizing the Secretary of War to donate to the town of Murphy, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15309) authorizing the Secretary of War to donate to the town of Rutherfordton, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15310) authorizing the Secretary of War to donate to the town of Marion, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15311) authorizing the Secretary of War to donate to the town of Cliffside, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15312) authorizing the Secretary of War to donate to the town of Hayesville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15313) authorizing the Secretary of War to donate to the town of Bryson City, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15314) authorizing the Secretary of War to donate to the town of Robbinsville, N. C., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FARR: A bill (H. R. 15315) authorizing the Secretary of War to deliver to the city of Scranton, Pa., one cannon or fieldpiece, with carriage, captured in the war with Germany, together with a suitable number of shells; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Resolution (H. Res. 531) requesting the President to communicate to the House certain information regarding the War Trade Board; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMS: Resolution (H. Res. 532) providing for the consideration of H. R. 12352, entitled "A bill for the retirement of employees in the classified civil service"; to the Committee on Rules.

By Mr. MASON: Resolution (H. Res. 533) directing the Committee on Civil Service to investigate the charge that certain citizens are discriminated against on account of color; to the Committee on Reform in the Civil Service.

By Mr. HEFLIN: Joint resolution (H. J. Res. 400) to prevent gambling in cotton futures; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARLIN: A bill (H. R. 15316) granting a pension to Emma Aul; to the Committee on Pensions.

By Mr. DOOLING: A bill (H. R. 15317) granting a pension to John J. Hardy; to the Committee on Pensions.

By Mr. FOSTER: A bill (H. R. 15318) granting a pension to Lurania Reynolds; to the Committee on Invalid Pensions.

By Mr. LAGUARDIA: A bill (H. R. 15319) for the relief of Watson B. Dickerman, administrator of the estate of Charles Backman, deceased; to the Committee on Claims.

By Mr. MARTIN: A bill (H. R. 15320) granting a pension to Newton J. Foote; to the Committee on Pensions.

By Mr. RUBEY: A bill (H. R. 15321) granting an increase of pension to Harmon B. Benton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15322) granting an increase of pension to George E. Cowell; to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 15323) granting a pension to John H. Franklin; to the Committee on Pensions.

Also, a bill (H. R. 15324) granting an increase of pension to Johnathan J. Boyer; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ANTHONY: Petition of L. B. Roberts et al., requesting repeal of postal zone rate law; to the Committee on Ways and Means.

Also, petition of Mrs. W. M. Boone et al., of Highland, Kans., asking repeal of postal zone rate law; to the Committee on Ways and Means.

Also, petition of Mrs. Grace Mead et al., of Topeka, Kans., asking repeal of the postal zone rate law; to the Committee on Ways and Means.

Also, petition of J. J. Lineham et al., of Holton, Kans., for repeal of postal zone rate law; to the Committee on Ways and Means.

By Mr. DOOLING: Petition of New York Flour Club, Boston Flour Club, and Philadelphia Flour Club, asking some protection on flour held as is now guaranteed farmer, miller, and wheat handler against a decline in price of wheat; to the Committee on Agriculture.

By Mr. ESCH: Petition of Mississippi Valley Foreign Trade Convention, New Orleans, La., of January 13, 1919, relating to freight rates, resources, and transportation in Mississippi Valley and Gulf ports; to the Committee on the Merchant Marine and Fisheries.

Also, petition of National Lumber Manufacturers' Association, urging a speedy restoration of railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of sundry citizens of Mendota, Ill., for the repeal of the postal zone law; to the Committee on Ways and Means.

By Mr. HAMILTON of Michigan: Petition of Henry F. Edwards and other citizens of Lakeside, Mich., asking for repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Low Hardware Store, and 60 others, of Steubenville, Ohio, against Government control of telegraph lines; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Rhode Island: Petition of 24 citizens of Newport, R. I., for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of Maryland Glass Corporation, of Baltimore, Md., protesting against the adoption of metric system at present time; to the Committee on Ways and Means.

Also, petition of M. C. Dunn, Baltimore, Md., urging enactment of legislation to restrict immigration along the line of bill introduced by Representative BURNETT, of Alabama; to the Committee on Immigration and Naturalization.

Also, petition of Harry T. White, Baltimore, Md., urging repeal of postal zone rate law, which if allowed to stand would be damaging to allied printing industries; to the Committee on Ways and Means.

Also, petition of W. M. Talbott, New York City, urging the passage of House bill 13236, for relief of certain noncommissioned officers of the United States Army who were recalled to service during recent war and commissioned as officers; to the Committee on Military Affairs.

By Mr. LONERGAN: Petition of Ancient Order of Hibernians, Southington, Conn., relating to self-determination of Ireland; to the Committee on Foreign Affairs.

By Mr. NEELY: Petition of Charles W. Evans, secretary Fairmont Chamber of Commerce, Fairmont, W. Va., to limit revenue bill to $4,000,000,000; to the Committee on Ways and Means.

By Mr. RUCKER: Petition of citizens of Brookfield, Mo., urging the enactment of House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. SNOOK: Petition of Central Ohio Veterinary Medical Association, favoring a permanent appropriation for carrying on the work of hog-cholera control; to the Committee on Agriculture.

By Mr. STEENERSON: Petition of Minnesota Live Stock Breeders' Association, urging increase of salaries of veterinarians of the Bureau of Animal Industry; to the Committee on Agriculture.

Also, memorial of Commercial Telegraphers' Union of America, complaining that Postmaster General Burleson had not kept his word promising a living wage, reinstatement of locked-out employees, better working conditions, and shorter hours; to the Committee on the Post Office and Post Roads.

Also, petition of Rev. Charles Peiffer, Melrose, Minn., urging repeal of zone system as applied to second-class mail matter; to the Committee on Ways and Means.

Also, petition of Rev. J. O. Gisselquist, Elmore, Minn., urging repeal of zone system as applied to second-class mail matter; to the Committee on Ways and Means.

Also, memorial of James A. Brown, Fergus Falls, Minn., urging favorable consideration of provision in Agricultural appropriation bill for increase of salaries of veterinarians of Bureau of Animal Industry; to the Committee on Agriculture.

Also, memorial of Northern White Cedar Association, of Minnesota, Wisconsin, Michigan, and other States, urging the return of railroads to private ownership and operation under proper regulation at the earliest practicable moment; to the Committee on Interstate and Foreign Commerce.

Also, petition of Olger Pal. Oseth, postmaster, Oslo, Minn., requesting increase of compensation of third-class postmasters, and suggesting that first-class postage rates be not reduced; to the Committee on the Post Office and Post Roads.

Also, petition of Leo L. Drey, Breckenridge, Minn., urging increases in salaries of postal employees and reclassification of salaries of assistant postmasters; to the Committee on the Post Office and Post Roads.

Also, petition of Prof. E. O. Lokensgard, Pelican Rapids, Minn., favoring Senate bill 4987, to establish a department of education; to the Committee on Education.

By Mr. TEMPLE: Petition of Charleroi Business Men's Association, Charleroi, Pa., favoring the enactment by Congress of a law which will continue the control and operation of the telegraph and telephone systems until Congress shall have studied the question and determined upon a proper and safe procedure to be followed thereafter; to the Committee on Interstate and Foreign Commerce.

By Mr. WARD: Petition of chamber of commerce, city of Kingston, N. Y., favoring the enactment by Congress of legislation which will continue Government control and operation of telegraph and telephone systems until the question can be studied and proper and safe procedure determined upon; to the Committee on Interstate and Foreign Commerce.

By Mr. WOOD of Indiana: Petition of common council of the city of Hammond, Ind., asking that a law be enacted granting to all soldiers, sailors, and marines who voluntarily enlisted or entered the Army or Navy by conscription be paid one year's additional pay at the same rate that they are now paid in the United States Army or Navy; to the Committee on Military Affairs.

Also, petition of Rotary Club, Lafayette, Ind., to change the name of the Panama Canal to the "Roosevelt Canal"; to the Committee on Railways and Canals.

SENATE.

WEDNESDAY, *January 29, 1919.*

(Legislative day of Tuesday, January 28, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

SENATOR FROM MICHIGAN.

The VICE PRESIDENT. The Chair lays before the Senate a further communication in the Newberry-Ford contest, which will be inserted in the RECORD and referred to the Committee on Privileges and Elections.

The communication is as follows:

To the honorable THE SENATE OF THE UNITED STATES:

My attention has this morning been called to a communication to your honorable body signed "Truman H. Newberry, by J. O. Murfin, his attorney at law and in fact," in which are made charges of excessive and unlawful expenditures by or on behalf of Henry Ford in the late Michigan senatorial election and of irregularities.

I beg to say, in as emphatic language as parliamentary rules will permit, that these charges and insinuations are wholly false, and they only furnish additional reasons why an immediate investigation should be ordered, which Mr. Ford has been asking for ever since the primary, and which has been opposed by Mr. Newberry and his representatives from that time until this.

No money or other thing of value was expended by Mr. Ford either in primary or election, and no moneys were expended in his behalf in the primary. The expenditures made in the election were made by the nonpartisan Ford-for-Senator committee and by the Democratic State central committee, both of which committees have reported in utmost detail, under the oaths of their respective treasurers, their expenditures, which were all lawful disbursements.

We have the honor to again petition and request an immediate investigation by your honorable body.

HENRY FORD,
By ALFRED LUCKING,
His Counsel.

JANUARY 28, 1919.

CALLING OF THE ROLL.

Mr. KNOX. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Borah	Jones, Wash.	Page	Spencer
Brandegee	Kellogg	Penrose	Sterling
Calder	King	Pittman	Sutherland
Chamberlain	Kirby	Poindexter	Swanson
Culberson	Knox	Pollock	Thomas
Curtis	La Follette	Pomerene	Thompson
Fernald	Lenroot	Ransdell	Townsend
Fletcher	Lodge	Reed	Trammell
France	McKellar	Robinson	Underwood
Frelinghuysen	McLean	Saulsbury	Vardaman
Gay	McNary	Shafroth	Walsh
Hale	Martin, Va.	Sheppard	Warren
Henderson	Myers	Sherman	Wolcott
Johnson, Cal.	New	Smith, Ariz.	
Johnson, S. Dak.	Nugent	Smith, Ga.	
Jones, N. Mex.	Overman	Smoot	

Mr. KENYON. I wish to state that the Senator from Nebraska [Mr. NORRIS] is absent on official business.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent owing to illness.

Mr. SAULSBURY. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. SHEPPARD. I desire to announce that the Senator from New Hampshire [Mr. HOLLIS] is detained on important public business.

Mr. POLLOCK. I wish to announce that the senior Senator from South Carolina [Mr. SMITH] is detained by illness.

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 2784. An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916;

S. 3384. An act to amend the public building act, approved March 4, 1913; and

H. R. 13708. An act providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, German-Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary.

REPORTS OF COMMITTEES.

Mr. WILLIAMS, from the Committee on Foreign Relations, to which was referred the joint resolution (S. J. Res. 197) authorizing the appointment of an ambassador to the Republic of Peru, reported it without amendment and submitted a report (No. 670) thereon.

Mr. HITCHCOCK, from the Committee on Foreign Relations, to which was referred Senate resolution 399, directing the Secretary of State to report to the Senate whether the claims for damages suffered by American citizens in the Republic of Mexico have been presented to the Government of Mexico, and what steps have been taken to prosecute such claims, etc., reported it without amendment and submitted a report (No. 671) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LODGE:

A bill (S. 5470) authorizing the Secretary of War to donate to the town of Plymouth, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

A bill (S. 5471) for the relief of John A. Gauley (with accompanying papers); to the Committee on Claims.

By Mr. KING:

A bill (S. 5472) to establish within the Department of the Treasury a bureau for the regulation and supervision of the export of savings from the United States; to the Committee on Banking and Currency.

By Mr. CALDER:

A bill (S. 5473) to amend an act approved March 3, 1891, incorporating the National Conservatory of Music of America; to the Committee on the Judiciary.

A bill (S. 5474) to amend section 6 of the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate Commerce.

By Mr. SHERMAN:

A bill (S. 5475) granting a pension to William Campbell; to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5476) granting an increase of pension to Caspar Hopp; to the Committee on Pensions.

By Mr. SUTHERLAND:

A bill (S. 5478) granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River; to the Committee on Interstate Commerce.

A bill (S. 5479) for the relief of lock masters, lockmen, and other laborers and mechanics employed by the United States Government in the locks and dams of the Kanawha River in West Virginia; to the Committee on Claims.

GILA RIVER DAM.

Mr. SMITH of Arizona. I introduce a bill providing for the construction of a dam across the Gila River at or near San Carlos, in the State of Arizona, which I ask may be printed and lie on the table. I give notice that next week I shall submit some remarks on the bill.

The bill (S. 5477) providing for the construction of a dam across the Gila River at or near San Carlos, in the State of Arizona, was read twice by its title and ordered to lie on the table.

RIVER AND HARBOR APPROPRIATIONS.

Mr. SHAFROTH submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ASHURST (for Mr. PHELAN) submitted an amendment proposing to appropriate $20,000 for the relief and care of nonreservation Indians in California in destitute circumstances,

intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. OVERMAN submitted an amendment proposing to appropriate $2,000,000 to carry out the purposes mentioned in section 3 of the act of March 1, 1911, to enable any State to cooperate with any other State or States, or with the United States, for the protection of watersheds of navigable streams, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

AFFAIRS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, recently I gave a wholly unnecessary notice, but the usual one, that to-day I would address myself to the resolution which I presented some weeks ago, and which it was my expectation on this occasion to call from the table and to have considered by the Senate. The pendency of the measure, however, that is before us now precludes me from taking up the particular resolution, but, nevertheless, the time being propitious, I wish to address myself to it and to the present situation in Russia.

On the 12th day of December last I introduced a resolution asking the State Department to define to us the policy of the United States toward Russia.

I was mighty lonely then, Mr. President, in the presentation of that subject matter. To-day, sir, I have my warrant here in the letters of mothers and fathers and wives of men who are suffering and who are dying in Russia. It became obvious to me that this resolution would not be acted upon by the Foreign Relations Committee, and subsequently I introduced the resolution, of which I speak to-day, expressing the opinion of the Senate that our troops should be withdrawn from Russia. Until the introduction of my first resolution, our relations with Russia, the activities of our soldiers there, and our policy in fighting, after the conclusion of the war with Germany, with another people against whom we never had declared war, had scarcely been mentioned publicly, and the subject, apparently, was one from which the supposedly popular branch of our Government timidly shrunk. In the last month and a half, however, a very healthy discussion has been stimulated within and without this body, and the American people have learned for the first time during this period a little, though not much, of American troops still battling on foreign soil. My original resolution was received, as I presumed it would be, in hot indignation and resentment by the part of the press which has rejoiced in its attitude of merely echoing approval of whatever the administration might do, but the subject matter has been taken up by that portion of the press of America which yet is free. Legitimate discussion has been stimulated, and our people, at last, by a modicum of free expression, have been faintly heard. What I sought to accomplish originally has in part been realized, and I think it no exaggeration to say that while the Senate, yet under the spell of the strange psychology of war, may yield its assent to a policy concerning which it was not consulted and about which it has not been informed, and which is at variance with our professions and violates our Constitution, the people of the country, emerging from this psychosis, and now far in advance of their representatives, with practical unanimity favor not only the original resolution but also the one now under discussion.

The peace conference recently has issued a formal statement concerning Russia, which, apart from its expression of esteem and love for the Russian people, asks all of the factions to meet in the Sea of Marmora on the 15th day of February. We are wholly in the dark as to what is contemplated when all parties meet upon an almost uncharted island in a distant sea; but we are becoming accustomed to the open diplomacy which in daily communiques with few words telling nothing soothe the perturbed spirits of the democratic peoples of the world. Because I assume that an address couched in such friendly language, specifically recognizing the revolution and disclaiming any desire to interfere in Russia's internal affairs, is but the initial step in a carefully prepared and thoroughly accepted plan of all the powers for the settlement of every question respecting Russia, I will not speculate upon the possibilities nor discuss the pronunciamento which has added to the case only the knowledge of the extraordinary affection in which the Russian people are held by the allies.

My interest has been in America's policy and in the soldier boys of the Republic, who, seemingly, for months were forgotten by their Government. My prime interest and concern yet are these American boys. The action of the peace conference thus far leaves these American boys where we discovered them a month and a half ago, and, so far as they are concerned, unless we take it for granted that they are to be withdrawn immediately after the 15th day of February, their situation is no different than when this subject first was broached. I ask for them nothing more than I ask for all American troops on foreign soil. I ask for us an American policy.

I am quite aware that there exist two distinct lines of policy for our country in the near future to pursue. I know that in this body the line of demarcation between these two policies is becoming increasingly plain. Recently the Republican floor leader, in an epoch-making speech, stated with clarity and precision his view of our future policy. With logical force and plainly he stated that he deemed it essential by the peace terms immediately to create the following:

1. A Jugo-Slav State.
2. A Czecho-Slav State.
3. The security of Greece.
4. Albania.
5. Montenegro.
6. Roumania.
7. Armenia.
8. Syria.
9. Palestine.
10. Poland.
11. The independence of Russia's Baltic Provinces, thus: 1, Finland; 2, Esthonia; 3, Lavonia; 4, Courland; 5, Lithuania; 6, Ukrainia.

And, in addition, that we must take and hold ample security from Germany and Austria.

I will not quarrel with his creation of the various new nations. But the distinguished Senator prescribes our future duty in this language:

> We must do our share in the occupation of German territory which will be held as security for the indemnities to be paid by Germany. We can not escape doing our part in aiding the peoples to whom we have helped to give freedom and independence in establishing themselves with ordered governments, for in no other way can we erect the barriers which are essential to prevent another outbreak by Germany upon the world. We can not leave the Jugo-Slavs, the Czecho-Slavs, and the Poles, Lithuanians, and the other States, which we hope to see formed and marching upon the path of progress and development, unaided and alone.

There is but one conclusion from the language used, and that is that after the creation of the 16 nations the duty devolves upon the United States, in part at least, to maintain these nations and aid them in establishing themselves with ordered governments by America's soldiers. I will not subscribe to this doctrine. I will not for one instant concede that it is the duty of the Republic to maintain order in a Jugo-Slav or a Czecho-Slav State, in Albania or Montenegro, in Roumania or Armenia, in Syria, Palestine, Poland, Finland, Esthonia, Lavonia, Courland, Lithuania, or Ukrainia. I am opposed to American boys policing Europe and quelling riots in every new nation's back yard. The perils of such a course to the Republic seem to me obvious. Aside from the material aspect—and you may ever keep in mind that the establishment and maintenance, in part by us, of these distinct peoples must be paid for by our already overburdened taxpayers—I would not shed the blood of American boys in the internal disturbances of an Esthonia, Lavonia, Courland, a Lithuania, or Ukrainia. I decline to be frightened now by the "German menace." Germany is whipped and thoroughly whipped. The central empires, in the language of the President, are in process of liquidation. The German Army has been practically demobilized; her ordnance has been relinquished; her means of transportation delivered; her fleets surrendered; her towns occupied. She is involved in such civil strife that it is doubtful if there will be a stable government with which a peace may be made. She has been so thoroughly disabled that she could not, a few days ago, resist a small advancing Polish army. She is suffering just retribution for her offenses. The central empires are incapable of aggressive action now. Our help, therefore, to the 16 nations which would be created "in establishing themselves with ordered governments" must be the aid which our arms would give to one faction or another in these new States, and I am not ready to shed American blood for any faction of any foreign State or in maintaining the government in any Baltic province. It is staggering to speculate upon the number of armies and the hundreds and thousands of American boys that would be required in these 16 nations. It is time for an American policy. Bring home American soldiers. Rescue our own democracy. Restore its free expression. Get American business into its normal channels. Let American life, social and economic, be American again.

I heard it said recently upon the floor of the Senate that the President had a most difficult task abroad. I recognize this, and wish that some real aid could be extended to him in the

one possible accomplishment which may be his. I listened with rapt attention to the scholarly and statesmanlike address of the junior Senator from Pennsylvania recently, the point of which, as I understood it, was that we should at once conclude our peace with our foes and bring our boys home, leaving to subsequent determination the formation of a league of nations. I take it that he is no more opposed to a league of nations than I am; and I am very frank to say that if the President can return to the United States with a league of nations which does not relinquish our sovereignty and which in reality will be a preventive of future wars, I shall welcome most gladly and enthusiastically this great accomplishment.

Mr. REED. Mr. President, would it interrupt the Senator from California if I should ask him a question?

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from California yield to the Senator from Missouri?

Mr. JOHNSON of California. I yield to the Senator.

Mr. REED. If a league of nations is formed of the character defined by the Senator—that is, if we are to have a league of nations—I have forgotten the exact language which was so well expressed by the Senator, and will he kindly repeat it?

Mr. JOHNSON of California. The language I used was: "I am very frank to say that if the President can return to the United States with a league of nations which does not relinquish our sovereignty and which in reality will be a preventive of future wars, I shall welcome most gladly and enthusiastically this great accomplishment."

Mr. REED. I wish the Senator would tell us how we can have a league of nations that will not relinquish any part of our sovereignty and yet will prevent future wars?

Mr. JOHNSON of California. I beg the Senator from Missouri will pardon me from entering into an intimate discussion of the subject this morning. At some future time I shall be glad to discuss it with him.

But America wants peace. It has achieved its great primal idealistic purpose and crushed a ruthless militarism. I reecho the words of the great commander of the Union forces in the Civil War immediately upon surrender of his adversary, "Let us have peace." Let us have peace and get out of Europe. On the 11th day of November the armistice was signed. Two months and a half have passed. The censored dispatches from Paris are conveying to us now the news that it is hoped the conference may conclude its labors in June and we are being prepared, apparently, for a second trip some time in the summer by our Chief Executive to Europe. I would not minimize, of course, the magnitude of his task, but I have a very distinct recollection that much of it has already been agreed upon. Because of prior agreement among our cobelligerents the idealism of the President is likely to be severely taxed, and his difficulties will be manifold. But the pitiless logic of events, the ironclad prior understandings of our allies, have lessened his labors and reduced to a minimum the subjects with which he must deal. He announced in January, 1918, and subsequently, fourteen peace points. The first of these—

> Open covenants of peace, openly arrived at, after which there shall be no private international understandings of any kind but diplomacy shall proceed always frankly and in the public view.

we have had adequately demonstrated to us. The language of this covenant by bitter experience we have now learned is perfectly plain; in the interpretation it has been distorted and misunderstood. The senior Senator from Idaho has been insistent in his advocacy of peace point No. 1. For it, and for the other 13 peace points, we have been told that our soldiers gladly and cheerfully fought and died in France, but the senior Senator from Idaho, and others who thought as he did, with a singular obtuseness, have insisted "open covenants of peace, openly arrived at" mean what the words import. We should have known when we distinctly announced this particular point, for which our soldiers suffered and bled and died, we meant it in a Pickwickian sense only, and spoke the usual language of diplomacy. Anyone not affected with a mental strabismus ought readily to understand that when we say "open covenants of peace, openly arrived at," we mean "secret covenants of peace, secretly arrived at," and, after their arrival, doled out in homeopathic doses to an ignorant and ill-informed populace.

The second peace point was—

> Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

and is quite as plain to him who reads with intelligence as was peace point No. 1.

But we need not further discuss peace point No. 2. It has been lost for a considerable period now in historical mystery, and rests in oblivion with the unrealized dreams of the Akound of Swat and the Maharajah of Ruritania. Peace points three, for the removal of economic barrier; four, for the reduction of national armaments; and five, for the impartial adjustment of all colonial claims, based upon a strict observance of the interests of the populations concerned with the equitable claims of the government whose title is to be determined, apparently have been submerged in weightier questions and no longer agitate the overburdened minds of statesmen. The sixth peace point, regarding Russia, I will mention hereafter. All of the other peace points, with the exception of the league of nations, deal with territorial adjustments, as does indeed No. 5. Now, the difficulty of the President in interpreting his peace points as to territorial acquisitions is that long ago England, France, and Italy reached their conclusions, and the President is up against the contracts, signed, sealed, delivered, and in the pockets of the allies. The secret treaties which were executed before our entrance into the war were quite definite in form, and apportioned territories to the three great belligerents, and also to Russia. These secret treaties, with the elimination of Russia, I feel sure, are deemed effective and binding; nor do I doubt that substantially the territory they embrace will be divided in accordance with their provisions. If the President can break through the traditions of diplomacy; if he can revive and have adopted his peace points apparently discarded with the opening of the peace conference; if he can effect a disregard of the secret treaties entered into for territorial dispositions and acquisitions by the three great powers; and if he can compel the altruistic and idealistic peace of which he has so often spoken his will be the greatest achievement of any statesman of any time. My hopes and my prayers are with him in his extraordinary task.

But Russia was the subject of the sixth definite peace point enunciated by the President. From the time of the Russian revolution until long after the control of Russia by the Soviets and the cruel administration of Lenine and Trotsky the President often spoke to Russia and the Russian people, and always in gentle, kindly, and friendly fashion. His policy, which, by our acceptance, became the policy of this Nation, was distinctly enunciated in the memorable address of January, 1917. Although this policy, apparently, has been forgotten in our dealings with Russia, whether it will ultimately be carried out may, perhaps, be determined by the fate of the other definite terms of peace prescribed by the President. The Kerensky government fell November 7, 1917, and the Soviets, with Lenine and Trotsky in command, came into power. On the 4th day of December we were asked to declare war against Austria, and, in the course of the address demanding a declaration of war against Austria, the President adopted the formula of the Bolsheviki of Russia, the formula under which they were making peace with Germany. He said:

> You catch, with me, the voices of humanity that are in the air. They grow daily more audible, more articulate, more persuasive, and they come from the hearts of men everywhere. They insist that the war shall not end in vindictive action of any kind; that no nation or people shall be robbed or punished because the irresponsible rulers of a single country have themselves done deep and abominable wrong. It is this thought that has been expressed in the formula "No annexations, no contributions, no punitive indemnities." Just because this crude formula expresses the instinctive judgment as to right of plain men everywhere it has been made diligent use of by the masters of German intrigue to lead the people of Russia astray and the people of every other country their agents could reach, in order that a premature peace might be brought about before autocracy has been taught its final and convincing lesson and the people of the world put in control of their own destinies.

At this time the Russian armies had practically disintegrated and the Russian Bolsheviki were negotiating with Germany. On January 8, while Russia was in collapse, and it was obvious that those in control of her government were about to make a shameful peace, the President, with full knowledge of the situation, presumably, had this to say:

> There is, moreover, a voice calling for these definitions of principle and of purpose which is, it seems to me, more thrilling and more compelling than any of the many moving voices with which the troubled air of the world is filled. It is the voice of the Russian people. They are prostrate and all but helpless, it would seem, before the grim power of Germany, which has hitherto known no relenting and no pity. Their power, apparently, is shattered. And yet their soul is not subservient. They will not yield either in principle or in action. Their conception of what is right, of what it is humane and honorable for them to accept, has been stated with a frankness, a largeness of view, a generosity of spirit, and a universal human sympathy which must challenge the admiration of every friend of mankind; and they have refused to compound their ideals or desert others that they themselves may be safe. They call to us to say what it is that we desire, in what, if in anything, our purpose and our spirit differ from theirs; and I believe that the people of the United States would wish me to respond with utter simplicity and frankness. Whether their present leaders believe it or not, it is our heartfelt desire and hope that some way may be opened whereby we may be privileged to assist the people of Russia to attain their utmost hope of liberty and ordered peace.

This was said after two months of government by the Bolsheviki and after they had publicly proclaimed to the world their mode of government and what it was their purpose to do.

And, lest ye forget, I quote again the sixth of the celebrated peace points, uttered January 12, 1918:

The evacuation of all Russian territory and such a settlement of all questions affecting Russia as will secure the best and freest cooperation of the other nations of the world in obtaining for her an unhampered and unembarrassed opportunity for the independent determination of her own political development and national policy and assure her of a sincere welcome into the society of free nations under institutions of her own choosing; and, more than a welcome assistance also of every kind that she may need and may herself desire. The treatment accorded Russia by her sister nations in the months to come will be the acid test of their good will, of their comprehension of her needs as distinguished from their own interests, and of their intelligent and unselfish sympathy.

On February 11, 1918, when the proceedings of the peace conference between the Germans and the Bolsheviki were fully known and understood, the President thus spoke to us:

Peoples are not to be handed about from one sovereignty to another by an international conference or an understanding between rivals and antagonists. National aspirations must be respected. Peoples may now be dominated and governed only by their own consent. "Self-determination" is not a mere phrase. It is an imperative principle of action which statesmen will henceforth ignore at their peril.

Self-determination has fallen by the wayside with "open covenants of peace, openly arrived at." Or, perhaps, self-determination may have been used with the same delicate shades of meaning which have distinguished the use of "open covenants." All through our idealistic statements in this war runs the theme of self-determination and the rights of people for themselves to determine their own forms of government. It was the underlying principle which stimulated our judgments and aroused our enthusiasm. It is not the fault of those who coined the phrase, and those who have used it, that we may, perhaps, have misunderstood it, and that self-determination really means determination by ourselves of the kind of government others should have and then impressing that kind of government upon an unwilling and a rebellious people. With this possible explanation we may see with greater clarity the reason for our activities in Russia. During February the peace terms at Brest-Litovsk had been concluded and there remained but the ratification of those peace terms by the all-Russian congress of the Soviets.

I now deal with the historical events of the fateful month succeeding the President's address. So far as I am aware, what I now present has not been published in this country. I present it because it is the truth, and because upon us rests a heavy responsibility for what has since transpired in Russia. I will not be put in the attitude of defending in any degree the Soviet power or Lenine and Trotsky. Their fantastic theories no sane man, in my opinion, can indorse. But our dealing with Russia and the dealings of the allies with Russia have been not only an exhibition of the crassest stupidity, but have contributed to the awful tragedy there. Early in March the Soviet government officially presented to the allies certain questions, favorable answers to which every man then in Russia agreed would prevent a ratification of the Brest-Litovsk treaty by the all-Russian Soviet congress, and then there would have been a renewal of the war by Russia against Germany. A translation of the official document thus transmitted to the allies from the Soviet government is as follows:

In case (a) the all-Russian congress of the Soviets will refuse to ratify the peace treaty with Germany, or (b) if the German Government, breaking the peace treaty, will renew the offensive in order to continue its robbers' raid, or (c) if the Soviet government will be forced by the actions of Germany to renounce the peace treaty—before or after its ratification—and to renew hostilities—

In all these cases it is very important for the military and political plans of the Soviet power for replies to be given to the following questions:

1. Can the Soviet government rely on the support of the United States of North America, Great Britain, and France in its struggle against Germany?

2. What kind of support could be furnished in the nearest future, and on what conditions—military equipment, transportation supplies, living necessities?

3. What kind of support would be furnished particularly and especially by the United States?

Should Japan—in consequence of an open or tacit understanding with Germany or without such an understanding—attempt to seize Vladivostok and the Eastern-Siberian Railway, which would threaten to cut off Russia from the Pacific Ocean and would greatly impede the concentration of Soviet troops toward the East about the Urals—in such case what steps would be taken by the other allies, particularly and especially by the United States, to prevent a Japanese landing on our Far East, and to insure uninterrupted communications with Russia through the Siberian route?

In the opinion of the Government of the United States, to what extent—under the above-mentioned circumstances—would aid be assured from Great Britain through Murmansk and Archangel? What steps could the Government of Great Britain undertake in order to assure this aid and thereby to undermine the foundation of the rumors of the hostile plans against Russia on the part of Great Britain in the nearest future?

All these questions are conditioned with the self-understood assumption that the internal and foreign policies of the Soviet government will continue to be directed in accord with the principles of international socialism and that the Soviet government retains its complete independence of all nonsocialist governments.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Pennsylvania?

Mr. JOHNSON of California. I do.

Mr. KNOX. May I ask the Senator if he purposes to state what evidence there is of the authenticity of the document that he has just read?

Mr. JOHNSON of California. I have a photographic copy of it, sir. I have the photographic copy on my desk, if the Senator cares to see it.

Mr. LODGE. Who signed it?

Mr. JOHNSON of California. The document was handed to Raymond Robins and a companion in what was known as the office of the council of the people's commissaries, Smolney Institute, Petrograd, by Commissaire of Foreign Affairs Trotsky, after a conference between Lenine, Trotsky, and Robins. It was transmitted to Washington and delivered to the ambassador of the United States.

The men who were then in Russia familiar with the situation, including the representative of England and the representative of the United States, advised their Governments to respond favorably. I have copies of the telegrams which were sent at that time to different Governments. But the communication was received, apparently, in indignant and contemptuous silence. I can hear the voices in this Chamber saying that this was right, that there should be no compromise with crime; that the allies were correct in their position in utterly refusing to deal, or to talk, or to communicate with this awful Soviet government. That it would have been in derogation of our dignity and would have been an affront to civilization to have responded, or to have united with this Soviet government in fighting Germany. I may think that you are entirely right in what I thus see passing through your minds. I may wholly agree with you that the civilized nations of the world could not without defilement touch this awful thing in Russia. And if this had been the attitude of our Government and other Governments, we might pass the incident as one of those unavoidable historical occurrences where idealism and civilization's champions must of necessity hold aloof from civilization's assailants. But during this period what was the Government of the United States doing? It could not, you say, have any dealings with these men who had set at defiance, in the language of one of the Senators upon this floor, the laws of God and man alike. In its virtuous indignation it could permit no communication of any sort, you assert, with cruelty, rapine, murder, and anarchy. But just before the Brest-Litovsk treaty was to be presented to the all-Russian Soviet congress the United States Government went to the city of New York, interviewed the socialists and extremists, and even anarchists, who preached lawlessness and destruction, and begged them for telegrams to be sent to Lenine and to Trotsky and to the Bolshevik government asking that the Bolsheviki continue the war. I read the headlines of one of the papers at that time:

United States lets "Reds" send messages to Bolsheviki. State Department cables their appeals to Russians to stand firm.

And in the body of the article appear these things:

The United States Government yesterday aided radical socialist and pacificist organizations in New York in sending to the Russian revolutionists cable messages urging them to resist the German invasion.

The messages were sent not only with the approval of the Government, but through the Government's agencies and at the Government's expense. * * * These messages were gathered by a person designated by the authorities and were sent to Washington to be forwarded through the State Department to Petrograd.

The socialists and extreme radicals in New York City were importuned for messages, and most of them responded. All of the messages were sent by the United States Government to the Bolsheviki at Petrograd. This, of course, is common knowledge, and has been common knowledge since its occurrence. I am not criticizing it. I am stating now something of the truth which we have carefully concealed during these months. You may say to me, of course, that this was a very different thing from communicating with the soviet government itself, and thus, in a measure, recognizing it. You may say that the exigency and the emergency justified the Government in using every means in its power to continue Russia's resistance to Germany. I may agree with you. But, if the emergency and the crisis justified the Government in using the anarchists of New York to communicate with the anarchists of Petrograd, it would have justified the United States Government answering the communication of the soviet government, without recognition of that government at all, and in encouraging it, by its answer, to

renew the war with Germany. A very different proposition, you insist, between the Government itself communicating with the soviet government and the anarchists of New York communicating with their comrades in Petrograd. Perhaps so. But, beyond this, what did we do? With an authoritative and an official communication before us, which we were advised meant if we replied favorably that the soviet government would make war upon Germany, we refused to respond at all. And yet just before the meeting of the Soviet congress which was fixed for the week of Tuesday, March 12, the President of the United States himself cabled the Soviet congress.

Oh, we could not touch this awful thing in Russia! We could not touch it, with the document before us by which war might have been renewed, and under which the Brest-Litovsk treaty might have been repudiated in the all-Russian Soviet congress in the week of March 12, 1918. We could not be contaminated by touching such a thing, even for so good an end. But on March 12 the Official Bulletin of the United States Government tells us this:

President assures Russia that United States will aid in restoring its sovereignty. Following message from the President of the United States to the people of Russia through the Soviet congress has been telegraphed to the American consul general at Moscow for delivery:

"May I not take advantage of the meeting of the Congress of the Soviets to express the sincere sympathy which the people of the United States feel for the Russian people at this moment when the German power has been thrust in to interrupt and turn back the whole struggle for freedom and substitute the wishes of Germany for the purposes of the people of Russia.

"Although the Government of the United States is unhappily not now in a position to render the direct and effective aid it would wish to render, I beg to assure the people of Russia through the congress that it will avail itself of every opportunity to secure for Russia once more complete sovereignty and independence in her own affairs, and full restoration to her great rôle in the life of Europe and the modern world.

"The whole heart of the people of the United States is with the people of Russia in the attempt to free themselves forever from autocratic government and become the masters of their own life." (Woodrow Wilson.)

During that week the meeting of the Soviet congress was postponed for several days in the hope that from the allied Governments would come a response to the proposition submitted, upon which a repudiation of the Brest-Litovsk treaty could be obtained from the congress. I do not care to speculate upon what might have transpired if the appeals of the Englishmen and Americans who were then in Petrograd to their Governments had been successful. I am relating to you only the facts. During this critical time in Russia the Germans were advancing through Finland. Marching and fighting with them were the Finnish White Guard. The army of the Bolsheviki were called the "Red Guard"; that of their opponents in Finland, the "White Guard."

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Colorado?

Mr. JOHNSON of California. I yield.

Mr. THOMAS. The Senator, of course, is familiar with the answer which was sent to the President's telegram. Does he intend to read it as a part of his remarks?

Mr. JOHNSON of California. No; I have not it here. I trust that the Senator from Colorado will put in the answer if he desires.

Mr. THOMAS. Mr. President, I would do so if I had it with me. I think the literal text should be placed in the RECORD, and I could only state the substance.

Mr. JOHNSON of California. I shall be delighted to put it in the RECORD, too. I think the Senator does not mistake at all the point that is being made by developing this particular proposition; but if there are any other documents of any sort that the Senator wishes me to put into the RECORD in connection with these, I shall very gladly do it.

Mr. THOMAS. I shall be very glad to furnish it to the Senator later.

Mr. JOHNSON of California. I will search for it and put it in myself as well.

We have been very tender of Finland, and a part of the hundred million dollars recently appropriated to feed Europe is to be devoted to Finland. The historical fact, however, is that the only soldiers who fought the advance of the Germans were the Red Guard of the Bolsheviki. They whipped the White Guard, representing the so-called government of Finland, and they were forced back only when that government and the White Guard called the Germans to their aid. It is a historical fact, as well, that wherever the Red Guard fought those of their own country opposed to their revolution they won. They were whipped only when their opponents called in German troops. This was so not only in Finland but in Ukrainia, too. During this period repeatedly it was stated that the allies would intervene.

Intervention was never predicated upon the score of guarding supplies until the disingenuous August announcement of our Government. Intervention was suggested early in the year, and throughout the early months of 1918 it was a matter of common rumor and frequent discussion. During March the men who were most familiar with the Russian situation on the ground vigorously protested against this intervention, and no one protested more vigorously then, and at subsequent times, too, than did the ambassador of the United States Government. At Murmansk, early in March, because of the advancing Germans, the situation was acute, and then what happened? A mutual arrangement was made between the French and British and the Russian Soviets for the defense of the district of Murmansk. And during this month of March, nothwithstanding the horrible doctrine of the Bolsheviki, notwithstanding with an iron hand they were suppressing opposition, there was cooperation between them and the representatives of the Allied Governments in Petrograd. I learned, incidentally, that Maj. Thomas D. Thacher, of the law firm of Simpson, Thacher & Bartlett, New York, who was a member of the Red Cross mission to Russia, had been at Murmansk, and had seen the cooperation there existing between the French and British and the Bolsheviki, and on the 20th day of January I wired him, asking him succinctly to advise me of the facts. I received in response this telegram from him:

One company British marines, about 130, landed Murmansk March 5 or 6, pursuant invitation Murmansk Soviet, acting under telegraphic instructions Trotsky to accept all necessary aid from allies. Before landing supreme military command Alexandrovsk and entire Murman railway granted by Soviets to committee, composed of Bolsheviki sailors, French military officer, and British military officer. This committee subject, however, complete control Murmansk Soviet. From this time until my departure March 22, French, British, and American military authorities in daily cooperation and complete harmony with local Soviet. Seventeen guns fired by British ship *Glory* as salute to Russian flag. Only flag visible red flag. Salute answered same number of guns, Russian cruiser *Chesmar*. Red Cross received effective and invaluable assistance from Soviet authorities at Murmansk as well as everywhere else in protection and transportation of supplies. Five hundred Czecho-Slovak troops in Murmansk, assisted by Soviet authorities, returned to France. Sailed on my ship. I trust that this will give you the necessary information. I neglected to add a statement of the fact that the Soviet authorities cooperated with the allied authorities in the protection of supplies at Kandalaxia, as well as at Murmansk. The supplies at Kandalaxia were, of course, more exposed to the attack of Finnish white guards, who were then cooperating with the Germans.

I received yesterday a letter from Col. Raymond Robins concerning the closing paragraph in the story of George Creel recently published. That closing paragraph of Mr. Creel is as follows:

Russia was a hard fight to lose. It seemed for a while that we should surely win, and to this very day I believe that the people were with us then and are with us now. But the political control of Lenine and Trotsky abolished the freedom of the press and turned the power of the Government against us. Our men were the last to leave Petrograd and Moscow. Mr. Sisson stayed until the ultimate danger to secure the documents that proved Lenine and Trotsky to be German agents and then slipped out through the far reaches of Finland. Mr. Bullard and his force transferred to Vladivostok, from which point he began working back into European Russia with the allies.

One real result was achieved. Intensive work was carried on in the prison camps of Russia, and thousands of Czecho-Slovaks and Jugo-Slovaks learned of the purposes and power of America, receiving thereby the courage and inspiration that had its climax in the march of the Czecho-Slovak legion from the Ukraine to Vladivostok.

Col. Robins writes me:

The inclosed clipping from the last page of George Creel's eight pages of self-laudation in February's Everybody's Magazine suggests that Mr. Creel is unable to relate facts. The facts are:

The President's speeches were printed on the Bolsheviki government presses by special permission of that government. They were distributed under government frank and posted on the dead walls of Petrograd by the Bolsheviki posting service.

The money for this work was drawn from the Petrograd State Bank by special O. K. of the Bolsheviki government. The President's speech of January 8 was sent over the private wire of the Bolsheviki government to Brest-Litovsk by order of Lenine, and I secured the order for its transmission in the presence of Mr. Sisson.

Mr. Sisson fled from Petrograd on the 4th of March, 1918, shouting that the Germans would take the city within a few days in collusion with the Bolsheviki. The American Red Cross was feeding starving children and evacuating war supplies from Petrograd under Bolsheviki protection in quantity until the 1st of May, 1918.

The allied military missions were helping to train the Bolsheviki Red Army on the 1st of April, and the American ambassador was seeking, with the consent of the allied embassies, the cooperation of the American Railway Mission with the Bolsheviki government weeks after Mr. Sisson had fled in terror from Petrograd.

Mr. Bullard and all the American members of the committee on public information in Russia fled from Moscow on the 5th of May, reaching Archangel and suffering from the worst case of "buck fever" in my observation. They telegraphed the American ambassador to get them the permission of the British high commissioner, still in Petrograd, to get on the English ice breaker, which permission I secured for them, and they were on this ice breaker dressed in English uniforms for several weeks, while the American Red Cross was doing business as usual in Moscow, and English, French, and Japanese were still working for their Governments under the protection of the Bolsheviki government.

The American Red Cross mission did not leave Moscow until the 5th of October and Petrograd on the 16th of October in the full protection

of the Bolsheviki government, some seven months after Mr. Sisson had fled in terror with his panic from reading some propaganda pamphlets and papers which were the amusement and contempt of honest and informed men.

Mr. REED. Will the Senator tell us why the Red Cross had to leave when it did?

Mr. JOHNSON of California. I think that one unit just came out of there. I am not sure whether the Red Cross has wholly left. I do not know just its attitude, and I would not undertake to speak of it. I know I saw an officer day before yesterday who said he had just come across on a boat with a Red Cross officer who had just come out of Russia. In fact, however, I know nothing about it except the remark he made.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. JOHNSON of California. Certainly.

Mr. CHAMBERLAIN. Will the Senator tell the Senate what the mission of Col. Robins was in Russia and how long he was there?

Mr. JOHNSON of California. He was on a Red Cross mission. He was there until May, 1918, and my impression is for about 10 months or a year prior to that time. I do not pretend to be wholly accurate, but he was there during the Kerensky government and until May, 1918.

Mr. CHAMBERLAIN. Can the Senator state whether or not after his return here he discussed the situation that has been so ably discussed by the Senator with either the Department of State or the President of the United States?

Mr. JOHNSON of California. Mr. President, I am very certain that he did not discuss the situation with the President of the United States. I do not know to what extent he discussed the matter with the Department of State. I am unable to say.

Mr. NEW. Will the Senator permit one more inquiry? Does he know why Col. Robins did not discuss it with the President?

Mr. JOHNSON of California. I might give my personal opinion upon that subject, but I prefer not to do so. So I hope the Senator will excuse me. At any rate I think I am authorized to say this much, that the President did not discuss the situation with Col. Robins, nor did he ask to discuss the situation with Col. Robins.

Mr. TOWNSEND. Was it not for the same reason that the President did not discuss with Gen. Bullard, who had been sent to Europe to investigate the situation there?

Mr. LA FOLLETTE. Mr. President——

Mr. JOHNSON of California. I yield to the Senator.

Mr. LA FOLLETTE. I will ask the Senator if he is not aware of the fact that Col. Robins remained in Washington after his arrival from Russia——

Mr. JOHNSON of California. Oh, he remained here a long period of time.

Mr. LA FOLLETTE. For several weeks?

Mr. JOHNSON of California. Yes.

Mr. LA FOLLETTE. And he had with him all the documents and waited here in the hope that he might have an audience with the President?

Mr. JOHNSON of California. I think that is absolutely accurate, Mr. President.

When last I addressed the Senate upon this subject I asked certain questions of the Government. It is unfortunate that there is no method by which our Government may be interrogated and no means, except that of a majority vote here, by which information may be obtained for our people. I wish it were possible so to amend our system that upon this floor the appropriate official could be asked legitimate questions and compelled to respond. No answer has been made, of course, to the questions that I asked, because the implication in every question is known by the department to be true. Men are in this country to-day who can establish every single fact suggested, and if this body or the Foreign Relations Committee really desire information, if they wish to tell the mothers and the fathers and the wives of the men who are freezing in Russia to-day just what the facts are, they have at their disposal the evidence, and it can be brought before them upon the briefest notice.

Russia, Mr. President, is a marvelous country. It contains one-sixth of the earth's surface, with fertility of soil and wealth in mineral resources surpassing those of any other part of the earth. This Soviet government to which our President for us spoke so kindly, begged us for economic aid and wished to make us the most-favored Nation. We, in the rigidity of our virtue, though asking the aid of the anarchists in our midst, with the Bolsheviki over there, and though publicly proclaiming our friendship and our love, would not accept the proffer. Weak and vacillating, stupid, and ignorant has been our policy with Russia. We solemnly promised we would not intervene, and then, prating of our love for the Russian people, we did intervene. Prating about guarding stores at Archangel we advanced from 100 to 300 miles from that port, took and burned little Russian towns, and upset little Soviet governments. In the name of protecting military supplies, which were offered to us again, and again, and again, and which we could have had for the asking, we shot down Russian peasants and our boys are shot down by them. The Senator from Nebraska insists our only purpose in landing at Archangel was to protect the stores. Our only advance beyond Archangel was to prepare military bases. He is wrong. We were marching down from Archangel—and the facts will demonstrate it—that we might make conjunction with the Omsk Government and might perfect the ring of steel which we had thrown around interior Russia, and which was starving innocent women and children. The Senator from Virginia gravely speaks of the German menace. What German menace since November 11? Are our people children to be lulled into repose by such stuff as this? The very learned and logical Senator from Colorado tells us that we are not making war upon Russia; that Russia is making war upon us. Apparently his argument seems to be that if the Russians had not resisted when we advanced into their territory there would have been no conflict and no killing. What a strange and fantastic doctrine is this! If an army landed in New York, marched to Buffalo, and the people in central New York resisted and fought them, by that fact, then, New York was making war upon the invading army and the invading army was innocent of wrong. The French are under no illusions in this matter.

They are for intervention, and they believe they are intervening upon a small scale, too small, as they put it, now. They make no pretense that they wish supplies guarded. They wish Russians killed and another government set up. What hypocrisy upon our part to say to our people, and to the Russians, in our pronunciamento last year when we commenced our intervention, that we contemplated "no interference with the political sovereignty of Russia, no intervention in her internal affairs, not even in the local affairs of the limited areas which her military force may be obliged to occupy, and no impairment of her territorial integrity, either now or hereafter." No sooner had we landed at Archangel than we shot the Soviet government there existing out of town and set up a government of our own. No sooner did we go into the interior than everywhere we found a local soviet we shot it to death and set up our own mode of government. Then we tell our people that we intend no interference with the internal or local affairs of Russia!

What a commentary it is upon the power of this body and upon the power of our people that the State Department and the Government can not and will not answer concerning our troops in Russia. How the iron must enter the souls of those who have relatives there; of the mothers and fathers and the wives of men who were drafted to fight Germany, and then, when the war with Germany was ended, were forced to fight a war with Russia. Our Government can not answer concerning our troops, although the great preponderance of the forces at Archangel are American. Of necessity it must respond in indefinite and general terms. These troops are now under English command, and the Americans who are in the vicinity of Archangel, like good soldiers, are obeying their English commanders. I venture the assertion that in Washington, in the departments here, they know no more about what military action is contemplated or what our troops are about to do than the veriest novice upon the floor of the Senate. The American troops are under English command. Perhaps justly so, and I have no doubt well commanded; but it is because of that fact that no answer can be made as to the position of these troops or their military activities. An occasional belated story is given to us, the last of which we read on January 25, as follows:

"We have reports from Archangel," said Gen. March, "which were received here on January 24, and have been decoded. We had at Shenkursk a force which, at last reports, consisted of a detachment of British, two American companies, and two Russian companies. Manifestly this force has had out in that vicinity small patrols at times. The towns mentioned in the report are so small that we can not find them on our largest maps. The force at Shenkursk was attacked on three sides, and the report which was received at Archangel that day stated that they were forced to evacuate.

"The troops at a place called Ust-Pedenga, which I can not find on the map, were also compelled to evacuate under attacks by strong Bolshevist forces. Our troops took up a position midway between Shenkursk and Ust-Pedenga. Under attacks of 1,000 of enemy troops we retreated from Tania to a point 10 miles away therefrom. Tania is 18 miles west of Shenkursk.

"Under an attack from 200 of the enemy forces we retreated from Kodema, which is 25 miles from Shenkursk, to a point within 13 miles of that town. The enemy has strong patrols from Shegovari to Tania. Shegovari is 20 miles north of Tania, and to the right of Shenkursk.

"The Americans lost 10 enlisted men killed in action, 17 wounded, and 11 missing in the retirement. Near Ust-Pedenga, and later at Shegovari an enemy attack on the west was repulsed."

"Do we plan," was asked, "to reinforce the American unit in Russia in view of the fact that it seems to be retiring?"

"Shenkursk," replied Gen. March, "as scaled on the map, is apparently 190 miles from Archangel, and the allied forces representing four Governments, and the Russians, five Governments, have up there a force large enough to reinforce those men or have them fall back on them and hold the situation."

Gen. March was asked whether any recommendation had been received concerning the withdrawal of the American forces from the Archangel front.

The force now at Archangel—

He said—

was put in there by the allied Governments on the recommendation of Marshal Foch, and the military handling of that unit was thereupon turned over to the supreme commander; and whatever is done concerning reinforcing the unit will be done by him. The allies agreed upon a British commander in chief, and at the last reports he was in the front lines inspecting his troops, and I assume that the military part of it is in hand.

From this, apparently, all the roseate stories of the campaign in Russia may be discounted. Our brave boys had to retreat many miles through the ice and the snow and the rigors of an Arctic winter. They had to fight during this period in weather that few are accustomed to and none understand.

And what has been the result of it all? It is true we have a ring of steel that prevents food getting into Russia. It is true that we are starving women and children to-day in Russia, and that hands are lifted in supplication to God and in cursing this country for its activities. But is it not obvious to you that when we compel people in Russia to starve, who will starve? It will not be first the horrible Bolsheviki. It will not be your Lenines and your Trotskys. It will be the intellectuals and the bourgeois. It will be those whom we are pleased to term the very best people in Russia. As you contract this ring now, and as you prevent the natural flow of food from the granary of Russia, and you blockade her ports with gunboats, you are first starving the very people you do not wish to starve, and you are starving those who ought not to starve. If it had not been for this criminal policy of intervention, and this ring of steel that prevented food getting into internal Russia, Lenine and Trotsky, in my opinion, long ago would have fallen and the Bolsheviki would have been at an end. But by this foreign interference every base passion has been appealed to, every prejudice aroused, and even patriotism invoked. And the very act of intervention has enabled this grotesque government to last far beyond its allotted time, and to exercise its despotic sway in the name of public safety. How much have we contributed to the terror, to the rapine, plunder, slaughter, and massacre? There is a heavy reckoning some day for those who have been responsible for this wicked and this useless course in Russia. And the heaviest responsibility, the wrong which can never be atoned, is the shedding of American blood in Russia. It is to this phase I desire to arouse the Congress and to which, if I had the power and my voice would carry, I would arouse the people of the Nation. It is of American boys and American blood I am thinking. I would not give one American life in Russia for all the Bolsheviki spawned by centuries of tyranny and mad with the lust of a ruthless ephemeral power.

What I ask by this resolution is that our Government, which shrouds itself in mystery and which will not tell us or the people its intentions or its policies, may know our opinion that our troops should be withdrawn from Russia. I do not care how you view the situation, whether you favor armed intervention or whether you do not. If you favor armed intervention it is obvious that the scale upon which it has been undertaken is too small to accomplish lasting results. It has become painfully clear in the last few days that by the present intervention we merely hazard the lives of our men. It is equally clear that the people of England, and our own people, will not tolerate intervention upon a larger scale. Therefore, even if you favor intervention you should, for the protection of the lives of our soldiers, insist that those there, few in number and their position courting disaster, be immediately withdrawn. If you favor intervention, why do you not upon this floor, by resolution or otherwise, say so? If you believe in war with Russia, why not introduce an appropriate resolution and permit Congress to vote upon it in accordance with the Constitution, and permit our people to discuss it? Upon what theory can you justify war, without affirmative action by Congress? And that we are in an actual state of war at present in Russia the recent ominous news from there demonstrates only too plainly.

What a sorry spectacle we present! The distinguished chairman of the Foreign Relations Committee endeavors to make explanations of our policy with Russia, but hastens to assert that he does not speak officially or authoritatively. The chairman of the Committee on Naval Affairs gravely gives his views but prefaces them with the statement that he speaks neither officially nor authoritatively. Both of these gentlemen say we are simply protecting supplies. I reiterate that England is under no illusion respecting our purpose in Russia, and that France frankly proclaims it. The court organ, the New York World, says we are in Russia for the purpose of maintaining order. The various Russians who have showered us with pamphlets of late understand the situation full well. The most recent of the propaganda which has come to me is from a certain Col. Vladimir I. Lebedeff, who says:

Just at this time, the allied armies being at Vologda, the allies advised the officers' organizations to revolt simultaneously against the Bolsheviki in Ribinsk, Vladimir, Yaroslavl, and Murom, so as to encircle Moscow as with an iron ring.

In the declaration published by the State Department of our intervention it was stated "whether from Vladivostok or from Murmansk and Archangel, the only present object for which American troops will be employed will be to guard military stores which may subsequently be needed by Russian forces and to render such aid as may be acceptable to the Russians in the organization of their own self-defense." The charming naivete of this must have appealed to the Bolsheviki. We were landing troops for the sole purpose of guarding military stores which subsequently we would deliver to the Russians themselves. Of course, the intention of this utterance was to fool the people of the United States into believing American bayonets were necessary to protect Archangel stores from the Germans. It is never for an instant indicated nor is the language susceptible of any such meaning that these stores were to be protected from any kind of Russians who were not acting with the Germans. Our advance constantly into the interior, of course, makes it obvious that the guarding of supplies for Russians themselves was the veriest kind of pretense. In all of the months prior to our intervention daily the subject of intervention was hotly discussed.

In all these discussions there never was a question about protecting supplies except in the instance where the soviet government, in conjunction with the English and the French, at the very moment of the German advance in February and March, protected supplies at Murmansk. The distinguished chairman of the Foreign Relations Committee scoffs at the idea that any war exists in Russia now, or that we are there participating in war with the Russians. I take it what he means is that it is just a little war, and because it is such a little war, it ought to be disregarded. It is a little war. It involves the lives of something over 5,000 American boys only. It touches the hearts of perhaps three times that number of anxious relatives in the United States. It is true, perhaps, that it is such a little war it involves only a few hundred lives, a few hundred maimed, a few hundred American graves on Russian soil, but to me, sir, one of those lives in Russia and one of these hearts bowed in anguish in America are more precious than all of the pretense of diplomacy or the protection of any government from the just wrath of a righteous public opinion.

Opinion upon this subject has crystallized in England. You may have observed recently a delegation of soldiers called upon Lloyd George and expressed their fear that they might be sent to Russia. He assured them they would not be. I have been interested in following the discussion which has been going on in England, and a portion of it I wish to bring to your attention. Indeed, as evidentiary matter, I have selected two newspapers, one British the other American, because of their high standing and the accuracy of their statements. I have taken the Manchester Guardian, one of the few great independent newspapers in the world. It certainly will not be accused of bolshevism or sympathy with men like Lenine and Trotsky. I have taken as well from the sedate precincts of the Old Bay State the Springfield Republican with its recent reviews of the Russian situation, and, without at length reading either, I desire to refer to a few excerpts.

Perhaps, Mr. President, I would serve no good purpose in reading these excerpts, and, if the privilege will be accorded to me, I should like to put into the RECORD, as a part of my remarks, various articles from the Manchester Guardian, dated December 6, December 19, December 24, and December 27, 1918, and two articles from the Springfield Republican, one of them dated January 5 and the other dated January 12, 1919.

The PRESIDING OFFICER (Mr. GAY in the chair). Without objection, it will be so ordered.

The articles referred to are as follows:

[From the Manchester Guardian, Dec. 6, 1918.]

THE RUSSIAN SCANDAL.

Our present relations with Russia are about as indefensible as can be imagined. The foreign office, or those who control the policy of the foreign office, can hardly be ignorant of that—how should they

be?—but, so far as appears, are preparing to cover one error with a greater error and to make bad worse. In the midst of the preoccupation of a great war the little war with Russia has received comparatively little attention, and it is hardly realized that, though the great war is over, the little war goes on, and, moreover, that if it is not stopped now or soon it is likely to become a very much larger war and a more and more intolerable and indefensible one, so intolerable and indefensible, indeed, that it is capable of producing grave reactions here, extending to the overthrow of a government. We originally embarked on this Russian adventure under wholly different circumstances, and for reasons, so far as reasons were given, which have no present application whatever. After the intervention by Germany in the civil war between the Reds and Whites in Finland and her virtual occupation of the country there was a real, if somewhat remote, danger that she might strike through Finland at the narrow strip of Russian territory which divides the north of Finland from the Arctic Ocean and establish for herself a naval station on the Murmansk coast, giving her access to the Arctic and a new outlet for her submarines. At a moment when the submarine war was at its height and Russia lay helpless and subservient there was reason, if not very urgent reason, since the district was extremely inaccessible and a long line of railway would have had to be built, for guarding against this peril. That was the extent of the danger and the extent of the need for our occupation. Its extension to Archangel, which is not ice free, and to a large stretch of country inland had no such justification. The occupation of Vladivostok, Russia's ice-free port in the Pacific, 5,000 miles away, followed by the advance with the cooperation of Japan westward into Siberia was, as a military measure, equally unjustified. Both these extensions of the original intervention were defended on quite other grounds. It was said that Russia had become the mere tool of Germany and that it was necessary, first, to prevent the further extension of Germany's influence and her increasing exploitation of Russian resources, and, secondly, to "reconstitute the eastern front." In this connection the happy discovery was made of scattered bands of Czecho-Slovak prisoners who, it was urged, must, in the first place, be rescued, and, in the second place, utilized in this process of reconstituting the eastern front.

So matters stood at the time of the collapse of Germany and the conclusion of the armistice. Obviously, every reason hitherto alleged, whether for the original occupation of the Murmansk coast or for the subsequent expedition to Archangel and Siberia had now disappeared. They were all in the nature of defenses against the attack of Germany, and there was no longer any attack or possibility of attack from Germany. Germany as a military power was dead; but were the defensive measures, the counterattacks, dead also? Not at all; they continue in full force. There is quite a prospect that they may be largely extended. For the moment, of course, there is a pause. Winter is no respecter of persons or of policies. Very soon Archangel will be frozen up and our army of occupation there will be frozen up also. In the east the Japanese have steadily and very sensibly refused to advance a mile farther. They have reached Lake Baikal, and beyond Lake Baikal they decline to go. So if we desire to extend our operations in this direction we shall have to do it ourselves, for America will certainly not assist us and will prudently follow the Japanese example. But there are other possible fields of operation. We have recently obtained access to the Black Sea. We are therefore now in a position to repeat in the extreme south of Russia our performances in the extreme north, and, as a matter of fact, it is credibly reported that the war office is now engaged in making a survey of the country. The Ukraine, under German and Austrian control, has become the refuge or dumping ground of a whole collection of Russian reactionaries of various sorts and sizes, and the same is true to a less extent of the Don country and other districts to the east. It would be easy to play into the hands of these gentry, as we have played into the hands of others of the same description in eastern Siberia, where a purely reactionary party has now dismissed the local popular (not Bolshevik) government and established a military government of its own.

But what conceivable justification, it may be asked, is there for any such proceedings? And how is it possible that any British Government should embark on so wanton and criminal an interference in the affairs of another nation? Such questions may, indeed, well be asked, but it is doubtful if they will receive any presentable answer; for the fact is that the real, though unavowed, reason for our previous interference is entirely different from the avowed reasons, and it is a little awkward, now that the avowed reasons have disappeared, to produce the real one—the more so as this is not a very nice reason or one which is likely to commend itself to reasonable people in this country or to our working class. That reason, of course, is that the war against Russia has from the first really been a war against that particular form of socialistic theory known as bolshevism.

We are no admirers of that theory. Applied to any western European country, we believe it would be disastrously subversive. Even in Russia we may doubt its permanence. But there it is; it has established itself; it has existed for more than a year. It is not weakening in power; all trustworthy information goes to show that it is gaining in power; that it has established order; that it meets with general support from some 80,000,000 people, whom it controls; that it is grappling successfully with the food problem; that it is promoting the popular arts, music, and the drama, and is preparing a great scheme of popular education—that, in fact, it is performing most of the normal functions of a government, and performing them with increasing success. These are the facts, but they do not suit the policy—the policy at least hitherto pursued—of our freedom-loving Government. The telegrams of the few British correspondents, including our own, who are still in a position to give authentic information, are ruthlessly censored or suppressed, and the Government goes on in its blind and foolish way, a way that can, if persisted in, lead only to discredit and disaster. This is the situation as we understand it. Bolshevism is to be suppressed by armed force, and in order to prepare people's minds for it and to lend it some color of justification, not only is truth as to the condition of Russia suppressed but currency is given to all kinds of wild statements and palpable exaggerations. The Bolsheviks are not angels from heaven. They have, like most revolutionaries, executed a good number of their enemies, but these executions have mostly taken place since the intervention of the allies gave encouragement to the counter-revolutionaries and made them more formidable. Mr. Litvinoff, who is an honest man and a Tolstoyan before he is a Bolshevik, puts the total number of executions since the Bolsheviks came into power at 400, half of them of ordinary criminals. That is probably an underestimate. If information were allowed to come through from other sources, we might get nearer the truth. This, then, so far as there is a policy, appears to be the policy. It has got to be changed. Perhaps the Government are already awakening to the fact, but find it difficult to get out of the mess they have themselves created. Let them take heart. It is easier now than it will be later. Every week, every month, that they stay in Russia and wage a war on Russia, which has lost every shred of avowable reason and has no justification, will make it more difficult to escape. If with the coming of spring they should see fit to resume or extend their military operations, it is well they should understand that it will not be tolerated in this country. The workers here are not going to send their sons to slaughter and be slaughtered against the workers of another country, against which we have never even declared war, and for the purpose of destroying a form of social economy with which some of them, at least, are in sympathy. If it is sought to check the progress of bolshevism and prevent its spread to this country, that is precisely the way to defeat the object. We prefer not to consider the possible further consequences of such reckless folly.

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[From the Manchester Guardian, Dec. 19, 1918.]

ADMIRAL KOLTCHAK AND LORD MILNER.

The campaign of Admiral Koltchak, the Siberian "dictator," against his old comrades in arms is developing. He has arrested another 27 of them, including M. Tchernoff, one of the foremost of the anti-Bolshevik socialists, and 12 other members of the constituent assembly. Their crime is that they do not accept him as dictator and that they proclaim him a sheer reactionary, a charge which has that sharpest of all stings—truth. The admiral's campaign against the Bolsheviks, however, is not moving equally prosperously. The chief Czech generals have resigned rather than do his work for him, and the whole Czech army is threatening to abandon the front and go home. That would mean the end of Admiral Koltchak's "dictatorship" and the whole miserable Siberian adventure. The admiral, however, expects the allies to induce the Czechs to stay on as his mercenaries (paid, of course, not by him but by the allies), to replace them, if and when they depart, by allied conscripts (thus doing their bit to make democracy safe), and to provide him liberally with the sinews of war. The finance of the "dictator" is characteristic. It will be remembered that the late Czar gained much credit at the beginning of the war by suppressing vodka. Vodka is the dictator's local financial stand-by. It brought in 1,000,000 rubles in August and 10,000,000 rubles in November, and its potentialities are "limitless," for there are a thousand million rubles of the stuff in stock. Thus, faithful to tradition, vodka is to be the rock on which the "dictator's" Russia is to be builded, just as it was of the Czar's Russia. Vodka and loans—for the "dictator's" foreign friends are to do most of the paying, though we should like somebody to tell us who is calling the tune. Koltchak is asking the allies to provide 60,000,000 rubles a month to keep him going. There is a further point. Many parts of Russia are starving. How many people realize that it is partly the allies who are responsible for starving Russia? We are blockading Russia so that no raw materials or machinery can enter the country or produce leave it. We are sustaining the blockade of Russia by the revolted provinces who used to supply her with most of her food and fuel. To what end this martyrizing of the Russian people? To what end this pouring out of British blood and British money?

To these questions, at long last, a British minister, Lord Milner, attempts a reply. Lord Milner does not say the Bolsheviks are German hirelings. He is not quite so ready as his colleagues to adopt, on the strength of forged documents, a theory which no competent authority sincerely believes. He says we went to Russia for two chief reasons—because the action of the Bolsheviks was assisting our enemies by releasing hosts of German troops and bringing Roumania down, and because we were under a moral obligation to save the Czecho-Slovaks. We are afraid that these reasons ignore a great many facts. We provided the Ukraine with money and arms to break away from Russia before the Bolsheviks made peace with Germany; indeed, our action was an important, perhaps the most important, factor in precipitating the treaty of Brest. Again, the Bolsheviks repeatedly expressed their willingness and their anxiety to let the Czecho-Slovaks leave Russia, and they contend that it was the allies who inspired them to stop in the hope of "reconstituting the eastern front." That, indeed, was the favorite argument for the expeditions to Russia—that it would bring Russia back into the war, whether the Russian people like it or not. We venture the assertion, in despite of Lord Milner, that the military adventures of the allies in Russia did nothing to bring defeat to Germany, but were in a military sense pure waste, to say nothing of the political loss. But be Lord Milner's reasons for intervention as good as they are bad, they no longer exist. The war with Germany is over. The Czecho-Slovaks can go home as soon as they like, or rather as soon as we let them, for it is the allies who are keeping them in Siberia when they want to go home. What then is our reason for maintaining war against Russia? Lord Milner says that we have induced some thousands of Russians—a very few thousand, in fact—to fight on our side and we can not abandon them to "the unspeakable horrors of Bolsheviki rule" until they can train, arm, and defend themselves. As the Bolsheviks have a large army and the anti-Bolsheviki parties are better at fighting one another than at fighting the Bolsheviks, it looks as though we shall be at war with Russia forever, on Lord Milner's principle. Would it not be cheaper to come to terms with the Bolsheviks, safeguarding the lives of our Russian friends, which would be perfectly easy? The Bolsheviks are begging for an armistice, but we will not condescend to listen to them. Why? The true reason peeps out at the end of Lord Milner's letter when he speaks of our duty to prevent "barbarism" spreading all over Russia. In Russia we are fighting neither against the Germans nor for the Czecho-Slovaks nor for the Russian anti-Bolsheviks. We are fighting against a form of the State and a conception of property which we dislike, and which we have good reason to dislike, but which it is not our business to overthrow by force of arms in another country. That is why we are in Russia.

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[From the Manchester Guardian, Dec. 24, 1919.]

THE OUTLOOK THIS CHRISTMAS.

The fifth Christmas since the war began is not yet the Christmas of peace. Fighting has been suspended between the original belligerents, nor is there any prospect of its being resumed. Turkey, Austria, Bulgaria, and Germany have neither the will nor the means to take up arms again before the final peace is ratified. All this is an immense boon, but we should not forget that the old war has either actually given place or is in danger of giving place to a new war. The allies are directing or sustaining several campaigns against the Moscow gov-

ernment, and the fragmentary States of the disrupted Russian and Austrian Empires are engaged in a conflict with one another, which is not the less ferocious because it is obscure. These, perhaps it will be said, are but small dark patches on an otherwise brilliant prospect. Nobody, however, knows what dimensions the war against Russia may take on, just as nobody knows what this war is about. Still more disturbing, nobody can foretell what vast explosive forces may be released and transmitted throughout the world by such a reckless enterprise. Old Europe was light of heart when it set out to extirpate revolution in France, and the end of it all was that old Europe collapsed in blood and fire under the blows of Napoleon. Of course, history may not repeat itself, but the statesman who stakes much on the chance that causes will not produce their probable consequences is not exactly prudent. All the miserable conflict in eastern and southeastern Europe between nation and nation has a very direct relation to events in Russia. Russia is girded round with primitive race passions, the fierce tyranny of intolerant pride and aggressive exuberance. That constitutes an immense mass of inflammable material. A cautious statesmanship would hasten to extinguish the war with Russia before it extends and consumes great part perhaps of Europe. When we see European statesmanship, on the contrary, planning to develop, instead of ending, hostilities against Russia, we can not think the outlook too comforting.

The moral flaw thus revealed is as unfavorable to excessive optimism as the intellectual flaw. The war against Russia has the two characteristic defects of the pre-1914 system—the secrecy of its inception, its conduct, and its aims, and the conviction that force is the best of arguments and can be trusted to prevail.

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[From the Manchester Guardian, Dec. 27, 1918.]

THE ALLIES AND RUSSIA.

The allies, according to M. Pichon, are desirous of extirpating bolshevism in Russia, but they are not going to expand their military intervention. If the allies were united in extirpating poverty outside Russia, it would please the allied peoples and benefit them much more. Bolshevism inside Russia is the concern of the Russian people, not of the allied governments. We can not imagine anything more reckless than an adventure of this kind at a time like this. Some perception of this fact seems to have dawned upon the allied governments, perhaps with the help of President Wilson. That explains, presumably, the decision to resist the pressure of the Russian exiles anxious for an unlimited allied expedition. But the policy of a limited military commitment is a worthless compromise. No man knows where it will end, no man knows what result it will produce, no man can safely predict of it anything except that it will prolong civil war in Russia indefinitely, and delay indefinitely the ending of the starving of the Russian people by the blockade and the restoration of tolerable conditions. The allies can either have war with Russia or be at peace with Russia. There is nothing between. The allied governments must choose the one or the other. They would be wise to choose peace quickly.

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[From the Springfield Republican, Jan. 5, 1919.]

FRENCH AND RUSSIAN SITUATION.

It now seems settled that France, at least, intends to persist in the unhappy half-way course which has worked such disaster in Russia. Last week mention was made of the reported abandonment of the great project of sending armies into Russia to overthrow the Lenine government. But apparently while the allies could not agree on this "thorough" method of dealing with bolshevism by attacking it at its supposed source, France can not make up its mind either to abandon intervention. Foreign Minister Pichon last Sunday flatly contradicted the inference of a Socialist deputy that this was what he had meant, and made the further statement that while intervention was inevitable its purpose "was not offensive for the time being but defensive." Later an offensive might be necessary to destroy bolshevism, but such an operation must be carried out by Russian troops, of whom there were at the present time, he said, 100,000 at Odessa.

By "defensive" operations he meant, of course, not defending French territory, but preventing the spread of bolshevism that is to-day preventing the extension of the Lenine government's power over those parts of the former Russian Empire, which it does not yet control. Yet this professed purpose hardly covers the case of the present intervention of the French, apparently without the cooperation of their allies in the Ukraine. For the Republican forces, which the French seem after some hesitation to have decided to attack are not pro-Lenine, and it is doubtful if they can be called Bolshevist except in the extended sense in which that term of opprobrium is coming to be applied to revolutionists in general. It will be recalled that a fortnight ago we had word of the sweeping progress of the Republican forces under the popular leader, Petlura. They took Odessa and other Black Sea ports and also occupied Kiev, the capital of the Ukraine. Apparently it was they and not, as an earlier muddled or censored dispatch indicated, the White army of Gen. Denikin that overthrew the Cossack hetman, Gen. Skoropadkin, who with German support had carried on a counter-revolution in the Ukraine. On the contrary, Skoropadkin appears to have gone over to the allies after the collapse of Germany, and to have acted upon their advice in declaring for a reunion of the Ukraine under the government which he was to set up, with the Russian governments organized by the reactionary dictators, Gen. Denikin and Admiral Kolchak.

This was wholly contrary to the will of the people of the Ukraine, but a Pole of high rank, who lately escaped from Kiev, is probably mistaken in attributing the popular revolt which followed to this declaration for union. A much more probable cause is that Skoropadkin, Denikin, and Kolchak all represent the propertied interests and aim at undoing the work of the revolution, especially in regard to the distribution of the land. In the Ukraine, which takes in most of the famous "black-earth" belt, in which the great landlords stuck tighter to their vast estates than in northern Russia, the agrarian question is specially acute, and this issue seems to have united the peasantry and the lower and middle classes of the cities to a degree not found in Russia proper. The movement headed by Petlura, in short, has all the marks of a genuine popular movement, and the way in which it burst out everywhere all at once shows that it had gained much headway before the censors allowed mention of it.

When the new tidal wave of revolution swept down on Odessa and the other seaports the French, who had no adequate forces on hand, contented themselves with protecting the docks and wharves with their naval vessels, and later landing a force were said to have regained about a third of the city. Now we are told that a French army is to operate from Odessa, and that another army, under French command, but presumably in the main Roumanian, is marching from Roumania to attack Kiev, the capital of the Ukraine.

Of the military side of these operations it would be premature to speak, because so little is known of the force involved. But politically it can at once be said that the adventure inspires serious misgivings, if only because the French foreign office, in some ways the most reactionary now left in Europe, has shown such unlimited capacity for blundering in its dealings with the revolution. It is now supporting a reactionary "unionist" government, yet last year the Ukraine had hardly declared its independence when the French recognized its Government, lent it $35,000,000 (surely the worst bet ever made), and sent a military mission. The theory was that since the Ukraine was against the Bolsheviki, and since the Bolsheviki were pacifists and pro-Germans, the Ukraine must be proally and eager to go on fighting for the entente. But that military mission got to Kiev just in time to see the Ukraine break faith with the Bolsheviki and negotiate a separate treaty with the enemy. M. Pichon has a reason to feel sore about that $35,000,000, but it should be noted that the hasty advance of cash to a Government simply because it was revolting from the Bolsheviki showed a too rigid and fallacious logic. In real life things do not arrange themselves as this or that; they may be something else, and Ukraine was the something else. It may be added in extenuation that French policy in Russia has from the beginning of the revolution been under inconceivable pressure from the half-crazed investor. For people whose hard-earned savings are menaced by a social cataclysm in a remote country the utmost sympathy may be felt, but there is no worse influence for a statesman than a panic over investments.

It is in France, for this reason, that we must look for the bitterest hostility toward the revolution, and strange as this may seem in view of the preeminence of France in revolution. Of exceptional interest, now that France has drifted into war with Russia, is the frank account given by the historian, Ernest Lavisse, when the revolution was but two months old, of the friction between the two countries:

"If we have misunderstood the Russian revolution, the revolutionaries, on their side, have not been fair to us. We looked for some expression of warm sympathy toward France, who first proclaimed the rights of man, and whose successive revolutions have contributed so much in the downfall of the old régime in Europe. But the Russian revolutionaries have greeted us with black looks. They reproach our Republic with having made too easy a pact with czarism and with having permitted and even supported the very equivocal activities of the Russian police in France. On this last point they are only too well justified. But they don't appreciate in a spirit of fairness the reasons for the alliance between the French Republic and the Russian Czar. France lived under perpetual threat of a German attack. * * * Certainly this alliance was repugnant to our traditions, but sheer necessity forced it on us."

Hardly less serious than the situation in Ukraine is that in western Siberia, where a new danger is revealed in a dispatch from Carl Ackermann, who has been at Omsk, in which he states on November 24 the Czech soldiers "voted against an offensive against the Bolsheviki which had been planned and ordered." This is striking in the first place because it shows the Czechs, whose prowess and good conduct have won admiration, as having absorbed in Russia the Bolshevist idea of the referendum to the army of the orders issued by the high command. This detail gives point to what has been said of the infectiousness of bolshevism and its influence upon all the armies that are sent to fight the Bolsheviki.

But for the Czechs there is the justification that they feel, says Mr. Ackermann, that they have been betrayed by the allies. Their feeling may be unjust, but at all events the allies exploited the accidental presence of the Czechs in Russia without having worked out a plan or even having agreed on a general policy, and the Czechs, like the Roumanians and the Serbians, have been left in the lurch. When the decision to have them stay in Russia was announced attention was called in these reviews to the danger of making so immensely important a decision as invading Russia, a matter to be determined on broad lines, turn on the mere accident that a small force of foreign soldiers was occupying a good strategic position thousands of miles into the interior of the empire. There were 60,000 Czechs getting on very well in a land of 160,000,000 people, because there was no serious hostility; they were Russia's allies leaving Russia. Why should there be hostility? Here and there German agents stirred up trouble, but it is now tolerably clear that there would have been no difficulty in getting the Czechs out of Russia, if that had been desired. Even the treacherous hostility of Trotsky seems to have been due to the threats of intervention and his belief that if the Czechs got to Vladivostok they would join the invading entente armies.

Of the part played by the United States Government in this sorry affair it is too soon to speak, but it is certain that its action was taken in the supposed interest of the Russian people. But the fear that its action would be misunderstood in Russia has been borne out by the result, and is illustrated in a telegram sent by the president of the soviets of central Siberia, which Mr. Ackermann quotes:

"From Russia to Vladivostok are moving 60 echelons of Czecho-Slovak troops at the disposal of America, ostensibly on their way to France. In view of the hostile attitude of international imperialism and the threats of a foreign landing at Vladivostok the central executive committee of the Siberian soviets considers a concentration there of forces dangerous and inadmissible."

The American official shares in commitments which the allies did not in fact carry out is shown in a dispatch from Consul General Poole at Moscow to the Czechs at Samara:

"You may inform the Czecho-Slovak leaders that pending further notice the allies will be glad, from the political point of view, to have them hold their present positions. On the other hand, they should not be hampered in meeting the military exigencies of the situation. It is desirable, first of all, that they should obtain control of the Trans-Siberian Railroad, and, secondly, if this is assumed, at the same time, if possible, retain control over the territory they now dominate."

Is not this a curious dispatch to send—from Moscow? Has the Lenine government had altogether a square deal, to say nothing of the Czechs?

Their vote against another offensive fits with all that we have had from Siberia and helps to explain the hostility toward them shown by the London Times correspondent, who was specially angry at them for protecting the members of the constituent assembly from arrest by the new dictator, Kolchak. By their aid the delegates were able to escape to Ufa, in European Russia, where the all-Russian government had its capital before it went to join the Siberian government at Omsk. At Ufa, said the correspondent of the Times, they "continue to fulminate against the Omsk government," though their power for mischief there was limited by lack of the support of the Czechs. But this week the Moscow government claims the capture of Ufa. Was it a

military victory, or have the leaders there abandoned the allies because of the Kolchak coup d'état and gone over to Lenine? If the allies have not been fair to the Czechs, have they been fair, either, to the Russian moderates who have been willing to cooperate in restoring Russia? There is much excuse for them if, after narrowly escaping arrest by a czarist military dictator, they have finally joined forces with the Bolsheviki; but why should the allies have let them be forced into that dilemma?

The refusal of the Czechs to attack the Bolsheviki also helps to interpret the announcement made to the French Chamber of Deputies by M. Pinchon last Sunday that Perm had been captured by an anti-Bolshevik army of Russians. It may be so; and it may even be that it was, as he declared, a tremendous victory, with 16,000 Bolsheviki killed or captured, though all news from Russia has to be scaled down. The victory, it is true, was suspiciously timely with a new adventure in the Ukraine being floated against protest, and M. Pinchon has not shone as an authority on events in Russia. But for the present we have no evidence one way or another. Vladivostok doubles the number of prisoners, but is a remote source. The point of interest is that the French foreign secretary made a virtue of the Russians acting alone and hid from the French Parliament the news, undoubtedly barred in France by the censorship, that the Czechs had been disgusted by the setting up of a dictatorship and had refused to fight for it. When the people of the entente countries learn how they have been tricked we must expect a strong revulsion of feeling, not in favor of the Bolsheviki, but in favor of stopping stupid interference of this sort and letting Russia settle for itself what its people want.

One of the unfortunate consequences of the French Government to continue to harass the Bolsheviki with minor military operations is that it gives excuse for a continuance of the censorship which has made possible the blundering policy of the allies. In our own country, now that the war has been won, we may look for a quick return to the publicity that Americans like. The only possible reason for secrecy would be that the allies were managing things badly and antagonizing the Russian people, and if this be true the fact should not be hidden, but set right. If the Bolsheviki are too strong to be overthrown, the question will arise how they are to be treated. Are they to be declared outlaws or recognized as representing Russia or put on the waiting list? These are questions depending on facts, and the democracies of France, Great Britain, and the United States are perfectly competent to decide when a foreign government has earned recognition. The public approved of the refusal to make a commercial treaty with the Czar while the passports of American Jews were dishonored; it can be trusted to judge Russia fairly if the facts are fully and impartially presented. We may confidently expect the administration soon to take measures to that end.

It was suggested last week that to get a coherent policy the allies would have to decide whether the menace of bolshevism was a matter of force or of ideas. Confusion upon this point has been growing since then, for the reason that as soon as the rumor got about that the allies had decided not to invade Russia the interventionists began to "play up" the dire peril of a Russian invasion. While they still hoped for intervention Trotzky's army was derided as fit only for Falstaff; as soon as the allies decided that it was indiscreet to attack the Bolsheviki the opposite tactics were adopted; the scarecrow Red Guard became overnight a superb army, millions strong, officered by German generals, and setting out unprovoked to conquer Germany and France by sheer force. One day Trotzky was packing up and a corporal's guard of allies, one might think, would do to take Moscow and save civilization; the next day the allies were invited to beat back countless Muscovite hordes, warlike, disciplined, well armed, well clothed, fanatically devoted to the propaganda of bolshevism.

For this mystery it is hard to find a parallel except in Russian finance. Financial history contains nothing more entertaining than the theory that the inexplicable strength of the Bolsheviki is due to German gold and that they are now using this ill-got wealth to bribe Germany in turn, a financial operation equaled only in the town where the people lived by taking in each other's washing. But the past week has seen a diverting addendum to this theory in the explanation that the strength of the Bolsheviki is due to their control of the printing press. With that remarkable engine, it seems, they can produce money in unlimited quantities, whereas Dictator Kolchak at Omsk is repining because many bales of paper money, neatly printed in America, are held up at Vladivostok pending developments. Apparently, then, the only hope of the anti-Bolsheviki is that the printing press at Moscow may break down from overstrain. For, while that operates, they are able to bribe all Russia and to maintain a huge army by paying in paper rubles, to be sure, fantastic wages to private soldiers, with surplus enough to bribe Germany, too.

No labored explanation of the hold of the Bolsheviki on Russia is needed, however, if we assume (1) that despite denials it has steadily been growing in strength, and (2) that the allies by a wrong policy have played into the hands of the Lenine government. Of the actual facts we as yet know little, but by inference from known conditions we may correct some of the wildest distortions of the truth. We may conclude off-hand that as an offensive force the Bolsheviki are not formidable. They have small arms enough, but no such equipment of artillery and other elaborate apparatus as would nowadays be required for such a crusading war as the French Revolution waged when goaded into it by attacks very much like those which the French are now making. Nor have the Russians, who got thoroughly weary of the war, shown an aggressive spirit. Whatever the danger of bolshevism may be, it is not at present the danger of a march to the Rhine.

It is to be assumed, too, that Russia is weak because it is a tightly blockaded country. It can produce food enough and can manufacture certain articles, but it is industrially backward and has long been cut off from foreign trade. It must therefore be progressively impoverished and the less capable of attacking the right and well-equipped nations of the west, even if the Russians should be seized with a warlike spirit, which at present they fortunately do not show.

The military peril, then, may be dismissed except as it affects Russia itself, including, of course, Siberia and the territories which the enemy seized and are now evacuating. Of these the chief is Ukraine, and there, as we have seen, the French are combating a separate revolution, which is at present anti-Bolshevist, though under attack by foreign armies supporting the dictator, Denikins, it might in self-defense join forces with the Lenine government.

Next in importance to Ukraine come the Baltic Provinces, from which the German armies are retreating, followed by a wave of bolshevism. This is not wholly Russian in character, however, because the Bolshevist movement in Russia has found no stronger supporters than the great number of revolutionists, specially Letts, who were driven out of these Provinces by the Government, and having no home or job in Russia, very naturally entered the Red Guard; to suppose them to be mere mercenaries, as has been alleged, is part of the bribery myth already referred to. They are, in fact, ardent revolutionists, and it is to be presumed that they make the main force of the armies which are recapturing their countries as the Germans retire.

The case of Lithuania is specially interesting, because the issue there is complicated by Polish imperialism. Poland in its grand days held Lithuania in a manner curiously like that in which the Austrian Empire held the old kingdom of Bohemia, and great Russia the Ukriane, a union for defense was perverted by successive encroachments into subjugation. Now that the Poles have won their own freedom, at which we are all delighted, they are seeking also to reclaim their lost empire, and their plea for invading Lithuania is the necessity of defending it against the Bolsheviki. It is a convenient plea, but the Russian doctrine of self-determination has got so strong a hold in eastern Europe that a Polish invasion of non-Polish territory is sure to make mischief. Moreover, we are beginning to hear that the Poles, too, are being "infected."

This infection of all the armies, not excluding the Czechs, which have fought the Bolsheviki, is a very curious phenomenon, yet not inexplicable. It can be understood if we assume (1) that the common people in all countries are averse to further slaughter for imperialistic ends, and (2) that the allied Governments by their intense secrecy as to what they are up to have left the people at the mercy of Bolshevist propaganda. For the Bolsheviki have a very definite propaganda. They assert that the Germans and the allies are two of a kind, that both have been fighting for conquests, for annexations, for indemnities. They have, moreover, certain documentary evidence in the shape of the treaties found in the Czar's archives. This sort of propaganda, taken with the predilection of the allied diplomats for supporting czarist and reactionary Russians, is very unsettling to the average soldier, so long as his own Government keeps him in the dark. It is the issue of imperialism, therefore, which at present makes bolshevism a menace. The menace would be greatly reduced by a just peace.

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[From the Springfield Republican, Jan. 12, 1919.]

The feeling grows that the whole problem, in fact, of dealing with the revolution has been badly handled, and no great surprise was caused by the announcement Tuesday of the decision of the British Government against further military intervention in Russia. Assurance was given that there was no purpose of sending more troops, and that steps had been taken toward recalling part of the 20,000 men already in Russia. No statement of the reasons for this change of policy or as to the course to be followed in the future has yet been made. To some extent the decision may have resulted from the discussions held while Mr. Wilson was in London, for Russia was uppermost at that time, and it was understood that the general question of intervention was to be among the first topics to come up. But weight must also be given to the strong feeling in Great Britain against a protraction of the war; victory has been won and the people want peace. In particular the men who were conscripted to fight Germany are clamoring for demobilization. They do not want to police the continent indefinitely, and still less do they want to be ordered abroad for a war against Russia, which is what intervention means at the present time. We need not overstress reports that fear of the spread of bolshevism in England led to the decision, but unquestionably it is now realized that intervention as the allies have actually applied it has been a potent means of fanning the flames of revolution—fanning them, be it noted, toward the west.

What might, perhaps, have been accomplished by really adequate intervention there has been no occasion to discuss in these reviews, because at no time have the allies had resources and facilities for adequate intervention. While the war lasted they were restricted to roundabout routes of access, and when victory opened the Black Sea and the Baltic revolution had spread so widely as to make what might happen at Moscow or Petrograd an affair of minor moment. At present, with the temper of Europe what it is, even a strong international campaign against the Russian soviets might involve more risk than a statesman would care to run. Even France, where feeling is most bitter against the new régime in Russia, there is no willingness to send an army to Moscow, though the French Government persists in its fatuous course of fighting the revolution in Ukraine.

To say that intervention has failed is not to say that the Bolsheviki have won. Their government may collapse any day; and though unverified, the report is not incredible that Lenine has been arrested by Trotsky on the charge of readiness to compromise. Of the two Trotsky appears to be the more violent and the more vindictive; there seems to be some ground for the assertion from Russian sources that the savage reprisals for the attempt on Lenine's life would not have been made if he had not been laid up with his wound. Lenine is extreme enough in his theories, but seems less energetic in action than Trotsky, upon whom has devolved a great part of the executive side of the revolution, including the organization of the new army. Control of that would give him an obvious advantage over his colleague if there has been, as rumored, a clash between them. In any case the fall of the Lenine government is more likely if the allies leave it alone than if by invading Russia they rally millions of ignorant people to support against a foreign foe.

When a bad military policy has decisively failed it is well to go back and examine freshly the reasons assigned for undertaking it. For the Russian campaigns no better statement can be found than in an article by the Russian, Paul Vinogradoff, resident in London, which was published last June, and which not improbably had a decisive and unfortunate effect upon entente policy. He argued:

"The first requirement is to create a basis for operations by establishing points d'appui for military stores and opening up lines of contact with the Russian people. Convenient centers are indicated by geography and are partly equipped even now. I mean, primarily, the Murman line and Archangel; in a lesser degree Vladivostok and the Manchurian railway; in the future possibly the Persian front. As the Germans are taking advantage of their proximity to Russia by foraging freely in the cornfields of the south, Great Britain and her allies should take advantage of the command of the sea to establish military centers in the Murman and in Archangel; nor could there be any suspicion of selfish encroachment if the Japanese acted in conjunction with the Americans and British on the Siberian front * * * it would certainly be a grievous mistake on the part of the allies if they did not use the short summer season to create a strong base in northern Russia * * *. If Great Britain and France are able to spare men and material for Salonica, surely they ought to be able to send a few thousand volunteers to secure and develop their line in contact with Russia."

Two months later the allies seized Archangel by force, and the test of these theories began. It can now clearly be seen, and was suspected by close students of the war at the time, that the theories on which intervention was based were unsound in every particular.

To get at Germany the allies had to get through Russia. To get through Russia they had either to work through the de facto government or set up another; they refused to work through the de facto government, even had that been possible, therefore they could not get at the Germans until they had set up a new government in Russia. But this meant a new Russian revolution, simply as a preliminary to a new campaign against Germany, and while one may disturb an enemy by starting a revolt in his country, it is not so easy to get help from an ally by starting a civil war as a preliminary. But this was precisely what the allies undertook to do in Russia. Whether it was a legitimate thing to do or not is beside the point; it failed, because it was based on false assumptions. Not even the censorship could long hide the fact that conditions in Russia were not in the least as they were depicted in the international press, and that instead of raising Russian armies to fight Germany, the allies were rapidly drifting into war with the Russian people. That insane adventure is well abandoned; peace just now is the greatest need.

Mr. JOHNSON of California. Mr. President, the chairman of the Foreign Relations Committee in hot resentment recently replied to the strictures of the Senator from Iowa upon the corporation termed the "War Trade Board of the United States Russian Bureau." I listened with interest to his remarks then. The organization was incorporated November 6, 1918, for the purpose of accomplishing, as the Senator from Nebraska said:

The economic penetration of Russia for the purpose of bringing relief to a country that was fairly weltering in distress and misery, many of whose social and political crimes were growing out of that misery.

Five million dollars was put aside for the purpose described by the Senator from Nebraska as—

Friendly penetration, by the sending of American products into Russia and the bringing of Russian products out of Russia in exchange for them, to promote trade and create a prosperity that could not come about from natural causes.

All efforts ceased with the signing of the armistice, because, as the Senator from Nebraska said:

We have come to the end of the war substantially.

What a marvelous situation! We prepared in the early days of November last to supply Russia with what she needed and to take from her what she could sell—a friendly economic penetration—and to aid the Russian people. How could it be done except in conjunction with the very people who were in control of Russia? We see, therefore, an elaborate scheme initiated by our Government, without consultation at all, apparently, for economic cooperation with Russia; and yet, when the offers in writing for economic cooperation were made again, and again, during 1918, by the very people with whom we would have to deal in November, our Government, apparently, would not respond or reply or have aught to do with the offers, because of the wickedness of their authors; and then, after repulsing these offers with contemptuous silence, prepares itself with $5,000,000 to do the very same thing. It ceased its efforts with the armistice. Just think of it! On the 6th day of November, 1918, in the language of the Senator from Nebraska, we had started on the enterprise with Russia of "bringing them shoes and food *and clothes* and the things they were without." Five days later we ceased our efforts and brought the Russians instead starvation and bullets and bayonets. Our efforts at charity and benevolence ended, because, as the Senator said:

We have come to the end of the war substantially,

and I presume, for the same reason, because we had come to the end of the war substantially, and would not deal in friendliness and charity, we began to invade and to shoot and to starve and to kill. We "had come to the end of the war substantially," and we could not, therefore, economically penetrate Russia, but we could shoot Russians after we "had come to the end of the war substantially."

Mr. President, no one has less sympathy than I with the Bolsheviki of Russia, who there ruthlessly control with a hideous class tyranny. None will more scornfully reject their grotesque doctrine. But I will not permit my feelings for the men or their formulæ to blind me to our own wrongdoing, nor will I cloak our wrong with hypocritical denunciation. During the war it became fashionable to call all who disagreed with any governmental policy pro-German. Now the fashion has changed; and any man who will not accept the wrongful edict of intrenched power is by that token a Bolsheviki. In making the world safe for democracy we have put our intellects in chains; and one of our first tasks with ourselves is to unlock the prisons in which we have confined our brains. I read of great statesmen of ours saying "Shoot them down" and others "Hang them." You can not shoot or hang a state of mind. When it becomes by open expression treasonable, under the law of the land you may punish it. But if men in high places imagine by invoking lawlessness against lawlessness they can make the world better, all history denies them. I think too well of my country to believe for one instant the doctrine of Bolsheviki Russia can ever find a foothold here. My faith in the Republic and in our people, in our democracy, will not permit me to be frightened by the fantasy of madmen elsewhere. I think I can with equanimity observe the servile part of the press apply to me for this speech the now familiar epithet of Bolsheviki. Its indiscriminate application is illustrated by a New York administration paper designating prohibitionists as the Bolsheviki of America. My appeal to-day will find no response with those newspapers and great men who preach anarchy when they demand killing and hanging out of hand; but it will have its answering approval with the inarticulate mass who ask but justice and the same honesty in governments as in men, it will find its echo in the hearts of the common folks whose sons and husbands in frozen Russia are paying the price of our Government's wrong and broken faith, and I am content.

Why did we enter Russia? I answer, for no very good reason; and we have remained for no reason at all.

What is our policy toward Russia? I answer we have no policy. We have engaged in a miserable misadventure, stultifying our professions, and setting at naught our promises. We have punished no guilty; we have but brought misery and starvation and death to the innocent. We have garnered none of the fruits of the victory of war, but suffer the odium and infamy of undeclared warfare. We have sacrificed our own blood to no purpose, and into American homes have brought sorrow and anguish and suffering.

Bring the American boys home from Russia.

Mr. POLLOCK and Mr. STERLING addressed the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. STERLING. Mr. President, will the Senator from South Carolina yield to me for just a moment?

Mr. POLLOCK. I merely desire to make an announcement, if the Senator will indulge me.

Mr. STERLING. Very well.

Mr. POLLOCK. Mr. President, when I announced on yesterday that I would address the Senate immediately after the morning business to-day I was not aware of the fact that the Senator from California [Mr. JOHNSON] had already given a similar notice. In view of the lateness of the hour and the desire of the committee having charge of the bill which is now before the Senate to press the consideration of that measure as rapidly as possible, out of consideration for the committee, I shall postpone the remarks I had intended to submit at this time, and I shall ask the indulgence of the Senate for a short time to-morrow immediately after the morning business.

FRANCE AND THE BOLSHEVIKI.

Mr. STERLING. Mr. President, I do not desire to occupy the time of the Senate in speaking upon the subject of our duty toward or in Russia. I may at a later date ask the indulgence of the Senate for that purpose; but I find in the last number of the Outlook cable correspondence from Paris by Ernest Hamlin Abbott, giving the attitude of France toward the Bolsheviki. It is an official statement, and I ask that it may be read by the Secretary.

The PRESIDING OFFICER. In the absence of objection the Secretary will read as requested.

The Secretary read as follows:

FRANCE AND THE BOLSHEVIKI: AN OFFICIAL STATEMENT.

[Cable correspondence from Paris by Ernest Hamlin Abbott.]

The officially authorized statement following, expressly prepared for The Outlook, gives the position of the French Government concerning the situation of Russia in the peace conference:

"The French Government is of the opinion that Bolshevism is a permanent danger to peace and civilization, and that the government of the Soviets is actually at war with the allies. It is therefore impossible to renew diplomatic relations with that government, even taking it as a government de facto. The French Government feels justified in its attitude, because in fighting against Bolshevism France is not in the least interfering with the home politics of a foreign country but merely endeavoring to eradicate a system which is based on nothing but disorder and crime.

"Bolshevism can not be reasonably called a system of government, but the tyranny of a very small clique over the bulk of the nation. Fighting Bolshevism means, first and foremost, protecting Russia against a régime which all those who have escaped from Russia are unanimous in condemning. It also means protecting civilization in Europe, as the activity of Bolshevist propagandists is a menace, not only to the immediate neighbors of Russia but also to the allied and neutral countries, one of the conditions of the very existence of Bolshevism being its expansion abroad.

"For the allies to remain passive, therefore, would mean to lose ground and leave whole countries, especially those in which over four years' disturbed political and economic conditions may have created a certain nervousness, the prey of a propaganda which has nothing in view but disorder and, as far as can be ascertained, is unable to find a basis of normal government.

"Bolshevism has already endeavored to promote anarchy in neutral countries, such as Sweden, Spain, and Switzerland, and in Berlin. Bolshevist money and literature are not spared to create in foreign countries a favorable atmosphere, while arms are ready to be sent into countries shaken by the propaganda. Bolshevist troops are already

invading the countries which all the allies are desirous of bringing into existence, such as Poland, and thus to prevent the organization of nations that have long been kept under the yoke of Germany, which is determined to accept the help of Bolshevism to prevent their emancipation. The true statesman is he who has not only in view the immediate future, but especially he who foresees the further development. It would be a short-sighted policy to abandon Russia and to prolong anarchy. This would only tend to absolute disorganization of the country and to leave her an open field of German expansion and colonization. Crushing Bolshevism does not mean for the French Government a return to Czarism and reaction. In fact, the French Government has refused to accept the help of the reactionaries in Russia and has even required guarantees from the influential organizations which France has helped that they are only collaborating in a common program of fighting Bolshevism as the enemy of democracy.

"And the French Government has done this because it realizes that the restoration of anything like the old régime in Russia would be a calamity. There is a whole world between Czarism and Bolshevism, and what France wants is what all the allies want, a true democracy compatible with the new order that has come out of the war, and which President Wilson has helped so much to create. France has always been ready to fight for the liberty of others; in fact, her great revolution opened the door to democracy in Europe. Bolshevism is not democracy, but a régime of terror and tyranny.

"France welcomed, and still welcomes, the revolution in Russia, and to such an extent that she has always refused to support the reactionary element, which, although desirous of restoring order in Russia, has not given sufficient guarantee for free development of democratic ideas and institutions in that country. Accusations that France lent money to Russia while she had a despotic government and now wants dividends from Russia while she is still suffering from reaction against the old despotism apply equally to all nations that have lent money to Russia or other despotically ruled countries, such as Turkey. But it must be remembered that France's object in lending money to Russia was to reinforce the economic, moral, and military strength of her ally against the German menace to the world. While it is in the interest of the world's stability that governments should observe their obligations, France's interest in the restoration of order in Russia under a democratic government is altogether apart from any financial considerations.

"It is the interest of preserving in Russia and her neighbors, including all the allies, liberty as against anarchy. France on this point, as on others, is at one with her allies, with whom she will always collaborate in order to promote sound democracy in Russia against Bolshevism.

"The only divergences that may exist are merely on questions of ways and means, but not principles."

PARIS, FRANCE, *January 16, 1919.*

REORGANIZATION OF THE ARMY.

Mr. CHAMBERLAIN obtained the floor.

Mr. NEW. Mr. President, will the Senator yield to me for just a moment?

Mr. CHAMBERLAIN. I yield to the Senator from Indiana.

Mr. NEW. Like the Senator from South Carolina [Mr. POLLOCK], I had given notice of an intention to address the Senate on the subject of the reorganization of the Army, taking advantage of the first opportunity. I had expected to proceed to-day, but the hour has grown so late that I am unwilling to take further time from the consideration of the very important measure which is now before the Senate. Following the Senator from South Carolina to-morrow, if there be sufficient time remaining during the morning hour, I shall speak for a few minutes; if not, then on the first day following, at the close of the morning hour.

CONSTRUCTION OF SHIPS ON FOREIGN ACCOUNT.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Washington?

Mr. JONES of Washington. It will only take me a moment.

Mr. CHAMBERLAIN. I yield, then; but I am very anxious to get this bill up.

Mr. JONES of Washington. It will take me just a moment.

A few days ago I submitted to the Senate some remarks in reference to the policy of refusing our shipyards the right to enter into contracts for the construction of ships on foreign account. I had given a copy of the report of the Shipping Board, made pursuant to a Senate resolution, which set out the applications that had been made and the action taken upon them, to Mr. H. P. Wilson, of the Foundation Co., the company to which I referred as having built some yards in this country for the French Government. I have a letter from Mr. Wilson with reference to this matter, and also some copies of letters written by him and received by him to and from the Shipping Board bearing up this subject. There are some very interesting facts set out in these communications, and I ask that they may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

NEW YORK, *January 23, 1919.*

Hon. WESLEY L. JONES,
United States Senate, Washington, D. C.

DEAR SENATOR JONES: I have analyzed the memorandum you gave me last Saturday, which was a reply from the United States Shipping Board to Senate resolution 334, "Construction of ships in American yards for foreign account."

The statement of the Shipping Board verifies my representations to you that the construction of steel ships in American yards for foreign account is one squarely up to the President, and that the present and future policy appears to be solely and entirely in his individual hands.

The list of applicants for permits, as set forth in the memorandum, does not appear to include certain applications of the Foundation Co., as per correspondence hereunto attached.

In talking with you the other day, I was under the impression that no official application had been made by our company for the conversion of our Portland and Tacoma yards from wood to steel, and for the construction therein of a large number of steel ships for French account. I find, however, that on December 4, as per copy inclosed, we filed with the acting chairman of the Shipping Board an application in writing, and that on December 7, as per copy likewise inclosed, we received official reply rejecting our application.

We also find that our application of last July for the construction of wooden ships at these yards is not listed in this memorandum. To what extent the list may be in error beyond the instances cited is a matter for conjecture. These specific applications of our own cover larger contract items than any of those appearing on the list, hence the omission thereof makes a very radical change in the showing as presented to the Senate.

Our yards at Portland, Oreg., and Tacoma, Wash., were started in July, 1917, and while at that time no official permission from the Shipping Board for the construction of yards was necessary, the said board was made fully cognizant of our plan, and verbally approved our construction program.

We also filed with the Shipping Board full correspondence in connection not only with the yards but with our French contracts which we proposed to execute therein. These contracts called for 20 wooden ships to be built in each of the two yards, with an option to the French Government to build 40 more in each yard, and with the consent and full approval of the Shipping Board the French Government invested their money in the construction of these two yards.

During 1918 these two yards turned out as many wooden boats as all of the other wooden shipyards on the Pacific coast. I am attaching hereto a newspaper clipping showing the number of boats actually delivered from the Seattle district, and indicating that the Tacoma yard alone turned out 20 of the 50 boats delivered, both wood and steel. I mention this latter feature more particularly to show you that these yards were operated under the highest efficiency during the period that tonnage was most seriously needed.

In due course the Shipping Board was notified that the French Government had elected to exercise its option to build more ships at these yards. Notwithstanding the fact that the yards had been constructed with French capital under the full approval of the Shipping Board, and with full understanding of the contract with us under which the said yards were constructed, and notwithstanding the fact that at the time the said notification was made the Shipping Board had adopted a policy of constructing as few wooden vessels as possible, the application for the building of further ships under said option was denied.

This meant the laying off of approximately 8,000 men, and the closing up of these two yards, and it was this refusal on the part of the Shipping Board that necessitated our going to Victoria, British Columbia, for the construction of additional boats under our said French contract.

After the armistice was signed and the construction of these boats had been started at Victoria the Shipping Board issued a general permit for the construction of wooden ships for foreign account. In so far as this particular contract was concerned, the relief came too late, and the net result is that our being compelled to go to Victoria required a large additional investment in construction of plant and threw out of work in our yards at Portland and Tacoma not less than 4,000 men who would otherwise have been employed for a period of 18 months, and the closing down of two of the most efficient shipyards in the United States.

The general permit to build wooden boats for foreign account came too late to be of material benefit to American shipyards. You are, of course, aware of the fact that wooden seagoing vessels are purely an emergency proposition, and that had ample steel been available for steel construction the probabilities are that construction of this character would have been reduced to the minimum, if such construction had occurred at all. At the time, however, that the permit for the construction of wooden vessels was issued, when permits covering steel construction were withheld, there was available in this country all classes of materials, including steel and labor, for the carrying out of a comprehensive steel construction program for foreign account. As an example, we were given, almost immediately following the signing of the armistice, a permit from the War Industries Board to purchase 100,000 tons of steel, plates and angles, for ship construction. Having this amount of steel immediately available we made application to the Shipping Board, as above, for the conversion of the Portland and Tacoma yards for the purpose not only of constructing such steel ships as the French Government were willing to purchase from us, but to prevent the original investment in these yards from becoming a loss to the French Government. Nothwithstanding, however, this availability of labor and materials, and the moral obligation on the part of the United States Government, after permitting the French Government to invest its money in these two yards, to allow them to make adequate use thereof to the extent, at least, of justifying the said investment, the application for the conversion of these yards was denied.

Other Governments had signified their willingness to contract with us for the construction of additional steel ships, but owing to the policy adopted by the Shipping Board, although evidently under the instructions of the President of the United States, these foreign Governments have been compelled to establish yards in their own countries, and our company is now engaged in negotiating contracts for the establishment of no less than four foreign yards and the operation thereof in the construction of steel merchantmen.

During this time, when labor's demands are so insistent for employment and we are threatened with an army of unemployed skilled labor, it seems almost incomprehensible that the shipbuilding industry in this country should be forced into foreign fields, more particularly so when ample materials for all requirements are immediately available here.

Due to this policy contracts are now being placed in foreign countries, and as soon as the present acute demand for steel ships is over this country will be unable to obtain prices commensurate with anything approximating costs of labor and material as at present existing throughout this country, and it will mean that American shipyards will be totally unable to take orders for long deliveries in competition with foreign yards.

At the present time foreign governments are willing to pay for quick delivery prices within the possibility of American shipbuilders, but the attitude of the Shipping Board compels the latter to hold their hands in idleness and to see this vast business go elsewhere.

You may be interested in knowing that the Foundation Co. has constructed and put into actual service about 65 per cent as many wooden ships during the period of the war and up to December 1, 1918, in four shipyards, as the Emergency Fleet Corporation has produced and put into actual service during the same period from 81 yards. The Portland and Tacoma yards alone have turned out 40 during the last year, which is approximately the same number as the Emergency Fleet Corporation has built in all of the wooden yards on the Pacific coast.

Only prompt action on the part of the Shipping Board will save the shipbuilding industry in this country, in so far as it applies to foreign account, from utter disaster. Relief at the end of a further waste of material time will be without benefit to the American shipbuilder, as was the case in the matter of wooden construction.

The actual condition existing to-day in the steel-ship building industry is that many yards are idle, due to cancellation of contracts made with the Shipping Board. While American builders are permitted under present rulings of the Shipping Board to take contracts for private owners under United States registry, private owners are dubious about placing contracts in advance of some definite policy being established by the Shipping Board. This, of course, leaves many yards and thousands of men idle. From our viewpoint it is difficult to explain why the Shipping Board, proceeding under a limited construction program, should continue to spend public moneys in the construction of merchant ships without a fixed shipping policy, and why, after the emergency which created it has ceased to exist, it should be permitted to exercise arbitrary control over privately owned yards, forcing them into idleness, in the face of ample business being offered to them.

The subject is a big one, and I could write on indefinitely regarding it, but I think you are sufficiently familiar with it to make unnecessary further comment on my part.

In conclusion, therefore, permit me to say that the memorandum from the Shipping Board is, to say the least, vague and indefinite, to say nothing of its inaccuracies in the figures furnished.

Permit me to subscribe myself,

Respectfully, yours,

H. P. WILSON.

[From the Daily Commercial News, Wednesday, Jan. 8, 1919.]

LAUNCH 50 SHIPS—TACOMA SHIPBUILDING RECORD FOR 1918 COMPRISES VESSELS VALUED AT $27,900,000.

TACOMA, *January 7.*

Tacoma closed 1918 with its greatest shipbuilding record.

The total cost of vessels constructed can be approximately placed at $27,900,000, with the tonnage at 185,000, and the number of vessels launched for the year at 50. This included 8 steel vessels, 20 auxiliary schooners, and 22 Ferris type ships. In 1917 there was an average of 4,540 men employed in the Tacoma shipyards; in 1918, 14,896.

Name.	Yard.	Tonnage.
Quinault	Seaborn	3,500
Wahkiakum	do	3,500
Mahaska	Babare	3,500
Mojave	Seaborn	3,500
Gerbeviller	Foundation	3,500
Yakima	Wright	3,500
Cheron	Seaborn	3,500
Beloit	Tacoma	3,500
Noyon	Foundation	3,500
Chebaulip, ex-Tacoma	Todd	7,500
Masuda	do	7,500
Roye	Foundation	3,000
Eyota	Wright	3,500
Mazama	Seaborn	3,500
Dannermarie	Foundation	3,000
Reims	do	3,000
Arras	do	3,000
Chimo	Seaborn	3,500
Bourneville	Wright	3,500
Coloma	Tacoma	3,500
Dunkerque	Foundation	3,000
Anacortes	Todd	7,500
Thann	Foundation	3,000
Puget Sound	Todd	7,500
Fassett	Tacoma	3,500
Toul	Foundation	3,000
Amiens	do	3,000
Wakanna	Seaborn	3,500
Democratic	Foundation	3,000
Fraternite	do	3,000
Republique	do	3,000
Dungeness	Seaborn	3,500
Bowesmont	Wright	3,500
Verite	Foundation	3,500
Bellingham	Todd	7,500
Bottineau	Barbare	3,500
Souchez	Foundation	3,000
Wica	Tacoma	3,500
Egalite	Foundation	3,500
Fort Riley	Seaborn	3,500
Vailly	Foundation	3,500
Yukon	Todd	7,500
Justice	Foundation	3,000
Fort Russell	Seaborn	3,500
Givenchy	Foundation	3,000
Liberte	do	3,000
Jacona	Todd	7,500
Cascade	do	7,500
Electra	Wright	3,500
Fort Harrison	Tacoma	3,500

THE FOUNDATION CO.,
New York, December 4, 1918.

JOHN A. DONALD, Esq.,
Acting Chairman United States Shipping Board,
Washington, D. C.

DEAR SIR: On behalf of the Foundation Co. I respectfully ask permission of the Shipping Board to build steel ships in the yards of the French Government located at Portland, Oreg., and Tacoma, Wash.

I am sailing for France to-morrow and would like to be in a position on my arrival at Paris to negotiate with the French Government for the construction of a large program of steel ships in the United States.

I expect to meet strong English competition, but I feel confident that on account of greater speed in building we can bring this business to this country if we are given a permit to build the vessels here.

I respectfully urge that the matter be given immediate consideration by your board.

Yours, very truly,

(Signed) FRANKLIN REMINGTON,
President.

[Copy.]

UNITED STATES SHIPPING BOARD,
Washington, December 7, 1918.

FRANKLIN REMINGTON,
President the Foundation Co.,
Woolworth Building, New York, N. Y.

MY DEAR SIR: Receipt is acknowledged of your letter of December 4 requesting the permission of the Shipping Board to construct steel ships in the yards of the French Government located at Portland, Oreg., and Tacoma, Wash.

In reply, you are advised that at a meeting of the Shipping Board held yesterday a resolution was passed permitting the construction of steel ships in our yards for the account of private owners or corporations having their domicile in the United States, and therefore with United States registry when completed.

For certain reasons, which it is not possible for me to define at present, the construction of steel tonnage to be owned by foreign interests has for the time being been held up.

I am not in position to say when the restrictions on building for foreign registry will be rescinded, but should any change take place in the policy of the board you will be duly advised. Meantime the policy of permitting foreigners to construct wooden ships in this country is unrestricted.

Very truly, yours,

(Signed) JOHN A. DONALD,
Acting Chairman.

[Copy of telegram.]

JANUARY 31, 1918.

Mr. E. REMINGTON,
Room 525, New Willard Hotel, Washington, D. C.:

Piez turns down 30 schooners account of difficulty in getting timber and because corporation considers auxiliary schooners unsuited. Suggest you sound them on English steamer type.

THE FOUNDATION CO.

WASHINGTON, D. C., *February 7, 1918.*

UNITED STATES SHIPPING BOARD
EMERGENCY FLEET CORPORATION,
Washington, D. C.

(Attention of Mr. Carey, director of operations.)

GENTLEMEN: Complying with your request, I inclose herewith outline plans of the ships which we are building for the British and French Governments, and also information covering tonnage, cost, etc.

Should the Shipping Board desire it, we can build either type of vessel in large quantities. We are at present building 40 ships of the French type and expect to turn these out at the rate of one every four days, beginning next month. We have already launched one of the British type of vessels.

French ships: This ship is an auxiliary schooner 3,000 tons deadweight. She is equipped with twin screws, 700 horsepower engines, and will steam at the rate of 7 to 9 knots. Under steam and sail the speed will run as high as 12 knots, depending on the velocity of the wind. This ship carries only lower sail; has big hatches, and needs a crew of only 12 to 15 men to operate it. It is especially well adapted for the coastwise trade, the South American trade, the Australian trade, and for carrying bulk cargoes, such as coal, nitrates, etc. It is a practical ship, good for "after-the-war" conditions. It is a small coal consumer, which, at this time, is an important factor. The ship can be operated to advantage where the submarine danger does not exist and can be used to replace ships which are more desirable for the trans-Atlantic service. The ship can be built for $475,000, and we can build 30 of these vessels at the above price and deliver the full number of 30 boats within 21 months' time.

British ships: This ship is a straight steamer, 250 feet long, with a dead-weight capacity of 2,800 tons; speed 9½ to 10 knots, equipped with 1,000 horsepower engines. This vessel is designed by one of the best British architects, and is a very fine ship in every way. She is classified A-1 under Lloyd's. She has a heavy steel keelson running the length of the vessel. This ship is an all-around practical boat, and can be used to advantage in any part of the world not frequented by submarines. We can build a large number of these vessels if the Shipping Board desires them, at a cost of $550,000 each.

Lumber and labor conditions on the Pacific coast: I inclose herewith a letter written by the West Coast Lumber Emergency Bureau regarding the lumber conditions on the coast to-day. From this letter you will note that the cut of fir this year will be approximately 4,000,000,000 feet, of which about 15 per cent, or 600,000,000 feet, will be suitable for shipbuilding. The vessels I have described above each take about 125,000,000 feet of lumber. It will be seen therefore that the lumber output for this year should be sufficient to build about 500 ships. I call your attention also to the last paragraph in his letter, in which he states: "I believe we can furnish all the firm timber for all the wooden ships that our shipyards on the Pacific coast can produce and still have a large amount of big sizes left suitable for the shipbuilding on the Atlantic and Gulf coasts." This information checks up with our own investigation. The representative of the Shipping Board at Portland—Mr. Wentworth—if requested to do so, will certify that there is room at Portland, so far as lumber and labor is concerned, for 10 additional

ways, and that 30 ships can be built on these 10 ways without affecting existing construction.

We feel, therefore, that, by adding 10 ways to the amount of shipbuilding we are now doing in Portland, we can turn out 30 vessels for the Shipping Board, of either the French or British type, more rapidly than any other shipbuilders in the country can do, and we are positive that we can get the lumber and men for this work without upsetting in any way existing conditions.

Trusting that this gives you the information which you desire, we are

Very truly, yours,

THE FOUNDATION CO.,
By ——— ———, *President.*

—

THE FOUNDATION CO.,
New York, August 21, 1918.

Mr. M. D. FERRIS,
Manager Contract Division, Emergency Fleet Corporation, 120 North Broad Street, Philadelphia, Pa.

DEAR SIR: Referring to our conversation of yesterday regarding construction of wooden ships for the Emergency Fleet Corporation in yards operated by us for the French Government at Portland and Tacoma, beg to advise we have a complete 10-way yard at both Portland and Tacoma for turning out a complete ship, and we are now closing a contract with the French Government and completing the deliveries of 40 complete ships for them. We have idle ways at both yards at the present time

We have received word from the French commission that they desired to place additional boats in these yards, but they advise us they have received word from the Shipping Board that they will not be permitted to complete any further boats in this country, and they ask us what arrangements can be made for the disposal of the yards.

We propose to build for the Emergency Fleet Corporation 10 boats in each yard, making arrangements with the French Government for a yard rental or a depreciation charge for the use of the yard for this construction, and we would like to close contracts with the Fleet Corporation on a basis proportionate to that arranged for for barges in our Newark yard, as they will be operated under similar conditions and would occupy the yard at the same time with the French boats we are already constructing on a similar basis.

We would be pleased to discuss this matter with you in detail at an early date.

We have understood in conversation with Mr. Schwab that he desired what additional wooden boats the Fleet Corporation would build, to be built in the Northwest, and we believe we have two of the most complete and efficient yards in this territory, employing in the neighborhood of between 5,000 and 6,000 men.

Yours, very truly, THE FOUNDATION CO.

—

[Copy of telegram.]

AUGUST 28, 1918.

M. D. FERRIS,
Contract Division, United States Shipping Board, Emergency Fleet Corporation, Philadelphia, Pa.:

Can you give us any further news regarding contract with the Fleet Corporation for wooden ships in our Portland and Tacoma yards as per our proposal of August 24?

THE FOUNDATION CO.,
W. C. HEBARD.

—

[Copy.]

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
Philadelphia, Pa., September 4, 1918.

THE FOUNDATION CO.,
Woolworth Building, New York City.

GENTLEMEN: Receipt is acknowledged of your telegrams of August 28, relative to your proposal of August 21 to construct for the Shipping Board 10 vessels each in your Portland, Oreg., and Tacoma, Wash., yards upon ways erected and operated for the French Government.

In reply you are advised that our present program includes only a sufficient number of vessels of the type that you desire to construct to keep the ways busy in those yards which are now building for the corporation.

It is regretted, therefore, that we can not at this time consider the construction of vessels at the plants above named.

Yours, very truly,

HOWARD COONLEY,
Vice President.

—

[Copy of telegram.]

NEW YORK, *September 18, 1918.*

Mr. JOHN W. DOTY,
The Foundation Co., New Orleans, La.:

Hebard phones from Washington just had final conference with Schwab, with result nothing for the French. Tacoma must be closed up. Portland will be given work for the Fleet Corporation. Hebard writing you full particulars to San Francisco.

THE FOUNDATION CO.,
A. R. MURRAY.

—

THE FOUNDATION CO.,
New York, September 9, 1918.

Mr. CHARLES M. SCHWAB,
Director General United States Shipping Board, Emergency Fleet Corporation, Philadelphia, Pa.

DEAR SIR: We wish to call your attention to the 10-way shipyards at Portland and Tacoma owned by the French Government and operated by us. The French Government closed a contract with us for forty (40) wooden vessels in these yards, with an option of two lots of 40 more, and at the time of the expiration of their option with us they expressed a desire to exercise this option and build additional wooden vessels, but they were advised by Mr. Hurley that no more wooden vessels could be built in this country for France. Naturally our thought and the thought of the French Government was that the output of these yards was to be utilized by the United States Government, and with their consent we proposed to the Fleet Corporation to build boats in these yards for the United States Government.

We were informally advised by Mr. Ferris yesterday that it was not the policy of the United States Government to build any wooden vessels in these yards, but suggested to us that we secure contracts to build for private account.

If the policy of the Emergency Fleet Corporation now is to cut down on further wooden-ship construction, and the Fleet Corporation for this reason has no use for our Portland and Tacoma yards, can we not in this case be given permission to build ships for the French Government and in this way keep these two organizations going?

We understand from the French Government officials that they are in most urgent need of ships. We have established for them on the Pacific coast these two yards, which are among the most efficient wooden yards in this country.

We have launched to date 25 vessels and have delivered 17 finished ships to them. We have eight vacant ways at the present time, and are launching and delivering two vessels about every 10 days.

We have built up an efficient organization of some 6,000 men, experienced in the construction of wooden vessels, and the people at Portland and Tacoma have all given us their earnest support in the matter of accommodations, with the understanding and desire that this venture be made as permanent as possible, and the question of closing down of these yards, in the face of the fact that our allies are in such urgent need of additional tonnage, seems worthy of your earnest consideration.

We would respectfully ask, therefore, that we be permitted to build 20 wooden steamers of about 3,000 tons dead-weight capacity in each of these two yards for the Government of the Republic of France, and would be pleased to know what your views are on this matter.

Very truly, yours,

———, *President.*

VALIDATION OF WAR CONTRACTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. CHAMBERLAIN. Mr. President, at the time the Senate took a recess last evening there was pending before the Senate a proposed amendment to this bill offered by the junior Senator from Nevada [Mr. HENDERSON], and the Senator from Utah [Mr. SMOOT] had proposed an amendment to it, which was accepted by the Senator from Nevada. I am willing to accept, so far as I am able to do so, the proposed amendment and let it go to conference.

The PRESIDING OFFICER. Is there any objection?

Mr. WOLCOTT. Mr. President, before that amendment is adopted I desire to offer an amendment to the amendment offered by the Senator from Nevada.

On page 2 of the amendment offered by the Senator from Nevada, as printed, on line 7, I move to strike out all of the remaining portion of the paragraph, beginning with the word "the"—that is, I move to strike out the words "the production of which was requested or demanded by the War Industries Board, the Shipping Board, the Department of the Interior, or other agency of the Government"—and insert in lieu thereof the matter which I send to the desk.

The PRESIDING OFFICER. The Senator from Delaware offers an amendment to the amendment of the Senator from Nevada, which will be stated by the Secretary.

The SECRETARY. In the amendment offered by the junior Senator from Nevada it is proposed to strike out the words "the production of which was requested or demanded by the War Industries Board, the Shipping Board, the Department of the Interior, or other agency of the Government," and to insert in lieu thereof the following words:

the production of which by any claimant or claimants was requested or demanded by personal solicitation of or personal inducement to such claimant or claimants made by the War Industries Board, the Shipping Board, or the Department of the Interior.

Mr. HENDERSON. Mr. President, I realize the urgent necessity for early action on this bill by the Senate. I agree with the Senator from Oregon [Mr. CHAMBERLAIN] that the Senate should take quick action and get this bill passed and to conference. Therefore I am not going to delay the passage of the bill so that it may go to conference, and I will accept the amendment offered by the Senator from Delaware in order that we may get to conference with it.

Mr. LENROOT. Mr. President, in a matter of this importance, involving, as this amendment does, several millions of dollars, it does not seem to me that it should go through the Senate merely upon acceptance on the part of the Senator who offers the amendment. I should like to have the Senator who offers this amendment explain what his amendment accomplishes and how it changes the pending amendment.

Mr. WOLCOTT. Mr. President, I had not expected to make any remarks on the amendment offered after I learned that the Senator from Nevada was willing to accept the amendment. My opinion was that the amendment as introduced by the Senator from Nevada was entirely too broad in its scope. The thought occurred to me that under the language of the amendment as submitted by the Senator from Nevada certain cases could be compensated for which have no standing in law or equity entitling them to any compensation.

I will illustrate my thought by putting a case. Let us suppose that somebody embarked upon a plan of business expansion and laid out money, not as a result of any inducement

offered by any Government department or any Government agent but simply in response to some sort of general propaganda that was carried on by the Government in the form of publicity, advertisements urging people to produce and work and get busy to help win the war; and let us suppose that a person induced by that very indefinite solicitation embarked upon that program, as I say, of business expansion and lost by the operation. It occurs to me that that individual ought to receive no remedy under this bill. Therefore it seemed to me that the amendment as drawn was entirely too broad, and the amendment which I have offered to the amendment is designed to limit the remedies which might be availed of under the amendment offered by the Senator from Nevada.

I will say to the Senator that my purpose was not by any means to extend this remedy, but rather to restrict it, and I think the language that I have drawn to an extent undoubtedly does restrict it.

Mr. FRELINGHUYSEN. Mr. President, I shall not make any objection to the amendment of the Senator from Nevada; but I simply want to point out to the Senate that attaching to a bill an amendment of this character, which is not germane to the subject of the bill, is a practice which should be stopped. Matters of this character delay the progress of a bill, because they involve additional controversy in the conference committees.

Here is a bill which affects the business interests of the country to a far greater extent, I think, than the Senate realizes. For two months we have been considering this measure in committee. It is nearly three months since the armistice was signed. At that time the business interests of the country and the manufacturing interests of the country had to face a reduction in production and had to face the cancellation of orders, and for that period of time they have been awaiting the adjustment of the Government contracts. Now, the business man or manufacturer desirous of converting his factory or his house to the civilian trade can not do so while the payments for the large contracts he has made with the Government are in abeyance.

It is necessary, therefore, that this bill should be passed, in order that relief may be granted these business men and manufacturers in the country. Two billion dollars are involved in the bill. There are several billion more involved in contracts that are lawful contracts awaiting settlement. Let us assume it is $7,000,000,000 that must very soon be released to the manufacturers and business men in this country or else we will have an industrial panic, and it is imminent. I do not believe there is a Senator on this floor who is not directly interested in the bill who has not some manufacturer or business man in his State or community who is striving now to get a settlement with the Government for the goods he has sold to it or manufactured for it.

The Assistant Secretary of War told me this morning that the passage of this bill is imperative, because the failure to pass it will increase the idleness that now exists in the country. He said these manufacturers can not continue the employment of labor unless these contracts are settled.

I was also informed this morning that there is such a surplus of labor that 800,000 soldiers who have been discharged by the Army are roaming the streets seeking employment and can not find it. They have been in many of the cities assembled by the Bolsheviki, and through that sympathy they have been induced to form soldiers' societies to protest against the treatment of the Government in bringing them back here and discharging them and not providing employment for them. You can readily see that the most beneficent thing we can do for these men is to release these funds to the manufacturers of the country so that they may continue the employment of men who have been thrown out of employment by reason of the suspension of the activities of these manufacturing concerns. The situation is imminent. There is trouble ahead, and we will have been fiddling here while Rome was burning. I think there ought not to be one moment's delay in passing the bill. I feel that we should not put an amendment on the bill which is entirely foreign to the subject matter which is contained in it as a contract bill.

Mr. HENDERSON. Mr. President, I am not going to take up the time of the Senate to reply. The men who come within this amendment and will be granted relief are just as loyal and as patriotic and need the assistance just as badly as the contractors referred to by the Senator from New Jersey. I would not think of introducing this amendment and asking for its passage if I thought it would seriously interfere with the passage of the bill now before the Senate. But I do not believe it will. I am not going to take the time of the Senate, because I realize the urgency of quick action on the measure.

Mr. FRELINGHUYSEN. In this connection I am going to ask the chairman of the committee in charge of the bill whether he believes this amendment would delay the action of the conferees on the bill?

Mr. CHAMBERLAIN. I do not think so, Mr. President. If it does, of course if the Senator desires to make a point of order, that course is open to him. I want to agree with the Senator from Nevada in his statement that the men who are affected, while not numerous, will be just as seriously affected as the larger contractors of the Government. As a matter of fact a number of the governmental institutions which are mentioned in the amendment have asked men in the West to contract for manganese ore, for instance, and for chrome ore, and they have gone to a good deal of expense in undertaking to do so. They complied with all the demands the Government made upon them. I do not think it will interfere with the proceedings under the bill itself.

Mr. FRELINGHUYSEN. With that statement, I am perfectly willing to have the amendment agreed to.

The PRESIDING OFFICER (Mr. WALSH in the chair). The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FLETCHER. I should like to ask unanimous consent to correct what is plainly an error, as I think the RECORD will show. There ought to be a comma after the word "profit," on line 9, page 11. The Senator from Wisconsin [Mr. LENROOT] was the author of that amendment, and I believe he agrees to the correction. I ask unanimous consent, therefore, that that amendment, page 11, line 9, be corrected, so that there will be a comma after the word "profit." I am using the reprint of the bill. Then I ask that the words "so canceled," the last words in line 12, on page 11, which are unnecessary and somewhat ambiguous and confusing, be eliminated, so that the sentence would end with the word "order," in line 12.

Mr. CHAMBERLAIN. I have no objection to that amendment.

The PRESIDING OFFICER. Can the Senator refer to the original bill and not to the reprint?

Mr. FLETCHER. It does not appear in the original bill. It is an amendment. I am referring to the reprint which was laid on our tables this morning.

The PRESIDING OFFICER. The Chair inquires if the Senator refers to the last two words in section 2?

Mr. FLETCHER. Precisely. The words "so canceled" should be eliminated, and a comma should be inserted after the word "profit," in line 9.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so amended.

Mr. LENROOT. Mr. President, with reference to this same proviso, the reprint does not show a proviso I offered that was accepted by the Senator from Tennessee, reading as follows:

Provided further, That the foregoing proviso shall not apply to any contract executed in compliance with all statutory requirements.

I looked at the RECORD, and I think the Senate did adopt it, but I will reoffer the amendment to clear it up inasmuch as it does appear. It was accepted by the committee yesterday.

Mr. CHAMBERLAIN. May I ask if the Senator is offering that to the reprint or to the original?

Mr. LENROOT. To the reprint, on page 11.

The PRESIDING OFFICER. The Secretary will state it.

The SECRETARY. On page 11 of the reprint of the bill, after line 12, insert:

Provided further, That the foregoing proviso shall not apply to any contract executed in compliance with all statutory requirements.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LENROOT. I wish to call the attention of the chairman to what seems to me requires a verbal amendment on page 9 of the reprint, line 9. The word "to" should be inserted after the word "as" so as to read "as to the interpretation."

Mr. CHAMBERLAIN. I think that suggestion is proper, Mr. President.

The PRESIDING OFFICER. Without objection, that change will be made.

Mr. JONES of Washington. I wish to ask the chairman of the committee about the situation as developed in our State to see whether or not the bill covers it. I ask the chairman whether the bill would cover contracts made with the United States Spruce Production Corporation for the production of spruce in connection with airplanes?

Mr. CHAMBERLAIN. If there was an agency of the War Department——

Mr. JONES of Washington. I understand there was.

Mr. CHAMBERLAIN. I think the bill is broad enough to cover it. The Senator is referring to a telegram he received from the West this morning?

Mr. JONES of Washington. No; I did not receive any telegram this morning, but I received a letter the other day setting out that certain firms in our State were directed to get out spruce for the Army. I will read an extract from the letter of one of the attorneys who has been representing those people. He names the parties, and he says:

Each of these parties cut spruce logs to short noncommercial lengths upon written orders from Gen. Disque. The logs were ordered stored and not sold on the general market. In some instances the logs were removed by the Government. Shortly before the armistice was declared a general order was made releasing all such logs, so that the owner could sell in the general market. Owing, however, to the logs being of short length and the general market having been closed by Government orders for so long, the logs were not and are not merchantable except at a great loss.

Then he says further:

A large amount of spruce logs was cut to Government order in logging camps under the actual direction of the Government at wages fixed by the Government. When under these circumstances the owner is forbidden to sell in the general market, and the market is thus destroyed, I consider that there is a legal obligation, as well as a moral obligation, upon the Government to take the logs so cut.

Further he says:

The War Department has appointed a contract board, to whom claims based on contracts are to be presented. But this board takes a position that it has no authority to allow any claim where there is no written contract.

This letter was referred to the War Department by Representative JOHNSON of our State, and he received a reply from the War Department under date of January 28, 1919, signed by Paul D. Elgin, second lieutenant, A. S., A. P., in which he says:

In this connection please be advised that all spruce operations were under the auspices of the United States Spruce Production Corporation, which was formed for the purpose of getting out spruce in the Pacific Northwest. There has been organized by this corporation a regular contract board, the functions of which are to make decisions and awards in such cases. It therefore appears as though, should the decisions of this board not be satisfactory to claimants holding contracts, that these claimants would have recourse to the courts, as in the case of any corporation, and the United States Spruce Production Corporation has a separate entity from the United States Government.

In case of intangible claims it is believed that there is no authority of law to pay on same. However, it is the principle of the officers of the United States Spruce Production Corporation to submit a list of worthy claimants to whom it is believed the Government owes a moral obligation.

Your letter has been referred to the United States Spruce Production Corporation and no doubt will receive due consideration.

That second lieutenant seems to take the position that this United States Spruce Production Corporation is an entirely different entity, and I suppose that that is true, although it must have certainly been an agency of the War Department; and he takes the position that if its award or action is not satisfactory these people have a right to go to the Court of Claims. I understood that this bill was to cover situations like that. I really did not know that a corporation had been organized to get out spruce. I am satisfied that a great many people out there thought they were acting directly for the War Department. This writer says in the letter that a great deal of this work was done under the orders of a general officer—Gen. Disque—who was a general in the Army.

I want to be sure that the legislation proposed here would cover cases of that kind, and I desire the opinion of the chairman, because, of course, he has gone into the subject very carefully.

Mr. CHAMBERLAIN. Mr. President, I am inclined to believe that the bill is broad enough to cover it, but no man can guard any legislation against the decisions of the Comptroller of the Treasury. He might rule that such a claim as that did not come within the provisions of the bill. But assuming, as the Senator has said, that the corporation was formed under the law providing therefor, which was suggested by Mr. Ryan, former Assistant Secretary of War, while he was head of the aircraft production, I do not see anything in the bill which would preclude claimants from pursuing their remedies in the civil courts to establish a claim against the Government for the damages that they suffered; and if a claim were established against the corporation it would really be a claim against the Government, and it seems to me that there would be no court which would decline to order the payment. If the claimant preferred to pursue the remedy provided by the present bill, I think he could do so.

Mr. JONES of Washington. These people are needing the relief just as much as anybody else covered by the bill. If the other people are not sent to the Court of Claims and to the almost endless operations of the court, these spruce people ought not to be sent there.

Mr. CHAMBERLAIN. This corporation was simply an agency of the War Department, Mr. President.

Mr. JONES of Washington. I think so.

Mr. CHAMBERLAIN. It was duly organized; and taking that view of it, it seems to me these persons would come within the provisions of the bill where they had contracted with a governmental agency. And it was a governmental agency; it was established at the request of the War Department.

Mr. JONES of Washington. That is true.

Mr. LENROOT. Will the Senator yield?

Mr. JONES of Washington. Yes.

Mr. LENROOT. May I suggest to the Senator that if the corporation he speaks of is a separate entity, then there can be no question as to the invalid contracts that are taken care of by the bill? Their contracts with a corporation would not be subject to the statutory requirement, and the corporation would settle at once. If they are not a separate entity, then of course they do come under the provision of the bill as an agency of the War Department.

Mr. JONES of Washington. I want to call the Senator's attention to the statement contained here in the letter that these people furnished spruce logs at the direct request and under the orders of Gen. Disque, and that a board of award of this corporation is taking the position that they can not recognize any contract that is not a written contract.

Now, I do not want these people to be left out of the provisions of the bill if they are not covered by it because they were getting this spruce, of course, for the War Department, directed to do so by the Government of the United States. They were acting directly under the orders of the Army officials, although those Army officials may have been officials of a corporation that was organized under legislation passed by Congress.

Mr. LENROOT. May I ask the Senator whether Gen. Disque, in any of those orders, was acting as a member of the corporation or as a member of the War Department?

Mr. JONES of Washington. They dealt with him as Gen. Disque, of the War Department, but I presume that really he was an official not only of the War Department but of this corporation that was organized apparently within the War Department. I do not know very much about the organization of the corporation. I did not know that it had been organized until I saw the letter from this second lieutenant of the Army.

Mr. McKELLAR. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. McKELLAR. If the Senator will look at the first paragraph on page 4 and the first paragraph on page 5, he will see they are very similar and broad enough to cover the case he mentioned. On page 4 it reads:

That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation, or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority.

If this Spruce Corporation is an agent of the Secretary of War, and unquestionably it is, it comes directly within the provisions of the bill beyond the shadow of a doubt.

Mr. JONES of Washington. I wanted to get some expression like that from the members of the committee having the measure in charge. It seems to me that the language of the bill clearly covers this corporation.

Mr. McKELLAR. Absolutely.

Mr. JONES of Washington. As an agency of the War Department?

Mr. McKELLAR. Absolutely.

Mr. JONES of Washington. I hardly know how language could be made very much plainer, but I wanted to get some expression from members of the committee.

Mr. FLETCHER. There would seem to be no question about it, under the policy referred to by the Senator from Tennessee, because the very next clause reads:

Or with any agency of the Government authorized to procure for the War Department.

This was certainly an agency authorized to procure this spruce.

Mr. POMERENE. I wish to offer an amendment to section 4.

The PRESIDING OFFICER. Before we proceed with that the Chair announces that the amendment to section 2 as amended will without objection be agreed to.

Mr. POMERENE. May I have the attention of the chairman of the committee? In section 4, line 15, and I am referring to the reprint of this morning, after the word "construed," I move to insert:

To validate any agreement, contract, or order procured by fraud or.

The PRESIDING OFFICER. Without objection the amendment will be agreed to.

Mr. McKELLAR. After line 26, on page 14, I propose the following amendment:

And provided further, That the names of such contractors and the amounts of such partial or final settlement shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD or as a public document 10 days before the confirmation and payment is authorized by the board.

Mr. CHAMBERLAIN. Mr. President, it does not seem to me that it ought to be necessary to tie up these claims further by the publication of information which can be obtained at any time. I can not say too often and insist too strenuously that this measure is of very vital importance to the industrial and economic life of the country at this time. Here are $2,000,000,000 of capital that ought to be liquid which is absolutely tied up, and many of the industrial corporations that complied with the demands of the Government and came to the relief of the Government at a time when their assistance was needed are in practical bankruptcy now.

Mr. McKELLAR. In view of what the Senator says, if he will allow me to interrupt him, I will perfect the amendment by changing the last line. I will strike out all after the word "document" and add "within 10 days after such confirmation." That is not going to hold up anything at all.

Mr. President, this is a provision of the House bill, and its purpose is to provide for publicity as to these contracts. It is a very valuable provision and it ought to remain in the bill. I do not want to tie them up, and I have changed the language so as to prevent tying up payments at all. What it will do will be to furnish publicity, which after all is the greatest deterrent in the world against fraud and in the matter of deception on the Government.

Mr. CHAMBERLAIN. I still do not see the necessity of putting that amendment on the bill. The information which it is sought to give and the publicity which it is intended it shall give can be obtained at any time by a resolution of the House or Senate or by a concurrent resolution of the two Houses or upon the demand of any Senator or Member of the House, who can call upon the War Department every day or every week if he wants to know the progress of these adjustments. It simply ties up the payment of these claims.

Mr. McKELLAR. It does not.

Mr. CHAMBERLAIN. I take a little different view, possibly it is the wrong view, from the Senator from Tennessee. I believe there is still some honesty in the War Department and in the officials of the Government. I believe that the great mass of men are honest. I believe that this law will be administered honestly and I believe it will be administered efficiently under the stringent provisions of the bill as it has been so far agreed upon. I do hope the Senator will not undertake to further encumber the adjustment of these accounts, which it is absolutely necessary to settle as quickly as possible.

Mr. TOWNSEND. Will the Senator from Oregon yield for a question?

Mr. CHAMBERLAIN. Certainly.

Mr. TOWNSEND. I have not been able to be present at all the discussion or much of it on these two bills. I am as heartily in sympathy with an early adjustment as possible of these accounts as can be had. I know the necessity of it. I want to ask the Senator from Oregon if he can tell me in a few words the difference between the Hitchcock bill and the committee bill?

Mr. CHAMBERLAIN. The Senator from Nebraska [Mr. HITCHCOCK] is going to offer his amendment and he will point out the differences, I think, from his viewpoint, and I shall be glad to make a statement in reply.

Mr. TOWNSEND. Very well.

Mr. CHAMBERLAIN. I assume the Senator from Nebraska is going to do that now.

Mr. HITCHCOCK. That is my intention.

Mr. CHAMBERLAIN. I am sure the Senator from Michigan will have the differences pointed out.

Mr. TOWNSEND. That is very satisfactory.

Mr. FLETCHER. Mr. President, with reference to the pending amendment, I will say I am in accord with the Senator from Oregon. I wish the Senator from Tennessee could see his way clear to omit the amendment, because, as the Senator from Oregon has pointed out, it is information available to any Senator or available to Congress at any time. To provide in the law that the whole detailed statement, giving the names of all the contractors and the amounts of the partial or final settlements, shall be filed with the Clerk of the House and published for the information of Congress in the CONGRESSIONAL RECORD within a limited time, 10 days after the confirmation of the settlement, seems to me to be an unnecessary requirement.

I have no objection to the publicity idea, and I think perhaps all this information will either actually be called for, and it can be called for; but why put in a provision of that kind and impose upon the board and the machinery here organized for the adjustment of these claims all this work and require them to do it within a limited time after the confirmation of the settlement? I think it is unnecessary, and it will simply impose additional work and a lot of details that the situation does not call for.

I would be glad if the Senator from Tennessee would withdraw the amendment and let us vote on the bill. His amendment requires that within 10 days after the confirmation of any of the settlements or adjustments a detailed report must be made. Does not that hold up the entire work?

Mr. McKELLAR. The Senator did not read the amendment. It does not apply to that at all. It provides that they shall merely report within 10 days after the confirmation. I have changed the language of the House.

Mr. FLETCHER. I know that.

Mr. McKELLAR. I will wait until the Senator gets through.

Mr. FLETCHER. I understand the change the Senator made was not to strike out "ten days" but to strike out the word "before" and insert the word "after."

Mr. McKELLAR. No; it is very different; it strikes out the word "payment." The payment can be made just as it is under the bill. It does not interfere with payment at all, but merely gives the country and Congress information as to what is done.

Mr. FLETCHER. But it must be all furnished 10 days after confirmation.

Mr. McKELLAR. Absolutely. I take it the Senator would not believe that it would do any good if furnished 10 years after confirmation.

Mr. FLETCHER. Of course not, but it is to be furnished 10 days after the confirmation of such contracts. You can not make a settlement with A; you can not make a settlement with B; you can not close any transaction at all; you have got to wait until all the contracts are adjusted and then make the settlement.

Mr. McKELLAR. The Senator does not understand the amendment. It does not provide any such thing. Those words have been stricken out. I ask the Secretary to read the amendment, and I am sure the Senator will find that his objections to it are wholly without any ground.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the end of line 26, page 14, of the reprint, following the word "agreement" and before the period, insert:

And provided further, That the names of such contractors and the amount of such final or partial settlement shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD or in the Official Bulletin or as a public document within ten days after such confirmation.

Mr. FLETCHER. That means exactly what I said, that we have got to take the names of all the contractors and the names and amounts for such partial or final settlement, and all those must be filed with the Clerk of the House or otherwise be disposed of according to the amendment within 10 days after such confirmation. In other words, it seems to me that you can not close with one contractor or with two or three contractors, but you must wait until you are prepared to file this statement, and it must be done within 10 days after all the adjustments are made.

Mr. McKELLAR. Mr. President, I think the criticism of the Senator from Florida and the Senator from Oregon applies to the part that is stricken out of this amendment. This is a House provision, and it is reasonable to suppose that the House had some purpose in adopting it. It is a very wise amendment.

The Senator from Oregon says he still believes that there are some people who are honest. I do, too; but we are providing for those who may be dishonest, and there may be some. There have been some in the past. We are enacting this kind of a law every day. If all people were absolutely honest we would not need laws of this kind; we could just proceed without them.

This is a reasonable provision, and I will say to the Senator that it is a very necessary provision. It will take very little time to put in the names of the contractors, and the amounts that contractors have received at the hands of the Government, and have it published in the CONGRESSIONAL RECORD or in the Official Bulletin. I want to stop here long enough to say that I struck out the words "Official Bulletin," because I do not think that they ought to be there. I do not think that publicity would be sufficient, but it will be the simplest matter to comply with it. It puts no hardship on the contractor, and surely no contractor in the country is going to object to publicity as to the amount paid him.

I am standing by the contractor. I do not believe that any honest contractor in this country will for a moment object to having his name put in the RECORD with the amount that has been paid to him. I know they will not do it, and I am sur-

prised at Senators saying that it is a reflection upon the contractor. They should be delighted to have the amount published and their names published showing what they received. No honest contractor will object to it.

Mr. FLETCHER. May I ask the Senator if he means that adjustment and settlement be made with contractors, say one, two, three, four, or five, and then that communications be sent to Congress giving the lists of names, the amounts, and so forth?

Mr. McKELLAR. Of course, that is all it is.

Mr. FLETCHER. Then, that would mean that the department must be continually sending down lists of contractors with whom the department has settled?

Mr. McKELLAR. Of course; and that is what the departments are for.

Mr. FLETCHER. And that may either be published in the shape of a public document or in the CONGRESSIONAL RECORD?

Mr. McKELLAR. Certainly. I am sure when the Senator comes to think about it he will not object, and that no other Senator will object to a provision which is so manifestly right and proper when we realize how much money is going to be paid out upon these contracts.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Tennessee [Mr. McKELLAR]. [Putting the question.] The noes seem to have it.

Mr. McKELLAR. I ask for a division, Mr. President.

The PRESIDING OFFICER. A division is called for. Those in favor of the amendment will rise and stand until they are counted. [A pause.] Those opposed will rise. [A pause.] The amendment is lost.

Mr. McKELLAR. I ask for the yeas and nays, Mr. President.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. THOMAS (when his name was called). I transfer my general pair with the Senator from North Dakota [Mr. McCUMBER] to my colleague, the Senator from Colorado [Mr. SHAFROTH], and vote "nay."

Mr. WARREN (when his name was called). I ask if the junior Senator from North Carolina [Mr. OVERMAN] has voted?

The PRESIDING OFFICER. He has not.

Mr. WARREN. Then I withhold my vote, as I have a pair with that Senator.

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON]. I transfer that pair to the senior Senator from California [Mr. PHELAN], and vote. I vote "yea."

The roll call was concluded.

Mr. BRANDEGEE. I have a pair with the senior Senator from Tennessee [Mr. SHIELDS]. In his absence, I transfer that pair to the junior Senator from New Jersey [Mr. BAIRD], and vote. I vote "yea."

Mr. STERLING. I have a general pair with the Senator from South Carolina [Mr. SMITH], which I transfer to the Senator from Minnesota [Mr. NELSON], and vote. I vote "yea."

Mr. POLLOCK. I desire to announce the absence of the senior Senator from South Carolina [Mr. SMITH], who is detained on account of illness. I should like this announcement to stand for the day.

Mr. SHEPPARD. I desire to announce that the Senator from Nevada [Mr. PITTMAN], the Senator from Rhode Island [Mr. GERRY], the Senator from Kansas [Mr. THOMPSON], the Senator from Colorado [Mr. SHAFROTH], and the Senator from Georgia [Mr. SMITH] are detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 41, nays 12, as follows:

YEAS—41.

Ashurst	Curtis	Hale	King
Bankhead	Fernald	Hardwick	La Follette
Beckham	France	Henderson	Lenroot
Borah	Gay	Hitchcock	McKellar
Brandegee	Gore	Jones, N. Mex.	Martin, Ky.
Cummins	Gronna	Kellogg	New
Nugent	Smith, Ariz.	Townsend	Weeks
Page	Spencer	Trammell	Wolcott
Pollock	Sterling	Vardaman	
Pomerene	Sutherland	Wadsworth	
Sheppard	Swanson	Walsh	

NAYS—12

Calder	Frelinghuysen	Moses	Sherman
Chamberlain	Jones, Wash.	Penrose	Thomas
Fletcher	Kirby	Robinson	Williams

NOT VOTING—43.

Baird	Kendrick	Norris	Simmons
Colt	Kenyon	Overman	Smith, Ga.
Culberson	Knox	Owen	Smith, Md.
Dillingham	Lewis	Phelan	Smith, Mich.
Fall	Lodge	Pittman	Smith, S. C.
Gerry	McCumber	Poindexter	Smoot
Goff	McLean	Ransdell	Thompson
Harding	McNary	Reed	Underwood
Hollis	Martin, Va.	Saulsbury	Warren
Johnson, Cal.	Myers	Shafroth	Watson
Johnson, S. Dak.	Nelson	Shields	

So Mr. McKELLAR's amendment was agreed to.

Mr. SMITH of Arizona. Mr. President, I desire to make a parliamentary inquiry. I have been detained from the Senate on business and do not know whether or not the amendment to this bill proposed by the Senator from Nevada [Mr. HENDERSON] has been adopted.

The PRESIDING OFFICER. It has been adopted.

Mr. SMITH of Arizona. I offer to add, as an amendment at the end of that amendment as adopted, what I send to the desk.

The PRESIDING OFFICER. The amendment proposed by the Senator from Arizona will be stated.

The SECRETARY. At the end of the amendment submitted by Mr. HENDERSON it is proposed to add—

That the importation of Egyptian long-staple cotton into the United States is hereby prohibited for the term of six months from the date of the passage of this act.

Mr. SMITH of Arizona. Mr. President, we see in the adoption of the Henderson amendment, as I will call it, and the amendment which I have proposed, the ramifications of that injustice which has been done under the cry of necessity for instant preparation for the greatest war in the history of all time. I am not here complaining of any mistakes which have been made; I only wonder that more have not been made, when we stop to consider the enormous responsibilities which have been resting on the Government and on the country.

Take the question which my amendment is supposed to cover—and it is not a part of the Henderson amendment, but is a mere addition at the end of that amendment in the pending bill. The United States commandeered, as I understand, all the spindles that were used in the weaving or the spinning of long staple cotton. The growth of that commodity is limited to a small point in the State of South Carolina, I think; to the southern part of the State of California; and to a large part of the irrigable lands in Arizona. Agents of the Government from the different departments went to the people of Arizona who were raising this cotton and insisted that it was just as important to raise long staple cotton as it was to contribute to a liberty loan. They were told that they were standing there doing nothing while their boys were fighting for their country in Europe; that they could raise cotton there which it was necessary for the Government to have. That cotton has been proven to be the strongest-fibered cotton in the world; it is not of the highest grade in some particulars, but in fiber it is the strongest cotton in the world. Those people were told to put in every acre of that cotton they could; that the Government would need it for gas masks which were found to be superior to any other in the world; and that the Government would need it, especially on account of the strength of its fiber, in airplanes, in balloons, and in all of those aerial necessities which became so important as the war advanced.

Acting under that suggestion, the people of my particular locality—the people of Salt River Valley—almost quintupled, and certainly quadrupled, the planting of this variety of cotton. That was done under the influence of those who had come from the United States Government, putting the argument in the terms I have already stated, but, as I believe, in a much stronger way.

Now, the question arises as to the commandeering of the spindles which afforded the only market for this cotton. There was the persuasion of the agents of the United States to those people to put more and more—every available acre—of their land into this cotton for Government purposes, with the assurance—I can not say there was any absolute guarantee, but with the assurance—that they could not lose on it.

But the armistice came; the war stopped, and these people are now left with the cotton crop of two years on their hands, which was selling, before the Government commandeered these

spindles, at 70 cents a pound. Since then, with the cotton there, the cotton weavers have concluded that they will not pay 70 cents, or any other number of cents, per pound for the cotton. The result is that the owners of the cotton are subject to any reduction in price which the cotton spinners may now impose upon them.

This proposed inhibition of the importation of Egyptian cotton is not in any sense the imposition of a protective duty. It is the only way I can conceive whereby these cotton raisers can obtain redress from a condition which the persuasion of the agents of the Government brought upon them, which induced them to put all they had into cotton. However, it means bankruptcy if this remedial legislation is not adopted. They have been placed in their present position by an effort to help the Government in the hour of its need. I think there are some 35,000 bales, probably 70,000 bales, being imported from Egypt for the very purpose of enabling the spinners to take advantage of this condition and thus bankrupting these men; and yet the Government of the United States stands aside and permits the introduction of this competing cotton into the United States. This is evidently wrong. It seems to me that some obligation rests on the Government to protect these cotton growers from that calamity.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Idaho?

Mr. SMITH of Arizona. Yes.

Mr. BORAH. It seems to me that the Senator from Arizona makes out a pretty strong case, but would the Senator be willing to incorporate in his amendment a nonimportation clause for wool also?

Mr. GAY. And for sugar?

Mr. SMITH of Arizona. No, I would not, for I do not know that wool, according to the prices, has suffered any and I do not know that sugar has suffered any.

Mr. BORAH. But here is the situation with reference to wool: The Government took over the wool, has possession and control of it, and now is not only selling its wool at auction to the manufacturers but is permitting the importation of wool from other countries, which destroys entirely the wool market of the western woolgrower.

Mr. SMITH of Arizona. That may be very true; but there was no effort made by the United States Government to induce the growing of wool in one particular part of the country where only a certain peculiar kind of wool could be grown, a kind that could only be used for certain articles essential to the Government. The Senator's illustration is much too broad for him to attempt to apply it to the remedy that I am now seeking.

Mr. SMOOT. Mr. President, I know the Senator from Arizona wants to be correct in any statement that he makes. I desire to say to him that the Government of the United States bought every pound of wool that was produced in the United States during the year 1918, and it finds itself now with 400,000,000 pounds of wool on hand. The program at first was to throw the wool on the market and sell it for whatever it would bring, or, in other words, to salvage it. The woolgrower had been encouraged in every possible way to produce every pound of mutton and every pound of wool that he could produce, without guaranty as to prices. So far as last year's clip was concerned, the prices paid were satisfactory under conditions existing, although if they had been allowed to sell at the world's market prices they would have received much more than they did.

Mr. SMITH of Ariozna. Now, will the Senator permit me right there to ask him what relation that bears to the matter I am discussing? Why, in the argument that I am attempting to make for the relief of suffering people, should there be injected the question of wool or of wheat? Whatever was done with them has been done. The wool has been bought under guaranty, and it is held under guaranty, which applies to the whole production of the United States. There was not a separate distinct quality of wool that the Government had to have in order to carry on the war itself, as was the case with the long-staple cotton to which I have referred.

Mr. SMOOT. Mr. President, the Government did not only have to have one grade of wool, but it had to have every grade of wool.

Mr. SMITH of Arizona. I understand that; and that wool was grown everywhere.

Mr. SMOOT. That makes no difference where the wool was grown.

Mr. SMITH of Arizona. If it does not, the Senator and I can not see an argument when it faces us.

Mr. SMOOT. The Senator asked me what relation the wool had to the cotton. This is the relation: They are both used for the manufacture of cloth——

Mr. SMITH of Arizona. Long-staple wool and short-staple wool are grown in every State of the Union. They have no relation at all to the particular kind of cotton to which I am referring, grown nowhere in the world except in Egypt and in certain small areas in the United States, and an absolute essential to the Government.

Mr. SMOOT. Mr. President, long-staple wool is not essential in war any more than the short-staple wool; in fact——

Mr. SMITH of Arizona. I know that, and neither one of those commodities has anything to do with this case. They are both like the "flowers that bloom in the spring."

Mr. SMOOT. If they have nothing to do with the case, I do not see why there should be any legislation to affect any of them.

Mr. SMITH of Arizona. I am not asking for any legislation in regard to short-staple wool, or any of the other matters of which the Senator speaks.

Mr. SMOOT. I am speaking of short-staple cotton and long-staple cotton.

Mr. SMITH of Arizona. My amendment has not a thing to do with short-staple cotton. I would not have a word to say if it was the short-staple cotton that was affected.

Mr. SMOOT. No; I presume not; but I can not see a particle of difference between cotton and wool.

Mr. SMITH of Arizona. Well, I can; and that is the difference between us.

Mr. SMOOT. The Government owns 400,000,000 pounds of wool, and they are going to sell it in competition with the woolgrower the coming year. The domestic production of long-staple cotton, what little there is of it raised in the United States, will only answer the demand of America to a limited extent; whereas the 400,000,000 pounds of wool on hand will be about all domestic wool that will be consumed within the coming year.

Mr. SMITH of Arizona. How does the Senator know what the Government proposes to do with the wool?

Mr. SMOOT. I know, because the sales have been advertised, and some of them have already taken place.

Mr. SMITH of Arizona. Well, then, I presume the wool which the Government bought at a good high price has been sold at a good high price, for I have not seen any very serious decline in that market.

Mr. SMOOT. It is not a question of what the Government owns now; it is a question of what effect the prices obtained at forced sales of wool will have upon the wool that is yet to be grown and clipped this year.

Mr. SMITH of Arizona. I understand that; but I am not talking about wool, which, I repeat to the Senator, can be grown and sold in every State of the Union and imported from practically every country on earth. I am talking about a specific commodity, the production of which is confined to a limited number of acres and which the Government has simply set aside for its own use.

Mr. FLETCHER. Mr. President, may I ask the Senator if it is not a fact that the price fixed for wool was with the consent of the woolgrowers?

Mr. SMITH of Arizona. Unquestionably.

Mr. FLETCHER. And under agreement with the woolgrowers?

Mr. SMITH of Arizona. Unquestionably.

Mr. SMOOT. I wish to say, in answer to the Senator, that if the Government had not controlled the price of wool, wool would have advanced to a dollar a pound.

Mr. FLETCHER. I am not questioning that; but I am saying that an agreement between the woolgrowers and the Government was reached as to the price. That is how it was adjusted.

Mr. SMITH of Arizona. I thank the Senator for his suggestion.

Mr. FLETCHER. I wish to say further, as the Senator from Utah speaks about the domestic production of long-staple cotton being only sufficient to supply in a limited way the demands of the country, that, as a matter of fact, the sea-island cotton growers, the long-staple cotton growers, have last year's crop largely on hand and this year's crop in the warehouse. The demand for cotton here is not equal to the supply; there is produced in this country more than the country needs, and to some extent it is exported; but not only is the home market for our home product taken away from us by the importation of Egyptian cotton but the price is reduced to a point where the grower can not produce it. That is the situation with

reference to long-staple cotton. When we were short in tonnage, when the world was crying and begging for ships, the ships were used to bring in 90,000 bales of Egyptian cotton, 750 pounds to the bale, last year, to take the market away from the long-staple cotton growers in our country. That is the fact about it.

Mr. SMOOT. Mr. President, in answer to the Senator from Florida——

Mr. SMITH of Arizona. I have the floor, Mr. President, and I decline to wait until this debate is ended.

Mr. SMOOT. Will the Senator yield to me to answer one of the statements made by the Senator from Florida?

Mr. SMITH of Arizona. Yes; I will yield to the Senator once more.

Mr. SMOOT. Mr. President, I simply wish to say, in answer to the Senator from Florida, that so far as the wool growers of this country are concerned, they were asked to send representatives here and agree upon a price with the Government. No objection was voiced on the floor of the Senate to the Government compelling in a way the wool producers to accept the price put upon wool, but when the question of putting a price upon cotton was raised in this country there was an objection from every cotton State in the Union.

Mr. SMITH of Arizona. What has that to do with this argument? The Senator insists on putting all the objections and criticisms he can possibly find into my contention for an absolutely just and equitable provision.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Wyoming?

Mr. SMITH of Arizona. I yield.

Mr. WARREN. Mr. President, without regard to the cotton end of this colloquy, I wish to say that the RECORD should show a correct statement about wool. The Senator from Florida is mistaken in supposing that the Government entered into an agreement with the wool men that was satisfactory to them. The Government insisted that the woolgrowers should handle their wool in a certain way, but did not make any price. The Government insisted that the most it would do would be to act with the dealers, that there would have to be licenses for them to sell any wool; that growers could ship the wool to the commission men, and that the Government would then examine the wool, grade it, and pay whatever the price was supposed to be on the 30th day of the previous June, which was 10 to 25 per cent less than the market was on the day that this proposition was made.

Mr. SMITH of Arizona. Now, Mr. President——

Mr. WARREN. If the Senator will let me finish——

Mr. SMITH of Arizona. But I care nothing about the wool situation.

Mr. WARREN. Mr. President, I presume the Senator does not.

Mr. SMITH of Arizona. Well, we raise as much wool in my section of the country as is raised in the Senator's section.

Mr. WARREN. I wish that were true, but it is slightly incorrect. I shall finish my remarks unless the Senator requests me not to do so.

Now, so far so good. The wool of last year went to the Government, the cessation of the war prevented the use of the larger share of it, and the Government was overstocked.

The Senator states that there was no encouragement offered the woolgrowers to increase sheep and wool. On the contrary, the Agricultural Department of the Government has been urging repeatedly and insistently, month after month for more than two years, that there should be more sheep and wool grown; the matter has been advertised, and inducements and enticements have been given for men to raise more and more.

I have not said anything about cotton, and I am not going to do so; that stands by itself; but I want the RECORD to show the wool situation correctly. The wool men have been in exactly the same condition as are the long-staple cotton growers, so far as being encouraged to grow a great crop is concerned. That crop is now a surplus, and is not only being sold to-day at auction but it is understood—in fact, the Government has stated positively—that it will be sold from time to time at a rate as nearly as possible like that which wool brings in foreign countries.

Mr. SMITH of Arizona. Mr. President, I hope there is no man with better temper or with more patience than myself, but I give warning now that I will not be interrupted by any other woolgrower nor anyone else who seeks to apply to wool the argument that I am attempting to make. Everybody in the two Houses of Congress knows the history of wool for the last 60 years, and everyone knows, coming to politics, that as soon as the miserable prohibitory tariff was taken off of wool that commodity went up. That is going to settle the wool argument so far as I am concerned.

Mr. President, let me get back to my argument. The growers of long-staple cotton, to whom I have referred, acting under the impetus given by the Government and under the implied promise of the Government, exerted themselves to produce this cotton. It was at the time selling for 70 cents a pound, and to-day in the open market it is worth 70 cents a pound; but the gentlemen who do the spinning, relying on an importation from Egypt through England, are disposed to wait until they can supply themselves with the cheaper Egyptian cotton, after the farmers in the Salt River Valley and those in southern California spent as much as $5 a day for a man to pick cotton, and an inexperienced picker at that, on land that would pay them $200 an acre for hay alone. They responded to the plea made to them, quadrupled the planting of cotton, and now, following the armistice, they find themselves left without a market, with two years' cotton on their hands, and with the prospect of being absolutely ruined by the importation of Eyptian cotton through England.

My amendment only goes to the question of stopping that importation for six months, to squeeze the gentlemen who are trying to beat these men down to a price that they will pay, the legitimate price, for that sort of cotton in the industries that they are now conducting. That can be done by stopping the importation for six months, and then they will come and give the usual price for this cotton. If you do not do it, they will stand and absolutely be smothered by the Egyptian-raised cotton imported into the United States, I should like to say to my friend the Senator from Utah, imported without any duty on earth, and that against men paying $5 a day for labor to pick it alone.

I ask that that importation be prohibited for six months. A limited portion of South Carolina, probably one of the other Southern States, and every one of the western-southern growers of cotton, as I said, quadrupled the amount of their land devoted to it for the purpose of meeting the Government's demand; and when the armistice is declared they get notice that the Government does not want it and will not take it! I am simply asking that that importation be stopped until these men have a chance at the market; and these gentlemen will sell their woven long-staple goods at just as high a price with the Egyptian product as they will sell them with the Arizona product paid the legitimate 70 cents a pound.

So, Mr. President, it seems to me that if we are adjusting the rights of people we should look a little to those in my country, who have gone away beyond every demand of this Government in every liberty loan, who have gone away beyond every demand of the Red Cross, who have gone beyond every demand of any people asking money for the purpose of protecting our wounded or caring for our sick on the battle fields of Europe. I am asking for this measure of relief for those induced by the Government to plant this cotton, and then ruined by the Government through the importation of English cotton.

My friends, it seems to me that no stronger appeal could be made under any sort of case than is made by these people, who, under what they call the hottest sun in the world, are striving every day of their lives to convert the desert into habitable homes. And now, when they have contributed liberally to every relief the Government ever asked, and have made an oversubscription, and a large oversubscription, to liberty bonds—I think probably exceeding, taking it county by county, any State in the Union—when we come to the staple product of all those men, who contributed largely, many of them borrowing the money on their cotton crops, to buy great amounts of Government bonds, they are to be told: "Your market is to be killed, your money to be taken from you, that the Egyptian cotton grower or the American spinner may use your disaster to his own advantage."

Mr. SMITH of Georgia. Mr. President, I wish the Senate to understand distinctly the difference between long-staple cotton and cotton as it is ordinarily termed.

The amendment of the Senator from Arizona applies to long-staple cotton. It is as different from the ordinary lint cotton, the great southern crop, as wool is different from long-staple cotton. It is raised largely in southern California, in Arizona, somewhat upon the coast of South Carolina, a small amount—probably 20,000 bales—in the coast counties of Georgia, and some in Florida. The total production of long-staple cotton in the United States amounts, I think, to about 200,000 or 250,000 bales.

Mr. SMOOT. I do not think it is quite that much.

Mr. SMITH of Georgia. Probably about 200,000 bales; and this amendment does not apply to the great cotton crop of over 11,000,000 bales. This amendment proposing to protect long-staple cotton comes from the Senator from Arizona. It does not

come from the southern cotton growers, seeking protection for their crop. But I want to mention to you a few facts about long-staple cotton, and the just complaint that the people of Arizona and southern California and other long-staple cotton growers have with reference to it as compared with other cotton.

Ninety thousand bales of Egyptian long-staple cotton, 750 pounds to the bale, have been admitted to the United States by the War Trade Board this year already. They admitted freely Egyptian long-staple cotton, while they were refusing licenses and restricting licenses for the exportation of our great short-staple crop. The War Trade Board, as late as the latter part of November, was rationing even Spain in its consumption of cotton, limiting exportation to 35,000 bales a month and requiring the shipper, before he could obtain a license to export, to show the name of the manufacturer to whom he had sold the cotton and to further show that the manufacturer was not receiving more than his pro rata of the amount that was being rationed to Spain.

Mr. HITCHCOCK. Mr. President, does not the Senator think he should say, on behalf of the judgment of the War Trade Board, that the enormous demand was for cargo space going to Europe for export, and it was difficult to find any space in export cargo but a comparatively easy matter to find space in ships coming to the United States?

Mr. SMITH of Georgia. If there was not cargo space going to Europe, why did they restrict the licensing of cotton going abroad? If we could not get the cargo space to go to Spain, why refuse to permit our cotton growers and our cotton merchants licenses to export if they could get the space? I do not think the Senator from Nebraska is right about it. I think it was a deliberate purpose to restrict shipments of short-staple cotton.

Mr. HITCHCOCK. The Senator does not deny that our exports are enormously in excess of our imports, and have been for the last three or four years, and that it has been a much harder matter to find cargo space for export purposes than cargo space for import purposes?

Mr. SMITH of Georgia. That was undoubtedly true before the armistice, but not since; but when the cotton merchant found his space and had his ship there was no reason why he should not have been given a license to ship his cargo; and my complaint is that when cotton merchants had the ships and were prepared to export, the War Trade Board restricted the trade and suppressed exportation without just cause, to the damage of one-fourth of the country at least and, indirectly, to the damage of the entire country, because the exported cotton sold abroad at liberal prices would help make our international balances and bring back gold to enrich and give vitality and life to all the industries of the country.

I do not know that this amendment would help much the people of Arizona now, because 90,000 bales of 750 pounds each of long-staple cotton have already been brought in; but the rationing of Spain in November to 35,000 bales a month, and requiring the party shipping to show a manufacturer as purchaser before a license would be issued, and that the manufacturer only had his pro rata portion, was utterly indefensible. Why?

The excuse was given that they were afraid Spain would accumulate a large amount of lint cotton and, after the blockade was raised and the war was over, sell it to Germany. Well, why should they not do so? If the blockade was raised and the war was over, and, according to the agreements settling the peace terms, Germany or Austria was entitled to buy cotton, if Spain wanted to buy it in the meantime and accumulate it, why should she not do it?

The trouble is that whenever you suppress an exportation of an American product by regulation, while you may injure an enemy abroad or you may interfere with somebody's foreign trade, you certainly strike a blow at your American producer as well. I view this subject from the standpoint of American interests. I view the right to do an export trade, not in the interest of the foreign country that buys but in the interest of the American exporter who sells; and, again, when we buy from a foreign country we buy because we believe the product will help our own country; and, again, if our citizens desire to buy I view it from the standpoint of the interest of the American citizen who desires the product, and if the product is needed here you injure our country by hindering importation.

The Senator from Utah said that the suggestion of fixing a price on cotton raised objection from all over the country. I wish he would mention the exact time to which he refers. Does the Senator refer to the proposed price-fixing by the War Trade Board last fall?

Mr. SMOOT. I do.

Mr. SMITH of Georgia. I wish to reply, then, briefly.

Mr. SMOOT. The Senator does not deny the fact that there was a discussion as to the fixing of a price?

Mr. SMITH of Georgia. Undoubtedly there was; and I wish to make a few remarks on that subject.

Mr. SMOOT. And the Senator objected, and I had no objection to his objecting.

Mr. SMITH of Georgia. I wish to make just a few remarks upon that subject. I wish to show that it was right to object and protest against the proposed price fixing referred to by the Senator from Utah.

The War Trade Board had as much right to fix a price on cotton last fall as the man in the moon had, and no more, and it had no more power to maintain the price if fixed.

Mr. SMOOT. And they had just the same right to fix it on cotton as they had on wool.

Mr. SMITH of Georgia. The relation was entirely different. They had no right to fix the price on wool.

Mr. SMOOT. That is what I say.

Mr. SMITH of Georgia. They did not. They agreed with the woolgrower as to what the Government would pay for the wool that the Government bought. They did not fix the price on wool except in that way.

Mr. SMOOT. Why, Mr. President, they demanded that they buy every pound of wool produced in the United States; and not only that, but no one was allowed to buy a pound of wool unless he was licensed by the Federal Trade Board, nor could he sell a pound.

Mr. SMITH of Georgia. Was there any act of Congress authorizing such a procedure?

Mr. SMOOT. Oh, I have not said that they were authorized.

Mr. SMITH of Georgia. They had no more right to prevent you from selling where you pleased than I have, as a private citizen, if no act of Congress controlled the subject.

Mr. SMOOT. But they did say to every dealer and to every person in the United States, "You can not buy a pound of wool unless you hold a license for it, nor can you sell a pound of it unless you are granted a license."

Mr. SMITH of Georgia. The Government traded with the woolgrowers and agreed on a price.

Mr. WARREN. Mr. President, I know the Senator wants to be right.

Mr. SMITH of Georgia. I do.

Mr. WARREN. That is not quite correct.

Mr. SMITH of Georgia. What was the price they agreed on?

Mr. WARREN. No price whatever was agreed upon, except that, as the Senator said a moment ago, they first said that unless the United States Government's proposition was accepted by the wool men they would provide that nothing could be done in the wool business except under license. That was the first proposition. The second proposition was that if the woolgrowers could find ways to raise the money by shipping their wool through commission houses the Government would then grade that wool, or have it graded, and have it appraised, and would pay then, as near as could be on each grade determined, the rate of the year before on the 30th of June. The wool men, after a few days' consideration, said that although there was no law for it, they understood the power of the Government to destroy the market; and while they felt that it was too low, they were willing to accept it if the Government would protect the market until it became normal again, which the Government, of course, has not yet done. They discovered a willingness on the part of the War Industries Board to support the market for another year by asking Congress to continue the powers of the War Board through the year to enable them to do it, which I believe was finally considered unconstitutional, and it has fallen to the ground, and wool with it; and the wool will have to go on to the market for whatever it will bring.

Mr. SMITH of Georgia. What I am really interested in doing just at this time is protesting against any authority placed in the Government anywhere to take any private citizen's goods at an arbitrary price. I deny that the Government can legally do it, or that Congress can give them the right to do it.

Mr. WARREN. The Senator is right about that; but under the circumstances, with the war on, they could during active war indirectly accomplish exactly what they sought to do; and the growers of wool, as patriotic as the cotton growers and as all other people in the country, simply accepted the situation.

Mr. SMITH of Georgia. I regret to have an impression go over this country that we live under a Constitution that allows Congress or the administration to take the property of a private citizen at an arbitrary price. It "riles" me to have the suggestion made.

Mr. WARREN. I want to agree with the Senator just as emphatically as he has stated the matter, but I think the Senator will remember that we sang very low and whispered rather

than shouted and did pretty much as we were commanded to do during the stress of war, and I do not know that we regret it.

Mr. SMITH of Georgia. Yes; and it is a marvelous record of patriotism by the people of this country—their willingness or their readiness, without complaint, to submit to things that I do not think ought to have been done in many instances.

Mr. WARREN. High and low, without regard to parties, vocations, or circumstances.

Mr. SMITH of Georgia. But I just did not wish to let the opportunity pass without expressing my protest against the view that the Government can arbitrarily take any man's property by a price fixed either through Congress or through the President.

Mr. WARREN. I agree with the Senator.

Mr. SMITH of Georgia. It may be valuable in the future to have it known that no such power is vested in our Government.

I wish to say that one of the most remarkable occurrences of this character happened with regard to linters in connection with cotton. Linters were selling at about 6 or 7 cents a pound. Linters are the small fibers scraped at the cotton-oil mill from cotton seed, left on the seed by the cotton gin. The gin takes off the spinnable cotton; and this substance, called linter, is a very small, fine fiber that is not removed by the gin and can not be spun.

Mr. SMITH of Arizona. Just a fuzz on the seed.

Mr. SMITH of Georgia. They were selling for about 6½ or 7 cents a pound when the Government determined, with the war inaugurated, that the Government needed linters to make munitions. The Government went further. It determined that it wanted more linters than the seed normally scraped would produce, and desired part of the hull scraped off, adding a sharp fiber, which made the linters more valuable for munition purposes, and the oil men put in machinery for the purpose. They agreed first with the War Industries Board on a price of 4.62 cents per pound, substantially less than the market price. They at once put in the machinery preparatory to producing these additional linters, and they made a sort of a contract for the sale of their linters. After the armistice came about it was really an amusing thing to see the kind of contracts they had made. A little organization had made the contract for all of it for the Government. They had no contract with the Government that was worth anything, and the little concern that had made it could not have financed any of it; and yet these splendid business men just absolutely took anything they were told to take and did anything they were called upon to do, and the explanation of it was, "We did not consider our rights. We were told by our Government that something was needed of us, and we proposed to carry it through"; and I have no doubt the wool men were moved in very much the same way.

Mr. WARREN. It was all "the war." Everything in the last two years up to the time of the armistice has been "the war." The swing of the small whip, the words "it is for the war," have been all that was necessary to carry through almost anything, no matter how absurd or expensive, and have it become the law of the land for the time being.

Mr. SMITH of Georgia. Now, I have come down to the remark of the Senator from Utah [Mr. SMOOT], to which I wish to refer and which I desire to distinguish from all these other conditions.

The wool was needed by the Government, and the wool men gave it up for whatever the Government called on them to give it up for. The cotton linters were needed by the Government, and the oil men and the cotton men gave it up, under contracts that were worth little, after expending large sums of money to fit their oil mills to handle it, and I approved their patriotic course; but when the proposition was made for the War Industries Board to raid the ordinary lint cotton the Government was not using a bale of it. The Government did not want a bale of it. The Government never has taken a bale of it. The Government had bought its supplies of cotton manufactured goods by contract from cotton manufacturers. They bought the cotton. The entire Government consumption would not amount to 10 per cent of the cotton crop. The Government consumption, I am informed, would not amount to 10 per cent of the lint cotton raised in our country. Now, when they proposed for the War Industries Board to fix the price of lint cotton the Government did not intend to buy it and stabilize the price. It did not offer to. It did not have any need for it. There was no act of Congress authorizing the Government to underwrite the price, and I want the Senator from Utah to follow my distinction.

It occupied an entirely different situation from the linters. The Government wanted none of it. It did not intend to buy a bale of it. It had no authority to underwrite the price of a bale. It was in the market for none of it; and for the War Industries Board to undertake to fix a price upon a commodity which the Government did not need nor wish to use, which the Government was not authorized to buy, and which, if the Government fixed a price upon it, it had no authority to maintain, was arbitrary and indefensible. I said at the time that the Government could not fix a price on cotton that anybody was obliged to take or that anybody was obliged to pay. The Government itself needed none of it and was not going to buy any of it, so the Government was not in the market to maintain the price at all; and the whole suggestion and the whole movement was inexcusable. I knew that if they fixed a price nobody would be obliged to sell at it and nobody would be obliged to pay it.

As to the linters, the situation was entirely different. The Government needed them, and I helped induce and advised those producing linters to do whatever the Government wanted and let the Government have them; but the lint cotton proper occupied an entirely different situation, and therefore I did without hesitation say that the suggestion was preposterous. If the Government had wanted 10,000,000 or 6,000,000 bales of the cotton, then the situation would have been entirely different.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from Georgia yield to the Senator from Massachusetts?

Mr. SMITH of Georgia. I yield to the Senator.

Mr. WEEKS. I am not sure that I see the connection between the proposition which is pending and this bill; but I want to ask the Senator from Georgia, who knows so well about the cotton situation, if we import any long-staple cotton from any other locality than Egypt?

Mr. SMITH of Georgia. I think not.

Mr. WEEKS. The reason why I am led to ask that question is that we have a rather serious trade complication pending now relative to action taken by Great Britain prohibiting the importation of shoes into Great Britain. That was taken as a war measure, I understand. The United States in the past has sold very considerable quantities of shoes to Great Britain. At least half a dozen of the large manufacturers have maintained stores there, some of them several stores, and they feel materially the effects of this prohibition. If we prohibited the import of long-staple cotton, does the Senator believe that it would have any effect on this prohibition of the importation of shoes into Great Britain?

Mr. SMITH of Georgia. I think that the brightest traders in the world live on British Isles, and they will always take care of themselves; and if they have something that they wish to sell you that you will not buy unless they give you a chance to sell to their people what you wish to sell, I think they could undoubtedly be reached by action of that character.

Mr. WEEKS. Mr. President, I presume this may sound a little like a foolish question; but I presume the Senator would object to a prohibition of the exportation of our cotton to Great Britain for 30 days, or thereabouts, until some arrangement was made about the shoe question?

Mr. SMITH of Georgia. I certainly would, because that would do a great injustice to our people.

Mr. WEEKS. But the Senator does think that if we prohibited the importation of long-staple cotton it might have some influence in adjusting the other question?

Mr. SMITH of Georgia. I think the suspension of the exportation of short-staple cotton would have a tremendous influence upon it.

Mr. WEEKS. I suppose it would.

Mr. SMITH of Georgia. I think that to suspend the shipment of foodstuffs to Great Britain would have even a controlling effect. I think we are in a position absolutely to make Great Britain treat us fairly in all matters of trade if we have the nerve and force to do it. I would think it improper to pick one product of the United States, to the exclusion of all others; but if it were deemed advisable to say that no American products should go to Great Britain until she admitted our shoes and other products fairly, I would be willing for cotton to take its place among all the others and bear its part of the burden. I would not be willing for it to be singled out to be deprived of a market unless we followed the same course as to other commodities.

Mr. KING. Will the Senator yield?

Mr. SMITH of Georgia. Yes.

Mr. KING. I have listened to a portion of the argument of the Senator from Georgia.

Mr. SMITH of Georgia. No; I have not been making an argument.

Mr. KING. I think the Senator has been making a very persuasive one. It has been so persuasive and so eloquent

that I am inclined to think that perhaps other products ought not to be overlooked, and I suggest to him the advisability of including in the amendment the words "potash, manganese, and pyrites," because those products are in substantially the same situation as the products for which the Senator has been contending. I ask the Senator if he will consent that those words be added to the amendment, after the word "potash"?

Mr. SMITH of Georgia. This is not my amendment. It is the amendment of the Senator from Arizona. I have not been speaking in behalf of the amendment. I have been speaking really as the result of a remark made by the Senator from Utah [Mr. SMOOT] that the suggestion of putting a price on cotton raised great objection from all over the country. I wanted to take this opportunity of drawing a distinction between the status of cotton and many other commodities which the Government handled, and to justify the position which I took last September, when the President and the War Trade Board broke the price of cotton to the injury of the South of $500,000,000. Cotton was selling at 38 cents a pound when they undertook to interfere with it. They announced that they were going to fix the price or stabilize it or regulate the sale of it or create a single purchasing agent who should buy for our allies and all purchasing supplies in our country, thereby eliminating all competition among purchasers in the United States, and thereby forgetting that the Sherman Antitrust Act was ever passed. When that was done they broke the price of cotton. They broke the market and drove it down to a loss on the crop of over $500,000,000.

Then, finally, when they announced at the end of about six weeks that they had nothing to do with it, that they had no power to fix the price, no power to maintain a price, no money with which to buy any of it, no desire to buy any of it, the War Trade Board stepped in and was restricting the issue of licenses and checking the export of cotton.

I condemned, then, the talk of price fixing for cotton, because, really, they had no power to do it. I knew they would not buy it. I knew the Government did not buy it. I knew the Government had no money to buy it with, and it could not make anybody use it, and could not make anybody buy it, and that the suggested manipulation of the crop would break the market down, as it did. I was not discussing the merits of the amendment of the Senator from Arizona. I have pointed out the unauthorized interference with cotton, to the damage of the cotton grower and our entire country.

Mr. BORAH. I understand the Senator from Arizona is willing to include wool.

Mr. SMITH of Arizona. No; I have told three or four Senators that I am not. I should like to have a vote on the amendment. I expect in the heat of debate, as we often do, I may have referred somewhat roughly to the fact that I would not be interrupted any more in this particular argument by the question of wool. If I have any number of friends anywhere in the world it is among the woolgrowers of Arizona. If I have political friends anywhere in the world, even my attitude on free wool never broke them down in their kindness to me. So no accidental or unthoughted remark of mine in debate could be construed by the Senator from Wyoming, with whom I have been acquainted in public life for over 30 years, or my friend from Utah, who knows my kindliness toward him, to be any lack of appreciation of my friends. I publicly express my apology, if such is necessary, and disclaim any intent of ever having alluded in any but the kindliest and the pleasantest terms to either of the friends I have mentioned.

Mr. SMOOT and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. CHAMBERLAIN. Mr. President, while this discussion is intensely interesting, I do hope we may be able to get a vote on the bill to-night so that it may go to conference. Therefore I ask that we may have a vote on this amendment.

Mr. SMOOT. Mr. President, I did have the intention of referring to some statements that have been made here to-day, but I do not think any good would come from a discussion of the merits of the protection of the wool interests and the long-staple cotton growers of the country. We know that both of them find themselves in a rather precarious situation. I do not know what is going to happen to the woolgrowers of this country in the coming year. Nobody can tell; nor can I say what is going to happen to the long-staple cotton growers of the country; nor, Mr. President, can I say what is going to happen to the general business of the country. I have taken a little of the time of the Senate in the past to call attention to facts and to express the opinion that it will not be long before there will be a great deal of suffering not only among the growers of wool and cotton but among the laborers of the country as well. Conditions are such that it could hardly be otherwise.

So whatever has been said here to-day I know that the Senator from Arizona will not claim that it has been said in any spirit of criticism. The statement made by the Senator from Arizona in relation to long-staple cotton embraced facts that I am fully aware of. I know what an important crop it is. I have bought hundreds and hundreds of bales of it and used it in the manufacture of what we term tricot longs, sold in this country from one end to the other.

I think the Senator from Arizona perhaps will remember that upon this floor I have stated time and time again that a thousand times rather would I as a manufacturer use long-staple cotton than the mungo and shoddy that is used so much by manufacturers of woolen goods in the United States, and not only in the United States but in all the world.

So, Mr. President, when the amendment was offered I immediately thought, as I stated, of the condition of the woolgrower. I immediately thought of our potash producers in the State of Utah. I immediately thought of the manganese miners of the country, who by the Government were pleaded with and almost commanded to open their properties and who borrowed money and erected plants to produce it because it was wanted so badly by the Government for carrying on the war.

Mr. President, I know men who have not only put every cent they have on earth in the plant, but they have borrowed every cent they could from their friends and put up everything in the way of security they had for the loans they had to make. I wish to say that those same men had scarcely produced the first carload of manganese ore before the armistice was signed, and they were closed down.

Mr. SMITH of Georgia. I know three men in my State who put up $200,000 that they had of their own and borrowed $500,000, and now unless the Government accepts it as a burden upon all the people they will lose it.

Mr. SMOOT. That is only one case out of hundreds.

Mr. SMITH of Georgia. They did it at the earnest request of the Government for immediate action, stating that the legislation was going to be passed and that they must not wait until the legislation which authorized the contract was passed.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Idaho?

Mr. SMOOT. I do.

Mr. BORAH. The wool situation and the long-staple cotton situation, of course, are both very serious. I think, aside from all humorous remarks, we all concede that to be the case. But could it not all be remedied by appropriating $100,000,000 and purchasing the wool upon hand and keep the people of Europe from freezing to death? It seems to me that while it is yet difficult to get through a nonimportation clause we would not have any difficulty in passing an appropriation bill to buy the wool and the long-staple cotton, and why not buy the manganese and potash? There is no bottom to the Treasury.

Mr. SMITH of Georgia. Does the Senator think the destitute of Europe require it?

Mr. SMOOT. I suppose the Senator asks that as a general question.

Mr. BORAH. I ask it as a general question, and I ask it as a serious question, because the precedent in that respect has been established.

Mr. SMOOT. I think there is quite a difference between buying food—for a person has to have food or starve to death—and giving a man a new suit of clothes where he has an old suit to keep him warm.

Mr. BORAH. Suppose he has no suit at all?

Mr. SMOOT. Then I think the country in which he lives should take care of him and clothe him.

Mr. BORAH. It is not only a question of humanity, but a question of decency.

Mr. SMOOT. I know exactly how the Senator from Idaho feels in relation to the $100,000,000 appropriation, and I want to say, as I said the other day, that I sympathize with him a great deal in what he said.

Mr. BORAH. I am trying now to invoke the precedent. I want the benefit of the combined wisdom of 53 votes. I am perfectly willing to surrender my judgment and have the precedent carried to its lawful conclusion and take care of the wool men, because they will be ruined, there is no doubt about it, and to take care of the cotton men, and to take care of the potash men. There is one way to do it, and that is to appropriate money and buy the product.

Mr. CUMMINS. I desire to suggest that the Senator from Utah ought to include the hog men as well. They may suffer because the price of hogs may go down presently.

Mr. SMOOT. They will not suffer in the price of hogs, at least for the month of February, because I notice in the morning press that the price will be 17½ cents for the month of February.

Mr. CUMMINS. They will want it after February.

Mr. SMOOT. Oh, yes; but I say there is quite a difference between financial ruin and death. I would a thousand times rather lose every dollar I have on earth than to lose my life. I take it for granted that the $100,000,000 that was appropriated was for the purpose of saving lives. Nobody will lose his life if the Government does not appropriate for the purchase of wool and nobody will lose his life if we do not purchase the manganese or the potash. That is the difference.

Now, I ask the Senator from Arizona if he wants a separate vote on his amendment without putting potash and manganese and pyrites and wool upon it?

Mr. SMITH of Arizona. I should very much prefer a vote on my amendment, because I believe——

Mr. SMOOT. I am perfectly willing, as far as I am concerned, to have the Senate vote on the amendment. Then if the Senate agrees to it, I wish to say to the Senator I shall reserve the right to offer an amendment to the amendment, because that certainly can not hurt, and the whole question then will be in conference.

Mr. SMITH of Arizona. I appreciate that.

Mr. BORAH. I do not think it is a fair way to treat long-staple cotton, to compel it to make this fight single handed and alone. We ought to give it what support we can, and therefore it ought not to be permitted to die in isolation and without assistance from those who are in like condition. I wish the Senator from Utah would put in wool.

Mr. SMOOT. I reserve the right to put it in if the amendment of the Senator from Arizona is agreed to. If the Senate adopts the principle of it, then I want, of course, to offer my amendment; but I think it is fair to the Senator from Arizona to comply with his request.

Mr. SMITH of Arizona. I simply request a separate vote on my amendment. I appreciate the humorous efforts of my distinguished friend from Idaho [Mr. BORAH]. He does not seem to treat it with the seriousness he displays when advocating other matters. When it comes to the question of bringing men to ruin by reason of the action of the Government itself he treats it humorously. And this is not a prospective ruin, it is a present ruin. If anything bad happens to wool I shall regret it as much as any Senator on the floor. If anything bad should happen to many industries of the country I should regret it as much as any Senator on the floor. I am only asking for that article which relates to my part of the country. I am pleading for those who have been induced to go into bankruptcy, pledging their money on the hope of selling their cotton, investing it in bonds, and they stand to-day under the hammer of the sheriff if we do not prevent the importation of English cotton here, with the heartlessness of the cotton manufacturers using this English importation as a means of breaking them and at the same time England prohibiting the importation of American shoes.

I hope the Senate will give me a vote on the amendment separately, and I sincerely contend that for those whose hopes stand in the balance now it is a question of salvation from absolute ruin. I should like the sense of the Senate on the necessity of the amendment.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Arizona.

Mr. SHERMAN. Mr. President, may I inquire from the Senator who offered the amendment whether he will accept this amendment to the amendment:

Nor shall any Indian corn be imported into the United States during that period.

Mr. SMITH of Arizona. Is that suggestion made in humor or in earnest?

Mr. SHERMAN. No; I am in earnest.

Mr. SMITH of Arizona. I did not know.

Mr. SHERMAN. I never jest in this body.

Mr. SMITH of Arizona. The Senator makes some very humorous suggestions sometimes.

Mr. SHERMAN. The trouble is with the interpretation the audience puts upon the suggestions. I am a little ahead of the procession sometimes.

Mr. SMITH of Arizona. I thought we were the greatest exporters of corn in the world. I speak to the Senator in all seriousness. In view of the immediate effect of the amendment, in which I am deeply interested, I ask him as a favor to me to let us have a vote on the amendment independently. Then if the Senator thinks his amendment is of sufficient importance he can offer it.

Mr. LEWIS rose.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. SHERMAN. I have not yielded the floor, but I will yield to my colleague if he desires.

Mr. LEWIS. No, Mr. President, I rose to address the Senate upon the bill for a moment or two. I do not wish to interrupt the Senator. I prefer to yield to the request of the Senator from Arizona for a vote before I take the floor.

Mr. SMITH of Arizona. I hope we will have a vote.

Mr. SHERMAN. Mr. President——

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. SHERMAN. Yes, sir.

Mr. CHAMBERLAIN. This bill is of such very great importance that I shall ask the Senate to remain in session this evening until a vote is had upon it if Senators will stay and help it through.

Mr. SHERMAN. Mr. President, I shall not take much time, I will say to the Senator from Oregon. I am in dead earnest about my amendment, notwithstanding what my friend from Arizona may think.

Corn is now coming through the Atlantic coast ports from Argentina. Those imports have broken the price of corn. Farmers in the northern Mississippi Valley have loaded up, under the request of the Government, on both stock hogs and hogs now almost ready to go into the market, into which are fed high-priced corn. The farmer last year put out a large acreage of corn. A good deal of his surplus corn is in the crib yet, especially in the case of the farmer who is raising a large quantity of it. About the time he begins to think of marketing his hogs the price is broken upon all the primary markets of the country because of the Argentine importation. I think it would be fair to stop some of the other agricultural importations in order to protect him and make it rather a symmetrical system all around.

No doubt I will surprise the Senator from Arizona by saying to him that I am going to vote for his amendment. I believe in the particular application but not in quite so intense a form. In the summer of 1913, if you will refer to the CONGRESSIONAL RECORD, I proposed on the tariff bill then pending to protect the long-fiber cotton of the United States and said it ought to be done. Since the English engineers built the dam at the second cataract in the Nile they have doubled the entire arable tract of the Nile Valley. There was only a limited area there from the time of the Pharaohs down to the present, because it was natural irrigation. This artificial addition to the cotton land has doubled the area, and not all but the greater part of the long-fiber cotton, outside of the areas named by the Senator from Georgia, come from this one competitive district. England is merely a port of transshipment.

Long-fiber cotton, as every one in the cotton trade or every cotton spinner knows, is used in the higher forms of cotton manufacture. Laces and the higher forms of ladies' lingerie of all kinds, requiring a particular form of cotton, draw on this supply. The importation of 90,000 bales, at an average of 750 pounds to a bale, is a very serious blow to the long-fiber cotton industries of this country.

I said in the summer of 1913 that I believe in protecting this form of cotton. As to the short fiber, the upland cotton, you can compete with the world; you fear nothing from any competitor; but on this particular kind of cotton I believe in the principle. It was rejected at that time, but merely because it was unseasonable. I have not changed my adherence to the principle.

I intend to vote for the amendment offered by the Senator from Arizona, particularly. The protection is a little high. Absolute prohibition is not quite my idea of a tariff schedule. But it is temporary, and I hope by an application of the intensive form of a remedy a more diluted form will permeate the earth and will afterwards percolate its way into the majority in this Chamber.

Mr. THOMAS. Let the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the end of the amendment offered by the junior Senator from Nevada [Mr. HENDERSON] insert:

That the importation of Egyptian long-staple cotton into the United States is hereby prohibited for the term of six months from the date of the passage of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. TOWNSEND. Let us have a yea-and-nay vote on the proposition.

The yeas and nays were ordered.

Mr. THOMAS. Mr. President, as there is to be a yea-and-nay vote upon this amendment I wish to say a word before the

vote is taken. I did not intend to speak upon the bill because I realize how vastly important its early passage is.

The purpose of the bill is to meet a great emergency, arising from the sudden termination of hostilities and of contracts for munitions and other supplies needed for the proper prosecution of the war. That emergency is a great one. It affects thousands of contracts and hundreds of millions of dollars. The Committee on Military Affairs held hearings and received a great deal of information from different parts of the country as to the character of these contracts and the imminence of the necessity for taking some care of them. Among other things we were informed that unless this measure or some similar one should be enacted into law by or before the 1st day of February a great many institutions would have to shut down, resulting in throwing to idleness literally hundreds of thousands of employees, particularly in great manufacturing centers like Cleveland, Detroit, Pittsburgh, and similar places throughout the country on the Atlantic seaboard.

Mr. President, this bill should not be encumbered, however great the necessity, however meritorious the condition, with so many of these extraneous matters. They not only take up an immense amount of time for their consideration but in the event they become component parts of the bill they will make the administration of the bill so much more cumbrous and dilatory.

Moreover, Mr. President, I do not believe in converting a bill of this kind into a protective-tariff measure. I conceive that there is abundant ground for the Government taking care of certain producers in the country who not only at the invitation but almost at the command of the Government invested a great deal of money in the effort to produce and for the purpose of producing things which before the war we obtained from other countries and which are not at present available but absolutely indispensable.

They ought to be taken care of, but to load this bill down with all these subjects is going to postpone its enactment. It is going to make its administration extremely difficult. The very emergency which we are now seeking to avoid will be upon us before we know it unless we forget these other matters and devote ourselves to the enactment of the bill practically as it was reported from the committee.

So, Mr. President, I hope that these conditions will be borne in mind when the vote is taken upon the pending and similar amendments. I do not know what the condition of long-staple cotton is, nor the condition of wools, nor the condition of some other commodities which may need and probably do need the immediate attention of Congress, but let us take those things in their order. Let us get rid of this exigency as soon as possible and then proceed with the business of the Senate.

The PRESIDING OFFICER. The Secretary will call the roll on agreeing to the amendment of the Senator from Arizona.

The Secretary proceeded to call the roll.

Mr. KING (when his name was called). I have a general pair with the junior Senator from Tennessee [Mr. MCKELLAR]. Not knowing how he would vote on this question, I withhold my vote.

Mr. MARTIN of Kentucky (when his name was called). I have a general pair with the junior Senator from New Hampshire [Mr. MOSES]. Not knowing how he would vote on this question if present, I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my pair with the Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. UNDERWOOD (when his name was called). I desire to inquire whether the junior Senator from Ohio [Mr. HARDING] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. UNDERWOOD. I have a general pair with the junior Senator from Ohio, and not knowing how he would vote if present, I withhold my vote.

Mr. WOLCOTT (when his name was called). I transfer my pair with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from Virginia [Mr. MARTIN] and vote "nay."

The roll call was concluded.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Rhode Island [Mr. COLT] with the Senator from Delaware [Mr. SAULSBURY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Ohio [Mr. HARDING] with the Senator from Alabama [Mr. UNDERWOOD];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS].

Mr. OVERMAN. I notice the absence of my pair, the senior Senator from Wyoming [Mr. WARREN]. I have a general pair with that Senator and therefore withhold my vote.

Mr. KELLOGG (after having voted in the negative). I have a general pair with the senior Senator from North Carolina [Mr. SIMMONS]. I transfer that pair to my colleague [Mr. NELSON] and will let my vote stand.

Mr. MYERS (after having voted in the negative). Has the Senator from Connecticut [Mr. MCLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with that Senator, but I transfer it to the Senator from California [Mr. PHELAN] and will let my vote stand.

Mr. STERLING. I have a pair with the Senator from South Carolina [Mr. SMITH]. Not knowing how that Senator would vote if present, I withhold my vote.

Mr. WILLIAMS. I have a standing pair with the senior Senator from Pennsylvania [Mr. PENROSE]. I understand he has not voted.

The PRESIDING OFFICER. He has not.

Mr. WILLIAMS. I transfer that pair to the Senator from Oklahoma [Mr. GORE] and vote "nay."

The result was announced—yeas 10, nays 42, as follows:

YEAS—10.

Ashurst	Johnson, Cal.	McNary	Trammell
Bankhead	Jones, N. Mex.	Sherman	
Fletcher	Lewis	Smith, Ariz.	

NAYS—42.

Beckham	Henderson	Nugent	Swanson
Borah	Hitchcock	Pittman	Thomas
Chamberlain	Jones, Wash.	Poindexter	Thompson
Cummins	Kellogg	Pollock	Townsend
Curtis	Kenyon	Pomerene	Wadsworth
Fernald	Kirby	Ransdell	Walsh
France	Knox	Robinson	Weeks
Frelinghuysen	La Follette	Shafroth	Williams
Gay	Lenroot	Sheppard	Wolcott
Hale	Myers	Smoot	
Hardwick	New	Sutherland	

NOT VOTING—44.

Baird	Harding	Moses	Simmons
Brandegee	Hollis	Nelson	Smith, Ga.
Calder	Johnson, S. Dak.	Norris	Smith, Md.
Colt	Kendrick	Overman	Smith, Mich.
Culberson	King	Owen	Smith, S. C.
Dillingham	Lodge	Page	Spencer
Fall	McCumber	Penrose	Sterling
Gerry	McKellar	Phelan	Underwood
Goff	McLean	Reed	Vardaman
Gore	Martin, Ky.	Saulsbury	Warren
Gronna	Martin, Va.	Shields	Watson

So the amendment of Mr. SMITH of Arizona was rejected.

Mr. LEWIS. Mr. President, I beg the Senate to indulge me for, I trust, not any length of time, to express the hope that this measure may receive immediate and earnest consideration from the Senate. Let me not mask the fact that the constituency of my eminent colleague [Mr. SHERMAN] and myself, representing the State of Illinois, and particularly the city of Chicago, is largely interested in what would be the outcome of this measure, and naturally I am interested in seeing it pass, but, Mr. President, I am interested to see it pass for another reason.

It has been shown by the Senator from Colorado [Mr. THOMAS], in an observation here a moment past, that there is a threat that thousands of men, indeed hundreds of thousands, would likely be thrown out of employment if this measure should fail to remedy wrongs which those who are interested feel that it will remedy.

Mr. THOMAS rose.

Mr. LEWIS. I yield to the Senator.

Mr. THOMAS. I said not a "threat," but an "apprehension."

Mr. LEWIS. I accept the substitute, that there is a fear, an apprehension, that such will be the result. For that reason, Mr. President, I naturally agree with the Senator that we should take any steps that could avoid it.

But, Mr. President, at this particular juncture, if the chairman of the committee will allow me a moment to refer to a subject cogent with this measure, it is this: I wish to deprecate the tendency which we gather here and there from expressions from the Senate as well as from other parts of the country that we are on the eve of some great industrial depression. I wish to oppose my view against that alarm. I wish to stand against Congress converting itself into the "Reds" against industry.

Mr. President, this measure has been made necessary because it seeks to remedy a wrong. It is not being brought forward merely to give employment to men. It is brought forward to prevent losses. There has been a general cry going out from different quarters of the country that we are likely to have a great industrial depression. You are frightening the toilers of the country into the belief that they are to be hungry; there are those who circulate, in their sincerity, the impression that there are to be bread lines. The eminent secretary of the Federation of Labor, a kindly hearted, sincere-souled gentleman, made such a statement before committees of Congress. It was flashed all over the world. You have struck terror by these statements into the minds of millions of toilers of this land, and created the belief that they are soon to be out of employment and walk the streets. They can not see ahead of them the developments of to-morrow. They simply stand affrighted and riven to the spot in the terror of a threatened hunger.

We have made the business man feel that there is bankruptcy that impends over him like a cloud. We have caused the commercial and the industrial man to feel that, for reasons of our own, from some knowledge we have of our international policy or of some domestic course we are about to take, we are conscious that he is to be driven into a distress of commercial depression that may mean his whole business loss.

Mr. President, nothing has been afflicted upon public life that is so startling, so wrong, and so unjustified as are these declarations. I invoke the eminent Members of this body to reflection, and it is to the thought that in the next 10 years this land of ours will have the greatest prosperity in all forms of industry and pursuit that it has ever enjoyed in any decade of its history. Why? Because, if Senators will reflect, and those who have sent out these alarms of danger will but contemplate a moment, here is central Europe like a burned habitation; it still smolders in its ruins, and it has got to be supplied. We are the richest Nation in the world. We are the only people with the money, the only people so situated by our opportunities as to be able to supply them. We have the resources of men; we have the money; we have the toilers; and, Mr. President, we have the genius.

Mr. President, not only will we supply central Europe but Britain and France will likewise be dependent upon us.

You need only move a step further yonder in the Orient, and by the newly knitted relations between Japan and China the doors of a more liberal trade will be now open to us, which before has been denied. That land, also, these manufacturers will supply, giving great demands for new toil. Sir, millions of men will be called into action. Sir, there is South America. Let the thoughtful man feel and reflect that heretofore Germany has had that trade, and that now, because of our contiguity and our relation to those countries, this trade must come to the United States.

Mr. President, it must be plain, therefore, that we are to be the supply house of the earth. Here in our own land I make bold to speak of what is a clear policy of our own just ahead. With the Government taking charge of the railroads, if it shall continue that policy, millions and millions of dollars' worth of new construction must be had; new improvements must be undertaken; millions of men upon railroad development alone must be called. As to the telegraph and the telephone, the same thing is to be repeated.

Mr. President, it is evident that in mechanics, in science, in shipbuilding, particularly, there will be still more hundreds of thousands to be engaged and employed.

Then, sir, let us reflect, let us contemplate, and let us cease this cry of distress. Let there be no more proclaiming of havoc to our country when it must be apparent to all that in supplying all of these demands we will be the country to which all having these desires must take their resort and refuge.

Sir, with the passage of the bill that repairs the wrongs to these manufacturers, coupled with the things that will transpire in the immediate future, let our people be patient and remember that all we are doing is transferring the world from a war status to a peace status; from war industries over to peace industries. In the meantime there is a little confusion; in the meantime there may here and there some distress. There are, of course, complications, but that there is any impending commercial disaster upon our country for the days to come none but a thoughtless man will assert, and that we are to have the greatest era of prosperity and success for our country, for our workingmen, our toilers, our business men, and our captains of industry, so called, every reflecting man must concede.

Therefore, Mr. President, for the passage of this measure I invoke the Senate that we cease sounding alarms and call the attention of our country to the truth around us; that the present policies of this Government promise a prosperity in the next decade unequaled in any of the past. What we should do before the country and the world is to invite them to the truth and to proclaim "all is well."

I trust the measure may have a speedy passage.

Mr. KENYON. Mr. President, may I ask the Senator from Illinois a question? I intended to do so before he concluded.

Mr. LEWIS. I yield to the Senator from Iowa.

Mr. KENYON. I am greatly interested in what the Senator from Illinois has said and I am in accord with his idea that we are to see the greatest prosperity in this country that perhaps we have ever experienced. We have the historic assurance of such fact in the events in our country after the Civil War. But I wish to get the Senator's viewpoint. That prosperity is to come, undoubtedly, in the course of several months or possibly a year; at any rate it is not far away. Now, does the Senator mean that during this transition period we must have nothing to say, nothing to do, and nothing to propose here about the question of unemployment? I have been concerned about that, perhaps needlessly. We have had hearings before the Committee on Education and Labor. The Assistant Secretary of Labor this morning and statisticians from the Labor Department appeared before us, showing that whereas on December 10—I think the report was of that date—there were about 10,000 unemployed men in the country, a week ago to-day there were 212,000, and the reports for to-day, not all in, show that there will be more this week.

We will have to pass through the transition period; men will be out of employment; and I have thought Congress ought to do something in the way of a commission of public works, which I have proposed, to carry on the delayed public works in this country, the Government in cooperation with the States, in communities where there is a labor surplus, and purely as a remedy, you might say an insurance policy, against unemployment. Does the Senator feel that in urging those things we are disturbing the conditions in the country?

Mr. LEWIS. Mr. President, if the Senator has concluded his inquiry, let me make my position clear to him. In the first place, I quite approve of the continuance of public works, particularly when necessary for the public benefit. What I was seeking to explain and what I am very anxious to have the Senate quite appreciate is that however much during the transition period there may be necessity to provide for the temporary distress to which I have alluded we should have it understood that it is but a temporary stage; that Congress does not believe that such will be the general condition for the indefinite future, but that it only arises because this period of transition in transferring from the mechanisms necessary for war to those which will be necessary for peace uses. In the meantime I accept anything that can legitimately be undertaken to continue workmen in employment; but I would that the suggestions were given to us so soon as possible by men such as the able Senator from Iowa now addressing me, who must know, being familiar with the history of his country, that these conditions are but temporary and that the immediate future is filled with the promise of complete prosperity to the toiler, the business man, and the country at large. I am only anxious that we shall not by making these provisions for temporary necessities leave the impression that anyone here is suffering from the fear or indulging the terror that bankruptcy, or distress, or general devastation is to be visited upon our country.

Mr. KENYON. Mr. President, I do not think anyone indulges in that, but I do think there is need of action along the lines I have indicated to meet the temporary situation until we come to the era of prosperity.

Mr. LEWIS. I assume, if I may be pardoned—and then I will yield the floor—that the Senator caught my observation, that should the Government continue the policy which I have advocated of taking control of the railroads, the telegraph and telephone lines, and the building of ships, in these there should be extension and enlargement of the undertakings that would give employment to all idle workmen.

Mr. WEEKS. Mr. President, it is not a gracious position to interpose comment adverse to the picture which has been held before the Senate by the Senator from Illinois [Mr. LEWIS]; yet I am in very considerable doubt about the correctness of his view. I am not going to take the time now to discuss the question in any great detail, because I hope this bill may be considered and passed this afternoon; but I want to call his attention to the fact that the situation in this country and in the world now is quite different from what it was after the Civil War. A comparison of the two periods can not be easily made. For four years previous to the Civil War we had had unusual depression in the United States; we had been going through a

panic. We were just recovering from that condition and the business of the country was ready to go ahead when the Civil War came on. Then we were a developing country short of labor, and there was every incentive for good times for a period after the war. Conditions to-day are quite different, in my opinion, and unless business men take cognizance of world conditions to-day and prepare to meet them they are living in a fool's paradise, and I do not think it is wise to induce anyone to conduct his business under those conditions.

Mr. HITCHCOCK. Mr. President, I should like to inquire whether the committee bill has now been perfected?

Mr. CHAMBERLAIN. I do not understand that there are any other amendments to be offered except the amendment of the Senator from Nebraska.

The PRESIDING OFFICER. The Chair will state that there are no amendments pending.

Mr. HITCHCOCK. Mr. President, my amendment is in the nature of an amendment to the House bill; and after it is adopted, if it shall be adopted, a vote will then come as between the committee substitute for the House bill and my substitute for the House bill. I have therefore waited until the Senate committee substitute could be fully perfected. I shall therefore ask, Mr. President, for the reading of my proposed substitute, for I think it has not been read.

The PRESIDING OFFICER. The Secretary will read the amendment offered by the Senator from Nebraska.

The SECRETARY. In line 3, page 1, after the word "That," it is proposed to strike out all down to and including line 24, on page 3, and insert:

Where during the present war and prior to November 12, 1918, officers or agents acting under authority of the Secretary of War have placed orders or made contracts with manufacturers or contractors for war supplies or materials, or for the performance of work thereon, or for the construction or enlargement of plants or other preparation necessary to furnish supplies or materials for the War Department, the procurement of which has heretofore been authorized by Congress, and any of said orders or contracts has been partly or wholly performed, or expense has been incurred by the manufacturer or contractor prior to the 12th day of November, 1918, in preparation or partial execution of said contract or order, the fact that any such contract or order or agreement has not been made in the form or signed in the manner required by law shall not invalidate the same if it was entered into in good faith and lacked only the sanction of a contract in legal form. Nothing herein provided, however, shall be held to validate any contract, order, or agreement given or made by an officer or agent of the War Department not legally qualified or authorized to give a formal legal contract, except where such officer has acted as the representative of a superior officer authorized to make such contract, nor to permit an officer to make such contract with any company, corporation, or firm in which he has, or had at the time, directly or indirectly, any interest.

SEC. 2. That in all cases as above included it shall be lawful to make payments under the terms of the contracts or orders so made or given to the extent that performance thereof has been made, expenditures incurred, or supplies thereunder have heretofore been received and accepted by the United States, provided that payment in such cases shall not exceed the fair value of the supplies or materials delivered to and accepted by the United States, together with remuneration for expenditure properly incurred in preparing to perform said contract, orders, or agreements.

SEC. 3. That in case of the cancellation, suspension, or annulment of any contract, order, or agreement as described in this act by the Secretary of War, or officers or agents acting by his authority, and in cases where no property or supplies have been delivered to and accepted by the United States, or where only partial delivery and acceptance has been made, contractors shall file with the Secretary of War within 60 days after the passage of this act any claim for remuneration arising out of the discontinuance, cancellation, or suspension of such contract, agreement, or order, properly itemized and set forth. Each claim shall thereupon, or as soon as possible, be transmitted to and filed with the commission hereinafter provided for, together with a statement attached thereto showing the amount, if any, which the War Department deems to be justly due to said claimant. If the claimant shall file a statement offering to accept the amount awarded by the War Department in full for said claim, the commission shall, within 10 days, order the same paid in the absence of evidence that it is excessive.

SEC. 4. That for the adjustment of all claims arising out of the cancellation of contracts, orders, and agreements for supplies or materials of war, as described in the foregoing paragraphs of this act, there is hereby created an adjustment commission to be composed of three members to be appointed by the President and confirmed by the Senate, one representing the War Department, one representing the Department of Justice, and one representing the business interests of the country, none of whom shall be interested in any contracts with the Government or have an interest in any firm or corporation having war contracts, who shall hold their offices for one year and receive as compensation a salary of $10,000 each. It shall be the duty of said commission promptly to examine and pass upon all claims for compensation and reimbursement arising out of cases as set forth in this act for supplies furnished, expenditures or obligations necessarily incurred, or materials purchased under faith of contracts in legal form or orders received from officers and agents of the Secretary of War as heretofore set forth.

SEC. 5. That in each case, as soon as the commission has made an award, the contractor shall be entitled to receive the same upon giving receipt in full of all demands against the United States arising out of the transaction, or if the contractor is not satisfied with the amount so awarded he shall be entitled to receive, and shall receive at once, 75 per cent of the amount that has been awarded him and he shall thereupon be entitled to appeal the case to the Court of Claims which is hereby given jurisdiction to hear the case and render final judgment in such sum as may be required to reimburse the contractor for supplies and materials delivered to and accepted by the United States and expenditure necessarily incurred in good faith in the partial performance of the contract or order above referred to, or in preparing for the same.

SEC. 6. That in no case, however, shall any award either by the commission or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States, and a remuneration for expenditures necessarily incurred in preparing to perform said contract or order so canceled.

SEC. 7. That the purpose of this act being to secure prompt settlement of claims, the commission is authorized to make its own rules and regulations and to hear and determine the issues informally and promptly upon presentation of the case. The commission is authorized to appoint, under such rules and regulations as it shall prescribe, one or more regional boards of examiners to serve in such districts throughout the country as the commission shall fix and determine, to investigate and determine the facts concerning claims, legal or equitable, that may be presented as herein prescribed. The members of such board shall be composed of one representative of the War Department, one representative of the Department of Justice, and one from the business interests of the region, none of whom shall have any interest in the contract, directly or indirectly, and receive no compensation, save and except such per diem compensation as shall be fixed by the commission. Whenever the commission shall refer to any such regional board of examiners any claim, they shall proceed informally to hear the parties, take the proofs, and return the same promptly to the commission with their recommendation thereon.

SEC. 8. That the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the reasonable expenses of said commission, to be paid out upon the warrant of the chairman, who shall be chosen by the commission from among their own members, and approved by the secretary, who may be selected by the commission, and who shall receive a salary of not exceeding $5,000 for the period of one year, or so much thereof as may be necessary, to be determined by the commission.

Mr. HITCHCOCK. Mr. President, there is a very radical difference between the bill as reported now from the Committee on Military Affairs and the bill which I introduced and which the committee unanimously reported several weeks ago. There is also a very decided difference between these two bills and the bill which has come over from the House of Representatives. All of these bills assume to do the same thing, but they do not as a matter of fact do it, and what is attempted in each case is attempted in an entirely different way.

The bill which I introduced purports to validate about 7,000 defective contracts, and it relates in its provisions to none but defective contracts. These contracts aggregate in their possibility something in the neighborhood of two thousand million dollars—an amount of money large enough, it seems to me, to cause the Congress to provide for the adjudication of the amounts due with care and caution.

The bill which has been before the Senate, and which is now fathered by the committee, does the most unheard-of thing of making the War Department, which entered into these illegal contracts—some of them in direct violation of law, and some of them, as the Senator from Tennessee [Mr. MCKELLAR] has intimated, probably made by officers having interests in the concerns with which they contracted—the tribunal to decide what is due under these contracts. Now, if that were a proposal to make the Secretary of War the judge, I, for one, would be willing to accept it, or to accept the decisions of any other responsible man or men. But to say that an executive department, composed of thousands of employees and hundreds of officers shall be a tribunal to pass upon contracts that it has made strikes me as something which the country will not consider safe, and which is certainly most extraordinary.

The bill which I have introduced, and which the committee at first reported, first provides for the validation of all these contracts or informal orders made in good faith upon which the contractor has proceeded to the expenditure of money or to the delivery of supplies. Those are all to be validated if they were made in good faith, however irregular, and if the contractor has proceeded on that good faith to carry out his side of it.

The second provision sets forth the rules of payment. The contractor shall be paid for all that he has delivered to the Government, and he shall be remunerated for all materials purchased and obligations incurred, and for all expenditures undertaken in the performance of the contract which the War Department has canceled.

The third provision provides for the cancellation of the contracts, and provides that within 30 days after the passage of the bill contractors shall file their claims with the War Department, and that thereupon the War Department shall examine them with the machinery that it has, and shall attach to each claim a statement of what the department feels is due. Then the claim, with the attached statement, is to be filed with the commission which this bill creates—a commission of three men appointed by the President, one representing the War Department, one representing the Department of Justice, and one representing the business interests of the country. If the contractor files with the commission at the same time or subsequently an offer to accept the award which the War Department has made, the amount of money shall be paid to him within 10 days,

unless evidence has meanwhile come to the commission that the claim is excessive. That makes this commission of three men responsible, with the aid of the War Department, for any award made. It puts the War Department in a position where none of its officers will be able to render an award for an excessive amount, because what they say is merely a recommendation, and must have the sanction of the commission before the contractor becomes entitled to it. If the contractor refuses to accept the amount, however, the commission shall hear both sides; and if the department already has its evidence ready, and the contractor will have his evidence ready, it is a very simple matter for three business men informally, as the bill provides, to decide what is right, or reasonably so; and when the decision is reached, if the contractor chooses to accept it, he gets his money at once. If he wants to appeal to the Court of Claims, he shall be paid 75 per cent of what has been awarded him, and then the Court of Claims will merely pass upon the disputed part.

Mr. BORAH. Mr. President——

Mr. HITCHCOCK. I yield to the Senator.

Mr. BORAH. This presents the real crux of this legislation, and there is practically no one in the Chamber except those who are committed to the other side of the controversy. I am going to suggest the absence of a quorum. I do not do it for the purpose of delay, but I see nothing to be gained by a discussion when there is practically no one here to hear it.

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from Nebraska yield for that purpose?

Mr. HITCHCOCK. I have not any objection, Mr. President.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Overman	Sutherland
Bankhead	Jones, N. Mex.	Page	Swanson
Beckham	Jones, Wash.	Pittman	Thomas
Borah	Kellogg	Poindexter	Townsend
Chamberlain	Kenyon	Pollock	Trammell
Curtis	King	Pomerene	Wadsworth
Fletcher	La Follette	Robinson	Walsh
France	Lewis	Saulsbury	Warren
Gay	McKellar	Shafroth	Weeks
Gerry	McNary	Sheppard	Williams
Hardwick	Martin, Ky.	Sherman	Wolcott
Henderson	Moses	Smith, Ariz.	
Hitchcock	New	Smoot	
Johnson, Cal.	Nugent	Spencer	

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. A quorum is present.

Mr. HITCHCOCK. Mr. President, my bill provides that within 30 days after its passage the contractors shall file all their claims with the department; that the department shall use its machinery to make up a statement as to what is due on each claim, and send each claim to the commission; that if the contractor is willing to accept it, within 10 days the money shall be paid him, unless evidence develops that it is excessive; that if he is not willing to accept it, the commission shall promptly hear the case. If he accepts the award by the commission, it shall be paid him. If he declines to accept it, he shall be entitled to 75 per cent and take the balance to the Court of Claims. My bill also provides, however, that no future profits or possible or prospective profits shall be taken into account; that the contractor shall receive simply profits upon what he has delivered to the Government, or remuneration for expenditures which he has incurred in getting ready to perform the contract. In other words, he is to be made good for any expenditures, and have a profit on everything he has delivered.

I have referred to the other bill. The other bill makes the War Department the judge, the tribunal, to try these cases, involving two thousand million dollars and 6,000 contracts. The War Department, which made the contracts, is to be empowered under the present committee bill to try them and to decide on the right and the wrong—not any one man or any three men in the War Department, but possibly 150 or 200 officers, some passing upon one, some passing upon another, and nobody responsible for the result.

I am not disposed to criticize the War Department. I think the War Department, as at present organized, is immensely improved over what it has been; but I do say that the people of the United States who have the taxes to pay will resent the idea of intrusting to this department, composed as it is of so many different branches and officers, the performance of acts which must necessarily be judicial acts in deciding what is due on a contract.

That is not all. This bill contains carte blanche authority to the Secretary of War to validate contracts, even when the contractor has not spent a cent nor delivered a single dollar's worth of goods. In other words, if he has made a contract for $10,000,000 worth of goods with a contractor, under the first paragraph of section 1 the Secretary of War is authorized to validate that contract, which may be illegal or defective, and carry out the contract, or settle it in any way he pleases.

Is that a proper power for Congress to intrust to the Secretary of War, or anybody else, in dealing with a contractor who has merely received a contract, who has not spent a dollar under it, who has not delivered a dollar's worth of goods under it? Why, it might be a contract entered into only the day before the armistice; and yet in that first paragraph the Secretary of War is given carte blanche authority to validate it, and go on with it as he pleases. Now, I do not think any contract defective in form should be validated unless the contractor has incurred obligations or has spent money on it.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Idaho?

Mr. HITCHCOCK. I yield to the Senator.

Mr. BORAH. Under this authority of which the Senator speaks, could the Secretary of War validate and go ahead and carry out these contracts which we have had up heretofore incidentally with reference to purchasing cantonment sites, and so forth?

Mr. HITCHCOCK. As the bill was first drawn that authority existed. I am inclined to think it has been eliminated, as far as real estate is concerned; but there is practically no limit to the power of the Secretary of War to validate a contract, even when the contractor has not turned a wheel or done a thing toward carrying it out.

Mr. THOMAS. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Colorado.

Mr. THOMAS. Let me ask the Senator if the last three lines on page 4 of the reprint of the Chamberlain bill do not obviate that criticism?—

> That such waiver shall not validate such contract or procurement order in so far as any claim for unearned profits may be involved.

Mr. HITCHCOCK. Mr. President, I do not think they do; and that particular provision is entirely contradictory of a provision later ingrafted into the bill, which provides that profits on the unearned part of the contract may be taken into account. For instance, it says:

> That in no case shall any award either by the Secretary of War, the commission, or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a remuneration, which may include a reasonable profit for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order so canceled.

That is directly contradictory to the provisions of section 1, and I do not know how they would be construed.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska further yield to the Senator from Colorado?

Mr. HITCHCOCK. I yield to the Senator.

Mr. THOMAS. I think the provision last read by the Senator applies to contracts which are partially performed, and only those.

Mr. HITCHCOCK. Under one construction of the provision that is so; but I think there is some question about his right even then. In fact, there are now so many contradictions that have crept into the bill that it is not consistent with itself. It was, to my mind, a rather preposterous document the way it was drawn—to create an executive branch of the Government into a tribunal and allow it to award claims of two thousand million dollars by men who are not known to the country, and by a department in which the responsibility for any act is not fixed.

It has been claimed that the advantage of this particular bill is that it would hurry the settlement of these claims. I deny that. The very machinery in the War Department which is depended upon to act as a judicial machinery can and will be used by the department to decide what in its opinion should be paid. If that decision is reached and the contractor accepts it and nothing comes before the commission within 10 days to indicate that it is excessive, the commission will order the payment and be responsible for the payment; and the country will know that this commission, composed of three men named by the President and confirmed by the Senate, has ordered the payment.

But that is not all of the very extraordinary provisions of the committee bill.

After creating the War Department into a tribunal to hear and try and pass upon and render a decision on its own contracts, to which it was a party, this extraordinary bill provides that the Department of Justice, another executive branch of the Government, may appeal to the commission from the decision of the War Department—a most contradictory and preposterous situation, having one executive branch of the Government step in and censor another branch of the Government and appeal from it. It will compel the Department of Justice to examine all of the contracts made by the War Department, if it performs its duty to the public.

Mr. TOWNSEND. Mr. President——

Mr. HITCHCOCK. I yield to the Senator from Michigan.

Mr. TOWNSEND. May I ask the Senator what is the shortest time, under his bill, within which claims may be paid?

Mr. HITCHCOCK. The shortest time under my bill might be 15 days. A contractor is permitted to file his claim with the War Department within 30 days after this bill passes. The War Department says it has machinery to say what is due on it. It says it can act quickly. If it can, it can attach to that claim a statement of what it says is due, and file it with the commission. If the contractor accepts it, it can be paid within 10 days. If the contractor objects to it, then it will be heard by the commission.

Mr. TOWNSEND. Has this commission an indefinite life?

Mr. HITCHCOCK. No; one year.

Mr. TOWNSEND. It could not be continued, then, like the old Spanish War Claims Commission, for a number of years?

Mr. HITCHCOCK. Not with my consent. I believe that a commission of men giving their whole time to the matter can pass upon all the controverted questions. I believe that a very large percentage of the decisions reached by the War Department, when they say "So much is due on this contract," will be accepted by the contractors, and they will be ordered paid by the commission within 10 days; and if the contractor is not willing to accept that amount he can take 75 per cent of it and appeal the rest.

To my mind, it is a very important matter that these cases should be heard quickly; it is a very important matter that whatever is due these contractors should be paid to them soon; but it is also a very important matter that the Congress of the United States should avoid giving an executive department of the Government, composed of so many officers whose names are not known to the public, carte blanche authority to settle these contracts and compound them.

My bill deals only with the six or seven thousand contracts that are invalid now. It deals only with the contracts that the Secretary of War cancels. It gives money to the contractor only when he has expended money upon the good faith of the contract which he has made. But this committee bill, as it is proposed here, authorizes the Secretary of War to validate any contract in writing, however defective, even if the contractor has not expended a dollar under it or delivered a dollar's worth of goods to the Government; and I say that is giving too much power to any executive officer. Of course, too, as the Senator from Tennessee [Mr. MCKELLAR] says, the worst part of it is that we do not intrust it to the Secretary of War. There are so many of these cases that when we say "the Secretary of War" we mean perhaps 20, 30, 40, or 50 different officers under him, to each one of whom these matters may be assigned. It is an irresponsible way of reaching decisions, in a manner which is just going to open the door to all sorts of fraud and favoritism.

Naturally this department, with all these various officers, has its favorites, its prejudices, and its friendships. I do not think it is right for these unnamed individuals to be given in this bill carte blanche authority to act as judges in cases on which they have already passed.

The committee could not very well avoid the commission idea which the Senator from Tennessee [Mr. MCKELLAR] and I have introduced into the bill, but they make it a commission of appeals, and make the difficulties of appeal so great that there is no protection for the public. There is no appeal unless the Department of Justice steps into the War Department and makes an appeal. A real affront has got to be perpetrated by the Department of Justice against the War Department in order to protect the public where an appeal is necessary.

There is only one way, in my opinion, Mr. President, for this legislation to be done safely, and that is to do as we did after the Civil War, create a responsible commission to hear these cases, to give to the War Department full machinery to decide cases quickly, to provide for the earliest possible payment to the individual, and if he is not satisfied with all of it give him 75 per cent of what the commission awards and let him appeal on the balance.

Mr. LENROOT and Mr. MCKELLAR addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. HITCHCOCK. I yield to the Senator from Wisconsin. I think he rose first.

Mr. LENROOT. I am informed that during my absence from the Chamber the Senator argued that the amendment adopted yesterday at my instance, excepting from the validation of contracts any unearned profits, was inconsistent with the McKellar amendment, which permitted a reasonable profit upon expenditures and obligations actually incurred. Am I correct in that?

Mr. HITCHCOCK. It struck me as inconsistent, although it might be construed as applying only to this particular paragraph.

Mr. LENROOT. It does; but even applied to that paragraph it is not at all inconsistent, because where the expenditures are made profits may be earned and would be earned; and in allowing under the McKellar amendment a reasonable profit, it is an earned profit we are allowing and not an unearned one.

Mr. HITCHCOCK. That is not an important matter.

Mr. MCKELLAR. I suppose it is in order now to perfect the amendment of the Senator from Nebraska. I will ask the Senator to take the print of the committee bill as amended and turn to page 11. I desire to offer section 3 of the committee bill as amendment No. 1, to come in its regular order, section 4 of the committee bill to come in its regular order, and section 5, on page 14 of the committee bill, to come in its regular order, as amendments to the bill; then, on page 3, the proviso at the bottom of the page, being a part of the House bill as amended by the Senate this morning. I offer those four as amendments to the Senator's bill, and I hope he will accept them.

Mr. HITCHCOCK. I understand that the amendments to which the Senator from Tennessee refers are all amendments that have been put in upon the floor of the Senate as safeguards to the committee bill.

Mr. MCKELLAR. That is true.

Mr. HITCHCOCK. I am willing to accept them.

The SECRETARY. Insert section 3 as amended in Committee of the Whole, all of section 4, and all of section 5, with the proviso added at the end:

Provided further, That the names of such contractors—

And so forth.

Mr. MCKELLAR. That is right. The amendments have been accepted. Let the Chair put the question.

The PRESIDING OFFICER. The Chair understands that the Senator from Nebraska accepts the amendments offered by the Senator from Tennessee as parts of his amendment.

Mr. HENDERSON. I also ask the Senator from Nebraska if he will accept the amendment I offered, which was also adopted.

Mr. HITCHCOCK. I am willing to accept the amendment of the Senator from Nevada which he offered and which was adopted by the Senate.

Mr. MCKELLAR. The subcontractor's amendment was not put in. I call the attention of the Senator from Ohio, if he desires to put it in.

Mr. POMERENE. I certainly do.

Mr. MCKELLAR. I think it ought to go in.

Mr. POMERENE. There were two amendments which I had offered to section 4.

Mr. HITCHCOCK. I will accept both of those. They have been adopted by the Senate and are properly a part of the bill, just the same as they were of the other bill.

The PRESIDING OFFICER. The Chair understands that the Senator from Nebraska has accepted all the amendments referred to by the Senator from Tennessee, the Senator from Ohio, and the Senator from Nevada.

Mr. CHAMBERLAIN. Mr. President, I am not going to object to the acceptance of any of these amendments to the so-called Hitchcock bill, but I think that they ought to be discussed separately before they are accepted, because I question very much if some of them will fit into the terms of the pending Hitchcock amendment. However, if the Senator from Nebraska is willing to accept them as they are I make no objection.

The PRESIDING OFFICER. Without objection, the amendments suggested will be considered as having been accepted as a part of the original amendment of the Senator from Nebraska.

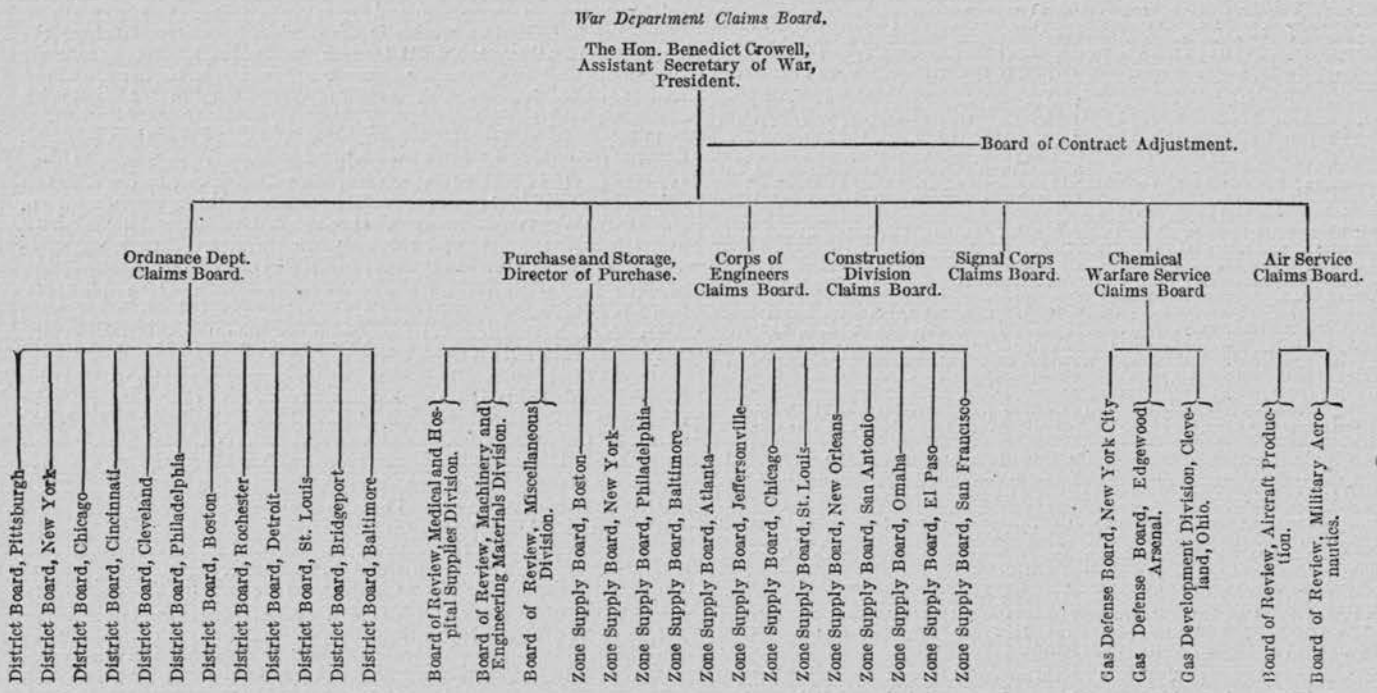
Mr. CHAMBERLAIN. Mr. President, the criticisms which the Senator from Nebraska levels against the bill which has been pending in the Senate for the last two days, that it is a jumble and unintelligible, will more than apply to his proposed amendment with the amendments which have been adopted and which do not fit into the bill which he has before the Senate now.

Mr. President, I have not yet called the attention of the Senate to the tribunal which is to adjust these claims. The Senator from Nebraska makes the sweeping charge that there has been turned over to the War Department, an executive or administrative branch of the Government, the determination of matters which have been illegally done by them, and wherever illegality is found it is due to the inefficient methods of that department.

Mr. President, that is not entirely correct. In order to show exactly the tribunals which adjust these claims and that have been working on them since the 11th day of November I present and ask to have inserted in the RECORD a diagram showing the different tribunals that are adjusting these claims now that are sought to be validated by the pending measure. It takes a vote of the Senate to permit the diagram to go into the RECORD.

The PRESIDING OFFICER. The Senate has heard the motion of the Senator from Oregon that the diagram which he presented shall go into the RECORD as a part of his remarks. [Putting the question.] The ayes have it, and the motion is agreed to.

The diagram referred to is as follows:



Mr. CHAMBERLAIN. Mr. President, let me call attention to the fact that the Hitchcock bill does not validate any claims. As a part of that diagram and to go in juxtaposition with it I ask to have inserted in the RECORD the list of persons who constitute the several boards and the titles of the boards which are to hear and determine these claims.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon? The Chair hears none, and it is granted.

The matter referred to is as follows:

List of boards supervising and passing upon the adjustment of contracts in the War Department.

WAR DEPARTMENT CLAIMS BOARD.

President, Hon. Benedict Crowell, the Assistant Secretary of War, director of munitions.

Mr. G. H. Door, assistant director of munitions.

Brig. Gen. George W. Burr, assistant to Maj. Gen. Goethals, director of purchase, storage, and traffic.

Brig. Gen. Herbert M. Lord, director of finance, purchase, storage, and traffic division.

Lieut. Col. Herbert H. Lehman, assistant to Maj. Gen. Goethals, director of purchase, storage, and traffic.

Special members: Mr. W. H. Davis, Col. C. A. McKenney, Maj. H. L. Goodhart, Maj. Harry D. Rawson, Capt. Arthur Day.

Recorder: Maj. Erskine Bains.

The function of this board is to supervise and coordinate the work of contract adjustment throughout the department. Through its special representatives sitting with the bureau boards all contract adjustments of the department are subject to its scrutiny and approval, and adjustments involving matters of policy and of particular difficulty and importance are brought before the full board for decision.

BOARD OF CONTRACT ADJUSTMENT.

Lieut. Col. Herbert H. Lehman, assistant to Maj. Gen. Goethals, director of purchase, storage, and traffic.

Lieut. Col. E. F. Malone.

Lieut. Col. C. B. Garnett.

This board passes on the questions of contract adjustment on which the contractor and the local and bureau boards of the department have been unable to reach agreement.

ORDNANCE BUREAU.

Ordnance claims board: Brig. Gen. W. S. Peirce, Col. R. P. Lamont, Col. G. H. Stewart, Col. Earl McFarland, Maj. John R. Delafield.

This board reviews the action of the ordnance district boards.

DISTRICT CLAIMS BOARD.

1. Baltimore—Maj. A. V. Barnes, Capt. R. W. Smith, Maj. L. B. Webster, Capt. F. E. Baldwin, Mr. J. J. Nelligan, Mr. E. G. Baetjer.

2. Bridgeport—Maj. B. A. Franklin, Maj. Frederick Payne, Capt. Miller Brainard, Charles G. Sanford, Edmund C. Wolfe, David H. Day, Charles W. Graham.

3. Boston—Levi H. Greenwood, Lieut. Col. O. S. Lyford, Maj. Herbert S. Brussel, Maj. A. S. Douglass, Mr. Stuart W. Webb, Mr. Charles M. Davenport, Mr. Atherton D. Converse.

4. Chicago—Mr. Edmund A. Russell, Lieut. Col. E. E. Arison, Maj. Frank R. Bacon, Mr. James W. Lyons, Mr. John J. Mitchell, Maj. F. R. Schenck, Mr. George S. Pines.

5. Cincinnati—C. L. Harrison, George S. Raydock, B. W. Lamson, R. K. Leblond, O. De Gray Vanderbilt, Carl M. Jacobs, Stanley G. Rowe, F. H. McClellan.

6. Cleveland—Samuel Scovil, W. B. McAllister, Phillip P. Merrill, Amos B. McNairy, Joseph H. Scobell, Judge Thomas H. Strimple, Maj. M. F. Loomis.

7. Detroit—F. J. Robinson, C. C. Huyette, C. C. Jenks, Maj. C. W. Owston, Maj. P. C. Thomas, Henry M. Campbell, Maj. S. L. Depew, Capt. J. G. Dalgleish.

8 New York—Mr. G. J. Roberts, Maj. C. S. Reed, Mr. B. Goldsmith, Maj. C. C. Smith, Mr. R. A. C. Smith, Lieut. Col. Arthur Adams.

9. Philadelphia—John C. Jones, Capt. Malcolm F. Ewen, Maj. R. M. Appleby, Isaac Hathaway Francis, Maj. F. M. Masters, John Dickey, jr., Mr. Alexander H. Carver.

10. Pittsburgh—R. M. Drave, Maj. H. B. Scovil, Maj. J. F. Drake, Harrison Nesbitt, George S. Oliver, Charles Gulentz.

11. Rochester—Frank S. Noble, Maj. J. L. Crane, Mr. Langdon Albright, Maj. J. J. O'Connell, Mr. Herbert J. Sinn, Joseph W. Taylor, George A. Carnshan.

12. St. Louis—Mr. M. E. Singleton, Maj. E. S. Ready, Maj. B. S. Bope, Mr. W. F. Carter, Mr. C. W. Nelson, Mr. Davis Biggs.

OFFICE OF THE DIRECTOR OF PURCHASE AND STORAGE.

All final contract agreements or settlements are personally approved by Brig. Gen. William H. Rose, Director Purchase.

Board of Review for Termination Agreements handled by the following divisions under the office of the director of purchase: Clothing and Equipage Division, General Supplies Division, Subsistence Division, Remount Division, Motors and Vehicles Division, Raw Materials Division—Col. H. S. Kilbourne, Capt. William E. Lee, Capt. R. D. Stephens.

Board of Review for Medical and Hospital Supplies Division, office of the director of purchase—Lieut. Col. J. F. Fletcher, Capt. J. Van Putten, jr., Maj. Frank L. McCartney, Maj. G. W. Wallerich, Capt. Harry G. Gunther, Capt. John C. Schweiger.

Board of Review for Machinery and Engineering Materials Division, office of the director of purchase—Col. Earl Wheeler, Lieut. Col. J. E. Long, Maj. George A. Bentley, Maj. Ira D. Hough, Maj. H. W. Eels, Maj. C. B. Loomis, Maj. H. McC. Yost, Capt. B. H. Arnold.

ZONE BOARD OF REVIEW.

Atlanta, Ga., Transportation Building—Maj. G. M. Alden, Quartermaster Corps; Maj. L. M. Thibadeau, Quartermaster Corps; Maj. E. de T. Ellis, Infantry; Capt. J. A. Graham, Quartermaster Corps.

Boston, Mass., 108 Massachusetts Avenue—Maj. J. W. Blunt, Quartermaster Corps; Maj. W. H. Rhoads, Quartermaster Corps; Capt.

Leroy Holder, Quartermaster Corps; First Lieut. A. A. Lucey, Quartermaster Corps; Mr. George E. Barnard.

El Paso, Tex.—Capt. F. C. Allen, Quartermaster Corps; Capt. F. C. Shelley, Quartermaster Corps; Mr. W. H. Dent.

Jeffersonville, Ind., Meigs Avenue—Maj. M. T. Levey, Quartermaster Corps; Maj. L. L. Sims, Quartermaster Corps; First Lieut. Henry Pirtle, Quartermaster Corps; First Lieut. L. C. Clarke, Quartermaster Corps.

New Orleans, La., Audubon Building—Maj. P. T. Murphy, Quartermaster Corps; Maj. E. I. Sharp, Quartermaster Corps; Capt. F. L. Hester, Quartermaster Corps; Second Lieut. S. Roccaforte, Quartermaster Corps; Mr. Benjamin Coswell Cassenas.

Omaha, Nebr., Army Building—Maj. William H. Faringly, Quartermaster Corps; Lieut. Col. F. P. Holcombe, Quartermaster Corps; First Lieut. George E. Comins, Quartermaster Corps; Mr. C. E. Adams, inspector, Quartermaster Corps; Mr. Fred S. Knapp.

Philadelphia, Pa., Twenty-first and Oregon Avenue—Maj. Remi Hueper, Quartermaster Corps; Maj. Archibald H. Bronson, Quartermaster Corps; Maj. Herbert Knox Smith, Quartermaster Corps; Maj. James M. Taft, Quartermaster Corps; Capt. Otis S. Carroll, Quartermaster Corps.

St. Louis, Mo., Second and Arsenal Streets—Maj. R. Field, United States Army, retired; Maj. J. W. Byrnes, Quartermaster Corps; Capt. J. P. Keleher, Quartermaster Corps; Second Lieut. G. Rosenbaum, Quartermaster Corps; Mr. A. J. Davis.

San Antonio, Tex., General Supply Depot—Maj. E. O. Baldwin, Quartermaster Corps; Maj. T. O. Baker, Quartermaster Corps; Capt. E. N. Purvis, Quartermaster Corps; First Lieut. E. A. Mechling, Quartermaster Corps; Mr. Ray Mackey.

Chicago, Ill., 1819 West Thirty-ninth Street—Col. Roy B. Harper, Cavalry; Capt. J. M. Griffith, Quartermaster Corps; Capt. John A. Bussian, Quartermaster Corps; Mr. Frederick C. Hack; Maj. E. J. Zimmerman, Quartermaster Corps; Maj. E. H. Caswell, Quartermaster Corps; Maj. George F. Mayer, Quartermaster Corps; Capt. J. C. Shugert, Quartermaster Corps; Capt. H. M. Rodgers, Quartermaster Corps; Capt. E. A. Hey, Quartermaster Corps; Capt. Edward Rosing, Quartermaster Corps; Capt. George H. Bussman, Quartermaster Corps.

San Francisco, Cal., Fort Mason—Maj. Gen. C. A. Devol, United States Army; Col. Charles A. Varnum, United States Army, retired; Mr. Clay Miller.

San Francisco, Cal.—Mr. William Thomas; Mr. Milton H. Esbert.

Baltimore, Md.—Maj. D. W. O'Neil; Maj. J. L. Beatie; Capt. S. T. Griffith.

New York, N. Y.—Lieut. Col Benjamin L Jacobson, Maj. Joseph E. Lee, Quartermaster Corps; Mr. William R. Collins; Mr. John H. Love; Mr. Henry Ittleson; Second Lieut. William C. Lovett, Quartermaster Corps.

Washington, D. C., Seventeenth and F Streets NW.—Capt. W. J. Schaefer, Quartermaster Corps; Maj. H. A. Barnard, Quartermaster Corps; Capt. C. F. Young, Quartermaster Corps; Capt. R. A. Burbank, Quartermaster Corps; Mr. Ben J. Miller.

SIGNAL CORPS.

Board of Contract Review—Lieut. Col. R. H. Morse, Maj. R. A. Klock, Maj. J. R. Whitehead, Capt. Lawrence Thompson, Capt. S. M. Conant, Capt. W. S. Kelly, Capt. Milhau.

CHEMICAL WARFARE SERVICE.

Board of Review—Maj. Gen. W. L. Sibert, Col. N. T. Bogart, Maj. C. C. Combs, Capt. William K. Jackson, Capt. H. S. Brown.

Board of Review, Gas Defense, New York City—Col. Besse, Maj. Schuit, Capt. Kay, Lieut. Mitchell.

Board of Review, Gas Offense, Edgewood Arsenal—Col. William H. Walker, Maj. E. E. Free, Capt. R. D. Gordon.

Board of Review, Gas Development Division, Cleveland—Col. Dorsey,

AIR SERVICE.

Board of Review of the Bureau of Aircraft Production—Lieut. Col. A. C. Downey, Lieut. Col. H. S. Brown, Lieut. Col. F. E. Smith, Capt. F. B. Schnacke, Capt. S. M. Wiley.

Board of Contract Review of Division of Military Aeronautics—Lieut. Col. Harold Bennington, Maj. Edw. Burns, Maj. W. G. Roberts, Capt. Otis Van der Mark, Capt. William G. Dean.

ENGINEER CORPS.

Board of Contract Review—Maj. C. M. Goodrich, Capt. H. L. Beach, Capt. M. B. Keeler, Capt. J. B. Hall, Capt. Grove Ketchum.

CONSTRUCTION DIVISION.

Board of Review—Col. J. N. Willcut, Lieut. Col. J. N. Pease, Lieut. Col. H. F. Durant, Lieut. Col. L. L. Calvert, Maj. H. J. Burke, Maj. C. F. Neff, Maj. L. G. Kelly, Capt. C. N. Foster, Capt. William B. F. Manice, Capt. J. B. Hudgins.

Mr. CHAMBERLAIN. The highest tribunal of all is the War Department claims board. The Senator from Nebraska has said if the settlement or the final adjudication of claims had been left to the Secretary of War he would not make any objection to such proceeding. The bill that is pending does that very thing and vests the final adjudication of these claims in the following gentlemen, who constitute the War Department claims board:

Benedict Crowell, the Assistant Secretary of War, Director of Munitions; G. H. Dorr, Assistant Director of Munitions; Brig. Gen. George W. Burr, assistant to Maj. Gen. Goethals, Director of Purchase, Storage, and Traffic; Brig. Gen. Herbert M. Lord, Director of Finance, Purchase, Storage, and Traffic Division; Lieut. Col. Herbert H. Lehman, assistant to Maj. Gen. Goethals, Director of Purchase, Storage, and Traffic; and the following special members: W. H. Davis, Col. C. A. McKenney, Maj. H. L. Goodhart, Maj. Harry D. Rawson, Capt. Arthur Day, and Maj. Erskine Bains, recorder of the War Department Claims Board.

The function of this board is to supervise and coordinate the work of contract adjustment throughout the department. Through its special representatives sitting with the bureau boards all contract adjustments are subject to its scrutiny and approval, and adjustments involving matters of policy and of particular difficulty and importance brought before the full board for decision. The War Department has had functioning in the different districts, in the adjustment of these claims, the district board in Pittsburgh, the district board in New York, the district board in Chicago, the district board in Cincinnati, the district board in Cleveland, the district board in Philadelphia, the district board in Boston, the district board in Rochester, the district board in Detroit, the district board in St. Louis, the district board in Bridgeport, and the district board in Baltimore, all of which come under the Ordnance Department claims board.

These district boards adjudicate the claims which are supervised by the Ordnance Department claims board. Before the finding is finally acted on it goes up to the board of contract adjustment, and from them to the War Department proper. The names of the officers and civilians composing all these boards are inserted in the RECORD.

There must be, in the very nature of things, on these several boards that have to do with ordnance, some honest men in the War Department and in the Army and some honest men who are appointed from civil life. So matters or claims in dispute in the Ordnance Department go through all these district boards, and through them to the higher board, and from that board to a still higher board, and from that to the Assistant Secretary of War, to civilians and officers who occupy that final adjustment board.

Mr. HITCHCOCK. Will the Senator permit an interruption?

Mr. CHAMBERLAIN. Yes.

Mr. HITCHCOCK. The Senator's description of the way claims go from one board to another and from one officer to another is exactly like the work he and I have been criticizing—the paper work in the department, red tape by which a thing that is a mere formal matter has gone from one department to another for weeks.

Mr. CHAMBERLAIN. That is not correct in reference to the position I have heretofore taken.

I call attention to these things to show that if you adopt any other policy than that outlined in the bill pending before the Senate and known as the committee bill you will not within the year, I venture to say, get any of these claims adjusted.

I am going to call attention to one peculiarity in the so-called Hitchcock amendment in this connection in a short while.

Now, taking the director of purchases, there come under him board of review medical and hospital supply division; board of review machinery and engineering, materials division; board of review miscellaneous division; the zone supply board, Boston; the zone supply board, New York; the zone supply board, Philadelphia; and all these other cities where there are regional boards; and the names of those gentlemen are inserted in the RECORD.

Over these several boards that I have just mentioned, covering other things than the Ordnance Department, there is a director of purchase and storage. He is above them and scrutinizes the findings of these different boards. Still above him is the board of contract adjustment and the War Department proper; so that these contracts pass under the scrutiny of all these regional and zone boards and then up through to the War Department. Then, there are still other boards covering other supply departments of the Government where contracts have been let, and the names of these several boards are given and will be published in the RECORD. I invite the attention of the Senate to the names of these men, because they represent the very highest intelligence of the Army and the highest intelligence of civil life in the communities where these several boards are located.

The peculiar thing about the so-called Hitchcock bill is this, Mr. President: It trusts the War Department absolutely up to a certain point. The Senator criticizes leaving these matters to the War Department; yet up to a certain point he trusts absolutely in the functioning of the War Department, and then branches off on an inconsistent proposition of creating a commission to do again what he has practically intrusted the War Department to do up to a certain point.

I call the attention of the Senate to the provision of the Hitchcock bill to which I am now referring. Section 3 of the bill provides:

> Each claim shall thereupon, or as soon as possible, be transmitted to and filed with the commission hereinafter provided for, together with a statement attached thereto showing the amount, if any, which the War Department deems to be justly due to said claimant.

So it allows the War Department to adjust these claims and say how much is due. Now note:

> If the claimant shall file a statement offering to accept the amount awarded by the War Department in full for said claim, the commission shall, within 10 days, order the same paid in the absence of evidence that it is excessive.

Up to that point the measure of the Senator from Nebraska absolutely indorses and approves all that the War Department

and its subordinate boards pass upon. Up to that point there is practically little difference between the two bills except that the bill of the Senator from Nebraska does not validate any of these claims which it is sought to validate because of some irregularities in their execution or other irregularities which the act specifically points out. Section 4 of the Senator's bill provides:

SEC. 4. That for the adjustment of all claims arising out of the cancellation of contracts, orders, and agreements for supplies or materials of war, as described in the foregoing paragraphs of this act, there is hereby created an adjustment commission to be composed of three members to be appointed by the President and confirmed by the Senate, one representing the War Department, one representing the Department of Justice, and one representing the business interests of the country, none of whom shall be interested in any contracts with the Government or have an interest in any firm or corporation having war contracts, who shall hold their offices for one year and receive as compensation a salary of $10,000 each. It shall be the duty of said commission promptly to examine and pass upon all claims for compensation and reimbursement arising out of cases as set forth in this act for supplies furnished, expenditures or obligations necessarily incurred, or materials purchased under faith of contracts in legal form or orders received from officers and agents of the Secretary of War as heretofore set forth.

In other words, while the bill pretends in one section to adopt the action of the War Department and its subordinate boards, in another provision it practically provides that all these things must be reinvestigated and adjudicated by the commission which the bill proposes to create. So even if the first section of the Senator's bill, approving the action of the War Department, were in force, it is inconsistent with section 4 which requires this board or commission to reinvestigate and report on these claims. In other words, it would require the board created by his bill to reinvestigate all of the claims that have been filed by the commission, and in the very nature of things do over again exactly the thing that the War Department has done through its officers and agents.

Mr. HITCHCOCK. The Senator does not mean to say that the commission is compelled to try all of the claims when the contractor and the War Department agree?

Mr. CHAMBERLAIN. It says so in section 4.

It shall be the duty of said commission promptly to examine and pass upon all claims.

Mr. HITCHCOCK. It passes on them, and they are instructed when the War Department and the constructor agree that payments shall be made within 10 days.

Mr. CHAMBERLAIN. I am calling attention to the inconsistency of it.

Mr. HITCHCOCK. There is no inconsistency.

Mr. CHAMBERLAIN. Absolutely there is.

Mr. HITCHCOCK. It passes on each one and orders it to be paid within 10 days.

Mr. CHAMBERLAIN. Taking the bill by the four corners and reading it, it requires this commission to reinvestigate every claim that the officers of the War Department have already adjudicated or adjusted with the party.

Mr. President, the hour is so late that I do not care to go into a further comparison of the two bills. The only serious difference between the two is that the Senator's bill provides for the creation of a commission that shall investigate all these claims, and that commission can not get to functioning before the 1st of July; while the bill which the Senate has practically adopted to-day provides that the War Department, through its agencies, shall adjudicate these claims, and there is the right of appeal to the aggrieved party.

It seems to me, Mr. President, that the only sensible and efficient way to adjust these claims is through the agencies that the War Department has created, and which have practically determined these matters now except in some instances where there will be more or less of litigation.

Mr. HITCHCOCK. Before the Senator sits down will he not state what is his opinion of the power given in the first paragraph of the bill to the Secretary of War to validate the contracts upon which no money has been expended and the contractor has delivered no goods?

Mr. CHAMBERLAIN. There is no provision in the bill which authorizes that. There is the provision which authorizes what ought to be authorized. If a man, acting upon the representations of an agent of the War Department or acting upon the authority of the War Department, has given an individual or a firm or a corporation an order and that individual, firm, or corporation has gone to work and made some expenditures but has not delivered a dollar's worth of goods to the Government the contract ought to be validated and the man, firm, or corporation ought to be paid what he or it is reasonably entitled to receive for expenditures made.

Mr. HITCHCOCK. But this paragraph does not cover such a case.

Mr. CHAMBERLAIN. But the bill does in its entirety, does it not?

Mr. HITCHCOCK. No; this paragraph proposes to authorize the Secretary of War to validate contracts, although no money has been expended and no property delivered.

Mr. CHAMBERLAIN. I wish the Senator would call my attention to that.

Mr. HITCHCOCK. I will read it to the Senator. The language is:

That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation, or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure for the War Department, for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government, but the agreement did not comply with statutory requirements, in every such case the Secretary of War is authorized and directed to waive, on behalf of the Government, such noncompliance——

Mr. CHAMBERLAIN. But there is a proviso.

Mr. HITCHCOCK. It continues:

Provided, That he finds such waiver is not inconsistent with the public interest, and in this event the said agreement shall have the same validity and effect it would have had if such statutory requirement had been complied with.

Mr. CHAMBERLAIN. There was an amendment to that, as the Senator from Nebraska will observe, which fully protects the Government in relation to claims of that sort.

Mr. HITCHCOCK. It reads:

And provided further, That such waiver shall not validate such contract or procurement order in so far as any claim for unearned profits may be involved.

Mr. CHAMBERLAIN. There is not a single word in the bill which the Senator has read which validates any claim where nothing whatsoever has been done by a contractor with the Government.

Mr. HITCHCOCK. There is no limitation on whether a contractor has entered upon the contract or not. It gives the Secretary of War absolute authority to validate a contract that is still absolutely in the future and toward which the contractor has done nothing at all.

Mr. CHAMBERLAIN. I insist that it does not.

Mr. HITCHCOCK. It takes the power of legislation away from Congress, where it now is, and places it with the Secretary of War. If a man has a contract for a million shells that was made on the last day of the armistice and not a thing had been done about it, the Secretary of War can validate it, and that contract will go into effect.

Mr. CHAMBERLAIN. But would the Secretary of War be foolish enough to validate a contract entered into between him or his agents and a party who promised to manufacture a million shells and had done absolutely nothing in the performance of that contract? If he would do such a thing as that, or his agents would do such a thing as that, he or they ought to be impeached or court-martialed; but if a man has made a contract with the Government to manufacture a million shells and has not manufactured a single shell, but in order to perform the contract had done work and put up buildings, he ought to be compensated for his expenditure. There is not any question about that.

Mr. WILLIAMS. Mr. President, if the Senator from Oregon will pardon me, the very language of the bill is "an agreement."

Mr. CHAMBERLAIN. Yes; an agreement, contract, or order.

Mr. WILLIAMS. Yes; an agreement. The man who has a contract with the Government must be kept safe upon his agreement.

Mr. CHAMBERLAIN. Certainly; there is no doubt about that, I will say to the Senator from Mississippi.

Mr. President, there is nobody who is connected with this Government, there is no officer or agent of the Government, who would for a moment consider a contract that had been entered into between the Government and a contractor when nothing on earth had been done. That is the case the Senator from Nebraska undertakes to put. Even if a contract had been validly entered into, the right of cancellation exists, and a safe and sane Secretary of War or a sane officer of the Army would see to it that such a cancellation was had; but if an expenditure was made for preparation for manufacture and yet no goods delivered under the contract the contractor would be entitled to receive some compensation or remuneration for the expenditures actually made. That is the extent to which this bill goes, but the bill of the Senator from Nebraska does not even validate any contract. It simply says it shall not invalidate them, but it does not validate the contracts.

The remaining paragraph of this bill validates other contracts partially executed or improperly executed. Taking the

bill together, it fully protects not only the right of the contractor but the right of the Government; but under the provisions of the bill of the Senator from Nebraska these matters can not be adjusted, I venture to say, inside of six months or a year. In the meantime men will be going out of employment; and not only that, but men who have performed these services for the Government in manufacture, and so forth, will probably go into bankruptcy.

Mr. McKELLAR. Mr. President, just for a moment I want to explain to the Senate the precise difference between these two bills, if I may. The War Department is, of course, responsible for our having to legislate at all. Let us all remember that. It has failed to make proper contracts, and it is for the relief of the contractors that this legislation is proposed. We are to validate that which the War Department has failed to do.

Our committee, when the matter first came up, turned the subject of the validating of contracts over to a subcommittee, which was composed of the Senator from New Jersey [Mr. FRELINGHUYSEN], the Senator from Nebraska [Mr. HITCHCOCK], and myself. We worked faithfully on the matter. We heard testimony, and we reported what is known as the Hitchcock bill back to the full committee, and the full committee unanimously reported that bill to the Senate. Since that time various gentlemen have felt that there ought to be changes made.

Mr. FLETCHER. Will the Senator allow me to interrupt him?

Mr. McKELLAR. Just one moment, and I will do so. I have something on my mind that I want to tell the Senate, and when I get relieved of that I shall be delighted to yield.

The committee reported unanimously the Hitchcock bill, but the War Department felt that that was taking this matter out of their hands, and a measure was presented which put it entirely back into their hands. However, finding that that could not possibly pass, they then apparently yielded to the demand for a commission, and provided for an appellate commission. That appellate commission is embodied in the Chamberlain bill.

The difference between the two commissions is that if you pass the Hitchcock bill you turn the settlement of all these matters over to a fair and an impartial tribunal. If you vote for the Chamberlain bill you turn about 95 to 99 per cent of the contracts back into the hands of the War Department, whose negligence is the cause of this proposed legislation. It is up to you to say whether you are going to do it or not. If you want to say that the War Department has done its duty in the matter and are willing to stand by the War Department, pass the bill which was last reported by the committee. If you want to see that every one of the contractors gets fair and impartial treatment before a commission to be appointed by the President and confirmed by the Senate, not one that has simply appellate jurisdiction—and it is very hard to get that appellate jurisdiction under the terms of the Chamberlain bill, as it is called—if you merely want to turn over a few cases to this commission, with a technical jurisdiction, you should vote for the Chamberlain measure. If you want to turn it all over to a commission to do fair, even, and equal justice as to all these claims, vote for the Hitchcock bill, as I propose to do.

The Senator from Oregon says: "Here is all this machinery in the War Department." They have that machinery in the War Department; all those boards have been in existence for quite a long time in the War Department; but if they do not act with more care in the carrying out of the authority we are proposing to give them now than they have in executing these contracts I am afraid we are engaging in a very poor business in turning the matter over to them.

Mr. CHAMBERLAIN. Mr. President, the Senator wants to be fair.

Mr. McKELLAR. Certainly.

Mr. CHAMBERLAIN. Will he permit me to interrupt him?

Mr. McKELLAR. Yes.

Mr. CHAMBERLAIN. They have been in existence only since the armistice; and since that time they have practically reached an agreement with nearly all of the contractors.

Mr. McKELLAR. The Senator is mistaken. The matter is in the hands of precisely the same men, the same officers, and the same boards as heretofore, with one exception, namely, that since the armistice the Secretary of War has appointed three gentlemen whose names I do not remember—they may be very excellent gentlemen—to constitute an appellate commission. I doubt if there is a Senator here who can remember the names of those three men.

Mr. CHAMBERLAIN. May I say to the Senator——

Mr. McKELLAR. In just one moment. The Secretary of War appointed this commission, notwithstanding the order of November 11. If they were appointed before November 11, I do not know, and if they were he, of course, did not violate the order; but if they were appointed since that time they were appointed officers of the Army, and it is a board composed of Army officers appointed especially for the purpose of sitting on these cases. Now, let us see what they do.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. McKELLAR. Certainly.

Mr. CHAMBERLAIN. The Senate will probably not be able to secure a vote on this bill this afternoon, and I desire Senators to look at the names of the members of the boards organized in any of the communities where any work has been done for the Government of the United States, and they will find that they are the peers of any men in the community, including the board appointed since the 11th of November.

Mr. McKELLAR. I have not a word of criticism to make of those men. Whatever they are doing their work will inure to the benefit of the Government and the contractors under the Hitchcock bill as well as under the other bill. The only difference between these two bills, Senators, is that under the Hitchcock bill these contracts, in connection with which the War Department admittedly has not done its duty, will all go to the commission to be created, while under the Chamberlain bill, which is a substitute amendment, only a very small percentage of these contracts will be acted upon by the commission. Contracts which have been made in a topsy-turvy manner by Tom, Dick, or Harry, by some lieutenant or some civilian giving an order—some orders being in writing, some over the telephone, and some by word of mouth—are the contracts we are validating; and if the Senate votes for the Chamberlain bill we are turning them back to the very men who have neglected their duty. Now, let us not make any mistake about what we are doing.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. SMOOT. The Senator said a while ago that the committee had unanimously reported the Hitchcock bill.

Mr. McKELLAR. It was unanimously reported; yes, sir.

Mr. FLETCHER. All the committee was not present. That is what I wanted to say a few moments ago. The Senator talks about a unanimous report from a committee, when it is only the unanimous report of a quorum.

Mr. McKELLAR. I am not responsible for Senators not being present. I recall the fact that the bill was first referred to a subcommittee that took days and weeks to study the matter, gave it the best thought and attention that they knew how to give it, and reported back to the full committee. Following discussion the committee, after making amendments, unanimously reported it to the Senate, so far as the members present were concerned. It was after that bill was published that others came before the committee, I have no doubt with the best intentions, some gentlemen of the finest order of ability, who seemed to be absolutely fair and who were instrumental, I will say, in securing the adoption of some of the very valuable amendments that have been placed in both bills. Those are the facts concerning this measure.

Mr. SMOOT. Mr. President, I will ask the Senator how it is that the bill as it was reported to the Senate only includes the so-called Chamberlain amendment?

Mr. McKELLAR. Because the committee met afterwards and by a majority of one, as I recall, voted to substitute the Chamberlain amendment for the Hitchcock amendment previously reported.

Mr. SMOOT. Reported to the Senate or reported to the committee?

Mr. McKELLAR. Reported to the Senate.

Mr. KIRBY, Mr. FRELINGHUYSEN, and Mr. SMITH of Georgia addressed the Chair.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Tennessee yield to the Senator from Arkansas, who has been standing on the floor for some time?

Mr. McKELLAR. I promised the Senator from Georgia that I would yield to him.

Mr. FRELINGHUYSEN. Mr. President, will the Senator yield to me for a moment?

Mr. McKELLAR. Very well; I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. Mr. President, I was absent from the Chamber when the Senator made his statement regarding the unanimous report of the subcommittee. I was a member of the subcommittee——

Mr. McKELLAR. I did not make that statement, although I supposed the report had the concurrence of the Senator from New Jersey. I said that the bill reported by the subcommittee, known as the Hitchcock bill, was unanimously reported by the Committee on Military Affairs to the Senate.

Mr. CHAMBERLAIN. Without discussion.

Mr. McKELLAR. Well, there were several amendments made in the committee, and to that extent it was discussed. I understand that to be a discussion.

Mr. BORAH. Mr. President, may I ask whether or not it is the purpose of the Senator from Oregon to force this measure to a vote to-night?

Mr. CHAMBERLAIN. Mr. President, I think that can not very well be done. There are quite a number of Senators who are not present.

Mr. BORAH. The debate is getting more interesting all the time.

Mr. CHAMBERLAIN. I hardly think we can get a vote on the bill to-night.

Mr. FRELINGHUYSEN. Mr. President, if the Senator from Tennessee will yield to me further, I wish to state that I was a member of the subcommittee, but I was absent from the city when the bill was considered, and was not informed that it was to be reported. I in no way concurred in reporting the Hitchcock bill, because I am opposed to it. I did assist several committees that came here and pointed out defects in the Hitchcock bill. I stated to the committee that the provisions of that bill would cause unnecessary delay and hardship on the business men of this country who were transacting business with the War Department. It was pointed out that a commission hearing these cases de novo would probably cause a delay of at least a year or a year-and-a-half before the cases could be properly adjudicated. Therefore, I joined with the committee in reframing the bill and reporting the Chamberlain bill, which I believe is the only practical bill, which will be successful in settling these claims promptly, which is the principal problem that we have to deal with at this time.

Mr. KIRBY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Tennessee yield to the Senator from Arkansas?

Mr. McKELLAR. I yield to the Senator from Arkansas.

Mr. KIRBY. Since the bill is not to be pressed to a vote this afternoon, I will make an explanation of it in my own time to-morrow.

Mr. McKELLAR. All I have to say in conclusion, is that, in my judgment, what is known as the Hitchcock bill, as amended, protects the rights of the contractors and the rights of the Government in a fuller and ampler manner than the other bill, and I hope that the Hitchcock bill will be adopted.

I wish to call especial attention to the boards. Senators will see the membership of these boards printed in the RECORD to-morrow. These boards will pass on these claims. Consider how the matter has been handled heretofore. These boards have been in existence all the time. It was their duty to prepare contracts. Congress furnished ample money to pay all the necessary legal expenses, including legal employees, to draw the contracts and agree upon them as they were made; but the department has neglected its duty, and now it comes in and wants us to turn back to it the settlement of the contracts about which it has been negligent. I do not think we ought to do it. I think we ought to put it in the hands of an independent commission, such as is provided for by the bill reported by the subcommittee, and adopted once by the full committee.

Mr. SMITH of Georgia. Mr. President, the Senator does not claim that all of these contracts were negligently made or not legally made, does he? Does not this bill apply to a very much larger number, a majority in fact, of transactions where the contracts were legally made and where the department has canceled them because the war ended?

Mr. McKELLAR. The Senator is mistaken about that. It applies only to those that have been formally executed, or where there has been no contract at all. I will say to the Senator that it applies to two classes of contracts, or perhaps three. The first is where there is a formal contract that has not been properly signed. The second is where there has just been a written order for the material, and, of course, not signed properly. The third class is verbal contracts; and this undertakes to validate all three. Now, it has been variously estimated that there are all the way from ten to sixty thousand of these kinds of contracts. If there are, if the War Department has so neglected its duty as to leave this vast number of contracts not even properly signed, not even properly given, we had better go very slowly about turning over the settlement of all these contracts to that department.

Mr. SMITH of Georgia. Mr. President, is not the Senator entirely mistaken about those figures?

Mr. McKELLAR. I am just stating what the proof before us has been. There have been various estimates. As I recall, the number has been variously estimated from 10,000 up as high, some witnesses say, as perhaps 60,000. Now, I can not conceive that there are that many; but I am telling you what has been stated before our subcommittee.

Mr. FRELINGHUYSEN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. FRELINGHUYSEN. The Assistant Secretary of War stated to me this morning over the telephone that there were 6,000 of these invalid contracts and orders involved.

Mr. McKELLAR. How many verbal ones?

Mr. FRELINGHUYSEN. Six thousand, including the verbal contracts. A large proportion of those contracts—at least 60 per cent, I believe—are formal contracts, but were not signed by the proper statutory officials. Those 6,000 contracts involve $1,766,000,000. There are not 10,000 contracts, there are not 60,000 contracts, but 6,000 contracts that are invalid, according to Assistant Secretary Crowell's statement to me this morning.

Mr. McKELLAR. How much is involved in the 6,000 contracts?

Mr. FRELINGHUYSEN. One billion seven hundred and sixty-six million dollars.

Mr. McKELLAR. Mr. President, it may be possible that my informants were not correct in their information; and therefore, as the Senator says that he has this information directly from the Assistant Secretary of War, I accept it absolutely. But here we have 6,000 of these contracts, with nearly $2,000,000,000 involved, and no contracts signed for it—nobody there looking after the interests of the Government when these contracts were signed——

Mr. SMITH of Georgia. Oh, yes.

Mr. McKELLAR. And yet we are asked to turn over to this department, whoever it may be, this vast sum in dispute to be settled. How do we know that they are going to do it? What objection can any Senator raise to a fair and impartial commission, with full jurisdiction to do equal and exact justice to all the parties? What objection can be made to such a commission?

Mr. SMITH of Georgia. Because the trial of 6,000 cases before a commission would take more than 6,000 days. It would probably take 6,000 weeks.

Mr. McKELLAR. Oh, quite the contrary.

Mr. SMITH of Georgia. Still, I gave the Senator an answer.

Mr. McKELLAR. I know; but that is a very far-fetched one, it seems to me, with all due respect. Many of these contracts, according to the proof, have been already examined by the War Department, and they are ready to report. They can be settled just as quickly and just as expeditiously by this committee with full jurisdiction as they can with partial jurisdiction.

Mr. FLETCHER. Mr. President, the Senator has stated that the officers who compose these boards in the War Department have been negligent about these contracts and about these adjustments. I think the Senator will admit that the War Department has been industriously endeavoring to reach adjustments, and that the lack of authority is what has stopped them.

Mr. McKELLAR. Ah, Mr. President, it had ample authority. There may be reasons sometimes why these officers have not signed the contracts. The law requires these contracts to be signed in a particular way, and it requires an oath that there is no interest in them.

Mr. CHAMBERLAIN. Mr. President, in a moment I am going to move for a recess until to-morrow at 12 o'clock noon; and I give notice now that when the Senate reassembles I shall endeavor to keep it in session until this bill is disposed of. I want to say, however, in answer to the Senator from Tennessee, that he forgets absolutely and entirely the emergency which caused the War Department to order supplies and matériel without the execution of formal contracts. Cablegrams were coming over here from Gen. Pershing, demanding that certain things be supplied him forthwith; and the War Department, in the very nature of things, did not have time to execute these contracts.

THE AMERICAN MERCHANT MARINE.

Mr. RANSDELL. Mr. President, on the 22d and 23d of this month a very important conference was held in this city, which discussed the question of the American Merchant Marine. It was addressed by several Members of Congress, including two Members of the Senate. I submit the proceedings of that conference, which I desire to have printed as a public document; and I ask that the matter be referred to the Committee on Printing for action.

The PRESIDING OFFICER. The matter presented will be referred to the Committee on Printing with a view to having it printed as a public document.

RECESS.

Mr. CHAMBERLAIN. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate took a recess until to-morrow, Thursday, January 30, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 29, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father who art in heaven, whose goodness never failing, pours out upon us day by day innumerable blessings, accept our heartfelt gratitude, forgive our sins, and help us hour by hour, day by day, willingly, faithfully, efficiently, to fulfill all the duties Thou hast laid upon us. In the spirit of the world's Great Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 13708. An act providing for the relief of such populations in Europe, and countries contiguous thereto, outside of Germany, German Austria, Hungary, Bulgaria, and Turkey, as may be determined upon by the President as necessary.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2784. An act to authorize the purchase by the city of McMinnville, Oreg., of certain lands formerly embraced in the grant to the Oregon & California Railroad Co. and revested in the United States by the act approved June 9, 1916; and

S. 3384. An act to amend the public-building act, approved March 4, 1913.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HOUSTON. Mr. Speaker, I call up the conference report on the bill H. R. 11984, to provide for the Fourteenth and subsequent decennial censuses.

Mr. SHERLEY. May I inquire of the gentleman how much time he expects to take in connection with this report?

Mr. HOUSTON. I am not able to say how much time.

Mr. MANN. I understand there is to be some opposition to it.

Mr. SHERLEY. I am anxious to get through with the appropriation bill in order that I may resume the hearings that must be had on a number of other bills. While I do not like to put my personal convenience before the House, yet it being a matter of importance to the House itself, I was hoping that we might go forward with this deficiency bill this morning.

Mr. DYER. Will the gentleman yield? I will say that I desire that there shall be a separate vote on some amendments. I shall ask for a separate vote on amendment No. 12.

Mr. HOUSTON. There was an understanding that there should be a separate vote on amendment No. 12, and I should think we ought to get through with this within the hour.

Mr. DYER. I shall ask for a yea-and-nay vote on that proposition.

Mr. FERRIS. How can there be a yea-and-nay vote on that proposition? You will have to vote the whole report down.

Mr. MANN. There can not be a yea-and-nay vote on that proposition without rejecting the conference report.

The SPEAKER. The only vote that could be had is voting the conference report up or down.

Mr. MANN. There will undoubtedly be some controversy over the conference report.

Mr. HOUSTON. I am not able to tell how much time will be consumed. I do not want to get in the way of appropriation bills, but I think we can get through within the hour.

Mr. CANNON. Oh, no; in the first place, we will have to have a quorum, and in the next place, you can not get through in any hour, for I have no doubt there will be a roll call, and in the third place, there will be something of debate.

Mr. HOUSTON. Mr. Speaker, I am inclined to yield on this proposition, but after this appropriation bill is through I understand the Agricultural bill is ready to go on.

The SPEAKER. The Chair will explain to the gentleman from Tennessee the difference between the gentleman from Kentucky and the gentleman from South Carolina. The gentleman from Kentucky has more of these appropriation bills that are to be wrought out in committee, and the gentleman from South Carolina has no more.

Mr. HOUSTON. I am willing to yield my request for the present not to interrupt the progress of the bill of the gentleman from Kentucky, but I would like to come in right after the disposition of that bill.

Mr. FERRIS. But, Mr. Speaker, there is a more serious matter than the sweeping of this conference report aside. On January 21 the gentleman from Tennessee [Mr. HOUSTON] made a hard and fast agreement to bring back this amendment for a separate vote.

The SPEAKER. The Chair has nothing to do with agreements; the conference report is brought in and has to be considered as a whole.

Mr. HOUSTON. I did agree on amendment No. 12, and entered into an agreement to have a separate vote, and also on another amendment, but the other amendment was agreed to, and there is no occasion for a separate vote on that.

The SPEAKER. Does the gentleman from Tennessee withdraw his request?

Mr. HOUSTON. I ask the gentleman from Kentucky to yield to me for a minute.

The SPEAKER. The gentleman from Kentucky has not the floor yet.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FERRIS. I yield to the gentleman from Tennessee [Mr. HOUSTON].

Mr. HOUSTON. The agreement was made on the floor of the House that there should be a separate vote on two amendments. One amendment has been agreed to, and hence that occasion no longer exists. As to the other amendments we did not agree to the Senate amendment, but agreed to it in a modified form in a substitute that I thought might be satisfactory. I came to these gentlemen who wanted a separate vote, and they said they would rather have a separate vote. I am willing to have a separate vote, and I will ask unanimous consent that they have a separate vote on that proposition.

Mr. MANN. How can you do that? The conference report is acted on by the House and the Senate. The House can not provide for a separate vote on any amendment on a conference report. The only way for that to be done is for the House to reject the conference report and then have a separate vote and send it back to conference.

Mr. FERRIS. I think the gentleman from Tennessee ought to do that.

Mr. MANN. I think so, too.

Mr. DYER. That was the agreement.

Mr. HOUSTON. If the gentleman will permit, I understand we can do almost anything by unanimous consent. By unanimous consent we can agree to vote on this proposition, and if it is voted down, then, as a matter of course, that is a rejection of the conference report and takes the bill back to conference.

Mr. MANN. If the House and Senate were assembled together, they might possibly bind both bodies by unanimous consent; but the House can not by unanimous consent change a conference report agreed to by the Senate managers and presented to the Senate as a whole. The House can not change that in any way. The only thing that can be done is to vote down the conference report. If a separate vote is to be had, the only way is to vote down the conference report, and then have a separate vote on this amendment, and then send it to conference again. There is no other way of doing.

Mr. GARNER. If you are going to go back to conference, had you not better do it this morning, so that you will be ready to come back to-morrow with another conference report?

Mr. FERRIS. I hope the chairman of the committee will consent to do that. This deals with a matter that is very important. Here is a proposition to give to some 4,000,000 soldiers preference in employment in the Government after they come out of the war, and the hard-and-fast promise was made that we might have a separate vote upon it. But the committee have brought in an entirely independent proposition, which I fear does not render any relief at all to the soldiers.

Mr. DYER. And could deprive every one of the soldiers of getting any job.

Mr. FERRIS. I know the gentleman from Tennessee and the conferees did not intend to do anything of that kind.

Mr. HOUSTON. I am perfectly willing to take any course that will put the conferees in the attitude of keeping perfect good faith with the House, because that is all we have been trying to do. We have offered a substitute the merits of which we thought would be satisfactory. Now, if the proponents of the proposition involved in the separate vote are not willing to accept it, we are not going to insist on it.

Mr. MANN. In view of the gentleman's statement, I suggest to him that he ask unanimous consent to have the conference report considered and rejected.

Mr. FERRIS. Have this report unanimously rejected. That will give us a chance to ask for another conference, and then

you can bring back a different agreement on that one matter and let us have a vote on it.

Mr. MANN. I suppose that would come up later possibly, if there is to be a discussion on that separate amendment.

Mr. HOUSTON. How are we to get a vote on that proposition in the House?

Mr. FERRIS. Report a disagreement as to Senate amendment numbered 12. I greatly hope Senate amendment numbered 12 can be agreed to just as it is. I hope it will not be changed at all. The soldiers are entitled to this preference. It should be given willingly. It is not too much.

Mr. MANN. If the conference report is rejected, then the Senate amendments are pending before the House, and it is in order to move to concur in the Senate, either directly or with an amendment. Perhaps the gentleman does not want to do that right now, but may when he gets to the consideration of it later.

Mr. HOUSTON. Very well, Mr. Speaker, in the interest of peace and harmony I am going to ask that the report may be disagreed to and sent back to conference.

Mr. MANN. I would not do it right now.

Mr. SHERLEY. I suggest to the gentleman not to make that motion at present. After conversation with the various parties in interest the matter may be adjusted.

Mr. HOUSTON. Mr. Speaker, I withhold the conference report for the present.

DEFICIENCY APPROPRIATIONS.

On motion of Mr. SHERLEY the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, with Mr. GARNER in the chair.

The Clerk read as follows:

NAVAL ESTABLISHMENT.

GENERAL EXPENSES.

Pay, miscellaneous: For commissions and interest, transportation of funds, exchange, etc., including the same objects specified under this head in the several acts carrying appropriations thereunder for the fiscal years 1917 and 1918, $1,648,502.72.

For commissions and interest, transportation of funds, exchange, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $5,000,000.

Mr. SHERLEY. Mr. Chairman, the first item is "Pay, miscellaneous," and it represents an actual deficiency incurred during the years 1917 and 1918.

The second item, of $5,000,000, is an estimated deficiency for the current year, based upon this fact, which pertains to many other items in connection with naval matters: The estimates for the Navy as submitted for the fiscal year 1919 were predicated upon a naval strength of 314,000 men, while the average strength of the Navy for this year will be 445,000 men. In point of fact the Navy strength reached a maximum of 490,000 men. Now, the difference between those two figures results in making deficiencies in a number of items in connection with "Pay, miscellaneous," "Pay of the Navy," and other matters which are dependent upon the size of the personnel for the amounts that need to be expended.

Mr. BUTLER. Will the gentleman allow me to ask him a question, please?

Mr. SHERLEY. Certainly.

Mr. BUTLER. That is based upon the number of men that we are supposed to have and are likely to have in the service during this fiscal year?

Mr. SHERLEY. Yes. There will be an average this fiscal year of 445,000 men for the Navy, it is estimated. There has been a peak of four hundred and ninety thousand and odd men in the Navy. The estimates as submitted to the Congress were based on a naval strength of 314,000 men for this year.

Mr. BUTLER. I thought the first estimate was for 350,000 men.

Mr. SHERLEY. My information from the hearings is that it was 314,000 men.

Mr. BUTLER. I do not think it is any violation of the rules for me to say to the gentleman that the Naval Affairs Committee have already agreed to report a bill to continue the Navy at 225,000 men. I think the gentleman made reference to that yesterday.

Mr. SHERLEY. That relates, of course, to the coming fiscal year.

Mr. BUTLER. I understand, the next fiscal year.

The Clerk read as follows:

NAVAL EMERGENCY FUND.

For the payment of obligations incurred prior to November 11, 1918, under the naval emergency fund, including the same objects specified for this purpose in the deficiency appropriation act approved October 6, 1917, and the naval appropriation acts for the fiscal years 1918 and 1919, $33,000,000.

Mr. SHERLEY. Mr. Chairman, as I stated in the explanation of the bill in connection with the naval emergency fund, there was appropriated by the Congress $315,000,000 for naval emergency purposes. Two hundred and fifteen million dollars of that amount was carried in bills reported by the Committee on Naval Affairs and $100,000,000 of it was carried in a bill reported as a deficiency bill by the Committee on Appropriations, and which became law in October, 1917. There will be found on page 1184 of the hearings a table undertaking to set out in some detail allotments that were made under this appropriation of $315,000,000. In point of fact, there had been an overallotment of some $96,600,000, so that if the Government had carried out at the cost estimated all of the projects that were undertaken in connection with this naval emergency fund the Congress would have been called upon to appropriate an additional amount of $96,000,000. There has been expended out of this fund, as of November 1, 1918, $225,404,963.77. There were unpaid obligations of $186,199,812.11, or an overobligation of $96,604,775.88. There have been deductions by cancellations of $46,710,725. There have been reductions in work that was contemplated, but for which the Government was not obligated, of $16,580,178.81. So that there was a total reduction thereby of $63,290,903.81, which taken from the overobligation of $96,604,775.88 makes an existing deficiency of $33,313,872.07. We carry in this bill $33,000,000 in round figures because necessarily the estimates of odd dollars and cents were simply bookkeeping estimates, and there will be a variation more than sufficient one way or the other to deal with that. The purpose of carrying this money in this bill was to complete the building of destroyers that had been undertaken by the department. There will be found a statement in the hearings as to the amount of construction work that was undertaken by the Navy in connection with the appropriations under the naval emergency fund, and there will be found in the hearings of the Naval Committee, in connection with the Navy bill for 1920, a list of all of these various vessels. The Committee on Appropriations did not duplicate those tables, having before them the knowledge that they had been put into the hearings by the Committee on Naval Affairs. This is the situation briefly as I recall it, and I now refer to the hearings before the Committee on Naval Affairs. There were 76 destroyers, *Nos. 110* to *185*, inclusive, being built under the emergency fund, and destroyers, *Nos. 186* to *335*, inclusive, built under the appropriation "Increase of the Navy." Destroyers, *Nos. 336* to *334*, inclusive, are being built under the emergency funds that we are now dealing with. All of the destroyers that were being built as a result of the Navy emergency fund were in a state of completion running all the way from completion to as low as 22 per cent of completion in the way of hulls and machinery. A number of them had actually been completed. It was stated before the committee that these destroyers were of the modern type, 35-knot speed, that it was the desire of the department to finish them all; that not to finish them would be to waste a great deal of very valuable machinery and material that was in process of construction.

The impression has been held by some that this deficiency was to take care of matters relating to what are commonly described as Eagle boats, or submarine chasers. This is true, that this fund of $315,000,000, voted for the Navy to be spent in the discretion of the President for any purposes in connection with the prosecution of the war by the Navy, as he might see fit, was used for many purposes, including the building of Eagle boats. It is also true that if they were to take the balances that they are holding for the payment of certain work and use them for the payment of other work they could, for instance, pay for these destroyers and then leave to be paid for Eagle boats, or something else. But the matter as presented to the Committee on Appropriations—and there is no conflict, I may say, in the testimony before the Committee on Appropriations and before the Committee on Naval Affairs—showed certain expenditures and certain obligations that had to be met, and among the obligations that had to be met in order to bring them out whole under the emergency fund was $33,000,000 which they figure necessary for the completion of these destroyers. They first stated it as $36,000,000, and they came before the committee and said they expected to get from the naval appropriations committee the $36,000,000 with $25,000,000 more, the latter amount being to put back into condition various boats that had been chartered and taken over by the Navy from private owners, which, under the agreement by which they were taken over, had to be restored to their original condition.

Mr. BUTLER. Made over again.

Mr. SHERLEY. They said they would get the $36,000,000 and the $25,000,000 from the Committee on Naval Affairs in connection with this year's appropriations. I found on examination that they were $3,000,000 too high in their estimate of

the item that is spoken of as the $36,000,000 item, so I brought to the attention of the chairman of the Committee on Naval Affairs that fact, and said that if he were going to allow these two items, instead of allowing $61,000,000 they ought to allow $58,000,000, because the Navy did not need the $3,000,000. Subsequently I was advised by the chairman of the Committee on Naval Affairs that the committee thought the $33,000,000 was a deficiency and as such ought to be carried by the Committee on Appropriations in this deficiency bill rather than carried in the appropriation for the Navy for the next fiscal year. I thereupon carried this item, and it is my understanding that the Committee on Naval Affairs has cut down the item they were going to carry of $61,000,000 to $25,000,000.

Mr. BUTLER. Twenty million dollars.

Mr. SHERLEY. For the sole purpose that I have indicated, of restoring vessels to the condition they were in when taken over from their owners. Mr. Chairman, the Committee on Appropriations has had no option in regard to these matters, and by that I do not mean to imply that there has been anything necessarily done by the Navy in the use of this fund that ought not to have been done under the emergency which existed and confronted the country at the time when we were at war, but they got $315,000,000 and they got it largely upon the proposition that it was to be used for the purpose of building destroyers and other vessels to be used against the submarine menace.

They actually have used this money for a great many purposes. Gentlemen will find by looking at the table in the hearings to which I have referred that a lot of this money went not only to new construction, but it went to supplies and accounts, contingent, vessels purchased, charter of vessels from the Shipping Board, water supply, Hampton Roads, ordnance, navigation, and yards and docks. In point of fact the fund was used as an emergency fund for all manner of purposes in connection with the Navy and the various bureaus of the Navy, and the hearings disclose somewhat in detail all of the uses for which this money was expended and the condition of the balances. Now, when the naval representatives first came before the committee they came with the statement that they needed $125,000,000 as a deficiency to make good their overobligations under the Navy emergency fund. When they got through with the Committee on Appropriations they were satisfied that they needed only the $33,000,000 which we are here appropriating, and that is one of the instances of the value of a detailed examination on the part of officers bringing estimates before the Congress and the requiring of an actual financial showing as to balances.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. There will be found in the hearings a statement as to cancellations, and it will be found as to the number of Eagle boats which were being built by the Ford Co. that they have canceled 52 out of 112 of Eagle boats for which they had contracted. The committee did not go into the question in detail as to whether they could cancel an additional number of these boats, although the statement was made that they had canceled, as far as the physical condition permitted the cancellation, and upon the showing made of the need of this money to complete these destroyers the committee recommends this amount to the Committee of the Whole for its approval.

Mr. BUTLER. Mr. Chairman, I move to strike out the last word—just a formal motion. Mr. Chairman, I wish the chairman of the Committee on Appropriations would permit me to ask him, or I wish that he would make a statement here now in connection with this item, touching any plan he may have in his mind, if he has a plan, by which a nearer association could be had between these military committees and the Committee on Appropriations in the consideration of deficiency appropriations. Before the chairman makes it, however, I want him to know there is no criticism whatsoever of this appropriation. The Navy Department has expended a great deal of this money and obligated the Government to pay more than it has already expended, I suppose. This fund has to be created and made up, and has to be paid out. I very greatly regret, Mr. Chairman, that the chairman of this committee will not be a Member of the next House of Representatives. While he and I are not, perhaps, in entire accord all the way through politically, I want to bear open testimony not only to his diligence while he has been a Member of this House but to his absolute reliability and sensible—yes, brilliant—service, and I do not feel like criticizing any item he might report. The country will need him, as the gentleman from Illinois yesterday well said, badly. While his successor is a Republican and comes on this side, it is my regret that both of them could not be Members of this House. I believe the country will need Mr. SHERLEY in the next session; need men like him. I know it is not fashionable to be an economist and I know it is not popular to stand between the bureaus and the Treasury. Everybody is against such a man; but, nevertheless, we have to drift back to the time when we must be economical or else the people of this country will make up their minds that men who are not at all times doing their best to obtain relief from oppression will be excused from membership in this House. Now, Mr. Chairman, it does seem to me—and I am not looking to any prospective interest whatever, because I do not know I will even be a Member of the House of Representatives or be a member of the Committee on Naval Affairs hereafter—I do want the gentleman before he goes away to say whether or not he has in his mind some plan, some way, by which the appropriations committees can be brought in closer touch with each other when considering deficiency appropriations. I say, without reflection upon anyone connected with these military bureaus, and have absolute confidence in them; but, notwithstanding, I do believe at times appropriations are asked for from these regular committees when the gentlemen asking for them have made up their minds that they would go to another committee and ask a deficiency, and therefore do not submit to the committee having charge of the appropriation originally all of the necessities which required a greater appropriation. If the gentleman will make a reply, I shall be very greatly indebted to him.

Mr. SHERLEY. I shall be glad very briefly to state to the gentlemen and the committee what the situation is as I see it, and what the remedy in a measure is. It is not, of course, fair to judge the work of either the Congress or the departments by the conditions that have existed for the past year, because of the war breaking as it did and the need for action all of us were willing that the departments might have a leeway and might go forward with necessary work rather than to wait upon the deliberations of legislative action. I think that where the departments have exercised proper judgment in things they undertook they are not to be censured, because they did not always wait to have the exact amount of money provided. There have been, however, a few instances in which the disposition on the part of Congress apparently has been availed of by the departments to go forward when they could not come to the Congress in respect to every case.

Now, personally I have never believed in the distribution of appropriation matters among many committees, because I believe that it is impossible for any committee dealing simply with appropriations along certain lines to have that vision touching general expenditures that is necessary to a sound judgment as to whether or not a given thing should be appropriated for. Two questions are always involved in every appropriation. First, is the thing itself desirable? And, second—and frequently the second consideration is more important than the first—assuming that it is desirable, is it permissible, having in view the need of doing other things and the aggregate of the burden that will be placed upon the people if these various things are carried out? In other words, the real thing that is difficult for a legislative body to determine is not simply the value of a proposal itself, but the sum total of burdens that you have a right to place upon the people, having in mind that the Government has nothing of itself and only gets its moneys through tax burdens laid upon the people. Even with our archaic method of appropriations through many committees, I believe that in normal times, and from now on, it ought to be possible for the different bureaus so to present their estimates that they would not create deficiencies. I think there ought to be brought home to them that hereafter men who come with deficiencies will come with a knowledge of the penal statute that has been passed touching the making of deficiencies.

I have endeavored as chairman of the Committee on Appropriations to consult informally whenever I could with the chairman of the Committee on Naval Affairs and the chairman of the Committee on Military Affairs and other appropriation committees, in order that the committee might not do the very thing that the gentleman suggests has been possible, giving something that had been refused by the other committees. The Committee on Appropriations ought not to be a court for a rehearing of matters which have been refused by committees having the power to appropriate in the first instance. And I think I can say that it has not been such in the days that I have had charge of it. My own judgment is that you can consolidate appropriations in the hands of one committee, or, at least, you can consolidate the total that may be appropriated by any committee in the hands of one committee. Whenever that is suggested men say, "How on earth are people going to do the work when they have difficulty in doing the work that is even

before them now?" The answer to that lies in this fact, that nine-tenths of the work that is done in the way of examination, the question and answer, would be unnecessary if you had a modern system of bookkeeping and would have a statement of estimates, and an independent audit answerable to the Congress of the United States and not to the administrative branch of the Government. You would then be able by that audit to put your finger upon the sore spot and investigate it. The trouble now is that the Congress, having no other medium, undertakes to prevent abuses by detailed appropriation and detailed restriction, and its time is taken up with many matters that ought to be passed pro forma, with the result that great policies of government can not be dealt with and determined by Congress. And as the years roll around more and more the executive branch of the Government is determining a policy and Congress is being called upon to carry it out by appropriation of money.

Mr. MADDEN. It will be perfectly feasible, I have no doubt, to have subcommittees of the Appropriations Committee to represent each department, and then have the committee itself coordinate all the appropriations?

Mr. SHERLEY. I think that is true, and I think the very fact that you have all matters coming into a central committee would result in the clerical force of that committee keeping check on things for the benefit of the various subcommittees. I know that every subcommittee of the Committee on Appropriations constantly has brought to its attention by the clerk and his assistants matters that come in some other bill and yet have a bearing, so that these subcommittees may not cross each other's program or may not recommend something in conflict with the view of another subcommittee. And I want to say now that the Committee on Appropriations, I think, has earned a reputation for efficiency in the Congress, and I do not mean the committee since I have been the chairman of it. It earned that long before I ever came to Congress. For many, many years it has justified the faith of the Congress in its conservatism and its industry. A reason for that is very largely the atmosphere which has grown up in that committee and which every new member, when he comes on it, feels; and it has been handed down from man to man and been made possible largely through the continuity of action and of purpose brought about by the very splendid services of the former clerk and the present clerk of that committee. And much of this efficiency is due to the fact that there is kept for the benefit of the committee continuous information in regard to the activities of the Government that enables the members to pursue a consistent policy. I have seen man after man come on that committee rather liberal in their views touching expenditures, and after coming in touch with the experience of that committee, which runs back forty and more years, become the most conservative, constructive members of the committee.

Mr. BANKHEAD. Will the gentleman yield?

Mr. SHERLEY. Certainly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BANKHEAD. We are all very much interested in this question, and I would like to ask the chairman whether or not these reforms which he suggests would come in a large measure by changing the rules of the House relative to the matter, or would it require substantial legislation in the nature of a statute?

Mr. SHERLEY. I believe some of them could be made by changing the rules of the House, but I believe it would be reenforced by virtue of the last year's experience. We ought to undertake to do for the Government in connection with the estimates of appropriations exactly what we undertook to do in connection with the financial system of the Government. Men may differ one way or another with the recommendations that were made by the Commission on Monetary Reform, but no man who wants to be frank and candid but what knows that the work that that commission did laid the groundwork that made possible the present banking and currency system.

Now, I believe that it is easily possible—and I hope to do so, if the committee agrees with me—to present to the House, in connection with one of the final deficiency bills, a proposal looking to the appointment of a commission composed of a limited number of Members of the House and the Senate and the Secretary of the Treasury, and giving to them a fund of $100,000 or $200,000, in order that they may have the clerical force necessary to gather together the data to report back to Congress a plan for a financial system.

I do not believe that any plan that is suggested will meet the views of everybody. There will be much that men will take exception to. But if that commission does its work intelligently and has available the technical assistance that it can obtain, it ought to be able to present to the Congress the fundamentals for such a reform. Some of those reforms will require statutory enactment, and some of them will require a change in the rules. If it had been my fortune to be a Member of the next Congress I had hoped to give a great deal of my time to that sort of a reform, which I believe will be the greatest that could possibly be brought about. And if it is brought about, there ought to be easily made a system whereby Congress can ascertain the facts that it is entitled to know without having to try each estimate as we would try a lawsuit. To-day the Parliament of Great Britain does not undertake to specify in detail anything like what Congress does, but the most powerful body in England is the independent audit that exists there, and that is always available to committees on expenditures in Parliament, and through its recommendations and suggestions it enables those committees to go to the sore spots and correct conditions.

Now, we can not adopt the English system as such for many reasons, and we ought not to want to. Every nation works out a plan of its own. It has habits and an evolution that can not be disregarded. But the American people certainly have enough constructive statesmanship to enable them to work out a modern system that will not be out of harmony with our divisions of power and our double legislative bodies. [Applause.]

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

Mr. BUTLER. Mr. Chairman, will the committee allow me two or three minutes, to ask another question of the gentleman from Kentucky and also obtain his answer in that time?

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. BUTLER. It has been a little bit disappointing to me, Mr. Chairman, while sitting on this one committee that I have served on for 22 years, to find out, after a great effort to limit appropriations to the needs of a department or a particular bureau, that it transpires or appears in the making of the next appropriation bill that the same bureau officers had gone to the Committee on Appropriations for a deficiency. Until the reform that the gentleman speaks of—and I am in entire accord with him, and I know that it is in the right direction—could be brought about, would it not be well to have a subcommittee of the Committee on Naval Affairs and a subcommittee of the Committee on Military Affairs meet with a subcommittee of the Committee on Appropriations at the time these deficiencies are being considered, so that these committees having in charge those subjects originally might be able further to inform the Committee on Appropriations what their views might be and what the actions of their committees had been?

Mr. SHERLEY. I have tried a number of times to get members of other committees to confer with me, and I have had difficulty in bringing it about promptly enough to enable me to attend to the business before the committee. I think it ought to be possible to have informal conferences, and a practice might very well grow up of having the Committee on Appropriations present informal memoranda of estimates that are sent to it from the Navy Department to the Committee on Naval Affairs and receive information from the Committee on Naval Affairs, if that committee wanted to submit its views or information in connection with the estimates. They have always been welcome to do it heretofore, and I have welcomed them when they came to me with reference to supplemental estimates that had been submitted. But you are going to get a reform in the way of total expenditures when you determine first the total amount that you will spend for a given purpose.

Mr. BUTLER. Exactly.

Mr. SHERLEY. For instance, if the Navy Department found that it was to have $500,000,000 to spend during a given year and knew that that was going to be the sum total, then you would have every department of the Navy working against every other department to get its share and suggesting methods by which you could cut out unnecessary things. Instead of that, what you have now is each one of the departments pulling together to help increase the sum total.

Mr. BUTLER. Would not that be worked out through the gentleman's plan of a budget system?

Mr. SHERLEY. Yes. I think that could be worked out through the budget plan I suggested to the Congress a good many years ago and got defeated on.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CANNON. Mr. Chairman, I make a pro forma amendment in order to obtain some time.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. CANNON. I do not want to take up too much of the time of the House. I have listened to the gentleman from Pennsylvania [Mr. BUTLER] and the gentleman from Kentucky [Mr. SHERLEY] with much interest. A budget system is frequently talked about without much of knowledge. Perhaps you could work it out through the audit referred to, and I have no objection to a commission being created to investigate. The trouble about it, however, is that the term of the Executive is for four years, and the term of a Senator is for six years, and the House entirely must come in or go out every two years.

Now, in Great Britain and, so far as I know, in all other countries having a budget system, so called, when the budget is turned down the ministry preparing it goes to the country and inside of 60 or 90 days the ministry is either sustained or turned down. If it is not sustained, when they come to return the members of the House of Commons, for instance, of Great Britain a new ministry is formed, and there you have a response to the public sentiment by a fairly prompt change of the policy of the Government touching the matter or general matters that are referred to. Without an amendment to our Constitution we can not have that.

I should be very glad to see—and still I do not have much hope for it—all the appropriation bills handled by one committee. I think perhaps you might make a committee of 12 or 14 or 16 and then let the various committees charged with legislation take the chairman of the committee and the head of the minority into consultation when the bill for that department is being perfected, and after full consideration you could come to some kind of an agreement.

I had some experience away back yonder when Speaker Carlisle was first elected Speaker. There was a contest as to whether Carlisle or Randall should be Speaker. Both were good Democrats, except that Randall was not "orthodox"; he was a protection Democrat. Mr. Carlisle defeated him, under the leadership, in their caucus and in the House, of my former colleague, William R. Morrison, a man of extraordinary ability. He wanted to go at the head of Ways and Means, and did. You could not turn Randall down, because he had a very strong following on his own side of the House, and he went to Appropriations.

Morrison, as chairman of the Committee on Ways and Means, reported a tariff bill which bore his name and was popularly known as the Morrison horizontal bill. It was supposed to have the support of the Democrats in the House and that of the President, but Mr. Randall, who was an outspoken protectionist, and a score more of Democrats voted with the Republicans and struck out the enacting clause, defeating the first effort of a Democratic House to enact tariff legislation. Morrison did not forget nor forgive Randall, and when the Forty-ninth Congress met he proposed a new rule distributing the appropriation bills. That rule was adopted, not as an economic reform, but as political revenge, to cripple the man who had been three times Speaker and was then chairman of the Committee on Appropriations. The Democrats concluded to cripple him, and divided the bills as they are now divided under the rules of the House. Well, what was the result? In the Fifty-first Congress I was chairman of the Committee on Appropriations, and we had followed suit, you know. They had divided on the bills when Mr. Carlisle was Speaker. I called together all the chairmen of committees that had appropriation bills to consult as to what the revenues were and see if we could not come to an agreement. Nothing doing. Each chairman was like a hen with one chicken. You know a hen with 1 chicken makes more fuss than a hen with 16 chickens. The motherly hen with 16 chickens marches with dignity and clucks occasionally, and the chickens follow; but the hen with one chicken runs the legs off her poor little chick, worrying and bothering around, and does not have any regard for any other mother hen with 16 chickens.

Mr. BUTLER. How about a hen with no chicken at all?

Mr. CANNON. The gentleman is an expert in poultry matters, and I will not answer his question according to the facts. In private I will answer him. [Laughter.]

Now, what has happened? As it was under the former rules the Committee on Military Affairs, the Committee on Naval Affairs, and so on, were chargeable with legislation. When the appropriation bills were reported they could come into the Committee of the Whole House on the state of the Union and criticize and move to amend, and the Committee of the Whole, after discussion, amended or failed to amend, according to conditions. Well, now, what has happened? The practice has grown up that each committee chargeable with legislation just hitches its appropriation onto the legislation, and as the money has got to be appropriated, the legislation is frequently dragged through without sufficient consideration. That does not result to the public good. If I had power I would go back and adopt the rules that we had before the disagreement between the two wings of the Democratic Party in the Forty-ninth Congress, which divided these bills. I would go back and adopt the rules that we had then. Oh, there are 435 of us now, and I have no idea that I can work it out. We will have to have a commission and full consideration; but I would have responsibility with power concentrated, so as properly to organize the House of Representatives, subject to the action of the House in indorsing the organization.

The CHAIRMAN. The time of the gentleman has expired. The Clerk will read.

The Clerk read as follows:

Naval training station, Great Lakes: For maintenance of naval training station, Great Lakes, including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $457,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will the chairman of the Committee on Appropriations inform the House as to what is contemplated in the way of improvements at this largest of all naval training stations, that located at Great Lakes, Ill.? I know they have had as high as nearly 50,000 apprentices and seamen there during the peak of the training season for the war. What is contemplated now in this appropriation aggregating nearly half a million dollars?

Mr. SHERLEY. This particular item of $457,000 is purely for maintenance. They submitted an item for $1,250,000, which included both maintenance and betterment at the Great Lakes Naval Training Station. The committee had pretty full hearings in connection with all of the training stations, and I do not know anything concerning which we had as much difficulty in coming to a real understanding and conclusion.

Now, the situation broadly is this: The Navy went ahead with all of these various training stations and created them and enlarged them by various work, undertaken without having come to Congress for any appropriation; and twice in the past they came to the Committee on Appropriations and represented that they had spent certain moneys and that we must appropriate to pay the bills because the money was actually spent. They came once just two days before an adjournment was to take place, with an estimate that the committee very promptly threw out of doors because we were furnished with no information as to the money that the department wanted to spend. The result of that was that they just went ahead and spent it anyway and came back with estimates for actual deficiencies. Now, I can not tell the gentleman from memory what is the situation at Great Lakes Training Station, but the gentleman will find on page 453 of the hearings a statement totaling $1,750,000 for various and sundry purposes in connection with Great Lakes Training Station. Instead of allowing that, what we did was to allow the amount of $457,000, which it was estimated was necessary as a maintenance fund proper, and then when it came to the question of maintenance under the Bureau of Yards and Docks for all of the naval stations we gave them $6,000,000, which amount was supposed to be sufficient to take care of the construction work that had to be carried through at these various stations. Now, I have this impression in regard to these various naval stations: That a great deal of work incident to the war has been undertaken, and that every commandant at every one of these yards is now desirous of going forward with that work irrespective of the termination of the war, and I believe that the Committee on Naval Affairs, who seem to be desirous of undertaking additional work, including the deficiency estimates, could do no better work than to go into all these expenditures. In point of fact I am not at all sure but what it would be well worth the while of the Congress to have a committee of two or three members of the Committee on Naval Affairs to visit these various stations and to ascertain the actual conditions. It is almost impossible to obtain the information from a recital by witnesses. We cut down the amount quite considerably.

Mr. STAFFORD. Will the gentleman inform the House what was the total estimate asked by the Bureau of Yards and Docks, which, I believe, has charge of the building and enlargement of these various stations?

Mr. SHERLEY. The Bureau of Yards and Docks asked for $6,500,009, as I recall, and in asking that they figured an expenditure of about $1,000,000 at Great Lakes. To that extent that $1,000,000 was a duplicate of estimates made for the Great Lakes. What we did was to give them $6,000,000, as against the

$6,500,000 they asked for, and to eliminate $700,000 of the estimate from the Great Lakes Station. So that if you were to take all of the estimates made by the various training stations and the Bureau of Yards and Docks together it would total in round figures nearly seven and a quarter million dollars.

Mr. STAFFORD. The committee virtually shaved the estimates to the extent of a million and a quarter dollars.

Mr. SHERLEY. That is all we could do. It was not possible to come to a conclusion without a physical examination and very detailed statements. We had the various commandants of these yards come before us. There are a good many pages of testimony as to conditions, but here is the situation, the gentleman is familiar with it: A man says certain work has been undertaken and that it is necessary to complete it. You may think it is unnecessary to complete it, but unless it is a very glaring case and the fellow lacks the ingenuity that most of them possess of making a plausible case, you are defenseless. What we thought is this: I got an impression from the hearings before the committee that the present head of the Bureau of Yards and Docks has a real appreciation of economy and desires to hold down expenditures. He was one of the few officers who voluntarily called to the attention of the committee moneys not needed which could be eliminated. Therefore, instead of giving to this particular station the money that could be expended, we lumped the money under the control of the Bureau of Yards and Docks and placed the responsibility upon him, to see to it that the moneys are expended only as needed. Then, by giving him an amount less than all the yards needed, we put the yards bidding against each other and thereby bringing about economy.

Mr. STAFFORD. I think that was the only practical course to follow.

Mr. BUTLER. Mr. Chairman, I move to strike out the last two words. I want to call the attention of the chairman of this committee to one item in this bill, and I hope what I may say will make an impression on him. That is in regard to this appropriation for the little training station in California at Yerba Buena Island. It is found on page 11. I know that this money has been spent or obligated at this point—I believe honestly spent—and I have no criticism to make, but it is a disappointment to find a definite appropriation for a place that we anticipate may soon be abandoned.

Mr. SHERLEY. If the gentleman will permit, that was a deficiency that occurred last year.

Mr. BUTLER. I have been endeavoring, with my colleague from Michigan [Mr. KELLEY] and others, to hold down appropriations on these small places.

Mr. SHERLEY. This was the situation here——

Mr. BUTLER. I do not ask the gentleman to make any explanation, for I know his explanation will be reasonable.

Mr. SHERLEY. They had 4,500 men there, and it required a great deal of maintenance and construction in order to take care of them, and they ran over to the extent of $22,000.

Mr. BUTLER. If we had our hand on it and had it in mind, if they had stated to us in the last appropriation bill that they would need this money and that they would like to have us make that appropriation——

Mr. SHERLEY. I doubt very much if they knew it. They were expending so fast and working at these places under such pressure that they never knew from week to week what their balance was.

Mr. BUTLER. I have no criticism to make; I know what we have gone through. We have all been feverish, greatly disturbed and agitated, but I want to promise the gentleman from Kentucky that if I am a member of the Naval Committee in the next House I will, for one, make an effort to have methods of proving estimates and obtaining appropriations corrected.

Mr. SHERLEY. While I am on my feet I want to make a suggestion to the gentleman from Pennsylvania and the Committee on Naval Affairs, and that is I believe that if they will investigate into the practice that has grown up under the authority given some years ago at the instance of the Committee on Naval Affairs, touching general account of advances, they will find that it is a method that does not give the Congress proper control over funds but enables the Naval Establishment to build up reserves without the knowledge of this House and puts a premium on expenditure of all moneys that are appropriated here rather than to have any balances turned back into the Treasury. Every time you examine a naval officer upon that point he squirms and boxes the compass, but the fact remains that they are constantly building up reserves through that medium, and you can not make something out of nothing.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. I would like to ask a question about the item on page 12, the naval training station on the Great Lakes. I have just sent for the appropriation act for 1919. What is the exact purpose of this appropriation?

Mr. SHERLEY. I explained that a few moments ago.

Mr. LITTLE. I was not in the House at that time.

Mr. SHERLEY. The purpose was to take care of the maintenance for the balance of the year—maintenance, buildings, repairs, water system—just the upkeep account.

Mr. LITTLE. Is this to be a permanent station?

Mr. SHERLEY. It has been a permanent station and will always be, probably, one of the great stations of the Navy.

Mr. LITTLE. There have been a great many boys sent there from our country to be trained for the war and they have not been sent home. Can the gentleman give us any information as to when and how soon they are to be sent home? The officers seem to think that though the boys were sent there to learn something of war they ought to be kept there indefinitely, at their sweet will. Of course, I understand the station is a permanent one. What I seek to ascertain is as to the disposition to make the temporary war-time conditions permanent, so that some officers shall have more authority and larger commands.

Can the gentleman give me any information as to when they are going to send those boys home? What the plans are?

Mr. SHERLEY. Mr. Chairman, the committee had some hearings about that from the Bureau of Navigation and from various officers. The Navy claims that it is in a situation that is different from that of the Army, that a good part of its task increased or at least remained as great after the armistice as during the war time, that they have to move all of the soldiers back home, and that they are also looked to to supply the personnel for the merchant marine. They insist that they can not demobilize down to the last man or go back immediately to the condition that existed prior to the war, that as far as they are concerned they are practically operating upon a war basis, excluding the ships that were overseas in active war work, just as much now as they were some months ago, and I think it is somewhat true.

I realize the protests that have been made. I have received a number of them myself, as all of us have, and I have been told—and this is in the hearings—that these commandants at these various stations will investigate the conditions surrounding the individual applicant for discharge, and where they can without hurt to the service release him, they will do so, but that of necessity it is going to be a slower process than it would seem necessary to the average man, who does not know what the burdens are that have been placed upon them.

Mr. LITTLE. Mr. Chairman, there seems to be a tendency down there to believe that they can keep men indefinitely who were sent there for war purposes. If the officers have such an exaggerated idea of their power as that, and show this arbitrary disposition to handle the young men from out West, who ought now to be in school or at work, whom they are arbitrarily keeping from school or from useful occupations—keeping them there at such work as shoveling coal when they could secure in Chicago plenty of men who are out of work to do it—then it is a most unfortunate situation. There can be but one result of that, and that is to bring to the American mind, at least to the mind of the people whose sons are held in violation of the contract, the idea that these men are purely an arbitrary set of men, who are not fit to be intrusted with the funds or the youth of this Republic. If the friends of the Navy expect very much support from the agricultural sections of the country, where the people pay the taxes to support the Navy, they may believe that when war is on we will do everything we can; but they should also realize that when peace comes the Navy becomes of comparatively small moment as compared with the general necessities. The farmers and the business men run the schools and support this Navy, and if the Navy is going to proceed in the way of getting in the way of the schools and the farmers, then that attitude is bound to result in the feeling against it that will make it difficult for any Congressman from such a community to support it. If the Navy has any friends in this House, and it has many, I hope they will explain to these people that they can not expect to get good results from the taxpayers who are treated in this arbitrary manner. I shall not make any objection to this appropriation, although sometimes I think it ought to be done; but I do hope we will not be placed in a position where we can not do for the Navy what we want to do because of arbitrary, egotistical, martinet methods of some petty gentlemen who do not seem to realize that in time of peace they are about the smallest cogs in the machinery of this great Republic. This country is conducted purely for the benefit of those who fight its battles in war, pay its taxes in peace, and support its families from generation to generation, not to please

immaculate personages whose existence actually depends on the labors of those whose sons they appropriate when they should be in school or at work earning the money to pay the salaries of the immaculates.

The Clerk read as follows:

BUREAU OF STEAM ENGINEERING.

Engineering: For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1916, $30,882.14.

For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $4,300,000.

Mr. ROWE. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee about this entire appropriation for steam engineering, the whole amount being $4,300,000. Just what is it for?

Mr. SHERLEY. Mr. Chairman, it is really a repair item in connection with the ships that have been in commission and that need to be repaired, and the gentlemen will find on page 565 of the hearings the statements of Rear Admiral Robert S. Griffin, Chief of the Bureau of Steam Engineering, and Admiral Taylor, Chief of the Bureau of Construction and Repair. As I recall the testimony, they had had under the heading of engineering something like $107,000,000 and they had expended about $65,000,000 and had about $42,000,000 as an unexpended balance. They had $13,000,000 worth of outstanding obligations, which left them a free balance of something over $28,000,000. They estimated that with the number of ships that had been in commission and that were coming in for repairs that sum would be insufficient, and they asked for this additional amount in order to make these repairs. I did my best to convince Admiral Griffin that he would not need all of that amount of money, and in point of fact the committee did cut him down from an estimate of something like $8,000,000 for additional moneys to $4,300,000. Three million dollars of that cut, however, represents $3,000,000 which was intended to be expended in the creation of a radio station south of the sleet line, and I am very glad the gentleman's inquiry has brought this to my attention. It is proper that I call attention to it in order that the House, if it does not agree with the judgment of the committee, may increase the amount by $3,000,000. It was testified by Admiral Griffin that it was desirable to have an additional wireless station. It was originally undertaken as a war measure, having in mind the difficulty of always using wireless stations now owned by the Government in time of severe winter weather.

The severe weather of last winter seriously handicapped, at times, the use of wireless. It was determined, therefore, that it was desirable to have a station south of the sleet line, and that it was also desirable to have a very powerful station for use in connection with the South American countries. It developed before the committee that no moneys had actually been expended in regard to the building of this station. It may be that moneys had been expended under other appropriations in the procurement of land, but no money had been expended for the building of the station proper. The committee felt, under those conditions—although it was very strongly urged by the Navy Department that this should be carried out as a peace-time proposal and as a desirable thing—that it was a matter that ought to be left to the Committee on Naval Affairs to function on, and if, after a hearing, they saw fit to appropriate the money for that purpose, that they could do so. We were taking back moneys that were not needed. If this matter had been one in which expenditures had been made to such an extent as to make it necessary that it be completed, the committee would have acted. It is the one instance in which they found a situation involving a large sum of money proposed to be expended but which has not been expended at all, and they therefore cut the estimate of the Bureau of of Steam Engineering $3,000,000 in order to eliminate this expenditure until Congress should affirmatively authorize it.

Mr. ROWE. Did the committee understand that of this sum mentioned in the second line, page 17, $4,300,000, that $1,450,000 had been paid for the purchase of the ship-to-shore stations of the Marconi Co.?

Mr. SHERLEY. They understood there had been paid a million and a half dollars for the Marconi stations. The gentleman will find that in the testimony on page 565.

Mr. ROWE. I have that testimony. Does the gentleman know what those stations are used for?

Mr. SHERLEY. Well, I assume they are used——

Mr. ROWE. Are they part of the Navy?

Mr. SHERLEY. Well, if they take them over they are a part of the Navy. Now, there was a situation like a good many others that came up. The Committee on Appropriations did not feel that it had the right to undertake to determine upon whether or not the Marconi stations ought to have been taken over. To have come to a conclusion about that would have required very considerable hearings.

Mr. ROWE. Did the gentleman know that such a bill had been introduced and had a hearing before the Merchant Marine and Fisheries Committee?

Mr. SHERLEY. Yes.

Mr. ROWE. On January 17; and they refused to report it.

Mr. SHERLEY. Yes, I know; but I did not know they had refused to report it. I knew they had not reported it.

Mr. ROWE. That was for the very purpose of purchasing these stations?

Mr. SHERLEY. I have no doubt what the gentleman says is accurate. What does the gentleman think the committee ought to have done?

Mr. ROWE. Admiral Griffin testified before the Appropriations Committee, did he not, that the Marconi Co. had not been paid for these stations?

Mr. SHERLEY. What he said was this:

We have recently taken over all the Marconi stations, but have not paid for them yet. We will pay for them from this appropriation.

Then I asked him:

At what cost?

And he answered:

A little less than $1,500,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROWE. I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. ROWE. Your hearing was on December 10, and on December 12 Secretary Daniels, before the Committee on the Merchant Marine and Fisheries, testified, in talking about the Marconi system:

We paid $1,400,000.

And he was corrected, and said "$1,450,000."

That is in reference to Marconi stations; and then he also testified they paid $1,600,000 for the Federal Co. Is that also a part of this appropriation under the Bureau of Steam Engineering?

Mr. SHERLEY. No; it is none of it a part of the $4,300,000, except in this sense: We assumed if they did not pay for these various things they probably would have money to that extent so as to reduce the $4,300,000, but they did not say they wanted the $4,300,000 for this direct purpose, but I got the impression that, whether or not they were going actually to pay for these, they had entered into obligations for the purchase of these Marconi stations, and, therefore, that will be an obligation upon the Government. Now, I have no opinion one way or the other whether they ought or ought not to pay for these stations, except the general belief that the less we buy of commercial enterprises the better for the Government. We developed the facts as best we could as to what uses they had made of the various sums, but the committee did not feel that it was warranted in undertaking affirmatively to say that a thing of that sort should not be done. We developed the facts, and then if the Committee on the Merchant Marine and Fisheries wants to report out a bill or take any action to prevent this, why I should think they would proceed so to do.

Mr. ROWE. In the hearings before the Committee on the Merchant Marine and Fisheries Mr. HADLEY asked the Secretary of the Navy:

I would like to ask the Secretary at this point what is the specific item in the naval appropriation bill which carries the fund for that payment?

Secretary DANIELS. I have forgotten the title of it, but it is in the appropriation under the Bureau of Steam Engineering, which has direction and control of all radio matters. Under that appropriation we buy a tug, under that appropriation we buy a radio station whenever the Chief of Operations of the Navy and the General Board feel it ought to have them.

Mr. SHERLEY. No; the gentleman is mistaken in that statement. What happened is this: We asked these departments to get up a table showing the amount of moneys they had received for different purposes. They made a statement showing the amount of money that they had received for engineering under the Bureau of Steam Engineering. Then they showed of that sum of money a given sum had been expended and that there was a Treasury balance of a certain sum and that they had obligations to a certain amount. We then undertook as far as we could to ascertain what the available balance was to be used for, but we did not go into the question of what moneys had already been expended, because as far as the committee's work was concerned that was water that had passed under the bridge and there was nothing we could do about it.

Now, they set out the various expenditures that they have made or have to make, and they showed that in order to go

forward, assuming they carried on these various activities, they would require a certain amount of money for the rest of the fiscal year. That amount was stated as $8,000,000. Now, one of the items that went to make that $8,000,000 was this $3,000,00 I have spoken of. Inasmuch as that was a new thing, that had not been started, with no third-party obligation involved, we said, "You will not need that, and we can cut that much. And we think some of the other general statements as to the cost of repairs of ships, and so forth, and maintenance of radio stations could stand a little paring." And so we cut them, leaving the amount of $4,300,000.

But in order that we might not be misunderstood I took care in writing the report for the committee to expressly state that moneys that we left we did not mean should be usable for any particular purpose, and that we neither recommended nor disapproved those purposes. We left it for Congress to take such action as it saw fit in trying to develop the fact. Now, I am perfectly willing that Congress, if it does not desire to have these stations taken over, and knows how much obligation the Government has incurred that it can be relieved of, should legislate and say so. But it seems to me it would be asking almost an impossible task of the Committee on Appropriations to function on all of these various activities.

Mr. ROWE. I would like to ask one other question. Would the Committee on Appropriations feel under obligation to the Director of Railroads if he had bought the Baltimore & Ohio to appropriate the sum in a deficiency bill?

Mr. SHERLEY. If the Director of Railroads had bought the Baltimore & Ohio under authority of law.

Mr. ROWE. You are putting in a word there——

Mr. SHERLEY. I want to answer. If he had bought the Baltimore & Ohio under authority of law, so as to make a valid obligation upon the Government, I think the Congress would have to appropriate the money to pay that obligation.

Mr. ROWE. Suppose he had not that authority?

Mr. SHERLEY. If he had not the authority of law, I would not vote him the money for that purpose, and I am not voting any money yet for the purpose of paying for Marconi stations.

Mr. WHITE of Maine. Will the gentleman yield there?

Mr. SHERLEY. Yes.

Mr. WHITE of Maine. Does the gentleman understand that under this item for the Bureau of Steam Engineering in the last naval appropriation bill there is any authority given to the Secretary of the Navy to take over this Marconi system throughout the country?

Mr. SHERLEY. I neither know whether there is or is not. I have not examined into the question.

Mr. WHITE of Maine. My impression is that there is not, and I find that at the end of that particular section it provides that the sum to be paid out of the appropriation for purchase of land or sites for radio shore stations shall not exceed $10,000. The difficulty, it seems to me, is that the Navy Department goes out and expands and arrogates to itself powers the Congress has never given to it, and then it comes in here and asks that the things it has done without authority of law shall be ratified by an appropriation to take care of its expenditures.

Mr. SHERLEY. The gentleman is drawing a conclusion that is not warranted by facts in this instance. The appropriation of $4,300,000 does not add one iota to the power that may or may not exist in regard to the expenditure of money for stations. And the $10,000 limitation to which the gentleman refers would be a limitation on this $4,300,000 just as much as it was on the original sum.

Mr. WHITE of Maine. The trouble, as I understand the situation, is that in asking for this $4,300,000 it was suggested that one of the purposes to which that fund should be applied was to pay for the Marconi station which had been purchased by the department at the expenditure of approximately $1,500,000.

Mr. SHERLEY. I think the gentleman has misread the hearings.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. The hearing does not disclose that all or any part of this $4,300,000 was asked. In point of fact, that was not the sum they asked. What they testified was that with the moneys they heretofore received they expected, at a cost of $1,500,000 to take over the Marconi system. Now, as to whether they have the power or not, I have only this to say—that if they have not, they will not get by the Comptroller, and they can not use that fund. If they have, unless Congress indicates that they should not use it, I presume they can and will. The committee has no recommendation, because it did not undertake to function on whether or not the Marconi system should be taken. Now, we developed all the information we could—and that was simply incidental to a lot of other matters—as to expenditures that were to be made on properties to be bought by the Bureau of Steam Engineering. And if the Committee on the Merchant Marine and Fisheries feels itself justified in recommending to the Congress that the money should not be spent for such purpose, why, then, I hope they will bring such a matter to the House for consideration. If they say there is no law by which it can be spent, then I answer by saying that nothing in this bill creates the power.

Mr. WHITE of Maine. If the gentlemen will yield, I wish to say that in my judgment that is precisely what the Committee on the Merchant Marine and Fisheries has in effect done. In the last Congress the Secretary of the Navy appeared before the committee and asked for legislation authorizing the taking over of the radio stations of this country, and the Committee on the Merchant Marine and Fisheries at that time refused to report any such bill. The department came before the committee in the pending session of Congress and asked for like legislation.

The Committee on the Merchant Marine and Fisheries unanimously laid that proposed legislation upon the table. The Secretary told us at that time that they had done this thing under the appropriation for steam engineering, carried in the naval appropriation act. As I read that act there is no authority for that action on the part of the Navy Department, and it looks to me as though it was now coming in here in this deficiency bill and getting a sum of money to pay for a thing which it had no right to buy; and when an appropriation is made and a sum of money is placed at its disposal which can be used for that purpose, then the Congress, so it seems to me, is ratifying an unjustifiable action on the part of the department. I express that opinion with great deference, because I have had very little experience here.

Mr. SHERLEY. I may be mistaken as to this, because I have not gone into this particular matter, but it is my understanding and my certain knowledge that the voting of this $4,300,000 does not in any sense enlarge the power which may or may not exist on the part of the Secretary of the Navy to take over the Marconi stations, because the language of the appropriation is this:

> For repairs, preservation, and renewal of machinery, and so forth, including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $4,300,000.

Now, if the naval appropriation act for the fiscal year 1919 does not confer the power to take over these stations, manifestly the voting of moneys for the same purpose can not confer the power.

Now, here is the difficulty that confronts the Congress, not only as to this instance, but as to many others, and as to which I think there ought to be affirmative functioning by the Congress: As to any matter which the Navy or the Army proposes to go forward with that the Congress thinks it ought not to go forward with, the Congress ought by affirmative legislation to say to the departments that they shall not go forward, for this reason: It is practically impossible to reach the matter financially. Here great sums have been appropriated for broad, general purposes. The taking away of any particular sum from these large amounts would still leave sums so vast that they could still be used for some purpose that the Congress would not want them to be used for. We are very much in the situation of a man who may have a lake of many hundreds of acres that can be used for the irrigation of thousands of acres of land. If he draws off a certain amount of water on the theory that he does not want to irrigate a certain section of the land it does not follow that there is not still enough water to irrigate that section, although some other section may be neglected. The same is true here. If you take away a little sum from them they have still got moneys enough to go ahead with those things; and the way to reach them is to affirmatively prevent them from doing it.

Now, if the Committee on Appropriations had come in here and said that they shall not do this or that or the other thing, every committee in this House would have been on our backs, saying that we undertake the functions of the entire House. I share very much the gentleman's own view, without having gone into it very much, against taking over the Marconi stations. My impression has been against it, just as my impression has been against the taking over of many other commercial activities by the Government. But for the committee to have refused to grant this sum of money would simply not have reached the matter, but would have denied them moneys which they claimed they needed for certain purposes.

Mr. ROWE. But this is not the only item—this item of $4,300,000. There is an item of $1,600,000 besides that spent for the purchase of the Federal Co., which, before the Committee on the Merchant Marine and Fisheries, the Secretary himself testified he had purchased and paid for. That is coming out of some fund or other. If we are to pass appropriations like this for deficiencies we thereby pay for something that we would not have done as a House and which we had not authorized.

Mr. SHERLEY. The gentleman in one breath says that the Navy Department has bought something and then in the next breath he says we pass over a fund to buy something that we would not have authorized the payment for.

Mr. ROWE. The gentleman is mistaken. The Federal Co., he testified, he had paid for.

Mr. SHERLEY. I will ask the gentleman what he would do?

Mr. ROWE. I would strike out the appropriation on the next page of $4,300,000.

Mr. SHERLEY. What effect would that have as to money paid to the Federal Co.?

Mr. ROWE. It would be notice to the Secretary of the Navy not to go on and buy other plants. It would not give them the money.

Mr. SHERLEY. That may be. We have not given them the money to squander, assuming that it has been squandered, for the purpose of buying these various wireless stations.

Mr. MANN. They say they are going to do it out of this money.

Mr. SHERLEY. They say that out of the moneys they now have certain amounts are to be expended for certain purposes.

Mr. MANN. Mr. Chairman, it may be possible that we are discussing the paragraph a little early, because it is to the next paragraph in the bill that we are really directing attention. The current naval appropriation act contains an item under the head of "Bureau of Steam Engineering," which I shall not read in full, because it is a long item, but I shall read all that in any possible way could be taken as referring to the subject matter. I read:

Engineering: For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels—

Except certain things; then—

searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service, including expenses of office of director of naval communications and the purchase of land as necessary for sites for radio shore stations—

And so forth—

instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work in radiotelegraphy at the naval radio laboratory.

The paragraph is long and goes into very detailed particulars. It authorizes repairs, preservation, and renewals of electrical interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except certain electrical appliances on vessels, purely internal. Then it provides for purchase of technical books and apparatus for experimental and research work in radiotelegraphy at the naval radio laboratory. It authorizes the purchase of land for radio stations, with a proviso that not more than $10,000 of the appropriation shall be used for that purpose, and it makes an appropriation for everything of $50,000,000.

Mr. JUUL. From what is the gentleman quoting?

Mr. MANN. I am reading the paragraph in the naval appropriation law now current. Now, there is not a line in this particularly detailed appropriation which authorizes the Secretary of the Navy to buy anything connected with the radiotelegraph, except for maintenance and certain things for experiment, and $10,000 for land.

Utterly regardless of law, in violation of the law, for which he ought to be impeached and removed from office—and it is not unlikely that he may be—he has gone ahead and spent money out of this appropriation for the purchase of radio systems—or at least, it is stated, one system—and has agreed to spend $1,500,000 for the purchase of another system. He came before this Congress and asked authority to make these purchases and was refused the authority. If he had the authority he did not need to ask Congress for it, and the failure of Congress to legislate on the subject is a refusal of authority. He was refused the authority, and then calmly, without any excuse except his own will, he proceeds, in violation of the law and in contempt of the Appropriations Committee and of Congress, to spend part of the money appropriated, and to obligate the Government, as he says, to make a further appropriation to carry out his illegal program.

Now, I am not criticizing the Committee on Appropriations. They did not have very much information before them on this subject. The Appropriations Committee, in the consideration of a deficiency bill, consider practically all the activities of the Government. They do not have a great deal of time to spend on one item.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent for five minutes more.

The CHAIRMAN. Without objection, the gentleman's request will be granted.

There was no objection.

Mr. MANN. They had short hearings on this subject. The Navy Department sent an estimate asking for a little over $8,000,000 and a deficiency appropriation under this item, the Bureau of Steam Engineering. I now read from their estimate:

For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $8,109,433.

There is nothing in that to call the attention of the Committee on Appropriations to what it was for. There is nothing in the original item to call the attention of anybody to what it is proposed to use this money for. The wildest dreamer in a nightmare would not have supposed that there was any authority in this original $50,000,000 appropriation for the purchase of radio systems, and there is not any such authority. But the Secretary of the Navy, having been turned down by the committee of the House with legislative jurisdiction over this subject, the House committee having unanimously rejected his proposals, he proceeds in another way, and an admiral—I suppose he was an admiral—comes before the Committee on Appropriations and makes several statements. Under the request for this item in this bill, "Marconi stations," the chairman says:

None of that has been paid for.

Admiral GRIFFIN. Some has. I suppose five or six hundred thousand dollars. We have recently taken over all the Marconi stations, but have not paid for them yet. We will pay for them from this appropriation.

He is talking about the estimate of $8,000,000 that he is asking for—

The CHAIRMAN. At what cost?

Admiral GRIFFIN. A little less than $1,500,000.

The CHAIRMAN. They are to be Government owned?

Admiral GRIFFIN. Yes, sir.

The CHAIRMAN. Is it proposed to own all the wireless stations in America?

Admiral GRIFFIN. I think the Secretary wants to do that.

And so forth.

Mr. SHERLEY. Will the gentleman permit?

Mr. MANN. I will when I am through here. I think we will make better progress in that way. Then I will be very glad to yield.

Admiral Griffin, again in another part of the hearing a little later, talking about the amount of money that he wanted for a deficiency appropriation, says—

To this are added the issues to ships, the upkeep of radio stations, new radio stations, the purchase which we have made of the Marconi stations, and an estimate for our European expenditures.

Still talking about the appropriation he was asking for, including the purchase from the Marconi Co. And again, on page 577—

The CHAIRMAN. What amount of money are you figuring to spend on radio stations?

Admiral GRIFFIN. We will spend $4,550,000.

The CHAIRMAN. What is the occasion for all that expenditure?

Admiral GRIFFIN. One million four hundred and fifty thousand dollars is for the purchase of the Marconi shore stations, which we have already effected. Three million dollars is for the erection of radio stations at Monroe, N. C.

The CHAIRMAN. Who authorized that?

Admiral GRIFFIN. The President.

The CHAIRMAN. To be paid for from what funds?

Admiral GRIFFIN. From "Engineering."

The CHAIRMAN. Did Congress ever authorize it?

Admiral GRIFFIN. No, sir.

The CHAIRMAN. What do you mean by the President has authorized it?

Admiral GRIFFIN. He approved it. The Secretary took that up with him and he approved the erection of a station there.

Seeking to lay the blame on the President, whom I am willing to acquit. The President approved the location of a radio station at Monroe, N. C., but the President did not undertake to say there was any appropriation for it. He was lied to by somebody. He did not examine the appropriation bill to find that there was no such authority there in the law. On the contrary, there was authority to spend $10,000, and only $10,000, out of $50,000,000 for the purchase of land for a radio station. They seek to hide under the cover of the President authorizing this to be done. He did not authorize it. He approved the location.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MANN. I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. Now, the Committee on Appropriations cut out the $3,000,000 for that station, properly, and I think the House ought to cut out the balance of it.

Mr. BUTLER. Every dollar of it.

Mr. MANN. It is proposed to spend $1,450,000 out of this appropriation to pay the Marconi system people for the job that they have unloaded on the Government. Of course, we could refuse to appropriate the $1,450,000, but that would not do any good. They would pay the Marconi system out of the appropriations already made, and use the deficiency appropriation for necessary things between now and June 30. The only way to prevent them from spending the $1,450,000 is to strike this paragraph out of the bill entirely. This is not the last deficiency bill that will be reported to this House. There will be a general deficiency bill at the end of this session of Congress. There will be plenty of time for the Committee on Appropriations to ascertain from these men in the Navy Department—and I came pretty near using another word than men, crooks in this connection—what they want the deficiency appropriation for, and to provide that it shall not be given to them if they have meanwhile squandered, stolen, the $1,450,000 which they have illegally agreed to pay to the Marconi system. [Applause.] We will give them all the money they legally and properly need; we will give them all the money that they can legitimately use. I never in my experience in this House have seen such wanton contempt of Congress as is exhibited in this transaction. The Secretary of the Navy, swelled with his important position, properly so, probably, desires to have the Navy control all the wireless systems, as another gentleman desires to have the Government control all the land telegraph systems, and Congress having declined to give him that authority, he goes ahead and executes his authority regardless of law. When Congress has turned him down in its legislative committee he walks into the appropriation room and, through subterfuge, attempts to get the money to carry out the transaction, illegal to begin with, and only made legal when we appropriate money for it. If we appropriate the money for it, the transaction is legitimatized. If we do not appropriate the money, he has been guilty of a high misdemeanor in his office, for which he ought to be punished. [Applause.]

Mr. LITTLE. Mr. Chairman and gentlemen of the House, almost every day I am here I have more reason to think that this House should be more careful in investigating the evidence upon which it appropriates money. Oftentimes it is based purely on the statement of some little fellow down in the department, the value of whose statement depends on the common sense of the man who makes it. I have in my hand a clipping from a paper known as the Official Bulletin of the Great Lakes Station handed me by the gentleman from Oklahoma [Mr. CHANDLER], who is under the weather to-day, and does not feel like giving it the attention it deserves. This bulletin is a paper that is evidently paid for by the taxpayers' money appropriated by this Congress, and placed in the hands of the naval authorities. I find one of its principal purposes is to discredit the representatives of the American people with the money that the representatives vote from the taxpayers to enable these little fellows to print these bulletins. They say here, at the top of the column, "Orders and notices appearing under this heading have received the approval of the commandant and are official." The commandant is discussing the question of discharging men from the service who enlisted with the expectation of serving through the war and who want to go home, go to school, or go to work. It appears that they have, so this clipping reads, a "plan now being observed which seeks to effect the granting of such requests according to the degree of urgency existing in each case as determined by the statements of the applicants, supporting affidavits, and the investigation of the heads of departments, regimental commanders, and other immediate superiors." If these men have any explanation of what appears to be a gross breach of discipline on their part, they should make it.

It appears that the boy can file an application and bring an affidavit from anybody he knows with one exception. He can bring a letter from the mayor of his town, but not from a Member of Congress, as you will see in a moment. If a Member of Congress who knows the boy writes a similar letter to that of the mayor or the sister, the boy will be relegated to the bottom of this list. That seems to be the penalty attached to the boy who solicits a statement from some Congressman he happens to know. Heads of departments, regimental commanders, and other "superiors" can be heard without injury to the service, but when inferiors like Congressmen say a good word for the boy the lash is laid across his back. Upon what meat doth this our Cæsar feed that he hath grown so great that a representative of the people endangers their safety by lending to the support of their petitions such information as he possesses? Can such things be and not overcome us like a summer's dream? Where did this bespangled wosbird get the idea that he is authorized to spend the money Congress gives him telling Congressmen they have not the same rights as other American citizens?

They say officially, "inasmuch as it would be manifestly unjust to give preferred consideration to an applicant merely because he has solicited political or other pressure to bear upon his case, and in view of the fact that letters designed to do so can serve no useful purpose, but, on the contrary, simply add to the burden, confusion, and delay of the office personnel."

Gentlemen, it is with profound regret that I see so many of you adding to these personnel burdens—"the enlisted and enrolled men are informed that, all other things being equal, an attempt to secure preferred consideration by the exercise of the means hereinbefore specified, is likely to prejudice their cases in the eyes of the commandant. Signed C. S. Roberts, lieutenant commander, United States Navy, executive officer. Approved, A. H. Scales, captain, United States Navy, commandant."

Then he continues, editorially in the Bulletin, "every man with the Naval Reserve Force enlisted for the duration of the war and became a party to the contract with the United States of America when he took the oath and donned the uniform." The editorial concludes: "God Almighty hates a quitter; and so does the American Navy." Our commandant-editor says: "Every man entering the Navy pledged himself on his honor to serve the Navy of the Stars and Stripes until 'finis' has been written to the last chapter of the great war." The commandant-editor, on the paper bought by the congressional appropriation, tells us that will not happen "until the last American soldier has been brought back safely from the fields of Europe." Is this officer employed as a sailor or a diplomat? Was he taught the duties of a sailor or the duties of a statesman? The first duty of an officer of the Navy is to obey the laws made by Congress, and the second duty is to carry out the instructions of officers of higher rank, the highest of whom is a civilian and a politician.

Then, not content with having trod the boards in all the play-acting apparel becoming to one who mouths big words while the brothers and friends of the young men we have intrusted to his care for training in Chicago have gone to Europe to die for their country, this fellow, with the people's money, proceeds to traduce and villify their children, our gallant boys. This commandant-editor, because they want to go home and go to work and go to school, says of them:

"They have attempted to obtain political influence; they have secured false affidavits as to equally false dependency claims, which proved on investigation to be the most barefaced of lies, and the number of dying grandmothers mentioned would indicate to the unsophisticated that nothing short of Persian pox or the bubonic plague is raging throughout the Middle West."

Great God, gentlemen, must our constituents endure all this from the meanest of their servants? They have cast their pearls before swine. These boys that he is talking about are volunteers and gentlemen. They were not trained by the Republic at the expense of its workingmen and given big salaries at life jobs with nothing to do but villify and abuse better men. When there is no chance to die for the Nation they seek to go home and labor in its service. If this parasite gets justice, he will soon be sent by a court-martial to a place where he will earn by honest labor every meal he eats and he will march to everyone in the lock step which he would like to teach the crown princes of the Republic. The heirs of Abraham Lincoln, of the Middle West, in whose day no such vile thing could come to pass.

"The land that loves him guards his rest; the West, the West, the rowdy West."

That order and that editorial are the kind of slush you are spending money to print. Gentlemen, a Congressman of the United States is the accredited spokesman for and the legal Representative of 300,000 of the best people the world ever saw. They send him to express their wishes and protect their rights and their children wherever they can not go. They have a perfect right to join with a boy's kin and friends in explaining why he should be at home in school or at work. They would fail in their duty if they failed to support a just claim in response to the requests of those who send us here, and whenever a little fellow like that endeavors to throw contempt and

disgrace and insult at the Congress of the United States because some of its Members have endeavored to secure the return to their communities of some boy who wants to be there there ought to be some investigation of it.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. KNUTSON. Does not the gentleman think that a lot of this foolishness will be cut out after March 4 next?

Mr. LITTLE. I hope so. It never happened from 1861 to 1865 or in 1898 and 1899, and I am going to try to cut some of it out now, or lay the foundation for it. The trouble with these fellows is that when a captain goes to sea he naturally must have exceptional powers, and he naturally gets an exaggerated idea of his own importance on land. That affects the whole Navy, until it reaches the very top it now develops, apparently.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LITTLE. Take these people for example. They remind me of a captain of a transport on which I once crossed the ocean, having with me 500 American soldiers. It seemed that I did not have what he considered the proper respect for him; but I had 500 soldiers back of me, so it did not make very much difference whether I had any respect for him or not, as he soon found out.

He told a friend of mine in Manila, "That fellow does not understand the powers of a captain at sea; he does not know that I am a little god on my ship." No; I do not; and I do not propose to let any little head at Chicago, swelled with a little brief authority, teach me that he is "a little god." The people of America run this Republic; they pay the taxes and they support the Navy. As long as the alarms of war sweep the land they will send every son they have and every dollar, if needed; but when the time comes that the war ends, when the roll of the drums is heard no more, then the Navy becomes a very small cog in the machinery of this country, not comparable in importance and power and rights with the taxpayer, with the farmers, with the business men, with the schoolboy, or any man that goes to make up the great Republic. These people bear all the burdens in peace and fight all the battles in war of our great country, and we expect the Navy to make as little trouble as it can for the people who support it. They are not "little gods" in the Navy. If we are to be confronted here with statements like this, if every man dressed in a little brief authority is to play such tricks before high Heaven as make the angels weep, it is time that Congress should give some attention and consideration to it. There is no reason why a Congressman of the United States should not have the same right to write a letter to some little commandant telling why a boy ought to go home as anyone else. This is, it appears, almost the same situation that we have just heard from with respect to a higher authority in the Navy, from the gentleman from Illinois [Mr. MANN]. It is time that the people in the departments of this country understand that the Congress of the United States is the highest authority in the Republic, that it represents by direct certificate the men who own and control the Republic and by whom all features of it are provided. There is no reason why this House should not stand upon its rights as representatives of the people of this great Nation.

Why should we be instructed in this fashion, through money of the people spent in the publication of this Official Bulletin, by permission of the House, without which he had no right to spend the money, as to what rights we have? Who makes the laws of this great Republic? By whose authority is that little chap up there in Chicago presuming to dictate to the Congress of the United States? So far as I am concerned, I propose to begin right now to see how many there are in the United States Navy who should not be there. This man talks about the war and what they should do, and what does he know about it? What war did he ever fight in? On what battleship did he ever go into battle? Possibly he has been under fire, and if he will bring me a certificate that he has risked his life in battle for the Republic, then I shall give him a little leeway to declare himself over the Congress of the United States, but if it turns out, as I anticipate it, that this is a little chap who was educated at the expense of the taxpayers over here at Annapolis, who has a life job with no work in peace of any practical importance, as compared with the taxpayers, who is now swelled up with the job he has, so that he wants to dictate to the taxpayers and their representatives, he is altogether too auspinarious, and I am going to do all I can to see that he gets out of the Navy and goes to work like the rest of them, as he should. [Applause.] If he thinks so little of Congress, he should not be forced to remain in its service, and since he thinks he has so much literary talent, he should be allowed opportunity to give it ample room and verge enough to give it full play. This is his maiden effort, I presume, published at the taxpayers' expense, just as it follows:

[Orders and notices appearing under this heading have received the approval of the commandant and are official. Copies of these orders and notices are not sent in letter form to the officers or persons addressed.]

NOTICE.

It has come to the knowledge of the commandant that there are numerous instances where applicants for discharge or release from active duty have themselves written or had relatives or friends write to Members of Congress and other presumably influential persons in an effort to bring pressure to bear upon the naval authorities to secure preferred consideration and early favorable action upon their applications.

In view of the large volume of correspondence now being received as a result of these solicitations, and the consequent heavy demands made upon the time and attention of the personnel of the commandant's office, it is imperatively necessary that all men should clearly understand that letters of this kind, importuning the naval authorities to grant requests for discharge or release, can in nowise operate to secure more speedy action than is contemplated by the plan now being observed, which seeks to effect the granting of such requests according to the degree of urgency existing in each case, as determined by the statements of the applicants, supporting affidavits, and the investigations of heads of departments, regimental commanders, and other immediate superiors.

Inasmuch as it would be manifestly unjust to give preferred consideration to an applicant merely because he has solicited political or other pressure to bear upon his case, and in view of the fact that letters designed to do so can serve no useful purpose, but, on the contrary, simply add to the burdens, confusion, and delay of the office personnel, enlisted and enrolled men are informed that, all other things being equal, an attempt to secure preferred consideration by the exercise of the means hereinbefore specified is likely to prejudice their cases in the eyes of the commandant.

C. S. ROBERTS,
Lieutenant Commander, United States Navy,
Executive Officer.

Approved.

A. H. SCALES,
Captain, United States Navy, Commandant.

Our billions were not expended, our boys did not die on the fields of France, to make the world easy for men who wear shoulder straps and so feel themselves better than their fellow men. The Department of the Navy is right now asking this Congress for billions of dollars to build ships, some of which this commandant and lieutenant commander—these official scribblers—might command. Men who will use the money of our taxpayers to publish these slanders with regard to their gallant sons, the unstained youth of the Republic, are not proper persons to be trusted with a great ship that cost $20,000,000 or with the lives of its crew. No ship should be built until we know just how many more of them have been educated at the public's expense and that not one remains in the public service. The King of France, the King of England, the Czar of Russia lost their thrones and lives when they undertook to contest with the people's representatives. Is it possible that somewhere in this Republic this propaganda to minimize the constitutional powers of the people's representatives and establish a military caste has a support which is encouraging such attacks on the lawmaking power, and such malicious, malevolent assaults upon the young men who really do all the fighting that is done when our flag is carried over the field of battle? The Congress of the United States owes it to its constituents to see that the men who committed this offense are properly punished.

Mr. SHERLEY. Mr. Chairman, referring to the statement made by the gentleman from Illinois [Mr. MANN] I want to repeat what I said a few moments ago. In connection with all of these deficiencies we asked the Navy Department for a statement showing all of the moneys which they had received and had available for the various purposes enumerated. They brought in such sheets, showing a given sum appropriated, so much of that sum expended as of a given date, so much in the Treasury. Against the amount that was in the Treasury were certain obligations, and then they had estimates as to what they needed to do in the way of meeting all of these obligations or canceling some of them or taking on new activities for the balance of the fiscal year. The testimony which the gentleman has correctly read was testimony relating not to the amount that was being asked as a deficiency but in explanation of the moneys which had been heretofore voted and which they were explaining the expenditure of. I do not know that it is material because it amounts to the same thing, because when an appropriation is here made it becomes a part of the funds heretofore appropriated for that purpose, but it illustrates what I stated awhile ago that, in my judgment, Congress can not control the situation simply by reducing amounts. The gentleman from Illinois says that if we do not vote the $4,300,000 we deal with the situation. I do not think we do anything of the kind. There is $42,000,000 remaining under the head of steam engineering. They could still use part of that money in payment for these Marconi stations if they saw fit to do it, and

the nonvoting of this $4,300,000 would not in any way prevent the payment for the Marconi stations. The way to prevent that is for Congress affirmatively to say that they shall not do it, and the Committee on Appropriations tried to develop whatever facts they could so that Members of the House in reading the statements as to the purposes intended, as to moneys heretofore voted, might, if they saw fit, have Congress take such action as was deemed wise to prevent the continuation of matters.

Now, I do not know whether the language of appropriations under the head of the Bureau of Steam Engineering can be construed to authorize expenditures for these Marconi plants or not. Certainly I share the impression that most men would have, that it could not be; but if it can not be, then the comptroller will prevent any funds from that appropriation being expended for that purpose. What I wish the Congress would do, and what I think it ought to do, is where it finds departments proceeding to do something that it thinks they ought not to do, it ought to legislate to prevent it, because the cutting off of this fund with these large balances does not reach the evil. Now, I am not expressing an opinion touching the taking over of the Marconi stations. As I stated a while ago, my inclination and prima facie judgment is always against the taking over of commercial activities, particularly after the war has passed. I want to see the Government have as little to do with what the individual can do as possible. [Applause.] But there are men who do not share that view and who believe that in the matter of the wireless there ought to be and must be a monopoly. Now, it seems to me that the way to reach this matter is to have some proper legislative committee bring in a resolution preventing the expenditure of the money for that purpose.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. SHERLEY. I do.

Mr. HUMPHREYS. The Navy Department asked for legislation authorizing the purchase of this Marconi system. They wanted to take over all the wireless, and the legislative committee to which it was referred refused to give them the authority. We thought that it would require legislation to authorize them to do it and not that it would require legislation to prevent them from doing it.

Mr. SHERLEY. I think that was a proper conclusion.

Mr. HUMPHREYS. And that is why——

Mr. SHERLEY. But it turns out that they have gone ahead. Now, we are dealing with a concrete situation, and I have nothing to say whether the Navy Department ought to have done it or not. I am neither advocating nor criticizing it at this moment, but I am trying to impress upon the committee that the practical way to deal with the situation which has arisen is affirmatively and not by simply striking out this amount of money, because I do not think that will accomplish the purpose.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask for five minutes, and I hope not to use all of that time.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HUMPHREYS. I just want to state this, if the gentleman will yield, in justification of the legislative committee having jurisdiction of the matter.

Mr. SHERLEY. I have not criticized it. I am just stating the condition which now confronts the Congress.

Mr. HUMPHREYS. I just wanted to state that the committee refused during the war to give them the authority, thinking that ended it. They proceeded upon some other legislation, whether it really authorized them or not I am not able to say, but they proceeded to take over these stations. Then, after the war is over—that is to say, after the armistice was signed—they came before the committee again with still another bill to take over all this radio business, and there were very elaborate hearings on both of those propositions, and the committee, after hearing all that was to be said, was unanimously of the opinion that that authority ought not to be given, so that, as far as that committee is concerned, they thought they had done all that ought to be done by simply withholding legislative authority.

Mr. SHERLEY. I am not quarreling with the committee, and I am frank to say that had I been Secretary of the Navy, and I had come to Congress and asked the power and they had not given it to me, I would not in peace time, certainly would not in war time, except as a matter of absolute necessity, have disregarded what seemed to be the plain intent of the Congress that the department should not go forward. But it develops that the department has gone forward. Now, it seems to me, if you want to correct the matter the way to do it is to prevent the spending of the moneys, and that you ought not to do that simply by cutting out this item, because there is still a lot of money which they can use if they are determined to do so.

Mr. MANN. Will the gentleman yield?

Mr. SHERLEY. I will.

Mr. MANN. If there is so much money there which they can use, then it will not really materially damage them by waiting another month, probably not more than six weeks' time, when the two bills become a law, and get the money, would it——

Mr. SHERLEY. No.

Mr. MANN. Why not let it go out of this bill and put it on the general deficiency bill? This bill can not become a law, at the best, before the middle of February, even if it passes both houses, because the President will not be back before that time. The general deficiency bill will certainly become a law, because that will be passed, whether anything else is or not, by the 4th of March. Now that a controversy exists here, why not let it go out of this bill and let the committee make a further examination and put it, if necessary, on the general deficiency bill?

Mr. SHERLEY. In the first place, I am not willing to have placed on myself the labor of passing upon the Marconi wireless-system controversy.

Mr. MANN. The gentleman can ascertain the facts about the purchase and more carefully determine as to whether it shall be made. Now, the gentleman stated it is easier for Congress to prohibit a thing being done. I am glad that the gentleman never made that statement in the House before, and I take it that is one of the humorous things he throws out as he is leaving us. The authority of the Government depends upon the authority given to them, and to say that whenever it is proposed to do something which Congress has not authorized, that Congress must legislate in order to prohibit, the gentleman knows it is theoretically impractical and physically impossible.

Mr. SHERLEY. Now, the gentleman——

Mr. MANN. The gentleman knows it is not practicable until we pass a bill on the subject.

Mr. SHERLEY. If the gentleman will permit, I try to be practicable, and I am not trying to be humorous with the House. I am dealing with a situation of which this is simply an incident and illustration, and which I think that Congress ought clearly to understand. We have voted huge sums of money under language permitting almost everything under the sun to be done by the various departments. Whether we ought to have done it or not men may differ, but all of us, without any great division, agreed we had to do it under the emergency of the war.

Now, these funds are there. They can be used. They are so great in quantity that there can be found out of various funds money enough to carry on a number of projects that you might want to stop. And therefore I suggested to the House in perfect good faith, and I repeat it, that you are not going to be able to reach them by simply the reduction of amounts in the bill. We are repealing here $7,000,000,000 of money, but we are leaving more than that amount of money with the departments to expend. Now, the reduction or increase of particular items will rarely so narrow the department, if it does not want to be narrowed, as to prevent them going forward with some proposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Now, the very value of this hearing was to develop some of the activities that the department was going forward with, so that if Congress thought they ought not to go forward with them they might indicate in some manner that they should not do it. I am perfectly free to say this, and I have said it to the Secretary of War in talking with him about another matter, with which I shall deal later, that I feel the attitude of all the department heads ought to be that when the Congress indicates, even informally, that certain things ought not to be pursued the departments ought to refrain from pursuing them until they can ask of the Congress affirmative authority for doing them, because we have given these great sums without limitation, and unless the departments show that nice good faith with the Congress it will force us either to a repeal of all sums, with the chaos that would follow from that, or passing resolutions by Congress repeatedly that this department or that department shall not go forward with this, that, or the other thing.

Mr. MANN. If, as the gentleman says—and I think he is correct about that—the department would still have money enough to pay for the Marconi system out of the money they have on hand, then it would not seriously damage the depart-

ment to postpone the deficiency appropriation, which they say they need, for two or three weeks, would it?

Mr. SHERLEY. No; I do not think there would be any great damage if the item went out, but I do not think anything would be accomplished by its going out. I hope the debate here will have accomplished the purpose of calling the matter to the attention of the department.

Mr. MANN. I have great confidence in the gentleman's committee. Now, it is the fact that we have appropriated billions of dollars without much limitation. In this particular case I believe, however, the appropriation of $50,000,000 was made in practically the same language that has been carried for years under the Bureau of Enginering in the Navy Department, and there was no enlargement of authority. But having appropriated these immense sums of money largely without any limitation upon them, when occasion arises does not the gentleman and the House think that it is proper for Congress to pause for a moment and take into consideration the subject?

Mr. SHERLEY. Absolutely. And I am not complaining in the slightest degree of that.

Mr. MANN. And the only way to do it is to strike it out of this bill.

Mr. SHERLEY. Where the gentleman and I part in our routes is, that he thinks we will accomplish the purpose by striking out this $4,300,000 and I do not.

Mr. MANN. Where the gentleman and I part is here: It is the gentleman's duty, and he always attempts to faithfully perform his duty, to defend his bill on the floor of the House regardless of meritorious propositions that may be offered, and it is my duty to get the House to do the right thing regardless of what the Committee on Appropriations has reported.

Mr. SHERLEY. The gentleman is mistaken. We brought in this item, as the statement shows, and we cut it down from $8,000,000 to this $4,300,000. For instance, there is going to be spent out of this fund, if the department carries out its present intention and is not prevented by action of Congress, quite a considerable amount of money in an argon plant at Fort Worth. Now, as far as the money goes the department could take that money and spend it for the Marconi business and leave subsequent appropriation to be made for the argon plant at Fort Worth. And the committee did not see how it could deal with such matters simply by denial of the money.

Mr. McKENZIE. Will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. McKENZIE. Are we to understand that in this item calling for $4,300,000 there is included an appropriation for the construction and development of what is known as argon gas?

Mr. SHERLEY. The gentleman is not to conclude that but he is to conclude this: We have appropriated since the war started something like $107,000,000 under the head of engineering. They had expended up to November 1, $65,000,000 and some odd, and they had a Treasury balance on that date of $42,000,000. Now, out of that Treasury balance it is proposed to do quite a number of things, and among the things which they enumerate is this argon plant at Fort Worth, the payment for taking over the wireless Marconi stations, and a great many other things. The fact that you should eliminate $4,300,000 from that fund would not necessarily prevent their doing any one of the things, though it would prevent, to the extent of $4,300,000, the doing of all of them.

Mr. BANKHEAD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BANKHEAD. What is the matter now pending before the committee?

The CHAIRMAN. A motion to strike out the last word.

Mr. SHERLEY. I will say to the gentleman from Alabama——

Mr. BANKHEAD. I ask the question in good faith. I want to find out what the parliamentary status is. I do not want to prevent discussion.

Mr. McKENZIE. Does the gentleman from Kentucky know whether this so-called argon plant is the same thing as is sometimes called helium gas?

Mr. SHERLEY. My understanding is that it is the same, but I do not know anything about it.

Mr. McKENZIE. Is it not a fact that that is only in the experimental stage at the present time?

Mr. SHERLEY. Well, the testimony did not leave that impression on my mind. I have gotten the impression either from this testimony or from other sources that we had developed this gas to the point of efficiency, and that it was a noninflammable gas. But I really do not know much about it.

Mr. McKENZIE. I think that is the condition of Members of the House, and my point is that if there is any possible way or means that we can adopt to stop the appropriation of $3,000,000 for the construction of a plant to develop anything that is yet to any extent in the experimental stage it will be a good thing to stop it.

Mr. SHERLEY. I felt very much the way the gentleman did, but the committee did not feel warranted, in view of the fact that they have gone on with the proposition and it was nearly completed, to stop it short. We developed the facts so that the Congress might do it if it wanted to.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Yes.

Mr. COOPER of Wisconsin. Will the gentleman inform the committee as to the location of these Marconi stations?

Mr. SHERLEY. They are along the coast, but I do not know just where they are.

Mr. COOPER of Wisconsin. Are they all on the coast?

Mr. SHERLEY. I think they are.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

For repairs, preservation, and renewal of machinery, etc., including the same objects specified under this head in the naval appropriation act for the fiscal year 1919, $4,300,000.

Mr. LITTLE. Mr. Chairman, I move to strike out the paragraph.

Mr. MANN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment.

Mr. BANKHEAD. Mr. Chairman, I offer a substitute.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. MANN: Pages 16 and 17, strike out lines 25 and 26 on page 16 and lines 1 and 2 on page 17.

Mr. MANN. Mr. Chairman, if the gentleman from Alabama wants to move an amendment, he can do so, but he can not amend the amendment by a substitute.

Mr. BANKHEAD. It is a preferential motion to perfect the text.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Strike out "$4,300,000," on page 17, line 2, and insert "$1,250,000" and the following: "*Provided*, That no part of the money appropriated herein shall be used for purchase of radio stations."

Mr. BANKHEAD. Mr. Chairman, I would like to be heard briefly on the amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment to perfect the text.

Mr. BANKHEAD. Mr. Chairman, I desire to state to the committee, as a member of the Committee on the Merchant Marine and Fisheries, that the statements submitted to the House by the gentleman from New York [Mr. ROWE], and the gentleman from Maine [Mr. WHITE], and the gentleman from Mississippi [Mr. HUMPHREYS] represent the action that was taken by that committee with reference to this general proposition. I do not know of and I have been unable to locate any authority of law conferring upon the Secretary of the Navy the power to purchase radio stations. The hearings disclose the fact that he has entered into an agreement to purchase not only the Marconi system of radio stations but also those owned by the Federal Radio Systems. Those are the only two purchases involved in any scheme or plan proposed by the Secretary of the Navy. The aggregate sum of these two contracts to purchase amounts to $3,050,000,000, and I assume that the balance over and above that sum, carried in this paragraph, is made up of other items that are really authorized by law.

The purpose of my amendment and the effect of the amendment is to reduce the appropriation proposed in the paragraph by exactly the amount of the proposed sums to be paid for the purchase of these radio systems, and it has a proviso, Mr. Chairman, to the effect that the amount left in, to wit, $1,250,000, shall not be used for the purchase of radio stations. In other words, it seems to me that until some further investigation, such as might be thought to be desirable, can be given, if the matter is to be carried in a subsequent deficiency bill, my amendment corrects any abuse that might have been indulged in by the Secretary of the Navy or any unauthorized power he may have used in the purchase of these stations, and leaves an amount in the paragraph sufficient for uses that might be legitimate and necessary for the other purposes brought out by the committee and, as a matter of fact, authorized by law. I trust that the gentleman from Illinois will see fit in his sound judgment to accept this amendment, because, it seems to me, it protects the interests of the Treasury.

Mr. MANN. I will say to the gentleman that I shall vote for his amendment and then for my own amendment.

Mr. BANKHEAD. I hope my amendment will meet with the gentleman's entire approval.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

Mr. SHERLEY. Mr. Chairman, the gentleman's amendment would simply affect $1,250,000 of money, and would still leave all the forty-odd million dollars they have available for this purpose, if it be available. The way to get at it, if you wanted to get at it and express the opinion of the House, would be to put a limitation on all moneys.

Mr. BANKHEAD. Mr. Chairman, I ask unanimous consent, then, to modify my amendment and make it apply to all moneys.

Mr. SHERLEY. That, however, I suggest to the gentleman, makes his amendment subject to a point of order. I shall not personally make the point, because I think if the House wants to express its view on the matter it is all right that it should.

Mr. BANKHEAD. Mr. Chairman, I ask unanimous consent to modify my amendment so as to provide for appropriations heretofore or hereafter made.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to modify his amendment.

Mr. BUTLER. How will it read?

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Page 17, line 2, strike out "$4,300,000" and insert "$1,250,000: *Provided*, That no part of the money appropriated herein or heretofore shall be used for the purchase of radio stations."

Mr. SHERLEY. I would not agree to that amendment, and I reserve a point of order on it. If the gentleman will make the language read so as to apply to the amendment for repairs, preservation, and renewals of machinery, and so forth, under the head of the Bureau of Steam Engineering——

Mr. STAFFORD. Why not let it read, "heretofore appropriated under this item"?

Mr. BANKHEAD. I am willing to do that. What I want to meet is the present situation.

Mr. STAFFORD. I want to meet the objection of the gentleman from Kentucky.

Mr. SHERLEY. The gentleman ought to limit it to the Marconi stations, because there is certain work in connection with our own stations that ought not to be interfered with.

Mr. BANKHEAD. I want it to cover the Federal system that has been contracted for.

Mr. SHERLEY. That is a closed incident, apparently. Mr. Chairman, in view of the uncertainty of the matter, I do not feel at liberty to permit the modification of the amendment to the extent that the gentleman has indicated.

Mr. COOPER of Wisconsin. Mr. Chairman, I move to strike out the last word. I wish to ask the gentleman from Kentucky a question. Is it the gentleman's understanding that these Marconi wireless stations are located on the seaboard?

Mr. SHERLEY. That is my impression. I have not very much information about it. There has been a committee working on this matter for weeks that ought to be prepared to give you that information.

Mr. COOPER of Wisconsin. Mr. Chairman, is it also the gentleman's understanding—I believe it is, from what he intimated a moment ago—that the passage of the amendment just offered by the gentleman from Alabama would be equivalent to the House saying that it prefers to have the Marconi wireless stations left in private hands?

Mr. SHERLEY. I would consider that that was a fair conclusion to be drawn from the amendment offered by the gentleman.

Mr. BANKHEAD. If the gentleman will pardon me, I do not think that necessarily follows as a conclusion. The purpose of this amendment is to limit the appropriation to amounts already authorized by law.

Mr. SHERLEY. The effect of the amendment and the purpose of it are very different things. Unfortunately the gentleman has not presented an amendment which would prevent the taking over and paying for the Marconi stations.

Mr. COOPER of Wisconsin. It is my understanding from the discussion here, and especially from the statement made by the gentleman from Kentucky [Mr. SHERLEY], that the passage of the amendment proposed by the gentleman from Alabama [Mr. BANKHEAD] would be equivalent to the House saying that, in its opinion, the Marconi wireless stations should be left in private hands. Now, we should keep clearly in mind the question before us. It does not, as I see it, involve the general question of Government ownership as against private ownership. For these Marconi stations upon the seaboard present a very unique problem—one sui generis. There is no other like it. These stations convey information to and from warships or commercial vessels, hostile or friendly, a thousand or two thousand miles out from our shores. The question is: Is it wise to leave an agency of that kind in private hands? This is a question very different from the question of leaving an inland telegraph system—say, a line from Chicago to Omaha—in private hands. To leave in private hands a row of wireless stations along the Atlantic or the Pacific seaboard, with their ability to communicate in the daytime or in the nighttime with hostile ships 1,500 or 2,000 miles from our shores, suggests a problem of an exceedingly important and serious character; and therefore it is perhaps not surprising that the Navy Department desired to secure control and beyond peradventure to retain control.

Mr. MANN. Will the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. MANN. Is the gentleman aware that the Navy already have full control of all these stations and are and have been in operation of them?

Mr. COOPER of Wisconsin. Yes; but, as I understand it, they wanted to buy them, so that the ownership would be in the United States Government, to prevent beyond any doubt the transfer to private hands of these vastly important stations. The question is, as I have said, unlike any other.

Mr. SCOTT of Michigan. The gentleman knows that not only do the Navy have control of the stations on the shore, but that they have naval officers in control of the stations on shore, and also naval officers sworn in——

Mr. COOPER of Wisconsin. Yes. But I am not talking about what has been—about the past. I am merely suggesting the question as to whether we will indicate by this vote that in the judgment of the House the proper future policy for the United States Government would be to have the Marconi wireless stations upon the seaboard left in private hands. The gentleman from Kentucky [Mr. SHERLEY] intimated that the adoption of the amendment offered by the gentleman from Alabama would be equivalent to the House declaring in favor of such a policy.

Mr. SCOTT of Michigan. The Marconi Co. is an American corporation. A small amount of stock is owned by the British Marconi system, but the British owners are not allowed to participate in the control of the company; they are not allowed to vote.

Mr. COOPER of Wisconsin. That arrangement need not be permanent.

Mr. SCOTT of Michigan. And therefore the Marconi system in the United States in the event of war would come under the conditions that prevail in this country and could be taken over and would be taken over.

Mr. COOPER of Wisconsin. But before war might be declared there could develop a situation dangerous to the United States, and especially dangerous if the Marconi system on the seaboard were in private ownership.

Mr. ALEXANDER. Mr. Chairman, I think it would be a grave error to adopt the amendment of the gentleman from Alabama if it involves the future policy in regard to the ownership of the wireless. Under the radio act of 1912 the Government took over all of the radio stations in the United States and has them in control now as completely as if they were Government owned and may retain control until after peace is declared by proclamation by the President of the United States.

The Committee on Merchant Marine and Fisheries has had under consideration a bill proposed by the Navy Department, the purpose of which was to give the Navy Department the control of wireless, or rather to give the Government the ownership, control, and operation through the Navy Department of all wireless stations. Every phase of the question was considered. All the interests were heard and the bill was finally tabled because, among other reasons, it was so late in the session that it could not be given due consideration. I may say, however, that the committee were not willing to approve a bill that the Government, through the Navy Department, should be given the monopoly of radio communication. That is the present status of the matter, so far as the Committee on the Merchant Marine and Fisheries is concerned.

The Navy Department has purchased the Marconi ship-to-shore stations, and has a monopoly of that service at this time. There is only one other company that has wireless stations engaged in ship-to-shore service, and that is the United Fruit Co. They have a station at New Orleans, built for operation in connection with their business. I understand the Navy Department in any event has no disposition to interfere with that service. But reflecting, as I believe I do, the opinion of the committee that has given such thorough consideration to that question, they are not ready to commit the Government to the ownership and control and monopoly of this service, and especially the high-power stations.

There are cogent reasons why the Navy Department should control the ship-to-shore service. It is absolutely necessary that the Navy Department should have efficient ship-to-shore service, as far as the Navy is concerned, and there seems to be

a good reason why the service might be extended to the merchant marine. But beyond that it is not so clear that the Government should have jurisdiction of and control of operation of the service, except as now authorized by law.

After the hearings were concluded and printed I received a communication from the War Department, in reference to the bill, in answer to a request, on my part, for an expression of the views of that department as to the propriety of the Navy Department having monopoly of that service. As I anticipated, the War Department insists that the Navy Department should not have a monopoly of the service, and gives many very good reasons why that should not be done. The War Department suggests that it should be a triple control by the Navy Department, the War Department, and the Department of Commerce. But the Committee on Merchant Marine and Fisheries have left the matter in status quo, and, in my opinion, that is the proper place to leave it for the present.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last two words. I favor the amendment offered by the gentleman from Alabama, and also that offered by the gentleman from Illinois, because I believe the time has come when we ought to return to the ordinary practice of having the departments recognize the law once the law is enacted. During the war it has become the custom for departments to do very much as they please with lump-sum appropriations made by Congress. Many things have been done under the stress of war that would not be tolerated by Congress in ordinary times. The people are asking that Congress keep on the job and attend to its own business, and that it check up expenditures. I believe that where specific appropriations are made—and I think we should return to specific appropriations—the department should be held to a strict accountability for the expenditure of those appropriations that Congress intended. There should be no diversion of the funds. The gentleman from Illinois has made a statement startling in its nature with respect to a department proceeding to make purchases depending on the future without regard to Congress at all, to make expenditures on the assumption that Congress would ratify them once they were made without authority.

Now, I have here a case that leads me to talk briefly and specifically. It is the matter of an appropriation for the construction of an armor-plate plant. Gentlemen who have been in the House for several terms will recall that armor plate has been a bone of contention for years between the department and Congress and the manufacturers, and that finally on August 29, 1916, an act was signed and became a law which was intended to put the Navy Department in a position to manufacture armor plate in competition with private manufacturers.

I am not intending to discuss the old controversy, but I desire to put in the RECORD the specific provision of law under which authorization was made for the expenditure of $11,000,000 for the manufacture of armor plate for the vessels of the Navy.

I wish to say that in this year 1919 succeeding the armistice we should see to it that the $11,000,000 is expended specifically for the purpose for which it was intended when the appropriation was made in August, 1916. What are the facts?

I have some information that I am not prepared at this time to verify, and I am very regretful that it should apply to the Navy Department, whose record has been so excellent during this war—that the $11,000,000 for the construction of an armor-plate plant had been disposed of and that contracts or appropriations have been made equal to $24,000,000, and that we have no armor-plate plant. The gentleman from West Virginia [Mr. LITTLEPAGE], who is on the floor, and the chairman of the Committee on Appropriations, the gentleman from Kentucky [Mr. SHERLEY], may have more information about the work which has been done toward the construction of the armor-plate plant, for which $11,000,000 was appropriated in August, 1916, than I have. I am not making charges; I am simply saying that it has been represented to me that the money has been spent, and that we have no armor-plate plant. I have before me certain information that was handed to me this morning by a Member of Congress—I do not know whether I am permitted to use the information or not——

Mr. BUTLER. Yes.

Mr. MOORE of Pennsylvania. With respect to the manner in which some of this money has been expended. My distinguished colleague, the gentleman from Pennsylvania [Mr. BUTLER], who is a member of the Committee on Naval Affairs, endeavors to keep thoroughly well posted upon all naval matters and upon expenditures by the Navy Department, and very properly so, and I found that while this information with regard to expenditures and the diversion of funds has come to me, he has been making inquiry along similar lines.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I find in a letter addressed to my colleague [Mr. BUTLER] that Rear Admiral Earle, Chief of the Bureau of Ordnance, undertakes to explain this very situation. With the consent of my colleague and the committee, I insert the letter at this point:

NAVY DEPARTMENT, BUREAU OF ORDNANCE,
Washington, D. C., January 24, 1919.

MY DEAR MR. BUTLER: Your letter of the 16th instant was only handed me yesterday upon my return from duty in New England and this will explain the delay in replying.

The Naval Ordnance Plant at South Charleston, W. Va., has developed in the natural course of events into more than a mere armor plant. Congress appropriated the funds for the projectile plant and it was deemed advisable, in the interest of economy and good management—lessening the running expenses, etc., as well as the cost of the original project—to build this plant at South Charleston, W. Va. Later on the decision to use 16-inch 50-caliber guns forced the department to either provide facilities for forging these guns at a station of its own or to further increase the facilities of the Midvale or Bethlehem plants which had already been increased at much expense to handle these heavy guns. Decision was therefore made to equip a large plant at South Charleston for this purpose. Hence, the Naval Ordnance Plant at South Charleston comprises a projectile plant, which is now completed and operating at a capacity of about 10,000 tons of projectiles per annum; a gun-forging plant, with a capacity of 10,000 tons per year, or one 16-inch gun per month, now under construction; and an armor plant, with an ultimate capacity of 20,000 tons per year, also under construction.

There is inclosed herewith a photostat showing the plant at South Charleston, W. Va., as it will appear when completed.

As previously noted the projectile plant is in operation and has fabricated over 4,000 tons of steel; the armor plant was commenced actively about October 1, 1918, no general contracts for the construction of the plant being entered into because of the high cost of such construction, the Navy undertaking to do most of the work by day labor. General excavation, grading, and trackage is well under way and the construction plant has been erected. Temporary storehouses, stables for about 300 head of live stock, and barracks and quarters for about 800 men engaged in the construction of the plant are finished. Excavation for the open-hearth building is well under way, together with some of the concrete footings. A large amount of material for this work has also been assembled.

Unless unforeseen delays and greater difficulty in the procurement of materials than is now anticipated are encountered, it is anticipated that the manufacture of 16-inch guns will begin in January, 1920, and production secured about March, 1920. The casting of armor will commence about July, 1920, with production in quantity in December of that year.

The appropriations and allotments for this plant are as follows:

(a) Projectile plant:	
Act of Aug. 29, 1916, Public, 241	$705,611
Act of Mar. 4, 1917, Public, 391	1,375,345
(b) Armor plant:	
Act of Aug. 29, 1916, Public, 241	11,000,000
(c) Gun-forging plant:	
Presidential allotment, dated June 27, 1918, from appropriation "Increase of the Navy, armor and armament"	4,121,200
(d) Allotment of the Secretary of the Navy from appropriation "Extension of facilities at navy yards and stations"	100,000
Total appropriated and available	17,302,156

Of this amount $7,500,000 has already been allotted to the Bureau of Yards and Docks for the erection of buildings for the armor plant, gun-forging plant, and extension to facilities, and about $7,750,000 is to be expended under the direction of this bureau. Of the sum allotted to the Bureau of Yards and Docks, up to the present time, there has been obligated approximately $3,500,000, and the Bureau of Ordnance has obligated approximately $5,000,000. The projectile plant has been completed and the amount of $2,080,956 appropriated by the acts of August 29, 1916, and March 4, 1917, for its construction has been exhausted. It will thus be seen that there remains approximately $7,000,000 yet to be obligated under items (b), (c), and (d) above.

In the detail design work of this plant as a whole the strictest economy has been exercised and the department has endeavored to obtain the plant within the sum allotted, but it is evident that at least $3,500,000 additional must be provided. This is a much smaller increase over the original estimate than had been anticipated and indicates a lower percentage of advance in cost of labor and materials than has been shown in other projects handled by the Navy during recent years.

Trusting that this information is presented in sufficient detail for your purpose, I am,

Very respectfully,

RALPH EARLE,
Rear Admiral, United States Navy, Chief of Bureau.

Hon. T. S. BUTLER, M. C.,
House of Representatives, Washington, D. C.

My information as to the armor-plate plant is that down at Charleston, W. Va., where this money seems to be going, we have now about 200 acres of land, and that on that land we have three buildings. I will ask the gentleman from West Virginia if I am correct as to that.

Mr. LITTLEPAGE. Mr. Chairman, I would very much prefer, since the gentleman from Pennsylvania says he has no reliable information on the subject, that he talk with an officer of the Navy Department who is on his way to the Capitol before he indulges in a statement borne out by anonymous letters. I think the Government has at Charleston, in West

Virginia, one of the best foundations for a plant of the character the gentleman has mentioned in the whole country. That plant is located in the center of what might be termed the coal, oil, and gas belt of West Virginia, where the item of fuel alone, it is estimated, will pay for the plant in 15 years.

Mr. MOORE of Pennsylvania. I grant that it is a delightful site, and eligible for this purpose; but I ask the gentleman how many buildings are there and if we have more than 200 acres of land.

Mr. LITTLEPAGE. I think we have about 200 acres of land all told. I delivered to the Navy Department a deed to 180 acres of land, and I understand that they acquired some 20 acres additional. I understand that there are four buildings completed. I have not been in them, but they are tremendous.

Mr. MOORE of Pennsylvania. Are they projectile factories or an armor-plate factory, for which we appropriated $11,000,000?

Mr. LITTLEPAGE. I think because of the necessity of the Navy Department in war they undertook to develop the projectile factories first and work on the armor-plate plant was delayed, but is now going forward rapidly and will be completed in due time.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. LITTLEPAGE. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

Mr. JOHNSON of Washington. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent that the time of the gentleman be extended for five minutes. Is there objection?

Mr. JOHNSON of Washington. I object.

The CHAIRMAN. The gentleman from Washington objects. The question is on the amendment offered by the gentleman from Alabama.

Mr. LITTLEPAGE. Mr. Chairman, I ask for five minutes time.

Mr. JOHNSON of Washington. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is the question on the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Illinois as amended.

The amendment as amended was agreed to.

Mr. LITTLE. Mr. Chairman, I ask leave to extend my remarks and print additional parts of the clippings from which I read.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HICKS. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the life and career of Theodore Roosevelt.

The CHAIRMAN. This is the Committee of the Whole House on the state of the Union, and the gentleman should submit his request to the House.

The Clerk read as follows:

ST. ELIZABETHS HOSPITAL.

For general repairs and improvements, $30,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I realize that this item for general repairs and improvements is simply one of routine, but, nevertheless, as long as it has to do with St. Elizabeths Hospital it seems to me that some explanation ought to be offered here of the various criticisms which have been in the press in the last few days in connection with the management of that institution as applied to the care of returned soldiers. As I understand, St. Elizabeths Hospital is the insane asylum of the District, conducted by the Government, and paid for by the Government. This morning one of the New York papers contained a very severe criticism of the care or lack of care extended to returned soldiers, some of them, perhaps, in a nervous condition but not regarded as insane, as receiving no care or treatment whatsoever at St. Elizabeths Hospital. That item is copied in a Washington paper of this afternoon and ought, I think, to receive some attention from this body. If the accounts are entirely sensational we should know it for the benefit of the men who are there, and I therefore would ask if any information can be given by any Member of the House as to the conditions at St. Elizabeths Hospital, particularly as to the care soldiers have received there. I only ask for information. I know absolutely nothing of the circumstances myself.

Mr. SHERLEY. Mr. Chairman, I have not even seen the article which the gentleman says is in the New York Sun of to-day, so of course I can not reply to it, not knowing what it contains, and I have no particular information touching St. Elizabeths, except that it is my understanding that men who are there are men who are mentally unsound and they themselves frequently do not know it. I know of one instance in which I received a letter from a man complaining about his being confined there, and, having had past experience with people confined in an asylum, before I undertook to get him removed I made inquiry, and I found he was suffering from a mental complaint which made it very desirable that he be retained in that asylum, although he does not think so, and he writes very bitterly about it. But I have no specific information in reference to the gentleman's inquiry touching the management of St. Elizabeths.

Mr. TREADWAY. May I ask the gentleman one question?

Mr. SHERLEY. Certainly.

Mr. TREADWAY. Whether or not he knows in regard to the care of the soldiers they are made a part of the regular patients and placed in wards with the regular men who are there and are shown no other care than that regularly accorded to any inmate of the asylum?

Mr. SHERLEY. The committee has had no hearings at this time touching St. Elizabeths that I am aware of, unless the committee on the sundry civil bill, of which I am chairman, had a hearing, and I have not been able to attend the hearings of that committee recently. The gentleman from South Carolina [Mr. BYRNES] has been conducting most of those hearings. I do not know whether they went into the matter as it is related to returned soldiers or not.

Mr. TREADWAY. It seems to me, Mr. Chairman, that we ought to have some information on this score in view of the articles which have been carried in the press not only to-day but previously. It is a matter which has been referred to frequently in recent press accounts, and, while I am not one of those disposed to give undue attention to what may appear like sensational accounts, if there is any basis of truth in the method by which returned soldiers have been cared for at that institution, we should be informed of it and govern ourselves accordingly.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. TREADWAY. I would be glad to do so, but I have not the floor—I do not think I have.

Mr. FAIRFIELD. I desire to say I had a little experience in that matter myself.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FAIRFIELD. Mr. Chairman, I move to strike out the last word. I had occasion recently to take up the matter of St. Elizabeths Hospital in the interests of a man who was remanded there suffering from shell shock. My attention was called to it by the friends of this man going down to the hospital and securing a leave of absence and bringing him up to the office. I am not an expert on insanity, and insane people may deceive the very elect at times, I am told.

However, I took the matter up with The Adjutant General and I corresponded with the boy's people at home. After two or three days this man was taken out of the ward for the incurably insane. He assured me that if he was not relieved soon from that position he would be insane. After another week or 10 days we succeeded in getting a furlough for him for 30 days, and he is now at home under the direction of his own brothers, who are physicians. I think that if each particular case that is called to the attention of the Member was taken up in person with the proper authorities there would be a disposition to inquire into it carefully and to do the right thing. At least, I had the most courteous treatment, though in this case it required a little time before action was secured.

Mr. IGOE. Will the gentleman yield?

Mr. FAIRFIELD. Certainly.

Mr. IGOE. What about those men who have not anybody to go and appeal for them to The Adjutant General? What is it proposed to do for these hundreds who can not come to the gentleman and others for assistance?

Mr. FAIRFIELD. The gentleman's question is certainly pertinent. I had reference only to any difficulties that particular Members might have. Unquestionably there should be some sort of investigation into that condition. If it is merely a sensational report, no harm will have been done, but, indeed, great good will have been done. And if there are conditions there such as have been reported they ought to be rectified.

Mr. McKEOWN. Was there any complaint in the case which the gentleman looked into as to their food and clothing at St. Elizabeths?

Mr. FAIRFIELD. The gentleman said the food was abominable.

Mr. McKEOWN. I have had a case where they complain of the food and lack of bed clothing. I wanted to know if the gentleman had heard anything of that kind.

Mr. FAIRFIELD. I may say that I thought the action was a little slow in the case I referred to on the part of the department. I have been loath, however, to bring a matter of that kind before the House without being thoroughly convinced that there was real cause for complaint.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. I desire to say that I had one experience in relation to this hospital. One swallow does not make a summer or one case make an excellent hospital or a bad one. In the case I refer to, a young soldier from my district was an inmate, and in looking the matter over I found that he had the best of care and had improved very much during the time he was there. He was released very shortly after I called upon him and he went home with his parents a few days ago. The surroundings of that portion of the institution where he was located seemed to be almost ideal. But, of course, I want to observe that this statement is based only on the particular case with which I had experience. I thought I should say this in deference to an institution upon which we have to rely a great deal. I believe it is the only one we have anywhere near here to fill the demand of the emergency.

Mr. FAIRFIELD. Will the gentleman yield?

Mr. SLOAN. I yield.

Mr. FAIRFIELD. I ought to say with regard to the case I had in hand that the person is very erratic, to say the least, and that he suffered from a disease that was being treated there. I felt, on the whole, that due care ought to be exercised by those in authority and that they should be thoroughly convinced that a man is sane enough to be discharged from the hospital.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

Mr. MONDELL. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I just arrived on the floor of the House and am not therefore fully informed of what has been said, but I understand there has been some discussion of an article which appeared in a Washington paper, said to have been copied from a New York paper, reflecting upon the management of St. Elizabeths Hospital. Some little time ago there was some criticism in the newspapers of that institution on the ground that soldiers suffering from shell shock, so called, were being confined there. Dr. White, in charge of that institution, appeared before the Committee on Appropriations a few days ago, the subcommittee having to do with the sundry civil bill, and the members of the committee interrogated him at length with regard to the institution and in regard to that particular claim, assertion, or charge. The doctor assured us that there had been no soldiers or ex-soldiers admitted to the institution suffering from what is popularly called "shell shock." He said there were two men among the many hundreds brought there who were suffering from disorders that might, to a certain degree, be classified as shell shock, but that these two men were also suffering from mental disorders that could not properly be classified as shell shock. One of those men was detained but a very few days in the institution. He was detained in a ward or building not occupied by violently insane patients. He remained there but a few days. The other man remained in the institution, but not in contact with the ordinary insane patients, for a couple of weeks and then was discharged as cured. He said that with the exception of these two cases, that might possibly be said to have been cases where so-called shell shock was a part of the trouble, there have been no men brought to the institution and detained there suffering from shell shock, so called.

I saw the headlines of and read very hurriedly, indeed, an article that appeared in to-day's issue of a Washington newspaper. I am sorry I did not read it more carefully, in view of the fact that it seems that it has been deemed worthy of attention by some one in the House. But I want to say this about St. Elizabeths. I have visited that institution. I have been a member of the subcommittee that appropriates for it for a number of years. I and other members of the subcommittee have very carefully and thoroughly and painstakingly interrogated Dr. White one time and another with regard to the institution. In order to verify his statements and satisfy myself, I have visited the institution, and my opinion is that it is one of the best-managed, best-conducted institutions of the kind in America, if not in the world.

Mr. PAIGE. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I yield to the gentleman.

Mr. PAIGE. I want to cite to the gentleman a case that occurred in my district, of a young man who was an inmate of St. Elizabeths Hospital. A man at the head of the Red Cross stated to me and to his parents that he was not insane at all, and Dr. White insisted that he was, and after a great deal of correspondence back and forth they decided to let him out on a furlough. His father, a poor man, was subject to great expense, after long correspondence, in coming to Washington, and he brought the boy to yonder door, and if there ever was a bright and intelligent young man, it was that boy. They let him go home, and after he had been home about a week a notice came from the hospital that unless the parents stood for the expense incurred in connection with his trouble he must be returned to St. Elizabeths. That is what I understand; he has got to come back to St. Elizabeths. The man at the head of the Red Cross has told me, and his father has told me, that that young man is not at all insane; and it is a shame to keep him there.

Mr. TREADWAY. Was the young man, or is the young man referred to, a soldier?

Mr. PAIGE. Yes.

Mr. MONDELL. Mr. Chairman, controversies relative to the sanity or insanity of individuals have gone on since the beginning of the care of insane people by the public, and will be agitated, no doubt, to the end of time.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. MONDELL. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. MONDELL. Dr. White is not only a conscientious and capable man, but he has a high reputation in the profession as an alienist. It is possible that Dr. White may be mistaken in some cases. I have never seen a mortal anywhere that was not at some time or other mistaken about something, providing that he had any considerable responsibility. I think it is possible that Dr. White may have been mistaken about the sanity of some individual person, but I know, and we all know—it is notorious—that a large proportion of insane people always protest, with more vehemence than a sane person can command, their sanity, and there are very few relatives and friends of insane people who will admit, except with very great reluctance, that those people are insane. They frequently become violent before insanity is admitted by relatives and friends.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. And it is not a proper charge against an institution that there may be some question in some cases as to the sanity of a patient.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I have only five minutes. I did not rise to discuss the question of who is going to pass upon questions of sanity.

Mr. KNUTSON. Let us suppose that the doctors pass upon it.

Mr. MONDELL. In the case referred to the doctors did pass upon it, and the doctor held that the man was insane.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield for another question?

Mr. MONDELL. Yes.

Mr. KNUTSON. Does the gentleman think St. Elizabeths was the proper place to send a soldier for ear and eye trouble? The doctor says they were treating him for that. I called the doctor up.

Mr. MONDELL. I do not know who sent the particular man that the gentleman has in mind to St. Elizabeths; no entirely sane man should be committed to an institution of that kind; yet the surroundings of St. Elizabeths are such that no harm will come to him while the question of his sanity is being considered. Some one may have been sent there who was not insane, but that is not the question. The question is as to the management of this institution maintained by the Government.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wyoming yield to the gentleman from Massachusetts?

Mr. MONDELL. I will yield.

Mr. TREADWAY. The gentleman has had more intimate information as to the facts from his experience on the subcommittee than any of the others of us, and I would like to ask him this question purely for information: Does the gentleman consider that St. Elizabeths is a suitable place and a desirable place for returning soldiers to be committed, even if they have only what may be regarded as nervous disorders?

Mr. MONDELL. If the gentleman had listened to the beginning of my remarks, his question would not be necessary.

Mr. TREADWAY. I have listened to every word of them.

Mr. MONDELL. He would know that they are not sending soldiers for what is known as shell shock to St. Elizabeths. I do not know what the gentleman has in mind when he says "nervous disorders." St. Elizabeths is an institution for the care of those who are suffering from mental diseases and dis-

orders. There may be a question in some particular case as to the admissability or the propriety of admitting or detaining in this institution certain men, but that is not the question now before us.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. And even in regard to that question let me make this suggestion.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman declines to yield.

Mr. KNUTSON. I will ask that the gentleman be given five minutes.

Mr. MONDELL. Well, I will yield to the gentleman.

Mr. KNUTSON. What is the gentleman's definition of an insane person?

Mr. MONDELL. I am not an expert on insanity or definitions of insanity. I commend to the gentleman the various dictionaries that are available in the library adjacent to the Hall.

Now, gentlemen, this is true, and let us not forget it, that no one desires to have a friend or relative confined in an institution which is known as an insane asylum. One reason for changing the name of St. Elizabeths was that the name it now bears does not necessarily carry with it the idea that it is an insane asylum; but it is an asylum where people suffering from mental diseases are cared for, and cared for well.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MONDELL. I ask that I may have five minutes more.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent that his time be extended five minutes. Is there objection?

Mr. SHERLEY. Mr. Chairman, I hope the gentleman will conclude as soon as possible. It is very necessary to proceed with the bill.

Mr. MONDELL. I will conclude in five minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MONDELL. I realize that the friends and relatives of soldiers regret and are loath to believe that their soldier friends or relatives are suffering from mental disorders. But if soldiers are suffering from mental diseases or disorders there is no other place in this part of the world except St. Elizabeths to which to send them, and I want to repeat and emphasize that it is a well-conducted institution.

Mr. LANGLEY. Will the gentleman yield for a question?

Mr. MONDELL. I yield to the gentleman from Kentucky.

Mr. LANGLEY. I know of one case of a soldier being held in St. Elizabeths because the doctor says he is a psychopathic liar. Now, is that a proper case for confinement there?

Mr. MONDELL. Well, is he or is he not? I do not know about that sort of a liar. I am not an expert on insanity. I know that since time began there has been a controversy as to whether certain people ought to be in any insane asylum or not. That is not a part of the issue here. The issue raised by the newspaper article is as to whether men are well cared for and properly treated in St. Elizabeths, and I rise to say I believe they are. We would every one of us be more or less responsible if they were not. We maintain that institution. We pay for its upkeep, and, in my opinion, it is well managed and conducted in a humane way. I have no doubt about that.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. MONDELL. I yield.

Mr. KNUTSON. Can the gentleman give this House any information as to whether or not they have dungeons out there where soldiers are kept in solitary confinement?

Mr. MONDELL. My opinion is that all of those statements or the major part of the statements contained in that article are without any foundation whatever. There is no basis of truth or fact for them. Some newspaper correspondent has evidently been taken in by some one who wanted to tell a sensational story. The Federal Government has a great institution within sight of the dome of the Capitol, in which institution there are many hundreds of unfortunate people, members of the Army and the Navy and others, and I want to emphasize the fact that at the head of it is a man who has proven himself to be competent and capable. That institution, supported by the Federal Government, is one of the best of its kind on earth. It is beautifully located. Its buildings are well adapted to their purpose, its equipment is good, and the people there are, in my opinion, receiving the very best possible care and treatment. I think that ought to be said for the comfort and satisfaction of those people whose friends and relatives are in the institution.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last two words.

Mr. SHERLEY. Mr. Chairman, pending the gentleman's motion, I desire simply to say this: I have tried to be liberal in regard to debate. There is nothing in the bill that makes it in order to go into a discussion of this newspaper article, and I hope that the committee will realize the necessity of making progress with the bill. There have been 20 minutes' debate in connection with an article that is altogether extraneous to any matter now pending before the committee. I hope the gentleman will refrain from speaking at this time.

Mr. KNUTSON. In view of the gentleman's appeal, I will withdraw the pro forma amendment. [Applause.]

The Clerk read as follows:

To pay the widow of JACOB E. MEEKER, late a Representative from the State of Missouri, $7,500.

Mr. BUTLER. Mr. Chairman, will the gentleman object to my offering an amendment there to pay the widow of our late colleague, Mr. ROBBINS, a sum equal to one year's salary?

Mr. SHERLEY. I was just about to offer that amendment myself. I offer an amendment, to follow line 24, on page 18, to pay the widow of EDWARD E. ROBBINS, late a Representative from the State of Pennsylvania, $7,500.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: At the end of page 18 insert a new paragraph, as follows:

"To pay the widow of EDWARD E. ROBBINS, late a Representative from the State of Pennsylvania, $7,500."

The amendment was agreed to.

The Clerk read as follows:

Total, appropriations and authorizations recovered, Signal Service, $128,373,200.04.

Mr. SHERLEY. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: On page 20, after line 13, insert the following:

"Office of the Provost Marshal General: For all expenses necessary in the registration of persons available for military service and in selection of certain such persons and their draft into the military service, fiscal year 1919, $12,047,047."

Mr. SHERLEY. Mr. Chairman, by an oversight the committee failed to have before it the Provost Marshal General in connection with appropriations which he had received and the amounts of money which he had expended; but in checking the matters up that oversight was ascertained, and the committee then asked of the Provost Marshal General a statement in regard to appropriations and expenditures, and what might be necessary for the balance of the fiscal year. There had been appropriated for his use in connection with the draft a total of $35,762,000. There had been disbursed up to November 30, 1918, $5,985,952.70. There is an estimate of expenditure for the balance of the year of $17,730,000, and an explanation given as to what constitutes that estimate of expenditure. It is predicated on the employees, rental, traveling expenses, and miscellaneous, and then general reservation is made of $8,000,000 for the payment of unpaid claims, and that is to be spent with this statement generally. Under the law as it existed the Provost Marshal General was authorized to pay not exceeding certain sums to the various members of these draft boards throughout the different States, and also, of course, to pay for rental of buildings. In many instances the buildings had been given without any charge having been presented, and in many instances services have been rendered without a charge yet being made by the persons for such service. But the Provost Marshal General said he would not like to surrender so much money as to prevent his being able to meet such obligations if they should be presented. It was his belief that there would not be need for all the money that is being held out. It is proposed now that the various State headquarters and boards throughout the country shall correct the records, devoting special attention to those recorded as delinquent and deserting, and under present instructions, after the records are corrected, they are to be tied in packages, sealed, and sent to The Adjutant General at Washington at such time as The Adjutant General is able to secure suitable buildings in which to establish them. It is estimated that the correction of the records will be completed and they will be ready for shipment from the 4,540 local boards on the following dates: Two thousand three hundred by February 15, 3,500 by February 22, and 4,540 by March 1, 1919. I shall, under leave to print, submit the entire letter of the Provost Marshal General.

The letter is as follows:

WAR DEPARTMENT,
OFFICE OF THE PROVOST MARSHAL GENERAL,
Washington, January 27, 1919.

Memorandum for the Hon. SWAGAR SHERLEY, chairman Committee on Appropriations, House of Representatives.

Subject: Unexpended appropriations, Office of Provost Marshal General, fiscal year 1919.

The several State headquarters and boards throughout the country are now engaged in correcting all records in their possession, devoting especial attention to those listed as delinquents and deserters. Under present instructions, after the records of the boards have been corrected, they are to be tied into packages, sealed, and held in readiness for shipment to The Adjutant General at Washington at such time as The Adjutant General is able to secure suitable buildings in which to establish them. It is estimated that the correction of the records will be completed and that they will be ready for shipment from the 4,540 local boards on approximately the following schedule: 2,300 by February 15, 3,500 by February 22, 4,540 by March 1, 1919.

If the selective-service boards complete the work according to this schedule, which, of course, can not be confidently predicted, we might contemplate a cessation of all expense on account of board members' compensation and the reduction of expenses for clerk hire to the salary of one chief clerk, who ought to be retained by each board, in charge of the records and to answer inquiry, which will not wholly cease for some time. The average salary of each clerk is estimated at $125 per month. There will also be an average monthly rental expense that is estimated at $30,000; miscellaneous expense, $50,000; traveling expenses, $10,000.

All State headquarters (except Alaska, where local boards can not be reached before July 1) should complete their work and be ready to cease operations by April 30; however, they must be kept in operation to supervise the shipment of records from the local boards. This shipment is dependent upon the arrangements that can be made by The Adjutant General of the Army for the proper storage of the records in Washington. While the records are in the possession of the boards there will be a constant source of expense for clerk hire, rentals, traveling expenses of inspectors, and small incidental expenses, which will total, approximately, $600,000 per month.

SHIPMENT OF RECORDS.

The records of the draft are now stored in State headquarters, district and local board quarters in the several States in filing equipment shown in the following table:

Questionnaires, 63,000 wooden filing cabinets, 27,000 steel filing cabinets.

Registration cards, 24,000 wooden cabinets.

These cabinets must each be placed in a crate or a box, and special boxes must be constructed to contain those records for which no filing cases have been provided. The total estimated cost of crating and boxing will be—

63,000 boxes (wooden questionnaire cases), $3 each	$189,000
6,000 boxes (24,000 registration-card cabinets), $3 each	18,000
27,000 crates (steel questionnaire cases), $2 each	54,000
6,000 special boxes, $13.50 each	121,000
Boxing and crating of miscellaneous records of State headquarters and of Territories of Alaska, Hawaii, and Porto Rico	118,000
Total	500,000

Disbursements, fiscal year 1919.

	Board members.	Employees.	Rental.	Traveling expenses.	Miscellaneous.	Total.
July	$2,223.75	$143,438.20	$671.20	$959.17	$4,624.74	$151,917.06
August	53,515.51	669,244.54	14,429.12	7,971.20	83,020.40	858,180.77
September	97,165.63	621,531.78	13,270.64	16,489.40	183,029.14	931,486.59
October	724,947.92	751,010.27	34,546.30	10,560.39	153,166.79	1,674,231.67
November	1,158,834.21	987,271.09	25,511.49	9,046.87	189,472.95	2,370,136.61
						5,985,952.70

Estimated disbursements, balance of fiscal year 1919—from December, 1918, to June, 1919.

	Board members.	Employees.	Rental.	Traveling expenses.	Miscellaneous.	Total.
December	$1,500,000	$1,000,000	$30,000	$10,000	$150,000	$2,690,000
January	1,250,000	1,000,000	30,000	10,000	100,000	2,390,000
February	750,000	750,000	30,000	10,000	50,000	1,590,000
March		600,000	30,000	10,000	50,000	690,000
April		600,000	30,000	10,000	50,000	690,000
May		500,000	30,000	10,000	50,000	590,000
June		500,000	30,000	10,000	50,000	590,000
						9,230,000
Packing, crating, and preparation for shipping records						500,000
Payment of unpaid claims [1]						8,000,000
						17,730,000

[1] This item is to provide for payment of held-back claims of every kind that may be presented, such as compensation of board members who have not yet presented any claims, payment of registrars for services, and payment of bills of every kind that have not yet been presented, and to meet any now unforeseen demands that may be made upon the boards for services in connection with investigation for and furnishing information to any of the other branches of the Federal Government, such as the State Department in connection with alien registrants; the Treasury Department, War Risk Insurance Bureau, in connection with allotments, payment of claims, etc.; the Department of Justice, in connection with evidence required in the prosecution of deserters; and for any other legitimate service that might be required of the boards during the time records are in possession of the States.

Also demands not now definitely foreseen but which may be made upon the selective-service machinery in connection with the demobilization of the Army, and particularly in connection with the service of the war-risk insurance. There is much agitation in the press of the country on this subject, and it would be unfortunate if the further duties and demands should be imposed upon the selective-service machinery without adequate funds to meet the expenses incident thereto.

Statement of appropriations made fiscal year 1919.

Title.	Appropriations.	Disbursements Mar. to Nov. 30, 1918.	Estimated additional cash needs balance fiscal year 1919.	Balance of appropriations not required.
Office Provost Marshal General. Act July 9, 1918, and act Nov. 4, 1918	$15,762,000	$5,985,952.70	$17,730,000	$12,040,047
	20,000,000			
	35,762,000	5,985,952.70	17,730,000	12,040,047

E. H. CROWDER,
Provost Marshal General.

Mr. MANN. May I ask the gentleman, Does the Provost Marshal General believe the money remaining under his control will be sufficient?

Mr. SHERLEY. Yes; and in point of fact I think a greater sum might have been taken with safety, but in view of the desirability of cleaning up the matter without subsequent deficiency we left the amount as requested.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. SHERLEY].

The question was considered, and the amendment was agreed to.

The Clerk read as follows:

QUARTERMASTER CORPS.

For general appropriations, Quartermaster Corps, fiscal year 1919, $2,996,414,707.14.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. Has the gentleman from Kentucky made a full statement of the necessity of this item?

Mr. SHERLEY. I would say to the gentleman that we are dealing with the amount that we are covering back into the Treasury.

Mr. LITTLE. I understand, but why?

Mr. SHERLEY. I did not quite catch the gentleman's question.

Mr. LITTLE. Did the gentleman in his opening statement make a thorough explanation of this amount mentioned on the top of page 21, Quartermaster Corps, $2,996,414,707.14?

Mr. SHERLEY. As to the general appropriations for the Quartermaster Corps I did undertake to give to the committee information as to the major items that went to make up that sum.

Mr. LITTLE. Then it is unnecessary to repeat it. I can look it up in the morning RECORD.

Mr. SHERLEY. I shall not repeat it in full, but the gentleman will find on page 1176 of the hearings a table in regard to the Quartermaster Corps that I think will indicate the big amount of items that go to make up this huge sum—$700,000,000 for subsistence, $908,000,000 for clothing and equipage, and $654,000,000 coming from pay, and so forth, of the Army.

Mr. LITTLE. Can the gentleman explain why there was this misestimate

Mr. SHERLEY. I would not say there was a misestimate. The estimates were predicated on an army totaling 4,800,000 men by next June. The Army has been constantly reduced from its maximum and the reduction in size reduced the amount of money for subsistence, pay, and for the Army in other items.

Mr. LITTLE. Then it is due to the discontinuance of the war?

Mr. SHERLEY. Yes. That is not true altogether because there are some places in which I think they did overestimate that I called attention to last fall, but the great big items in the Quartermaster Corps are due to the fact of the reduction in the size of the Army.

The Clerk read as follows:

Total, appropriations and authorizations recovered, Quartermaster Corps, $3,756,135,307.76.

Mr. SHERLEY. Mr. Chairman, there is a statement I desire to make to the committee in connection with three artillery camps, in view of the action of the House heretofore and

the subsequent events that have transpired since, and by virtue of the instruction of my own committee. The House will recall that when a deficiency bill in October carried two items, one for the purchase of land at West Point, Ky., and one for the purchase of land at Fayetteville, N. C., but did not carry a recommendation of the War Department for the purchase of land at Columbus, Ga. There was some discussion in the House as to the desirability of carrying an appropriation, which amounts in the West Point case to $1,600,000 and in the Fayetteville case to $1,500,000, and after debate and motion to strike out the amounts were carried. The Senate struck out the two items, and the House conferees finally agreed to the position taken by the Senate in striking those two items from the bill. I reported to the House in connection with the report upon that deficiency appropriation bill that we had acquiesced in the Senate's action in striking out of the bill those two specific appropriations, and that the Senate had insisted that they had not put them in, because they did not feel that the Congress at this time should determine upon the permanent retention of camps by the purchase of land; that the House conferees, while feeling that it was a matter of wisdom to buy the land as an incident to the very large expenditures that were being made, and were proposed to be made at these camps, had finally acquiesced in the viewpoint of the Senate. I assumed, as I suppose most Members of the House did, that that meant that until Congress should otherwise determine no moneys should be expended in the purchase of the land, though all of us knew that the building was going forward in connection with the construction of these camps. The West Point camp and the Fayetteville camp were intended as Field Artillery camps, where large bodies of artillery troops could be maneuvered and where the guns could be actually fired and used. As I recall, each was to be a camp for six brigades. The camp at Columbus, Ga., it was proposed should be an Infantry camp for small-arms practice, machine-gun practice, tanks, and so forth. It developed in connection with a review of the appropriations that had been made for the various camps that the department was going forward with the purchase of land at Fayetteville, West Point, and in Georgia. Immediately on behalf of the committee, and with their instruction, I went to the Secretary of War and stated to him that in view of the action of Congress in refusing the appropriations, we were surprised to learn that moneys were being expended in the procurement of land, and said that we would like to have the Secretary come before the committee in order that the subject might be gone into.

He stated that he would be very glad to come, but he would like opportunity of a day or two to make inquiry in regard to the actual facts. I then stated to him that the committee was busily engaged and would be for quite a while in connection with the hearings on other matters in connection with the bill, but that we did not want to have the matter foreclosed by our failure to hear him; that we would be very glad to suit his convenience; that the matter would be held in abeyance until the committee could go into the matter. He accordingly wrote two letters, dictating them in my presence, one to the Assistant Secretary of War and one to the Chief of Staff, asking that the data might be gathered touching these camps, and that, pending procurement of these data and the consideration of the information by the Appropriations Committee of the House and of the Senate, the matters be held in abeyance. I reported that action back to the Committee on Appropriations. Some time later I learned that they were going forward with the camps at West Point and at Fayetteville in the matter of the procurement of land, that the Georgia camp had had the work stopped upon it and as the matter then stood it was proposed to abandon that project. I immediately brought the matter to the attention of the Secretary, and told him that in view of the letters which had been dictated in my presence, the committee was surprised that this matter was going forward, and asked that he come before the committee to make a statement in connection with the matter. He did come, and stated in substance this: That in the first instance, the War Department had concluded that the failure of Congress to appropriate the moneys specifically asked for the purchase of land was not meant as an intention by the Congress that the land should not be bought, but simply that they did not consider it was necessary to appropriate the money at that time, and that the department, finding the money available, and feeling they could go forward with the purchase of the land, had gone forward; that he had been absent from the country at the time that the bill had passed; and that he had simply gathered that impression without having particularly looked to the congressional debates. I called his attention to the statement that I had made on the floor in regard to the matter. He then said touching the subsequent action of the department that he had gone before the Committee on Military Affairs of the House and the Committee on Military Affairs of the Senate, he and the Assistant Secretary of War; that they had there discussed pretty generally the policy that should be pursued in connection with cantonments and camps and also in regard to these three camps; that they had gathered the impression from the discussion that had taken place both formally and informally in the Senate committee and in the House committee; that it was their judgment that they should proceed with these two camps at West Point and at Fayetteville; and that the Committee on Military Affairs of the Senate had adopted a resolution that further carrying out of the project of the Georgia camp should be abandoned, and that upon notice of that fact the department had abandoned that project, although it was subsequently stated, by either the Chief of Staff or the Assistant Secretary of War, that they had understood that there was a number of persons who were desirous of having the Committee on Military Affairs of the Senate reconsider its action, and that the committee had made a request, as I recall it, of the department to send some officers to further look into that project, and that they had sent some officers for that purpose.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SHERLEY. Mr. Chairman, the Committee on Appropriations then went into a rather full hearing as to the amount of money that had been expended at these three camps, the amount of money it was proposed to expend in their completion, the amount of money that was involved in the purchase of land, the amount of money that would probably have to be paid in the way of damages in the event that the land was not purchased, and they came to this conclusion—and I desire at this point to say that touching these camps, I did not undertake to function, just as I have said to the committee before I would not do, in view of the fact that the West Point camp was near my home city, and I did not care to be in the position of acting where anyone might think my judgment would be swayed by the locality of the camp concerned, but I asked the subcommittee very fully to investigate into the facts and to take such action, if any, as they saw fit touching the matter.

Before telling you the conclusions that they arrived at it might be well to give to the committee a statement in round figures as to the expenditures that have been made. Upon the signing of the armistice it was determined to reduce the size of the camp at West Point, known as Camp Knox, from a six-brigade camp to a four-brigade camp. The project contemplates the expediture, exclusive of land, of sixteen and one-half million dollars. There has been expended in the way of buildings, roads, walks, sewers, and other accessories incident to the plant some $12,500,000. The site of the camp is not really at West Point, Ky., but it is at the little town of Stithton, Ky., just about 20 miles or less, I should think, from West Point, Ky., and about 40 miles or more from Louisville. They proposed to expend $4,000,000 in completing this camp. This is all exclusive of land. The original estimate was for 40,000 acres of land, to cost $1,600,000. By virtue of the location of the camp, and particularly certain buildings on the two sides of Stithton, they believed it was necessary to absorb the little town of Stithton and some 3,000 or 4,000 acres in addition to the original 40,000 acres of land, which would involve in the proposition as carried through the cost of $2,500,000 as against the original estimate of $1,600,000. The people upon this land have been instructed to move off this land, and the statement has been made that the Government expected to acquire the land, and in some instances houses have been torn down and in other instances considerable damage has been done to farms and to outbuildings and houses, and the little town of Stithton has in large measure been absorbed by the contracting quartermaster and contractor's force in the building of this camp.

The amount of money which has now been paid out for the purchase of land amounts, as I recall it, to about $154,000, but there have been acceptances of title to about $581,000 more for land for which the money has not been paid as yet, so the department proposes to go forward in the settlement of these land claims by paying for them and taking title as fast as title can be made and the lands to be paid for can either be agreed to or settled, where agreements can not be reached, by condemnation proceedings. At Fayetteville there is a camp which is proposed shall cost $11,000,000. It is to be a two-brigade camp, and there has actually been spent $7,500,000, leaving $3,500,000 remaining to be expended on the camp proper. The land will cost, they think, as originally estimated, $1,500,000. There has

been actually paid out $48,000, and the balance it is proposed to pay as fast as they can get title and reports upon the balance of the land. Here, as at West Point, the people have in large measure been moved, though not to the same extent or character as happened at Camp Knox, because at Camp Knox for more than a year past in connection with some 10,000 acres of land the Army has been in possession and has been firing over it and using it as an artillery camp. Now, touching these two camps the War Department states that it was their desire under any condition that might arise to have two camps, in addition to the camp at Fort Sill, Okla., for the training of large units of artillerymen in the use of their guns and for a firing range for such maneuvers. They stated that if the program looking to an army of 500,000 men should be carried out there would be 20 brigades of field artillery that would go with an army of that size, and that with the facilities that exist at Fort Sill and at those two camps as it was proposed to complete them there would be facilities for taking care of 8 brigades, but that there would have to be rotation of brigades in order that all of them could receive this contemplated training; and that even if the army should be reduced to its present authorized strength that there would not be any greater facilities for the handling of field artillery troops than what already existed and that then not all of them could be at one time trained in this work. They very strenuously insisted that they desired to go forward with these camps and asked them as permanent camps; that if they were to have them as permanent camps they ought to buy the land and not to hold it as leased land. But if the camps were to be abandoned they thought the expense in the way of claims and of damages was such as to make the difference between the purchase and the settlement of claims not very great, and that the salvage that would flow from the buildings and the disposition of the whole plant would probably not be greater than what would have been obtained if they had the ownership of the land. In point of fact it is the view of the War Department we ought to acquire the land to the camps and cantonments we have now, and the question of their salvage——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERLEY. I ask again that I may have five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

Mr. SHERLEY. They stated that if the camp in Georgia was abandoned, and they hoped that it might not be, but if it was abandoned it was then stated, I think by the Assistant Secretary of War, that it was proposed to make Camp Bragg a camp for the use of small-arms practice and maneuvers for tank and infantry work, and to occupy simply West Point and Fort Sill as the two camps for artillery.

Now, the committee considered the matter very fully. The hearings, I think, give all of the information as to the expenditures made and which are proposed to be made that is obtainable. I think I state accurately the conclusions of the committee, in which I desire to say again I took no part, that as to Camp Knox, Ky., and Camp Bragg, in Fayetteville, N. C., in view of the amount that had been expended there in the creation of the camps and in view of the insistence of a military need for the camps as an incident to the peace organization and training of the Army, they considered it justifiable to go forward with those camps to completion and for the acquirement of the land; that as to the camp in Georgia, the situation was one in which the amount that had been expended was $1,500,000. The amount that it was first proposed to spend was $10,855,000, and $3,600,000 for the land, which have been since reduced, and that in view of the very limited expenditure that had been made in Georgia, the committee thought that that project ought not to be further prosecuted. The gentleman from Illinois [Mr. CANNON] and the gentleman from Mississippi [Mr. SISSON], as well as the other members of the committee, I think, will agree that I have stated the situation.

Mr. CANNON. The gentleman has stated it accurately, and I agree with him. I think in point of merit, and I believe for the good of the service, that West Point is the best proposition—better than Fayetteville—but I think Fayetteville is second, one for a four-brigade and the other for a two-brigade camp. As to Columbus, Ga., considering we have Fort Sill, and have one on the west coast, I think we had better lose the amount that has been expended than to proceed to its completion.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

The authorization of $65,000,000 for medical and hospital supplies of the Army, contained in the first deficiency appropriation act, 1919, is repealed.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there are three items here, amounting to about $135,000,000, I think—reducing the funds available to that extent—for hospitals and medical supplies. While I do not doubt the committee gave full consideration to that subject, I would like to ask whether the Quartermaster's office and the Surgeon General's office think there will be sufficient money to fully take care of the needs of the returning soldiers for hospitals and hospital attendants? We passed a bill here the other day authorizing an appropriation of $10,500,000, and had quite a contest over it. We are reducing the appropriations now to the extent of $135,000,000, which is all right, but I think it is very essential that we do not cripple the Army in its ability to take care of returned soldiers in the hospitals where necessary, and in view of the fact that they have men, it is said, in St. Elizabeth's who ought to be in hospitals, and that men in the most modern army hospital in the world have to do their own washing. Various things of that sort have come to me from different directions, some of them through the press and some of them through private letters; and I hope we are not crippling the Medical and Quartermaster's office as to hospitals and hospital supplies.

Mr. SHERLEY. Mr. Chairman, I wish I was always certain that the voting of money for a given purpose accomplished that purpose. Unfortunately, it frequently does not. The Committee on Appropriations, from the very day that the war broke out to this hour, has given every dollar—and I mean that in its most liberal sense—that the Medical Department has ever asked in the way of building of hospitals, equipment of hospitals, purchasing of medical supplies, or anything else for the treatment and care of the soldiers. They did it from the very natural desire that they not only had but which they were sure the American people had, that there should be no failure through lack of funds in properly caring for the men who went into the Army of the United States.

Mr. MANN. I will say to the gentleman that nobody questions that.

Mr. SHERLEY. I am coming to the exact point the gentleman is speaking about.

Now, unfortunately, I hear, as the gentleman does, every now and then, of instances here, there, and other places, where things are not as they should be, and occasionally it has carried with it the suggestion that particular places have been short of funds. I was told, in a personal conversation with a lady the other day, that in connection with the Walter Reed Hospital there had been an absence of funds. Now, I do not know how much money has been allotted to Walter Reed Hospital, but I do know that all the money anybody in the Medical Department has ever said was necessary for all the hospitals has been given, and it ought to have been given to Walter Reed Hospital if it has not been given, in order to maintain it properly. As to these items, every one was conceded by the Medical Department on their own motion.

Mr. MANN. I do not want the War Department hereafter, as I have noticed departments are prone to do, to say, "Well, Congress did not give us the money," or, as in this case, "Congress took it away from us."

Mr. SHERLEY. I do not, either. That is the reason I am emphasizing this statement now. The Committee on Appropriations voted moneys in connection with the supplies when there was not a man who believed they were necessary. There were amounts carried in the second deficiency bill of 1919 in connection with surgical dressings that were so extreme that I knew no human being could justify them and no human being did.

I stood on the floor here and called the attention of the House to the fact, and I said to the House that I was not willing, and the committee was not willing, to deny the moneys in regard to a matter that related to the health and care of the soldiers of our Army, and therefore we voted these sums. And the very supplies they have on hand to-day is proof positive of the judgment of the committee that they did not need the large quantities of many things they have obtained. They have bandages, ligatures, and other supplies in many instances away beyond any possible need.

Mr. MANN. That is a question of contemplation.

Mr. SHERLEY. The question of caring for the soldiers and sailors of America is a question of administration, not a question of money. Congress has always given the money in every single instance.

Mr. MANN. Mr. Chairman, I take it that the Army regulations do not provide that a man on his back, in bed, unable

to move, shall do his own laundry work, or that a man with both arms off shall wash his own underclothing. It would be a foolish regulation if such exists, and if there is a law of Congress to that effect it would be still more foolish.

Now, I do not know, except what I am told by newspapers and private patients, what the situation is at the Army hospitals, but if it be true that one-armed men are compelled to wait in order, with a long waiting list, to get a chance at the bathtub in order to wash their dirty clothes in Walter Reed or any other military hospital, it is a sad reflection on somebody. If they have the money and refuse to use it, it seems odd. I can understand why men in the Army—well men—are not provided with laundry help. A good many of them do not have much else to do except to do servant's work for themselves and for the officers, and most of them would rather do it for themselves than for the officers. But I should not suppose that it was necessary in the hospitals for ill men or wounded men or crippled men to do that work. Of course, probably this matter was not before the Committee on Appropriations. But I do not want the Army to be able to say that they have not got money enough to do this because Congress repealed the appropriations which it had made.

Mr. SHERLEY. I do not, either. We have carried these sums with the statements made and submitted by the Medical Corps as to the amounts that could be given up. This bill has been printed now for two or three days. There is not a department in the War or Navy Department that ought not to be familiar with its provisions. I have heard not a word from the Medical Department in protest against these figures. I repeat that the committee has never yet, even though its judgment indicated otherwise, refused a dollar that they have asked.

Now, they may get short at some particular place. A man may say, "We did not have money enough." It does not mean that Congress has not given money enough, but it simply means that there has been some bad administration or bad allotment in the distribution of the funds, and that a lot of money has been spent for a lot of ideas of particular men that bear no relationship to the actual well-being and the protection and care of sick soldiers. I know of nothing that requires more common sense, as well as technical skill, than matters relative to the health of men.

Mr. FAIRFIELD. Mr. Chairman, will the gentleman yield?

Mr. SHERLEY. Certainly.

Mr. FAIRFIELD. Is the gentleman aware that there is no provision made in the Army regulations for the washing of the underclothes of men who are sick in the hospital?

Mr. SHERLEY. If that be true, all they have got to do is to change the Army regulations.

Mr. FAIRFIELD. As a matter of fact, I was talking to a man who was in one of the hospitals five weeks. This matter was up yesterday. He said, "We did not think about it at the time, but I was in the hospital five weeks and not a bit of washing was done for me, and I could not get it sent out."

Mr. SHERLEY. Now, in response to the gentleman's suggestion, there is in the statement of estimated needs for the balance of the fiscal year something over $1,800,000 carried for laundries at hospitals; and I repeat if there is any regulation which prevents provision being made for the laundering of a sick soldier's laundry the remedy is perfectly simple. All that it requires is some common sense on the part of the men responsible for Army regulations to change them. Congress can not be expected to be able to foresee and make provision against the lack of common sense of men in connection with Army regulations.

Mr. FAIRFIELD. The gentleman is exactly right about that; but this man insisted that they told him that the funds could only be applied to the washing of the linen for the use of the beds in the hospitals.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For purchase, manufacture, and test of ammunition, subcaliber guns, and other accessories for mountain, field, and siege artillery practice, fiscal year 1917–18, and fortification appropriation act approved July 8, 1918, $85,418,177.38.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio moves to strike out the last word.

Mr. LONGWORTH. I would like to have the attention of the gentleman from Kentucky.

Mr. SHERLEY. Very well.

Mr. LONGWORTH. Is this the item from which the various appropriations to build nitrate plants have been taken?

Mr. SHERLEY. It is one of the items.

Mr. LONGWORTH. Is it not the only item?

Mr. SHERLEY. No. The gentleman will find in the hearings a statement as to the amount of moneys that have been expended on the four nitrate plants, the funds from which they have been obtained, the total of them, and what it is proposed to expend in the future.

Mr. LONGWORTH. Then I will modify my question. Is it not the item from which all appropriations were taken, except only the $20,000,000 nitrate item?.

Mr. SHERLEY. No; I think that is not quite accurate. But I think it is the fund from which the major portion of the appropriation has been paid.

Mr. LONGWORTH. It is the fund, I will ask the gentleman, is it not, from which the appropriation to build plants 2, 3, and 4 were taken?

Mr. SHERLEY. I think that is true.

Mr. LONGWORTH. That is, the Muscle Shoals plant and the two Ohio plants?

Mr. SHERLEY. As to No. 2 nitrate plant there has been some $60,000,000 spent or committed on it, and it has been obtained from "Armament of fortifications (c)," which is this item.

Mr. LONGWORTH. Yes; and that is true also of plants 3 and 4?

Mr. SHERLEY. Yes. I think that is true of both of them.

Mr. LONGWORTH. In other words, from this item $110,000,000 in round numbers has been taken for the building of nitrate plants?

Mr. SHERLEY. No; the gentleman's total is too large.

Mr. LONGWORTH. I will put it this way: Sixty-odd million dollars for the Muscle Shoals plant and $23,000,000 for each of the two Ohio plants?

Mr. SHERLEY. No. There has been actually taken and spent——

Mr. LONGWORTH. I am not speaking of what has actually been spent——

Mr. SHERLEY. Then of what is proposed to be spent there is proposed to be spent for nitrate plant No. 2 $60,000,000 and $5,000,000 additional in connection with the transmission of power, which would make $65,000,000 there; for nitrate plant No. 3, $9,000,000.

Mr. LONGWORTH. For nitrate plant No. 3, $22,000,000.

Mr. SHERLEY. No; I am talking about what it is going to cost now.

Mr. LONGWORTH. I am speaking about what amounts were allotted from this appropriation.

Mr. SHERLEY. That may be.

Mr. LONGWORTH. Then I think my statement is correct that $110,000,000 were appropriated from this fund for the completion, if completion took place, of these three nitrate plants.

Mr. SHERLEY. It depends on what the gentleman means by "appropriated."

Mr. LONGWORTH. The heading here is "Appropriated and expended."

Mr. SHERLEY. That heading is a little misleading. There was allotted originally a total amount which looked to the expenditure of $157,000,000 for 18 projects in connection with the nitrate division of the Ordnance Department.

Mr. LONGWORTH. I still think the statement I made in the beginning was correct, that $110,000,000 was allotted from this appropriation for the purpose of building plants 2, 3, and 4. Now I want to ask the gentleman this question: When this appropriation was originally made, was it suggested by the War Department or by any Government official that any of this money appropriated for purchase, manufacture, and test of ammunition, and so forth, was to be used for the erection of nitrate plants?

Mr. SHERLEY. In the first instance, I suppose, when the amounts figured were very small. When the amounts got very large I do not recall whether anybody suggested the amount of money that was to be used in the creation of nitrate plants. But I will say this to the gentleman: Without passing judgment on how wisely money may have been expended at particular localities for particular plants, in view of the very serious situation, and what at one time looked as though it might be almost the tragic situation of this country in regard to a shortage of nitrates, in my judgment the War Department would have been singularly remiss in its duty to the country if it had not taken steps looking to the supplying of the Army with the necessary nitrates for the manufacture of ammunition.

Mr. LONGWORTH. I quite agree with the gentleman; but that is not my question.

Mr. SHERLEY. No; but the gentleman's question implies that something ulterior lay in the fact that the department used moneys for the purchase, manufacture, and test of ammu-

nition in creating plants for the making of one of the ingredients to make this ammunition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONGWORTH. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. The gentleman quite misinterprets my position. I was quite as much as he was in favor of the use of some fund somewhere to relieve the situation caused by the falling down of our Chile nitrate supply. I simply asked the gentleman whether it was contemplated to use this fund for that purpose, and the gentleman says no. Then I asked him, Why would it not have been possible to pass very speedily through Congress an appropriation designed for that purpose?

Mr. SHERLEY. In the first place, I did not say no, and, in the second place, I do not believe anybody had the knowledge, not even the gentleman from Ohio, as to the amount of money that ought to have been put into nitrate plants. It was a problem, like many other acute problems in connection with the war, that grew from week to week and month to month, and I doubt whether there was a man alive in America who had vision enough to foresee anything like the demand that was made upon America in the way of ammunition, and if this war had lasted a year more, no man could tell the amount which we would have had to supply. It was away beyond the dreams of the most extravagant advocate of extreme preparation.

Mr. LONGWORTH. Of course, as the gentleman states, it was absolutely impossible at that moment to have definitely contemplated the amount we might need for the production of nitrates. The fact is that we have actually spent now about $60,000,000 at Muscle Shoals, and we are committed to spend not less than $9,000,000 each in the two Ohio plants. I happen to be acquainted with the situation at the so-called Anchor plant in Ohio. It is merely a desert waste. Five million dollars has been expended there. Four million dollars more is to be spent, and the result is a ruin. It has ruined the entire surrounding country. It is of no conceivable use to any human being, yet the Government is going on spending money there to-day building some buildings, for what purpose the Lord only knows. And with all of that, not one cent has ever been paid to any property owner whose land was taken for this purpose. Those plants have been abandoned. They are ruins. The plant at Muscle Shoals is practically completed. A moment ago I saw on the floor the distinguished gentleman [Mr. ALMON] who represents that district. Now, what is the Muscle Shoals plant going to be used for? Is there any gentleman here who would have advocated the expenditure of $60,000,000 to build a fertilizer plant there in time of peace?

And yet that plant lies there, still the property of the Government, but which can be operated for no conceivable use whatever except to make a very inferior quality of fertilizer. Col. Joyes testified before the Appropriations Committee with regard to the use of ammonium nitrate, which is the sole product of this plant, for fertilizing purposes. It is not even good for fertilizer.

Col. JOYES. Ammonium nitrate is useful to some extent for fertilizer, but it has never been used very much for that purpose. Its prime purpose was for the war—for high explosives, for shell filler.

Mr. CANNON. And when the war is over——

Col. JOYES (interposing). It has no further usefulness in that connection except as it may safeguard us in a future war; and the real—

Mr. BUTLER. Will the gentleman yield?

Mr. LONGWORTH. Yes.

Mr. BUTLER. Did I understand the gentleman to read that Col. Joyes said we would not use the plant——

Mr. LONGWORTH. For the production of anything except fertilizer—and an inferior quality of fertilizer. What, gentlemen, is the use in taking from another fund—the fund which Congress deliberately, and the only fund which it deliberately, appropriated for the manufacture of nitrate, the fund of $20,000,000 carried in the act of 1916—and spending that money in the making of a dam at Muscle Shoals? For what purpose? To furnish power to run this fertilizer plant; and which dam can not be completed, according to the Secretary of War, for three years from now. We have not only spent $60,000,000 there already, but we are in the process of spending $14,000,000 more to furnish power to run this plant, even if we agree entirely with what the gentleman from Kentucky said—that we were justified in using appropriations never designed for the purpose to supply necessities of war——

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LONGWORTH. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LONGWORTH. We were justified, perhaps, in using this fund of three hundred and odd million dollars for the purpose at that time. But the money has been spent; and now by Executive order we are using the money which is appropriated for nitrate plants in time of war to complete a dam whose sole purpose is to furnish power to produce fertilizer in time of peace, and the total amount of power it can supply can only be used for this one plant alone, according to the letter of the Secretary of War, which I introduced in the RECORD the other day.

There is $74,000,000 of the people's money being spent at this one particular place, and it can not be used for any other purpose except for the benefit of a private corporation to make an inferior quality of fertilizer. Why, the power generated by the steam plant which cost $15,000,000 makes it so expensive to operate this plant that it can not possibly compete with Chile nitrates, or any of the modern and up-to-date processes of making nitrogen.

But after we have spent $14,000,000 for the benefit of this one locality it is estimated that the cost will be reduced from $30 the horsepower a year to $5, according to Col. Joyes, which might make it possible, gentlemen, for this Air Nitrate Corporation to put over on the Government the scheme it expects to be able to—buy the plant at a scrap price and eventually to have furnished them without expenditure on their part a water-power plant which will produce power at $5 a year instead of $30. If they can buy the plant at a scrap price, it may be that they will be able to conduct a profitable business, and the result will have been that the American people will have paid $75,000,000 to accomplish only the result that the Air Nitrate Corporation may be able to make a going concern out of the Muscle Shoals plant, because they have not had to spend one cent of money in the development of the plant or the power to operate it.

I am not going into this matter fully to-day. It is a long story. When I do go into it fully, it is going to justify, in my judgment, a congressional investigation as to why this money was ever spent in this locality. I shall not make one statement in connection with it that is not borne out by information furnished by the proper officials of the War Department. Among other things, I will tell gentlemen interested that I propose to show that from the point of view of the three necessities of nitrate production—coal, coke, and limestone—there is a haul of anywhere between 30 and 100 miles to get that product there where the nitrate plant is located. I am not going to detain the committee longer, but I thought it wise now to bring out a part of the history of this transaction. [Applause.]

Mr. ALMON. Mr. Chairman, the House has been furnished another contribution of misapprehension and misinformation by the gentleman from Ohio [Mr. LONGWORTH] about the Government nitrate plants and the great water power at Muscle Shoals, on the Tennessee River in north Alabama. I am sure that the Members of the House, and in fact the country, will feel disappointment and regret that the gentleman feels it necessary to postpone placing in the RECORD the answer of the War Department to his "57 varieties" of questions to the Secretary of War, since I understand the Secretary of War answered his questions. I have postponed addressing the House at some length on the subject of the nitrate plants at Muscle Shoals and the development of water power there, hoping that the gentleman from Ohio [Mr. LONGWORTH] would be able by this date to go into this subject fully, and I am sorry he now tells the House:

I am not going into this matter fully to-day.

As the representative of the district in which Muscle Shoals is located, I feel unable to postpone longer a correction of some of the misinformation and misapprehension which the gentleman from Ohio [Mr. LONGWORTH] so insistently and repeatedly presses upon the attention of the House. The very great solicitude and anxiety which the gentleman exhibits with respect to the Government developments at Muscle Shoals are well known to this House, for the gentleman told the House, as we find in the RECORD on the 25th day of April, 1916, that the first poem he ever committed to memory when he was a very young boy was this:

If 'tis a sin to steal a pin,
How much more great to appropriate
The electoral vote of a sovereign State.

And the gentleman has been industriously trying to find the "pin" at Muscle Shoals ever since. He told the House on the day he repeated this poetry that, proceeding by analogy, it was a great sin to obtain the people's money out of the Public Treas-

ury on false pretenses, and he declared upon the same date, in referring to what is known as the nitrate provision in the national-defense act, approved June 3, 1916, the gentleman having Muscle Shoals in mind and never forgetting it, made this statement on the floor of the House:

This matter is the old wolf in sheep's clothing.

He told the House that the provision designed and proposed to provide a nitrogen supply for the defense of the country in time of war was an effort to take the money of the people under false pretenses, and the gentleman opposed the provision. He said to the House on April 25, 1916:

I tell you, gentlemen, water power as an instrument for making nitrogen is obsolete.

Against this statement by the gentleman from Ohio [Mr. LONGWORTH], a distinguished scientist, Dr. Allerton S. Cushman, of this Government's research bureau, stated before the American Institute of Electrical Engineers April 26, 1916, the very next day after the statement of the gentleman from Ohio that—

The production of nitrogen, which is one of the three principal fertilizer ingredients, is distinctly a water-power proposition involving the fixation of atmospheric nitrogen.

I will leave the Members of this House to decide for themselves and the people of this country to decide for themselves which is the more reliable authority with respect to the problem of air-nitrogen fixation, the gentleman from Ohio [Mr. LONGWORTH] or Dr. Cushman.

The gentleman from Ohio [Mr. LONGWORTH] was so distressed when he read in the newspapers that the work on the Muscle Shoals Dam had been ordered resumed that he wrote the Secretary of War asking whether the statement published in the newspapers was true or not, and obviously the gentleman's inquiry of the Secretary of War was prompted by the gentleman's intention to further oppose the progress and construction of the Muscle Shoals Dam and criticize it in the future as he has in the past. Will the House please contrast the gentleman's opposition to the building of this dam and contrast his questions addressed to the Secretary of War with reference to the resumption of work on this dam with the resolution passed by the National Board of Farm Organizations in Washington on August 27, 1918, representing 17 different farm organizations in the country, and with 172 delegates representing 40 States of the Union present, as follows:

Whereas the building of the great nitrate plants at Muscle Shoals, together with the water power which will make these plants available in time of peace for the manufacture of cheap fertilizer, is the one outstanding feature of necessary war development that will have a permanent influence upon the agricultural industry of the country; and

Whereas we hear with regret that work on this dam has been suspended and thus will prevent the realization of the hopes of the farmers that the product of these plants might be available during the reconstruction period at the close of the war, when it would be most valuable:

Therefore we most respectfully appeal to the President of the United States that some method be adopted by which this work can be at once resumed, if consistent with the effective prosecution of the war, with priority orders, if necessary, only for such material as will be required for the construction that can be accomplished at once, so that these plants, with their potential possibilities, shall not lie idle when their product is no longer needed for destruction, but can at once become an asset to the Government and of vital assistance to the farm lands of the Nation that have been and will continue to be called upon to yield and yield again that man may be fed.

The gentleman from Ohio [Mr. LONGWORTH] was no doubt glad when the work on the Muscle Shoals Dam was stopped and was sorry when the work was resumed, but the national board of 17 farm organizations regretted that the work was stopped and appealed to the President of the United States that some method be adopted by which this work could be resumed, and the President found a method to resume the work.

The gentleman from Ohio [Mr. LONGWORTH] is as constant as he is inconsistent in his opposition to the building of the dam at Muscle Shoals, and the farmers of this country are as consistent as they are constant in pressing the construction of this dam to its earliest completion in order that they may get cheaper and higher-grade fertilizers, as Congress intended they should when Congress passed the so-called nitrate provision in the national-defense act of June 3, 1916, and as the President intends they shall have when he ordered the work on the dam started and when he ordered, through the Secretary of War, the work on the dam resumed, and when he located the nitrate plants at Muscle Shoals as the best location in the United States for the nitrate plants.

In the discussion of the rivers and harbors bill in the House on January 11, 1919, the gentleman from Ohio [Mr. LONGWORTH] said:

I have in mind a river improvement now in progress in the sunny southland, in comparison of which any item of this bill is utterly insignificant.

The gentleman's opposition to the joint improvement of the navigation of the Tennessee River and the development of water power by the Government at Muscle Shoals has gone so far, and his feeling of opposition is so intense, that he made the amazing extreme assertion to this House on April 4, 1918, that—

I myself have come to hate the words "Muscle Shoals."

Among the criticisms made of Muscle Shoals by some is that the spelling of "Muscle" is wrong and that it should be "Mussel." Some very interesting historical arguments have been made in support of changing the spelling to "Mussel," and some surprise has been felt that the gentleman from Ohio [Mr. LONGWORTH], in asking his "57 varieties" of questions of the Secretary of War, did not ask the Secretary why "Muscle" is not spelled "Mussel." In the course of the investigations which the gentleman tells the House he proposes to have made he may have this spelling investigated also.

Can any Member of this House—can even the gentleman from Ohio [Mr. LONGWORTH]—treat this great development and national opportunity at Muscle Shoals with fairness and with justice who hates the words "Muscle Shoals"? He has been pleased to characterize the people of the Tennessee Valley and their organization, the Tennessee River Improvement Association, as "lobbyists." Will he be consistent and confess to this House that the Ohio River Improvement Association is also an organization of "lobbyists"? The people of the Tennessee Valley, in acting through their organization, the Tennessee River Improvement Association, now more than 20 years old, have been doing the same kind of work and striving to secure the very same ends, namely, the improvement of the navigation of the Tennessee River, just as the Ohio River Improvement Association has worked to secure the improvement of the navigation of the Ohio River; but the Ohio River Association has been most remarkably successful and the Tennessee River Improvement Association has been, unfortunately, very unsuccessful. A comparison of the appropriations by Congress for the improvement of the Ohio River and the Tennessee River discloses how successful the Ohio River Improvement Association has been and how the efforts of the Tennessee River Improvement Association have failed.

The first appropriation made by Congress for the improvement of the navigation of the Tennessee River was made in 1827 and the first appropriation made by Congress for the improvement of the navigation of the Ohio River was made in 1826. Since the year 1826 appropriations for the improvement of the Ohio River, and brought down to and including July 18, 1918, exclusive of appropriations for the improvement of the tributaries to the Ohio River, have amounted to $74,471,955.74, while appropriations for the improvement of the Tennessee River, exclusive of the tributaries to that river and brought down to and including July 18, 1918, amount to only $14,018,631.54.

The "lobbyists" of the Ohio River Improvement Association have been able to secure appropriations in 92 years at the rate of approximately $810,000 per year, while the "lobbyists" for the Tennessee River Improvement Association have been able in 91 years to secure approximately only $155,000 per year, but neither the members of the Ohio River Improvement Association nor the members of the Tennessee River Improvement Association are "lobbyists." They are the leading progressive people of the Ohio and Tennessee Valleys, and they properly desire and support the navigation improvement of the rivers in these valleys.

If the gentleman from Ohio [Mr. LONGWORTH] is willing to support and advocate the improvement of the tributaries to the upper Ohio River, how can he so unfairly carry his opposition to the improvement of the Tennessee River, also a tributary of the Ohio River, to the extreme point of saying to this House that he hates the words "Muscle Shoals," which is the greatest obstruction to the navigation of the Tennessee River?

Senator John T. Morgan, of Alabama, when he had completed his long years of distinguished service in behalf of the Panama Canal, turned his attention in his last days to the Tennessee River and the importance of its navigation improvement, and in a report upon the "navigation of the Tennessee River," which the Senator prepared and presented to the Senate in 1905, he also turned "lobbyist," like the Tennessee River Improvement Association, in favor of the Tennessee River, and in seeking to find to what these discriminations against the Tennessee River, as compared with the Ohio River, could be ascribed, says in his report:

Nor are such wide discriminations due to the difficulties or the proper expense required to make these watercourses equally navigable at any given depth of water. Nor are they due to the characteristics of the population of the watershed of either river, or to the topography, or healthfulness, or water supply, or the forests, or the fertility of the lands in these areas, or to the beauty of these regions, respectively; for there is no country in the world more beautiful than the valleys, hills, and mountains that are intersected and watered by the Tennessee River and its many affluents, great and small.

The committee are not in search of the reasons for the neglect of Tennessee River by Congress in the past history of the country, but they are impelled by a sense of duty to the whole country to present the facts that appeal to Congress for a just, wise, and national policy that will give to the Tennessee River its rightful position as the foremost of the tributaries of the Mississippi River as a contributor to the wealth and commerce of the country.

Woodrow Wilson, authorized by Congress to do so, and with a vision like Morgan's vision, has shown the courage and wisdom to adopt "a just, wise, and national policy that will give to the Tennessee River its rightful position as the foremost of the tributaries of the Mississippi River as a contributor to the wealth and commerce of the country."

Now, in regard to the nitrate plants at Muscle Shoals, which seem to be an affliction to the gentleman from Ohio [Mr. LONGWORTH], I am utterly unable to understand why he singles out the nitrate plants as a case of war extravagance and why he insists that the Muscle Shoals project has been repeatedly turned down by Congress, when the RECORD does not show anywhere that Congress at any time ever turned down the Muscle Shoals project. Can it be because these plants are located in the "Sunny Southland," or is it because it is the purpose of the Government to carry out the intention of Congress that these nitrate plants in times of peace shall produce cheaper and higher grade fertilizers for the farmers of this country? Let him answer. He indicates to the House that it is his purpose to have an investigation made with respect to the nitrate plants at Muscle Shoals and the building of the dam there. Speaking for myself and, I believe, for all of the friends of the great Muscle Shoals development, I have no objection to any investigation he may propose, and I do not fear that he will find anything except that which will commend the United States engineers in their conclusions and recommendations for the joint improvement of the navigation and development of water power at Muscle Shoals, for the reports of the United States engineers on the Muscle Shoals project will ever be a credit to the Engineer Corps, and they never can be justly or fairly criticized for their reports and recommendations on the Muscle Shoals project.

It may be shown, and no doubt will be, if an investigation is made of the cost of the construction of the nitrate plants at Muscle Shoals, that these plants, like all other Government enterprises during the war, have cost more than they would have in peace times, and more perhaps than they should have cost, but whatever may be discovered or disclosed by any investigation that may be made touching the construction of the nitrate plants at Muscle Shoals, I feel certain that it never will be discovered by any investigation that the Ordnance Department, in building the nitrate plants at Muscle Shoals, failed to perform their duty, and I also feel certain that an investigation will disclose the fact that Col. J. W. Joyes, the ordnance officer who has been immediately responsible for the construction of the nitrate plants at Muscle Shoals, performed a service for his country in a time of emergency second to none in the Government's entire war construction program. The Ordnance Department was called upon to meet the most unusual emergency connected with all of the country's war endeavors, and that was to provide the one thing that the country did not have to carry on the war with, namely, nitrogen with which to manufacture explosives and munitions for our armies in France. We had steel and steel plants, and the country possessed nearly all of the facilities and utilities for carrying on the war against Germany, but the country had no nitrogen plants to supply the great powder plants the Government was building for the manufacture of explosives. The Ordnance Department met the nitrogen emergency in a most praiseworthy and forceful way. The American Cyanamid Co., an American corporation with a large plant at Niagara Falls, on the Canadian side, owned an air-fixation process and had a technically trained staff and skilled operatives. This process was the only established and successful air-fixation process available to the Government. The Ordnance Department would have failed in its duty to protect this country with its needed supply of nitrogen if it had not secured this process and built a plant with which to operate this process. Whether the Air Nitrates Corporation received from the Government and charged the Government too high a fee for the use of the American Cyanamid Co.'s process and for the services of its trained technical staff and operating organization will be a question about which there will no doubt remain a difference of opinion, but there will be no division of opinion about the patriotic and prompt action of the Ordnance Department in the matter, even if the Government did have to pay the Air Nitrates Corporation more than should have been paid, and if more was paid to the Air Nitrates Corporation in the way of a fee and for operating experience than should have been paid the case is not different from other similar cases, and there is no reason why the gentleman from Ohio [Mr. LONGWORTH] should single out Muscle Shoals and nitrate plant No. 2 there as a horrible example any more than Hog Island, the powder plants, the cantonments, and the Government's aircraft construction. The Government paid a terrible bill for all of them, but the Government had to pay to win the war and the Government paid and won the war.

The nitrate plants at Muscle Shoals cost the Government a very large sum of money, but these plants, unlike nearly all of the war plants built by the Government, will not have to be scrapped. On the contrary, these great nitrate plants at Muscle Shoals will be operated and be of great value in time of peace, and though they were built as a national war necessity they will, I believe, prove a peace-time national blessing in the production of fertilizers, always needed but never more so than at the present time.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. ALMON. I have but little time.

Mr. LONGWORTH. I will ask that the gentleman have as much time as I had.

Mr. ALMON. I yield for a brief question.

Mr. LONGWORTH. In the first place, I will ask this question——

Mr. ALMON. I think the gentleman said the other day in his speech that he had prepared about 55 questions to be put to the Secretary of War.

Mr. LONGWORTH. Yes.

Mr. ALMON. Has the gentleman received answers to them?

Mr. LONGWORTH. I have.

Mr. ALMON. Will the gentleman insert them in the RECORD?

Mr. LONGWORTH. I will when the time comes. What I have said to-day is confirmed. Let me ask the gentleman this question. Let us leave out this business about war preparations. Let us grant we had put money in a nitrate plant——

Mr. ALMON. All right, sir.

Mr. LONGWORTH. I am not criticizing the gentleman, but would the gentleman have voted or would he now vote for an expenditure of $75,000,000 at Muscle Shoals or elsewhere to build a fertilizer plant in time of peace?

Mr. ALMON. If it was necessary to get fertilizer for the benefit of the farmers of this country in the production of food crops we are going to need in the next few years, I would have done so.

Mr. LONGWORTH. The gentleman is criticizing what he has called the Chilean Nitrate Fertilizer Trust who are oppressing the farmer. Does the gentleman know what the cost of Chilean nitrate is per pound?

Mr. ALMON. The Government is paying $81 a ton for it, and a private individual, the farmer, can not get it for less than $100 f. o. b. at the port where it is shipped to this country.

Mr. LONGWORTH. That is a war-time question, of course, when we had to have Chilean nitrate; but what was the price of Chilean nitrate per pound before the war and what is the lowest price at which it can be produced at this plant? Now I make the assertion——

Mr. ALMON. I do not care for the gentleman to make an assertion.

Mr. LONGWORTH. Then I ask the gentleman if he knows the price of Chilean nitrate in ordinary times?

Mr. ALMON. No.

Mr. LONGWORTH. I will inform the gentleman it is 2 cents per pound.

Mr. ALMON. I will say, in answer, we will make it at Muscle Shoals for less than we get it from Chile.

Mr. LONGWORTH. I will read the gentleman——

Mr. ALMON. I hope the gentleman will not take up my time.

Mr. LONGWORTH. Col. Joyes testified that the lowest cost of manufacturing ammonium nitrate at that plant is 6 cents per pound—three times the price of Chilean nitrate.

Mr. ALMON. The gentleman does not know what it is going to cost after the war is over and after labor conditions settle and after the price of coal goes down. You do not know what the cost of nitrates will be. I declare that I believe that fertilizers can be manufactured at the nitrate plants at Muscle Shoals, when the water power is developed and available, much cheaper than the farmers have been paying for Chilean nitrates. Nitrate plant No. 2 at Muscle Shoals is the greatest nitrate plant in the world, and the Muscle Shoals possible water-power development is one of the greatest power possibilities known to hydroelectric engineers; and the Muscle Shoals nitrate plants when operated with cheap water power will produce fertilizers and other products as much needed in times of peace as in times of war, and no war development or war enterprise in which the Government has engaged promises so great a contribution to the economic welfare of the country in the future as these Muscle Shoals developments. No doubt it will prove true, in

spite of the fact that the gentleman from Ohio [Mr. LONGWORTH] will continue his criticisms of the President and the War Department for building the nitrate plants at Muscle Shoals and for developing the water power there to operate these plants with; but he will stand alone in his criticisms and will be left with no one to cheer him and no one to sympathize with him in his hate of the words "Muscle Shoals."

The farmers of the country will look upon him as their enemy and will turn to the President and to the War Department and to their friends in Congress.

President Wilson, under the authority given him by Congress, located and built the nitrate plants at Muscle Shoals, and is developing water power there with which to operate these plants for the people of the United States and to free the country from its dependence upon a foreign source of nitrogen supply. The gentleman from Ohio [Mr. LONGWORTH] stated in his speech here the other day that this plant had been turned over to a private corporation. There is nothing upon which to base such a statement.

Mr. LONGWORTH. I made no such statement.

Mr. ALMON. Then it is in the RECORD. I do not know whether you said it or not.

Mr. LONGWORTH. The gentleman never read such a statement from me. The Government still owns it, and it is to be operated by a private corporation, and it will be.

Mr. ALMON. I may be mistaken about you saying the plant had been turned over to a private corporation, but you did say in a speech here on the 11th day of January that this dam was being built by the Government for a private corporation to produce fertilizer at Muscle Shoals. You have nothing upon which to base your statement that this plant will be operated by a private corporation.

Mr. GOOD. If the gentleman will permit, I think the testimony is the Government has closed down on the manufacture of ammonium nitrate.

Mr. ALMON. That is where the gentleman is mistaken.

Mr. GOOD. That was the testimony before the committee on yesterday, that the plant had been closed down for the manufacture of ammonium nitrate for fertilizer purposes because no scientific way had been discovered to manufacture that ammonium nitrate so that it would not cake, and that is the problem they are now trying to solve.

Mr. ALMON. If my friend, Mr. LONGWORTH, will just now insert in the RECORD his 55 questions to the Secretary of War and Col. Joyes's answers they will give the House a great deal of information on this question.

Mr. LONGWORTH. I will say that the information given is quite contrary to the information the gentleman is now giving to the committee.

Mr. ALMON. Muscle Shoals was selected for the location of this nitrate plant upon its merits. We had the water power, the transportation facilities, the raw materials, and the best climatic conditions, far distant from the Gulf and Atlantic coast in the event of an invasion of this country by a foreign enemy. There was no place in the United States where you could locate a plant and have water power with which to run it during the war if the war had continued as expected.

Mr. LONGWORTH. I want to ask the gentleman a question. He said they had water power in time of war.

Mr. ALMON. Yes; but not developed. There was no place in this country where there was developed water power and where a nitrate plant could be built and operated by water power during the war.

Mr. LONGWORTH. Then, why did the Government spend $15,000,000 to build a steam plant there for any purpose?

Mr. ALMON. They had to build a nitrate plant somewhere and operate it with steam power during the war, and why should they not operate it with steam power at Muscle Shoals as well as anywhere else?

Mr. LONGWORTH. Why did they select Muscle Shoals—because there was water power there?

Mr. ALMON. Yes; there is a great water power at Muscle Shoals, and the nitrate plants were located there because of this great water power, and when this water power is developed it will be used in peace time for the manufacture of fertilizers and other useful products, as Congress intended, and for the operation of the nitrate plants there in time of war for the production of nitrogen needed in the manufacture of explosives. The gentleman from Ohio [Mr. LONGWORTH] has offered no evidence in support of his statement that only an inferior grade of fertilizer can be produced at the Muscle Shoals nitrate plants. On the contrary, successful manufacturers of air nitrogen fertilizers testified before the Military and Agricultural Committees of the House in February, 1916, that at Muscle Shoals, with cheap water power and with phosphate rock and other raw materials near by, high-grade fertilizers can be manufactured and sold to the farmers of the country for perhaps one-half of what they paid for them in normal times. These statements made by expert manufacturers before these committees of the House have remained unquestioned and undisputed by any competent authorities. As between the unsupported assertion of the gentleman from Ohio [Mr. LONGWORTH] that only inferior fertilizers can be manufactured at the nitrate plants at Muscle Shoals and the undisputed statements of expert manufacturers that high-grade fertilizers can be manufactured there with cheap water power the farmers of the country prefer to accept the opinion of the successful manufacturers. [Applause.]

The Clerk read as follows:

For ordnance stores and supplies, Army appropriation act approved July 9, 1918, and first deficiency appropriation act, 1919, $372,299,260.

Mr. LONGWORTH. Mr. Chairman, I move to strike out the last word for the purpose of clearing up a little difference of opinion as to prices of nitrates between the gentleman from Alabama [Mr. ALMON] and myself. And I am quoting from Col. Joyce as to the question of the price of ammonium nitrate as produced in this plant and as to what Chilean nitrate costs in normal times.

In answer to the question put by Mr. SHERLEY—

What is the cost?

Col. Joyce said:

The cost has not been definitely determined, and can not be determined until we have had a more extended period of operation, but it is estimated that the cost of ammonium nitrate at full operation would be about 6 cents per pound, and possibly a trifle higher, but it is claimed by the owner of the process that the cost will not be as great as that. Experience to date, running at about one-fifth capacity and for a short period with the operatives green and with the plant overstaffed (because we were getting men ready for larger operation), indicates that even at this partial operation ammonium nitrate can be produced for a little over 8 cents per pound.

In answer to the question asked by Mr. CANNON, "What is the cost of Chilean nitrate in normal times?" Col. Joyce said:

Before the war the cost of Chilean nitrate was a little above 2 cents a pound.

That is an answer to the whole proposition, gentlemen. If this fertilizer trust from Chile has been crushing the farmers of this country, as the gentleman from Alabama says, by selling nitrate at 2 cents a pound, how will they benefit when it is proposed to sell it in this plant for something over 8 cents?

Mr. ALMON. What was the Government paying for Chilean nitrate during the war for ammunition purposes?

Mr. LONGWORTH. At what cost did the Government produce it?

Mr. ALMON. What has been made at Muscle Shoals, it seems, cost about 6 or 8 cents in war times, when the Government has been paying 15 cents during the war for Chilean nitrate.

Mr. LONGWORTH. The Government was contracting for all ammonium nitrate at 15 cents.

Mr. ALMON. You say 15 cents we are to pay for something that we can make in Muscle Shoals in war time at 8 cents a pound?

Mr. LONGWORTH. The gentleman is talking about his plant in peace times as a benefit to the farmer, and it shows that it will cost the farmer at least three times as much if he buys it at that plant as it would cost him in the market.

Mr. ALMON. It is shown that in peace times we can make it cheaper than the Chilean nitrate.

Mr. LONGWORTH. The only reason we built this plant at all was because we were out of Chilean nitrate, and the cost was enormous if we could buy it at all. That is the reason we built the plant. I was talking about the price of fertilizer in normal time.

Mr. ALMON. If the Government can make fertilizer as good as that made in Chile, are you opposed to our Government making it because we can get it cheaper from a foreign country?

Mr. LONGWORTH. I am opposed to the expenditure of $75,000,000 of the people's money to furnish nitrates for any purposes except war purposes.

The CHAIRMAN. Does the gentleman from Ohio yield the floor?

Mr. LONGWORTH. Yes; I yield the floor.

Mr. SHERLEY. Mr. Chairman, I want to say just one word about these plants and Chilean nitrate, and then we will go on with the bill.

Without expressing an opinion as to the value of this plant for fertilizer uses in peace times, I think the gentleman from Ohio [Mr. LONGWORTH], who is a fair man, will admit that it is not a fair statement to say that the Government has expended, or proposes to expend, $75,000,000 in order to go into the manufacture of fertilizer for agricultural uses. The truth of the business is, as the gentleman realizes, that whether the selec-

tion of the particular site was wise or unwise, the expenditure of $60,000,000 in connection with the plant was because of the then pressing war need, which, if the war had not ended when it did end, would have more than justified that much of the expenditure in order to relieve this country from a shortage that it dared not have in connection with so important a matter as ammunition.

Mr. LONGWORTH. If the gentleman will yield, I will say I am exactly in accord with the gentleman.

Mr. SHERLEY. The reason I state that is because the gentleman repeatedly talks about a $75,000,000 investment for fertilizer purposes, and the gentleman knows, because he has admitted it, that the $60,000,000 investment was not made with that end in view, but was made because of the war situation.

Mr. LONGWORTH. So far the gentleman and I are together, and I will ask the gentleman, he being a fair man, whether he supports the expenditure of $15,000,000 in the building of a dam to furnish, three or four or five years from now, power for this plant?

Mr. SHERLEY. I will answer the gentleman with perfect frankness in this way: I have always questioned the advisability of the expenditure of as much money as seems to be necessary for the development of the Muscle Shoals water power. But I want to say to the gentleman that the development of that power differs, so far as I know, in no particular from the development of many other water powers and the improvement of many other streams in America the commercial justification of which has yet to be clearly demonstrated.

The CHAIRMAN. The Clerk will read.

Mr. AUSTIN. Mr. Chairman, may I ask the gentleman from Kentucky if Congress did not authorize the expenditure of $60,000,000 to improve the navigation of the Ohio River?

Mr. BANKHEAD. Ninety millions in all.

Mr. SHERLEY. I do not remember the total amount. I have believed that that was one of the rivers that might justify improvement, although I have in late years come to the conclusion that until we change basically our policy touching river navigation none of our investments in river improvement is going fully to be justified. I do not care to go into the question of river improvement at this time.

Mr. AUSTIN. This appropriation for Muscle Shoals was a joint affair, for not only the development of the water power but also to improve the navigation of the Tennessee River, which is really a larger river than the Ohio River.

Mr. SHERLEY. I am not either attacking or defending the improvement of Muscle Shoals. The gentleman from Ohio asked me about it, and I very candidly expressed my opinion. All that I rose for was to correct the impression that might be produced by the gentleman's reiterated statement that $75,000,000 was put in for a commercial purpose, and I knew that he was too fair a man to be willing to stand by such a statement.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Total, appropriations to be covered into the Treasury, Bureau of Ordnance, $164,833,843.69.

Mr. GOOD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Iowa moves to strike out the last word.

Mr. GOOD. Mr. Chairman, the appropriations for last year for the United States Employment Service amounted to about six and one-half million dollars. There is an estimate this year for that service of $14,801,382. As I understand it, it is proposed to expend that sum in finding work for the unemployed in the United States.

I have here a clipping from the Washington Star of last night entitled "Unemployment area spreading." It reads:

UNEMPLOYMENT AREA SPREADING—GOVERNMENT SERVICE SHOWS CONDITIONS IN COUNTRY BECOMING SERIOUS—GETS REGULAR REPORTS.

Conditions of unemployment are becoming serious in all parts of the country, according to telegraphic reports received by the United States Employment Service.

"The area of unemployment is spreading all over the country," the report stated. "Up to December 21 only six States were reporting any considerable amount of surplus labor. During the current week 20 States reported a surplus. On December 23, 28 cities reported labor shortages, and this number has been cut down in the current week to 15."

On December 10, it is stated, 25 per cent of the cities reporting on shortages and surpluses declared a shortage of labor, 12½ per cent reported a surplus of labor, and 60 per cent reported that the supply about equaled the demand.

SURPLUSES STEADILY INCREASE.

"From that date on until the current week there has been a steady and consistent decrease in the shortages reported and in localities where the supply equaled the demand, while the surpluses have been steadily increasing," the report says.

For the current week the percentage of cities reporting shortages has dropped to 13, the percentage reporting surpluses has increased to 44, while the cities reporting that supply equals demand have dropped to 43 per cent.

On December 3 there was reported a total shortage of labor of 34,000 and surpluses totaling only 12,000. During the following eight weeks this shortage was reduced to 12,000, while the surpluses reported reached the figure of 210,000.

The report deals specifically with various sections of the country. In Connecticut the surplus over demand is increasing. New Britain alone reports a slight shortage. In Massachusetts there is a surplus of about 3,000 boot and shoe workers, 700 factory hands, and 11,000 machinists.

NEW YORK STATE POINTS.

The surplus of labor in Buffalo has jumped from 13,000 to 15,000, and the surplus in Albany has increased from 3,000 to 4,000.

New Jersey reports much unemployment, with Trenton alone having 4,000 out of work. Erie, Pa., reports a large surplus.

In Cleveland the 40,000 unemployed of last week have been augmented by 15,000 more. Toledo reports a surplus of 10,000 and Dayton 7,000 more. The conditions throughout Ohio grow steadily worse.

In Detroit last week's surplus has increased from 25,000 to 30,000. The expected lay off in the Rock Island Arsenal will affect both Illinois and Iowa. Indianapolis reports a surplus of 4,400 and Minneapolis, Minn., 4,000. Butte, Mont., has 10,000 unemployed, and in Arizona 125 mining companies are cutting down their forces, while a large amount of unemployment is reported already throughout the State.

Heavy surpluses are reported in Pacific Coast States, San Francisco alone having a surplus of 8,000. Portland has 7,000 unemployed. In Washington there is great unrest in the shipyards at Puget Sound.

Notwithstanding the very serious condition presented by the United States Employment Service under the Department of Labor, I had only to turn over the paper to find another article to the effect that the Secretary of Labor is in favor of importing laborers who would take the place of discharged soldiers and other citizens.

The article is as follows:

WOULD IMPORT ISLAND LABOR FOR UNITED STATES FARMS—COMMISSIONER OF IMMIGRATION CAMINETTI SAYS 100,000 AVAILABLE IN PORTO RICO ALONE.

The use of labor from the island possessions of the United States in helping to produce a record food crop this year has been suggested by Commissioner General Caminetti of the immigration bureau. Extension of the plan of Commissioner Caminetti has been authorized by Secretary Wilson of the Labor Department to include Mexican and Bahama negroes to help in farm work in Texas and Mexico.

"The insular possessions of the United States are thickly populated," says Commissioner Caminetti. "Many of the people there are following occupations under the head of common labor, and large numbers of them are out of employment.

"There must be at least 100,000 laborers available in Porto Rico alone, and there is a considerable number in the Virgin Islands. Undoubtedly a vast number could be depended on from the Philippines."

The commissioner points out that these people are not barred from continental United States by immigration laws, and that they could be landed on both the Atlantic and Pacific coasts.

Think of it! Fourteen million eight hundred and one thousand dollars demanded by Secretary Wilson to provide the machinery to find jobs for the unemployed of America, and at the same time he is asking that the bars be let down in order to bring in from Mexico and the Bahamas negroes from those places to help perform the farm labor. Why, any man who has sense enough to know anything about the employment of labor knows that these boys who are coming back from France and the boys who are to be discharged from our cantonments will go out upon the farms and become most efficient farm laborers. We want to give them employment, and the Secretary of Labor on one hand wants $14,000,000 to aid in that. Yet, on the other hand, he wants to take that employment away from them by bringing in negroes from Mexico and other places. I am inclined to think that the gentleman who wrote to me from my State a few days ago was correct. He is a banker, and he used this language:

To my mind, we now have a large Cabinet of small men, and what is advisable is a small Cabinet of large men.

Here is a Cabinet officer asking for $14,000,000 to find employment for the unemployed labor of America, and at the same time he wants to let down the bars to bring in foreigners to take away the jobs which Americans should have. I can readily see how the Secretary of Labor can expend $14,000,000 if he is to find a job for every American, and as soon as every American gets a job to displace him with a negro from Mexico. When did it become a part of our duty to find a job for every man in Mexico? Has it come to this, that it is the duty of the United States not only to find work for all its citizens but to find work in America for every man, no matter where he belongs? That seems to be the plan, and it is all wrong.

Mr. CANNON. Will the gentleman yield?

The CHAIRMAN. The gentleman's time has expired.

Mr. CANNON. I ask for half a minute to ask the gentleman a question. Does not the gentleman think the $14,000,000 for the Department of Labor will be spent in finding jobs until the money is gone?

Mr. GOOD. Yes; every dollar we appropriate will be spent in finding jobs. I quite agree with the gentleman, for the money we appropriate will be spent in holding fat jobs.

Mr. CANNON. Precisely.

Mr. GOOD. That is one of the principal things for which the money is asked. But what I call attention to is the fact that this Department of Labor does not seem to be functioning at all. It does not seem to have a clear-cut program. On the one hand, it deplores the fact that there is unemployment in America. On the other hand, it wants to bring in more men—100,000 foreign laborers—to take the jobs of an equal number of our own citizens who are now profitably employed. If there is unemployment in the United States, and if we are in danger of being compelled to resort to public soup houses and bread lines, why add to our problem by the importation of foreign labor to take the place of American labor? So long as our condition is such that the Secretary of Labor can advocate the importation of foreign labor there is no grounds for an appropriation to find places for America's unemployed.

Mr. AUSTIN. Mr. Chairman, I move to strike out the last two words. In connection with the statement about the unemployed I send to the Clerk's desk to have read a statement given out by one of the ablest public men in the United States. I think it is opportune to have this article read and given the greatest possible publicity in the interest of the American people.

Mr. FOSTER. Will the gentleman yield?

Mr. AUSTIN. I yield to the gentleman from Illinois.

Mr. FOSTER. Has the gentleman verified this article to know whether it is true or not?

Mr. AUSTIN. There is so much good common sense and patriotism in it that I think it will be beneficial to all the Members of Congres.

Mr. FOSTER. There are so many newspaper statements printed that are untrue, does the gentleman know whether there is any truth in this article?

Mr. AUSTIN. I take pleasure in vouching for the truthfulness of the article and the high standing of the author, who is one of America's truly great men.

The CHAIRMAN. Without objection, the Clerk will read as requested by the gentleman from Tennessee.

The Clerk read as follows:

JOB PROBLEM IS NOT SERIOUS, ASSERTS GARY—BUSINESS WILL BOOM ITSELF IF PESSIMISTS KEEP SILENCE, HE SAYS—OUTLOOK IS PROMISING.

NEW YORK, *January 27.*

Building of roadways in the South, reconstruction of railroads throughout the country, and all other public improvements contemplated by the Government should be begun at once in the opinion of Judge Elbert H. Gary, chairman of the board of directors of the United States Steel Corporation.

Judge Gary yesterday deprecated any suggestion that the country is facing a serious unemployment problem. On the other hand, the country is on such a prosperous basis that it does not need any "booming," he said.

"Why should there be any talk about unemployment?" said Judge Gary. "The country never was more in need of its workers than it is now, and it will use all the workers it can get. I don't think there is going to be any permanent or menacing unemployment problem.

"Our country never has been so prosperous as it is now. We have resources of $15,000,000,000 annually coming out of the ground—more than we ever had before; we have more than $16,000,000,000 cash in our banks; we are a creditor nation to the extent of $15,000,000,000 or more, and our per capita wealth has jumped up to $56, as compared to $35 before the war. We are in an era of prosperity hitherto undreamed of.

"What we need is simply to get to work and not talk about unemployment. Psychology has a good deal to do with it. Pessimistic talk will do more to bring about unemployment than it will do to prevent it.

"But there isn't going to be any. Our men who have been fighting abroad will be taken back into industry just about as fast as they return. Of course, there may be a little talk here and there about a few not being able to find employment, but this will not be serious."

"Do you think the business men of the country at large should begin doing business on a large scale, so as to tide over any period of depression, as suggested by Secretary of Labor Wilson?" Judge Gary was asked.

"We don't need any booming," he replied. "Business will take care of itself. This time of the year is always cleaning-up time. It is not necessary for industry to do more than the demand requires. Business is going to boom itself without any help from anybody. There is no doubt about that.

"I do believe that all the public improvements that have to be done should be done now. Men should be at work all this winter on the roads that are to be built in the Southern States. The Government should begin the great reconstruction work necessary on the railroads of the country, and wherever there is public work to be done it should be done without delay.

"As for the steel industry, we are not thinking of any depression. We had a great many men in the war, and we are taking them back as fast as they return."

The Clerk read as follows:

Navy yard, Charleston, S. C.: For storage facilities, $17,000.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 29, lines 12 and 13, strike out the words "storage facilities" and insert in lieu thereof the following: "New superstructure for pier No. 314."

Mr. SHERLEY. Mr. Chairman, that is to correct a mistake in designation.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

Naval training station, Great Lakes, Ill.: For additional land, $400,000.

Mr. LITTLE. Mr. Chairman, this provision, on page 29 of the bill, for returning this sum of $400,000 to the Treasury from the Great Lakes Training Camp is ample demonstration that they will not need all the young men they are holding there, and, it seems to me, with this provision in the bill they ought to discharge the boys and send them home if they are not going to use the money. If they did not need it, they might spend some of it in employing people in Chicago who are out of work to shovel the coal. I read the other day in the Journal-World of Lawrence, Kans., that—I am not sure whether it was the Great Lakes people or not—a young officer said to a boy who sought dismissal that if he did not quit procuring assistance from these "damned civilians" he would get into trouble. The civilians of the class the officer mentions are taxpayers and parents of fighting men. Their boys must fight because the experts are needed at home. We have reached a point where it becomes a serious question, and I think it is time for these men to get a little real information as to where the beneficiaries of the people's taxes stand and to peg away on the soft pedal. During the Civil War the Government necessarily put on many restrictions. They put them in execution, and the people of America in 1861, 1862, 1863, and 1864 were halter broke, taught to stand hitched, and pull single and double. In this war for the first time in history the American people have been saddled and bridled, bitted and spurred, cruppered and surcingled, and kicked in the belly. [Laughter.] Wherever the boys are not absolutely needed, as in this Great Lakes Training Station, the American people want their boys sent home. Pharaoh received mighty patient handling when he was notified five times to "Let my people go." He did not have sense enough to take a hint, and his fate should be lesson enough for any man who is fed and clothed and housed by the fathers of these soldiers of the Republic. If these gentlemen at the Great Lakes want to know what the American people think of such methods and what will happen to them if they keep on, let them look over the November elections and they will get the information that may be useful to them. [Laughter and applause.]

The Clerk completed the reading of the bill.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent that the Clerk be authorized to correct the totals.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the Clerk be authorized to correct the totals. Is there objection?

There was no objection.

Mr. SHERLEY. Now, Mr. Chairman, I ask that we go back to page 9 where an amendment was offered by the gentleman from Missouri [Mr. DYER], to which a point of order was made by myself, and, at the instance of the Chair, went over.

The CHAIRMAN. The point of order on the amendment went over until to-day at the request of the Chairman. The Clerk will report the amendment.

The Clerk read as follows:

Page 9, end of line 3, strike out period, insert colon, and add the following:

"*Provided*, That no part of the appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the position."

Mr. SAUNDERS of Virginia. Mr. Chairman, may I say a word in connection with the point of order?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. SAUNDERS of Virginia. Looking at the RECORD this morning I noted that a point of order had been raised as to whether the amendment of the gentleman from Missouri [Mr. DYER] was a limitation, or was subject to a point of order. It further appeared that the gentleman from Missouri, Judge ALEXANDER, had made a ruling a day or two since which was regarded as supporting the contention that this amendment was a limitation, and therefore not subject to a point of order.

I wish to suggest in this connection that possibly the gentleman from Missouri failed to draw the distinction between the effect of the words "until," and "unless," as they are found in the amendments which have been made the subject of rulings. In the very precedent relied on by Chairman ALEXANDER to support his ruling, the word "until" is found, whereas the amendment on which he ruled, uses the word "unless."

The word "unless," is also found in the pending amendment. I submit that there is a very material difference between the two words when the Chair comes to determine whether an amendment is, or is not, a limitation. All limitations are intended to accomplish the result intended by indirection. Hence a good deal of refining may be found in some of the precedents. It is competent to say that no part of an appropriation may be used for the construction of a sea-level canal. That is a limitation, but it is not competent to say in an amendment to an appropriation bill that this money provided shall be used to construct a canal with locks. Yet the very design of the first amendment is to secure by indirection the construction of a canal with locks. It is often said that the House can do what it pleases with respect to appropriating, or not appropriating. True. Further it can always say how an appropriation may not be used. But it is not equally true that the House can say affirmatively how the appropriation may be used. The House in an appropriation bill can not announce in direct terms to a bureau head, that the money appropriated, shall be used specifically to employ red-headed clerks, but it can secure this result by indirection.

The very moment that it is proposed to accomplish some specific end by direct compulsion, upon some official, or department at that very moment the amendment ceases to be a limitation. The House can say to a department, this money shall not be expended until certain conditions exist, or that the fund shall not be expended in the test of a certain machine (4 Hinds, p. 620). These would be limitations. But we can not say to a department, you shall not expend this money unless you affirmatively take a certain line of indicated action. That would be dealing with the situation, directly, and not indirectly. The very essence of a limitation is indirection. Take the famous precedent with respect to canteens. In that case an amendment was offered to the effect that no part of the appropriation should be apportioned to any national home for disabled volunteers, that contained a canteen where intoxicating liquors were sold. The amendment did not undertake to say to the trustees of these soldiers' homes, that they should abolish the canteens before they secured the benefit of the appropriation. The amendment did not require the trustees to do anything; it merely contented itself with saying that in those homes in which canteens were found the appropriation should not be expended.

Mr. DYER. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

My DYER. I am perfectly willing to substitute that word. There is nothing in this that would prevent it. I have no special reason for using the word. I will make that request.

Mr. SAUNDERS of Virginia. Mr. Chairman, I am dealing with the amendment in its present form. Of course if the gentleman offers it in a different form, it may be in order. I take it for granted that we would be all agreed that if the canteen amendment had been so phrased that it directed the trustees to remove the canteens as a condition precedent to securing the benefit of the appropriation, a point of order to the same would have been sustained. The result desired was secured by indirection. A matter of phrasing, you say. Yes. But all limitations must be accurately phrased so as to accomplish indirectly, what they may not accomplish directly. Even as it was, there was a very vehement contention over the amendment. The gentleman from Illinois [Mr. MANN] insisted that the amendment "was positive legislation, although in the form of a limitation." He said further: "It is true that Congress can refuse to appropriate, but it is also true that Congress can not against a point of order, by a limitation change the organic law. Here is a provision that though Congress has created these homes, a proposition through the form a limitation may take away the control of the board of managers, and by affirmative legislation in the guise of a limitation change the statute. The Chair might well rule, it seems to me, that while limitations are favored, a limitation in this guise changing the law, is positive affirmative legislation, as it would undoubtedly be construed by the comptroller, and therefore subject to a point of order."

The Chair overruled the point of order, and held that the amendment was a pure limitation, as it undoubtedly was—but if that amendment in anywise resembled legislation, by how much the more is the amendment now pending, obnoxious to this objection.

I do not say of course that an amendment can not be framed to this paragraph which would be a limitation, but I am dealing entirely with the amendment in its present form. I submit to the Chair that this amendment is certainly not an indirect way of securing a result. It does not limit the appropriation to be used only in a bureau, or department where certain conditions exist. It proposes in substance to compel those conditions, to bring them to pass directly. In substance it says to the authorities who would otherwise expend this money, that they shall not secure the same, unless they reinstate every soldier who has been honorably discharged from the Army, and who prior to that time had a position in that particular service. It matters not what may have been the record of the soldier since he was discharged, however unworthy he may have proved to be, the authorities without any exercise of discretion whatever must reinstate him, and all others once holding positions in that service, before the appropriation becomes available for any form of general or specific expenditure. Is not this amendment in substance a requirement, direct, positive, and emphatic, that the authorities shall restore these soldiers, before the fund becomes available for any purposes? Does this specific, and positive requirement, smack in anywise of indirection? If the amendment requires direct, affirmative action, then it is not a limitation, and the point of order is good. It is not a question of giving the discharged soldiers this preferred status. We are all agreed to do this. The question is whether it can be done by this amendment, which is in plain violation of the rules, and of the precedents. There are many rulings in this connection to which I can direct the attention of the Chair.

The CHAIRMAN. Will the gentleman permit an interruption by the Chair?

Mr. SAUNDERS of Virginia. Certainly.

The CHAIRMAN. The Chair is in full sympathy with the views expressed by the gentleman from Virginia, but the Committee of the Whole House on the state of the Union is entitled to have uniformity of ruling, and, after all, our rules in the House and in committee are based largely on the precedents made. This identical amendment was offered by some one to the legislative bill. The gentleman from Missouri [Mr. ALEXANDER] was in the chair at the time, and after an exhaustive debate he held the amendment in order. The Chair feels inclined to follow that precedent in order that there may be uniformity of ruling and in order that we may not have a chaotic condition. For instance, in the case referred to the amendment, having been held in order, it was adopted to a former bill. In this instance, if it should be ruled out of order and for that reason not adopted, it would bring about a very anomalous condition. There seems to be a very serious difference of opinion among the best parliamentarians of the House as to the point of order—that is, as to whether or not the amendment is in order—and so far as the present occupant of the chair is concerned he concurs with the opinion of the gentleman from Virginia, but other parliamentarians of equal knowledge and probably superior logic have held otherwise. It seems to me in a case like this the committee itself ought in some way to settle what the future policy of the committee shall be. The Chair merely makes that suggestion for the benefit of a solution of the problem.

Mr. SAUNDERS of Virginia. May I say to the Chair in this connection, that while it is true that if the Chair should rule in accordance with his indicated attitude, he would overrule a prior occupant of the chair. Yet on the other hand I call the attention of the Chair to the further fact that the prior occupant of the chair appears to have overruled an occupant of the chair who preceded him.

The CHAIRMAN. But not with the identical amendment. The Chair calls the gentleman's attention to that fact. This is identical, word for word, with the amendment that was offered to a prior bill, and after a lengthy discussion in Committee of the Whole the Chair held the amendment to be in order. If on each one of these bills a different ruling should be made, we would be in a very bad condition. For instance, suppose the present occupant of the chair should sustain the point of order, and then suppose later in the consideration of the sundry civil bill, when a similar amendment was offered, the then occupant of the chair should overrule the point of order.

Now, we would have a condition in the Committee of the Whole House on the state of the Union where the membership would be entirely at sea as to what was likely to be the ruling there, but it does seem to the Chair the present practice is where a ruling has been made on an identical amendment like this, if there is any doubt about it, it is the duty of the Chair to follow the precedents that have been set. In this particular case the Chair on this question would be inclined to do this with the suggestion that he would be very glad if the committee in its wisdom should see fit to overrule the Chair, because that would be but his judgment.

Mr. SAUNDERS of Virginia. Mr. Chairman, with the permission of the Chair I will conclude what I have to say in this connection. I have no personal interest in this question. It

has not arisen in connection with any bill that I have had in charge, or in which I have other than a general interest. I am only concerned in maintaining a consistent body of precedents in this connection. It is more important for the precedents of the House to be established on a solid foundation of reason, than for the Chair to follow a single precedent which in the judgment of the Chair, as stated is totally wrong. Amendments offered as limitations frequently present questions of the very greatest difficulty to the Chair. Some of these amendments are so plainly limitations that they leave no room for controversy. Other amendments are so plainly not limitations, that the Chair is not in doubt a moment as to their proper determination. Then there are other amendments that approach the dividing line the twilight zone, so closely, that it is very difficult for the Chair to determine the head under which they fall. But I submit that the appropriate controlling principle to be followed by the Chair in passing on amendments of this character, should be that the artificial creation, known as a limitation, should not be so highly regarded, or carefully cultivated by favoring interpretation, as practically to destroy the rule of the House against legislation on an appropriation bill. This may easily be done, if we lose sight of the fundamental principle relating to limitations, which is that they seek to accomplish some desired end by indirection. It is not in order to legislate as to the qualifications of the recipient of an appropriation, but it is in order to specify that no part of an appropriation shall go to recipients lacking certain qualifications. (IV Hinds, 3942-3952.) A refined distinction, you say, admittedly, but after all a very real distinction. The rule against legislation on an appropriation bill is one so sound in principle, that it is likely to be followed in this House, whatever its political complexion.

We are not dealing with the merits of this amendment, but engaged in determining whether it is in order at this time under our rules. It is perfectly competent for the House to repeal the rule against legislation on an appropriation bill, but so long as the rule stands, it should be enforced.

The controlling feature of a limitation is that by indirection it brings to bear some compulsion, upon officials charged with the expenditure of public moneys. But indirection is not a principle to be admired either in an individual, or a legislative body. Hence indirection should neither be favored, nor cultivated. If an amendment is clearly a limitation, the Chair should readily hold it in order. But if the question is one of difficulty, it should bear in mind that every refining distinction which puts an amendment over the dividing line, and on the limitation side, is in further aid of indirection, and in derogation of the fundamental principle which prefers direction, to indirection. It seems to me that having these principles and the precedents in mind, this amendment is plainly not a limitation. The distinction afforded in IV Hinds, sections 3957-3966, is an obvious one, namely that when you are seeking to secure some result in the way of action, by an amendment to an appropriation bill, it must be done not affirmatively, not by direct compulsion, but by a simple negative on the use of the appropriation.

Mr. SHERLEY. Mr. Chairman, I shall detain the committee but a moment. It does not seem to me because a ruling has been made which is wrong, assuming it is wrong, that it must be followed because it has been made. We will never have any progress on earth on that basis. I am not a believer in chaos in either substantive or parliamentary law. I recognize the weight of precedents, and it is because I recognize the weight of precedents that I do not want what, to my mind, is clearly and distinctly and beyond dispute a bad ruling to become crystallized by being again followed within a short period of time.

It is perfectly patent upon the reading of the amendment offered by the gentleman from Missouri [Mr. DYER] that it requires affirmative action and is stated in an affirmative way on the part of the department in regard to the reemployment of former men of the Army before these funds can be expended. Now, the question of the desirability of accomplishing that is one thing, and the question of parliamentary law is quite another. And the way to accomplish that, anyhow, is, I think, other than by the proposal of the gentleman, even if it were in order. But I am so clearly convinced it is not in order that I think the Chair ought to determine the matter according to his own judgment.

The CHAIRMAN. The Chair, as indicated by the gentleman from Virginia [Mr. SAUNDERS], is thoroughly of the opinion that this is an encroachment on the legislative prerogative of the House, and that the better part is to construe the rules of the House, or rules governing the Committee of the Whole, so as to prevent, so far as possible, legislation on appropriation bills, or else the other committees of the House will finally be absorbed by the various appropriation committees of the House. But the Chair is confronted with this situation, suggested by the gentleman from Virginia, that the committee ought to possibly in some way arrive at this conclusion. The Chair will be glad to make a ruling either way if by so doing he could get the expression of the committee. His own individual opinion is, however, that this is not in order, and when he makes that ruling he is in direct conflict with the ruling made a few days ago on an amendment of this kind, and, unless a special ruling comes from the House itself, there will be a difference of opinion.

Mr. SHERLEY. The Chair is not responsible for another man's ruling. He is responsible for his own judgment. If the Chair feels that this is out of order he ought so to rule. The precedents are overwhelmingly in favor of the point of order.

Mr. MANN. Well they are not.

Mr. SHERLEY. The gentleman makes that assertion.

Mr. MANN. The gentleman makes one assertion and I make another. They are probably of equal value to ourselves. But the gentleman is seeking on his statement to overrule a decision which nobody disputes by his mere statement that the precedents are the other way. And I say they are not the other way. The precedents sustain the position taken by Chairman ALEXANDER the other day. That is the latest ruling.

Mr. SAUNDERS of Virginia. If the gentleman from Illinois raises the proposition that the precedents are the other way, I would like to submit about 25 precedents to the Chair.

Mr. MANN. And I will undertake to submit on any question of limitation a hundred precedents that tend either way and do not cover the case.

Mr. SAUNDERS of Virginia. Very well. The precedents are here. If you have something to cover the case, you can submit it. I will cover my case by submitting others.

The CHAIRMAN. The Chair undertook to look up the precedents as best he could, but there is a later precedent that can be found on an identical amendment, which was made not over 10 days ago. There was no appeal made. It is the latest opinion expressed on the subject. And the Chair is going to overrule the point of order. The Chair would be willing to see it appealed from in order to ascertain the opinion of the committee.

Mr. SAUNDERS of Virginia. Mr. Chairman, I appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Virginia appeals from the decision of the Chair. The question is: Shall the decision of the Chair stand as the judgment of the committee?

Mr. SAUNDERS of Virginia. Mr. Chairman, I think that this appeal is debatable under the five-minute rule. I do not know that I wish to take up much time in this connection, but I do desire to call the attention of the Committee of the Whole to some precedents.

In Hinds' Precedents, volume 4, page 676, an amendment was offered:

Provided, That no part of this sum shall be expended in the further maintenance of the Army and Navy Hospital at Hot Springs, Ark.

That would seem to be a clear limitation, yet the Chairman who was presiding at that time, sustained the point of order, and held that the amendment was not a limitation.

Let me call the attention of the committee to Hinds' Precedents, volume 4, page 675, section 3991:

That no part of the money hereby appropriated shall be paid to any employee who, in the opinion of the chief of the division of which he is employed, is incompetent and inefficient for the work in which he is engaged.

This amendment is apparently a limitation, but it was not so regarded by the Chair. I read from IV Hinds, page 679, in which an amendment provided that no part of the appropriation should be paid until the passing of a title. That language using the word "until," was held to be a limitation.

The limitation permitted on a general appropriation bill, must be a negative prohibition on the use of the money, not an affirmative direction to an executive officer, IV Hinds, section 3975. Mr. WEBB of North Carolina offered an amendment that certain money should not be expended, until a test was made to ascertain the hardness of certain armor plate. The Chair held that this amendment implied that the Secretary must do certain things to get the money, IV Hinds, section 3975. This precedent is precisely in point. Mr. MACON of Arkansas offered an amendment that no part of a certain appropriation should be used to pay transportation charges on American vessels where the transportation charges were in excess by as much as 20 per cent of similar transportation charges on foreign vessels, IV Hinds, section 3982. Held out of order. Mr. OLMSTED of Pennsyl-

vania proposed an amendment that no part of a certain appropriation shall be paid the Public Printer unless he conformed the spelling in his documents to the rules of orthography in accepted dictionaries, IV Hinds, section 3985. Held not to be a limitation. Mr. Kerr offered an amendment that no part of an appropriation should be paid any employee who in the opinion of the chief of his division was incompetent, IV Hinds, section 3991. Held out of order. Mr. Hull offered this amendment that no part of an appropriation should be expended in further maintenance of the Army and Navy Hospital at Hot Springs, IV Hinds, section 3993. Held out of order. A proposition that no part of an appropriation should be paid until the passing of a title was held to be a limitation, IV Hinds, section 3999. Mr. CLARK of Missouri offered an amendment that no part of an appropriation for stamped envelopes should be expended in printing return cards on them, IV Hinds, section 4006. Held out of order.

An amendment that no proposals to build vessels should be considered unless the bidder then had an adequate plant, was held out of order, IV Hinds, section 4007. An amendment limiting the purchase of seeds to rare and uncommon seeds was held out of order, IV Hinds, section 4014. An amendment using the word "until," was held to be a limitation in IV Hinds, section 3940. There are many other precedents to the like effect as those cited.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee?

Mr. MANN. Mr. Chairman, as it seems to me to be the manifest purpose of the other side of the House to kill time, I ask to be recognized for an hour.

The CHAIRMAN (Mr. CRISP). The Chair would hold that inasmuch as the committee is considering bills under the five-minute rule, the five-minute rule applies to appeals. The Chair will be glad to recognize the gentleman for five minutes.

Mr. MANN. I think the Chair's ruling at this time is correct. I am only going to take five minutes. The present distinguished occupant of the Chair asked me a few days ago, when this matter came up, whether in my judgment the man who took the floor on an appeal was entitled to an hour or to five minutes. I said to him, "Under the old rulings of the House in practice when I came here a man who took the floor on an appeal in committee was entitled to an hour's time, but under the recent ruling he is only entitled to five minutes." I could go through the precedents and find plenty of precedents giving me an hour's time, as the gentleman from Virginia can go through the precedents and find plenty of precedents on either side of a question of limitation on an appropriation bill. But the recent ruling just made on this matter by the present distinguished occupant of the Chair is right now, and the recent ruling made by the gentleman from Missouri [Mr. ALEXANDER] was right on this limitation. The gentleman from Texas [Mr. GARNER] was right in following him.

We can provide on an appropriation a limitation that it can only be expended by redheaded girls. That is a matter of judgment as to whether we can do it or not. We can not under the form of a limitation require an executive to do something he is not previously authorized to do, but if he is authorized to do it we can say he can not spend the money unless he does it.

All these various rulings in the past have, as a usual thing, turned upon the effort of Congress to give to an executive officer additional authority over what he then had and require him to do something which he was not entitled to do before. Of course, if we put in the form of a limitation a requirement that an executive official spending the money shall do it in a certain way, he has to do it. That is his new authority. But we can provide such limitation as we please, that they shall not spend it otherwise.

Here is a case; here is an appropriation of a small amount of money for temporary employees of the Government, and the question is whether by limitation we can say to the department, "You must employ, in the expenditure of that money, old soldiers and sailors who have been discharged."

Mr. CARTER of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. MANN. I regret I have not the time. We have a right to say that. There is no other way to reach it. We can not require by positive enactment that they shall do it, but we can put it in the form of a limitation that the money shall not be expended unless they give employment to those people. That is the only way we can really do it. That is a limitation. They can do it or not do it, as they please, now under the law. They have the power to do it or to refuse to do it. But if we say that they must give priority to the boys coming home in this employment, if they spend the money they will have to give them priority. That is the only way, and it is a limitation pure and simple. We ought to sustain the Chair in holding that it is a limitation. [Applause.]

Mr. DYER. Mr. Chairman, I want to call the attention of the committee to the fact that this amendment is offered at the end of the paragraph which provides $4,000,000 for temporary employees of the War Department. The law now provides that men who are in the civil service and who resign can be reinstated. I think the provision of the law is that this may be done within one year. The President by executive order, I think, has extended that to five years, so far as soldiers, sailors, and marines are concerned. Now, all this amendment does is to provide not that they may be reinstated, but that they must be. As the gentleman from Illinois [Mr. MANN] has said, it is only a direction to the executive department. Now, gentlemen, that is a limitation, and the purpose of it, of course, is to give these men an opportunity to get their positions back.

The law is already on the statute books covering that in effect. You and I and the majority of the Members of this House voted to take these men out of their positions in the Government establishments under the selective-draft law. We urged it as a matter of national defense and a necessity to preserve the honor of our Nation. These men have been taken out of their positions. They have gone into this war, and some of them come back and find that others have been put in their places, and when they go and ask to have their positions back as the law says they may be reinstated they find others holding their positions, and the Civil Service Commission says, "We can not give you any relief. We can not put you back and we can not compel the executive departments to put you back."

Gentlemen, there is a good deal to this proposition beside a mere parliamentary situation. There is a good deal to this beside a mere point of order as to what is the thing to be done; and I submit in all fairness and in all justice that not only is the decision of the Chair justified by law but it is justified by what is right as to our duty as a Congress to the men whom we took out of the departments and sent to war. It will be, I hope, an example that will be followed by the industries. We owe them a duty. The distinguished chairman of the Committee of the Whole a few day ago [Mr. ALEXANDER] in deciding this question decided it also according to the law, and it ought not to be necessary now to rise in our places and make technical objections to a question upon which you can find precedents upon both sides and all phases. We ought to submit this as a matter of right and justice. It is not that we shall create new positions for men who have been in the war. I am ready and willing, and I think Congress ought to be ready and willing, to go to the extent of enacting a law to provide that every honorably discharged soldier, sailor, and marine of our wars shall receive preference in employment under the Government. [Applause.] But that is not this question. This is only the carrying out in substance of the law as it is written.

The CHAIRMAN. The question is, Shall the judgment of the Chair overruling the point of order to the amendment proposed by the gentleman from Missouri stand as the judgment of the committee?

The question being taken, the decision of the Chair was sustained.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Missouri.

Mr. SHERLEY. Mr. Chairman, in view of what the gentleman from Missouri [Mr. DYER] has said, I desire simply to say this: It is known to every man who has had the responsibility of handling bills upon the floor that it is the peculiar duty of the chairman of the committee to make a point of order, irrespective of his judgment as to the merits of the proposal, if, in his judgment, it is subject to a point of order. It is very easy and it is very usual, particularly touching a popular matter, for men to rail at parliamentary points of order and the rules of the House; yet the experience of all legislative bodies from the beginning has shown that nothing is so conducive to wise legislation as a strict observance of the rules that are established by a legislative body. Without that observance you have more or less chaos. Therefore in considering whether a thing is in order or not men must consider something beyond the merits of the proposal itself. They must consider that the letting down of the rules that wisely prevent legislation upon appropriation bills, even for a good cause, will lead to results that frequently are far-reaching and very detrimental. Every older Member of this House who has had charge of bills has repeatedly made points of order irrespective of his personal predelictions touching any particular proposal. It seems to me, therefore, that it is hardly becoming in the gentleman to criticize anyone in charge of the bill for performing a duty that is recognized as necessary by every Member familiar with parliamentary procedure and what it stands for and means.

The CHAIRMAN. The question is on the amendment of the gentleman from Missouri.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from Kentucky [Mr. SHERLEY], to which a point of order was reserved.

The Clerk read as follows:

Amendment offered by Mr. SHERLEY: Page 9, after line 9, insert:
"The Secretary of War is directed to consider, ascertain, and recommend to Congress the amounts which in his judgment are due on claims of persons, not employees of the United States, for compensation for disability or death resulting from personal injury sustained from the recent explosions and fire at the plant of the T. A. Gillespie Co. at Morgan, N. J.: *Provided*, That claims shall not be recommended hereunder for persons or in amounts which would not be allowable under the United States employees' compensation act if the individual were an employee of the United States."

Mr. STAFFORD. Mr. Chairman, this paragraph was passed over in order that I might have a chance to examine the workmen's compensation act. I have examined it and prepared an amendment to the amendment and I withdraw the point of order.

Mr. SHERLEY. Mr. Chairman, I understand the gentleman from Wisconsin suggests a proviso to the proposal which is entirely agreeable to me and I offer it as an amendment to the amendment which I have offered.

The Clerk read as follows:

Amendment to the amendment of Mr. Sherley:
"*Provided further*, That the report to be made hereunder shall contain a full statement of the facts in connection with the inquiry or death of any person for whom payments may be recommended."

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The amendment as amended was agreed to.

Mr. SHERLEY. Mr. Chairman, I move that the committee do now rise, report the bill with sundry amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to; accordingly the committee rose and the Speaker having taken the chair, Mr. CRISP, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendations that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not the Chair will put them in gross.

There was no demand for a separate vote and the amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed.

On motion of Mr. SHERLEY, a motion to reconsider the vote whereby the bill was passed was laid on the table.

FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HOUSTON. Mr. Speaker, I call up the conference report on the bill H. R. 11984, and I ask unanimous consent that the House reject the report and ask for a further conference.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

A bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

The SPEAKER. The gentleman asks unanimous consent that the conference report be disagreed to.

Mr. MANN. Mr. Speaker, the gentleman from Tennessee has asked unanimous consent that the House disagree to the conference report, and I think he coupled with it the request that the House further insist on its disagreement to the Senate amendments and ask for a further conference.

Mr. HOUSTON. That is the request.

Mr. MANN. I want to ask the gentleman. There were several gentlemen in the House who wished to be heard or make some motion on Senate amendment No. 12.

Mr. GARNER. Will the gentleman permit an interruption?

Mr. MANN. Yes.

Mr. GARNER. Would it be in order to disagree to the conference report and instruct the conferees? Would a motion to that effect be in order?

Mr. MANN. It is in order to move to recommit the conference report or reject the conference report, and then it is in order to agree to the Senate amendments or to amend them or ask for a further conference, and it is in order to instruct the conferees.

Mr. GARNER. I asked the question because there has been a ruling by the Speaker both ways on the motion to recommit, and it is liable to come up on a very important bill, the revenue bill.

The SPEAKER. The gentleman from Texas is wrong.

Mr. MANN. The gentleman is aware that it is in order to recommit the conference report which the Senate has not acted upon. It is not in order to move to recommit a conference report that has been disposed of by the Senate. Here is the Senate amendment, and the language of the bill was that "whenever possible women and honorably discharged soldiers and sailors shall be employed in the positions herein provided for."

The Senate amendment was to strike out that language and insert:

That after the passage of this act preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, in making appointments to clerical and other positions in the executive departments and in independent governmental establishments.

The conferees agreed upon an amendment providing that "wherever possible, women and honorably discharged soldiers, sailors, and marines shall be employed in the positions herein provided for."

Several gentlemen of the House desire either to be heard or to have a vote or to make a motion in reference to this matter. I am told that gentlemen who have been taking an active interest in the Senate amendment have practically reached an agreement with the members of the committee who will be the conferees, and that if the bill goes back to conference that agreement will be incorporated in the conference report and will be satisfactory to the friends of the soldiers, sailors, and marines. So far as I am concerned, I am perfectly satisfied with the statement which has been made to me upon that subject; otherwise, of course, there would be a vote in the House. I have not conferred with the gentleman from Tennessee [Mr. HOUSTON] about it.

Mr. HOUSTON. Mr. Speaker, I desire to make a statement in regard to this matter, as to why it is that I have made the request I have. When the bill was sent to conference in the first instance, it was done by unanimous consent. I was asked at that time if I would be willing to grant a separate vote upon this Senate amendment No. 12. I said that I would be willing to do that. It was the understanding of the House, I suppose, that we were to have a separate vote upon that. When the conferees considered the matter we prepared a substitute embodying some of the features of that amendment, which we thought would be satisfactory to those who wanted a separate vote. However, it was not satisfactory. Then we also thought that a motion could be made by one of those gentlemen to recommit this bill with instructions on this one amendment, and that that would settle the question and give them an opportunity to vote upon the question that they understood they were to vote upon. That brings it up to the present point, when there is some confusion about it. I make the request that we disagree to the report and send it back to conference, and ask for a further conference.

Mr. MANN. But, Mr. Speaker, we accomplish nothing by that, unless——

Mr. HOUSTON. If there is a proposition involved that any Member of the House wants incorporated it seems to me that he can have a vote on that proposition now before we go to conference.

Mr. MANN. Of course, now is the time when you can have a vote. If the conference report is rejected, which, in fairness to the House, in view of the statement made by the gentleman when the matter was sent to conference, he would agree to——

Mr. HOUSTON. Certainly.

Mr. MANN. If the conference report is rejected, any Member of the House can get a separate vote upon any Senate amendment. Any Member of the House can have a separate vote on Senate amendment No. 12. He can move to concur with an amendment in the Senate amendment and have a vote on that. To merely send it back to conference with no further information given to the Members of the House would not advance the matter any, because it is assumed under such circumstances that the conferees will bring the conference report back to the House again identically as they have heretofore, and no separate vote can be taken when the conference report is made.

Mr. CRISP. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. CRISP. I have been in conference with the gentlemen in connection with this matter, and I can state to my friend

from Illinois that the object of this motion is to get the matter back to conference, that the majority of the House confcrees and the Senate conferees have agreed upon a provision that is satisfactory to the friends of the soldiers, sailors, and marines.

Mr. MANN. I will say to the gentleman that I made the same statement a while ago, that I understood that it had been settled satisfactorily, and I have been taking a little time in the House since then trying to get that statement into the RECORD from somebody else, because my information was purely hearsay.

Mr. CRISP. That is why I am making the statement. I would say to the gentleman from Illinois that the gentleman from Tennessee [Mr. HOUSTON] is opposed to this proposition, and that the House conferees will be the gentleman from Tennessee [Mr. HOUSTON], the gentleman from Louisiana [Mr. ASWELL], and the gentleman from Michigan [Mr. NICHOLS], and I understand from my friend, Mr. VAN DYKE, who is the author of the compromise amendment and very much interested in it, that the gentleman from Louisiana and the gentleman from Michigan have agreed with the Senate conferees that if the bill is sent back in conference they will agree to this proposition that the friends of the soldiers have agreed upon.

Mr. MANN. The gentleman from Michigan has made the same statement to me—not that they have agreed with the Senate conferees but that a majority of the House conferees had agreed—and, as far as I am concerned with that statement, I have no desire further to put the House conferees on record in the RECORD.

Mr. HUMPHREYS. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. HUMPHREYS. The statement made by the gentleman from Illinois, and also by the gentleman from Georgia, that some matter had been agreed to that is satisfactory to the friends of the soldiers, sailors, and marines I assume to mean is satisfactory to everybody.

Mr. MANN. Well it is certainly satisfactory to the men who are special friends——

Mr. HUMPHREYS. If the gentleman will permit, that being true, it occurs to me it ought not to go into the RECORD that it is satisfactory to the friends of the soldiers, sailors, and marines, and it is unsatisfactory to some Members here of the House.

Mr. MANN. Oh, well, of course, the gentleman from Tennessee is a friend of the soldiers, sailors, and marines.

Mr. HUMPHREYS. There is no question about that, but the RECORD ought to show that or it ought not to show the contrary.

Mr. ASWELL. Mr. Speaker, I merely wish to confirm the statement made by the gentleman from Georgia that an agreement has been reached as far as possible for the conferees to reach it and that it is entirely satisfactory as far as we can ascertain.

Mr. FERRIS. Will the gentleman yield? Is it the thought of the conferees, that if they do not get substantially the Senate amendment to bring it back and let us have another vote upon it?

Mr. ASWELL. Yes.

Mr. HOUSTON. Mr. Speaker, I want to make a statement in reference to the matter of anyone being a friend of the soldiers and sailors. As that matter has been brought out by remarks I want to state this, I am as much a friend to the soldiers, sailors, and marines as any man who stands on the American continent. The only question in this matter was to what extent soldiers, sailors, and marines who have been honorably discharged from the Army should be made eligible to appointment. One amendment is favored by a portion of the Members that absolute preference should be given to those who are honorably discharged. I insisted on the provision that provided that the director should select these men if they were otherwise qualified and competent to discharge the duties. Now, I want the soldiers and sailors to have preference in everything, but the real soldier, the good sailor, the real patriotic man ought not to want to get an opportunity to get a Government position in which he can not render good service. There might be some man who had a uniform and who might want an easy job, who might have had an easy job lately in some clerical position, and he might be swift to get one of these positions, and I did not want to have those men put upon the same footing as the men who fought at Chateau-Thierry and in the Argonne Forest, whether capable or fitted for the work or not. [Applause.]

Mr. DYER. Will the gentleman yield? I ask that the Clerk may read just what, substantially, they have agreed upon so that we may know as a matter of information.

Mr. HOUSTON. I am perfectly willing. I preferred the other amendment, as reported by the conference committee; other gentlemen preferred that, and that seems the end of it.

Mr. DYER. The gentleman from Minnesota [Mr. VAN DYKE] has the substance of it.

Mr. VAN DYKE. This is the amendment.

Miss RANKIN. Mr. Speaker, I desire to ask the chairman of the committee what is in the amendment in regard to women?

Mr. VAN DYKE. The amendment will be read, and the lady from Montana can understand exactly what it is.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

That hereafter in making appointments to the classified and other positions in the executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such if they are qualified to hold such positions.

Mr. DYER. Mr. Speaker, I want to make this one observation: That amendment, of course, can not be otherwise than satisfactory to the membership of this House. Now, that provision, provided they are qualified, is a mere statement of what the law now is. No man can be employed, no woman can be employed in the Government service unless they are qualified for the position that they seek; and putting that in there, in my judgment, is unnecessary. It is now the language of the law, and I can not see anything that can be accomplished by it. It is mere surplusage.

Mr. HOUSTON. Mr. Speaker, I insist on my request that the House further insist on its disagreement and ask for a conference.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the House insist on its disagreement and ask for a conference.

Miss RANKIN. Mr. Speaker, the House amendment included women and the Senate amendment included women, and I think it is not fair to include merely the widows of soldiers, inasmuch as there are many sisters and mothers of soldiers who would like this work. It seems to me that leaving out women, instead of including them, as both the House and Senate did——

Mr. HOUSTON. I will state to the lady from Montana that women were not included in the Senate amendment. This is the Senate amendment exactly, so far as reference is made to women.

Mr. STAFFORD. Mr. Speaker, if the gentleman will permit me, I believe the lady from Montana refers to the amendment in the conference report that was submitted to the House and is now under consideration. The report did agree to include women, even though not related to soldiers, and to be given preferential consideration.

The SPEAKER. Is there objection?

Miss RANKIN. I object.

Mr. HOUSTON. Mr. Speaker, I call up the conference report and move to reject it; and on that I ask the previous question.

Mr. MANN. Several things would have to be done first. The gentleman would have to ask unanimous consent to dispense with the reading of the conference report.

Mr. HOUSTON. I call up the report, Mr. Speaker.

Mr. MANN. It has been called up.

The SPEAKER. The Clerk will report it.

Mr. MANN. It has been reported.

The SPEAKER. The question is on agreeing to the conference report.

Mr. MANN. It has not been read. He would have to dispense with the reading of it. It was only reported by title.

The SPEAKER. The gentleman asks unanimous consent to dispense with the reading of the conference report. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the conference report.

The question was taken, and the conference report was rejected.

Mr. HOUSTON. Mr. Speaker, I move to disagree to all the amendments en bloc except No. 12, and to further insist upon the disagreement on that.

The SPEAKER. The gentleman moves to disagree to all the Senate amendments en bloc except No. 12, and to insist on the disagreement to No. 12.

The motion was agreed to.

Mr. VAN DYKE. Mr. Speaker, I move to concur in the Senate amendment No. 12 with an amendment which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota moves to concur in the Senate amendment No. 12 with an amendment which the Clerk will report.

The Clerk read as follows:

Mr. VAN DYKE moves to concur in Senate amendment No. 12, as follows: In lieu of the matter proposed by the Senate insert the following:

"That hereafter in making appointments to clerical and other positions in the executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, if they are qualified to hold such positions."

Mr. VAN DYKE. Mr. Speaker, on that I move the previous question.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry. Is it in order to amend this?

The SPEAKER. The gentleman from Minnesota [Mr. VAN DYKE] has just moved the previous question.

Mr. MANN. Give the lady from Montana a chance to offer an amendment.

Mr. CRISP. Mr. Speaker, the motion for the previous question is pending.

The SPEAKER. That is just what the Chair stated a moment ago. The question is on ordering the previous question.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. DYER. Division, Mr. Speaker.

The House divided; and there were—ayes 46, noes 41.

Mr. DENISON. Mr. Speaker, I ask for tellers.

The SPEAKER. On this vote the ayes are 46 and the noes are 41, and the gentleman from Illinois [Mr. DENISON] demands tellers. Those in favor of taking this vote by tellers will rise and stand until they are counted.

Mr. CRISP. Mr. Speaker, I think we can settle this quicker by a yea-and-nay vote, and I make the point of no quorum.

The SPEAKER. The gentleman from Georgia makes the point of no quorum. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on ordering the previous question. Those in favor of ordering the previous question will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 177, nays 77, answered "present" 1, not voting 174, as follows:

YEAS—177.

Almon	Eagle	Lazaro	Romjue
Anderson	Essen	Lea, Cal.	Rouse
Ashbrook	Ferris	Lee, Ga.	Rubey
Aswell	Fields	Lesher	Rucker
Bankhead	Fisher	Lever	Sanders, Ind.
Barkley	Flood	Little	Sanders, N. Y.
Barnhart	Fordney	Lobeck	Sanford
Beakes	Foster	London	Shallenberger
Bell	Gallagher	Lonergan	Sisson
Beshlin	Gandy	Longworth	Slayden
Black	Garner	Lufkin	Small
Bland, Ind.	Garrett, Tex.	Lundeen	Smith, T. F.
Bland, Va.	Glynn	McArthur	Snook
Brand	Goodwin, Ark.	McFadden	Snyder
Brodbeck	Gordon	McKeown	Stafford
Browning	Gray, Ala.	McLemore	Steagall
Buchanan	Green, Iowa	Magee	Stedman
Burnett	Greene, Vt.	Mann	Steele
Burroughs	Hamlin	Mansfield	Stephens, Miss.
Byrnes, S. C.	Harrison, Va.	Martin	Sumners
Byrns, Tenn.	Hastings	Mays	Taylor, Colo.
Caldwell	Haugen	Merritt	Thompson
Campbell, Pa.	Hayden	Moon	Tillman
Candler, Miss.	Heflin	Moore, Pa.	Tilson
Carlin	Holland	Morgan	Towner
Carter, Okla.	Houston	Morin	Van Dyke
Cary	Huddleston	Oliver, Ala.	Venable
Chandler, Okla.	Hull, Tenn.	Oliver, N. Y.	Vinson
Cleary	Humphreys	Olney	Wason
Collier	Hutchinson	O'Shaunessy	Watkins
Connally, Tex.	Ireland	Overstreet	Watson, Pa.
Crisp	Jacoway	Parker, N. J.	Watson, Va.
Crosser	Jones	Phelan	Weaver
Dallinger	Kearns	Platt	Welling
Darrow	Keating	Polk	Whaley
Decker	Kehoe	Purnell	White, Me.
Dempsey	Kettner	Quin	Wilson, Ill.
Denton	Kiess, Pa.	Ragsdale	Wilson, La.
Dickinson	Kincheloe	Rainey, H. T.	Winslow
Dies	Kitchin	Rainey, J. W.	Wright
Dixon	Knutson	Ramsey	Young, Tex.
Dominick	Kraus	Ramseyer	Zihlman
Doughton	Kreider	Rayburn	
Dyer	LaGuardia	Robinson	
Eagan	Larsen	Rogers	

NAYS—77.

Anthony	Davis	Greene, Mass.	King
Austin	Denison	Griest	Kinkaid
Bacharach	Dillon	Hadley	La Follette
Baer	Dowell	Hamilton, Mich.	Lampert
Blanton	Elliott	Haskell	Langley
Bowers	Esch	Hollingsworth	McCulloch
Cannon	Fairchild, B. L.	Hull, Iowa	McLaughlin, Mich.
Clark, Pa.	Fairfield	Igoe	Mapes
Classon	Focht	James	Miller, Minn.
Cooper, Wis.	Foss	Johnson, Wash.	Miller, Wash.
Currie, Mich.	French	Juul	Mondell
Curry, Cal.	Good	Kelley, Mich.	Moores, Ind.
Dale	Graham, Ill.	Kelly, Pa.	Mott
Nelson, A. P.	Rankin	Sloan	Volstead
Nelson, J. M.	Reed	Smith, Mich.	Ward
Nichols, Mich.	Rose	Steenerson	Wheeler
Osborne	Rowe	Sweet	Wood, Ind.
Paige	Scott, Iowa	Temple	
Raker	Scott, Mich.	Timberlake	
Randall	Sherwood	Vestal	

ANSWERED "PRESENT"—1.

Littlepage.

NOT VOTING—174.

Alexander	Elston	Kahn	Sears
Ayres	Emerson	Kennedy, Iowa	Sells
Benson	Estopinal	Kennedy, R. I.	Shackleford
Birch	Evans	Key, Ohio	Sherley
Blackmon	Fairchild, G. W.	Lehlbach	Shouse
Booher	Farr	Linthicum	Siegel
Borland	Fess	Lunn	Sims
Britten	Flynn	McAndrews	Sinnott
Browne	Francis	McClintic	Slemp
Brumbaugh	Frear	McCormick	Smith, Idaho
Butler	Freeman	McKenzie	Smith, C. B.
Campbell, Kans.	Fuller, Ill.	McKinley	Snell
Cantrill	Fuller, Mass.	McLaughlin, Pa.	Stephens, Nebr.
Caraway	Gallivan	Madden	Sterling
Carew	Gard	Maher	Stevenson
Carter, Mass.	Garland	Mason	Stiness
Chandler, N. Y.	Garrett, Tenn.	Montague	Strong
Church	Gillett	Mudd	Sullivan
Clark, Fla.	Godwin, N. C.	Neely	Swift
Claypool	Goodall	Nicholls, S. C.	Switzer
Coady	Gould	Nolan	Tague
Connelly, Kans.	Graham, Pa.	Norton	Taylor, Ark.
Cooper, Ohio	Gray, N. J.	Oldfield	Templeton
Cooper, W. Va.	Gregg	Overmyer	Thomas
Copley	Griffin	Padgett	Tinkham
Costello	Hamill	Park	Treadway
Cox	Hamilton, N. Y.	Parker, N. Y.	Vare
Crago	Hardy	Peters	Voigt
Cramton	Harrison, Miss.	Porter	Waldow
Davey	Hawley	Pou	Walker
Delaney	Hayes	Powers	Walsh
Dent	Heaton	Pratt	Walton
Dewalt	Heintz	Price	Webb
Dill	Helm	Reavis	Welty
Donovan	Helvering	Riordan	White, Ohio
Dooling	Hensley	Roberts	Williams
Doolittle	Hersey	Rodenberg	Wilson, Tex.
Doremus	Hicks	Rowland	Wingo
Drane	Hilliard	Russell	Wise
Drukker	Hood	Sabath	Woods, Iowa
Dunn	Howard	Saunders, La.	Woodyard
Dupré	Husted	Saunders, Va.	Young, N. Dak.
Edmonds	Johnson, Ky.	Schall	
Ellsworth	Johnson, S. Dak.	Scully	

So the previous question was ordered.

The Clerk announced the following pairs:

Until further notice:

Mr. DEWALT with Mr. DUNN.

Mr. BOOHER with Mr. TREADWAY.

Mr. MAHER with Mr. TINKHAM.

Mr. CAREW with Mr. GOODALL.

Mr. DOOLING with Mr. STRONG.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. LITTLEPAGE with Mr. COOPER of West Virginia.

Mr. RIORDAN with Mr. KENNEDY of Rhode Island.

Mr. CARAWAY with Mr. BROWNE.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. KEHOE with Mr. MUDD.

Mr. SAUNDERS of Virginia with Mr. WALSH.

Mr. NICHOLLS of South Carolina with Mr. GARLAND.

Mr. GRIFFIN with Mr. PORTER.

Mr. DONOVAN with Mr. HAMILTON of New York.

Mr. HAMILL with Mr. LEHLBACH.

Mr. SCULLY with Mr. MASON.

Mr. BENSON with Mr. STINESS.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. POU with Mr. WOODYARD.

Mr. HELM with Mr. BUTLER.

Mr. JACOWAY with Mr. HICKS.

Mr. HELVERING with Mr. EDMONDS.

Mr. MCANDREWS with Mr. GOULD.

Mr. MONTAGUE with Mr. HUSTED.

Mr. LUNN with Mr. KAHN.

Mr. NEELY with Mr. MCKENZIE.

Mr. OVERMYER with Mr. MCKINLEY.

Mr. PARK with Mr. NOLAN.

Mr. PRICE with Mr. RODENBERG.

Mr. SABATH with Mr. SIEGEL.

Mr. TAGUE with Mr. SMITH of Idaho.

Mr. TAYLOR of Arkansas with Mr. SNELL.

Mr. WEBB with Mr. SWIFT.

Mr. THOMAS with Mr. WILLIAMS.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will unlock the doors. The previous question is ordered, and the

question is on concurring in Senate amendment numbered 12 with the Van Dyke amendment.

Mr. MANN. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. KREIDER. Mr. Speaker, may we have that amendment read?

The SPEAKER. Without objection the Clerk will report the Van Dyke amendment.

The Clerk read as follows:

Mr. VAN DYKE moves to concur in Senate amendment No. 12, with an amendment, as follows: In lieu of the matter proposed by the Senate, insert the following:

"That hereafter in making appointments to clerical and other positions in the executive departments and in independent governmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, if they are qualified to hold such positions."

The question was taken; and there were—yeas 244, nays 1, answered "present" 0, not voting 184, as follows:

YEAS—244.

Almon	Edmonds	Knutson	Ramsey
Anderson	Elliott	Kraus	Ramseyer
Anthony	Esch	Kreider	Randall
Ashbrook	Essen	La Follette	Rankin
Aswell	Fairchild, B. L.	LaGuardia	Rayburn
Austin	Fairfield	Lampert	Reed
Bacharach	Ferris	Langley	Robinson
Baer	Fisher	Larsen	Rogers
Bankhead	Flood	Lazaro	Romjue
Barkley	Focht	Lea, Cal.	Rose
Barnhart	Fordney	Lee, Ga.	Rouse
Beakes	Foss	Lesher	Rowe
Bell	Foster	Lever	Rubey
Beshlin	French	Little	Rucker
Black	Gallagher	Lobeck	Sanders, Ind.
Bland, Ind.	Gandy	London	Sanders, N. Y.
Bland, Va.	Garner	Lonergan	Sanford
Blanton	Garrett, Tex.	Longworth	Scott, Iowa
Bowers	Glynn	Lufkin	Scott, Mich.
Brand	Good	Lundeen	Sherwood
Brodbeck	Goodwin, Ark.	McArthur	Sinnott
Browning	Graham, Ill.	McCulloch	Sloan
Buchanan	Gray, Ala.	McFadden	Small
Burnett	Green, Iowa	McKeown	Smith, Mich.
Burroughs	Greene, Mass.	McLaughlin, Mich.	Smith, T. F.
Byrnes, S. C.	Greene, Vt	Magee	Snook
Byrns, Tenn.	Griest	Mann	Snyder
Caldwell	Griffin	Mansfield	Stafford
Campbell, Pa.	Hadley	Mapes	Steagall
Candler, Miss.	Hamlin	Mays	Stedman
Carlin	Harrison, Va.	Merritt	Steele
Carter, Okla.	Haskell	Miller, Wash.	Stephens, Miss.
Cary	Hastings	Mondell	Sumners
Chandler, Okla.	Haugen	Moon	Sweet
Clark, Pa.	Hayden	Moore, Pa.	Taylor, Colo.
Classon	Heflin	Moores, Ind.	Temple
Cleary	Holland	Morgan	Thompson
Collier	Hollingsworth	Morin	Tillman
Connally, Tex.	Houston	Mott	Tilson
Connelly, Kans.	Huddleston	Neely	Timberlake
Cooper, Wis.	Hull, Iowa	Nelson, A. P.	Towner
Crisp	Hull, Tenn.	Nelson, J. M.	Van Dyke
Crosser	Humphreys	Nichols, Mich.	Venable
Currie, Mich.	Hutchinson	Oliver, Ala.	Vestal
Curry, Cal.	Igoe	Oliver, N. Y.	Vinson
Dale	Jacoway	Olney	Volstead
Dallinger	James	Osborne	Wason
Darrow	Johnson, Wash.	O'Shaunessy	Watkins
Davis	Jones	Overstreet	Watson, Va.
Decker	Juul	Paige	Weaver
Dempsey	Kearns	Parker, N. J.	Welling
Denison	Keating	Phelan	Whaley
Denton	Kehoe	Platt	Wheeler
Dillon	Kelley, Mich.	Polk	White, Me.
Dixon	Kelly, Pa.	Pou	Wilson, Ill.
Dominick	Kettner	Purnell	Wilson, La.
Doughton	Kiess, Pa.	Quin	Winslow
Dowell	Kincheloe	Ragsdale	Wood, Ind.
Dyer	King	Rainey, H. T.	Woodyard
Eagan	Kinkaid	Rainey, J. W.	Wright
Eagle	Kitchin	Raker	Young, Tex.

NAYS—1.

Gordon

NOT VOTING—184.

Alexander	Cooper, W. Va.	Emerson	Gregg
Ayres	Copley	Estopinal	Hamill
Benson	Costello	Evans	Hamilton, Mich.
Birch	Cox	Fairchild, G. W.	Hamilton, N. Y.
Blackmon	Crago	Farr	Hardy
Booher	Cramton	Fess	Harrison, Miss.
Borland	Davey	Fields	Hawley
Britten	Delaney	Flynn	Hayes
Browne	Dent	Francis	Heaton
Brumbaugh	Dewalt	Frear	Heintz
Butler	Dickinson	Freeman	Helm
Campbell, Kans.	Dies	Fuller, Ill.	Helvering
Cannon	Dill	Fuller, Mass.	Hensley
Cantrill	Donovan	Gallivan	Hersey
Caraway	Dooling	Gard	Hicks
Carew	Doolittle	Garland	Hilliard
Carter, Mass.	Doremus	Garrett, Tenn.	Hood
Chandler, N. Y.	Drane	Gillett	Howard
Church	Drukker	Godwin, N. C.	Husted
Clark, Fla.	Dunn	Goodall	Ireland
Claypool	Dupré	Gould	Johnson, Ky.
Coady	Ellsworth	Graham, Pa.	Johnson, S. Dak.
Cooper, Ohio	Elston	Gray, N. J.	Kahn
Kennedy, Iowa	Norton	Sells	Taylor, Ark.
Kennedy, R. I.	Oldfield	Shackleford	Templeton
Key, Ohio	Overmyer	Shallenberger	Thomas
Lehlbach	Padgett	Sherley	Tinkham
Linthicum	Park	Shouse	Treadway
Littlepage	Parker, N. Y.	Siegel	Vare
Lunn	Peters	Sims	Voigt
McAndrews	Porter	Sisson	Waldow
McClintic	Powers	Slayden	Walker
McCormick	Pratt	Slemp	Walsh
McKenzie	Price	Smith, Idaho	Walton
McKinley	Reavis	Smith, C. B.	Ward
McLaughlin, Pa.	Riordan	Snell	Watson, Pa.
McLemore	Roberts	Steenerson	Webb
Madden	Rodenberg	Stephens, Nebr.	Welty
Maher	Rowland	Sterling	White, Ohio
Martin	Russell	Stevenson	Williams
Mason	Sabath	Stiness	Wilson, Tex.
Miller, Minn.	Sanders, La.	Strong	Wingo
Montague	Saunders, Va.	Sullivan	Wise
Mudd	Schall	Swift	Woods, Iowa
Nicholls, S. C.	Scully	Switzer	Young, N. Dak.
Nolan	Sears	Tague	Zihlman

So the amendment was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. CANNON with Mr. SLAYDEN.

Mr. WALSH with Mr. MARTIN.

Mr. LUFKIN. Mr. Speaker, the gentleman from Massachusetts [Mr. TREADWAY], my colleague, was called away. If he were here he would have voted "aye."

The result of the vote was then announced as above recorded.

Mr. HOUSTON. Mr. Speaker, I move that the House ask for a further conference with the Senate on the disagreeing votes of the two Houses, and on that I demand the previous question.

Mr. MANN. While that technically does not send the Senate amendment No. 12 to conference, I suppose the conferees will consider it.

The previous question was agreed to.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. HOUSTON, Mr. ASWELL, and Mr. NICHOLS of Michigan.

BRIDGE ACROSS THE DELAWARE RIVER.

Mr. HUTCHINSON. Mr. Speaker, I ask that the Speaker lay before the House the bill S. 5354, to extend the time for completing the bridge across the Delaware River, a similar bill being on the House Calendar.

The SPEAKER laid before the House the bill (S. 5354) extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

The Clerk read the bill, as follows:

Be it enacted, etc., That the time for the completion of the bridge now in course of construction across the Delaware River, which the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, were authorized to construct, maintain, and operate by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912; and for which the time of completion thereof was extended until the 24th day of August, 1919, by an act approved the 27th day of December, 1916, be, and the same is hereby, extended for a period of three years from the 24th day of August, 1919: *Provided*, That in all other respects said bridge shall be completed and shall be maintained and operated in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

House bill 14508, a similar bill, on the House Calendar, was laid on the table.

EXTENSION OF REMARKS.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Van Dyke amendment.

Mr. GORDON. Mr. Speaker, I make the same request.

The SPEAKER. The gentleman from Kentucky and the gentleman from Ohio ask unanimous consent to extend their remarks in the RECORD on the Van Dyke amendment. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. SMITH of Idaho, at the request of Mr. FRENCH, was given leave of absence for the day on account of illness.

MEMORIAL EXERCISES FOR THE LATE SENATORS HUGHES AND JAMES.

Mr. EAGAN. Mr. Speaker, I ask unanimous consent that Sunday, February 23, be set aside to hold memorial exercises on the life, character, and public services of the Hon. WILLIAM HUGHES, late Senator from the State of New Jersey.

Mr. BARKLEY. Mr. Speaker, I make the same request on the same date for memorial exercises on the late Senator OLLIE JAMES, of Kentucky.

The SPEAKER. The gentleman from New Jersey asks unanimous consent that February 23 be set aside for holding memorial exercises on the late Senator HUGHES, of New Jersey, and the gentleman from Kentucky [Mr. BARKLEY] makes the same request touching the late Senator JAMES, of Kentucky. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. GARRETT] may be excused for the day on account of illness, and I wish to announce that if he had been here he would have voted "aye" on the previous question and also for the Van Dyke amendment.

EXTENSION OF REMARKS.

Mr. ALMON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks made this afternoon.

The SPEAKER. Is there objection?

There was no objection.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the Agricultural appropriation bill.

Mr. MANN. Pending that, will the gentleman permit me to ask him a question?

Mr. LEVER. Certainly.

Mr. MANN. Whether he desires to have the House meet at an earlier hour to-morrow?

Mr. LEVER. Pending that, Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet to-morrow at 11 o'clock a. m.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. MANN. Reserving the right to object, how long does the gentleman expect this evening session to last?

Mr. LEVER. We have 1 hour and 53 minutes left for general debate, and I thought we would conclude that.

Mr. MANN. The gentleman does not expect to proceed under the five-minute rule?

Mr. LEVER. No.

Mr. MANN. And there will be no other business come before the House?

Mr. LEVER. No other business that I know of.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina to meet at 11 o'clock a. m. to-morrow?

There was no objection.

The motion of Mr. LEVER was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HAMLIN in the chair.

The CHAIRMAN. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

Mr. LEVER. Mr. Chairman, I will ask the gentleman from Iowa to yield some of his time.

Mr. HAUGEN. Mr. Chairman, I yield 25 minutes to the gentleman from South Dakota [Mr. DILLON].

Mr. DILLON. Mr. Chairman, shall we destroy monopoly in land ownership and at the same time furnish farms for the soldiers, sailors, and marines?

For years we have been wantonly wasting our landed resources while our tenant system has been robbing the fertility of the soil. Land monopoly has been wrecking the small farmer and driving him into the city. While these processes have been going on the farmer has been left to shift for himself. He looks for an honest market in vain, as there is none. He finds the speculators in control of his markets, and through their agencies the products are followed from the farm to the consumers.

The Government is spending millions of dollars in an effort to stimulate production on the farms. Much of these vast appropriations is of doubtful value. What the farmer needs is protection from the combination of speculators that is exacting nearly 54 per cent of the cost to the consumer of farm products.

Years ago when competition existed the farmer dealt largely with the consumer, but now the transportation companies, the packing companies, the grain exchanges, and the gamblers in food products have erected toll gates all along the market routes from the farmer to the consumer and are exacting unheard-of profits. They do so without any fear of action on the part of the Department of Justice.

In order to break up monopoly in land ownership, to reduce tenantry and assist those soldiers, sailors, marines, and others who desired to become farm owners I introduced, on December 12, 1918, House joint resolution 366. As a basis for this resolution I cite certain facts showing the extent of land monopoly in the United States. I cite the facts that there is in the United States a constant increase in landlord ownership and a constant centralization of ownership of lands in monopolies controlling vast areas, as evidenced by the following: Fifty-four foreign corporations and individuals own an area of land in the United States exceeding the combined areas of the States of New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, and Delaware; 63 owners, individuals and corporations, in the United States have holdings of land exceeding the combined areas of the former German Empire, Denmark, Belgium, Holland, and Switzerland; the Southern Pacific Railroad Co. has 4,381,000 acres of land in California and Oregon; the Northern Pacific has 3,017,000 acres of timberland and millions of untimbered land; the Weyerhauser Timber Co. owns 1,945,000 acres of timberland; in Florida five holders have 4,600,000 acres of timberland and 187 largest timber holders have over 15,800,000 acres of timberland; the Government has granted to railroads and for internal improvements subsidies of 337,740,000 acres, equal to one-sixth of the total area of the United States; the Texas Land Grant Syndicate owned 3,000,000 acres in Texas; a British land company owns 300,000 acres in Kansas; Sir Edward Reed controls 1,000,000 acres in Florida; an English syndicate controls 2,000,000 acres in Mississippi; 100 men in Sacramento Valley, Cal., own 17,000,000 acres; four men in one county in California own 1,500,000 acres, while 433 own 5,968,556 acres.

In addition to the citations in the resolution the following can be added: There are 35,000,000 acres of land in the United States that are rented out by owners, each of whom owns more than 1,000 acres; 32 men own 45 per cent of the northern peninsula of Michigan; 16 families own more than 47,000,000 acres of land in the United States; two English syndicates own 1,300,000 acres in the State of Missouri. The report of the Federal Bureau of Corporations shows that 105,600,000 acres, one-twentieth of the whole land area of the United States, is owned by 1,694 persons.

The legislative part of my resolution reads as follows:

Resolved, etc., That the Secretary of the Interior is hereby authorized and directed to acquire title by purchase, condemnation, or otherwise to large holdings of lands suitable for agriculture and take title thereto in the name of the United States: *Provided*, That all purchases of such lands must be at a reasonable value. That the land so acquired shall be divided in units of such size as the Secretary of the Interior may determine, and he shall have authority to place thereon necessary buildings and other appropriate improvements. The units thus provided shall be sold by the Secretary of the Interior to bona fide settlers, preference being given to honorably discharged soldiers, sailors, and marines. The sale price shall be sufficient to cover the full cost of the land, improvements, and administration. Five per cent of the sale price shall be paid in advance and the remainder shall be distributed over a period of 40 years commencing two years after the date of the initial payment. There is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated the sum of $100,000,000, or so much thereof as may be necessary, to carry out the provisions of this joint resolution, and the money received for the land sold under the foregoing provisions shall be placed in a revolving fund and used as necessary in the further administration of this joint resolution. The Secretary of the Interior is hereby authorized to promulgate such rules and regulations as may be required to give full force and effect to this joint resolution.

Home ownership of land will become impossible if monopoly of land ownership is not in some way restricted in the near future. The policy of this Government ought not to be in favor of unrestricted alien ownership of our land. Neither should the Government allow foreign or domestic corporations or individuals to obtain a monopoly on millions of acres of our best land, to the detriment of those who are anxious and willing to make their homes on and develop these lands in small tracts.

In 1880, 25.6 per cent of the farms were operated by tenants, while at this time the percentage of tenant farmers has risen to about 40 per cent. It is a startling fact that prior to the war we were losing 100,000 of our people every year by emigration to Canada. They were American farmers, and their incentive was to secure land on which to make their homes. This emigration is likely to continue unless we recognize the necessity of providing these people an opportunity to become home owners in this country. We must take action to retain our people, reduce tenancy, and make it possible for those who desire to become home owners.

We need not go far to ascertain the reason for the decadence of agriculture in the United States. When the public domain was opened for settlement the farmers largely refused to continue being tenants. It was natural that they should prefer ownership to tenancy, and they became homesteaders. From every section of the country came these homesteaders, ready to endure droughts, hardships, and trials as pioneers. Nothing could dampen their tireless energies in their effort to obtain homes for themselves and families.

But now since the good land open for homestead is practically exhausted, tenancy has increased year by year until it presents a perilous situation in this country. It is a startling fact that is everywhere recognized that eastern farms are rapidly being abandoned. It is said that 800,000 acres of agricultural land in the State of Connecticut alone have been practically abandoned. New Hampshire has 2,000 idle farms, many of which can be purchased for less than the cost of the buildings. Idle farms in great numbers are found in every Eastern State.

It might be well to inquire why farming in the Eastern States has ceased to be profitable and why the farms are being abandoned. The real fault lies with our present marketing and distributing system. When those in control of the terminal markets destroyed the local markets of the farmers and brought the farmers of the East in competition with the farmers of the South and West the opportunity for the eastern farmer to make a living was destroyed and he was compelled to retire. This in addition to the fact that industries in the cities offered better opportunities for the small farmer to make a living caused him to move into great manufacturing centers. When eastern farmers were in a large measure eliminated then these combinations became actively engaged in securing absolute control of the distribution of food products.

The tenancy system also in a large measure was a factor in the abandonment of farms. There is no incentive for the tenant to improve the farms. The more he increases the fertility of the soil, and the more he increases the improvements of the premises, the more rent the landlord requires him to pay. For that reason the tenancy system permits improvements to decay and does not conserve the productiveness of the soil.

Home ownership for the farmers becomes impossible if corporations and individuals, both domestic and foreign, are permitted to monopolize all the valuable lands. Alien ownership should be prohibited. It is said that 89 per cent of the farmers in Denmark are home owners, while in Great Britain 87 per cent of the farms are tilled by tenants. In one country we have home owners and in the other landlords.

History is but repeating itself. Ancient Italy was a country of small farms during the prosperous days of the Roman Empire. The money lenders made loans at usurious rates of interest, foreclosed the mortgages, and ejected the farmers. The lands became vested in landlords who imported slave labor to carry on the farming industry. This constituted the beginning of the decay of the Roman Empire. The Latin writer, Pliny, says that the large estates were the ruin of Italy and of her Provinces.

Let us look a moment at England. A few years ago the average duke owned 142,264 acres, the average marquis owned 47,500 acres, the average earl owned 30,217 acres, and the average baron 14,152 acres. Absentee landlordism was responsible for the emigration which drained Ireland of one-half of her population. England has seen the error of landlordism. The process of eradicating landlordism in Ireland commenced in 1903, and now a commission is at work preparing plans for doing the same in England and Scotland.

Since 1903 the English Government has expended $550,000,000 in the purchase from landlords of an acreage of land equal to one-third the total area of Ireland, and subdivided it for sale, and thus distressed Ireland has been converted into a nation of home-owning farmers. This plan will not cost the Government anything, as the purchasers are repaying the amount appropriated by paying for this land in installments with interest.

New Zealand has appropriated over $65,000,000 for the purchase of large estates, which have been subdivided and sold to home owners. Since this policy was adopted the agricultural population has increased more rapidly than the population of the cities. This same policy has been adopted by Australian States, and has been a great factor in increased production. Before the war commenced the Russian Government equipped farms for 3,000,000 home settlers and purchased millions of dollars' worth of farm machinery. Let it be remembered that the lands so provided for the farmers for homes was of the better class of land, and not land that had to be reclaimed.

My resolution creates no commission, but authorizes the Secretary of the Interior to purchase large holdings of agricultural land, and to resell it in small tracts to those desiring to become home-owning farmers, giving preference to our soldiers, sailors, and marines, who constituted the best Army the world has ever known. This will cost the Government nothing, as the purchasers will repay any expenditures made by the Government by making small annual payments for 40 years. The purpose of the resolution is not only to provide homes for soldiers, sailors, and marines, but, in addition thereto, it seeks to destroy landlordism and land monopoly.

If the policy I am urging is adopted, it will make immediately available for our soldiers, sailors, and marines millions of acres of the best agricultural land in this country, and it will not be necessary to wait for the reclamation of swamp, stumpage, and arid land.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. DILLON. I yield.

Mr. BAER. I presume the gentleman is receiving hundreds of letters from soldiers asking what the Congress is doing with reference to providing lands for them. Does not the gentleman believe there will be a great deal of criticism of the present administration unless it brings some bill on the floor before long to improve or reclaim lands?

Mr. DILLON. I have received numerous letters on that subject, but if we are to rely upon reclamation of stumpage lands, arid lands, or swamp lands, we will not be able to furnish immediate land for the soldiers.

Mr. BAER. The gentleman's plan is to use the right of eminent domain?

Mr. DILLON. Yes; go out and condemn the land and buy it from these big landowners.

Mr. BAER. The gentleman is aware that Canada is doing that now, and I think in Australia they are also using the right of eminent domain, and they have appropriated $200,000,000 for that purpose, the equivalent in this country, according to proportionate wealth, of $2,000,000,000.

Mr. DILLON. No matter what kind of land is furnished, it will be necessary to reorganize our marketing system by breaking up combinations at the terminals and the control by combinations of the routes which farm products must take to reach the consumer if we intend to keep the people on the farms. It is useless to talk about placing the people on the farms unless they can be kept there. The decay of agriculture in this country is year by year becoming a menace and something must be done to make farm life more attractive. No nation can long survive and escape decay that has not a policy that will insure home-owning farmers. We should now adopt a progressive policy that will insure the stability of our Government. [Applause.]

Mr. LEVER. Mr. Chairman, I yield 20 minutes to the gentleman from Oklahoma [Mr. THOMPSON], a member of the committee.

Mr. THOMPSON. Mr. Chairman and gentlemen of the committee, this bill carries an appropriation of $31,691,562. The last-year bill carried $27,875,353. The increase in the present bill over that of last year is apparently $3,816,209. Under various food-stimulation acts, however, we added to the last-year bill until the department was authorized to spend $38,907,216. Not all this sum was spent, and we have transferred the unexpended balance of $2,102,880 to this bill. While the present bill carries $3,816,209 in excess of that of last year, it is in fact $7,215,654 less than was available to the department during the last fiscal year. The Agricultural Department is not a leech on the people, like the War and Navy Departments. We appropriate billions to support and carry on the activities of those departments, and no good comes from them. That which goes in does not come out again. We sustain them simply because the evil of war is still abroad in the world. Not so with agriculture. Whatever goes into the improvement and the increase of its activities returns multiplied manifold. The Department of Agriculture at this time collects and turns into the Treasury $8,802,836 receipts from the national forests, the sale of seed and of nitrate of soda to farmers, and various other minor items—more than one-fourth of the amount it costs the people.

The importance of this bill can not be overestimated. All the activities of the Government as they relate to the importance of agriculture and farm life are under the supervision of and receive the sympathetic advice, support, and assistance of the department. The activities of the department are directed by different bureaus, the most important of which are the Weather Bureau, Bureau of Animal Industry, the Bureau of Plant Industry, Forest Service Bureau, Bureau of Chemistry, Bureau of Crop Estimates, Bureau of Public Roads, and Bureau of Markets, though there are a number of other bureaus whose work is quite as important.

BUREAU OF FARM MANAGEMENT.

Here a systematic and scientific study is ceaselessly carried on to assist the farmer in improving the methods of farming and managing his farm. The example of those who have suc-

ceeded and their methods are carefully studied by experts, and the result is given to those less successful. The economic use of animals, the cost of production with respect to animals and crops, the profits, and so forth, are all carefully gathered and distributed to the farmers throughout the country.

WEATHER BUREAU.

The work of this bureau is so well known and has become so valuable to all classes of our citizenship that a recitation of its activities would be a work of supererogation.

BUREAU OF ANIMAL INDUSTRY.

This is one of the most important bureaus in the entire Government, and the capable and conscientious work performed by it, silently and unknown to most of us, has been of more importance to our country in the life and health not alone of animals, but of the people as well, than could possibly be measured by the dollar mark.

Under its control is the quarantine inspection, the eradication of animal tuberculosis, tick eradication, dairy products—in value second only to corn. The corn crop last year was estimated to be of the value of three and one-half billion dollars; dairy products, two billion; wheat, one billion eight hundred million; cotton, one billion six hundred million. Such a large income to our people can not be too carefully safeguarded—animal husbandry, the stamping out of the foot-and-mouth disease, dourine eradication, hog cholera, and related work of every kind. It is safe to assert that 10 times the cost of the department is saved to the American people annually by the work of this bureau alone.

On this bureau there also devolves the important work of inspecting every pound of meat which is slaughtered by the packing houses. When we reflect that this runs into millions of animals, weighing hundreds of billions of pounds and mounting into billions in value, we catch some glimpse of the magnitude of the task. On the importance of this work and its careful and painstaking execution depends to a large extent the life and health of the people, not alone of our own country but the entire world. Millions of tons of these products have been consumed since the beginning of the war, and there has been no "embalmed beef" scandal, largely due to the faithfulness and efficiency of this service. The employees, 2,950 in number, scattered throughout the country, are among the most able, skilled, and competent in the Government service. They are engaged in a peculiarly hazardous task; their work takes them over floors shoe-mouth deep in blood. They go from rooms of extreme heat immediately into those icy cold. They handle meat affected with every character of disease—tuberculosis and other infectious germs. By exposure to such germs they are likely at any time to contract typhoid, tuberculosis, and other forms of disease. They are called to their work at all hours of the day and night, to which no other class of Government employees are subjected. They are working in the great packing houses of the country, and are liable at any time to be injured by machinery or to contract blood poisoning from accidental wounds.

Moreover, the larger part of them receive pay ranging from $1,080 to $1,600 per year. We increased the basic pay of 2,932 of these men by $120 a year, which, when added to $240 increase temporarily carried in the legislative, executive, and judicial appropriation bill, will give them a living wage. Laborers everywhere are entitled to receive a living wage. It is a short-sighted Government that will not come to the relief of those who toil. I am glad to say that this administration has exerted its every effort to better the conditions of the working people by fixing eight hours as a basic day's work, establishing a living wage, prohibiting child labor, and providing sanitary conditions. We hear some complaint, it is true, emanating from uninformed sources relating to the wages paid working people. It is complained that at a wage ranging from 30 cents to 80 cents an hour, according to the skill of the laborer, from $2.40 to $6.40 can be earned in a day of eight hours. Ought not a laborer receive this amount? The man who receives the highest wage, $6.40, is evidently a skilled laborer. Deducting 52 days from the 365 days in a year, for Sundays, there is left 313, allowing no holidays and no Saturday afternoons off. The working man is also supposed to be well at all times and to be able at all times to secure a job. If it were possible for such a condition to exist, his income during the year would be $2,003.20. Out of this he must purchase clothing for his family, feed them, send the children to school, and furnish them with such amusement as is possible. I am quite sure that no responsible person would complain that this was too large an income. I am not so much interested in seeing a few pile up great fortunes as I am that all should be reasonably prosperous. We hear a great deal these days about bolshevism. It seems to be an odious word. I feel—I am sure as all others do—that where conditions to which it applies exist there must be something radically wrong, but in our condemnation we should draw a distinction between the few wily agitators who have inaugurated that situation and the great masses who are its ignorant and unwilling victims. Even these agitators are not solely responsible for the conditions that have made possible the situation. Those conditions have their roots back through the centuries, when those who understood the great forces in human life, that controlled the feelings in living people were in control. This feeling can be kindled by the presence of one or several of a series of factors: A common country, especially if it is a well-defined physical region, like an island, a river basin, or a mountain mass; a common language, especially if it has given birth to a literature; a common religion; and that much more impalpable force, a common tradition or sense of memories shared from the past.

In Russia, by the exercise of all the prejudice growing out of these conditions, autocracy kept itself in the saddle and ruthlessly rode down the people for many centuries. The Government thus carried on became to those people a synonym of oppression, corruption, and plunder. They saw their earnings taken, their homes destroyed, and their families outraged and violated by the power of might. The great masses of the people where bolshevism prevails are ignorant and superstitious and do not know the truth. Vast bodies of people with brains and money at their disposal have been interested in obscuring the truth from them, and have used every instrument in their power to do so. In this situation they were easy prey for the agitator, who is interested in them just so long as they serve his purpose. As between the agitator, on the one hand, and the exploiter, on the other, as a disinterested people we can have no choice. Our interest is in the great masses that have been exploited by both. The time has arrived when the world is not so much interested in what a man has as in the use he makes of it. We are living in a new age and amidst a new civilization, though it may not yet be perceptible. We have not yet attained to the lofty heights of the golden rule, "Whatsoever ye would that men should do unto you, do ye even so to them," but we are growing better from age to age. The best way to destroy socialism, bolshevism, and anarchy is to remove the cause. We can destroy neither by denunciation or destruction. "Faith without works is dead." There is no danger of bolshevism in this country, for our people are a reading and intelligent people. The great masses of them may not dress so fine, nor be possessed of so much of this world's goods as some, but they are quite as patriotic and perhaps much more intelligently interested in the welfare of their country and of mankind. One of the most dangerous menaces of our country is partisanship. Just a few days ago one of the leading men in my State, a Republican, who knew better, or could for the asking have known better, asserted by editorial and in a published interview that it was in the air not to make good the guarantee to farmers on their wheat. No such thought ever entered the head of anyone here. On the contrary, the matter has already been submitted to the Congress and is now before the Committee on Agriculture. Just as soon as we dispose of the pending bill a bill to make good that guarantee will be introduced, promptly reported, and will pass Congress and become a law before the 4th of March.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON. Yes.

Mr. LEVER. And that bill will pass probably without a dissenting vote in the House.

Mr. THOMPSON. I do not think there will be a dissenting vote on either side of the House.

Those in authority, as well as the American people, have their honor at stake in this guaranty, and there will be no question about making it good. And again, now the foremost man of the world to-day, and not only of to-day but of all time, is across the sea devoting all the energies and resources of his giant mind to the establishment of a league of nations, which will forever drive war from the world. Every partisan big and little throughout the country is barking at his heels trying to discredit him in the eyes of the world, and bring shame on their own country. No matter what they may say, he is representing the sentiment of the American people at Versailles.

BUREAU OF PLANT INDUSTRY.

This bureau has to do with the protection of plants of all kinds from different diseases, investigation of soil fertilizing, crop climatization, dry-land agriculture, foreign seed and plant introduction, new and rare seed, forage-crop investigation, and kindred activities, and is one of the most important of our Government's activities.

BUREAU OF CROP ESTIMATES.

Among the most important activities of the Government is the work of the Bureau of Crop Estimates. The public at large, however, is so well acquainted with the work of this bureau that I will not enter into any detailed explanation. It is sufficient to say that under the activities of this department, the condition of the different crops of the country—corn, cotton, wheat, oats, and so forth—is estimated from time to time, and finally the amount of production is estimated. The work has been so conscientiously performed that I have heard no complaint against it. Both the producer and the consumer accept as approximately correct the conscientious work of this bureau.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. THOMPSON. Yes.

Mr. BAER. That statement seems to be contrary to the reputed statement of the Secretary of Agriculture, Mr. Houston, who seems to give out the impression through the newspapers that we have an overamount of production in this country all of the time, that we do not need wheat, or that we do not need something else. I do not know that Secretary Houston made that statement, but there are such reports in the newspapers.

Mr. THOMPSON. I do not know whether the Secretary made such a report or not. We ought to have more production, and I think the Secretary has made that statement. I am sure the gentleman from North Dakota [Mr. BAER], who ought, if he does not, to represent the farmers of that State, should do what he could to encourage the Secretary in that statement.

Mr. BAER. Oh, I am discouraging him in the statement that he is not encouraging production.

Mr. THOMPSON. The gentleman is entirely inaccurate. The Secretary is trying to encourage production, and if the gentleman from North Dakota has made a statement to his people that there ought not to be production, he is in error altogether.

Mr. BAER. But I am trying to counteract the reports that are coming out from the Department of Agriculture.

Mr. THOMPSON. The Department of Agriculture has never made any such report.

Mr. BAER. That we do not need wheat. He is not encouraging the production of wheat.

Mr. THOMPSON. The Secretary of Agriculture has never made that statement.

Mr. BAER. The newspapers report him as saying that, and I presumed it was on account of high prices.

Mr. THOMPSON. I wish the gentleman would bring them in.

Mr. BAER. I shall, and I shall insert them in the RECORD.

Mr. GOODWIN of Arkansas. Mr. Chairman, if the gentleman will yield, the report I saw was to the effect that the Secretary of Agriculture had made a report that production of wheat this year would possibly exceed the production of wheat made in any past year, owing to the increased acreage, and the very splendid condition of the wheat crops. I have never yet seen where the Secretary of Agriculture discouraged it.

Mr. BAER. He said that he did not especially encourage wheat production.

Mr. GOODWIN of Arkansas. I have not seen that statement.

Mr. LEVER. If the gentleman will yield to me, the Secretary has sent out a notice to the effect that he thought it wise for the farmers to increase their production of feed crops and things of that kind rather than to increase their wheat crop and I think the Secretary is entirely right about it because there is a great shortage in feeds.

Mr. THOMPSON. Well, I do not know whether that is true or not, Mr. Chairman; and a little later on in my speech I will quote a statement from Mr. Hoover appealing to the American farmer to produce. We never have been in this country, Mr. Chairman and gentlemen of the committee, in need, we have always been appealed to from an international standpoint. The American people at all times have fed themselves, but there has been an appeal to the American people to which the American farmer has patriotically responded to take care of an international situation, a situation brought about by war.

Now, I want to say to the gentleman who asked the question, the gentleman from North Dakota [Mr. BAER] and my good friend, the chairman of this committee, that if it were merely a matter of taking care of the American situation there never has been such a situation that would have appealed to the American farmer to produce more. They have been appealed to to take care of a situation brought about by war. We did that during the war and now that the war is over, however, there are a great many of our enemies—the central empires, Germany, Austria-Hungary, the Polanders, Bulgaria, and Turkey—who must be taken care of. Now, I do not think, when we come to guarantee this wheat price—which we are going to do, and no Republican over there need worry about that, the gentleman from North Dakota [Mr. BAER] need not worry about that—we are going to take care of those farmers in this guarantee of wheat we have made. I do not think, regardless of that, that the wheat demand will be less than what it has been in the past.

Mr. LEVER. I agree with the gentleman entirely.

Mr. THOMPSON. I think the central empires will consume all we have, all our surplus, and consume it at the price at which we guarantee it.

Mr. HAUGEN. If the gentleman will permit, I would like to suggest I do not believe it is fair to assume that any Member of Congress would for a minute contend that this Government should repudiate any contract or that there can be any question of what a Member of Congress would have done in that respect. I take it that everybody will agree that the Government would be the last to repudiate a solemn obligation.

Mr. THOMPSON. I am sure, and the gentleman need not elaborate that any more, that we all agree to that.

Mr. HAUGEN. I do not believe the gentleman should refer to one side of the House in the language that he has, that anyone on that side of the House need not have any concern about it, which is implying that there is only one side of this House that stands for integrity.

Mr. THOMPSON. Oh, I do not for a moment refer to the other side of the House for that purpose. I simply referred to the gentleman from North Dakota, who apparently to me is attempting to make a partisan issue of this question.

Mr. BAER. Not in reference to price fixing. I simply wanted to bring up the fact of increased production, and I agree with the gentleman, when he reads Mr. Hoover's statement that he will find I agree with Mr. Hoover, that we want to increase production; but in the same report I read Mr. Hoover's statement I read a statement of Secretary Houston, who said it was not necessary to raise much more wheat.

Mr. THOMPSON. I read Mr. Houston's statement at St. Louis the other day saying that it would not be necessary to encourage spring planting. I presume that is the matter to which the gentleman referred?

Mr. BAER. Yes.

Mr. THOMPSON. That is quite a different proposition from what the gentleman made in his statement; the matter of encouraging spring production and the matter of the necessity of spring production are two different matters entirely.

Mr. BAER. I am in perfect agreement with the gentleman, and I certainly want to be fair with him.

Mr. THOMPSON. I will be glad to be questioned, but I want the gentleman to be fair entirely.

BUREAU OF PUBLIC ROADS.

There is no more important bureau in the Department of Agriculture, or, in fact, in the entire Government than this. It has to do with the construction of good roads—not peacock boulevards constructed from the Great Lakes to the Gulf, or from the Atlantic to the Pacific—but country roads, community roads, leading from the farm to the local market. No greater incentive to production can be extended than by the construction of a system of public roads which will enable the farmer at all periods of the year and under all weather conditions to haul his products to the local market or shipping point. If this can be done easily and expeditiously over a system of good roads, it will add materially to the production of the country, will increase the number of our population residing on the farms and decrease the incentive to remove from the farm to the city.

It is a demonstrated fact that consumption of farm products is increasing at a much more rapid rate than production. If this consumption continues to increase in proportion to the production during the next three decades as it has during the past three, we will be face to face in this country with famine. If we, as we should, are willing to look into the future and face this problem, we will begin at this time to encourage and promote every movement that looks toward making farm life more pleasant and agricultural pursuits more profitable. I do not believe there is any other one thing that would more promote a "back-to-the-farm" movement than the building of good roads. It has been often said that we have in the United States the best railroads in the world and the poorest dirt roads, and this is true. We have been, during all the history of this country, neglecting the farmers of the country, the source from which originates all wealth, and giving our attention, governmental and otherwise, to the promotion of the interests of those engaged in other lines of business.

Mr. LAZARO. Will the gentleman yield in this connection?

Mr. THOMPSON. I will be glad to do so.

Mr. LAZARO. I take it that when the gentleman advocates good roads, of course in order to help the farmers of the country, he means to give them better transportation?

Mr. THOMPSON. That is exactly what I mean; from the farm to the local place of shipment.

Mr. LAZARO. The gentleman will admit, I think, that in order to have real transportation you have to have not only good roads, but railroads and waterways? You have to have a combination, do you not?

Mr. THOMPSON. I agree with that.

Mr. LAZARO. Do not leave out waterways.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMPSON. Will the gentleman from South Carolina yield me more time?

Mr. LEVER. I will be very glad to yield to the gentleman 10 minutes more, because he is making a very interesting speech.

Mr. THOMPSON. In 1900 we produced 1,619,415,263 pounds of butter; in 1910, 1,491,652,602 pounds. In 1900 we produced 298,344,642 pounds of cheese; in 1910, 320,532,181 pounds, an increase of only 0.07 per cent. In 1900 we exported 209,348,284 bushels of corn; in 1910 we exported 36,802,374 bushels, a decrease of 172,545,910 bushels within the 10-year period.

By comparison it will be found that the quantity of the present crops produced in the United States increased about 10 per cent between 1900 and 1910. This increase is substantially the same rate as the increase in the number of farms, which is 10.9 per cent, and the increase in the acreage, which was 9.9 per cent, the aggregate average production of these crops per farm and per acre remaining substantially unchanged during the decade, while the population of the country increased at a rate more than twice as great as the crop production, and the increase in the population of our cities being three and one-half times as great. These figures need no elaboration; no comment. They speak a condition which, if permitted to continue even for an inconsiderable length of time, as we reckon time, with the rapid increase in population, will bring want and hunger to the country. There were 6,361,502 farms in the United States, according to the census of 1910. Of these 1,327,439, valued at $6,330,236,951, were mortgaged for $1,736,172,351, or 27.3 per cent of their value.

The world has not produced in all the tide of time another genius so great, so masterful, so overpowering as Napoleon. In war he was its foremost marshal; in peace its greatest constructive statesman; in literature and art its most generous patron; in law, the author of a code which for simplicity, brevity, and comprehension is without a peer; at all times the faithful friend and patron of agriculture. In the last days of his restless and eventful life he looked back with more pride on the encouragement that he had extended agriculture than on any other achievement of his illustrious career.

At the close of his life, when asked what he considered the greatest and most beneficial acts of his career, after a pause he replied: "The system of roads and agricultural fairs I have given France will be most beneficial to her."

Mr. LAZARO. Will the gentleman yield in that connection?

Mr. THOMPSON. I will be glad to do so.

Mr. LAZARO. Napoleon also recognized the importance of building up the sugar industry in France at that time, did he not?

Mr. THOMPSON. I am not acquainted with that. If the gentleman says it is so, I will be glad to accept it.

Mr. LAZARO. Yes; he did.

Mr. THOMPSON. It required almost a century of time and the recurrence of war to corroborate that statement; but there are none among us now who will not agree that the roads of France and her agricultural system saved her and civilization in the great cataclysm through which the world has just passed. [Applause.]

A few months ago I stood before his tomb and wandered about the galleries of the great dead. I saw no reference there to his achievements on fields of glory. His claims to immortality were based on achievements in civil life. I read the inscriptions surrounding the tomb of this man of immortal memory. They were:

1. The Legion of Honor. "I have aroused every possible emulation, rewarded every merit, and extended the confines of glory."
2. Public Works. "Everywhere that my rule has passed it has left lasting traces of its benefits."
3. Protection of Commerce and Industry. "Free trade favors all classes, excites all imaginations; it is identical with equality and conduces naturally to independence. True industry does not consist in working with all means known and bestowed; art and genius consist in accomplishing in spite of difficulties and in thus finding little or nothing impossible."
4. The Chamber of Finance. "It is my desire that, by means of an active supervision, infidelity may be repressed and the legal use of the public funds guaranteed."
5. The University. Decree of May 10, 1806: "There shall be formed, under the name of Imperial University, a body intrusted exclusively with the public instruction and education in the whole empire."
6. The Concordat. "The Church of France is reborn in light and concord."
7. The Napoleonic Code. "My one code, by its simplicity, has done more good to France than the mass of laws that preceded me."
8. Creation of the State Council. "Cooperate in the plans I form for the prosperity of the nations."
9. The Reformed Administration. "Without order, administration is but chaos."
10. Restoration of Public Order. "The principles of the unruly leaders vanish; faction bends; parties are blended; wounds are healed; order seems once again to emerge from chaos."

Not one relates to fields of blood. I am persuaded, Mr. Chairman, that long after the puny reputation of the best of us has faded away, we will be remembered by posterity by what we left rather than by what we consumed ourselves.

THE BUREAU OF MARKETS.

Perhaps of more importance than any of the other bureaus is that of the Bureau of Markets. We increased the appropriation for this bureau in this bill from $2,023,255 to $2,689,365.

At the very threshold of the question of production is the one of finding a market for that production. Without a market, and a profitable market, the farmer will soon cease to produce. Not only will he soon cease to produce but he will also soon cease to be a farmer. He will move away to the city and engage in some other occupation.

The last census discloses some startling facts in this connection. The increase of population in the rural districts is not keeping pace with the increase in the cities. The ratio of increase during the decennium between 1900 and 1910 was 3 to 1 in favor of the cities. During the same decade the increase in population in the United States was more than twice as great as the increase in farm products. During the same 10-year period the supply of meat animals—sheep, swine, and cattle—decreased a little more than 7 per cent. The census figures for the same period further disclose that the number of tenant farmers also increased. The average profit of the farmer on invested capital is about 5½ per cent, and the fact that he is compelled to pay an interest rate greatly in excess of his profits explains why so many farmers are abandoning the farms and moving to the congested centers of population. More than 60 per cent of our population reside in cities and towns having a population of more than 2,500, and less than 40 per cent reside in the country and towns containing a population of less than 2,500, and there is actually residing on the farm not to exceed one-third of our population.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. THOMPSON. I can get through, I think, in about five minutes.

Mr. LEVER. Well, if the gentleman thinks he can I will yield him all the time I have—five minutes more.

Mr. THOMPSON. I do not like to take that.

Mr. LEVER. I will be glad to have the gentleman go on. He is making an interesting speech.

Mr. HAUGEN. I will be glad to yield some of my time to the gentleman.

Mr. LEVER. I will yield five minutes to the gentleman.

Mr. THOMPSON. The gentleman from Iowa [Mr. HAUGEN] yields me five minutes, and the gentleman from South Carolina can reserve his time.

Farming is the most important industry in the world. Without the farm all other business would stagnate and die, the railroads would cease to run, the banks and mercantile establishments could no longer operate, and grass would grow in the streets of our cities. No other business can succeed without the farmer, but the farming business can succeed, if left unfettered, without the aid of any other business.

The establishment of a marketing system I regard as of the utmost importance. We can not hope to encourage agriculture except by making it a profitable pursuit. It struggles, naturally, under many handicaps. It is a year in and year out job. The work is hard and must be carried on during all kinds of weather conditions. The investment is large in proportion to the expected returns. The hazard is great. All character of pests and blasts constantly threaten the farmer. Drought and flood alternately injure or destroy his crops. He and his family are isolated. Schools are bad and inaccessible. The roads are impassable. There is no social diversion for his family. He produces without an assurance that he will receive a profit on that production. His production is subject to the whims of the board of trade gambler. He has no marketing system. He does not know to-day what market was flooded yesterday and where there was a demand for his production. He is a prey of the middleman. Every industry has been looked after and some governmental step taken to protect it, except the farmer. This bureau is busy right now trying to remedy these evils. Money appropriated is being used in an effort to bring the producer and consumer together, thereby reducing the overhead

charges, doing away with the middleman, and procuring for the producer a greater price for his product while at the same time the consumer is enabled to purchase at a reduced price.

The importance of sustaining the farmer and continuing him in that important business is suggested in the headlines of the Washington Post of Monday morning over an interview given out by Herbert Hoover at Paris on the day before. These headlines read:

Aid farmers, he says—Hoover declares problem of food production serious—World will need it all—Serious thinking required to prevent prices falling below a fair return during the transition period before signing of peace—Thereafter economic law to rule.

There is a new element in the agricultural problem which we will shortly be called on to face. More than four millions of men who were called into the Army will shortly return to take up life anew. A large part of these men went to war from the farm. They have made sacrifies for us. While we remained safe at home, they went forth, some to come again wounded, some with an arm or leg gone, others blind, others still in health but with positions gone, and some will never return. They have answered the final call. These heroes, one and all, whether they return in safety or died at the front, offered all that we might be protected and that our country might live. I am among those who believe that a grateful country can not afford to be niggardly with these men. I favor giving each of them—officers and men alike—a year's pay, dating from their discharge, at the rate of $30 per month. This will amount to $360 each and be all too small for the sacrifice they have made. [Applause.] It will amount to about a billion and a half dollars, but what if it does? There has just been reported from the Committee on Appropriations and passed by the House a bill turning back into the Treasury $7,179,156,944 in cash and canceling authorization of contracts aggregating $8,221,029,294, making a total of $15,400,186,238 appropriations already made and authorized to carry on the war. This vast sum was saved by the heroism of these, our sons; and even if it costs a billion and a half dollars to give them a year's pay, they have saved us thirteen and a half billion dollars by the amount we are just now returning into the Treasury.

We must also immediately enact the law prepared by Secretary of the Interior Lane and recommended by President Wilson, which will provide for the irrigation of the dry and draining of the swamp land. This, together with the cut-over land of our national forests, will provide for these heroes a home. The money expended in the draining and irrigation projects will provide work for them and prevent a period of unemployment, which, if permitted, is likely to produce in this country what we are all striving to avoid—bolshevism. It comes with poor grace from us who remained safe at home to talk about high taxes when it comes to taking care of those who offered their lives for us. We can not do too much for them.

Mr. Chairman, he would be a poor patriot who would advance the welfare of one class of our people to the injury of another. He would be an enemy rather than a friend of his country. We have attempted to carefully avoid such in this bill. Instead I fear we have stopped short of giving the farmers that to which they are justly entitled. We have not yet traveled so far from the tragic circumstance of war that we can forget the debt of gratitude the world owes the sturdy farmers for the great part they played in the victory the allies have just won. The Nation owes a debt to itself to see that these faithful men are not driven from farm life.

Ill fares the land, to hastening ills a prey,
Where wealth accumulates and men decay;
Princes and lords may flourish or may fade;
A breath can make them, as a breath has made;
But a bold peasantry, their country's pride,
When once destroyed can never be supplied.

[Applause.]

Mr. LEVER. Mr. Chairman, I ask the gentleman from Iowa [Mr. HAUGEN] to use some time.

Mr. HAUGEN. Mr. Chairman, I had agreed to yield time to the gentleman from North Dakota [Mr. BAER], but he has so generously yielded his time to the gentleman from Oklahoma [Mr. THOMPSON] that I believe we will not ask for any more time now.

Mr. LEVER. I ask that the Clerk read the first paragraph.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, in full compensation for the fiscal year ending June 30, 1920, for the purposes and objects hereinafter expressed, namely:

Mr. LEVER. Mr. Speaker, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. RUBEY having taken the chair as Speaker pro tempore, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, had come to no resolution thereon.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 55 minutes p. m.) the House, under its previous order, adjourned until Thursday, January 30, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting tentative draft of a bill to regulate the precedence of temporary officers in the Navy (H. Doc. No. 1741); to the Committee on Naval Affairs and ordered to be printed.

2. A letter from the president of Washington & Old Dominion Railway Co., transmitting report for the 12 months ending December 31, 1918 (H. Doc. No. 1742); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the Acting Secretary of War, transmitting the report of an inspector of the National Home for Disabled Volunteer Soldiers (H. Doc. No. 1743); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 11715) to authorize the drainage of certain lands in the State of Arkansas, counties of Mississippi and Poinsett, reported the same with amendment, accompanied by a report (No. 1009), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. JONES, from the Committee on Reform in the Civil Service, to which was referred the bill (H. R. 15145) providing for the employment by the United States Government of soldiers and sailors of the United States and prescribing the preference to be extended them in filling clerical and other vacancies, reported the same with amendment, accompanied by a report (No. 1016), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MOON, from the Committee on the Post Office and Post Roads, to which was referred the resolution (H. J. Res. 368) extending the period of Government control and possession of the telegraph and telephone systems of the United States, reported the same with amendment, accompanied by a report (No. 1012) which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BURNETT, from the Committee on Immigration and Naturalization, to which was referred the bill (H. R. 15302) to prohibit immigration for a period of four years, and for other purposes, reported the same with amendment, accompanied by a report (No. 1015), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. TIMBERLAKE, from the Committee on the Public Lands, to which was referred the bill (S. 2487) permitting Frances Mack Mann to purchase certain public lands, reported the same with amendment, accompanied by a report (No. 1006), which said bill and report were referred to the Private Calendar.

Mr. TILLMAN, from the Committee on the Public Lands, to which was referred the bill (H. R. 13400) granting to certain claimants a preference right to purchase certain public lands in the State of Arkansas, reported the same without amendment,

accompanied by a report (No. 1007), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 13800) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark., reported the same without amendment, accompanied by a report (No. 1008), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 14208) for the relief of Mrs. Mamie Duffer, of Shannon, Miss., reported the same with amendment, accompanied by a report (No. 1010), which said bill and report were referred to the Private Calendar.

Mr. CRAMTON, from the Committee on the Public Lands, to which was referred the bill (H. R. 11919) for the relief of Rebecca C. Pepper, reported the same without amendment, accompanied by a report (No. 1011), which said bill and report were referred to the Private Calendar.

Mr. MERRITT, from the Committee on Claims, to which was referred the bill (H. R. 13189) for the relief of Susie Currier, reported the same without amendment, accompanied by a report (No. 1013), which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII,

Mr. BLANTON, from the Committee on Claims, to which was referred the bill (H. R. 11964) for the relief of the P. J. Carlin Construction Co., reported the same adversely, accompanied by a report (No. 1014), which said bill and report were laid on the table.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CLEARY: A bill (H. R. 15325) to amend section 6 of the act entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. FARR: A bill (H. R. 15326) proposing an amendment to the United States Criminal Code; to the Committee on the Judiciary.

By Mr. LEVER: A bill (H. R. 15327) to authorize the Secretary of Agriculture to establish standards of classification for fertilizer, to regulate the sale and shipment thereof in interstate and foreign commerce, to prevent deception with reference thereto, and for other purposes; to the Committee on Agriculture.

By Mr. TOWNER: A bill (H. R. 15328) providing for the purchase of a site for a public building at Osceola, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. ZIHLMAN: A bill (H. R. 15329) to provide for the enlargement of the public building at Cumberland, Md.; to the Committee on Public Buildings and Grounds.

By Mr. MERRITT: A bill (H. R. 15330) to provide for the purchase of a site and the erection of a public building thereon at Norwalk, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. POU: A bill (H. R. 15331) for the purchase of a site and the erection of a post-office building at Louisburg, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15332) for the purchase of a site for and the erection of a post-office building at Smithfield, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. RAKER: A bill (H. R. 15333) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. ROBINSON: A bill (H. R. 15334) authorizing the Secretary of War to donate to the city of Thomasville, N. C., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15335) authorizing the Secretary of War to donate to the city of Wadesboro, N. C., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15336) authorizing the Secretary of War to donate to the city of Monroe, N. C., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15337) authorizing the Secretary of War to donate to the city of Lexington, N. C., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. MADDEN: A bill (H. R. 15338) to amend an act entitled "An act to regulate commerce," approved February 4, 1887, and all acts amendatory thereof, by providing for equal and identical rights, accommodations, and privileges for all persons applying for interstate transportation, and prohibiting discrimination on account of race, color, or previous condition of servitude, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: A bill (H. R. 15339) authorizing the Secretary of War to donate to the village of Pulaski, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SCOTT of Michigan: A bill (H. R. 15340) increasing the limit of cost for a Federal building at Cheboygan, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. STINESS: A bill (H. R. 15341) authorizing the Secretary of War to donate to the town of West Warwick, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15342) authorizing the Secretary of War to donate to the town of Narragansett, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. RUBEY: A bill (H. R. 15343) to provide for the erection of a post-office building at Mountain Grove, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15344) to provide for the erection of a post-office building at Lebanon, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. SANFORD: A bill (H. R. 15345) to increase the limit of cost for the Federal post-office building at Cohoes, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. GRIEST: A bill (H. R. 15346) providing for the erection of a public building at the city of Lancaster, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. SINNOTT: A bill (H. R. 15347) authorizing the Secretary of War to donate to the city of Vale, Oreg., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15348) authorizing the Secretary of War to donate to the city of Pendleton, Oreg., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 15349) to provide for the preparation of plans for designs for a memorial or statue of Theodore Roosevelt, in the city of Washington, D. C.; to the Committee on the Library.

By Mr. ESTOPINAL: A bill (H. R. 15350) making an appropriation for erecting and equipping and otherwise providing a quarantine station at or near New Orleans, La.; to the Committee on Public Buildings and Grounds.

By Mr. DOWELL: A bill (H. R. 15351) to provide for the erection of a public building in the city of Knoxville, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15352) to provide for the erection of a public building in the city of Indianola, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. SCULLY: A bill (H. R. 15353) for the erection of a Federal building for the United States post office at Red Bank, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. CONNALLY of Texas: A bill (H. R. 15354) for the purchase of a site for the erection of an addition to the post-office building at Waco, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. HUSTED: A bill (H. R. 15355) to provide for the erection of a public building in the village of Nyack, N. Y.; to the Commitee on Public Buildings and Grounds.

Also, a bill (H. R. 15356) authorizing the purchase of a site and to provide for the erection of a public building in the city of White Plains, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. BOWERS: A bill (H. R. 15357) donating a captured German cannon or field gun and carriage to the city of Belington, Barbour County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15358) donating a captured German cannon or field gun and carriage to the city of Shepherdstown, Jefferson County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15359) donating a captured German cannon or field gun and carriage to the town of Berkeley Springs, Morgan County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15360) donating a captured German cannon or field gun and carriage to the town of Moorefield, Hardy County, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15361) donating a captured German cannon or field gun and carriage to the town of Terra Alta, Preston County, W. Va., for decorative purposes; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 15362) to provide for the erection in the city of Washington, in memory of Theodore Roosevelt, of a museum of history and the arts; to the Committee on Public Buildings and Grounds.

By Mr. PRICE: A bill (H. R. 15363) for the purchase of a site and the erection thereon of a public building at Easton, Md.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15364) for the purchase of a site and the erection of a public building thereon at Elkton, Md.; to the Committee on Public Buildings and Grounds.

By Mr. KINCHELOE: A bill (H. R. 15365) authorizing the Secretary of War to donate to the city of Owensboro, Ky., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. SNYDER: A bill (H. R. 15366) providing that Indians and other persons residing on Indian reservations shall be subject to the State and Territorial laws relating to marriage, health, and education; to the Committee on Indian Affairs.

By Mr. EVANS: A bill (H. R. 15367) for the purchase of a site for and the erection of a building for the use of the post office and other Government offices at Lewistown, Mont.; to the Committee on Public Buildings and Grounds.

By Mr. SANDERS of Indiana: A bill (H. R. 15368) for an extension to the post-office building at Terre Haute, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. VESTAL: A bill (H. R. 15369) providing for the purchase of a site and the erection of a public building at Winchester, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. DICKINSON: A bill (H. R. 15370) to authorize the Secretary of War to furnish a German cannon with carriage and cannon balls to the Young Men's Christian Association at the city of Clinton, Mo.; to the Committee on Military Affairs.

Also, a bill (H. R. 15371) to authorize the Secretary of War to furnish a German cannon with carriage and cannon balls to the city of Urich, Mo.; to the Committee on Military Affairs.

Also, a bill (H. R. 15372) to authorize the Secretary of War to furnish a German cannon with carriage and cannon balls to the Warrensburg State Normal School, Warrensburg, Mo.; to the Committee on Military Affairs.

By Mr. GOULD: Resolution (H. Res. 534) directing the United States Food Administration to furnish the House of Representatives with certain information; to the Committee on Agriculture.

By Mr. PARK: Resolution (H. Res. 535) authorizing a clerk to the Committee on Expenditures in the Department of Commerce; to the Committee on Accounts.

By Mr. BENSON. Resolution (H. Res. 536) to pay Benjamin C. Green, clerk to the late J. F. C. Talbott, a Representative in Congress, $166.66; to the Committee on Accounts.

By Mr. BURNETT: Resolution (H. Res. 537) providing for the consideration of H. R. 15098; to the Committee on Rules.

By the SPEAKER: Memorial of the Legislature of Idaho urging Congress to provide a more equitable application of Federal aid in the construction of post roads in the sparsely settled States; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of Idaho asking that a day be set apart for memorial services in honor of Hon. Theodore Roosevelt; to the Committee on the Judiciary.

By Mr. DILLON: Memorial of the Legislature of the State of South Dakota requesting Congress to make appropriations to indemnify owners of lands inundated by waters from Lake Andes, Charles Mix County, S. Dak.; to the Committee on Indian Affairs.

By Mr. FRENCH: Memorial from the Legislature of the State of Idaho recommending the passage of S. 5088 and H. R. 13354; also other good-roads aid in sparsely settled States; to the Committee on the Post Office and Post Roads.

Also, memorial from the Legislature of Idaho on Col. Theodore Roosevelt; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: Memorial of the Legislature of the State of Washington favoring the passage of the revenue bill, with the exemption of grape, loganberry, and apple juices from taxation; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 15373) granting a pension to Sarah E. Dillon; to the Committee on Pensions.

By Mr. MASON: A bill (H. R. 15374) granting a pension to Miranda McKnight; to the Committee on Invalid Pensions.

By Mr. MOTT: A bill (H. R. 15375) tendering the thanks of Congress to Gen. John J. Pershing, United States Army, and the officers and men under his command; and to Maj. Gen. Enoch H. Crowder, Provost Marshal General, and the members of the local and district boards throughout the United States, Alaska, Hawaii, and Porto Rico; to the Committee on Military Affairs.

By Mr. OLIVER of New York: A bill (H. R. 15376) granting a pension to Charles T. Winans; to the Committee on Invalid Pensions.

By Mr. HENRY T. RAINEY: A bill (H. R. 15377) granting an increase of pension to John Purkaple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15378) granting an increase of pension to John McCormick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15379) granting an increase of pension to John Reynolds; to the Committee on Pensions.

Also, a bill (H. R. 15380) granting an increase of pension to Amanda L. Sevier; to the Committee on Pensions.

Also, a bill (H. R. 15381) granting a pension to Hannah Lovell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15382) granting a pension to Henry Gass; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15383) granting a pension to Elizabeth Barnes; to the Committee on Invalid Pensions.

By Mr. RIORDAN: A bill (H. R. 15384) for the relief of the owners of the steam lighter *Rudolph*; to the Committee on Claims.

By. Mr. SMALL: A bill (H. R. 15385) to provide for the reappointment of Walter Chamberlain as captain of Infantry, in the United States Army; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of Knox Lodge No. 654, Brotherhood of Railway Clerks, Freight Handlers, and Station Employees, of Mount Vernon, Ohio, favoring continued control of the railroads by the Government; to the Committee on Interstate and Foreign Commerce.

Also, evidence to accompany H. R. 3573, granting increase of pension to Mary A. Nichols; to the Committee on Pensions.

By Mr. BROWNING: Petition of teachers of public schools, Paulsboro, N. J., favoring Senate bill 4987, providing for the establishment of a department of education; to the Committee on Education.

By Mr. CAREW: Petition of New York State Federation, requesting immediate establishment of an equitable retirement system for Federal employees; to the Committee on Reform in the Civil Service.

Also, petition of New York Produce Exchange, appealing to the President of the United States to remove war measures and restrictions and practice of price fixing; in addition the board of managers of the flour trade request the Food Administration to issue statement that the present method of handling the 1918 wheat crop and prices thereon will not be changed; to the Committee on Agriculture.

Also, petition of fifty-fifth annual convention of the New York State Federation of Labor, demanding repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of executive council of the New York Federation of Labor, favoring the repeal of the postal zone law at earliest possible date; to the Committee on Ways and Means.

By Mr. GRIFFIN: Petition of Bronx Board of Trade, Third Avenue and One hundred and thirty-seventh Street and Lincoln Avenue, New York City, favoring legislation on the control of wires by the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Merchants' Association of New York City, relating to revalidating of contracts; to the Committee on Military Affairs.

Also, memorial of Bronx Congress, 914 Prospect Avenue, New York City, adopted at its one hundred and thirty-fourth session January 19, 1919, affirming faith in a democratic universal league of nations; to the Committee on Foreign Affairs.

By Mr. HAMILL: Petition of Rotary Club of Jersey City, N. J., to change the name of the Panama Canal to the Roosevelt Canal; to the Committee on Railways and Canals.

By Mr. HAMLIN: Papers to accompany House bill 15136, granting a pension to Leonard Walker, guardian of Flora Wall; to the Committee on Invalid Pensions.

By Mr. HUTCHINSON: Petition of Engineers' Club, of Trenton, N. J., favoring the enactment of legislation which will continue control and operation of the wire systems by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be followed when they are returned to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Washington: Petition of traffic and transportation bureau, Tacoma Commercial Club, and Chamber of Commerce, Tacoma, Wash., favoring the revival and restoration to the Interstate Commerce Commission of certain powers taken away or suspended by the Federal control act approved March 21, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: Petition of Chamber of Commerce, Oneida, N. Y., urging continuation of Federal control over lines of communication until Congress has time to determine upon permanent policy; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Petition of Royal Window Glass Co., Grafton, W. Va., urging that pending tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of Bank of Mount Hope, W. Va., urging that new tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of National Bank of Fairmont, W. Va., urging that the tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of officers of Lodge No. 326, International Brotherhood of Boilermakers and Iron Shipbuilders, Grafton, W. Va., urging Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Wilmington Clearing House Association and members of savings banks relative to forthcoming liberty loan; to the Committee on Ways and Means.

Also, petition of Farmers' Institute, held at Selbyville, Del., indorsing plan for league of nations; to the Committee on Foreign Affairs.

Also, petition of Manufacturers' Association of Wilmington, Del., relative to revenue bill; to the Committee on Ways and Means.

By Mr. WASON: Resolutions adopted at a regular meeting of the Manchester, N. H., Council, No. 195, of the Order of United Commercial Travelers of America, favoring the return of the railroads of the United States to their original owners; to the Committee on Interstate and Foreign Commerce.

Also, resolutions adopted by the New Hampshire State Federation of Labor, favoring the enactment of a law which will bring about Government ownership of railways; to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, *January 30, 1919.*

(Legislative day of Tuesday, January 28, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. CHAMBERLAIN. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Henderson	Nugent	Spencer
Brandegee	Hitchcock	Overman	Sutherland
Chamberlain	Johnson, Cal.	Penrose	Swanson
Culberson	Jones, Wash.	Pollock	Thomas
Curtis	Knox	Ransdell	Thompson
Fernald	La Follette	Robinson	Trammell
Fletcher	Lenroot	Saulsbury	Vardaman
France	McKellar	Shafroth	Wadsworth
Gay	McNary	Sheppard	Walsh
Gerry	Martin, Va.	Simmons	Wolcott
Hale	Nelson	Smoot	

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. FRELINGHUYSEN, Mr. KIRBY, Mr. NEW, Mr. POINDEXTER, Mr. SHERMAN, Mr. SMITH of Arizona, Mr. STERLING, and Mr. WOLCOTT answered to their names when called.

Mr. POLLOCK. I desire to anounce the absence of the senior Senator from South Carolina [Mr. SMITH] on account of illness. I should like to have this announcement stand for the day.

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. SUTHERLAND. The senior Senator from West Virginia [Mr. GOFF] is absent owing to illness.

Mr. PITTMAN, Mr. KING, Mr. HARDWICK, Mr. WARREN, Mr. MARTIN of Kentucky, and Mr. POMERENE entered the Chamber and answered to their names.

Mr. SAULSBURY. I wish to announce that the senior Senator from Maryland [Mr. SMITH] is detained by illness.

The VICE PRESIDENT. Fifty-six Senators have answered to the roll call. There is a quorum present.

RESPONSE OF SOVIET GOVERNMENT OF RUSSIA.

Mr. JOHNSON of California. Mr. President, yesterday, in the course of my remarks, I was asked by the Senator from Colorado [Mr. THOMAS] if a certain response that had been made by the Soviet government of Russia had been put in the RECORD or was intended to be put in the RECORD by me. I responded then that I did not have such a response. This morning the Senator from Colorado has handed to me the response to which he then referred, and because of his suggestion yesterday and his request that it be put in the RECORD, I ask that it be printed without reading in the RECORD this morning.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

The all-Russian congress of Soviets expresses its appreciation to the American people, and first of all to the laboring and exploited classes in the United States for the message sent by the President of the United States to the congress of the Soviets in this time when the Russian socialistic Soviet republic is living through most difficult trials.

The Russian republic uses the occasion of the message from President Wilson to express to all peoples who are dying and suffering from the horrors of this imperialistic war its warm sympathy and firm conviction that the happy time is near when the laboring masses in all bourgeois countries will throw off the capitalist yoke and establish a socialistic state of society, which is the only one capable of assuring a permanent and just peace as well as the culture and well-being of all who toil.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House had passed the bill (S. 5354) extending the time for completion of the bridge across the Delaware River, authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River, approved the 24th day of August, 1912."

The message also announced that the House disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses; recedes from its disagreement to the amendment of the Senate No. 12 to the bill and agrees to the same with an amendment, in which it requested the concurrence of the Senate; further insists upon its disagreement to the remainder of the amendments; requests a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HOUSTON, Mr. ASWELL, and Mr. NICHOLS of Michigan managers at the further conference on the part of the House.

The message further announced that the House had passed a bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. GERRY presented a petition signed by sundry citizens of Newport, R. I., praying for the enactment of legislation providing for the national ownership and Government operation of all railroads in the United States necessary for the furnishing of transportation to the people of the United States, which was referred to the Committee on Interstate Commerce.

Mr. THOMPSON. I present petitions in the form of telegrams pertaining to good-roads legislation, one from the Kansas Editorial Association in convention at Topeka, another from the Kansas Good Roads Association, and another telegram from the governor of Kansas, transmitting information relative to the action of the Kansas Legislature. The telegram from the governor of Kansas is very short, and I should like to have it printed in the RECORD.

Mr. SMITH of Arizona. On what subject are the telegrams?

Mr. THOMPSON. On good-roads legislation and the action of the Kansas Legislature in regard thereto. I only ask to have printed in the RECORD the telegram from the governor of the State, transmitting the action of the legislature and requesting Federal legislation.

Mr. SMITH of Arizona. To the telegram transmitting the action of the legislature, I raise no objection, but to the printing of the other telegrams I object.

Mr. THOMPSON. I should like to have them noted. I do not ask to have them printed in the RECORD.

Mr. SMITH of Arizona. They can be noted by a presentation for reference.

Mr. THOMPSON. That is all I have asked.

Mr. SMITH of Arizona. All right.

Mr. THOMPSON. I ask that the telegram from the governor of Kansas be printed in the RECORD and, with the other two telegrams, referred to the Committee on Post Offices and Post Roads.

There being no objection, the telegrams were referred to the Committee on Post Offices and Post Roads, and the one from the governor ordered to be printed in the RECORD, as follows:

[Telegram.]

TOPEKA, KANS., *January 29, 1919.*

Hon. WILLIAM H. THOMPSON,
United States Senate, Washington, D. C.:

Kansas Legislature to-day adopted resolution requesting Congress to pass bill granting additional Federal aid for construction of highways. This is vital to the plans for immediate employment of returning soldiers.

HENRY J. ALLEN, *Governor.*

Mr. LODGE presented a resolution adopted by the Chamber of Labor of Lynn, Mass., and a resolution adopted by the City Council of Peabody, Mass., favoring the granting of six months' pay to honorably discharged soldiers and sailors, which were referred to the Committee on Military Affairs.

Mr. TOWNSEND presented a petition of the Federation of Labor of Detroit, Mich., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of St. Clair County, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of the Maine State Poultry Association, praying for an appropriation to carry out the poultry extension work by the Bureau of Animal Industry, which was referred to the Committee on Agriculture and Forestry.

Mr. WARREN presented a resolution adopted by Local Union No. 950, Brotherhood of Railway Carmen of America, of Cheyenne, Wyo., favoring Government ownership of railroads and other public utilities, which was referred to the Committee on Interstate Commerce.

ST. CROIX AND CHIPPEWA INDIANS.

Mr. LA FOLLETTE, from the Committee on Indian Affairs, to which was referred the bill (S. 4699) for the relief of the St. Croix and Chippewa Indians of Wisconsin, reported it with an amendment and submitted a report (No. 672) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5480) to increase the cost of the public building at Park City, Utah; to the Committee on Public Buildings and Grounds.

A bill (S. 5481) granting a pension to William E. Hughes (with accompanying papers); to the Committee on Pensions.

By Mr. POMERENE:

A bill (S. 5482) providing for the refund of taxes collected for stamp tax on certain policies under the emergency-tax act of October 22, 1914, under the proviso to which act such policies were exempt; to the Committee on Claims.

A bill (S. 5483) granting an increase of pension to James Rowland; to the Committee on Pensions.

By Mr. REED:

A bill (S. 5484) to authorize the commissioning of Maj. Robert W. Barr (with accompanying papers); to the Committee on Military Affairs.

AMENDMENT TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment authorizing the Indian tribes and individual Indians residing in the State of Washington and west of the summit of the Cascade Mountains to submit to the Court of Claims certain claims growing out of treaties and otherwise, intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. PENROSE submitted an amendment proposing that the officers and members of the fire department of the District of Columbia be divided into two bodies or platoons by the Commissioners of the District of Columbia, which shall be designated as a day force and a night force, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

HOUSE BILL REFERRED.

H. R. 15140. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

VALIDATION OF WAR CONTRACTS.

Mr. CHAMBERLAIN. Mr. President, I must say that hereafter I shall request that the Senate proceed with the regular order.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The VICE PRESIDENT. The question is on the amendment of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. KIRBY. The Committee on Military Affairs had this bill under consideration for some time. It had the views of the War Department about it; it had the views of the different chambers of commerce and boards of trade of the great cities of the country; it had the views of their legal departments about the effect and scope of the bill.

The subcommittee reported the bill as insisted upon by the Senator from Nebraska [Mr. HITCHCOCK], and so far as I know that bill was considered and reported by the full committee without taking into consideration the views of either the contractors, who were supposed to be given a remedy, or the War Department, which had authority or was to be given authority to settle these matters. At least, there was no statement——

Mr. MCKELLAR. Mr. President, I merely wish to correct the Senator. I know he does not want to present the matter in any other than the true way. The committee heard representatives of the War Department and representatives of the contractors.

Mr. KIRBY. The statement of their views was not referred to the entire committee with the bill, so far as I know, and that is the reason I made the statement.

But coming down to the main proposition, and we had just as well face this matter and get through with it, I wish to say just a few words. These informal and defective contracts it is urged ought to be validated, that the men who made the contracts and did the work and expended money in compliance with them are not at fault and ought to be compensated. They are, however, asking for an additional and a better remedy than is vouchsafed under existing law to men who had valid contracts and whose contracts were canceled because the Government could not use the munitions and supplies that had been ordered and contracted for after the armistice. Those men who had valid contracts and whose contracts have been canceled because of the armistice having been signed must resort to the regional boards which have already been constructed. The claim comes through the regional board to a central board that has been established in the War Department here, then through the hands of the Secretary of War and then to the Court of Claims if the parties are not satisfied with the award made. These men came and said, "We want a remedy here for the validation of our contracts; we must be provided a remedy, we have none whatever; our contracts are invalid or informal or have not been completed, and we have expended our efforts and expended our money and we are entitled to compensation."

The bill as reported by the subcommittee, insisted upon by the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Tennessee [Mr. MCKELLAR], provides, as the other bill proposed by the committee does, that only when he regards that the public interest requires it the Secretary of War shall validate the contract.

The first bill introduced did not provide that on a quantum meruit a man might recover who had no contract at all, who had been ordered to produce certain stuff, and had, in fact, expended money in producing it.

The bill as proposed here provides that both the men whose contracts were valid and have been canceled and those who claim rights under informal contracts may have the benefit of this additional board, this commission of appeals or board established down here, to pass on these claims. They all may have that, as I understand it. The claim goes through the regional board, composed of the best men in the district—busi-

ness men; it goes through the central board already created in the operation of the War Department; and it goes to the Secretary of War for a final determination, and then it will go to this new board proposed to be created in the Chamberlain bill, and from there, if the parties are not satisfied, it can be taken to the Court of Claims.

That certainly is providing enough machinery and a sufficient remedy for any man who has no valid contract to start with. This has been done in order that the matter may be handled expeditiously.

It is objected that the War Department ought not to be permitted to settle these matters, because it was through its fault that the contracts were not legally made in the first instance. That may or may not be true. The contracts certainly were not made through any intentional mistake of the War Department nor were they invalid on that account. It may be that there was not time enough to prepare and properly execute the contracts, and certainly the orders have not been regarded as executed contracts and could not be, the parties not having had time to reduce the terms of the contracts to proper form, the speedy delivery of the things that were necessary being insisted upon.

The War Department, under the law as it is, settles for the Government all the claims for compensation and damages under canceled valid contracts until there is some additional legislation provided. Why should not the War Department have also been permitted to settle with the contractors who have invalid and informal claims, as it is allowed to settle all of the claims under canceled valid contracts. The War Department is familiar with the whole transaction from its beginning to its completion, and has the machinery arranged for the settlement of such claims; but it is contended that in the settlement of claims arising out of these informal illegal contracts the War Department might be overreached or that some man in the War Department might be in collusion with the contractors and claimants. Certainly the very same objection would apply to settlement of claims under other contracts.

But grant that is an objection which is to be considered. We have had to trust the War Department for the making of previous contracts; we have trusted the War Department for the cancellation of valid contracts; and we, under the law, must trust the War Department for the settlement of claims for damages under valid contracts, subject only to appeal to the Court of Claims.

Now, the contractors who have these invalid contracts want an additional remedy over the remedy which was provided even for the settlement of valid contracts or claims thereunder. They say, "We distrust the War Department; we do not believe that they will do justice." But they do not distrust the War Department for the same reason which the Senator from Nebraska [Mr. HITCHCOCK] and the Senator from Tennessee [Mr. MCKELLAR] do. They, the contractors, distrust the War Department for fear that the War Department will do its duty by the Government too strictly and will allow them too small a margin on their claims. They say, "We want this additional court here," and their attorneys and the representatives of the 6,000 contractors say that they believe this constitutes a fair tribunal for the adjustment of differences that must necessarily arise under the conditions which now exist, and that they believe it will act speedily and give them that measure of relief which they ought to have. That is their understanding.

The War Department believe that under the system provided and proposed in the bill reported by the majority of the committee they can get these matters settled within a reasonable time, and if there is any complaint of favoritism shown by the War Department, or if there is any complaint of anything having been done wrong or by collusion with the War Department, that can be objected to and appealed to the commission that is proposed to be created. After the case has gone to the commission, if the claimants are not satisfied with the award that is made, they can then appeal to the Court of Claims. There is that much machinery to take care of the men who had not valid contracts in the first instance, and this is but an additional commission of claims that is created in order that they may have absolutely a fair deal, and they can not complain that they have not been fairly treated, that they have been paid too little, or their rights have been disregarded by the War Department.

Now, let us see whether or not there is necessity for it. The Senator from Nebraska and the Senator from Tennessee say that there ought to be a new and entirely different system; that their commission of claims should investigate the conditions by agencies established by the commission—regional boards here, there, and yonder—and then let all of the cases go to the commission of claims, let them all be settled in that way, and that then the Government will be fairly treated and the contractors protected. Let us see what will be the effect of that.

Mr. President, there are 6,000 contracts which it is proposed to validate, which it is proposed to recognize as obligations upon the part of the Government, perhaps. In any event there will be 6,000 claims which necessarily will arise for compensation under these contracts. Under the Hitchcock bill as proposed they will go to this commission, and the argument of the Senator from Nebraska about the operation of the commission created by his bill is that the cases will go to the commission already passed upon by all of the agencies of the War Department, with a report stating whether they approve or disapprove of any particular thing. His idea seems to be that the commission will go into an examination of these matters, pass upon the justice of the award, and that there can then be no question but that the contractors and the Government will both be protected.

What will be the effect of it? Six thousand claims are to come before the proposed commission. The Supreme Court of the State of Arkansas consists of five judges, good lawyers, and most efficient in the transaction of the business coming before them, and yet that court can pass on—and does generally pass on—but 625 cases a year. In those cases transcripts are provided, and abstract of the testimony is made, showing just exactly what the claim is; the judgment of the lower court is filed, and the briefs of the attorneys, and yet it takes the Supreme Court of Arkansas—and I do not believe there is a more efficient court in the United States to-day—10 or 11 months to pass on and decide 625 cases and write the opinion therein. There are 6,000 cases here, and it will take the proposed commission—if they examine the cases that are brought before them—10 years to pass upon the justice of all the claims. At any rate, it can not be done, in my opinion, at all within less than six or seven years, if an examination is made such as would give the commissioners any idea of the fairness and justice of the claims.

That is the condition, I believe, that confronts the people who are asking for this remedy and who say that it is absolutely necessary not only to their own financial safety but to the prosperity of the country. A billion and a half of dollars are tied up in this kind of contracts in this kind of claims. It is provided in the bill that is proposed by the committee that, if the claimants are not satisfied with the award handed down by the commission of claims, they may appeal to the Court of Claims after being paid 75 per cent of the award. I do not believe they ought to be paid one cent of the award in case of appeal. I believe the Government ought to have a reasonable opportunity to settle these cases at what it believes is the right amount that ought to be paid under all the circumstances; but when it comes down to a settlement, if the Government says, "We will pay you so much," and the claimant says, "I ought to have so much more," and the Government says, "We will pay you that or you can go to the Court of Claims," then a man would take some little thought before he appealed to the Court of Claims, thus delaying the matter further. If he were offered a reasonably fair settlement he would settle, and the Government and himself would both be protected, and their interests promoted by the immediate settlement of the cases.

As to the Hitchcock bill, if there was ample time, I do not know that there would be any great objection to it. So far as I am concerned, I should like to see that court or commission stricken out of the bill entirely. It is said, "We ought not to let the War Department settle a claim where it has made the contract." Why not? They were authorized to make the contract in the first instance, and every officer is presumed to do his duty; then, why not let them settle it? If you and I have a contract in regard to a certain matter and I am to furnish you so much lumber and you come to me next week and say, "I do not want that lumber, I do not need it, I have changed my plans," and I say: "Yes; but you agreed to take it; here is your contract," and you say: "All right, I will not take the lumber, but I am going to pay you the damages; what are the damages?"

Then the two contracting parties get together and see if they can agree on the amount of damages. That has always been the practice; that is right, and it ought to be so, but every man must minimize his damages as much as he possibly can. That is the condition of the people who have made contracts with the Government. They, the War Department, say, "We are ready to negotiate with you about a settlement; we understand the whole thing." Then, under these circumstances, the bill proposes to provide a new commission that can hear these cases at some time in the near future and hope to conclude the consideration of them all without unreasonable delay.

It is provided that the commission proposed by the Hitchcock substitute shall enter upon the hearing of these claims, and I

say it will take it from six to seven years to finish them up if the commission learns enough about each claim to pass intelligent judgment upon it.

It does not make any difference to me whether one or the other measure is passed, except from the standpoint of promoting the public interest and of dealing fairly and justly with the men who have expended money and delivered material for the Government's benefit in a time of emergency. I believe they ought to be reimbursed, but I do not believe that under the Hitchcock bill it can be done in anything like time enough to save the contractors and promote the interests of the country.

LEAGUE OF NATIONS.

Mr. POLLOCK. Mr. President, it is extremely unfortunate that the Congress of the United States should be called upon to consider legislation, such as that which is before the Senate, involving the payment of perhaps more than $2,000,000,000 on so-called illegal or irregular contracts. That situation could not have arisen under normal conditions, and we would not to-day be called upon to consider a bill such as that which is now before the Senate had it been possible for the United States to have remained out of the great war which has shaken the whole world. Therefore, it may not be inappropriate at this time to submit some remarks on the general situation which confronts the whole world at this time, especially in regard to the effort that is being made by peoples all over the world to try to work out some plan whereby war may be made a thing of the past.

Mr. President, it is not as a former Secretary of State who has well and ably guided our Nation in its international relations, nor as a distinguished member of the Foreign Relations Committee who has displayed great learning and ability in shaping our foreign policies in the Senate, nor yet as a great orator of long service and recognized ability the world over in this body, that I would address you to-day, but merely as an ordinary man and as a humble Member of the United States Senate, unknown largely beyond the limits of my own State, fresh from contact with the plain people of America, that I would try to-day to voice the sentiments and express the hopes of the plain peoples of America and the world on the question of a permanent peace of the world, as near as that may be attained, and to submit my views on the effort that is being made to organize a league of nations to secure and maintain the peace of America and of the world.

I feel some delicacy, sir, in imposing upon the time of the Senate, but each of us in this body, composed of 96 out of a population of more than 100,000,000 of free American people, has the voice and the vote of more than 100,000,000 citizens of this great Republic, and I feel, sir, that when this most momentous question of all the ages is hanging in the balance that I should be recreant to my duty and shirking a responsibility did I not raise my voice in protest at much which has been said in this Chamber and elsewhere in regard to this supreme question, which is in the mind of thinking people everywhere.

I have listened with some impatience at the petty partisan criticisms of the President of the United States indulged in by some Senators on account of his visit abroad to confer with the leaders of the other great nations of the world, with whom we have been associated, in regard to the great settlements that must come as a result of the great world war just ended. I have noted with pity the action of certain Senators in having inserted in the RECORD newspaper clippings and other articles tending or attempting to bring the President of the United States into disfavor and contempt and ridicule of the world. I have pitied these men because they are injuring not the President in his great undertakings, but they are making themselves small indeed in the estimation of the American people.

The question of establishing a league of nations to maintain the peace of the world is not a political or partisan question; it is earnestly championed and advocated by the only two living Presidents of the United States—the one a Democrat, the other a Republican; but both, sir, of the very finest type of patriotic Americans—the one with power to act for America while he speaks, the other with power only to help create the proper sentiment in the country and to counsel and advise with those who have the power to act. All honor to William Howard Taft along with Woodrow Wilson. They are both playing their part in this great hour when the world needs men, high-minded men who would advance rather than retrograde, who would build up rather than tear down.

It is very easy to find fault, but it seems to be very hard for a partisan to be fair. It is very easy to tear down, but very hard to build up. It is easy to be destructive, but impossible for the narrow-minded bigot to be constructive. There has been enough of destruction and death in the world during the past four years to satisfy even the most savage. It is now time for us to turn aside from war with all its ruin and misery and see to it, if possible, that nations are controlled as our Nation controls the several States and as our several States control the individuals in those States. There was a time when individuals settled their differences by might, regardless of right; likewise families and neighborhoods and clans settled their differences; but the human race has advanced, civilization has progressed, and law and order has evolved out of brute force. Men formerly fought duels, and thus settled their disputes. To-day he who kills his fellow man in a duel is an outlaw and a murderer, and the time will come—aye, it has already come—when a nation that makes war upon another except in self-defense or in the defense of civilization will be an outcast, an outlaw, and a murderer amongst the civilized nations of the world. The great anthem of the world to-day is peace—peace on earth, good will toward men. Every nation that has been at war has disclaimed responsibility for this war and declares that it only fought that fighting might be no more.

Every nation on earth yearns for perpetual peace, and I say that when the whole world wants the same thing at the same time for the whole world, then the world can and it will get that thing, and by the help of the great God of nations all the forces of hell can not prevail against it. This yearning for peace is in the hearts of the civil populations of the world, who have seen their loved ones wounded and bleeding and dying on the battle fields, who have seen their homes destroyed and their lands desolated, and who have seen their women violated and their innocent children tortured and crucified. This yearning for peace is in the hearts of the brave men who have gone forth to do and die for the cause of human liberty and freedom. They have seen the horrors of war; they have endured its agonies; they have witnessed its sufferings; they know the uselessness, the folly, the criminality of war except as it is fought in defense of home and country and civilization. They realize the crime of making unnecessary war, and he who to-day sneers at peace and every honest effort that can be made to effectuate the peace of the world as "a sort of international mutual admiration society, with the Sermon on the Mount for a constitution and the Apostolic Creed for a guide," will find that he is completely out of harmony with the spirit of the great American people, and especially that gallant army of 2,000,000 heroes who crossed the Atlantic Ocean to stop the mad dog of Europe in his wild orgy of destruction and murder. Let such a one read the letters from the men who have been over there, who have endured hardships beyond expression, who have laid out in mud-filled, water-soaked trenches for weeks at a time without changing clothes, who have gone out finally over No Man's Land and have witnessed the death of comrades all around them, who have finally fallen wounded on the field of honor with no one to render succor; fighting for you and fighting for me, fighting for loved ones, fighting for home, fighting for country, and fighting for humanity; read what these men say, learn what they have learned, see what they have seen, get their viewpoint, and you will no longer sneer at this great longing of the human race.

And he who sneers at peace is not much, if any, worse than that man who criticizes and finds fault with every effort, every suggestion for the accomplishment of peace. The conscience of the world is awake, the wisdom of the world is aroused, the mind of man has taken up the great problem, and it befits every man, and especially every one in high responsible position, to cease finding fault with others' ideas, except as he may point out other ideas that will the better effectuate the purposes of the world, and the greatest purpose of the world to-day is the peace of the world.

The President of the United States has been harshly criticized for going abroad at this time and not remaining here to advise the Congress by those partisans who would not heed and follow his advice if he were here. He has been criticized for not disclosing to these enemies of the administration what terms of peace he may have in mind when they well know that neither Woodrow Wilson nor the combined peace delegates from this country can dictate the terms of peace. He has been attacked by Senators in a partisan spirit for not telling them what are the details of his scheme for a league of nations for the preservation of the peace of the world when they well know that such details must be the result of the combined wisdom and judgment of the representatives of all the allied nations, and possibly later of the representatives of the greater neutral countries of the world. They say that they want a lasting peace, but they are unwilling that the President shall go amongst the peoples whose support we must have to attain that result to get their opinions and to give them his judgment in order that an overwhelming sentiment may be created throughout the world for that peace which all true men must wish.

They demand that he shall give them advice which they will not take rather than confer with our partners in this great affair, to the end that out of the common councils of mankind some plan may be evolved that shall insure the world against a recurrence of the awful carnage that has desolated a continent and put the whole world in mourning.

Sir, those whose voices and whose words are potent to fix the opinions and direct the actions of a considerable part of our people, and who have some influence over the people of foreign lands by reason of holding for the time being high positions at the hands of the American people, have a great, an awful responsibility resting upon them. They can aid or they can retard the progress of civilization. If they would but forget self for a while, if they would rise to the true stature of full manhood, if they would but consider the men in the Army and the Navy, if they would look upon the sick, the wounded, and the dying who have sacrificed the comforts of life that this free Nation might still endure, that we might still have the opportunity to declare the policies and enact the laws by the suffrage of these people for the conduct of this great Republic, if they would but look upon the almost endless rows of new-made mounds mid the poppy fields of Flanders, if they would but look into the once happy homes of the world and see there the vacant chairs that stand "mute witnesses of the dissolution of the grave," it does seem to me that at this time, when the fate of the human race is in the balance, that Senators could forget that they are Democrats or Republicans; that they would remember that they are first of all Americans—Americans above State or section or party and as true Americans they are citizens of the world, with the interest of the whole human race at heart.

Our soldiers and sailors were neither Republicans nor Democrats. They came from no State nor section. They went into the Army and Navy as Americans, and when they had gone to the fields of battle they were brigaded with the men of our allies. They fought under the supreme command of that greatest of all modern commanders, Gen. Foch. They fought as soldiers of civilization side by side with the men of other countries, having the same end in mind, saving the world for liberty and freedom, and making the world a decent place for the habitation of man.

Did America lose her dignity or sacrifice any of her sovereignty when Gen. Pershing placed at the disposal of the allied high command the whole of the American forces? Did America in any degree lose any of her independence when by an almost unanimous vote of the American Senate and Congress, under the advice of the President, she cast her lot with the peace-loving, law-abiding nations of the world against the brutal, savage forces of the central powers that would have destroyed free governments from the world and set up military despotisms in their place?

If that be true, then the vast majority of this body, the vast majority of the other branch of the Congress, the vast majority of the American people who indorsed and applauded your action, must plead guilty to the charge of treason to our country, and the soldiers and sailors who have written a new chapter of glory into the pages of world history must admit that they fought as they had no right to fight. We went into this war not alone to avenge our own wrongs, not alone to defend our own rights, but, in addition to this, to protect and preserve the freedom and liberty of the world. To quote the words of Henry W. Grady:

> We, sir, are Americans, and we fight for human liberty. The uplifting force of the American idea is under every throne on earth. France, Brazil; these are our victories. To redeem the earth from kingcraft and oppression; this is our mission, and we shall not fail. God has sown in our soil the seed of His millenial harvest, and He will not lay the sickle to the ripening crop until His full and perfect day has come. Our history, sir, has been a constant and expanding miracle from Plymouth Rock and Jamestown all the way, aye, even from the hour, when from the voiceless and trackless ocean a new world rose to the sight of the inspired sailor. * * * Let us resolve to crown the miracles of our past with the spectacle of a Republic, compact, united, indissoluble in the bonds of love, loving from the Lakes to the Gulf, the wounds of war healed in every heart as on every hill, serene and resplendent at the summit of human achievement and earthly glory, blazing out the path and making clean the way up which all the nations of the earth must come in God's appointed time.

I sprang from the loins of Virginia, where my father entered the service of the Southern Confederacy. I was born of a South Carolina mother in that State, which was one of the original thirteen Colonies that formed this wonderful Union, that State that was first to secede from the Union. I am a product of the Civil War; had it not been for it my parents would probably have never met and I would never have been. I love the State of my father. I love the State of my mother. I love my own State, and I glory in its people and its history, but I love my country more than I love any State, and I thank God that it was not in the divine American plan that there should be two countries where only one now exists. I find pride in Bunker Hill as I do in Kings Mountain. I find satisfaction in Appomattox, as I find joy in Yorktown. And when I say to you to-day that I am glad there is no Southern Confederacy, and I am overjoyed that the Union was preserved and has become forever indissoluble, I believe that I express the sentiments not only of the younger generation in the South but also the sentiments of the few remaining gallant men who wore the gray in the sixties and who after four years of brave fighting for what they conceived to be their rights returned to their desolated lands and ruined homes broken in fortune but undismayed in spirit, and beat their swords into plowshares and took up again with the same fortitude that had sustained them in war their peaceful pursuits as citizens of this great country to which they again had sworn their allegiance. And I call upon the whole world to witness that my people have been true to that allegiance; they have paid their share of the burdens of Government when they had but little from which to pay; they have poured their paltry earnings into the lap of industry; they have furnished all sections of this land with many of its brightest minds; they have furnished much of the very finest of American character uncontaminated by evil foreign influences; they have supplied their full quota of men for the Spanish War and for the great world war that is just happily coming to an end; those men joined with the men from all sections of America to make up the great American Army of freedom, liberty, and peace. They fought side by side with the men from every State in the American Union under the same flag that is loved in South Carolina as ardently as it is loved in New England. They mingled their life blood with the blood of all America on the battle fields of Europe, and the pages of American history are the richer for the sacrifice, and so to-day the American people are nearer one in purpose and in spirit than they have been for more than a half century.

The Army, with a northern man at its head, and the Navy, with a southern man at its head, know no North, no South, no East, no West—they know no section nor creed except America and what for America and the world is best. And, sir, in the Army and the Navy there are no Democrats nor Republicans—there are only American patriots, in civil life of all creeds and faiths and peoples banded together for a common purpose—the freedom and liberty and peace of the world, and I say to you to-day that the world can not be satisfied with anything less than the full fruits of all the sacrifices that the world has made—I say to you that we did not go into this war merely to humble the proud spirit of the central powers—we did not go into this war merely to tear down empires and thrones—we did not go into this war merely to banish kings and kaisers, but above all we went into this war to destroy militarism and destroy it for all time, and that can be done and it will be done by the creation and establishment of a league of nations to preserve and enforce the peace of the world. This is no new idea with me. As far back as the Fourth of July, 1912, speaking in South Carolina on the Nation's birthday I used this language, and these figures seem so small in the light of the present:

> The total ordinary disbursements of the United States for last year amounted to more than $650,000,000. Of this amount about 70 per cent was for the War and Navy Departments and for the payment of pensions growing out of former wars. In other words, my friends, the idea of war—wars of the past and preparation for wars of the future—is costing the American people $438,000,000 annually, and this, my friends, is growing every year. This appalling statement of itself, it seems to me, is enough to make a practical, common-sense people stop and think.

Permit me to say right here that when we consider that this war has cost the American people more than $30,000,000,000—more money than has been spent by this Government since its beginning up to the outbreak of this war—when we consider that England has spent more than $40,000,000,000 and France a corresponding amount, if for no other reason the people of America and the people of the whole universe ought to stop and think of the burdens that are being placed upon the present generation, and upon generations yet unborn.

> But when we consider that war never settles a controversy according to the justice of the cause—when equity and righteousness have no place in the final termination—when power and force are after all the determining factors in the question, and when the green valleys are painted a rich red with the lifeblood of thousands and tens of thousands of human beings who are called upon to sacrifice home and family and life on their country's altar, is it not time for us, a great Christian Nation, the hope of the world, in the great march of progressive thought and of civilization to seek about for a way to abolish war from the face of the world?
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> Just as 50 years ago, on the old muster field, the biggest man in the eye of young America was the one who could lick any other bully—just as a few years ago the biggest man was the one who, after a quarrel with his neighbor, could shoot the truest in the duel, just as the result of force settled differences between man and man, so still to-day the most powerful nation, with the greatest navy and the biggest army and the fullest treasury, lords it over the weaker nations of the earth, and every big nation feels called upon to be as fully

prepared for war that may never come as its strongest competitor for world power.

In the great Civil War the Federal Government put in the field 2,722,000 men—the Confederate Armies numbered about 750,000 men—the Federal Government lost about 350,000 men and the Confederate Army lost about 133,000 men. Think also, my friends, of the other wars of the United States and of the other nations of the world. Remember that it is to the advantage of every country on earth that the enormous expenses of war and fearful sacrifice of human life should cease, and I ask you is it hoping for too much when I suggest that this Government should take the initiative and try to get the other nations of the earth to join in a treaty whereby they would agree to submit all their differences to an international court of arbitration in which all nations have a representative except those who might be parties to the controversy—disband their armies except enough to insure domestic tranquility—disarm their navies except to jointly maintain a navy sufficient to cope with the navy of any one country which refuses to enter into the compact, and then say to the world, "Thou shalt not commit murder."

South Carolina has always been progressive; she has always dared lead the way; she can on this anniversary of the Nation's birthday send out a message to the Nation and to the world of "Peace on earth, good will toward men," and I verily believe that that message taken up by the great Democratic Party and carried to the four corners of the earth by that greatest of American statesmen, William Jennings Bryan, who, like Clay and Webster and Calhoun, is too great to be president, commissioned by that other great man, Woodrow Wilson, the next President of the United States, will be received and acted upon by all the great Christian nations of the earth.

A part of my prophecies in that speech have come to pass. Woodrow Wilson has twice since that been elected President of the United States. Bryan was made Secretary of State and sought to draw the Christian nations of the world together in treaties that would have made war a remote possibility, if not an impossibility; but Germany, fully prepared for war, would not enter into such a treaty as was proposed. She had her great army and navy and her ambition for world domination staked upon her power, which was being increased daily; she had to justify her military preparations, with its enormous burden of taxes, before the German people, who were groaning under the burden, and so it was not given to the world to see that peace for which the plain people of the world prayed without another, and, we all hope, a final trial of armed force.

But to-day the only country, Germany, that stood in the way of the peace of the world lies prone and prostrate at our feet, stripped of all her power for evil and compelled to make any kind of peace that the conscience of the world may dictate, and I say, sir, that we, the American Senate, whether we be Republicans or whether we be Democrats, will be recreant to our duty and false to our people and traitors to the human race if we do not here and now highly resolve that we will lay aside all partisanship and all carping criticism, all faultfinding, unless we can suggest something better, and encourage, and advise with our representatives at the peace council at Versailles as to the best way to effectuate the hopes of mankind and the plans of God for the peace of the world for to-day, to-morrow, and forever. We have the great nations of the world banded together now in a way they have never been before—we see them linked together by a common purpose and a mutual interest that was never before conceived—we find them hating together the common foe of humanity and loving together the purest dream of the world, and while they are so banded and linked together there can be nothing of so great consequence as the perpetuation of the peace of the world. To-day is the time, to-morrow may be too late, and so I say that he who would postpone the consideration of the creation of a proper league of nations is hardly less an enemy to the human race than he who comes out boldly in full opposition and prates about the sovereignty of the United States and declares that he will not consent to arbitrate the Monroe doctrine and will not agree to send American boys to fight other peoples' battles thousands of miles away.

I shall not attempt to go into minute details as to the exact terms and provisions of a treaty or agreement for a league of nations. That must be worked out, if at all, by the peace delegates at the council, but, Mr. President, as I think of the world my mind turns back to nations; as I consider nations the United States of America rises before my vision, and I see here 48 sovereign States, originally 13 sovereign independent States or countries, bound together into the greatest Nation of the world. How came this about? When the Declaration of Independence was published to the world on the 4th day of July, 1776, 13 free and independent States were born, and until the adoption of the Articles of Confederation on the 15th day of November, 1777, there was nothing to bind these States together save the Declaration of Independence and the words therein contained, "We mutually pledge to each other our lives and fortunes and our sacred honor."

Then, Mr. President, on the 15th of November, 1777, was adopted the Articles of Confederation by the delegates of the United States of America, wherein it was provided "that each State retains its sovereignty, freedom, and independence," and wherein it was provided that "the said States hereby severally enter into a firm league of friendship with each other for their common defense, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other against all force offered to or attacks made upon them or any of them on account of religion, sovereignty, trade, or any other pretense whatever." It was also provided that "no State shall be represented in Congress by less than two, nor by more than seven Members." Again, it was provided that "no two or more States shall enter into any treaty, confederation, or alliance whatever between them without the consent of the United States in Congress assembled," and again it was provided that "no vessels of war shall be kept up in time of peace by any State, except such number only as shall be deemed necessary by the United States in Congress assembled, for the defense of such State or its trade; nor shall any body of forces be kept up by any State in time of peace, except such number only as in the judgment of the United States in Congress assembled shall be deemed requisite to garrison the forts necessary for the defense of such State."

Again, it was provided that "no State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies * * * and the danger is so imminent as not to admit of a delay till the United States in Congress assembled can be consulted." Further, it was provided that "all charges of war, and all other expenses that may be incurred for the common defense and general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury which shall be supplied by the several States" proportionately as the Congress of the United States shall from time to time direct and appoint, and finally it was provided in Article IX: "The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace or war" except in cases of invasion or imminent danger of invasion, and of "entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever." And, further, it is provided that "the United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that may hereafter arise between two or more States concerning boundary, jurisdiction, or any other cause whatever," which authority, it was provided, was to be by arbitration fully set out in the Articles of Confederation, and was to be "final and conclusive."

The Congress was further given the power "to build and equip a Navy, to agree upon the number of land forces, and to make requisitions from each State for its quota."

Such were some of the provisions of the Articles of Confederation, adopted November 15, 1777, and ratified by all of the 13 States, save Georgia, by their respective delegates July 9, 1778, and ratified by Georgia about two weeks later. Such was the compact of peace and friendship among the States until the adoption of the Constitution of the United States in a convention held for the purpose on the 17th of September, 1787, and ratified by the requisite number of States in June, 1788.

And what changes in the scheme of the league of States for "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity" were made in the Constitution from that provided in the Articles of Confederation? Turn to Article I, section 10, and you there find "No State shall enter into any treaty, alliance, or confederation." "No State shall, without the consent of Congress, keep troops or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war unless actually invaded or in such imminent danger as will not admit of delay."

A Congress is provided, composed of two Houses, in which each State has equal representation in the one and proportionate representation in the other. The Congress is given power "to declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water." "To raise and support armies." "To provide and maintain a Navy. To make rules for the government and regulation of the land and naval forces. To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States." "To make all laws which shall be necessary and proper for carrying into execution the fore-

going powers and all powers vested by this Constitution in the Government of the United States or in any department or officer thereof."

A Chief Executive is provided, elected by the States, not according to population alone, but by reason of the sovereignty of the State; each State has two electoral votes in addition to what it might have if the electoral vote were based on population alone. He is made Commander in Chief of the Army and Navy of the United States.

A Supreme Court is provided, with "such inferior courts as the Congress may from time to time ordain and establish," and the judicial power extends "to controversies between two or more States; between a State and a citizen of another State; between citizens of different States; between citizens of the same State claiming lands under grants of different States; and between a State or the citizens thereof and foreign States, citizens, or subjects."

This, Mr. President, is the plan adopted by the fathers of our country to provide peace on the North American Continent. This plan, conceived in the minds of the pioneers of democracy, has kept the peace of America for nearly a century and a half, except for the unfortunate Civil War, and that war would probably never have occurred had the right or absence of the right to secede been made clear in the Constitution. The framers of the Constitution and the authors of the Articles of Confederation had nothing similar to guide them, they had no experience of a great Republic, such as ours, to point the way. They had but to trust in the God of Nations to guide their intellects, circumscribed as the human understanding must be. They went out into the trackless ocean and uncharted seas and made the greatest human experiment in political government that has ever blessed the world, and while they groped in the dark with a divine faith in the wisdom and integrity of their purpose, we of to-day have the benefit of more than a century of the light of experience to guide us and the whole human race in the greatest governmental venture of the ages.

It seems to me, Mr. President, that the fathers of the Republic have written out the chart and have pointed us the way to the peace of the world to-day, to-morrow, and forever. When they thus provided for the American States we were far away from the balance of the world. We had no steamships, no telegraphs nor cables, no wireless that flashes the happenings of the whole world through distance, and it was because of these things that George Washington warned the American States "to steer clear of permanent alliances with any portion of the foreign world," and it was because of this that he directed the attention of America to the fact that—

> Europe has a set of primary interests, which to us have none or a very remote relation.
> Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collusions of her friendships or enmities.

It was because of our "detached and distant situation," as it then existed, that he wisely asked:

> Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

To those who would to-day say that America should not form a league of nations to preserve, maintain, and enforce the peace of the world I would say that conditions have changed, our situation has been altered, distance has been destroyed, and time has been annihilated; we do not longer occupy a position of aloofness and isolation from the balance of the world; we to-day have reached that position in our upward march that we are not only a great country and a wonderful Nation, but we are to-day a very large and important part of the whole world and of the whole human race.

And this leads me, sir, to say that we have not followed this advice at all times, neither does that advice conjure us not to enter into temporary alliances nor to stay out of the extraordinary vicissitudes of the world. And surely no one will say that the present European conditions are "ordinary vicissitudes of her politics or the ordinary combinations of her friendships or enmities."

I would direct attention to the fact that we entered into a temporary alliance with France to obtain our freedom and independence—our country was born out of an alliance with France, whose aid in the American Revolution was so timely; we entered into an agreement with England to prevent the French settlement of the great country beyond the Mississippi, and thereby made possible the great Louisiana Purchase from France. We entered into an agreement or alliance with England whereby we were able to announce and maintain the Monroe doctrine—we, by that doctrine, practically set up a protectorate over the American hemisphere—we committed ourselves, for our own protection, to the preservation of the sovereignty and integrity of the American countries in Central and South America—all foreign countries—and we have in this great world war formed an alliance with the great civilized nations of the earth against the central powers of Europe. So that to those who quote Washington's Farewell Address I reply, conditions have changed and our situation is altered; that this is no ordinary condition that might menace our peace by entrance into a league of nations, but it is an extraordinary condition out of which we seek to preserve and protect the peace, not only of America but of the children of men the world over.

It has been asked, "Would you be willing to arbitrate the Monroe doctrine?" Let me first ask, what is that doctrine and what stands behind it? The Monroe doctrine is merely the declaration of this Government that the American Continents are not to be considered as subjects for future colonization by any European power, and that we should consider any attempt on their part to extend their systems to any portion of this hemisphere as dangerous to our peace and safety, and that we could not view any interposition for the purpose of oppressing any of the established, recognized governments of America, or controlling in any other manner their destiny by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States.

This doctrine, enunciated by President Monroe December 2, 1823, could not have been maintained and enforced by the United States alone, and would never have been proclaimed even had it not been for the fact that the British Government, speaking through George Canning, its minister of foreign affairs, proposed to the United States that Great Britain and the United States should jointly announce that they could not see any South American territory transferred to any power "with indifference," and the British Government pledged itself to aid in the enforcement of this declaration. When President Monroe received this assurance he turned to Thomas Jefferson for advice, and Jefferson's reply to Monroe, upon which Monroe acted, shows that we have maintained the integrity of the Western Hemisphere and the peace and safety of the United States only by the acquiescence and assistance of Great Britain. Jefferson said:

> One nation, most of all, could disturb us in this pursuit; she now offers to lead, aid, and accompany us. By acceding to her proposition we detach her from the bands, bring her mighty weight into the scale of free government, and emancipate a continent at one stroke which might otherwise linger long in doubt and difficulty. Great Britain is the one nation which can do us the most harm of any one, or all, on earth; and with her on our side we need not fear the whole world. With her, then, we should most sedulously cherish a cordial friendship, and nothing would tend more to unite our affections than to be fighting once more side by side in the same cause.

From that day to this the British Navy has been our first line of defense, alike in our youthful weakness and our matured strength, and we have at last fought "side by side in the same cause"—the cause of liberty and freedom and civilization—the bonds of friendship have been strengthened; they have been cemented by the mingled blood of Briton and American, shed on a soil foreign alike to both, made sacred alike to each.

You ask, "Would we be willing under a league of nations to arbitrate the Monroe doctrine or questions that might arise under it?" I reply, sir, that there can be no such thing as arbitration of the Monroe doctrine. It is merely America's statement of her will or pleasure, but the enforcement of it might raise questions that would have to be settled by force, by diplomacy, or by arbitration; and I take it that if a league of nations for peace shall be formed that the principles enunciated in President Monroe's message are so clearly a statement of justice to the United States and to the other American countries over whom we single-handed and alone, with the friendly assurances of Great Britain as our sole hope of assistance, have stood guard that this statement of principle would be incorporated into any compact that may be entered into not only for the countries of the Western Hemisphere but for all countries of the world. If a league of nations shall be formed, the combined nations of earth would enunciate and promulgate a new Monroe doctrine—a Wilson doctrine—that all the allied nations of the world "could not view any interposition for the purpose of oppressing any free nations or controlling in any other manner their destiny by any power on earth in any other light than as the manifestation of an unfriendly disposition toward the people of the world," or, to paraphrase the statement of the Monroe doctrine by President Roosevelt: "The doctrine is simply a statement of our very firm belief that the nations now existing on earth must be left to work out their own destinies amongst themselves, and that free countries are no longer to be regarded as the colonizing ground of any foreign power." Thus, Mr. President, if a league of nations shall be formed, instead of a

doctrine for free peoples of the American Continent, upheld and maintained by the United States alone, we would substitute a broader doctrine for all the free peoples of the world, upheld and maintained by the combined civilized nations of the world who may enter into the league of nations; and the Monroe doctrine will be the safer, for that it would have more sponsers.

It is objected, Mr. President, that a league of nations to preserve and enforce peace must be backed by force, and that we would have to make war to restore peace. I agree that to have a league that will be effective there must be force to back up the decrees of civilization and justice. We have our police to put down crime and disorder in our cities, we have our sheriffs and constables to put down crime and disorder in our States, and they are armed, that the citizens generally may go unarmed and safe. We would need a limited national police force, and we would need an international police force to preserve the peace of the world and to enforce the decrees and judgments of the courts of the international league; but, sir, with armies reduced and navies dismantled, and an absolute prohibition to the countries of the world of the manufacture and having more than a supply of arms and munitions to meet the reasonable immediate needs of any country for its purely domestic peace and safety—that to be determined by the parliament of the world—a very small quota of men from each of the contracting nations would be able to bring law and order and obedience to the findings and decrees of the league of nations should any nation attempt to break the peace of the world.

It was objected by the distinguished Senator from Idaho [Mr. BORAH] that to raise this quota for service in international fields conscription would have to be resorted to. That, Mr. President, in my judgment, is not correct. There are enough of adventurous men—soldiers of fortune in every land on earth—to make up the quota that such country would be called upon to supply, and especially would this be true if the standing army was small and the pay increased to such an amount as would be attractive, and with greatly reduced military and naval forces every nation could pay its men liberally. But, sir, even if the draft should be resorted to, I say that it is far better to carefully select 50,000 men and compel them to serve for a few years to preserve the peace of the world than to be called upon to draft millions upon millions of men to restore peace after war with all its horrors and hardships has drenched the world in blood.

Mr. President, I have spoken too long, but I shall not be in this body much longer. I fear that the treaty of peace, embodying a reasonable and proper league of nations for the preservation of peace, will not be concluded and submitted to the Senate for ratification before my term of service shall have expired. I have spoken from the depths of my heart; I have tried to express the hope of the world; I have tried to utter the prayer of humanity; I have tried to aid, in my feeble way, in pointing out the path marked out by the teachings of Him who came to save and not destroy; I have tried to voice the sentiments of the plain people everywhere, who see in war, in most cases, a useless sacrifice of the children of God on earth.

I can not close my remarks without expressing my sorrow and disappointment at the utterances of some of the most distinguished Members of this body. As I have noted the great learning and scholarly attainments and giant intellects of the Senator from Massachusetts [Mr. LODGE], who has so long led the Republican Party, and at times the Nation in our foreign relations in the Senate, and of the Senator from Pennsylvania [Mr. KNOX], who has in days past so ably and creditably represented my country and his as Secretary of State; as I have sat in rapt admiration of the massive intellects and dynamic force of appealing oratory of the Senator from Missouri [Mr. REED] and the Senator from Idaho [Mr. BORAH]; as I have noted these first two gentlemen advocating procrastination, and the other two not only advocating procrastination but declaring that a league of nations for the preservation of peace can not and should not be adopted, I wonder why, in this supreme hour of the world, the wonderful endowments of these gentlemen could not be used for construction rather than for destruction, why they do not use their great powers to build up rather than tear down, why they do not aid rather than criticize. They have an opportunity, this whole body has an opportunity, the Nation, the world, has an opportunity that was never afforded before to hasten the coming of the kingdom of God on earth.

There is a tide in the affairs of men, which, taken at the flood, leads on to fortune; omitted, all the voyage of their life is bound in shallows and in miseries. On such a full sea are we now afloat, and we must take the current when it serves or lose our ventures.

I warn the gentlemen in this body that this is no ordinary political question. I warn the gentlemen that the American people will not look with favor upon any man who would play politics in the people's blood. I do not question the motive that actuates those who oppose the advanced thought of the age—who assert opposition to the policies of Wilson and Lloyd George and Clemenceau, as expressed at the greatest feast since the Passover—but the American people, the people of the world, the God of the universe will hold them responsible if they place obstacles and obstructions in the way of saving the world from a repetition of its anguish of the past four years.

ADDRESS BY ASSOCIATE JUSTICE CLARKE.

Mr. WALSH. Mr. President, on Monday last there was ordered printed in the RECORD, on motion of the Senator from Pennsylvania [Mr. KNOX], an address by Hon. Albert J. Beveridge, at one time a member of this body, on the subject of a league of nations. I ask unanimous consent that there be printed in the RECORD an address on the same subject by Hon. John H. Clarke, Associate Justice of the Supreme Court of the United States, delivered before the American Bar Association in the month of August last. I submit this address at this time, Mr. President, because it seems to me exceedingly appropriate, in connection with the eloquent and inspiring address to which we have just listened from the Senator from South Carolina [Mr. POLLOCK].

There being no objection, the address was ordered to be printed in the RECORD, as follows:

A CALL TO SERVICE.

THE DUTY OF THE BENCH AND BAR TO AID IN SECURING A LEAGUE OF NATIONS TO ENFORCE THE PEACE OF THE WORLD.

(By Hon. John H. Clarke, Associate Justice of the Supreme Court of the United States.)

In January the last week of August seems so far away, and it is so difficult to deny Mr. Whitelock anything upon which he has really set his heart, that not long since I awoke to find myself face to face with an outstanding promise to address you here this evening, but without anything formulated or even formulating in my mind which seemed in the least likely to prove of interest to you.

As I sat in my study, confronted by this situation, my eye fell upon the forty-odd volumes of the reports of the American Bar Association, and as I reflected upon the hours and days of intense and intelligent labor which is there buried—I weigh my words—I forthwith determined not to discuss any of the recondite problems of the law—any of those things which Stephen Leacock would say lie "behind the beyond"—but that I would speak to you of some phase of the subject which fills the minds and hearts and souls of us all.

And so my subject has become, the duty of the bench and bar of the country to awake, as it is not yet awake, I am sure, to the responsibility which the great war has cast upon us, as an influential and learned profession, of putting forth all of the power and influence which we possess for the purpose of securing, as the most important result of the war, the establishment of "a league of nations to enforce the peace of the world."

I am quite aware that there is nothing new that I can say upon this subject, which has been the dream of mankind for centuries and the theme of wide discussion for many recent years, but the selection is made because of the conviction on my part that new conditions have made the times ripe for such a league and because I believe that, next after the winning of the war, the matter of first importance to our country and to mankind is the securing of a peace so guarded by new sanctions that the immeasurable calamity of modern war, through which we are now passing, may not again return to desolate the world.

I shall not address myself, gentlemen of the bench and bar, to the expert international lawyers among you, but rather to those of the rank and file of the profession, upon whom will fall the duty of creating and giving leadership to that public opinion of our country, without which it will not be possible to take this fateful step forward in the organization of the international relations of the world. The detail of the constitution and organization of such a league will be for statesmen and international lawyers, but the securing of the acceptance of the principle involved and the answering of the objections to it will be for the general practitioners of the land, trusted counselors that they are of their neighbors in all matters of great public concern.

Fundamental to all that I shall say are these assumptions: That the German autocratic government shall be beaten to its knees and shall be definitely convinced that never again can a war of aggression be profitable in this modern world; that its military and naval establishments, as well as those of the other great nations, shall be greatly reduced and their arming for the future be greatly and strictly limited; and that after the war the German people, chastened as they will be in spirit and in purpose, shall be invited to share in a just, even in a generous, peace, without which the permanent peace of the world can never be secured.

Public international law, as we all know, first assumed definite form in the writings of the great philosophical jurists of the sixteenth and seventeenth centuries. It is made up of a blending of moral principles—of natural justice and reason—with the customs and practices of the more enlightened nations of the world in their dealings one with another.

With such an origin, naturally, some of the principles of this law had become more clearly defined than others prior to the outbreak of the present war, but none had been more generally accepted and observed than this: That the open seas are not the territory of any nation and are not subject to the jurisdiction of any power, but that they are the public highway of all nations, provided by God and nature for carrying on the business and intercourse of the world. It was determined with equal definiteness that the open or high seas comprise all that part of every ocean which lies without a line drawn parallel to the shore and distant 1 marine league from low-water mark. To that boundary the jurisdiction of the sovereign of the adjacent shore extends, but beyond it all waters are the common property of all nations. Long prior to this war it had also become the perfectly settled law of nations that private citizens of neutral States should be allowed to go to and fro on this ocean highway on peaceful errands in neutral ships or even in

belligerent ships, not men-of-war, as safely in time of war as in time of peace, subject only to visit and search and to the law of blockade.

The German Government had frequently and solemnly assented to all this as perfectly established international law, but nevertheless, in arrogant defiance, it proclaimed exclusive dominion over more than a hundred thousand square miles of the open ocean adjacent to the British Isles and, without notice or mercy, proceeded, to the limit of its power, to destroy every neutral ship, its passengers and cargo, which had the temerity to enter the area thus proscribed.

The right of every nation to remain neutral during the war and the duty of every belligerent to respect such neutrality has long been a rule of the customary or unwritten law of nations. When to this we add that in 1839 and again in 1870 the Kingdom of Prussia bound itself by solemn treaties to guarantee the neutrality of Belgium, and that in 1899 and again in 1907 the Imperial German Government, by Hague conventions, bound itself in equally solemn agreement with many nations to respect that neutrality, the utter lawlessness of the invasion of Belgium would stand confessed even if the chancellor of the German Empire had not publicly and scoffingly proclaimed it to be in open defiance of international law. "German faith," not "Punic faith," for all time to come will be the world symbol for international perfidy and dishonor.

In a Hague convention the German Government and its allies agreed with the other civilized nations that in case of war undefended towns or villages should not be bombarded in any manner whatever; that in sieges and bombardments measures should be taken to spare as far as possible buildings dedicated to religion, art, science, or charitable purposes, and hospitals in which the sick and wounded are collected for treatment; and the use of poison or poisoned weapons, projectiles, and materials calculated to cause unnecessary suffering were expressly prohibited.

And yet, further flouting this law which it had shared in making, the German Government has now for four years persistently bombarded undefended towns and villages, used poison gases, and selected libraries, churches, and hospitals as special targets for destruction.

These instances, a few from many, will suffice to recall to us all how completely international law has broken down under the stress of the great war. It has been trampled upon as ruthlessly by the central powers as it was by Napoleon a century ago; and in presence of the international anarchy which is the result men who prefer reality to self-delusion must be convinced, reluctantly but definitely convinced, that moral sanctions are not enough to restrain great nations engaged in war within the boundaries prescribed by civilization in time of peace, and that unless the coming settlement is to prove but an angry truce, a time of preparation for another war, the most pressing problem now before us is how we may furnish new and effective sanctions which will cause international law to be respected and obeyed as fully in time of war as it has been heretofore obeyed in time of peace.

But what is this next war to be?

Military writers of Europe, obsessed with the belief that it is impossible for the future to improve upon the past and that another general European war is inevitable, are already busy discussing what its character shall be, and, in barest outline, this is the picture which they draw:

The Prussian military system, adopted by the other nations in this war, will be continued in preparation for the next and will result in creating armies of unprecedented size. So organized Russia should yield an army of 35,000,000 of fighting men. Germany and Austria 25,000,000, Great Britain, France, and Italy 25,000,000; and to go no further, our Army should exceed 20,000,000 of trained soldiers. To support such armies the industries of all of these countries must be organized primarily for purposes of war and the best energies of their peoples must be devoted to devising means for the destruction of human lives. Women must be conscripted for industry as men for fighting, and noncombatants will be destroyed as ruthlessly by other nations as they have been by Germany in the present war. Great guns now used by thousands will be numbered by tens of thousands, and machine guns by millions. Submarines will infest every sea and hundreds of thousands of airplanes and dirigible ships will fill the air. Chemists confidently declare that, released from the restraints of civilization, poisonous gases will be devised which, used by aerial flotillas and by guns of constantly increasing range, will destroy whole armies and cities in a single night. And, finally, revolting though the thought of it be, other nations, driven by desperation to the use of disease germs, now hinted at as the lowest depth to which Germany has sunk, will let loose a scourge upon the world, the ultimate effect of which upon the human race no man can measure.

The mind turns away in horror from this prospect of another war which would involve the destruction of modern civilization, if not of the human race. And yet in the presence of the experiences of the past four years, of the unprecedented extent and merciless ferocity of the present war, it would be rash to say that this picture has been overdrawn, that it is not a probable description of the abyss that lies before us if measures be not taken to prevent the coming of another war.

Three solutions have been proposed to avert this measureless calamity:

The first, made in Germany, aims to establish a consolidated empire extending from the North Sea to the Persian Gulf, sufficient in extent to be self-sustaining in time of war and peace and with vassal populations great enough in numbers to support a German military establishment which it is believed could dominate the other nations, separated as they are, and thus be able to impose a permanent even though a sullen peace upon the world. To state this is to reject it.

The second, advocated sometimes by combinations of statesmen and men of business and sometimes by labor unions, proposes to strip the central powers of their military and naval strength and of their colonies, to impose upon them huge indemnities for the crimes against civilization of which they are so clearly guilty, and then by boycotts to continue against them a trade war after the present war, and thus to hold these powerful nations in permanent poverty and thereby in an unrighteous, which can not be an enduring, peace.

The third is a league of nations to enforce the peace of the world. The aim of such a league is to substitute conference for strife, justice and peace for cruelty and war, and in the happy phrase of President Eliot to bring "Peace on earth to men of good will."

This dream of mankind for centuries has been brought within the grasp of practical statesmanship by the declaration of President Wilson, assuredly voicing the desire and purpose of our whole great Nation, that the period of American isolation has passed, and that we are ready to unite with the other nations after the war in an international concert which shall hold the world at peace and render it impossible that such a catastrophe as is now upon us shall overwhelm us again.

Ladies and gentlemen, I have dwelt thus at length upon the necessity for a league of nations and upon the desperate alternatives of our failing to obtain it, not because I think that your choice, or that of the country, could be different from that which has been made for us by our President, but because when we shall come to the adoption of the league as a practical agency in international government such grave difficulties must be met that we shall be obliged to recur for encouragement and resolution, perhaps again and again, to what the result will be if we reject this which now seems the last, best hope of the world—and to that end we should keep it vividly in mind.

For us, as a Nation, there are grave constitutional questions involved, which it will be the duty of the bar to argue to a conclusion with the people and in the courts, but of which it would be obviously improper for me to speak beyond recalling that the Supreme Court has declared that the Constitution is not a strait-jacket by which the past is to be imposed upon the present, and that it is not a mathematical formula of undeviating application of public affairs. I may be permitted to add that it is the result of the decisions of that court that the Constitution is a working charter for a living Government, which has proved in experience perfectly adaptable to conditions of life and society of which its framers never dreamed.

For other governments there are questions of dependent nationalities; the extent to which existing alliances may be continued without being inconsistent with such a league; and what prospects of fair treatment the nations failing in the war would have in its councils for many years to come.

There are difficulties for all the nations in determining what the membership of the league shall be, and what the system of law which shall govern its deliberations. There must be delegation, if not surrender, of power, a difficult thing with men and nations, and a new restraint must be put upon national ambitions and pride. But above all there must be cultivated here and throughout the world a larger sympathy and vision—no less than an international mind. We must learn to look beyond frontiers and to find our national welfare in the general welfare of the world.

Yes; the difficulties in forming the league, in devising a constitution for it and in putting it into practical operation are many and grave, but they are not greater than were met and solved by our forefathers when they formed the league of the thirteen original States, framed and adopted our Constitution, and established this indissoluble Union of indestructible States. The problem before us now is more complex and, if possible, more fateful, but it is in character the same, and with this experience to guide us, ours is the Nation which least of all should be discouraged or dismayed. The crisis is unprecedented in the history of mankind and the difficulties in meeting it, here, as on the field of battle, constitute a challenge to all that is strongest and best in the free nations of the world.

But what is this league of nations to be?

The representative men of many nations are in singular accord in the conclusion that an international organization will not be accepted which goes further than to imperatively provide that war shall not be commenced until the subject in dispute shall have been submitted to an investigation by an impartial tribunal and its merits reported upon, with a further delay after such report, for new negotiations and for the public opinion of the nations involved to assert itself, informed as it would be by the disinterested investigation and opinion of the league.

It is widely believed that rarely would a nation assume the moral odium of going to war against the impartial conclusion of such a report, but it is also believed that in the present development of world opinion upon the subject the governments would not consent to unite in an agreement to enforce the acceptance of such a report upon an unwilling and dissatisfied nation.

In this belief a group of distinguished American statesmen, lawyers and publicists, with former President Taft as their leader, have rendered a great public service by formulating a constitution or convention for such a league, which may serve as a starting point for discussion now and when the time shall come for settling the terms of the treaty of peace.

The fundamental principles of this constitution are only two and they are very simple:

The first is that no nation which enters the league shall make war upon any other member until the question in dispute between them shall have been submitted to an international court, yet to be constituted, if the question in dispute is a justiciable one, or to a council of conciliation if the question involved is nonjusticiable in nature. The disputed question shall be investigated, with every assistance from the parties in the way of evidence and argument which the tribunal may desire, and a decision or report on the merits of the controversy shall be rendered in a written opinion, which shall be published. Such decision or report shall be published within a year after the case is submitted, and neither party shall comence war against the other within six months after it is rendered.

The acceptance of this principle should present little difficulty, for 30 nations have already accepted it in treaties with our Government which with great propriety have been officially termed "Treaties for the promotion of peace." These treaties have all been executed since August, 1913, and all of the important nations at war have joined in them excepting Germany, Austria-Hungary, and Turkey—a significant circumstance in fixing the blame for precipitating upon the world the calamity of the present war.

The second principle of the proposed league is that if any member shall commence war upon another without submitting to the preliminary investigation and decision or report provided for, all of the others shall unite in the use of their economic resources and, if necessary, their military power to punish the recalcitrant member for violation of its pledged international faith.

Four years ago the first of these principles marked the extreme verge to which nations could be induced to go in the interest of peace, but the harsh teaching which they have received in the hard school of experience during the past four years has brought the responsible statesmen of the great nations to such a new sense of social duty and of international responsibility that the incomparable statement of President Wilson in favor of coercion to secure the peace of the world has called forth acceptances of it in principle from leading statesmen of Great Britain, France, Italy, Austria-Hungary, and for what it is worth from a chancellor of the German Empire, as well as from leaders of many of the lesser and neutral States.

The constitution proposed contains many administrative provisions, but these two are the fundamental principles on which it proceeds. It is to be observed that the agreement to resort to economic coercion and to war is only to compel delay until there shall be investigation and decision or report, and that it does not extend to enforcing such decision or report when either shall be rendered. After the requisite delay,

without incurring the odium of violating any covenant of the league, the savage tribunal of war would still remain open for any nation which should choose to resort to it.

While such a league would be a great advance toward permanent peace and should be accepted if a better can not be secured, yet personally I prefer the counsel of those who would strive to have the covenant of the league provide not only for delay until there shall be investigation and decision or report, but also that all of the resources, military and economic, of the members shall be used to compel its acceptance when made and obedience to all of its commands.

This, not only because I do not share the confidence which many have that a year's delay would suffice to prevent war by cooling fierce national hatreds, such, for instance, as exist among the Balkan States or within the Austro-Hungarian Empire, or by calming national ambition such as that of Germany, which has been half a century in cultivation and development, but also because I believe that the world is ready for this longer and final step forward toward permanent international peace.

Millions of men will return to their homes in every one of the important nations which should be members of the league, convinced by the lapse into savagery which they have seen with their own eyes, that trial by battle is as irrational a manner of settling a national as a private quarrel, and that the nearest approach to securing a just decision of a dispute by human agency is to be found in a council of conciliation or a court selected from the wisest and best of the citizenship of the advanced nations of the world. In the free nations these men will return to a deserved and dominating leadership as the saviors of free government, and in the enemy countries they will be all that will remain not discredited by defeat. Yes, I would confidently put my faith in the men who have seen the most of war, not at a distance, but in the trenches, "on the red edge of battle," as competent and willing to enforce a conclusion which makes for the enduring peace of the world.

Neither do I share the confidence which many persons have that our experience with our Supreme Court in settling disputes between States is conclusive evidence of what may fairly be expected of a similarly constituted international court dependent wholly on moral sanctions for the enforcing of its decrees. Not to dwell upon the futility of the Dred Scott decision, so hopefully relied upon to avert civil war, or the unfortunate party divisions of the judges of the Electoral Commission of 1877, it is sufficient to say that it may be convincingly advanced that the Supreme Court from very early times to decisions rendered in the current year has steadily declined to take jurisdiction over questions falling within the scope of the powers of the political—the executive and legislative—departments of our Government, and that it has been from political, not from justiciable, disputes that most of the past wars have sprung.

Here, if there were no other, is furnished to the bench and bar ample opportunity to serve our country in assisting our neighbors in determining whether this fateful league shall be one merely to enforce delay and investigation, or one the decisions of which shall have a sanction which will make them the accepted and obeyed international law of the world.

But whether this wider or the narrower scope shall be given to the league, the chief opportunity for service on the part of our profession will be in counsel with our fellow citizens as to its constitutionality and its membership, as to the wisdom of our country entering into any covenant—an entangling alliance it will be called—to engage in war it may be, to settle a quarrel which, it will be urged, may be no concern of ours, and as to the answers which should be given, to objections which will range from those of the hopeless and timid who think progress impossible and that future wars are inevitable, to the Chauvanists and selfish who declare that war is not an evil, but is a discipline necessary for the development of all that is best in the physical and spiritual qualities of mankind.

To the objection that we should not expose ourselves to the risk of becoming a party to the future wars of others, the sufficient answer is that it is no longer possible for us to avoid being a party to them. For three years our Government strove with indomitable resolution to avoid participation in the present war, protesting, reasoning, warning, that there was a limit to our endurance of injury and insult, but with the result at last that we were obliged to take up arms "to conquer or submit." These years of experience have demonstrated that the modern world is so knit together that our frontiers touch those of every other important nation; that the innocent must so suffer from future wars; that self-respecting neutrality has become impossible in any general war; and that all wars are likely to become general, and that therefore it has become the chief concern of all the peace-loving nations of the world that all war shall cease. Unless the league shall utterly fail of its purpose, membership in it will involve a covenant on our part to join the honorable nations of the world to protect ourselves and them from nations which are predatory and false, and waiving aside all higher motives, it is the part of prudence if we must make war to make it for a just cause and in the company of honest nations.

Shall Germany be an accepted member of this league of peace? Yes; by all means, yes! and Austria-Hungary also, and necessarily the six other great powers of the world—France, Great Britain, Italy, Japan, Russia, and the United States—for without all of these the league would not be one to enforce the peace of the world at all, but an alliance offensive and defensive to prepare for the next war. Alliances and coalitions of nations rarely have long lives. Great Britain and Germany were allies in the Napoleonic wars and France was their enemy; Great Britain, France, and Turkey were allies in the Crimean war and Russia was their enemy; Germany and Austria were enemies at war in 1866; Russia and Japan, allies in this war, were enemies in 1905; the friendship of Great Britain for France and Russia is of recent origin, and Italy was in terms an ally of Germany and Austria when the present war began. The teaching of this reference to the experience of a hundred years is plain. If Germany and Austria shall be excluded from the league, all of the ingenuity and resource and power which they possess will forthwith be used to strengthen their alliance and to sow discord in and weaken that of their adversaries, and all Europe, divided again into hostile groups, will inevitably return to the old suspicions and to rivalry in arms and armaments in preparation for another war.

This also must be accepted as fundamental, that no peace can be enduring which is not a just peace and that no league can be permanent which does not afford a reasonable prospect of just treatment to every member of it.

To exclude the German and Austrian people from the league, to attempt to impoverish two such great nations and to hold them permanently poor, possessed as they have proved themselves to be of approximately one-half of the military power of the world, would be to invite new coalitions and alliances and would render inevitable that next war which the prophets of evil so confidently predict.

Equally unfortunate would it be to confine the membership of the league to the great powers. The presence in the league of the secondary and now largely neutral powers, including from America at least Argentina, Brazil, and Chile, will be clearly necessary to persuade Germany and Austria to enter it, for otherwise they would see themselves opposed in the league, as they are now on the field of battle, by the six other great powers, and it would be futile to try to persuade them that for many years to come they could expect from such a court that impartiality and freedom from prejudice so necessary to securing a just settlement of any disputed questions by conference and argument. But in such larger group suggestions of disinterested fairness and sympathy would be possible on which all of the present combatants might confidently rely for an impartial hearing and a just decision.

It is just as necessary to the success of the league that every member nation shall believe that it will receive just treatment as that it actually shall receive it when the time of test shall come. We must aim at a constructive and healing peace—not at an angry, sullen truce which will lead to further war.

There is evidence enough of opposition in this view abroad in the world to make the cultivation of it an opportunity for fruitful service by the members of our profession, natural leaders that they are of that public opinion of our country, to which the responsible statesmen of the allied powers have already shown the greatest deference, as it has been formulated on this subject by President Wilson, in statements which it is not exaggeration to say have been "heard 'round the world."

Shall all questions in dispute between nations be submitted to the league, or shall those relating to vital interests, to independence, or to national honor be excepted, as they have been in arbitration treaties of the past? Or, differently and specifically, are we ready to submit the validity of the Monroe doctrine or the necessity for our going to war with France or Great Britain, with Argentina or Brazil, to the decision of a body in which we should have no greater vote than each of the seven other great powers would have?

Here is the test of our faith—the measure of our confidence in that international tribunal of peace and justice which we are recommending to the other nations of the world.

Not until our allies and friends shall become as internationally faithless as the Germans are can we be called upon by the league to make war upon them, and that is a contingency which we refuse to consider.

Do we lack confidence in the moral basis of the Monroe doctrine? There is one of us who does not. Whatever infirmity may have been thought to be in a doctrine of such comprehensive scope when it was announced has disappeared in the experience of almost a century in which it has preserved all America from sharing in the conditions which precipitated the conflagration in Europe and South America from the untoward fate which the partition of Africa has brought upon that unhappy continent. The noble conception which set apart this hemisphere to development under institutions of its own creating, which cut it off from the intrigues and jealousies of Europe, and which, insuring it from alien influences, has made possible the development of the strong and free States which have emerged one after the other to the south of us has so justified itself that the doctrine could confidently be submitted for approval to any tribunal which such a league would constitute. We all submit our private differences, involving our lives, our fortunes, and our honor, to domestic tribunals, and many of us with equal confidence often submit our rights to the determination of the tribunals of foreign States. Why should we prefer the gun and the torch for the settlement of public controversies? Does the cynical definition of a question of honor still hold true, as one which men refuse to solve by reason?

But I can not pursue objections further in an address which I am admonished must be short. Their name is legion; they will come from the genuine and from the false in every part of our land, and I am pleading with my professional associates that we accept it as our patriotic duty to be ready in every town and hamlet to answer them and to advocate the taking of this step forward toward the realization of the reign of law, without which the allied nations will have fought this desperate war in vain.

The President calls us to this service in his declaration that "mere agreements may not make peace secure. It will be absolutely necessary that a force be created as a guarantor of the permanency of the settlement so much greater than the force of any nation now engaged or any alliance hitherto formed or projected that no nation, no probable combination of nations, could face or withstand it. If the peace presently to be made is to endure, it must be a peace made secure by the organized major force of mankind."

The young men going forward to take their places in the line of battle call us to this service. In every land, with a unanimity which makes it all but a battle cry, they declare that for them this is a war to end all wars; that it shall not cease until the authors of it are punished and freedom and justice and peace are made secure in the world; and that never again shall such a calamity return to desolate the earth. These men will return to dominate, I repeat, to deservedly dominate, the governments which they have saved, and they will not be balked in the accomplishment of their purpose.

But, nevertheless, it is believed that there is as yet no such general thinking or discussion of this vital subject throughout our land as is necessary to the creating of a public opinion sufficient to sustain the President when he shall press it upon the attention of the nations as the most important provision of the treaty of peace—and assuredly there is no agency for the creating of such public opinion comparable to the bar of the United States.

Ladies and gentlemen, the achievement of our country since we entered the war has been very great. Overwhelmed by the magnitude and horror of the struggle, the European nations did not realize the ultimate purpose of the evil genius of the German Government until, in accepting the challenge of the central powers, President Wilson put a new face upon the war and raised it to a new level by declaring, what all the world instantly recognized as true, that this is the fateful, final contest between autocracy and freedom; that it is a war on Germany's part to restore the dominion of kingly government throughout the earth, and on our part and that of our allies to make the world "safe for democracy." This definition alone, watchword and ideal of the free nations that it has become, has proved a moral inspiration to them all equal to the winning of many battles.

When the failure of Russia released great armies for use upon the western front, how splendidly did our country respond to meet the crisis thus precipitated in the fate of freedom and of mankind! By

a marvel of energy and organization, a million of men, since proved to be as good soldiers as any in the world, were safely and swiftly transported over 3,000 miles of stormy and pirate-infested seas to meet the savage onslaught upon heroic France. They met and turned back the tide of invasion, and with our brave allies made the Marne "a river more fateful than the Rubicon," and gave us sure promise of abundant military glory yet to come.

But a greater honor lies beyond. When the war shall end and the roar of the great guns shall cease there is reserved the supreme distinction of all history for the nation which shall have the inspiration of vision and the greatness of soul to lead the other nations of the world out of the valley of the shadow of death of recurring wars into the haven of enduring peace. Pray God that nation may be ours!

CALLING OF THE ROLL.

Mr. FRANCE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. GAY in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hitchcock	Martin, Va.	Smith, Ga.
Beckham	Jones, Wash.	New	Smoot
Borah	Kellogg	Nugent	Spencer
Chamberlain	King	Overman	Sterling
Fletcher	Kirby	Page	Sutherland
France	Knox	Penrose	Thomas
Frelinghuysen	La Follette	Pittman	Trammell
Gay	Lenroot	Poindexter	Underwood
Gerry	Lewis	Pomerene	Walsh
Gronna	McKellar	Shafroth	Warren
Hale	McNary	Sheppard	Wolcott
Henderson	Martin, Ky.	Smith, Ariz.	

Mr. McKELLAR. I wish to announce the absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF] is absent on account of illness.

Mr. SHEPPARD. I wish to announce that the Senator from Arkansas [Mr. ROBINSON] and the Senator from Kansas [Mr. THOMPSON] are detained on official business.

The PRESIDING OFFICER. Forty-seven Senators have answered to their names; there is not a quorum present.

Mr. CHAMBERLAIN. I suggest that the names of the absentees be called.

The PRESIDING OFFICER. The Secretary will call the names of absent Senators.

The Secretary called the names of the absent Senators, and Mr. POLLOCK, Mr. SAULSBURY, and Mr. SWANSON answered to their names when called.

Mr. CUMMINS, Mr. RANSDELL, Mr. FERNALD, Mr. NELSON, and Mr. KENYON entered the Chamber and answered to their names.

Mr. KENYON. I desire to announce the absence of the Senator from Nebraska [Mr. NORRIS] on official business.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

VALIDATION OF WAR CONTRACTS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. THOMAS. Mr. President, the Hitchcock bill was considered by the Committee on Military Affairs, as has been stated, and reported by a majority of the committee and the unanimous vote of those present, and therefore took its place upon the calendar. The fact that the committee took such action, and afterwards the inconsistent one of favorably considering a bill largely different in its character and scope needs a word of passing explanation.

The Hitchcock bill was very carefully considered by the subcommittee; indeed, the senior Senator from Nebraska [Mr. HITCHCOCK] does his full duty upon every committee of which he is a member. The Senator gives his best thought and his best work to every task that is imposed upon him by his senatorial duties; and it is no reflection upon him that the bill now before the Senate was recommended in its place, but the attention of the committee was called to some of the operating features of the proposed measure, which convinced me that the bill which was offered as a substitute for the measure advocated by the Senator from Nebraska, and which the committee subsequently reported as a substitute for the House bill was, as an operating measure, not only a more effective but perhaps the only effective one of the two.

Mr. President, the subject matter of this bill is composed of a large number of items; that is to say, of different contracts—contracts executed improperly, contracts written but not executed, and oral contracts. It also embodies a geographical condition, these contracts being spread over a large portion of the United States, and involving a detail of production comprehending practically every element essential to the necessary prosecution of the war.

There is no question that these contracts should ordinarily have been signed, and signed in the manner required by the statutes. As an abstract proposition, no one can gainsay this. The statutes of the United States necessarily require care in the execution of contracts calling for an expenditure of public money and in accordance with formulas deemed by Congress to be essential to the public welfare and protection. These were not so executed, and I think for the best of reasons. When engaged in a great war, when in the midst of a great offensive, when conditions crowd upon each other with tremendous rapidity, and when emergencies arise requiring the utmost expedition to meet them, the department would have been false to the country and to itself if it had done otherwise than to act as the emergency required, notwithstanding the necessary disregard of statutory requirements. To have done otherwise might have involved the country in disaster; and I do not think it is fair to reflect upon the action of the department in the making of these contracts in view of these conditions.

There are times, Mr. President, when to follow the law may mean disaster; there are times when to disregard it and take the chances is the highest form of patriotism; and I am satisfied that the course pursued by the War Department with regard to the great, the overwhelming majority of these contracts was the only one to take, and without which the country, indeed, the allies, might have suffered very seriously. And because, Mr. President, they shouldered this responsibility, we should applaud them.

On the other hand, the contractees, men and corporations, who took the chances and came to the help of the Government under these circumstances are entitled to our gratitude and to our thanks; and the least we can do is to save them from the loss with which they are now confronted, and to do it as expeditiously as possible. So that the situation is an unavoidable one. If anybody is to blame for it, it is the nation or the nations responsible for the war. It is not to be attributed to any lack of conscientiousness upon the part of public officials or to any disregard of the law, but to the necessity of the situation, which is said to know no law.

Nor, Mr. President, am I impressed with the idea that the War Department, in its transaction of the public business during the last two eventful years, should be subject to no general criticism of dishonesty or laxity in the performance of its public duties. This department has been intrusted with the expenditure of somewhere in the neighborhood of twenty or twenty-five billions of dollars, the largest sum of money ever intrusted to any department in this country or any other.

There may have been, and probably are, instances—it would be remarkable if it were not so—where men engaged in the public service have, directly or indirectly, profited by their positions. It may be—it would be singular indeed if, under the temptations everywhere surrounding them, in view of the enormous amounts of money at their disposal and the opportunities coming their way—some official here and there did not yield to the surrounding temptations and fall by the wayside. I do not know of any individual instance myself; but, as I say, I shall be immensely surprised if numbers of them are not developed as these contracts are considered and allowed or rejected.

Mr. President, I want to say as a general fact that in the management of this great enterprise, from its commencement to its successful termination, speaking broadly and generally, the War Department has administered the affairs of the Government with honesty, with efficiency, and with success. It is entitled to, and should receive, the warm thanks and gratitude of the people of the United States; and, because here and there a man is under suspicion, I do not think that the Secretary and his able assistants should be subject to a reflection resulting from these individual instances, however well founded they may be. In other words, I am willing to trust the War Department, which made these contracts, with the duty of adjusting them and making appropriate settlements. Indeed, I do not think any other department is so competent to do it, or any other commission which we may provide for or which the President may appoint.

The purpose of this bill is to provide for the settlement of contracts, not their adjudication. It is to provide for the setting aside of those statutory requirements, the nonobservance of which invalidates the contract. It is very much as though you and I were face to face with a contract which we had made and which for some reason was invalid, but which nevertheless we entered into in good faith in an emergency and which, therefore, should be recognized. Now, who are the best people to consider that situation if our minds run in the same direction? Who besides we, who are parties to the contract, should interfere, or can interfere, in the absence of controversy? I do not think, Mr. President, that there will be much controversy with

regard to the bona fides of these transactions. I do not see how there can be. If a man has a contract irregularly executed, or not executed at all, but upon which nevertheless he has acted, there is no ground for adjudication but for recognition and for action upon such recognition; and this brings me, Mr. President, to that feature of the Hitchcock bill which my better-informed judgment has forced me to reject. I refer to that provision of the bill which creates a commission and refers all these contracts to it for adjustment.

The idea is an excellent one, and if but half a dozen, or even a hundred or a thousand contracts were involved it might be the better one; but I am afraid, Mr. President, that in practical operation it will prove to be not only unsatisfactory but delusive, and that instead of granting a remedy it will virtually interpose an obstacle to the ultimate determination of these very insistent matters.

Now, let us see.

It was stated here yesterday afternoon by the Senator from New Jersey [Mr. FRELINGHUYSEN] that the Assistant Secretary of War had informed him yesterday morning that there were 6,000 of these contracts, involving $1,766,000,000. The State of Colorado was admitted into the Union on the 1st of August, 1876, or 43 years ago. Its Federal district court has been one of the busiest in the land, and the amount of business it has transacted is enormous; yet I think its general docket numbers scarcely exceed 6,000 up to this time. The Supreme Court of the United States has been in existence since the Constitution was adopted. I think its general docket number is under 20,000, although it has been doing business for a century and a quarter. Six thousand contract cases, Mr. President, present to the mind a number the magnitude of which it does not fully comprehend, except upon reflection; and when these 6,000 contracts represent an average of $294,333 apiece in amount, then the number of the contracts assumes additional dignity and importance because of the average amounts they involve. Of course, many of them involve far more and many far less than this average; but I undertake to say that it would be difficult to conceive of an aggregation of 6,000 controverted cases, the average of which are nearly $300,000 apiece, except the one which we here are considering.

Mr. President, how long would it take a commission doing its duty between the Government on the one side and the contractors on the other to dispose of these 6,000 cases? First, they must investigate the facts concerning the execution of the agreement—the manner, in other words, in which the contract was evolved—and the circumstances surrounding it; second, the amount of money to be allowed as a fair adjustment upon its recognition. How long will each case take? The average case of importance tried in the courts requires more than one day. There are 300 working days in a year; and if this commission were able to dispose of one case per day, or 300 cases per year, it would have to be in session for 20 years before the 6,000 contracts would be disposed of.

It is true that the Hitchcock bill provides for the appointment of regional boards of examiners; but these regional boards have not the power of determining upon the facts. They take testimony, and the board or the commission, in order to acquaint itself of the facts, must read that testimony, must digest it, and then pass upon it.

Suppose that the commission tried two cases a day; there is 10 years. Ten cases a day would take 2 years; 20 cases a day would require 12 months after the commission is appointed to dispose of these 6,000 cases, and of course that is an absolute impossibility.

To my mind, therefore, the creation of a tribunal of any sort to handle exigent matters of such tremendous scope, comprehending so many items and so much money, would be a practical denial of justice to the holders of these claims against the Government.

On the other hand, the War Department has its machinery already in operation, and only awaiting congressional action to go ahead with this important business and transact it as expeditiously as possible. Up to the time that the question of the validity of these contracts was raised and determined adversely, they were proceeding, and proceeding very expeditiously, to dispose of the matters. The Senator having charge of the bill yesterday inserted, at page 2289 of the CONGRESSIONAL RECORD and following, an outline of the staff of the commissions or boards, or whatever they may be called, which have already been provided for, and which, upon the enactment of this measure, can in their respective jurisdictions take hold and dispose of these claims.

I am willing to trust the Secretary of War, I am willing to trust the boards, the commissions, and the individuals that have been selected for the purpose of transacting this very important business. I know that with the possible exceptions that may occur, the great body of these men are just as anxious to serve the Government and just as honest as you or I.

Mr. President, in a matter of this sort, time is of the utmost importance. As lawyers say, it is of the essence of the situation. Delays are expensive, not only to those having claims against the Government but to the Government itself. Every day that these claims remain undisposed of is an added expense of millions of dollars to the Government of the United States. In France alone there are claims involving over three-quarters of a billion of dollars—claims which, in my judgment, are not affected by the statutory requirements relating to the execution of contracts in the United States; claims needing adjustment there and here to save from bankruptcy men and corporations who have tried to help the Government, and have taken these chances; claims the settlement of which is necessary to the continued employment of labor in this country; claims the justice of which is beyond doubt in most cases; claims the settlement of which is essential to the welfare of the Government and to those who hold them.

That being so, let us give jurisdiction to that tribunal whose machinery will enable it to act upon these things at once, and have them all practically determined and disposed of within the next four or five months. That is beneficial to the Government. That, and that alone, Mr. President, is the extension of true and adequate justice to the men and the corporations who need this legislation so badly.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Nebraska.

Mr. HITCHCOCK. Mr. President, I shall ask for a roll call on the vote between the committee bill and that which bears my name. I should like to ask the chairman whether he has any objection to substituting my bill for the House bill without a record vote. If by consent it can be substituted for the House bill, then we will have only one record vote.

Mr. KIRBY. I should object to that. It would be adopting the Hitchcock substitute.

Mr. FLETCHER. I think the question first comes on substituting the amendment of the Senator from Nebraska.

Mr. HITCHCOCK. No; my amendment is an amendment to the House bill; that is, it is perfecting the House bill; and after it is perfected the Senator from Oregon will move to substitute his bill for the House bill as perfected.

Mr. CHAMBERLAIN. I think probably the record vote had better come on the pending question.

Mr. HITCHCOCK. Yes; but I was just suggesting that we will avoid that by adopting my amendment as a substitute for the House bill at this time.

Mr. CHAMBERLAIN. I will say to the Senator that I think the record vote had probably better come on substituting his measure for the House bill.

The PRESIDING OFFICER. The Chair understands that the question is on the amendment offered by the Senator from Nebraska.

Mr. HITCHCOCK. As a preliminary, then, to a vote, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, Cal.	Nelson	Smoot
Beckham	Johnson, S. Dak.	New	Spencer
Chamberlain	Jones, N. Mex.	Nugent	Sterling
Culberson	Jones, Wash.	Page	Sutherland
Cummins	King	Penrose	Swanson
Fletcher	Kirby	Poindexter	Thomas
France	Knox	Pollock	Townsend
Frelinghuysen	La Follette	Reed	Trammell
Gay	Lenroot	Shafroth	Underwood
Hale	McKellar	Sheppard	Wadsworth
Hardwick	McNary	Simmons	Walsh
Henderson	Martin, Ky.	Smith, Ariz.	Weeks
Hitchcock	Moses	Smith, Ga.	Wolcott

Mr. SHEPPARD. I desire to announce that the Senator from Rhode Island [Mr. GERRY] and the Senator from Virginia [Mr. MARTIN] are detained on official business.

Mr. SIMMONS. I wish to announce the unavoidable absence of my colleague [Mr. OVERMAN] on official business.

The PRESIDING OFFICER (Mr. JONES of New Mexico in the chair). Fifty-two Senators have answered to their names. There is a quorum present.

Mr. LENROOT. Mr. President, the principal difference now between the substitute amendment of the Senator from Nebraska [Mr. HITCHCOCK] and the committee bill is the original jurisdiction of the commission which is provided for in both bills to determine these claims, the Hitchcock amendment giving full and complete jurisdiction to the commission, with certain limi-

tations, which I shall refer to in a moment. The committee bill provides that the Secretary of War shall in the first instance adjust these claims and with the approval of a representative of the Department of Justice may pay them to the contractor, but the contractor, and in certain cases the Department of Justice, may appeal to the commission.

I think we are all in sympathy with the purpose the Senator from Nebraska desires to accomplish if it were practical, but even the Senator who proposes this amendment recognizes the fact that it is not practical to give original jurisdiction to this commission to investigate fully and determine all these claims, because to do so would involve months and months of delay and disaster to many, many industries in the country.

The Senator from Nebraska has sought to avoid that very serious difficulty by the provision in his amendment which provides that the Secretary of War shall file with the commission a statement of the award that he believes to be just and the amount which the claimant is entitled to. Then he provides that if the claimant shall file a statement with the commission "offering to accept the amount awarded by the War Department in full for said claim the commission shall, within 10 days, order the same paid in the absence of evidence that it is excessive."

Mr. President, to my mind this language, if it shall be adopted, will prevent the commission from examining the very cases that it ought to examine and investigate. It will deprive the commission of the jurisdiction where it will be beneficial to the Government and give it to the commission only where it is in the interest of the contractor. Why do I say that? Because with the very minimum number that has been suggested of 6,000 claims, and the Senator from Tennessee suggested it might run from 10,000 to 60,000 claims, with the War Department now prepared with a very large percentage of them to immediately make adjustments, what would happen if the amendment of the Senator from Nebraska is adopted? We would have immediately filed with this commission some thousands of claims. Supposing there were only 100 claims a day, every one of those claims under the Senator's amendment must be paid at the end of 10 days, unless there is evidence produced before the commission that the claim is excessive.

Mr. President, it would be a physical impossibility for this commission to get before it evidence that these claims were excessive within the period of 10 days. The commission would have no authority to retain jurisdiction of these claims longer than 10 days, unless after the filing of the claim it had proceeded upon investigation of that claim and had before it some evidence that the claim was excessive.

It may be said that it might call upon the War Department for all the files and testimony and records. I call attention to the fact that under the amendment of the Senator from Nebraska the War Department is not required to file any papers other than a statement of the amount awarded and the name of the contractor. But suppose the commission pursued that plan and asked the department for all the files and all the claims and all the testimony it had upon file before it, the commission certainly would not go upon the theory that some of the claims were excessive and permit payment of same, and take jurisdiction of others, because if it had only 100 claims a day for 10 days what would it mean? It would give the commission about six minutes for the investigation of a claim to find out whether, in its judgment, there was some evidence that the award was excessive—an absolute impossibility.

So the result would be, in my judgment, under the Senator's amendment, that, if there are awards that are excessive by the War Department, the contractor, of course, would immediately file his acceptance of that award, and the commission would have no opportunity within the 10 days to secure or produce evidence that it was excessive, and it would then become mandatory upon the commission to pay that excessive claim.

Now, contrast that with the provision in the committee bill. In my judgment, the phraseology is not happily worded, but I do not think there can be any question as to the construction. Under the committee bill the provision is as follows:

> That within 30 days of the date when the Secretary of War tenders any contract or compensation as provided in this act, or refuses to tender such contract or compensation, the party to whom said contract or compensation is tendered or refused or the Government, by a duly authorized officer from the Department of Justice, may file with the chairman of the commission a notice of appeal: *Provided, however,* That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government, but settlement can be made at once.

As I construe the committee bill, it is contemplated that representatives of the Department of Justice shall work with the War Department at all times, acting as counsel for the Government in the investigation of these claims; that when the Secretary of War shall make an award if counsel for the Government shall be of the opinion that that award is or may be excessive he then has 30 days in which to further investigate that question and make an appeal. Then if he believes that it should be investigated by the commission he files his appeal.

In other words, under the committee proposition counsel for the Government sits in and is familiar, as counsel for a private party would be, with all the proceedings, and then when the award is made he still has 30 days within which to file his appeal, unless he is satisfied that justice is done to the Government and that the interests of the Government are protected.

As I said, I do not think that this provision is happily phrased. I do not think that the word "tenders" is a proper word to use in this connection. Certainly, it is not used here, I think, in the ordinary sense of a legal tender. The phraseology later on is absolutely contrary to any such idea, because to tender compensation ordinarily would mean that the party to whom compensation is tendered could immediately accept it. When it is said in the same paragraph that if the representatives of the Department of Justice agree with the War Department a settlement may be made at once, it seems to me that that negatives the idea that the word "tenders" is not used in its ordinary meaning. It does seem to me that that should be cleared up, and I think the word "offers" or "proposes" should be used.

Mr. KNOX. Where is that to be found?

Mr. LENROOT. On page 7.

Mr. McKELLAR. In what line?

Mr. LENROOT. In line 20 of the reprint.

I wish to ask the chairman of the committee whether in his opinion I have given the interpretation to this language he thinks the committee intended to give to it?

Mr. CHAMBERLAIN. That was the intention of the committee.

Mr. LENROOT. Does not the chairman think that there should be some other word than the word "tenders" to express the purpose?

Mr. CHAMBERLAIN. If the Senator can suggest a word, I will be glad to accept such an amendment, because that was the purpose of the committee.

Mr. LENROOT. Will the Senator then agree to strike out the word "tenders" and insert the word "offers"?

Mr. CHAMBERLAIN. I have no objection.

Mr. LENROOT. I think that that would clear it up. I will then offer an amendment on page 7, line 20, to strike out the word "tenders" and insert the word "offers."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In the original print, page 7, line 12, after the word "War," strike out the word "tenders" and insert the word "offers."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LENROOT. My next amendment is to strike out the word "tender" and insert the word "offer" after the word "to" in the next line.

The SECRETARY. On page 7, line 13, before the word "to," strike out the word "tender" and insert the word "offer."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. LENROOT. I think it must be very clear that before payments can be made under the committee bill the counsel for the Government must agree that the payment is proper and the interest of the Government is protected. If he is not so satisfied, under the committee bill he has 30 days in which to further investigate, and either agree or appeal, while under the amendment of the Senator from Nebraska these things must be determined within 10 days, and in cases where an award is excessive the interests of the Government are not protected under his proposition.

For these reasons, Mr. President, I feel very clear that for the protection of the Government the bill as reported by the committee is preferable to the amendment offered by the Senator from Nebraska.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. Before the question is put, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gay	Jones, N. Mex.	Lenroot
Beckham	Gore	Jones, Wash.	McKellar
Borah	Hale	Kenyon	Martin, Ky.
Chamberlain	Henderson	King	Moses
Culberson	Hitchcock	Kirby	Nelson
Cummins	Johnson, Cal.	Knox	Nugent
Frelinghuysen	Johnson, S. Dak.	La Follette	Page

Poindexter	Sheppard	Sutherland	Vardaman
Pomerene	Smith, Ariz.	Thomas	Walsh
Reed	Smoot	Townsend	Warren
Saulsbury	Spencer	Trammell	Weeks
Shafroth	Sterling	Underwood	Wolcott

The VICE PRESIDENT. Forty-eight Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. LEWIS and Mr. SWANSON answered to their names when called.

Mr. FERNALD entered the Chamber and answered to his name.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. SAULSBURY (when his name was called). I have a general pair with the senior Senator from Rhode Island [Mr. COLT]. In his absence, I refrain from voting.

Mr. STERLING (when his name was called). I have a general pair with the senior Senator from South Carolina [Mr. SMITH]. In his absence, I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my general pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. CHAMBERLAIN (when Mr. WILLIAMS's name was called). The senior Senator from Mississippi [Mr. WILLIAMS] is on his way here, but he has been unavoidably detained. He stated to me that he would vote "nay" on this question.

Mr. WOLCOTT (when his name was called). I transfer my general pair with the Senator from Indiana [Mr. WATSON] to the Senator from California [Mr. PHELAN] and vote "nay."

The roll call having been concluded,

Mr. UNDERWOOD. I have a general pair with the senior Senator from Ohio [Mr. HARDING], but I am authorized to vote on this question. I vote "nay."

Mr. PENROSE (after having voted in the negative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I know that that Senator has not voted, but in view of the statement of his attitude made by the chairman of the committee, I will permit my vote to stand.

Mr. MYERS. Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. MCLEAN], which I transfer to the Senator from Arizona [Mr. ASHURST] and vote "nay."

Mr. LODGE. I desire to announce that the Senator from Kansas [Mr. CURTIS] is detained on official business.

Mr. SHEPPARD. I wish to announce that the Senator from Kansas [Mr. THOMPSON] is necessarily absent on official business. If present, he would vote "nay" on the passage of the bill.

Mr. POLLOCK. I desire to announce that my colleague, the senior Senator from South Carolina [Mr. SMITH], is detained on account of illness.

Mr. LODGE. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 8, nays 55, as follows:

YEAS—8.

Borah	Hitchcock	La Follette	Nugent
Gore	Jones, Wash.	McKellar	Reed

NAYS—55.

Bankhead	Johnson, S. Dak.	Overman	Smoot
Beckham	Jones, N. Mex.	Page	Spencer
Chamberlain	Kirby	Penrose	Sutherland
Culberson	Knox	Pittman	Swanson
Cummins	Lenroot	Poindexter	Thomas
Fernald	Lewis	Pollock	Townsend
Fletcher	Lodge	Pomerene	Trammell
France	McNary	Ransdell	Underwood
Frelinghuysen	Martin, Ky.	Shafroth	Wadsworth
Gay	Martin, Va.	Sheppard	Walsh
Hale	Moses	Sherman	Warren
Hardwick	Myers	Simmons	Weeks
Henderson	Nelson	Smith, Ariz.	Wolcott
Johnson, Cal.	New	Smith, Ga.	

NOT VOTING—33.

Ashurst	Goff	McLean	Smith, S. C.
Baird	Gronna	Norris	Sterling
Brandegee	Harding	Owen	Thompson
Calder	Hollis	Phelan	Vardaman
Colt	Kellogg	Robinson	Watson
Curtis	Kendrick	Saulsbury	Williams
Dillingham	Kenyon	Shields	
Fall	King	Smith, Md.	
Gerry	McCumber	Smith, Mich.	

So Mr. HITCHCOCK's amendment was rejected.

Mr. CHAMBERLAIN. I believe the vote now is on the committee amendment as amended.

The VICE PRESIDENT. The vote is on the committee amendment as amended.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes."

POST-OFFICE APPROPRIATIONS.

Mr. BANKHEAD. I move that the Senate proceed to the consideration of House bill 13308, known as the Post Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Post Offices and Post Roads with amendments.

Mr. BANKHEAD. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, the committee amendments to be first acted on.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

Mr. SMITH of Georgia. I ask the Senator from Alabama to consent to have his bill laid aside temporarily in order that I may secure the disposition of a conference report.

Mr. BANKHEAD. How long does the Senator think it will take?

Mr. SMITH of Georgia. About five minutes.

Mr. BANKHEAD. Very well. I ask unanimous consent that the Post Office appropriation bill may be temporarily laid aside for that purpose.

The VICE PRESIDENT. Without objection, the Post Office appropriation bill will be temporarily laid aside for the purpose indicated by the Senator from Georgia.

SALARIES OF JUDGES—CONFERENCE REPORT.

Mr. SMITH of Georgia. Mr. President, I ask unanimous consent that the conference report on House bill 12001 be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the conference report referred to by the Senator from Georgia, which will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 7.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 5, 6, 9, 10, 11, 12, 13, 14, and 15, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 3. That the judges of the Supreme Court of the District of Columbia shall receive salaries the same as salaries provided by this act to be paid to judges of district courts of the United States, and such salaries shall be paid as now provided by law.

"The judges of the Court of Appeals of the District of Columbia shall receive salaries the same as the salaries provided by this act to be paid to judges of the Circuit Court of Appeals of

the United States, and such salaries shall be paid as now provided by law."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 5. That the judges of the United States Court of Customs Appeals shall receive salaries equal in amount to the salaries provided by this act to be paid judges of the Circuit Court of Appeals of the United States, payable monthly from the Treasury."

And the Senate agree to the same.

HOKE SMITH,
WILLIAM H. KING,
J. O. WOLCOTT,
FRANK B. BRANDEGEE,
LEBARON B. COLT,
Managers on the part of the Senate.

E. Y. WEBB,
C. C. CARLIN,
H. J. STEELE,
A. J. VOLSTEAD,
GEORGE S. GRAHAM,
Managers on the part of the House.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

THE CENSUS—CONFERENCE REPORT.

Mr. SHEPPARD. Mr. President, will the Senator from Alabama yield to me, in order that I may make a motion in reference to the conference report on the so-called census bill heretofore submitted by me?

Mr. BANKHEAD. I yield to the Senator from Texas for that purpose, if it will take only a few minutes.

Mr. SHEPPARD. A few days ago I submitted the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses. I now ask unanimous consent to withdraw that report.

The VICE PRESIDENT. The conference report is withdrawn.

Mr. SHEPPARD. I ask that the action of the House of Representatives on the census bill be laid before the Senate.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, receding from its disagreement to the amendment of the Senate numbered 12 to the bill, and agreeing to the same with an amendment, in which it requested the concurrence of the Senate; further insisting upon its disagreement to the remainder of the amendments to the bill, and requesting a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. SHEPPARD. I move that the Senate still further insist upon its amendments and agree to the further conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. SHEPPARD, Mr. ASHURST, and Mr. LA FOLLETTE conferees at the further conference on the part of the Senate.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. Mr. President, before the Senate proceeds with the consideration of the pending bill I think I can make a statement which perhaps will facilitate that consideration.

It will be observed that quite a number of changes have been made in the figures as printed in the bill. That is made necessary by reason of the fact that the House of Representatives in passing the bill made its estimates upon the basic law without reference to increases which have been made, and when the House came to run out its figures and make its totals there was a failure to carry out the figures which should have been carried out in order to meet the appropriations. Therefore the Committee on Post Offices and Post Roads on the part of the Senate had to correct those figures, and they are indicated in the bill. I make the statement in order that Senators may understand why it is that, as I have said, there are so many changes in the figures as presented in the House bill.

Mr. POMERENE. Mr. President, I desire to ask the Senator from Alabama what increases were allowed by the committee in the case of carriers and clerks of post offices?

Mr. BANKHEAD. The increase is the same as that contained in the bill of last year, $200, and the bill restores automatic promotions.

IMPROVEMENT OF PUBLIC ROADS AND HIGHWAYS.

Mr. SWANSON. Mr. President, there is a provision in the bill to increase the appropriation for good roads, to which I desire to address myself for a few moments.

Mr. President, there is no question pending in America to-day more important to the well-being and development of her people than the improvement of public roads and highways. I have always considered this as the most paramount of our unsolved practical problems. One of the first measures introduced by me when I became a Member of the Senate in 1911 was a bill to extend over a period of five years an appropriation by the Federal Government to aid the several States in the construction and improvement of their public roads. Upon the presentation of this bill I made a very extended speech urging Federal aid to road improvement and pointing out both the justice of such action and the great advantages which would accrue from Federal participation in road improvement. Those of us who were deeply and earnestly interested in this subject in season and out of season persistently continued our efforts and finally achieved success when the Congress, in 1916, enacted legislation extending Federal aid for five years to road improvement in the States. There is no act of Congress in the passage of which I actively aided and participated that I take more pride in than this piece of legislation. I was a member of the Post Offices and Post Roads Committee from which the legislation was reported to the Senate and a member of the conference committee which finally determined its provisions. We were content to commence with small appropriations until the Federal Government and the States obtained suitable road organizations and methods, thus insuring that the money would not be wasted and that its expenditure would result in substantial benefits. We expected when these organizations had been perfected that the Federal Government would largely increase these appropriations. We were satisfied that the great benefits accruing from the cooperation of the Federal Government with the States would be so apparent and so marked that there would soon be a demand for a large increase in the Federal appropriations. Our expectations have been fully justified. An impetus has been given to road construction and improvement which previously did not exist. The benefits from Federal aid have been so immense that the President of the United States and the Secretary of Agriculture, under whose direction the expenditures have been made, have earnestly recommended the increase in the appropriations granted under this legislation.

The pending bill proposes to largely increase the appropriations granted by the Federal Government under the provisions of the existing law. I was a member of the subcommittee that examined the matter thoroughly and favorably reported this measure to the full Committee on Post Offices and Post Roads of the Senate, which committee, after hearing the report of the subcommittee, practically unanimously recommended the increases provided for in the bill. I had previously introduced an amendment to the pending bill carrying provisions substantially similar to these now reported.

The amendments contained in the pending bill increase the appropriations made by the act of 1916 to the extent of $50,000,000 for the fiscal year ending June 30, 1919; $75,000,000 for the fiscal year ending June 30, 1920; and $75,000,000 for the fiscal year ending June 30, 1921, making an aggregate increase over the amount heretofore appropriated of $200,000,000. The amount unexpended out of the appropriations heretofore made is about $75,000,000. This, added to the $200,000,000 increase provided by the pending bill, will make a total of $275,000,000 to be expended by the Federal Government up to June 30, 1921, toward aiding communities and States in the construction and improvement of their public roads and highways.

Under the method of distribution adopted Virginia would receive out of these appropriations up to June 30, 1921, the sum of $5,458,162.37, to be added to a like amount from the State and local communities, to improve and develop her public roads. Thus, the practical effect of this amendment, if adopted, would

be to secure for road improvement in the State of Virginia to June 30, 1921, the sum of approximately $10,900,000.

In addition the bill authorizes the Secretary of War to transfer to the control of the Secretary of Agriculture all available war material not needed for the present purposes of the War Department and suitable for use in the improvement of highways, to be used on the roads constructed in whole or in part through Federal aid. This provision, if enacted, will cause to be furnished immediately to the State authorities a large amount of road material and machinery which will be of inestimable benefit. This will make available a large quantity of valuable material and machinery that otherwise would be of little benefit to the Government and might ultimately be wasted.

Mr. President, there is no bill pending in the present Congress the passage of which I more earnestly favor than this measure, and none that I believe will obtain for the various sections of our country more beneficial results and advantages. The world is entering upon a great era of competition in production and sale of agricultural, mineral, and manufactured products. This future commercial competition will far exceed all such conflicts of the past. The nation that is best equipped will be better prepared to successfully produce and sell. The progress of this Nation in nearly all directions has been phenomenal. We are to-day the greatest manufacturing people in the world. The products of our factories exceed those of Britain and continental Europe combined. Our mines furnish the world more than one-half of its mineral products and wealth. Our plains and prairies are recognized as the granaries of the world. Cotton continues the king of plants, and the world's comfort and clothing are dependent upon the white fields of the South. We occupy to-day the foremost place in the world's commerce. Our exports now exceed those of Great Britain. Our wealth to-day far exceeds that of any other two nations combined. We have become supreme in finance, our banking capital and supply of gold being the greatest possessed by any people. In miles of railroads, navigable rivers, and improved harbors we are unsurpassed. We have shown recently in an amazing degree our ability to mobilize in a very short time a great army and navy, win great victories, and successfully conclude a world war. These are achievements of which any nation may well be proud.

Yet, Mr. President, with all these wonderful material advantages, it is admitted to-day that we have the poorest system of public roads and highways of any civilized nation. We have to-day, roughly estimating, 2,500,000 miles of highways in the United States, and of this mileage about 296,000 miles, or 12 per cent of the total, are surface roads. No other civilized nation possesses such a wretched condition of public highways. With our wonderful energy displayed in every other field of human endeavor, with our amazing wealth, there is no justification for such wretched road conditions. Our energy and our money have been generously expended in every other direction except in the betterment of our highways. After careful examination and thoughtful consideration of this subject, I am satisfied that our neglect in this respect has been one of the greatest misfortunes that has affected us as a people and should be remedied as quickly as possible.

No one can estimate the annual loss incurred by our people in traveling and hauling over these wretched public roads. Our internal commerce exceeds the interforeign commerce of the entire world. It is estimated that 90 per cent of our internal commerce must, first or last, be hauled over the public roads. The average haul of this vast commerce over the public highways, after a careful investigation, has been estimated at a little more than 9.4 miles. Careful investigation fixes the cost of hauling these products at 23 cents per ton per mile. The cost of hauling per mile over the splendid roads of France is, on an average, 7 cents per ton; the average cost in England about 11 cents per ton per mile.

If the more important and main lines of our public-road system were improved equal to those of France and Britain, it is estimated by good authorities that our products could then be hauled over our entire system of roads at a cost of 12 or 13 cents per ton per mile. A joint commission of Congress on Federal aid in the construction of post roads, of which commission I was a member, reported it was estimated that in 1914 718,000,000 tons of produce were hauled over our public roads. The amount now hauled over our public roads will exceed 900,000,000 tons each year. If our main lines were improved, as suggested, we would certainly save, under all conditions about 8 or 9 cents per ton per mile in hauling this immense tonnage, which would save in transportation cost over $700,000,000 per year. Our loss in transportation over wretched roads certainly aggregates yearly this vast amount. In other words, the United States pays annually a mud tax of $700,000,000. If half of this loss was annually appropriated for road improvement for many years, all of our main and important lines of roads could be splendidly improved. We can not compete with other nations in the marketing of agricultural, mineral, and manufactured products unless we promptly remedy the seriously wretched condition of our highways.

But the foregoing does not include all of the loss occasioned this country by its bad country roads. The poor condition of the highways renders it impossible to market much of the products of the farm. When the cost of transportation and the cost of production exceed the selling price it is impossible for the producer to dispose of his products at a profit; hence production is arrested. In many sections farmers fail to raise certain important crops because the cost of hauling them over miserable country roads is so great that they sustain loss instead of profit. It has been estimated that more than one-third of our perishable foodstuffs never reach the consumers on account of bad roads. This country sustains a loss of many, many million dollars each year, to both producer and consumer, on account of this wretched condition. Our bad roads have also made it impossible in many sections to raise a great diversification of crops, such as is done in France and England, with their splendid road system.

Another great detriment to this country which has resulted from its miserable country roads is the forcing of the people to leave the rural sections and congregate in towns and cities. This fact is strikingly disclosed by the census returns. In 1790 only 3.4 per cent of our population dwelt in cities. In 1910, 46 per cent of our population lived in cities. This explains why so many acres of fertile land remain untilled, while the city, with its insanitary and unwholesome tenements, is crowded with human beings whose standard of living and methods of life result in their mental, moral, and physical decay. Statistics show that wherever the country is blessed with good country roads the rural population is increased in number, in comfort, and in wealth. School attendance, with all educational advantages, accompany improved roads. Good schools and good roads go hand in hand.

We have in this country more than 400,000 acres of undeveloped and uncultivated lands, which good roads would make available and profitable for agricultural purposes. Good roads would bring to these sections thrifty and prosperous farmers, greatly adding to the national wealth..

The farmers of our country can not successfully compete with the farmers of other countries unless we improve their roads, cheapen transportation, and thus reduce the cost of production. In a few years we will have a merchant marine equal to that of Britain, which nation for many years has had a monopoly of shipping. This will insure us fair rates from our ports and enable our products to reach all the markets of the world; but this great advantage will almost be destroyed unless we build good roads and lessen the cost of transportation from the farm to the depot, river, or port. Water transportation had so decreased prior to the beginning of the recent war that it cost the farmer 1.6 cents less to ship a bushel of wheat from New York to Liverpool, a distance of 3,100 miles, than it did to haul that bushel of wheat 9.4 miles, the average haul from his barn to the depot. We can not expect our farmers to sell their products of their farms in the markets of the world unless we reduce the cost of transportation by the improvement of our roads.

Mr. President, in addition to this, justice and fair dealing to the farmer demand that the Federal Government should extend him generous aid in road improvement. Next to our brave and gallant soldiers and sailors, no class of our citizens are more deserving of commendation for winning the great war in which we were engaged than the farmers.

The Government told him that our allies were destitute of food, that the world was confronted with starvation, and that our military success was dependent upon his energy and efforts. What the farmer accomplished can not be told in mere figures, but some conception may be had when I tell you that during 1917, the first year of the war, he increased the acreage of farm crops 22,000,000 acres over that of 1916, and not content with this great showing, added another 6,000,000 acres in 1918. During the two years of war the average yield of cereals was 5,717,000,000 bushels as compared with 4,719,000,000 bushels in 1916, or nearly 1,000,000,000 bushels increase. Over the wretched highways of this country last year the farmer moved more than 4,000,000,000 pounds of food, his patriotic response to the call for a supreme effort that our armies in Europe, our allies, and ourselves might be fed. How wonderful is this achievement when we consider that in doing all this the American farmer was handicapped by shortage of fertilizer for his land, by isolation from markets and shipping points, due to bad roads, made doubly trying by the hardest winter of the past quarter cen-

tury, and, finally, that he had to do this great task almost single handed, because his hired men and his able-bodied sons were at the front in France. It is a record of patriotic work of which the farmer may indeed be proud and which entitles him to every consideration at the hands of his Government. It should compel his Government to fulfill faithfully every promise made him and to extend in the future every generous aid and assistance to him. This wonderful achievement not only entitles the farmer to every consideration at the hands of the National Government, but it demonstrates conclusively the vital part which farm life plays in the welfare of the Nation and of the world and makes clear our duty to do everything possible to foster and protect this great industry upon which our existence depends. The best assistance we can now render him is prompt and generous national aid in road construction and improvement.

Mr. President, the travel over our highways at the present time is national, State, and local. It is not just to expect local communities to construct and maintain roads over which the travel of State and Nation far exceeds the local traffic. It is utterly impossible for local communities to bear the expense of constructing macadam or hard-surface roads. To do so would require such heavy taxes as to practically bankrupt the local communities. A system must be devised whereby this expense can be fairly distributed. The only way in which this can be accomplished is by the appropriation of money out of the State and National treasuries. By this means the cities and rich communities are enabled to share with the country sections their full burden of road construction and improvement. Since both country and city receive benefits alike from good roads, each should share the burden.

The Federal Government is further interested in good road improvement, since it can more cheaply and more efficiently carry its mails and parcel post over good roads than bad. I believe the cost of carrying the mails in rural sections will be reduced more than one-third when this country possesses good country roads.

Besides, the large appropriations contained in the pending measure will do something tangible and helpful in the giving of employment to our returning soldiers and sailors and the men temporarily out of employment by reason of the transition from war to peace conditions. A better time could not be selected for the institution of a vigorous and generous system of road improvement than the present. Let me also suggest that the Government in aiding in building roads will be engaged in a definite and useful enterprise very much needed and of primary importance, even if the question of keeping labor employed is left entirely out of consideration. I commend this sort of an enterprise to the Members of the Senate as much more worthy of support than any miscellaneous and aimless appropriations of money for public works solely to keep labor employed. In the one case we are working for a purpose—a purpose which contemplates permanent results; in the other case we are working to a palliative, a temporary makeshift undertaking. Road building will employ directly a large number of men and these men will, for the most part, be unskilled laborers—those whom it is hardest to place in times of widespread unemployment. It is a conservative estimate to say that at least half of the total amount expended for highway construction goes for the direct employment of labor.

Mr. President, the passage of this bill, with the amendments contained therein for Federal aid in road construction and improvement, will mark a great epoch in the history of this Nation. It will indicate a determination by the Federal Government to bear its fair share of the burden of improving our public roads and will mark the beginning of the end of bad roads in this country. It will open a new chapter in our history, each leaf of which, when turned, will gleam with more happy country homes, better schools and churches, and larger and more prosperous rural communities. Imagination will be powerless to picture through the vista of coming years the increased health and happiness, the increased wealth and power, and the great moral and material advance which will come to this Republic upon the completion of a great national policy of road construction and improvement.

Mr. KENYON. Mr. President——

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Iowa?

Mr. SWANSON. I yield.

Mr. KENYON. I should like to ask the Senator if, in his address, he shows what have been done under the appropriations we have heretofore voted for this plan of road construction?

Mr. SWANSON. I have not made a detailed statement as to that, but that is set out in the report of the committee.

Mr. KENYON. Have roads under Federal appropriations been built under any plan or merely in a haphazard manner?

Mr. SWANSON. They have been built under a good plan.

GERMAN COLONIAL POSSESSIONS.

Mr. BORAH. Mr. President, I desire to occupy the attention of the Senate for only a moment, not to make an extended speech but simply to record early my protest—an easy thing to do, and generally a fruitless thing to do. But I do not propose to be caught by the law of estoppel.

I read in this morning's newspaper the following:

As the result of a private meeting to-day between Gen. Smuts and Col. House, virtual agreement has been reached on the troublesome questions involved in the insistence of Japan, Australia, and New Zealand that the conference confirm the secret understanding reached between Great Britain and Japan for disposition of the captured German colonial possessions.

Mr. Lloyd George spent most of the day endeavoring to persuade the British colonial ministers to recede from their position in favor of observing the secret arrangement.

In consequence of these occurrences it is not going beyond the bounds of probability to say that the principle of internationalizing the German colonies, with a future administration intrusted to governments designated by the league of nations, will be recognized by the peace conference.

It is impossible to exaggerate the importance of this outcome of the greatest diplomatic battle fought behind the closed doors of the Quai d'Orsay.

Mr. President, the first thing to which I call attention is the fact that these stupendous arrangements are being consummated behind closed doors, and that the American delegation have not only acquiesced in the proceedings being behind closed doors but that they are now engaged in confirming and sustaining secret agreements heretofore made. The vice of the secret meeting is beginning to reveal itself. It would have been bad enough if we had been compelled and had acquiesced in the matter of holding secret meetings for this particular conference; but it is going a long way for our delegation to engage, through secret meetings and private understandings, in the confirmation of secret treaties heretofore made, for the purpose of disposing of the most vital affairs of the different nations engaged in this late war.

Mr. President, while I do not, of course, know the local conditions which surround the delegation, I wish it were possible for the delegation once and for all to insist that without the maintenance in all of its integrity of the first of the 14 principles announced by the President it will be practically impossible to realize any of the other 13. If we concede that these matters may be arranged and consummated in secret, the principles announced in the other 13 propositions will never come to fruition as a result of the conference at Versailles. The President was quite correct in announcing his 14 principles, in announcing his first as precedent to all others—that it was necessary to arrive at these agreements openly, because without that program and that process of arriving at conclusions there it will be practically impossible to realize any part of the other 13 principles.

Mr. KING. Mr. President, will the Senator yield?

Mr. BORAH. I yield to the Senator from Utah.

Mr. KING. I do not quite understand the basis of the Senator's criticism of the procedure at the Versailles conference, wherein he complains that there is a lack of information; that the peace negotiations negative the promise made that there should be open diplomacy. Exactly what is being done and the steps which are being taken are not only revealed to the country from day to day by the very newspaper from which the Senator has just read, but dispatches containing similar information are doubtless sent throughout the world each day. As a result, from day to day we know precisely the steps that are being taken by the respective parties in attendance upon the peace conference in their efforts to agree upon terms of peace. Obviously, the Senator would not require that Col. House or other representative of our Government and representatives of other nations should conduct all of their conversations, all preliminary talks and negotiations, in the open, upon the housetops, and in the presence of the representatives of the press of the world. There must be of necessity private conversations and informal discussions between the various representatives, which if open to all would inevitably lead to strife and jealousies and misunderstandings that might work irreparable harm. Informal discussions between a portion or all of the peace delegates must be had, and publicity in all cases would defeat the ends of justice and provoke animosities and delay a final agreement. To present coherent and tangible propositions for consideration in the conference there must be preliminary discussions which, if conducted in public, might prove highly disadvantageous. A working program for the conference must be prepared—something concrete. The delegates can not profitably

proceed en masse without some plan or thought-out propositions to be submitted and then discussed, after throwing everything into the hopper, the propositions to be embodied in the peace treaty. It would not be the rational or the sensible or the proper thing to do.

Mr. BORAH. Mr. President, that is the argument for secret diplomacy which has been made for 100 years. There is nothing new or original in the proposition. Nobody contends that every particular individual interview should be held in the open, and I care nothing about individual interviews. What I contend is that when they are sitting as delegates, and conferring and agreeing as delegates, the same as we do here, their proceedings should be in the open, and we should not be compelled to rely upon the construction put upon the proceedings by a reporter. That is what we have here. We have no authoritative statement at all, and we have no details as to what were the considerations which led up to the final agreement or understanding, or what the obligations are. We are simply confined to what the reporter could gather from the conversations in the lobbies, and so forth.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Idaho yield to the Senator from Ohio?

Mr. BORAH. I yield.

Mr. POMERENE. Have the terms of the so-called secret treaty between Great Britain and Japan with reference to the German colonies been made public?

Mr. BORAH. I have not seen them. They may have been.

If the Senator from Utah will take up, for instance, and read that which was given out authoritatively this morning, you get nothing out of that. There is no information whatever there; and you have to turn to that kind of authority which is no different from what the Senator or I would gather if we were about the hotel lobbies, and so forth, picking up this and that in the way of information. I maintain that the Senator can not regard that as in any sense complying with the first of the President's 14 principles.

What did the President mean when he said "open covenants, openly arrived at"? He knew precisely, and he was very careful to use language which would exclude a program which gave to the people who were to be bound by it nothing until the binding obligation had been entered into. Col. House does not state that this conclusion has been arrived at. Gen. Smuts does not state that this conclusion has been arrived at. No one authoritatively states it; but it is gathered there in the way of inferences, and so forth, and you call that "open covenants, openly arrived at"!

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho further yield to the Senator from Utah?

Mr. BORAH. I yield.

Mr. KING. I make bold to assert that there will not be a treaty of peace signed until the world knows every term that is to be incorporated in it, and they will know just as soon as any term is agreed upon; we will not have to wait until all of the terms of the treaty have been agreed upon.

It seems to me that the Senator is highly technical in criticizing the proceedings because of a lack of "openness." We know substantially everything that is being done. If any agreement has been reached upon any point we will know it.

Mr. BORAH. We will.

Mr. KING. It will be announced.

Mr. BORAH. Of course.

Mr. KING. It will be announced before it becomes binding upon the parties, because the reaching of an agreement as to one matter will not bind them to a treaty until the complete treaty or agreement has been accepted and submitted for their consideration and for their signatures; so that the Senator, I submit, will know as the proceedings go on from day to day just what is being done and what terms are being reached. So the conference and the proceedings proper are in the open. There is no secret agreement or term secretly agreed upon. We are advised when anything is agreed upon. If the Senator will pardon me with reference to another matter to which he referred, we have nothing to do with the agreements that were entered into between our allies when they were fighting with their backs to the wall against the most formidable foes that the world had ever seen. I do not know that it lies within our mouths to criticize England and France and Japan for any agreements which they made touching their relationship, and which brought them together in order to resist the great force that threatened their destruction.

Mr. BORAH. The Senator is digressing. The Senator from Idaho has not criticized Great Britain or Japan. It is none of the business of the Senator from Idaho as to what Japan or Great Britain do. I am perfectly willing that, if they see fit, they may have their secret agreements and secret arrangements, and it is not my purpose to criticize it. I am contending that so far as we are concerned we are entitled to all the facts that make up the different steps in the program. We are entitled to them as the program proceeds. Public opinion is entitled to the benefit of the facts as it is concluding itself. It is no satisfaction for a people to know what a treaty is after all the different powers have agreed to it, and they thereby practically, if not technically, are bound by it. If the treaty should be agreed upon and brought out of secret and published, and it has been signed by all the different powers, the tremendous pressure which would be brought to bear to ratify it by reason of the fact that it had been agreed upon would be such that it would be impossible to overcome it.

Mr. KING. Mr. President, will the Senator yield for a question?

Mr. BORAH. Yes.

Mr. KING. In order to make my position clear, may I propound a question to the Senator in the shape of a concrete illustration which the news this morning presents for consideration?

It is reported that some of the allied governments feel that the German colonies should be divided amongst them, and that they should have the power to govern and control them without reference to any league of nations that may be entered into. As I understand the press dispatches, it is the contention of President Wilson and others that the legal title—if I may be permitted that expression—of these colonies should vest in the league of nations, and the equitable title should vest in the various nations which might be constituted under the league-of-nations trustees, and given the power of administration.

Suppose that Mr. Wilson and others who share the views which it is reported he entertains should contend and argue with the various representatives in their hotels, in their meeting places or wherever opportunity afforded, trying to secure the acceptance of the views which he suggests, and, after a multitude of conferences and casual conversations and accidental meetings at which conversations occur, President Wilson should so impress his views upon the allied nations that they accepted them, and it was then in open conference stated that the allied nations had receded from the position which they formerly had taken, and were willing to accept the views suggested by President Wilson, and pursuant to that understanding a provision was prepared embodying the proposition that the league of nations should accept the trusteeship of Germany's colonies, and one of the allied nations was designated to administer them: Does not the Senator think that that would be open negotiation and open covenants openly arrived at?

Mr. BORAH. No; I do not; neither does the Senator from Utah.

Mr. KING. Yes; I submit that I do.

Mr. BORAH. No. The thing that the Senator from Utah is doing now is emasculating the first point of the 14 principles without saying so. Now, there is no misunderstanding of this language. If the Senator from Utah and his friends are ready to abandon it, to renounce it, that is one thing, and there may be a good reason for doing it—that is, a reason satisfactory to those who are in favor of doing it. But it will not do, Mr. President, to contend that the statement which has been made by the Senator is in compliance with the principle which President Wilson has stated has been recognized and adopted by the different nations of the earth as a fundamental basis upon which to proceed to the realization of a permanent peace.

I do not care anything about a private conversation which takes place in a hotel or incidental gathering or anything of that kind. I am not speaking of that at all. I am speaking of those conversations or those proceedings which take place when as delegates they are congregated together, and met as delegates and acting as delegates, the same as when we are here in the Senate acting as the Senate. I do not ask, in the matter of publicity, that the private conversations of the cloakroom be made a part of the publicity or the public proceedings of the Senate; but when we are here gathered as a Senate, dealing with the people's affairs, everything that we do should be known to them; and it is the same way with the peace conference. When they sit as a peace conference, as a body disposing of nations and of territories, and placing obligations upon people which may lead to tremendous consequences and great sacrifices, those things should be unmistakably in the open.

Now, I ask the Senator in return a question. Does he think that "open covenants of peace, openly arrived at," permits of arriving at those covenants in secret meetings?

Mr. KING. Mr. President——

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. KING. Replying to the interrogation of the Senator, I do not place the narrow and illiberal—and I do not use the words in any offensive sense at all—meaning or interpretation upon the words which the question and the former very able argument of the Senator would imply. I do not think that in order to reach convenants in an open way, every meeting that may be held by the delegates who may participate in the discussion should be or must be in the open. We legislate here, and many of the discussions of the committees relative to measures are in executive session, are not open. I understand that "open convenants, openly arrived at," means that the public, the nations involved, shall be advised as to those agreements before they shall become binding, before they shall be incorporated into a treaty of peace for the signature of the powers who participate in negotiating them.

Mr. BORAH. Mr. President, the Senator from Utah was of opinion a few minutes ago that I was indulging in a criticism of the delegation. If I understand the press reports correctly, or the attitude which the President has taken from the beginning, I am not in conflict with the President's views as to what should be done, or as to how it should be done. When they undertook to close the doors, and did close the doors, upon that conference, we were advised by the public press throughout the country that it was over the protest of the President; that it was not in compliance with his interpretation of the first of the 14 points, and we were further advised that from time to time he would keep up the controversy for open sessions until they were forced, and the people were given what he had promised them. I do not regard myself as in conflict with the President at all. I suppose, if the press be correct, that I am in perfect harmony with what he would like to see. I will venture to say that if we are to take the President's interpretation of this, as I understand it, the President of the United States has no conference upon this subject that he is not willing for the public to have.

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Illinois?

Mr. BORAH. I yield.

Mr. LEWIS. Would the Senator from Idaho permit me to intrude upon him to the point of asking what is the particular thing to which he now addresses his protest? I was out of the Chamber, and am very much interested to know what is the particular thing against which he is protesting.

Mr. BORAH. I read from Mr. Oulahan's article in the New York Times this morning that Gen. Smuts and Col. House to-day at a private meeting had come to a virtual agreement on the troublesome questions involved in the insistence of Japan, Australia, and New Zealand that the conference confirm the secret understanding reached between Great Britain and Japan for disposition of the captured German colonies. It was that subject matter which I was discussing.

Mr. LEWIS. I thank the Senator for the information.

Mr. BORAH. Now, Mr. President, as the Senate knows, immediately after the President announced his policy of "open covenants of peace, openly arrived at," I expressed myself here upon the floor of the Senate as thoroughly in accord with that view, and I am so constituted that when I am once settled in my conviction that a principle is correct, it is difficult for me to modify my position, and I have not modified my views in the slightest. I think secret diplomacy is the nesting process by which the germs of war are retained in the social system from decade to decade and from century to century, and that the Senate of the United States, and the Congress, and the people of the United States, understood the President to be denouncing that system when he announced the first point of the 14 principles.

While I may differ with him, as I do with reference to the league of nations, I do not differ with him at all upon the first proposition, and I support him in it just as earnestly as I would oppose him if I thought he were incorrect in principle. The fact that he is the Democratic President cuts no figure with me whatever. In this proposition of open diplomacy he is representing a principle indispensable to the peace and security of the great mass of the people of the world. I therefore support him, as I have always done when I agree with him.

I repeat, as I said before the Senator from Illinois [Mr. LEWIS] came in, if the President is finally compelled to yield upon the first point of the 14 points, the other 13 will be whittled away in secret arrangements and agreements which they will finally consummate. A league of nations with an army at its command, with the infamous principle of secret diplomacy embodied in its very nature—could the human mind conceive of a more arbitrary and infamous institution among men? And yet a league of nations, with absolute open diplomacy, might be made a tolerable proposition.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. SHAFROTH in the chair). Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I yield.

Mr. KELLOGG. I have not heard the entire discussion of the subject, but does not the Senator think that one of the worst aspects of this case is any proposition emanating from any authority for this country to enter into a partnership to control African colonies and operate them?

Mr. BORAH. Of course, I was coming to the particular step now taken, which, as I understand, contemplates the conference coming to this kind of an understanding, that the colonies will be transferred as to their legal title, as has been said here, to the league of nations, and then that the league of nations will select the particular member of the league of nations which is to oversee and to dominate or control or be responsible for a particular colony or a particular class of colonies. I wish that I had a copy of the last Round Table, published in England, in which there is to be found a very illuminating article. In that article they have already proceeded to segregate and separate the different colonies and to distribute them among the different nations for watching, and so forth. We have assigned to us Mesopotamia and some of the countries in that region, and we are particularly assigned Russia. The article goes on to say that the United States is in a better position to deal with the Russian situation—to bring order out of chaos—and to establish a sane and stable government than any other member of the league, and therefore, while we are to have a certain number of German colonies, we are to have thrown in, as a side diversion, the task of establishing order and sane government in Russia.

Those who heard upon yesterday the able address of the Senator from California [Mr. JOHNSON] will realize something of the task which has been assigned to the United States. What we are doing now in Russia would be what our boys might be called upon to do in Africa or Mesopotamia if it so happened that under this league of nations in the assignments we were assigned to the possessions which Germany now has in Africa and other parts. It is a matter of vital concern. So far as I am concerned, I agree thoroughly with the statement of the Senator from California yesterday that we should come home and attend to the affairs that vitally concern us here. I am utterly opposed to policing Russia, or policing Africa, or taking over under our control any part of the German colonies.

I want to read from a statement by the prime minister of Australia. Hon. W. A. Watt, acting prime minister, says:

> The question of the disposal of Germany's former overseas dominions is now under consideration at the allied peace conference. I wish to state plainly the attitude adopted by the Government of the Commonwealth in respect to the Pacific islands.
>
> Shortly after the conclusion of the armistice both houses of the Federal Parliament unanimously carried a resolution "that the senate and the house of representatives of the Commonwealth of Australia declare it is essential to the future safety and welfare of Australia that the captured German possessions in the Pacific occupied by Australian and New Zealand troops should not under any circumstances be restored to Germany, and that in the consideration and determination of proposals affecting the destination of those islands Australia should be consulted."
>
> The time for consultation having arrived, the Government should make its views plain. It is the desire and hope of the Australian Government that the islands of the Pacific formerly held by Germany and now occupied by Australian and New Zealand forces should for the future be controlled either by Great Britain or Australia and New Zealand.
>
> In expressing this desire we are not influenced by an ambition to extend our territory, but feel that this free, young nation must safeguard itself against molestation. The only form of insurance which is open to us is government under the British flag, as the Commonwealth already governs a substantial area in Oceania adjacent to the late German possessions of New Guinea and Bismarck Archipelago.
>
> We feel that success has attended our development of these islands. [Parts of New Guinea and the Bismarck Archipelago have been under the administration of an Australian governor general for four years.]
>
> We must appeal to the nations who have to judge our claims. We do not seek to exploit the natives, but to develop the productive and industrial possibilities of these possessions for the future good of the present inhabitants as well as the safety of this island continent.
>
> Many evidences have been tendered to the Government that this is practically the unanimous view of the people of Australia. I can only express the hope that the presentation of our case by Prime Minister Hughes will so influence the statesmen of the allied countries that Australia's position will be safeguarded.

Mr. President, Australia has her Monroe doctrine. She has here outlined it in this brief interview to the conference at Versailles. If we as a Nation, by reason of our membership of a league of nations, interfere with the Monroe doctrine of

Australia or the Monroe doctrine of Japan, as it has been established by our consent, or the Monroe doctrine of some other nation looking to the preservation of its integrity, how long will it be after we have entered upon that program, if we are successful, before they interfere with the Monroe doctrine of the United States?

So I am not only opposed to the manner in which these agreements are being made, the methods by which these understandings are being arrived at, but I am opposed to the United States assuming any obligation to control or govern or be responsible for any part of the German possessions. I am opposed to any scheme or plan which will keep our soldiers in Europe an hour longer than necessary to clean up this particular war with Germany.

LIGNITE COALS AND PEAT—CONFERENCE REPORT.

Mr. HENDERSON. I ask the Senator from Alabama [Mr. BANKHEAD], who has charge of the pending appropriation bill, to allow it to be temporarily laid aside while I present a conference report upon Senate bill 3220.

Mr. BANKHEAD. I will consent, provided it does not provoke discussion.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). The appropriation bill will not have to be temporarily laid aside, but the Senator from Nevada asks unanimous consent to take up the conference report. Is there objection?

Mr. SMOOT. I should like to know what the conference report is.

The PRESIDING OFFICER. The bill will be read by title.

The SECRETARY. A bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

The Senate, by unanimous consent, proceeded to consider the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 2 and 3, and agree to the same.

CHARLES B. HENDERSON,
T. J. WALSH,
MILES POINDEXTER,
Managers on the part of the Senate.

M. D. FOSTER,
OTIS WINGO,
E. E. DENISON,
Managers on the part of the House.

Mr. HENDERSON. I will state in just a word what the report is. The bill passed the Senate some months ago, last fall, and it included lignite and peat, with an appropriation of $150,000. The House struck out peat and reduced the appropriation from $150,000 to $100,000. We have accepted the House amendment reducing the appropriation and they have accepted our bill leaving peat in, the two to be investigated with the appropriation of $100,000 instead of $150,000.

Mr. SMOOT. The other $50,000 is to be appropriated later.

Mr. HENDERSON. Probably not. I do not know anything about that. It is not appropriated in this bill.

Mr. SMOOT. I can assure the Senator that it will be appropriated.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

PUBLIC BUILDING AT YONKERS, N. Y.

Mr. REED. I ask the chairman of the Committee on Post Offices and Post Roads to yield to me that I may submit a report from the Committee on Public Buildings and Grounds.

Mr. BANKHEAD. I will yield for that purpose.

Mr. REED. The Committee on Public Buildings and Grounds have had under consideration a bill that affects the post-office site at Yonkers, N. Y. There are some reasons why it ought to be acted upon at this time. On behalf of the committee, I report back favorably without amendment the bill (H. R. 8828) increasing the limit of cost for the acquisition of a public building at Yonkers, N. Y., and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read as follows:

Be it enacted, etc., That the existing legislation authorizing the acquisition of a public building site at Yonkers, N. Y., at a limit of cost of $250,000, be, and the same is hereby, amended so as to fix a limit of cost of $338,500 for the said site, and the appropriations heretofore made under separate limits of cost are hereby made available for the acquisition of said site within the limit of cost hereby prescribed.

SEC. 2. That the Secretary of the Treasury is hereby authorized, in his discretion, when said site shall have been acquired, to sell to the city of Yonkers, N. Y., for such price, at such time, and upon such terms as he may deem for the best interests of the United States, such portions of said site fronting on Buena Vista Avenue and Market Place as he may deem it advisable to spare for the purpose of widening the abutting streets, to convey said land to the city by the usual quitclaim deed, and to deposit the proceeds of said sale in the Treasury of the United States as a miscellaneous receipt.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POST-OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Post Offices and Post Roads was, under the subhead "Office of the Postmaster General," on page 2, line 6, before the word "each," to strike out "$3,000" and insert "$3,275"; in line 7, before the word "each," to strike out "$2,400" and insert "$2,625"; in line 8, before the word "each," to strike out "$2,250" and insert "$2,450"; in line 13, after the words "in all," to insert "including increases hereinafter provided"; and in the same line, after the word "provided," to strike out "$783,700" and insert "$878,000," so as to make the clause read:

For salaries of post-office inspectors: For salaries of 15 inspectors in charge of divisions, at $3,275 each; 30 inspectors, at $2,625 each; 20 inspectors, at $2,450 each; 32 inspectors, at $2,100 each; 20 inspectors, at $2,000 each; 30 inspectors, at $1,900 each; 90 inspectors, at $1,800 each; 60 inspectors, at $1,700 each; 60 inspectors, at $1,600 each; and 65 inspectors, at $1,500 each; in all, including increases hereinafter provided, $878,000.

The amendment was agreed to.

The next amendment was, on page 3, line 6, after the words "in all," to insert "including increases hereinafter provided," and in line 7, after the word "provided," to strike out "$134,000" and insert "$151,500," so as to make the clause read:

For compensation to clerks at division headquarters, 15, at $1,800 each; 15, at $1,600 each; 20, at $1,400 each; 30, at $1,200 each; 10, at $1,000 each; and 10, at $900 each; in all, including increases hereinafter provided, $151,500.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster General," on page 4, in line 18, after the word "postmasters," to strike out "$35,000,000" and insert "$36,500,000," so as to make the clause read:

For compensation to postmasters, $36,500,000: *Provided*, That the Postmaster General is hereby authorized to readjust the salaries of postmasters at offices of the first, second, and third class, effective July 1, 1919, in accordance with the law in effect prior to the war: *And provided further*, That in making such adjustment no allowance shall be made for the revenue derived from increased rates on first-class mail.

The amendment was agreed to.

The next amendment was, on page 5, line 3, before the word "at," to strike out "50" and insert "60"; in the same line, before the word "each," to strike out "$3,000" and insert "$3,250"; in line 4, before the word "each," to strike out "$2,500" and insert "$2,700"; in line 15, after the words "in all," to insert "including increases hereinafter provided"; and in line 16, after the word "provided," to strike out "$3,680,000" and insert "$4,281,500," so as to make the clause read:

For compensation to assistant postmasters at first and second class offices, 5 at not exceeding $4,000 each; 60 at not exceeding $3,250 each; 10 at not exceeding $2,700 each; 10 at not exceeding $2,000 each; 15 at not exceeding $1,900 each; 50 at not exceeding $1,800 each; 100 at not exceeding $1,700 each; 200 at not exceeding $1,600 each; 215 at not exceeding $1,500 each; 175 at not exceeding $1,400 each; 360 at not exceeding $1,300 each; 600 at not exceeding $1,200 each; 550 at not exceeding $1,100 each; 350 at not exceeding $1,000 each; 100 at not exceeding $900 each; 70 at not exceeding $800 each; in all, including increases hereinafter provided, $4,281,500.

The amendment was agreed to.

The next amendment was, on page 5, line 24, before the word "each," to strike out "$3,200" and insert "$3,500," so as to make the clause read:

Superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 10 at not exceeding $3,500 each.

The amendment was agreed to.

The next amendment was, on page 6, line 2, before the word "each," to strike out "$3,000" and insert "$3,275," so as to make the clause read:

Auditors and superintendents of mails, 15 at not exceeding $3,275 each.

The amendment was agreed to.

The next amendment was, on page 6, line 5, before the word "each," to strike out "$2,700" and insert "$2,950," so as to make the clause read:

Assistant superintendents of mails, superintendents of delivery, and superintendents of mails, 25 at not exceeding $2,950 each.

The amendment was agreed to.

The next amendment was, on page 6, line 8, before the word "each," to strike out "$2,600" and insert "$2,850," so as to make the clause read:

Assistant superintendents of mails, cashiers, superintendents of delivery, and superintendents of mails, 35 at not exceeding $2,850 each.

The amendment was agreed to.

The next amendment was, on page 6, line 12, before the word "each," to strike out "$2,500" and insert "$2,725," so as to make the clause read:

Assistant superintendents of mails, cashiers, superintendents of delivery, superintendents of mails, and superintendents of stations, 40 at not exceeding $2,725 each.

The amendment was agreed to.

The next amendment was, on page 6, line 19, before the word "each," to strike out "$2,400" and insert "$2,625," so as to make the clause read:

Assistant superintendents of delivery, assistant superintendents of mails, assistant superintendents of money order, assistant superintendents of registry, bookkeepers, cashiers, finance clerks, stenographers, superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry, 65 at not exceeding $2,625 each.

The amendment was agreed to.

The next amendment was, on page 10, line 24, after the words "in all," to insert "including increases hereinafter provided," and in line 25, after the word "provided," to strike out "$55,000,000" and insert "$67,200,000," so as to make the clause read:

Substitutes for clerks and employees absent without pay: *Provided*, That there may also be employed at first-class post offices foremen and stenographers at a salary of $1,300 or more per annum; in all, including increases hereinafter provided, $67,200,000.

The amendment was agreed to.

The next amendment was, at the top of page 11, to strike out:

And to provide for the promotion of 85 per cent of the clerks in first-class post offices from the fifth to the sixth grade; and for the promotion of 15 per cent of the clerks in the sixth grade to the designation of "special clerk" in the $1,300 grade; and for the promotion of 15 per cent of the designated "special clerks" in the $1,300 grade to the designation of "special clerk" in the $1,400 grade; and to provide for the promotion of 85 per cent of the clerks in second-class offices from the fourth to the fifth grade, and for the promotion of 15 per cent of the clerks in second-class post offices from the fifth to the sixth grade: *And provided further*, That there may also be employed at first-class post offices foremen and stenographers at a salary of $1,300 or more per annum; in all, $55,000,000.

The amendment was agreed to.

The next amendment was, on page 11, in line 19, after the word "act," to strike out "and also the act of March 2, 1907, classifying clerks and city letter carriers in first and second class post offices"; in line 23, after the word "That," to strike out "thereafter" and insert "hereafter"; and on page 12, in line 2, after the word "whenever," insert "practicable," so as to make the proviso read:

Provided, That hereafter the appointment and assignment of clerks hereunder shall be so made during each fiscal year as not to involve a greater aggregate expenditure than the sum appropriated; and to enable the Postmaster General to carry out the provisions of this act he may hereafter exceed the number of clerks appropriated for for particular grades: *Provided further*, That hereafter the 15 days' annual vacation allowed by law to clerks and other employees in first and second class offices shall be credited at the rate of one and one-quarter days for each month of actual service: *Provided further*, That hereafter whenever practicable in case of emergency or otherwise a substitute is available the postmaster is prohibited from employing a regular clerk overtime: *Provided*, That the number of clerks in the aggregate as herein authorized be not exceeded.

The amendment was agreed to.

The next amendment was, on page 12, line 9, after the words "in all," to insert "including increases hereinafter provided," and in line 10, after the word "provided," to strike out "$61,800" and insert "$71,100," so as to make the clause read:

For compensation to printers, mechanics, and skilled laborers, 22, at $1,200 each; 4, at $1,100 each; and 31, at $1,000 each; in all, including increases hereinafter provided, $71,100.

The amendment was agreed to.

The next amendment was, on page 12, line 13, after the words "in all," to insert "including increases hereinafter provided," and in line 14, after the word "provided," to strike out "$1,912,500" and insert "$2,200,000," so as to make the clause read:

For compensation to watchmen, messengers, and laborers, 2,125, at $900 each; in all, including increases hereinafter provided, $2,200,000.

The amendment was agreed to.

The next amendment was, on page 12, line 20, after the words "post offices," to strike out "$6,500,000" and insert "$5,000,000," so as to make the clause read:

For temporary and auxiliary clerk hire and for substitute clerk hire for clerks and employees absent with pay at first and second class post offices and temporary and auxiliary clerk hire at summer and winter resort post offices, $5,000,000.

The amendment was agreed to.

The next amendment was, on page 13, line 21, after the words "City Delivery Service," to insert "including increases hereinafter provided"; in line 22, after the word "provided," to strike out "$41,000,000" and insert "$50,500,000"; in the same line, after the word "*Provided*," to strike out:

That hereafter all days set aside by the President of the United States as holidays to be observed by other departments of the Government throughout the United States shall be construed as holidays within the meaning and intent of the postal holiday laws, and postal employees performing service on such holidays shall be granted either compensatory time off or pay for overtime.

And insert:

That hereafter all days, other than the holidays enumerated in the act of July 28, 1916, making appropriations for the Postal Service for the fiscal year ending June 30, 1917, set aside by the President of the United States as holidays to be observed by the other departments of the Government throughout the United States shall be construed as applicable to the Postal Service in the same manner and to the same extent as the executive departments.

So as to make the clause read:

For pay of letter carriers at offices already established, including substitutes for letter carriers absent without pay, City Delivery Service, including increases hereinafter provided, $50,500,000: *Provided*, That hereafter all days, other than the holidays enumerated in the act of July 28, 1916, etc.

Mr. TOWNSEND. I wish to call the attention of the chairman of the committee to line 11, on page 14. It seems to me that the word "other" should be inserted before "executive," so as to read "and to the same extent as the other executive departments."

Mr. BANKHEAD. I think that word ought to be inserted.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 14, line 17, after the word "year," to insert "including increases hereinafter provided," and in line 18, after the word "provided," to strike out "$74,000" and insert "$94,000," so as to make the clause read:

For pay of letter carriers, substitute and auxiliary letter carriers at offices where City Delivery Service is established during the year, including increases hereinafter provided, $94,000.

The amendment was agreed to.

The next amendment was, on page 15, line 3, after the words "*Provided further*," to strike out:

That not to exceed $60,000 of the amount herein appropriated shall be immediately available for the erection and equipment of a garage on the site owned by the Government in the rear of the main post-office building in the District of Columbia—

And insert:

That the Postmaster General is authorized, in his discretion, to contract for pneumatic mail tube service in the cities of New York, N. Y., and Brooklyn, N. Y., or for any portion in such cities, upon such terms as may be agreed upon, the cost therefor to be paid out of any unexpended balance of any appropriation for the Postal Service: *Provided further*, That the properties and equipment of the pneumatic mail tube service located within the basements and subbasements of post-office buildings in the cities of Philadelphia, Pa., Boston, Mass., New York, N. Y., Brooklyn, N. Y., Chicago, Ill., and St. Louis, Mo., be not removed pending further action by Congress, but without expense to the Government.

So as to make the clause read:

For vehicle allowance, the hiring of drivers, the rental of vehicles, and the purchase and exchange and maintenance, including stable and garage facilities, of wagons or automobiles for and the operation of screen-wagon and city delivery and collection services, $9,750,000: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned automobiles at a reasonable annual rental for a term not exceeding 10 years: *Provided further*, That the Postmaster General is authorized, in his discretion, to contract for pneumatic mail tube service in the cities of New York, N. Y., and Brooklyn, N. Y., etc.

The amendment was agreed to.

The next amendment was, under the subhead, "Office of the Second Assistant Postmaster General," on page 16, in line 13, after "$1,185,000,'" to insert:

Provided, That hereafter the compensation for the carrier of mail on Lake Winnepesaukee from the post office at Laconia, N. H., who furnishes his own equipment shall be $1,800 per annum.

So as to make the clause read:

For inland transportation by steamboat or other power-boat routes, $1,185,000: *Provided*, That hereafter the compensation for the carrier of mail on Lake Winnepesaukee from the post office at Laconia, N. H., who furnishes his own equipment shall be $1,800 per annum.

The amendment was agreed to.

The next amendment was, on page 16, line 22, after the words "*Provided further*," to strike out:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $300,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such points as may be determined. That the Postmaster General in expending the appropriation herein for aeroplane service shall purchase, so far as possible, the aeroplanes, motors, equipment, and supplies from the War Department and Navy Department when no longer required because of the cessation of war activities. It shall be the duty of the Postmaster General before purchasing any of such articles to ascertain whether the War or Navy Department has articles of the character described that are serviceable. And articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. Said departments are authorized to sell such articles to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Haviland four aeroplanes, 100 Handley-Pages, 10 Glen Martin day bombers, all planes completely assembled and with the necessary spare parts; also 100 extra Liberty engines with spare parts, 50 Hispano-Suiza engines with 300-horsepower motors, and 20 Hispano-Suiza engines with 150-horsepower motors, the same to be out of any equipment that the War Department has on hand or under construction, the War Department appropriation to be credited with the equipment turned over to he Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service, and that no part of said sums shall be expended for the maintenance or operation of the aeroplanes above directed to be delivered to the Postmaster General by the Secretary of War, but such machines shall be operated and maintained by the personnel of the Air Service of the Army, under the control and direction of the Postmaster General.

And to insert:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points as he may determine. The Postmaster General in expending this appropriation shall purchase, as far as practicable, such available and suitable equipment and supplies for the aeroplane mail service as may be owned by or under construction for the War Department or the Navy Department when no longer required because of the cessation of war activities, and it shall be his duty to first ascertain if such articles of the character described may be secured from the War Department or the Navy Department before purchasing such equipment or supplies elsewhere. If such equipment or supplies are purchased elsewhere than from the War Department or the Navy Department, the Postmaster General shall report such action to Congress, together with the reasons for such purchases. All articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, a reasonable price shall be paid therefor, considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary of War and the Secretary of the Navy are hereby authorized and directed to deliver immediately to the Postmaster General, as he may request, and as hereinbefore provided, such aeroplane machines, supplies, equipment, and parts as may be serviceable and available for the aeroplane mail service, the same to be out of any equipment that the War Department or the Navy Department has on hand or under construction, the War Department and the Navy Department appropriations to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane mail service.

So as to make the clause read:

For inland transportation by railroad routes and aeroplanes, $59,625,000: *Provided*, That not to exceed $1,000,000 may be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes, etc.

Mr. JONES of Washington. I ask that this amendment may go over until to-morrow.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent that the amendment may go over until to-morrow. Is there objection? The Chair hears none, and the Secretary will proceed with the reading.

Mr. NEW. I wish to offer an amendment to the amendment of the committee, but if it is to go over until to-morrow I shall withhold it until that time.

Mr. CUMMINS. It is understood that the amendment will go over until to-morrow?

The PRESIDING OFFICER. It has gone over until to-morrow.

Mr. BANKHEAD. I did not understand that it was to go over until to-morrow.

The PRESIDING OFFICER. The Chair so announced.

Mr. BANKHEAD. If we should be able to come back to it this afternoon, I would like to do so.

Mr. JONES of Washington. I would like to have it go over until to-morrow, because I did not expect the amendment to come up this afternoon, and I want to try to get an amendment drawn to cover the proposition.

Mr. BANKHEAD. All right, then; let it go over until to-morrow.

The PRESIDING OFFICER. The Chair understood that to be the request of the Senator from Washington. The amendment will go over until to-morrow.

The next amendment was, on page 20, line 2, before the word "each," to strike out "$3,250" and insert "$3,550"; in line 3, before the word "each," to strike out "$2,350" and insert "$2,550"; in line 4, before the word "each," to strike out "$2,250" and insert "$2,450"; in line 19, after the words "in all," to insert "including increases hereinafter provided"; and in line 20, after the word "provided," to strike out "$28,385,500" and insert "$33,904,000," so as to make the clause read:

Railway Mail Service: For 15 division superintendents, at $3,550 each; 2 assistant superintendents, at $2,550 each; 15 assistant division superintendents, at $2,450 each; 115 chief clerks, at not exceeding $2,100 each; 432 clerks, grade 10, at not exceeding $1,800 each; 1,922 clerks, grade nine, at not exceeding $1,700 each; 375 clerks, grade 8, at not exceeding $1,600 each; 7,703 clerks, grade 7, at not exceeding $1,500 each; 952 clerks, grade 6, at not exceeding $1,400 each; 1,737 clerks, grade 5, at not exceeding $1,300 each; 2,721 clerks, grade 4, at not exceeding $1,200 each; 60 clerks, grade 3, at not exceeding $1,100 each; 4,666 clerks, grade 2, at not exceeding $1,000 each; 1,164 clerks, grade 1, at not exceeding $900 each; in all, including increases hereinafter provided, $33,904,000: *Provided*, That railway and substitute railway postal clerks shall be credited with full time when deadheading under orders of the department, and the appointment and assignment of clerks hereunder shall be so made during the fiscal year as not to involve a greater aggregate expenditure than this sum; and, to enable the Postmaster General to reclassify the salaries of railway postal clerks and make necessary appointments and promotions, he may exceed the number of clerks in such of the grades as may be necessary: *Provided*, That the number of regular clerks in the aggregate as herein authorized be not exceeded.

The amendment was agreed to.

The next amendment was, on page 21, in line 8, after the word "clerks," to strike out "$1,613,959" and insert:

$2,689,931: *Provided*, That the act of August 24, 1912 (37th Stats., p. 548), amended by the act approved March 3, 1917, be further amended to read as follows:

"That hereafter, in addition to the salaries provided by law, the Postmaster General is hereby authorized to make travel allowances in lieu of actual expenses, at fixed rates per annum, not exceeding in the aggregate the sum annually appropriated, to railway postal clerks, acting railway postal clerks, and substitute railway postal clerks, including substitute railway postal clerks for railway postal clerks granted leave with pay on account of sickness, assigned to duty in railway post office cars, while on duty, after 10 hours from the time of beginning their initial run, under such regulations as he may prescribe, and in no case shall such an allowance exceed $2 per day."

So as to make the clause read:

For travel allowances to railway postal clerks and substitute railway postal clerks, $2,689,931: *Provided*, That the act of August 24, 1912 (37th Stats., p. 548), amended by the act approved March 3, 1917, be further amended to read as follows.

And so forth.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Fourth Assistant Postmaster General," on page 25, in line 16, after the word "devices," to strike out "$420,000" and insert "$560,000," so as to make the clause read:

For wrapping twine and tying devices, $560,000.

The amendment was agreed to.

The next amendment was, on page 27, in line 17, after the words "District of Columbia," to strike out "$2,435,000" and insert "$1,500,000," so as to make the clause read:

For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; also material, machinery, and tools necessary for the manufacture and repair in the equipment shops at Washington, D. C., of such other equipment for the Postal Service as may be deemed expedient; for compensation to labor employed in the equipment shops at Washington, D. C., $1,500,000.

The amendment was agreed to.

The next amendment was, on page 28, in line 7, after the word "thereof," to strike out "$55,445,000" and insert "$68,800,000," so as to make the clause read:

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, $68,800,000.

The amendment was agreed to.

Mr. BANKHEAD. At this point I submit the amendment I send to the desk.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. Strike out the period and insert a semicolon at the end of line 7, page 28, and add the following:

Provided, That hereafter rural carriers assigned to horse-drawn vehicle routes on which daily service is performed shall receive $24 per mile per annum for each mile said routes are in excess of 24 miles or major fraction thereof, based on actual mileage, and rural carriers assigned to horse-drawn vehicle routes on which triweekly service is performed shall receive $12 per mile per annum for each mile of said routes in excess of 24 miles or major fraction thereof, based on actual mileage: *Provided further*, That hereafter the pay of carriers who furnish and maintain their own motor vehicles and who serve routes not less than 50 miles in length may be fixed at not exceeding $2,250 per annum.

Mr. SMOOT and Mr. WADSWORTH addressed the Chair.

The PRESIDING OFFICER. The Senator from Utah.

Mr. SMOOT. I will yield to the Senator from New York.

Mr. WADSWORTH. I was going to make some inquiry as to what this amendment would actually result in.

Mr. SMOOT. That was the object for which I rose.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New York?

Mr. SMOOT. I will yield the floor and let the Senator from New York make the inquiry.

Mr. WADSWORTH. I make that inquiry.

Mr. BANKHEAD. What is the inquiry?

Mr. WADSWORTH. I desire to have an explanation of the amendment, as to what it will result in, how many men are to be affected, and what its cost will be.

Mr. BANKHEAD. Does the Senator have reference to the automobile routes?

Mr. WADSWORTH. No; to the horse-drawn vehicle rural routes.

Mr. BANKHEAD. This amendment simply restores the language of the last bill; that is all it does. It was omitted in the print of the bill with reference to the payment of routes of 24 miles and additional service of 24 miles, and we have simply restored it. The last amendment has reference to the automobile routes over 50 miles in length. It is the language of the last bill, except it does makes an increase of 5 per cent, which was given to the other carriers.

Mr. SMOOT. Then, the $13,000,000 increase asked for, or, to be accurate, $13,355,000 increase, is necessary on account of the amendment which has just been presented by the Senator from Alabama?

Mr. BANKHEAD. No; this amendment does not increase the appropriation at all.

Mr. SMOOT. I notice it is for the pay of rural carriers and that the amount appropriated by the House was $55,445,000, which is increased to $68,800,000.

Mr. BANKHEAD. Mr. President, those increases are all due to section 2, which includes a great many increases. For instance, that section increases the pay of the city clerks at first and second class post offices and the city carriers. That amendment was inserted in the other House. I do not think it ought to have gone in; but it did. It is the House proposition, and the increase in these figures simply indicates the amount which ought to have been put into the bill; but the House left it for the Senate to work out.

Mr. SMOOT. I really do not yet understand from what the Senator has said of what this increase really consists. It is—

For pay of rural carriers, substitutes for rural carriers on annual leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof.

For those purposes the House provided an appropriation of $55,445,000.

Mr. BANKHEAD. Will the Senator from Utah let me explain that right here?

Mr. SMOOT. Yes.

Mr. BANKHEAD. The figures inserted in the bill by the other House were for the pay of rural carriers on the basic law; but last year they were given a 20 per cent increase. The House, however, did not include that in this bill at all.

Mr. SMOOT. There is included a little over $2,000,000 more than the 20 per cent increase in the House.

Mr. BANKHEAD. We only increased it this year 5 per cent over what it was last year. We did that because the House had increased the pay of city carriers and clerks in first and second class post offices by $200, I think is the amount.

Mr. SMOOT. Then I understand that this covers——

Mr. BANKHEAD. If the Senator from Utah will turn to section 2 of the bill he will there find the basis of this increase of which he desires an explanation. Section 2 is on page 29.

Mr. SMOOT. Mr. President, it would take too much of the time of the Senate to read section 2 and figure out just exactly what it means; but I will take the statement of the Senator from Alabama for granted, and shall not detain the Senate any longer on the matter.

Mr. BANKHEAD. I am quite sure I have stated it correctly.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Alabama.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 28, in line 9, after the words "third class," to strike out "and in communities adjacent to cities having city delivery, $1,250,000" and insert "$720,000," so as to make the clause read:

For village delivery service in towns and villages having post offices of the second or third class, $720,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 10, to strike out:

For experimental motor vehicle truck service in such localities of the United States as the Postmaster General may select, the establishment and extension of such service, the purchase, manufacture, exchange, and repair of equipment, supervision and maintenance, and expenses incidental to conveyance and marketing of produce and commodities, $1,000,000.

And insert:

That to promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer and the delivery to producers of articles necessary in the production of such food products, the Postmaster General is hereby authorized to conduct experiments in the operation of motor-vehicle truck routes, to be selected by him. The Postmaster General is further authorized to conduct experiments in the operation of country motor express routes, which shall be primarily operated as a means of expediting the transportation of fourth-class mail between producing and consuming localities and shall not displace or supplant any existing methods of mail transportation or delivery. These two classes of experiments shall be conducted under such rules and regulations, including modifications in rates of postage and in packing and wrapping requirements, as the Postmaster General may prescribe, and to defray the cost thereof the sum of $300,000 is hereby appropriated:

Provided, That mail other than that of the fourth class shall not be dispatched on experimental motor vehicle truck routes or on experimental country motor express routes unless the same can be expedited thereby in delivery at destination:

Provided further, That separate accounts shall be kept of the amount of all the mail of all classes carried on such routes. The Postmaster General shall report to Congress the result of such experiments at the beginning of the next regular session.

Mr. McKELLAR. At the request of the present occupant of the chair [Mr. KING], I ask unanimous consent that this amendment may go over.

Mr. BANKHEAD. Very well; let it go over.

The PRESIDING OFICER. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, in section 2, page 29, line 24, after the word "That," to strike out "on and after July 1, 1919," and insert "during the fiscal year ending June 30, 1920," so as to make the clause read:

SEC. 2. That during the fiscal year ending June 30, 1920, clerks in first and second class post offices and letter carriers in the City Delivery Service shall be divided into six grades, as follows:

Mr. McKELLAR. Mr. President, this amendment brings up the question of making the present salaries of the employees in the department permanent. This amendment makes them simply temporary. I want to say just a word about this matter.

I think that these salaries ought to be made permanent. We have recently passed a bill, and probably very properly so—I am not criticizing it in the least—increasing very largely the salaries of our Federal judges, the necessity for such increase being brought on by the conditions that exist as to all salaried men in this country. We have recently passed other large increase, and we have made those salaries permanent—much larger or quite as large in proportion as the salaries that are here asked to be made permanent. We have recently appropriated $100,000,000 of our money for looking after people in Europe and for looking after the interests of the packing people over on this side of the water. Under these circumstances, it seems to me, it is as little as we can do to make this legislation permanent for these employees of the Government. I therefore hope that this amendment will not be agreed to.

I call attention to the fact that on page 32 virtually the same language is used, also on page 33, and again in the proviso from line 17 to line 26 on page 33 of the bill. I suppose every Senator knows the question at issue. It is merely a plain question of whether we are going to make these salaries permanent. The other House provided for making them permanent, and it seems to me the Senate ought to agree to that proposition in common justice to these employees of the Government. I hope the Senate committee amendment will not be agreed to.

Mr. BANKHEAD. Mr. President, I hope the desire of the Senator from Tennessee [Mr. McKELLAR] will not be acceeded to. The condition in the Post Office Department—as it is in nearly every other department of the Government—is chaotic. We

have made the advances in these appropriations temporary; and we have inserted in the bill a provision to create a commission to investigate the whole question of salaries in the Post Office Department, to undertake to equalize them, and to put them all upon a fair and a just basis.

I do not think this amendment ought to be disturbed. I think the matter ought to go along. Let us agree to the creation of the commission which is provided for in the bill; let that commission take up the whole question of salaries in the Post Office Department, go over them all thoroughly in every branch of the Postal Service, and equalize them. Some of them may be higher than they ought to be, and some of them may be lower than they ought to be under the conditions. Nobody now, Mr. President, can tell what the conditions are going to be a year from now. It may be then absolutely necessary to reduce some of the salaries which we have now provided for under the existing extraordinary conditions. I say, leave that all to the commission, and let them work it out. I hope, therefore, the amendment proposed by the committee will not be disturbed.

Mr. SMOOT. Mr. President, I think the amendment reported by the committee is a very wise one for this reason: The increases which have been given to the employees in all of the other departments of the Government have been what may be termed temporary increases. Last year the increase was $120. The basic rate of payment was not interfered with at all; but there was a temporary increase on account of the conditions existing. If the legislative appropriation bill this year becomes a law, I do not think it is out of the way for me to say that so far as the subcommittee of the Appropriations Committee have acted it is in favor of increasing the $120 of last year to $240 for this year. I have not any doubt the committee would absolutely refuse to consider an increase of all statutory rates of pay by $240, to be hereafter paid, but it is left to Congress to decide what may be done under the conditions which may exist a year hence; whether the increase shall be $120 or $240 or $360. That question is to be decided at that time. I see a provision is contained in this bill for the creation of a commission for the very purpose of examining into the whole question of salaries to be paid the employees of the Government.

As I said a year ago, Mr. President, there ought to be a commission appointed, and appointed quickly, to go into the question of the rearrangement of the salaries paid in every department of this Government. I assert that there are now some of the most glaring discriminations in the salaries paid in the different departments of our Government of which it is possible for the human mind to conceive. The quicker a commission is appointed to go into this question the better it will be. I do not mean merely to skim the question over or to make some report that a certain head of a certain division ought to receive an increase of salary because of the work that he may be doing at that particular time, but I mean that the investigation of such a commission ought to be so thorough that it would be acceptable to any man who made an examination of the matter; I might say that it should be just as thorough as if the Government of the United States were a great, big business concern, and the investigation was made upon business principles and not upon favoritism or upon political "pull."

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I yield.

Mr. BANKHEAD. I desire to ask the Senator from Utah a question. I understood the Senator a while ago to say that the Appropriations Committee had increased certain salaries?

Mr. SMOOT. Statutory salaries; yes.

Mr. BANKHEAD. Temporarily?

Mr. SMOOT. Temporarily; for this year.

Mr. BANKHEAD. Has the committee not also provided for the appointment of a commission?

Mr. SMOOT. It will provide for it if the House conferees yield.

Mr. BANKHEAD. I mean that the Senator's committee is in favor of the appointment of a commission to adjust this whole matter, is it not?

Mr. SMOOT. Absolutely; and I am in favor of a commission in this case to adjust salaries in the Post Office Department. I think it would be a very wise thing to do, to have a commission created, if the House agrees to the Senate provision and the Senate agrees to the action taken by the subcommittee of the Appropriations Committee. Then, of course, such action would cover all of the other departments of the Government.

I know it is said that perhaps this ought not to be done at this particular time on account of the unusual conditions existing in the United States; but I have had enough experience in my service here in the Senate to know that if the commission were appointed this year, before a thorough examination could be made—and unless it is a thorough one it will be of no value whatever—conditions more than likely will be normal; and this is the time that we want to know just what to do in order that equal and exact justice may be rendered to all of the employees of the Government. Therefore, Mr. President, I really think that the amendment of the committee is a very wise one, and I hope the Senate will agree to it.

Mr. THOMAS. Mr. President, I do not think it would be wise to legislate a permanent salary list, but for reasons somewhat different from that expressed by my associates. My objection is that, if we should do so, the permanency would end with the next fiscal year. The constant demand for increased salaries will find favorable response here just so long as there is any money in the Treasury to devote to that purpose, and to speak of a permanent salary list is to express a contradiction in terms; as a celebrated nurse in one of Dickens's novels said, "There ain't no such thing."

Mr. President, I am aware, and, of course, have been so ever since the war began, that the rise in the cost of living bears very hard upon the salaried elements of society. Their compensation being fixed and the price of all the necessities of life being in a state of constant upward progression, this class necessarily feels the consequences of the disarrangement more severely, and perhaps more generally, than any other class. The time was when the wage earner suffered similarly, but in these days of organization he has been able not only to take care of himself but to utilize the emergency by securing a large increase over and above the cost of living. Hence I sympathize very deeply with the demand of the salaried classes for additional compensation, notwithstanding the fact that the giving of it brings no relief whatever.

This bill provides for an increase aggregating $12,500,000 over and above the amount provided in the bill of last year, which was in turn an increase over its predecessor, and that in turn contained increases over the bill which preceded it. I am not a prophet, and never pretended to be; indeed, it required no prophet at that time to predict that the relief sought for would prove in practice of no avail, and it did not.

Mr. President, you have probably noticed that every request for an increase of salary is backed by the enthusiastic approval of the press, by the commercial bodies, by the landlords, by the grocers, and by the dry-goods people. Why? Because they know that these increases will bring a profit to them and to nobody else. The Government clerk becomes merely a conduit through which the money of the United States passes from its Treasury to the purveyor. So it has been, so it is, and so it ever will be.

Mr. McKELLAR. Mr. President, may I interrupt the Senator?

Mr. THOMAS. Certainly.

Mr. McKELLAR. Assuming that that is the case, should that prevent us from giving to the clerk, through whom it is conveyed, a living wage?

Mr. THOMAS. Mr. President, if the Senator will only define what is a "living wage," I would be better able to answer his question.

Mr. McKELLAR. With the ordinary expenses that I have upon me I find that $7,500 quickly disappears in this city, and I wonder how the clerks with such small salaries get along at all.

Mr. THOMAS. That is undoubtedly true; and if the Senator were receiving $10,000 a year he would find himself in the same condition.

Mr. McKELLAR. On that theory, then, we had better cut all salaries down to nothing.

Mr. THOMAS. It would be just as logical and just as efficient. Why, Mr. President, the business of extorting money—perhaps I use too strong an expression—the business of securing money for the necessities of life from the salaried class has developed into an exact science.

Mr. McKELLAR. I am obliged to agree with the Senator about that.

Mr. THOMAS. The Senator, who gets $7,500 a year, finds that it costs him at least that to live here. If he only got $1,200, the purveyors would still accommodate him, or attempt to do so; but I have not a particle of doubt that if the Congress should seriously consider the propriety of advancing the salaries of its Members to $10,000 every landlord, the proprietor of every department store, and the proprietor of every grocery store would hail it with great satisfaction; in fact, with unalloyed enthusiasm, because they would see an additional $2,500 apiece for something over 425 Members of Congress for their annual incomes. I am in favor of fixing a living wage if it were possible, but it is not. No man can obtain a salary raise fast enough to catch up with, to say nothing about overtaking, those who fur-

nish the supplies of life. For that reason I have opposed the raising of these salaries, because the recipients of them are just as well off as they are after this money has been appropriated from the Treasury.

There is a way of meeting it, in my judgment. I think the Government should provide, even though it may result in a deficit or in added public expense, a rate for shelter by furnishing the shelter and a rate for the necessities of life by furnishing the necessities of life under a living wage, and then pay that wage. The Government would not lose anything like as much as it does under the prevailing system. Talk about a permanent wage scale! It is impossible.

This is a real need; I recognize that; but a year from now the need will be just as real, and we will have to give just as much more, because, to use an expression I once heard used by a prominent business man here, the slack will be taken up long before Congress makes another appropriation. So that the whole business, Mr. President, of increasing salaries consists of a losing race between the salary earner and the purveyor; and, of course, there is an added incentive to the purveyor to increase his prices, because he knows from experience that we will meet the increase by giving the employee a little more. He can deprive the wage earner or the receiver of the salary during the next fiscal year of the benefit of the increase.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. THOMAS. I yield.

Mr. McKELLAR. The natural effect of the bill which we passed the other day appropriating $100,000,000 to European sufferers is to keep up the price of meat nearly to the present standard. This was admitted by Senators upon this floor.

Mr. THOMAS. I think so; but the prices will stay up anyhow—certainly in the District of Columbia.

Mr. McKELLAR. That bill has the effect of increasing the price of meat. Having enacted that legislation, does the Senator think it would be unfair, looked at even from his standpoint, to give the very poorly paid Government clerks sufficient salary to enable them to get meat at the price to which we have seen fit to increase it?

Mr. THOMAS. The Senator can not reproach me for the $100,000,000 legislation.

Mr. McKELLAR. I am delighted to know that I can not.

Mr. THOMAS. I did not vote for it, and if there is anything wrong in its enactment my conscience is clear.

Mr. McKELLAR. I am not reproaching the Senator for it; I remember his vote; but I was just asking how he makes his present reasoning jibe with that bill?

Mr. THOMAS. I do not want to leave that statement incomplete. Because of the exigency I would have voted for it if I had thought we had the constitutional power to enact it; but I can never understand why, if the Congress appropriates $100,000,000 for one purpose, that is a justification, or even an excuse, for appropriating millions of dollars for some other purpose. I know that the precedents are established, and that in consequence of them we are multiplying our expenditures very rapidly, so that now we are making appropriations by millions upon millions, and the Almighty Himself can hardly predict what the total will be between now and the 4th of March.

Mr. McKELLAR. Mr. President, perhaps the Senator misunderstands my position. I will say that my proposition is that if by legislation we have kept up the price of meat—the meat which the Government clerks must have upon which to live—it is absolutely right that we should also place their salaries at such a rate that they can get meat occasionally.

Mr. THOMAS. The sum of $100,000,000 is very large in the abstract, but it is relatively very small in the effect that it will have upon the price of commodities in this country; it is not a drop in the bucket, so to speak. Moreover, prices are sustained in these days not so much by the demand for the commodity as by the control of the product. I do not think that the purchase by the Government of $100,000,000 worth of foodstuffs, which must be made in large part from those having control of them, will sensibly affect the current prices for these commodities. But whether that be true or not, I can perceive no argument whatever in the proposition that because large sums of money have been appropriated for one purpose, the indirect effect of that purpose will justify other large appropriations.

I might say to the Senator, to comfort him, that my opposition to this measure is the very surest way to make it effective, for I am not sensible yet of having ever opposed successfully an appropriation in the Senate of the United States, and I do not know that I ever shall. I will say very frankly that this appropriation has the merit of necessity behind it, my objection being that it will not accomplish the purpose that its advocates seem to think. If I thought it would, I would vote for it in a moment, but sad experience tells me that we are merely by these indirect processes furnishing money to those who do not need any assistance from us.

We have expended a great deal of money here in the District in the building of public structures for the sheltering of employees of the Government. I do not know whether they are occupied yet or not. I think it is a good start in the proper direction; and if we will follow it up by provisioning these places and bringing the cost of livelihood down where it ought to be, we will not only by that means confer a boon upon the public officials, but we will also sensibly affect the price of the necessities of life to the residents of this District. That, however, is perhaps too obvious a method of proceeding to justify its successful consideration by the Congress.

This will go through; there is no doubt about it; but do not try to make it permanent, because it is simply a waste of time and a waste of breath. It will be as temporary as the bill itself, to be followed next year by appropriations of similar, if not greater, increases to meet the added cost of living; and the local press and the purveyors, as usual, will be behind that with all their energy and all their enthusiasm, shedding crocodile tears over the terrible condition of the poor wage earner, but having their claws extended in anticipation of the harvest that is to come to them when the bill becomes a law.

The PRESIDING OFFICER (Mr. SWANSON in the chair). The question is on the amendment of the committee.

The amendment was agreed to.

CARE OF SOLDIERS WHEN TRAVELING.

Mr. SUTHERLAND. Mr. President, I apologize for calling the attention of the Senate to a matter which is extraneous to the pending bill, but there seems to me to be no subject that is more worthy of our immediate consideration at any time than this.

I ask the Secretary to read from the desk a communication which I have received from the chairman of the Red Cross Chapter of Parkersburg, W. Va.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

WOOD COUNTY (W. VA.) CHAPTER,
THE AMERICAN RED CROSS,
Parkersburg, W. Va., January 28, 1919.

HON. HOWARD SUTHERLAND,
Washington, D. C.

DEAR SENATOR: At a conference of the chairman and other members of the canteen committee of our local chapter of the American Red Cross it was decided that I should most earnestly call attention to the proper authorities of the Government to the lack of care being given wounded soldiers transported via Parkersburg.

Complaints are made from time to time of lack of water, heat, and proper food on the trains. During this month the canteen here has furnished 5,150 men with some character of food and refreshment. There is a lack of system and uniformity with reference to the arrangements, and therefore a great deal of confusion exists, and the canteen is being called upon to bear expenses out of all proportion to the size of our chapter and the condition of our treasury.

We think that the Government should provide some character of service on hospital trains which would insure wounded soldiers having proper food and nourishment, without depending solely on canned food and canteen service. If the canteen, however, is expected to furnish meals and food in the amount which we are now doing, some provision should be made for compensation. It is true that occasionally officers reimburse the canteen, but there is no system or uniformity with regard to the matter.

We respectfully request information as to the policy and practice of the Government with reference to these matters, and in our particular case we would like to have telegraphic information in advance what character of food is desired, whether or not soldiers have equipment, and general instructions. We likewise feel that a train should be in charge of some one responsible officer or person. Our present experience is that at times Young Men's Christian Association men are seemingly in charge, and in one instance, particularly, our experience was extremely disagreeable. It is probable the Government has definite rules with reference to these matters, but if so they are not being carried out, and in very few instances has the canteen been reimbursed for any outlay which it has made.

Referring again to the cost which we are undergoing, our budget provides $100 a month for canteen work, and it can be readily seen that to carry out the work as we are now being compelled to do is absolutely out of the question.

Very truly,

JOHN MARSHALL,
Chairman Wood County Chapter,
American Red Cross.

Mr. SUTHERLAND. Mr. President, it seems that soldiers are being transported to and fro over our railroad systems, particularly those now returning from Europe, many of them wounded soldiers, without adequate preparation being made en route for their care and feeding. It seems to me that this is a situation that should not exist. It seems to me that to require the communities through which these soldiers pass to provide for the food and care of these men as they pass through the several stations en route to their final destination is an injustice which this Government should not contemplate. We have appropriated, and are appropriating, large sums of money for the support of the War Department, and the virtual quartering of

these soldiers upon these communities in time of peace is an injustice which is not contemplated even by the Constitution, and which is practically prohibited. It is not exactly a quartering, but it is virtually a quartering upon the population of soldiers in time of peace.

It would seem to me that those in the War Department in charge of the transportation of those soldiers should adopt some policy by which advance information could be sent to those stations where they are to be stopped for feeding, so that proper food can be arranged for; and this service should be paid for by the Government rather than by the communities through which these soldiers pass. It is most deplorable that these hospital trains, carrying wounded men from the battle fields in France, should be found to be absolutely lacking in the essentials for the comfort of these wounded men.

I desire to call the attention of the Senate, and not only of the Senate but of the country at large, to this question, which is no doubt pressing upon many communities besides the one which is immediately complaining in this case; and I desire particularly to call the attention of the Quartermaster Department of the War Department to the necessity of better arrangements for sending these men to their destinations over our railroad systems.

WOMAN SUFFRAGE.

Mr. SHAFROTH. Mr. President, I have here a joint memorial of the Legislature of Colorado, which I ask to have read.

The PRESIDING OFFICER. The Secretary will read the memorial, in the absence of objection.

Mr. BANKHEAD. I object to the reading of the joint memorial at this time. I want to proceed with this bill and dispose of certain sections of it, and then I shall be perfectly willing to yield to the Senator.

Mr. SHAFROTH. It will take me but a minute to do it.

Mr. BANKHEAD. Will not the gentleman permit it to be printed in the RECORD?

Mr. SHAFROTH. I think it ought to be read.

The PRESIDING OFFICER. Does the Senator insist upon it now, or will he wait until later?

Mr. BANKHEAD. Mr. President, I am helpless. If I object to it going into the RECORD, the Senator will read it himself.

Mr. SHAFROTH. Certainly I can read it.

The PRESIDING OFFICER. The Secretary will read the memorial.

The Secretary read as follows:

(House joint resolution 2. By Mabel Ruth Baker.)

Resolved by the house of representatives (the senate concurring):

Whereas Colorado has long enjoyed the help and counsel of its women in all matters of citizenship, and has by these years of experience demonstrated the benefits to be derived by equal suffrage; and

Whereas there is now pending in the Senate of the United States a constitutional amendment providing for national woman suffrage: Therefore be it

Resolved, That we urge the United States Senate to take up and pass at the earliest possible date this constitutional amendment, in order that all the women of the Nation may have the right of suffrage, which they have so completely earned, and the Nation have the benefit of their citizenship; and be it further

Resolved, That we commend our United States Senators and Members of Congress for the work they have done in behalf of the Federal suffrage amendment, and urge them to continue their endeavors until success shall crown their efforts.

This is to certify that the above house joint resolution No. 2 was duly passed in both the Senate and House of Representatives of Colorado on January 3, 1919, by the following vote:

In the senate: Yeas, 31; nays, 1; absent or excused, 3.

In the house: Yeas, 65; nays, none; absent or excused, none.

Respectfully,

HARRY P. MASON,
Chief Clerk, House of Representatives.

Mr. SHAFROTH. Mr. President, I desire to call attention to the fact that the one vote given by a senator against the adoption of that joint resolution was cast by a man who stated that he had no objection to the joint resolution itself, but was opposed to voting upon any joint resolution memorializing Congress.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The PRESIDING OFFICER. The Secretary will resume the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 31, line 6, after the word "to," to strike out "$1,700" and insert "$1,800," so as to make the clause read:

The Postmaster General shall classify and fix the salaries of railway postal clerks, under such regulations as he may prescribe, in the grades provided by law; and for the purpose of organization and establishing maximum grades to which promotions may be made successively, as hereinafter provided, he shall classify railway post offices, terminal railway post offices, and transfer offices with reference to their character and importance in three classes, with salary grades as follows: Class A, $1,100 to $1,500; class B, $1,100 to $1,600; class C, $1,100 to $1,800. He may assign to the offices of division superintendents and chief clerks such railway postal clerks as may be necessary and fix their salaries within the grades provided by law without regard to the classification of railway post offices.

The amendment was agreed to.

The next amendment was, on page 32, line 1, after the word "That," to strike out "on and after July 1, 1919," and insert "during the fiscal year ending June 30, 1920," so as to read:

Provided further, That during the fiscal year ending June 30, 1920, the compensation of each rural letter carrier for serving a rural route of 24 miles and over, six days in the week, shall be, etc.

The amendment was agreed to.

Mr. BANKHEAD. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 32, line 4, it is proposed to strike out the words "and over."

The amendment was agreed to.

The next amendment of the Committee on Post Offices and Post Roads was, on page 32, line 5, after the words "shall be," to strike out "$1,440 and $24 per mile for each mile or major fraction thereof over 24 miles per annum, payable monthly"; in line 8, after the word "miles," to strike out "$1,382" and insert "$1,440"; in line 9, after the words "miles," to strike out "$1,296" and insert "$1,350"; in line 10, after the word "miles," to strike out "$1,152" and insert "$1,200"; in line 11, after the word "miles," to strike out "$1,008" and insert "$1,050"; in line 12, after the word "miles," to strike out "$864" and insert "$900"; in line 13, after the word "miles," to strike out "$806" and insert "$840"; in line 14, after the word "miles," to strike "$748" and insert "$780"; in line 15, after the word "miles," to strike out "$691" and insert "$720"; in line 16, after the word "miles," to strike out "$633" and insert "$660"; in line 17, after the word "miles," to strike out "$576" and insert "$600"; in line 23, after the word "That," to strike out "hereafter" and insert "during the fiscal year ending June 30, 1920"; on page 33, line 6, after the word "law," to insert "*Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*"; in line 8, after the word "That," to strike out "hereafter" and insert "during the fiscal year ending June 30, 1920"; and in line 13, after the word "mentioned," to strike out "herein" and insert "in this section and certain assistant postmasters at first and second class post offices and certain supervisory officials whose salaries are specifically increased by this act: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department or to employees who serve voluntarily or receive only a nominal compensation: *And provided furrther*, That the increased compensation at the rate of 5 per cent, 10 per cent, and 15 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated," so as to make the clause read:

Clerks in class A shall be promoted successively to grade 3, clerks in class B shall be promoted successively to grade 4, and clerks in class C shall be promoted successively to grade 5, at the beginning of the quarter following the expiration of a year's satisfactory service in the next lower grade. Promotions above these grades within the maximum grades of the classification may be made in the discretion of the Postmaster General for meritorious service. No promotion shall be made except upon evidence satisfactory to the Post Office Department of the efficiency and faithfulness of the employee during the preceding year: *Provided further*, That clerks assigned as clerks in charge of crews consisting of more than one clerk shall be clerks of grades 6 to 10, inclusive, and may be promoted one grade only after three years' satisfactory and faithful service in such capacity: *Provided further*, That during the fiscal year ending June 30, 1920, the compensation of each rural letter carrier for serving a rural route of 24 miles, six days in the week, shall be $1,500; on routes 22 miles and less than 24 miles, $1,440; on routes 20 miles and less than 22 miles, $1,350; on routes 18 miles and less than 20 miles, $1,200; on routes 16 miles and less than 18 miles, $1,050; on routes 14 miles and less than 16 miles, $900; on routes 12 miles and less than 14 miles, $840; on routes 10 miles and less than 12 miles, $780; on routes 8 miles and less than 10 miles, $720; on routes 6 miles and less than 8 miles, $660; on routes 4 miles and less than 6 miles, $600. A rural letter carrier serving one triweekly route shall be paid on the basis for a route one-half the length of the route served by him, and a carrier serving two triweekly routes shall be paid on the basis for a route one-half of the combined length of the two routes: *Provided further*, That during the fiscal year ending June 30, 1920, postmasters of the fourth class shall receive the same compensation as now provided by law, except that they shall receive 100 per cent

of the cancellations of the first $100 or less per quarter: *Provided further*, That if the compensation does not exceed $75 for any one quarter, fourth-class postmasters shall be allowed an increase of 20 per cent of the compensation allowed under existing law: *Provided further*, That no office shall be advanced to third class by reason of the temporary increases herein provided: *Provided further*, That during the fiscal year ending June 30, 1920, the increased compensation provided in section 2 of the act approved July 2, 1918, making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1919, and for other purposes, shall remain the same for employees other than those mentioned in this section and certain assistant postmasters at first and second class post offices and certain supervisory officials whose salaries are specifically increased by this act: *Provided further*, That the provisions of this section shall not apply to employees who receive a part of their pay from any outside sources under cooperative arrangement with the Post Office Department, or to employees who serve voluntarily or receive only a nominal compensation: *And provided further*, That the increased compensation, at the rate of 5 per cent, 10 per cent, and 15 per cent for the fiscal year ending June 30, 1918, shall not be computed as salary in construing this section. So much as may be necessary for the increases provided for in this act is hereby appropriated.

Mr. KING. Mr. President, I should like to ask the Senator if there have been any increases in any of these salaries, except temporary increases of a certain per cent, so as to reach the same level of advancement that has been reached in the other departments?

Mr. BANKHEAD. All the increases that have been made in this bill are temporary. No permanent increases have been made.

Mr. KING. And what has been the general increase in salaries?

Mr. BANKHEAD. I suppose I might say the general increase has been about $200.

Mr. KING. What is the amount of the appropriations carried by this bill in excess of the Post Office appropriation bill for the preceding year?

Mr. BANKHEAD. About $40,000,000, exclusive of the good-roads item.

Mr. KING. And is that all in salaries, or are there other items?

Mr. BANKHEAD. Practically all in salaries.

Mr. KING. In view of the tremendous obligations which this Government has assumed, those paid and those unpaid, the difficulty that we will experience in collecting the $6,000,000,000 which the present revenue bill levies upon the people, and in view of the fact that billions of dollars are to be met in the future, I ask the Senator whether he thinks we are justified in adding to this appropriation $40,000,000 for one year?

Mr. BANKHEAD. I think we are, under the conditions, so long as we are adding this amount to the pay of employees of all other departments of the Government.

Mr. KING. And what is added by way of appropriation for roads?

Mr. BANKHEAD. Two hundred million dollars in three years—$50,000,000 this year and $75,000,000 during each of the two next fiscal years.

Mr. KING. Has the committee having this bill in charge taken into account the ways and means by which the revenue is to be obtained to meet these rapidly increasing expenditures?

Mr. BANKHEAD. That is the business of the Ways and Means Committee of the House and the Finance Committee of the Senate. They will attend to that.

Mr. KING. The Senator is of the opinion that the majority of us—those who do not belong to the Finance Committee—may devise ways and means of spending money, but the sole responsibility of devising ways and means of raising money will rest upon that committee?

Mr. BANKHEAD. Oh, we are all going to support the report of the committee when it comes in. So is the Senator from Utah.

Mr. KING. Oh, obviously this Government will have to meet the expenditures which an extravagant Congress makes. We can not repudiate the obligations that will be incurred by appropriation bills of that character. It does seem to me, though, that somebody in this Chamber ought to be protesting against the extravagant expenditures that are constantly being made. I do not refer particularly to this bill, but to other bills. There seems to be no plan by which to conserve the resources of the Government, to cut down expenses; and we justify these growing expenses upon the ground that prices have gone up, and therefore we must increase the expenditures of the Government. It seems to me that we will have an empty Treasury long before all of these obligations have been met.

Mr. BANKHEAD. Mr. President, I hope to be able to proceed with one or two more sections of the bill to-night; and when we reach the good-roads amendment, which the Senator from Utah has in his mind, I shall move to adjourn until to-morrow. I just want to finish up the part of this bill which provides the appropriations for the Post Office Department. There are only one or two more pages of it, on which there will be no trouble.

Mr. KING. I suppose it is futile to attempt any emendation of this bill. I know how obnoxious a Senator makes himself if he opposes an appropriation. I have seen the distinguished Senator from Colorado [Mr. THOMAS] and others who have tried to effectuate reforms run over by this juggernaut time and time again. I suppose the prostrate forms of these undying heroes will be found occasionally; but those forms will not even be reminders of the solemn duty which rests upon the Senators to try to have economical Government.

Mr. BORAH. Mr. President, I desire to say that there are some of us carrying recent bruises from the juggernaut car.

Mr. KING. I think that is true.

The PRESIDING OFFICER. The question is on the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, at the top of page 34, to strike out:

SEC. 3. That a commission consisting of five members of the Committee on Post Offices and Post Roads of the United States Senate and five members of the Committee on the Post Office and Post Roads of the House of Representatives, to be appointed by the chairman of the respective committees, is hereby authorized to investigate the salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of such salaries on an equitable basis; and said commission shall make a report with recommendation to Congress at the first day of the next regular session. The expense of such inquiry shall be paid from the unexpended balance of any appropriation for the Postal Service for the fiscal year ending June 30, 1919.

And to insert:

SEC. 3. That a commission consisting of five members of the Committee on Post Offices and Post Roads of the United States Senate, to be appointed by the President of the Senate, and five members of the Committee on the Post Office and Post Roads of the House of Representatives, to be appointed by the Speaker of the House, is hereby authorized to investigate the salaries of postmasters and employees of the Postal Service with a view to the reclassification and readjustment of such salaries on an equitable basis. Vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointments.

The commission is authorized to sit during the sessions or recess of Congress, to send for persons and papers, to administer oaths, to summon and compel the attendance of witnesses, and to employ such clerical and expert services and incur such expenses as may be necessary to carry out the purpose of this investigation.

The heads of the Post Office Department, postmasters, supervising officials, and employees of the Postal Service shall furnish data and information and make investigations upon request of the commission.

It shall be the duty of the commission to report by bill or otherwise, as soon as practicable, the results of its investigation and what reclassification and readjustment of compensation should be made. The expense of such investigation shall be paid from the unexpended balance of any appropriation for the Postal Service for the fiscal year ending June 30, 1919, or for the fiscal year ending June 30, 1920, and disbursed upon vouchers approved by the commission, which approval shall be conclusive upon the accounting officers of the Treasury Department. Funds necessary for the expenses of the commission shall become available upon the approval of this act.

The amendment was agreed to.

Mr. BANKHEAD. Mr. President, I believe we are about to begin the consideration of section 5.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Senator is correct.

Mr. BANKHEAD. It will be impossible to proceed much further with the bill to-night. There are a number of Senators here who want a morning hour. Therefore I move that the Senate adjourn until 12 o'clock to-morrow.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama withhold his motion?

Mr. BANKHEAD. Yes.

Mr. SHAFROTH. I have here an address of about 10 minutes which was delivered by Mr. John L. Lentz, a former Member of the House of Representatives, at the Coliseum in Rome. It is a very patriotic address, and will occupy but a very small space in printed form. I ask that it be printed as a public document.

Mr. SMITH of Arizona. I move that it be referred to the Committee on Printing.

The PRESIDING OFFICER. Is there objection to the request?

Mr. SHAFROTH. Mr. President, I move that it be made a public document.

Mr. BANKHEAD. Mr. President, I believe I have the floor.

The PRESIDING OFFICER. The Senator from Alabama has the floor.

Mr. BANKHEAD. I renew my motion that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 31, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 30, 1919.*

The House met at 11 a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, infinite in all Thine attributes, gracious in Thine acts, generous in Thy gifts, make us more appreciative of Thy goodness and wonderful works to the children of men, and responsive to all that is good and pure in our being, that we may fulfill the duties and obligations of life this day and always, in the name of the Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMERCIAL CABLE CO.

Mr. MOON. Mr. Speaker, I want to ask unanimous consent to have printed in the CONGRESSIONAL RECORD a short letter of 10 or 12 lines from the Solicitor of the Post Office Department, together with an attached letter from Postmaster General Burleson to Mr. George G. Ward, the vice president of the Commercial Cable Co., of New York.

The SPEAKER. The gentleman from Tennessee asks leave to print certain letters from the Postmaster General, and so on. Is there objection?

There was no objection.

Following are the letters referred to:

POST OFFICE DEPARTMENT,
OFFICE OF THE SOLICITOR,
Washington, January 29, 1919.

Hon. JOHN A. MOON,
Chairman Committee on the Post Office and Post Roads,
House of Representatives, Washington, D. C.

MY DEAR MR. MOON: In connection with the letter of January 25, 1919, from Mr. George G. Ward, vice president of the Commercial Cable Co., to the Postmaster General, relative to certain orders received by that company from the war department of the British Government, which I understand has been put in the CONGRESSIONAL RECORD, I inclose herewith for your information, and in order that you may, if you see fit, put it also in the RECORD, a copy of the Postmaster General's reply to Mr. Ward's letter.

Very truly, yours,

W. H. LAMAR,
Solicitor.

JANUARY 28, 1919.

Mr. GEORGE G. WARD,
Vice President Commercial Cable Co.,
253 Broadway, New York, N. Y.

SIR: Your letter of the 25th instant quoting order issued to your company by the war department of the British Government received. In reply to your inquiry with respect thereto it seems only necessary to state that the English Government is exercising control over the property of and persons connected with the Commercial Cable Co. located in the British possessions. And under the joint resolution of Congress this Government, through the Postmaster General, is controlling the operations of the cable properties within its jurisdiction. You have been relieved by me of all duties affecting the operation of cables of your company, so far as the jurisdiction of this Government is concerned over the cables of the Commercial Co. I have no instructions to issue to you in regard to any requirements that the British Government may require of you as an officer of the Commercial Co. as a corporation and relating to the property of the company or the conduct of its officials or agents located and operating in the British possessions and with respect to which that Government has assumed control.

Respectfully,

A. S. BURLESON,
Postmaster General.

IMMIGRATION BILL.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that the minority of the Committee on Immigration and Naturalization may have five days within which to file a minority report on the bill H. R. 15302, the exclusion immigration bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the minority of the Committee on Immigration and Naturalization have five days within which to file a minority report on the new immigration bill. Is there objection?

There was no objection.

Mr. BURNETT. I would like further, Mr. Speaker, to ask unanimous consent that there be a reprint of 2,000 copies of the bill and report. It is a very important measure, and the number of copies now available is altogether inadequate.

The SPEAKER. How many did the gentleman say?

Mr. BURNETT. Two thousand.

The SPEAKER. That 2,000 copies of the bill, together with both reports, be printed as a House document. Is there objection?

Mr. STAFFORD. Do I understand that the gentleman desires to have the bill printed in document form?

Mr. BURNETT. I simply wanted to have it available for the Members.

The SPEAKER. The Speaker included the bill in document form by inadvertence. The request is for a reprint of the bill and the reports. Is there objection?

There was no objection.

ST. ELIZABETHS HOSPITAL.

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to proceed for six minutes.

The SPEAKER. The gentleman from New York asks unanimous consent to proceed for six minutes. Is there objection?

Mr. GRIFFIN. Reserving the right to object for a moment, may I ask the gentleman to yield to me? I have a correction of the RECORD that I want to make.

The SPEAKER. The Chair will attend to that if leave is given to the gentleman from New York; and if not, he will attend to it anyway. Is there objection?

There was no objection.

The SPEAKER. The gentleman from New York is recognized for six minutes.

Mr. LAGUARDIA. Mr. Speaker and gentlemen, several Members called the attention of the House yesterday to conditions at St. Elizabeths Hospital in Washington. I spoke to some of the Members who referred to the matter and their information was based upon articles appearing in one of the local papers and in a New York newspaper.

I went to St. Elizabeths Hospital yesterday afternoon and made a personal inspection of that institution. I know there are a good many Members who were quite concerned as to the nature of the reports made, and I want to say that, in my opinion, the reports appearing in the local papers and in the New York paper are not justified.

The St. Elizabeths Hospital is an institution for the insane. It is an insane asylum and a typical institution of that character. There are no shell-shock soldiers there at all. There are no soldiers there for medical treatment. Of course, some mental cases may also require medical treatment and they receive it. They are all mental cases. It is true that there are a good many mild cases there, but it is necessary to send them to some institution where they can remain under observation and later be discharged if they go back to normal condition.

Now, the only objection that might be found might be that it is improper to send mild cases to St. Elizabeths and keep them there for a short period. The answer to that is that we have no other institution in the United States where military mental cases may be sent. These cases have been through various local hospitals and have been under the observation of regimental and base hospital doctors, and owing to their mental condition are recommended for treatment at St. Elizabeths.

The new buildings, the pavilions erected since the war, are ideal buildings. They are one-story cement structures and they are up to date in every respect. Some of the older buildings were put up in 1855 and some in 1873. Of course, they are not as up to date as the new barracks and are rather gloomy. But I want to say this, that there is nothing at St. Elizabeths that requires congressional attention or is sufficient to warrant any uneasiness on our part.

Mr. SHERWOOD. How many are there of those soldiers?

Mr. LAGUARDIA. There are 3,775 patients in all, civilian and soldiers, and about half of those are soldiers from all over the United States, at all times, all together, and there are about 1,400 soldiers that have been sent there since the war. These men have been dragged out of 4,000,000 men that we drafted. All of them are not from overseas service.

The food is reasonably good. It is the usual food of such institutions. I was there at supper time last night, and both the bed patients' food and the ward patients' food was substantial and the kitchen and the service clean.

Now, I want to point out to the House that the superintendent of that institution will have his hands full to-day and to-morrow and the next day owing to the reports that appeared in the papers. Every one of the patients that I spoke to yesterday referred to these articles in the papers. It is going to cause no little uneasiness on the part of those 3,775 patients that the superintendent and staff have on their hands.

We get all sorts of complaints here, and I think that when complaints come in, before we take them up on the floor, we might well go out and see for ourselves. I inspected one institution in New York recently and St. Elizabeths yesterday. There are a good many complaints coming now concerning Walter Reed Hospital. I would suggest to the Members to go there.

Mr. SHERWOOD. What is the nature of their complaints?

Mr. LAGUARDIA. Of the Walter Reed Hospital?

Mr. SHERWOOD. Yes.

Mr. LAGUARDIA. The complaints about the Walter Reed Hospital are, briefly, that there are no laundry facilities for crippled men, that the food is not up to the standard, that they are crowded, and that there is insufficient medical treatment.

Mr. SHERWOOD. There are about 2,000 patients there?

Mr. LAGUARDIA. I do not know. I have not been at the Walter Reed Hospital. I would prefer that some other Member

go there and see for himself. It is not necessary to get a resolution for a congressional investigation. We can go and see for ourselves. I have seen two of these hospitals, and I would prefer that some other Member go there and then come back and tell us about it. All of these institutions have a hard job on their hands at this time. If criticism is just, we want to get a remedy. If I understand our duty, it is not enough to get up and criticize. We want to criticize where criticism is deserved, and we want to discourage criticism where it is not warranted.

Mr. LAZARO. Will the gentleman yield for a question?

Mr. LAGUARDIA. Certainly.

Mr. LAZARO. What does the gentleman mean when he says Members ought to visit an institution like Walter Reed Hospital? How long would you stay there, and what kind of a visit would you have up there, in order to get the information?

Mr. LAGUARDIA. I would do it in this way: A Member has eyes, ears, a nose, a mouth. He can taste the food, he can observe conditions, he can talk to the men, he can look around. I believe it is a good thing to do.

Mr. LAZARO. I agree with the gentleman about that, but the gentleman will admit that one would have to spend a good deal of time.

Mr. LAGUARDIA. Yes, indeed; I work 18 hours a day, but I consider such work part of my duties.

The SPEAKER. The time of the gentleman has expired.

THEODORE ROOSEVELT.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent to have printed in the RECORD a senate joint memorial of the Idaho Legislature, eulogizing the late Col. Roosevelt.

The SPEAKER. The gentleman from Idaho asks to have printed in the RECORD a resolution of the legislature of his State eulogizing the late Col. Roosevelt. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, has not this resolution been printed in the RECORD by action of the other body?

Mr. SMITH of Idaho. No; I looked through the RECORD and found that it had not been printed.

Mr. MANN. It probably will be printed two or three times before we are through with it.

The SPEAKER. Is there objection?

There was no objection.

The joint memorial is as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 1 (by Whitcomb), which was filed in this office on the 21st day of January, A. D. 1919, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 22d day of January, in the year of our Lord 1919 and of the Independence of the United States of America the one hundred and forty-third.

[SEAL.] ROBERT O. JONES,
Secretary of State.

Senate joint memorial 1.

To the Hon. D. W. Davis, governor of Idaho:

Your memorialists, the Legislature of the State of Idaho, respectfully represent that—

Whereas the telegraphed announcement of the death of Hon. Theodore Roosevelt brings to each of us a sense of personal and general loss in the passing away of him whom we believed to be the greatest American citizen of his generation; and

Whereas Hon. Theodore Roosevelt, as a public official, a brave soldier, President of the United States, and, finally, as the leading private citizen of his country, has, through the force of his utterances and example of his life, been the chief factor in remodeling and reviving the plans and purposes of our Government and bringing home to its people more clearly the need for civic righteousness; and

Whereas the American public will hold his memory in grateful regard, we feel that the people of this State, in commemoration of the passing of this great American, will desire to show their sorrow and regard in a becoming way: It is therefore

Resolved, That his excellency, Hon. D. W. Davis, governor of Idaho, is hereby petitioned to declare, by executive proclamation, the day appointed for the funeral obsequies a public holiday, when all public offices shall close; and we express the hope that in this proclamation it shall be requested that business, so far as possible, shall cease for a time on that day, and that appropriate memorial services shall be held in the churches and schools.

Resolved, That the secretary of the State of Idaho is hereby instructed to present this memorial to the governor of the State, Hon. D. W. Davis, as soon as it shall have been passed by the Senate and House of Representatives of Idaho; and shall also be instructed to forward this memorial to the Senate and House of Representatives of the United States of America, and a copy of the same to the Senators and Representatives in Congress from this State. He is also hereby instructed to forward a copy of this resolution to Mrs. Theodore Roosevelt.

This joint memorial passed the senate on the 8th day of January, 1919.

C. C. MOORE,
President of the Senate.

This joint memorial passed the house of representatives on the 8th day of January, 1919.

M. A. KIGER,
Speaker of the House of Representatives.

I hereby certify that the within senate joint memorial No. 1 originated in the senate during the fifteenth session of the Legislature of the State of Idaho.

PAUL DAVIS,
Secretary of the Senate.

LEAVE TO FILE MINORITY VIEWS.

Mr. BLANTON. Mr. Speaker, as a member of the Committee on Claims, I ask unanimous consent to file a minority report (No. 905, pt. 2) on S. 2885, favorably reported from the committee.

The SPEAKER. How many days does the gentleman want in which to file the views of the minority?

Mr. BLANTON. Two days.

The SPEAKER. The gentleman from Texas asks unanimous consent for two days to print a minority report on S. 2885, reported from the Committee on Claims. Is there objection?

There was no objection.

LEAVE TO EXTEND REMARKS.

Mr. BLANTON. Mr. Speaker, further I ask unanimous consent to extend my remarks in the RECORD concerning minority reports that I will file against claims which I do not consider meritorious.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks on minority reports that he has made on certain claims. Is there objection?

There was no objection.

ST. ELIZABETHS HOSPITAL.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman asks for two minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, in connection with the discussion which has taken place relating to St. Elizabeths Hospital, I do not know whether one of the difficulties out there has been the fact that they have detailed a number of soldiers to act as attendants at the hospital, men who have had no training, no experience with insane cases, no special knowledge regarding the care of insane patients. One soldier called on me here the other day stating that he had been detailed there as an attendant much against his wish; that he had no knowledge or experience relating to such matters; that he had been assaulted by insane patients, and was really in fear of trouble either to himself or to the insane patients with whom he might come in contact. I do not know the reason for this, but it strikes me as rather peculiar and odd that in an insane hospital supported by the Government, and heretofore, at least, amply supported by the Government, it should be necessary to detail private soldiers who have had no experience at all in such matters to act as attendants in an insane hospital.

AGRICULTURAL APPROPRIATIONS.

On motion of Mr. LEVER, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, with Mr. HAMLIN in the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment under the five-minute rule.

The Clerk read as follows:

DEPARTMENT OF AGRICULTURE.

OFFICE OF THE SECRETARY.

Salaries, Office of the Secretary of Agriculture: Secretary of Agriculture, $12,000; two Assistant Secretaries of Agriculture, at $5,000 each; solicitor, $5,000; chief clerk, $3,000, and $500 additional as custodian of buildings; private secretary to the Secretary of Agriculture, $3,000; executive clerk, $2,250; executive clerk, $2,100; stenographer and executive clerk to the Secretary of Agriculture, $2,250; private secretary to the Assistant Secretary of Agriculture, $2,250; one appointment clerk, $2,000; one assistant in charge of information, $3,000; one officer in charge of supplies, $2,000; one assistant, $2,000; one inspector, $3,000; one inspector, $2,250; one attorney, $3,500; two attorneys, at $3,250 each: *Provided*, That hereafter the position of attorney in the Department of Agriculture shall be and remain in the competitive classified civil service, anything in the law or in the civil-service rules and regulations to the contrary notwithstanding, and the law clerks now in said department who may be appointed or promoted to said positions of attorney shall retain all the rights of competitive employees, and the Secretary of Agriculture may detail said attorneys for service in or out of the District of Columbia; 2 law clerks, at $3,000 each; 2 law clerks, at $2,750 each; 4 law clerks, at $2,500 each; 8 law clerks, at $2,250 each; 1 law clerk, $2,200; 5 law clerks, at $2,000 each; 3 law clerks, at $1,800 each; 2 law clerks, at $1,600 each; 1 assistant editor, $2,000; 4 assistant editors, at $1,800 each; 1 assistant editor, $1,600; 1 expert on exhibits, $3,000; 1 assistant in exhibits, $2,000; 1 telegraph and telephone operator, $1,600; 1 assistant chief clerk and captain of the watch, $1,800; 5 clerks, class 4; 14 clerks, class 3; 21 clerks, class 2; 27 clerks, class 1; 1 auditor, $2,000; 1 accountant and bookkeeper, $2,000; 1 clerk, $1,440; 2 clerks, at $1,100 each; 1 clerk, $1,020; 7 clerks, at $1,000 each; 18 clerks, at $900 each; 2 clerks, at $840 each; 14 messengers or laborers, at $840 each; 12 messengers or laborers, at $720 each; 1 messenger or laborer,

$660; 1 mechanical superintendent, $2,500; 1 mechanical assistant, $1,800; 1 mechanical assistant, $1,400; 1 mechanical assistant, $1,380; 1 engineer, $1,400; 1 electrical engineer and draftsman, $1,200; 2 assistant engineers, at $1,200 each; 2 assistant engineers, at $1,000 each; 1 fireman, $840; 8 firemen, at $720 each; 1 chief elevator conductor, $840; 16 elevator conductors, at $720 each; 3 elevator conductors, at $600 each; 1 superintendent of shops, $1,400; 1 cabinet shop foreman, $1,200; 5 cabinetmakers or carpenters, at $1,200 each; 3 cabinetmakers or carpenters, at $1,100 each; 9 cabinetmakers or carpenters, at $1,020 each; 3 cabinetmakers or carpenters, at $900 each; 1 instrument maker, $1,200; 1 electrician, $1,100; 2 electrical wiremen, at $1,100 each; 1 electrician or wireman, $1,000; 1 electrical wireman, $900; 1 electrician's helper, $840; 3 electrician's helpers, at $720 each; 1 painter, $1,020; 1 painter, $1,000; 5 painters, at $900 each; 5 plumbers or steamfitters, at $1,020 each; 2 plumber's helpers, at $840 each; 2 plumber's helpers, at $720 each; 1 blacksmith, $900; 1 elevator machinist, $900; 1 tinner or sheet-metal worker, $1,100; 1 tinner's helper, $720; 1 lieutenant of the watch, $1,000; 2 lieutenants of the watch, at $960 each; 73 watchmen, at $720 each; 4 mechanics, at $1,200 each; 1 mechanic, $1,000; 1 skilled laborer, $1,000; 2 skilled laborers, at $960 each; 1 skilled laborer, $900; 2 skilled laborers, at $840 each; 2 skilled laborers, at $720 each; one janitor, $900; 14 messengers or laborers, at $600 each; 1 carriage driver, $600; 8 messenger boys, at $600 each; 24 messenger boys, at $480 each; 1 messenger boy, $360; 1 charwoman, $540; 3 charwomen, at $480 each; 1 charwoman, $360; 15 charwomen, at $240 each; for extra labor and emergency employments, $20,000; in all, $501,020.

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word. I would like to ask the gentleman from South Carolina as to these numerous editors provided on page 3, lines 3 and 4. Are all of these editors provided for in the existing law?

Mr. LEVER. Yes; there is no change.

Mr. CRAMTON. And with the new publications that the department is putting out, which are very numerous, they have not increased the force of the department?

Mr. LEVER. I think not. Most of the editorial work is now concentrated in the Secretary's office, except the Bureau of Publications.

Mr. STAFFORD. If the gentleman will yield, there is one additional editor provided for later on in the bill.

Mr. LEVER. Yes.

Mr. CRAMTON. I am not informed how they are edited, but there is an increasing number of publications in all the departments. They have become so numerous in the departmental desire to give publicity that they are defeating their own purpose. The newspapers are so overwhelmed with them that they have no time to read them, and it has become a waste of paper and good printers' ink.

Mr. MANN. Does any gentleman in the House, or anybody else, know how many serial publications the Government is now conducting in the various departments?

Mr. CRAMTON. I started to make a collection of those that came to my office, but they came to me so fast and the collection became so voluminous that I had to give it up to make room for other things.

Mr. LEVER. I think there is a great deal of force in the suggestion that the various departments are flooding the country with publications so numerous that the people are not reading them. I do not know that that is true of the Department of Agriculture, because I think the publications have been very valuable the past year.

Mr. CRAMTON. I know that some of them are valuable; but each bureau is aspiring to get out a more pretentious magazine than the others, and the newspaper offices of the country are flooded with them, with the result that they are so numerous that they have not time to read them, and all go into the wastebasket. If there is any new editor provided for in this bill, I would like to make a point of order against it.

Mr. STAFFORD. Will the gentleman from Michigan permit?

Mr. CRAMTON. Certainly.

Mr. STAFFORD. Is the gentleman aware of the practice of one bureau in the Department of Agriculture furnishing to the newspapers of the country not only material to fill the inside——

Mr. CRAMTON. Boiler plate.

Mr. STAFFORD. Boiler plate, so that it can be printed in the weekly and daily editions? Can the chairman advise the House how much money is being expended by the Department of Agriculture for publications?

Mr. LEVER. I can not offhand.

Mr. STAFFORD. Has the committee ever made any inquiry of anybody connected with the department in regard to it?

Mr. LEVER. Not within the last two years. The gentleman knows that there was carried in one of his bills an appropriation of $600,000 for farmers' bulletins.

Mr. STAFFORD. Yes; that is for the use of Members of Congress, and those bulletins are distributed throughout the country and are a benefit to agriculture. But the gentleman from Michigan is directing the attention of the House to the practice of the departments, and this department in particular, in publishing serial magazines, furnishing articles weekly to newspapers throughout the country and in going to the extent of furnishing so-called boiler plate for insertions in their papers.

I think some investigation should be made. We have a Committee on Expenditures in the Department of Agriculture. They have a clerk, but I question whether they have had a meeting during this Congress.

Mr. LEVER. That brings up the old question of the activities of the Expenditures Committee. I wish they would look into these matters. It is almost impossible for a big Appropriation Committee to go into all of these things.

Mr. STAFFORD. The gentleman's committee could have made the inquiry of the chief clerk or somebody connected with the department and got that information.

Mr. LEVER. We might have done so.

Mr. MANN. Does the gentleman think he could get the information as to how much money the Agricultural Department is spending on publications if he searched for a year?

Mr. LEVER. I think it would be difficult, but I believe we could approximate it.

Mr. MANN. You might guess at it. May I ask the gentleman a question? I see the bill provides for two Assistant Secretaries of Agriculture. We have had for a long time an Assistant Secretary of Agriculture, and I guess very capable gentlemen have filled the office. They have no duties to perform except to travel around the country and occasionally instruct the people about agricultural matters, generally not knowing very much about it themselves. What is the occasion of providing two supernumeraries over there instead of one?

Mr. LEVER. I hope the new Assistant Secretary will not be considered a supernumerary. The gentleman recognizes that the department has grown very rapidly.

Mr. MANN. I do know that the department is efficient, the bureaus are efficient, and the efficiency has increased in the past very largely by the fact that they are not interfered with above the chief of the bureau. The old Secretary of Agriculture, under whom the great developments took place, Mr. Wilson, considered it largely his duty to stand by the work that the chief was doing.

Mr. LEVER. I think that is the policy of the present Secretary, and yet the work of the office of the Secretary of Agriculture has increased enormously and the detailed work of the Secretary's office has grown so much that I am convinced as a Cabinet officer he ought to be given some time to think, rather than to be asked to fool with small details, and it was for that purpose that I was willing to consent, and the committee agreed to allowing an additional secretary, who may take some of the detail work off the shoulders of the Secretary.

Mr. MANN. The gentleman knows that the Assistant Secretary of Agriculture, at least ever since I have been here, when there was an Assistant Secretary, spent a large part of his time traveling around the country delivering useless lectures—perhaps not useless, but delivering lectures.

Mr. LEVER. The present Assistant Secretary is on some commission to study farm conditions in Europe.

Mr. MANN. And out of the country, and has just now resigned because he does not want to come home, so the papers state, but as far as doing any practical work in the office of the Assistant Secretary is concerned, if he has ever done it, I never have happened to hear of it. Perhaps he has. Without any trouble at all, and so far as I know without any detriment to the Agricultural Department, he went abroad and engaged in other work. Now comes along a proposition to put in two assistant secretaries, done, so far as I can see, for the purpose of providing an additional job for some ex-Member of Congress, or some one else, shortly to be an ex-Member, probably.

Mr. LEVER. I submit that the man who is to be appointed Assistant Secretary of Agriculture is one of the great agricultural experts of this country and is now one of the assistant secretaries.

Mr. MANN. How many assistant secretaries have they now?

Mr. LEVER. Three.

Mr. MANN. Where did they get authority for three Assistant Secretaries of Agriculture?

Mr. LEVER. Under the food-stimulation act.

Mr. MANN. They just appoint them without authority?

Mr. LEVER. Oh, no; we provided for that in the food-production act. It is in existing law.

Mr. MANN. That expires with the war?

Mr. LEVER. Yes.

Mr. MANN. Who is that assistant? I do not happen to be familiar with the personnel there, for I have been away for a while, as the gentleman knows.

Mr. LEVER. The present assistant secretaries are Mr. Christie, of Indiana; Mr. Ousley, of Texas; and, up until yesterday, Mr. Vrooman, of Illinois.

Mr. MANN. I know nothing against any one of them; I know nothing about any one of them.

Mr. LEVER. I think they are all able men. I was very much impressed with Mr. Christie in his statement before the committee.

Mr. MANN. I suppose it is inevitable that we will increase these places, and I think it will be to the detriment of the service.

Mr. LEVER. I hope not, and I should not think so.

Mr. MANN. Wherever you have an assistant secretary, it is just one more step up the ladder along to the top. There is hardly a branch of the Government where that is not true. A matter has to go through the chief of a bureau, and then something has to be done by the assistant secretary, who knows nothing about it as a rule, and when he does know anything about it he is generally misinformed.

Mr. STAFFORD. Mr. Chairman, I question whether we should adopt the policy of providing additional assistant secretaries for peace-time conditions. Everyone knows that the Navy Department has had tremendous burdens cast upon it by reason of the war, and yet the Navy Department has not come to Congress asking for additional assistant secretaries, even for the management of the Navy and its operations during war time. The Department of Commerce has had additional burdens thrown upon it, and it has only one assistant secretary. The Department of Labor has been very active during war times, and it has but one assistant secretary. There were additional burdens thrown upon the Department of Agriculture by reason of the food act and activities connected with the war that might have necessitated additional assistant secretaries, but I hope the gentleman will realize now that the war is over that we should get back to peace times. If we are going to grant two assistant secretaries to the Department of Agriculture we will have other departments coming before us, with just as good grounds, asking for additional secretaries.

Mr. LEVER. Let me suggest this to the gentleman: The Department of Agriculture is peculiar to itself; it studies practically everything from the growth of a vegetable to the life of the bison on the ranges out West. Its activities are numerous and its studies varied. There are more small items carried in this bill for $500 or $5,000 or $50,000 for carrying on sundry and various activities than can be found in the appropriation bill of any other department of the Government. More than that, the Department of Agriculture is the scientific department of the Government, highly scientific, and you can not compare this department with the War Department or with the Post Office Department where you have assistant secretaries. In the Post Office Department I think there are four assistants.

The Secretary must have somebody, or should have somebody, to whom he is willing to trust some of these minor details, so that he may give his time to the study of larger problems in respect to the agriculture of the country. I feel that the committee was justified in this proposition. I think there is a good deal in what the gentleman from Illinois [Mr. MANN] has said, but I am trusting that in the future the policy will be different and that the Secretary himself will shift from his own shoulders some of these smaller burdens so that he can give more attention to the larger duties of his office. A practice has grown up here of recent years of placing upon Cabinet officers burdens which ought to be borne by a specially appointed commission. For instance, the commissioner of agriculture is on the nitrate board and various and sundry boards to locate reserve banks, to locate farm-loan banks throughout the country, and so forth, and it seems to me that we are piling a good deal on these men and that they ought to have some assistants in the smaller things of the offices.

Mr. STAFFORD. I can not bring myself to the belief that if the Navy Department only requires one Assistant Secretary, and the Department of Commerce, with its increased activities under the Bureau of Standards and all the other bureaus, only requires one Assistant Secretary, that we should provide in an appropriation bill an additional Secretary of Agriculture. Mr. Chairman, I also rise to inquire what is the reason for increasing the salary of the private secretary to the Secretary of Agriculture from $2,500 to $3,000?

Mr. LEVER. The committee of its own initiative, I desire to say, made this increase. The Secretary did not estimate for it nor request it. It was not suggested by the gentleman who is filling the place, but for several years now he has presented the estimates of the Department of Agriculture to the Committee on Agriculture, and I think every member of the committee, regardless of party affiliation, will concur in the statement I make, that there is no more efficient man in the public service than he. He has been of immense value to the committee in the preparation of its bills, and of the committee's own initiative we gave this increase.

Mr. STAFFORD. That argument, presumably, might be made for every one of the secretaries, because they are valuable to the department——

Mr. LEVER. But this is not that type of man; he knows all the details of the Department of Agriculture.

Mr. STAFFORD. The gentleman is aware we pay the private secretaries to the Secretary of the Interior, the Secretary of the Navy, and the Secretary of Commerce $2,500?

Mr. LEVER. Well, I do not think either one of those departments compares in importance with the Department of Agriculture.

Mr. STAFFORD. Naturally the chairman of the committee, who has done such great work during the years he has had charge of this bill, would think that the work of this department excels all others, but there must be some harmony of salaries.

Mr. LEVER. Does the gentleman know what the private secretary of the Secretary of War gets?

Mr. STAFFORD. I think the private secretary of the Secretary of War gets $3,000. The private secretaries of the Secretary of the Interior and the Secretary of Commerce get $2,500. If this man is such an exceptional man, perhaps it might be well to provide $500 additional while the office is held by the same individual.

Mr. LEVER. I would be perfectly willing to do that.

Mr. MANN. Why not do that?

Mr. STAFFORD. If he is such an exceptional man. We have instances in the departmental service where there are exceptional men filling positions, and we sometimes recognize them by providing additional salaries while the office is held by that particular individual.

I would like also to inquire what the thought of the committee was in increasing the salary of the inspector from $2,750 to $3,000, and in providing additional attorneys, one at $3,500 and two at $3,250 each?

Mr. LEVER. We did not increase the salary of the inspector.

Mr. MANN. Oh, yes.

Mr. STAFFORD. Yes.

Mr. MANN. Over the bill carried last year.

Mr. STAFFORD. Page 2, line 14.

Mr. LEVER. Yes. This was very strenuously urged by the Secretary in a statement sent to me. This man is in charge of the office of inspection. He reviews all personnel matters, has supervision of the fiscal operations of the department, advises as to financial procedure, and prepares important financial reports for submission by the Secretary to Congress. He served 23 years in the department, receiving his last promotion July 1, 1912, so that he has not had a promotion in six years, and we thought in view of his long and efficient services that he ought to be promoted.

Mr. STAFFORD. The gentleman recognizes in the legislative bill the heads of departments and bureaus are asking us to raise salaries, but we did not think this was the time to raise salaries on a wholesale scale.

Mr. LEVER. Well, I think Congress ought to adopt the policy of trying to compensate the men who are really efficient.

Mr. STAFFORD. I think Congress should have adopted a policy of having salaries equalized instead of allowing one grade of salary to pertain to the Agricultural Department and another grade pertain in the other departments.

Mr. LEVER. I hope the commission appointed by the joint law will work out the question of salaries, because it is a burden upon the appropriation committees, I am sure.

Mr. STAFFORD. May I inquire what is the purpose sought to be accomplished by the proviso in throwing the mantle of the civil service about certain departmental employees?

Mr. LEVER. The purpose there is to retain these attorneys in the classified service. We did not want to make it a political job, and this proviso does that. They retain the civil-service status in this connection.

Mr. ANDERSON. There is a change of designation from law clerk to attorney. The classification of attorney is not under the classified service, and in order to make this change of title and keep the position in the classified service the proviso to which the gentleman refers was inserted, but it is not a change of the situation at all.

Mr. MANN. Will the gentleman yield?

Mr. STAFFORD. Surely.

Mr. MANN. I can not see what the purpose is and what is the object in giving the title of "attorney." Is there any attorney in any other department of the Government? Is there an attorney in any other department of the Government?

Mr. LEVER. Yes.
Mr. MANN. Where?
Mr. LEVER. The Department of Justice——
Mr. MANN. Oh, well——
Mr. LEVER. And the Post Office Department.
Mr. MANN. The gentleman is speaking about a law department. Is there an attorney anywhere else in any other department of the Government?
Mr. LEVER. I think I can show it to the gentleman.
Mr. MANN. Now, the fact is the Department of Agriculture has a solicitor not under the jurisdiction of the Department of Justice. He is the only law officer of the Government in any department not under the jurisdiction of the Department of Justice as such, but we have law clerks in the Treasury Department and law clerks in various other departments. I am not sure but there is a solicitor in the Department of Commerce not under the Department of Justice. Now, does the committee propose to inaugurate a policy of the giving of private attorneys in the various departments who have no relation whatever to the Attorney General or to the Attorney General's office? I think the word "attorney" ought to be supposed to come from the Attorney General's office.
Mr. LEVER. Let me say this, that the kind of men we have here designated "attorneys" have heretofore been under the designation of "law clerks," but they are not law clerks at all. They are all doing genuine attorneys' work.
Mr. MANN. I have no doubt of that.
Mr. LEVER. They appear in court and conduct cases for the Department of Agriculture.
Mr. MANN. Yes.
Mr. LEVER. And yet they go there in the capacity of law clerks.
Mr. MANN. Yes.
Mr. LEVER. We felt that the change of name should be made.
Mr. MANN. They go there in the capacity of solicitors to the Department of Agriculture.
Mr. LEVER. And then the law designates them——
Mr. MANN. As law clerks.
Mr. LEVER. It may have been better to call them assistants.
Mr. MANN. The same is true of the Treasury Department and various other departments of the Government. The Treasury Department is filled with lawyers designated as law clerks passing upon the most important propositions which the Government has relating to the collection of internal revenue, and so forth. They are not designated as attorneys.
Mr. LEVER. Omitting the Department of Justice, I notice here the Federal Trade Commission has 11 attorneys, examiners, and special examiners; 19 attorneys, special attorneys, examiners, special agents; 5 attorneys, examiners; and so forth.
Mr. MANN. So has the Interstate Commerce Commission.
Mr. LEVER. And the Department of the Interior has 3 attorneys, 1 assistant attorney, 2 assistant attorneys, and the Post Office Department has 1 assistant attorney, 3 assistant attorneys, 1 assistant attorney, and 1 law clerk. The Navy Department has none. The Judge Advocate General's office has none.
Mr. MANN. They have a lot of attorneys, too?
Mr. LEVER. I said none.
Mr. STAFFORD. They have law clerks.
Mr. MANN. They have a great many.
Mr. LEVER. They have law clerks.
Mr. MANN. They have colonels and majors and captains and lieutenants and maybe brigadier generals, for all I know. Are these others designated as attorneys?
Mr. LEVER. I am reading from the statements prepared by the Solicitor of the Department of Agriculture.
Mr. MANN. Of course.
Mr. LEVER. And I do not think he would misrepresent the subject.
Mr. MANN. I do not think he intended to misrepresent it. These people are actually attorneys.
Mr. LEVER. The Department of the Interior has three attorneys, a board of appraisers, each $4,000; one assistant attorney, $3,000; two assistant attorneys, $2,750 each.
Mr. MANN. There is a board of appraisers in the Department of the Interior? Is that it?
Mr. LEVER. I presume so.
Mr. MANN. How are they designated? As a board of appraisers or attorneys?
Mr. LEVER. Attorneys on the board of appraisers.
Mr. MANN. I think they are attorneys but I doubt if they are so designated.
Mr. LEVER. So there are attorneys established throughout all these departments.
Mr. MANN. There are attorneys in every branch of the Government service doing legal work, law clerks usually, or else men employed in the office of the solicitors of the various departments, the solicitors being under the Attorney General.
Mr. LEVER. I would not object at all to assistant solicitors if it would satisfy the gentleman's desire in the matter.
Mr. STAFFORD. Then your salaries are out of range with salaries being paid to assistant solicitors in the departments. For instance, the Assistant Solicitor in the Department of Commerce receives $3,000. Now, you propose to increase the salary of a law clerk from $3,250 to $3,500, and call him an attorney. It is not the practice, as has been pointed out by the gentleman from Illinois [Mr. MANN], to describe these employees as attorneys, except in the Department of Justice.
Mr. LEVER. I assure the gentleman that statement is inaccurate.
Mr. STAFFORD. I can call the attention of the gentleman to the fact that under the classification of employees under the solicitors of the respective departments they are known as law clerks.
Mr. Chairman, I am going to make a point of order on the positions of two Assistant Secretaries of Agriculture, at $5,000 each.
Mr. LEVER. I do not concede that that is subject to a point of order.
Mr. STAFFORD. I will argue that.
Mr. LEVER. The Department of Agriculture has full authority to employ persons to carry on its business. That matter has been settled time and time again and ruled upon by the present occupant of the chair. The other is subject to a point of order. I ask for a ruling on that, Mr. Chairman.
Mr. STAFFORD. Does the gentleman mean to claim that he has authority to bring in on an appropriation bill authorizations for officials that are not provided by law, just because we have created a Department of Agriculture, and that he would have authority to provide for 10 Assistant Secretaries of Agriculture without an authorization of law? He certainly does not mean to contend that?
Mr. LEVER. It is simply increasing the number; that is all.
Mr. STAFFORD. If that is the case, then you could provide for more than one Secretary of Agriculture; instead of providing for one, you could provide for two.
Mr. LEVER. The number of assistant secretaries is not fixed by law. The Secretary is fixed by law.
Mr. STAFFORD. The number is fixed by law.
The CHAIRMAN. The Chair would like to ask the gentleman from South Carolina where he finds the authority to which he refers?
Mr. LEVER. In section 522 of the Revised Statutes, where it says:

The Commissioner of Agriculture shall appoint a chief clerk with a salary of $2,200.

And so on. And then it goes on:

And he shall, as Congress may from time to time provide, employ other persons for such time as their services may be needed, including chemists, botanists, and entomologists, and other persons skilled in the natural science pertaining to agriculture.

The CHAIRMAN. The question is, Has the Congress otherwise provided for giving him permission to appoint any number of assistants?
Mr. LEVER. I know of no such authority, no such specific act. I presume that this place has been filled under this general authority here.
Mr. MANN. Mr. Chairman, there is no doubt that in the appropriation bill we could increase the number of employees in the Department of Agriculture. In all of the organic acts creating all the various departments provisions are made for the employment of clerks and various other persons in the departments as Congress may from time to time provide, different language being used in different organic acts; but the substance and purport are the same, and under this organic act we have the authority in the appropriation bill to increase the number of clerks, to increase the number of chemists, to increase the number of scientific men working in the Department of Agriculture, and have so authorized in the organic act; and in the same way we have authority in the Post Office appropriation bill to increase the number of clerks, to increase the number of carriers, to increase the number of the personnel of the department. But there are limitations to that, it seems to me. These organic acts refer not to the superior officer at the head of the department but to the personnel of the department. In the language of the organic act creating the Commissioner of Agriculture the language relates to certain under employees or officials. It does not relate to the men who are supervising officials

at the top. And it seems to me that while it is in order to increase the number of employees of the department below, it is not in order to increase the number of officials at the top, which are not covered by the language of the organic act.

The CHAIRMAN. The Chair has no personal recollection of having passed on this or a similar proposition at any previous time.

Mr. LEVER. Not on this proposition, I will say to the Chair, but on the general proposition.

The CHAIRMAN. The organic act undoubtedly gives the Secretary of Agriculture authority to increase any given number of employees in the different places provided for by law, but that does not apply to administrative positions such as an assistant secretary to the department. For instance, the Chair thinks that the position of First Assistant Secretary is one position, and that of Second Assistant Secretary is a different position, and the Third Assistant Secretary is still a different position, and so on. The Chair does not think that the organic act gave the Secretary of Agriculture authority to increase the number of assistant secretaries, and you can not appropriate for such a position against a point of order unless Congress had authorized or created the particular position. The Chair therefore sustains the point of order.

Mr. LEVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

Mr. STAFFORD. Mr. Chairman, I have other points of order to make, but I have no objection to having the gentleman's amendment pending, and having it read for information.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, line 4, after the semicolon, insert "Assistant Secretary of Agriculture, $5,000."

Mr. STAFFORD. Mr. Chairman, I make a point of order on "one inspector, $3,000"; "one attorney, $3,500"; two attorneys, at $3,250 each"; and the proviso——

Mr. LEVER. I concede those points of order.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. Would the gentleman from Wisconsin be willing to except from his points of order the "private secretary to the Secretary of Agriculture" if I shall use this further language, "and $500 additional as long as the present incumbent holds the position"?

Mr. STAFFORD. I am perfectly willing, in view of the statement of the committee that this is an exceptional man.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report another amendment which the gentleman from South Carolina has sent to the desk.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, line 8, after the figures "$2,000," insert "and $500 additional as long as the present incumbent holds the position."

Mr. STAFFORD. It should be "$2,500," with "$500 additional."

The CHAIRMAN. Without objection, the amendment will be modified as indicated.

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Carolina.

The amendment was agreed to.

Mr. LEVER. Mr. Chairman, I offer the following amendment:

On lines 13 and 14, "one inspector, $3,000; one inspector, $2,750."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, lines 13 and 14, after "$2,000," where it occurs the second time, insert "one inspector, $2,750."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. Has the gentleman from South Carolina another amendment to offer?

Mr. LEVER. Mr. Chairman, if the gentleman from Wisconsin or the committee will permit, I ask that we pass over this attorney matter, because we will have to rewrite most of this language.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to pass over the matter indicated.

Mr. MANN. Why not put in the language in the present law by increasing the present law clerk?

Mr. LEVER. I prefer to come back later. The clerk will prepare it.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to pass over the matter in lines 14 and 15, page 2, for the present. Is there objection?

There was no objection.

The Clerk read as follows:

General expenses, Office of Farm Management: For the employment of persons in the city of Washington and elsewhere, furniture, supplies, traveling expenses, rent outside of the District of Columbia, and all other expenses necessary in carrying out the work herein authorized, as follows:

To investigate and encourage the adoption of improved methods of farm management and farm practice, $218,160: *Provided*, That of this amount $23,873 may be used in ascertaining the cost of production of the principal staple agricultural products.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I have no doubt that the members of the committee will have a rational explanation, but this item strikes my funny bone. Here is a direction that the cost of production of the principal agricultural products shall be obtained at an expense of $23,873. From the beginning of time so far as history records people have endeavored to learn the cost of production especially of agricultural products. Along comes the Agricultural Department and proposes to ascertain the cost of production of all the principal agricultural products and to charge only $23,873 for it. They know just what it is going to cost, down to the odd three dollars. Now, the gentleman from South Carolina [Mr. LEVER] knows that the Agricultural Department can not obtain information which begins to tell the cost of production of the agricultural products for any such sum of money, and I beg to inquire what the real purpose of this item is.

Mr. LEVER. I will tell the gentleman what the real purpose is. Speaking for myself now, and not for the committee, I think the proposition to obtain the cost of the production of farm products is almost an impossible proposition. I feel that I ought to say that much. But there has been a tremendous demand through certain farm organizations that some effort be made at least to approximate the cost of certain stable agricultural products. When Assistant Secretary Christie was before the committee, the committee ascertained that the department had been expending this sum of money, $23,873, in that line of work during the past fiscal year.

Mr. MANN. Without authority of law?

Mr. LEVER. Under this same item.

Mr. MANN. If they have expended it in the past with due authority, why do you now give the authority here?

Mr. LEVER. It was at the suggestion of certain members of the committee. On account of this large demand for this kind of work, made by these organizations, we ought to set it out in the bill and make it specific and certain that they are going to do this work. As far as I am concerned, I am inclined to think that they have a big job on their hands.

Mr. MANN. We made an appropriation for the current fiscal year of $221,660, to investigate and encourage the adoption of improved methods of farm management and farm practice. It would take a man with a very wild dream to suppose that the ascertainment of the cost of production of the principal staple agricultural products is authorized by an appropriation—

to investigate and encourage the adoption of improved methods of farm management and farm practice.

And if the department has diverted the sum of $23,873 from the investigation and encouragement of improved methods of farm management and farm practice, in order to chase will-o-the-wisps, now it is proposed to encourage them to do it. The sum appropriated for the study of farm management and improved methods of farm practice was not very great, but apparently greater than they could expend for that purpose, so they diverted it to something that is a pure chimera. While I have no objection to studying the cost of production of agricultural products and getting information which is of value, the language of the bill is that it can only be used in ascertaining the cost of production, and under the strict language of the law they could not use any of it unless they did ascertain the cost of production.

Mr. LEVER. I think the gentleman is correct in that.

Mr. MANN. It is not for the study of the cost of production. It is "to ascertain" the cost of production, an impossible feat. They are not desired to obtain for public use information about the cost of production, but they are to ascertain the cost of production, which will not be ascertained long after we are dead and buried.

Mr. HAUGEN. I may state to the gentleman that this work has been carried on for a number of years by the department, and at the suggestion of the representatives of the farm organizations this paragraph was put in the bill. The act provides for the adoption of improved methods of farm management and farm practice.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. I ask to be recognized for five minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. HAUGEN. The department has held that in order to advise the farmer what to plant it is necessary to ascertain the cost, to enable them to advise him whether to plant a particular cereal as, for instance, whether to plant oats or corn, and so on. That is the construction placed upon the language.

Mr. MANN. I have no doubt the gentleman is correct, and I have no objection to studying the cost of production, as people desire to have it studied, though plainly the original language did not authorize the expenditure of the money for that purpose.

Mr. HAUGEN. I am, of course, aware of the fact that other commissions are doing that work and that this is an overlapping or a duplication of activity, but this is only one of the many duplications in the departments. You can hardly touch one item in this bill without finding duplication of activities of other bureaus and departments.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to page 2.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn The gentleman from South Carolina asks unanimous consent to recur to page 2, line 14. Is there objection?

There was no objection

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, line 14, after the figures "$2,250," strike out "one attorney, $3,500," and insert in lieu thereof the words "one law clerk, $3,250."

Mr. LEVER. That is the exact language of the law now.

The CHAIRMAN. The question is on the adoption of the amendment.

The amendment was agreed to.

Mr. LEVER. I offer the following amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 2, line 15, strike out "two attorneys, at $3,250 each" and insert in lieu thereof the words "two law clerks, at $3,000 each."

Mr. MANN. Mr. Chairman, I suggest to the gentleman that if he is going to provide four law clerks, at $3,000 each, he do it by providing for four law clerks, at $3,000 each, instead of putting in one item "two law clerks, at $3,000 each," followed by another item "two law clerks, at $3,000 each," as the bill would read if the gentleman's amendment were adopted. I suggest that he amend, in line 24, by striking out "two" and inserting "four," so that it will read "four law clerks, at $3,000 each."

Mr. LEVER. That ought to be two law clerks, at $3,000 each.

Mr. MANN. In line 34 there is an item now in the bill, an increase of two law clerks, at $3,000 each.

Mr. HAUGEN. May I suggest that I believe it should read three law clerks, at $3,000 each, if you intend to make the number that is carried at the present time and as suggested by the solicitor.

Mr. LEVER. The present law carries two, at $3,000.

Mr. MANN. The amendment is precisely the same language as in line 24, only the gentleman proposes to insert it in line 15. If it is the intention of the gentleman to have it appear twice——

Mr. LEVER. It should be three laws clerks, at $3,000 each.

Mr. MANN. I am willing to make it three law clerks. The present bill provides for two extra law clerks, and if the gentleman wants to provide for two extra law clerks he should change the "two" to "four."

Mr. LEVER. I understood the gentleman from Wisconsin objected to the title and number.

Mr. MANN. He made a point of order on the title; he could not make a point of order on the number.

Mr. HAUGEN. I think the gentleman would not object to making it three law clerks.

Mr. LEVER. I think we had better leave it as it is in the present law. The purpose of having two new clerks or attorneys was for the purpose of getting two additional men into the service and, in a way, opening up promotions for those below.

Mr. MANN. Then the gentleman does not want to offer his amendment at all.

Mr. LEVER. I think that is true. The last amendment is not necessary, and, Mr. Chairman, I withdraw the amendment.

The Clerk read as follows:

For investigating the disease of tuberculosis of animals, for its control and eradication, for the tuberculin testing of animals, and for researches concerning the cause of the disease, its modes of spread, and methods of treatment and prevention, including demonstrations, the formation of organizations, and such other means as may be necessary, either independently or in cooperation with farmers, associations, State or county authorities, $993,520: *Provided, however,* That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture it shall be necessary to destroy tuberculous animals and to compensate owners for loss thereof, he may, in his discretion, expend in the city of Washington or elsewhere out of the moneys of this appropriation such sums as he shall determine to be necessary for the reimbursement of owners of animals so destroyed, in cooperation with such States, counties, or municipalities as shall by law or by suitable action in keeping with its authority in the matter and by rules and regulations adopted and enforced in pursuance thereof, provide inspection of tuberculous animals and for compensation to owners of animals so destroyed, but no part of the money hereby appropriated shall be used in compensating owners of such animals except in cooperation with and supplementary to payments to be made by State, county, or municipality where destruction of such animals shall take place; nor shall any payment be made hereunder as compensation for or on account of any such animal destroyed if at the time of inspection or test of such animal or at the time of condemnation thereof it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further,* That out of the money hereby appropriated no payment as compensation for any tuberculous animal destroyed shall exceed one-third of the difference between the appraised value of such animal and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, county, or municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than $25 for any grade animal or more than $50 for any pure-bred animal, and no payment shall be made unless the owner has complied with all lawful quarantine regulations: *And provided further,* That the act approved May 29, 1884 (23 Stat. L., 31), be, and the same is hereby, amended to permit cattle which have reacted to the tuberculin test to be shipped, transported, or moved from one State, Territory, or the District of Columbia, to any other State, Territory, or the District of Columbia for immediate slaughter in accordance with such rules and regulations as shall be prescribed by the Secretary of Agriculture: *And provided further,* That the Secretary of Agriculture may, in his discretion, and under such rules and regulations as he may prescribe, permit cattle which have been shipped for breeding or feeding purposes from one State, Territory, or the District of Columbia, to another State, Territory, or the District of Columbia, and which have reacted to the tuberculin test subsequent to such shipment, to be reshipped in interstate commerce to the original owner.

Mr. LEVER. Mr. Chairman, I offer several amendments.

The Clerk read as follows:

Page 13, line 20, after the word "State," insert the word "Territory."

The amendment was agreed to.

The Clerk read as follows:

Page 14, line 3, after the word "States," insert the word "Territories."

The amendment was agreed to.

The Clerk read as follows:

Page 14, line 11, after the word "State," insert the word "Territory."

The amendment was agreed to.

The Clerk read as follows:

Page 14, line 25, after the word "State," insert the word "Territory."

The amendment was agreed to.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word for the purpose of making a few remarks on the general subject of eradication and control of tuberculosis in live stock. The first appropriation for this purpose was placed in the Agricultural appropriation bill a year ago, and as finally amended it provided for $500,000 to be used in cooperation with various States in combating through control and eradication processes this one of the oldest diseases not only in the human family but of the brute creation. It is practically doubled this year in response to a zealous interest and cooperation manifested by nearly every State in the Union.

It is not necessary for me to suggest, as we are now nearing the close of the greatest war in history, the importance of the food problem. The largest source of loss in food animals existing in this country for the last 15 years and throughout Europe for centuries is the ravage of tuberculosis. It is a fact that tuberculosis is less destructive in America, however destructive it may be here, than it is in any of the leading live-stock nations of Europe. While our losses have been large, Germany's has been much larger as expressed in percentage. In some States of Europe, such as Denmark, tuberculosis has not only attacked cattle, where we usually expect to find it, but nearly 50 per cent of the horses of that country are afflicted with tuberculosis, communicated, it is thought, largely through the horses drinking milk from tubercular cows.

That is suggestive of what might be a large source of loss to the human family, and might be discussed with some propriety, but as far as this bill is concerned the discussion is purely economic.

In some extended remarks a year ago on this matter I pointed out what I thought would be the condition in Europe at the close of the war. I predicted that out of the ravages of war, the lack of opportunity to build up the herds, the ruin and destruction that would occur from disease, and the over-

riding by the conquering armies there would be a very large decrease of herds, and the result of it would be a great demand for American cattle and hogs and, to a limited extent, sheep, because sheep is the only food animal practically immune from this scourge.

Statistics are being given out now as to the condition of live stock in Europe. Britain, isolated as she was from the tread of armies and drawing from America largely for her beef, has been wise enough to keep up her herds. But no country of continental Europe has been able to do that. France has lost in flocks and herds from 15 to 25 per cent. It is thought that Germany, on account of her blockade and the demand not only for her own armies and people but for the armies of those cooperating with her, lost more largely of her herds than did France. Italy's flocks and herds were largely depleted. Holland, Denmark, Spain, and Switzerland were drained, while Russia, Turkey, and the Balkans lost more than a third of their food animals. Each of these to feed their people and retain the fertility of their soil desire to replenish their flocks and herds.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. SLOAN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in 20 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate upon this paragraph and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

Mr. SLOAN. The result is, Mr. Chairman, that there will be a tremendous demand for the live stock of America. They will be careful to obtain practically disease-free live stock for breeding purposes. For that reason if America would maintain her own herds and not allow them to be depleted through disease or too much shipping it is important that the eradication movement go on under the impetus of this appropriation to the highest possible extent.

The following is one of the effective methods of discouraging tuberculous herds and encouraging those free from it, known as accredited herd method:

UNIFORM METHODS AND RULES FOR TUBERCULOSIS-FREE ACCREDITED HERDS OF PURE-BRED CATTLE.

(Unanimously adopted by the United States Live Stock Sanitary Association and by representatives of pure-bred cattle breeders' associations and approved Dec. 23, 1917, by the United States Bureau of Animal Industry.)

1. A tuberculosis-free accredited pure-bred herd is one which has been tuberculin tested by the subcutaneous method, or any other test approved by the Bureau of Animal Industry, under the supervision of the Bureau of Animal Industry or a regularly employed veterinary inspector of the State in which cooperative tuberculosis-eradication work is conducted jointly by the United States Department of Agriculture and the State. Further, it shall be a herd in which no animal affected with tuberculosis has been found upon two annual or three semiannual tuberculin tests, as above described, and by physical examination.

2. The entire herd, or any cattle in the herd, shall be tuberculin tested or retested at such time as is considered necessary by the Federal and State authorities.

3. No cattle shall be presented for the tuberculin test which have been injected with tuberculin within 60 days immediately preceding or which have at any time reacted to a tuberculin test.

4. No herd shall be classed as an accredited herd in which tuberculosis has been found by the application of the test, as referred to in paragraph 1, until such herd has been successfully subjected to two consecutive tests with tuberculin, applied at intervals of not less than six months, the first interval dating from the time of removal of the tuberculous animal from the herd.

5. Prior to each tuberculin test satisfactory evidence of the identity of the registered animals shall be presented to the inspector. Any grade cattle maintained in the herd or associated with animals of the herd shall be identified by a tag or other marking satisfactory to the State and Federal officials.

6. All removals of registered cattle from the herd, either by sale, death, or slaughter, shall be reported promptly to the said State or Federal officials, giving the identification of the animal and, if sold, the name and address of the person to whom transferred. If the transfer is made from the accredited herd to another accredited herd, the shipment shall be made only in properly cleaned and disinfected cars. No cattle shall be allowed to associate with the herd which have not passed a tuberculin test approved by the State and Federal officials.

7. All milk and other dairy products fed to calves shall be that produced by an accredited herd, or, if from outside or unknown sources, it shall be pasteurized by heating to not less than 150° F. for not less than 20 minutes.

8. All reasonable sanitary measures and other recommendations by the State and Federal authorities for the control of tuberculosis shall be complied with.

9. Cattle from an accredited herd may be shipped interstate, by certificate obtained from the office of the State live stock sanitary officials of the State in which the herd is located or from the office of the Bureau of Animal Industry, without further tuberculin test for a period of one year, subject to the rules and regulations of the State of destination.

10. Strict compliance with these methods and rules shall entitle the owners of tuberculosis-free herds to a certificate, "Tuberculosis-Free Accredited Herd," to be issued by the Bureau of Animal Industry and the State live stock sanitary authority. Said certificate shall be good for one year from date of test unless revoked at an earlier date.

11. Failure on the part of owners to comply with the letter or spirit of these methods and rules shall be considered sufficient cause for immediate cancellation of cooperation with them by the State and Federal officials.

The other day I heard on the floor of the House a very interesting speech from a gentleman whom we have often heard, the gentleman from Alabama [Mr. HEFLIN], in which he stated that a new policy with reference to the great staple products of his section of the country would be adopted. He suggested that there be a diminished planting of the great cotton staple, and also that there should be an increasing production of food, especially of beef and pork, in the southern part of this country. That is one of the wisest suggestions ever made by a gentleman who is a member of the Agricultural Committee on the floor of this House in behalf of what has been too long a one-crop section. There will be, of course, a large movement from the herds of the North to the herds of the South on the part of those who would build up that great industry. That industry has greater possibilities in the southern part of the United States than we have in the North.

Year after year the rigor of our winters demands that we burn up a large portion of our corn fed to our cattle, not for the purpose of adding flesh or food to the brute but to keep him warm. That is eliminated in the South. When the great pastures of the South, with their extended summer and limited winter, where the brutes can be comfortable throughout the whole year and at the same time enjoy pure air and water, are taken into consideration one can easily grasp the possibilities for the southern farmer. There is a great opportunity there to keep herds free from tuberculosis, and therefore from a source of great damage and loss.

Tuberculosis affects cattle not more than hogs. Later we will discuss another item in respect to hog cholera and its eradication. It is true that more hogs throughout the country suffer from tuberculosis than do from hog cholera. We do not usually think of it that way, because tuberculosis is an insidious disease and is not marked by sudden death, as is the case with cholera. It shows itself in a reduced condition and finally death. The discovery of the existence of the disease is usually made only after slaughter. The loss, of course, in hogs is not so great in tuberculosis as in cholera, because tuberculosis, unless in the extreme cases, does not entirely destroy the carcass. There is a great deal of salvage at all of the great slaughterhouses from hogs and cattle where tuberculosis affected the animal.

Commissioner Smith presented among other things the following statement as to losses and prevalence of disease in the United States:

LOSSES CAUSED BY THIS DISEASE.

According to the records of the meat inspection division of the United States Bureau of Animal Industry, there were 25,975 beef carcasses and 44,492 pork carcasses condemned as inedible for tuberculosis alone at the seven leading Middle West markets—Chicago, Kansas City, Omaha, East St. Louis, St. Paul, Sioux City, and St. Joseph—during the fiscal year 1916. This is the equivalent of 50 trainloads of cattle and hogs of 40 cars each that were consigned to the rendering tanks at these markets during one year because of having tuberculosis in so generalized a condition as to make the entire carcasses fit only for grease and fertilizer. There were a still greater number of carcasses passed for sterilization and sold as second-class canned beef and pork, upon which the loss was approximately 50 per cent.

Station.	Slaughter.	Retained for tuberculosis.	Per cent of total kill retained.	Sterilized for tuberculosis.	Per cent of total kill sterilized.	Condemned for tuberculosis.	Per cent of total kill condemned.
CATTLE.							
Omaha	707,365	14,157	2.00	832	0.12	2,207	0.31
South St. Joseph	249,858	2,285	.91	74	.03	661	.26
Kansas City	934,111	7,415	.79	421	.05	1,876	.20
National Stock Yards	540,429	3,202	.59	301	.06	996	.18
Sioux City	217,022	8,676	3.99	333	.15	1,198	.55
Chicago	1,934,862	87,102	4.50	4,742	.25	16,496	.85
St. Paul	228,172	10,829	4.57	86	.03	2,440	1.05
SWINE.							
Omaha	2,176,215	176,312	8.10	8,006	.37	4,733	.22
South St. Joseph	1,806,207	66,742	3.69	957	.05	3,269	.18
Kansas City	2,730,977	89,841	3.29	3,224	.12	4,042	.15
National Stock Yards	1,552,196	119,291	7.68	2,983	.20	2,901	.19
Sioux City	1,165,249	177,965	15.27	7,691	.66	3,515	.30
Chicago	7,343,746	1,161,339	15.81	36,273	.50	24,526	.33
St. Paul	1,503,074	81,254	5.4	1,453	.09	3,056	.20

The above table from the Bureau of Animal Industry shows that the disease is more prevalent at the northern markets. A total of 40,000,000 hogs were slaughtered during the year 1916 at all packing plants in the United States where Federal inspection is maintained. Approximately 10 per cent of these were found on post-mortem examination to be affected with tuberculosis.

PREVALENCE OF THE DISEASE IN THE UNITED STATES.

Tuberculosis is found among cattle and hogs from the Atlantic to the Pacific coast. It is not as prevalent in the Southern States as in the Northern States. Cattle are much less numerous in the South, are not so closely confined, making the conditions less favorable for the spreading of the infection, and because of the prevalence of the cattle "tick" causing Texas fever fewer well-bred imported cattle have gone into the South up to this time. The following table shows the number of cattle and hogs slaughtered at the seven leading Middle West markets during the fiscal year 1916, and the number retained for tuberculosis (affected with the disease), and the number sterilized and condemned for tuberculosis.

Dairy cattle are more tuberculous than beef cattle, and the percentage of infected cattle is usually higher in the States where more dairy cattle are owned. The disease is found to be quite prevalent in beef cattle even in the so-called range States.

The reason why this disease has not made the inroads in America is because we have such broad areas, such wide expanse of country, that it naturally prevents tuberculosis becoming intensified, as in Germany, France, Holland, and Denmark, but that time is going by. Tuberculosis has not only become prevalent throughout the States through the Middle East and Middle West, but there are few range sections throughout the West that are not now more or less affected with tuberculosis. The reason why it has not been kept back more than it has is because there has been no concerted action. Action to be effective and be successful must be when the Government itself cooperates with the various States, and if the States do not act as units, then with the counties and municipalities, in order to control and eradicate, or at least reduce to the irreducible minimum, this scourge. That can be done, I think, in the course of 10 or 12 years. I suggested a year ago that to spread twelve to fifteen million dollars over that period of time, which would cover three or four generations of cattle and more than twice that many of hogs, tuberculosis in the United States could be practically eradicated. I still hold that view, and I am pleased that the committee has taken a broad vision and has doubled last year's appropriation for that purpose.

As evidence of what the country is willing to do, there will probably be more than $2 collectively appropriated by the various States of the Union for every dollar appropriated by the Government of the United States.

Annual appropriations available for tuberculosis work in 10 States.

Connecticut	$25,000
Maine	40,000
Massachusetts	43,000
Minnesota	40,000
New York	150,000
Pennsylvania	100,000
Vermont	65,000
Ohio	100,000
Wisconsin	25,000
Kentucky	15,000
Total	603,000

Michigan paid out last year $62,815 and Missouri $29,000 for this work.

Under this bill the Government is expected to stand one-third of the slaughter loss, the State one-third, and the owner one-third. I think, under all the circumstances, that a million dollars is a fair and generous sum.

Iowa, Nebraska, and many other States are appropriating large sums for this work, and nearly all the States are expected to cooperate during this coming year.

The following summary issued by the Bureau of Animal Industry for December, 1918, suggests the interest of 39 States.

Summary of tuberculosis eradication work in cooperation with the various States, month of December, 1918.

Station.	States.	Tuberculin tests.					Employees.		Inspector in charge.
		Number of lots.	Number of cattle tested.	Number reacted.	Number slaughtered.	Increase in number tested over previous month.	Bureau.	State.	
Albany, N. Y.	New York	9	517	12	4	119	1	1	Dr. H. B. Leonard.
Atlanta, Ga.	Georgia	18	614	17	16		3	1	Dr. W. M. MacKellar.
Birmingham, Ala.	Alabama	42	1,165	24	20		7	1	Dr. R. E. Jackson.
Bismarck, N. Dak.	North Dakota	58	1,378	57		742	2	18	Dr. H. H. Cohenour.
Boston, Mass.	Massachusetts	10	137	3	1		3		Dr. E. A. Crossman.
Do.	Maine	32	602	7	9	262	2	2	Do.
Do.	Rhode Island	2	43	5	3	41	1		Do.
Do.	Connecticut	11	314	8	25	127	1		Do.
Do.	New Hampshire	1	42				1		Do.
Chicago, Ill.	Illinois	41	693	70	90		7	1	Dr. J. J. Lintner.
Clarksburg, W. Va.	West Virginia	7	167	8		167	1	1	Dr. W. R. Van Ness.
Columbia, S. C.	South Carolina	10	252	5	5		3	1	Dr. W. K. Lewis.
Denver, Colo.	Colorado	4	71	2		61	1		Dr. W. E. Howe.
Do.	Wyoming	21	93				1	1	Do.
Des Moines, Iowa	Iowa	8	254	11			3	2	Dr. F. H. Thompson.
Harrisburg, Pa.	Pennsylvania	40	522	22	15		4	1	Dr. P. E. Quinn.
Indianapolis, Ind.	Indiana	20	440	28	15		9	5	Dr. J. E. Gibson.
Do.	Ohio	33	604	54	37	228	5	5	Do.
Do.	Wisconsin	8	252	16	16		2	5	Do.
Do.	Kentucky	17	359	24	6		4	4	Do.
Jackson, Miss.	Mississippi	134	951	10	24	245	4		Dr. J. A. Barger.
Kansas City, Kans.	Kansas	17	264	13	69		3		Dr. T. J. Eagle.
Lansing, Mich.	Michigan	28	747	37		141	5	1	Dr. T. S. Rich.
Montpelier, Vt.	Vermont	53	1,529	197	239		6	3	Dr. A. J. De Fosset.
Nashville, Tenn.	Tennessee	41	839	13	6		4	1	Dr. W. B. Lincoln.
New Orleans, La.	Louisiana	30	506	46	62		2		Dr. R. W. Tuck.
Omaha, Nebr.	Nebraska	16	422	18	10	317	4	1	Dr. H. Busman.
Pierre, S. Dak.	South Dakota	9	436	48	28		1	1	Dr. J. O. Wilson.
Portland, Oreg.	Oregon	13	186	2	3		4	1	Dr. S. B. Foster.
Do.	Washington	20	504	28	3		1	3	Do
Richmond, Va.	Virginia	61	1,346	41	42	53	7		Dr. R. E. Brookbank.
Do.	North Carolina	17	388	3	4	39	2		Do
St. Paul, Minn.	Minnesota	46	1,772	64		608	10	4	Dr. W. J. Fretz.
Do.	....do	66	1,414	195	165	371			Do
Salt Lake City, Utah	Utah	11	108	6	11		5	2	Dr. F. E. Murray.
Do.	Idaho	1	12						Do
Tallahassee, Fla.	Florida	29	709	7		508	5	2	Dr. J. G. Fish.
Trenton, N. J.	New Jersey	8	102	11	2		1		Dr. W. G. Middleton.
Do.	Delaware				1				Do.
Washington, D. C.	District Columbia	12	17				2		Dr. J. A. Kiernan.
Do.	Maryland	36	682	21	8	281	5		Do
Do.	Miscellaneous	12	198	9	9	166	1		Do
Total		1,052	21,651	1,142	2,068		133	68	

NOTE.—The first line of Minnesota is accredited herds; the second, area work.

This is not a matter of investigation. We know how to accomplish the eradication of tuberculosis. It prevailed in the District of Columbia 12 or 15 years ago, so that 18 to 20 per cent of the bovines of this District were afflicted with tuberculosis, while now less than 1 per cent are so afflicted. I am convinced that what has been done in the District of Columbia can be accomplished through the work of the Government of the United States and the various States in cooperation. We are all now especially aroused to the production of beef, pork, and mutton, and that is evidenced by the very great demand we had during the great world war. To conserve and increase our meat supply is important to producer and consumer as well. [Applause.]

Under leave of extension granted, I herewith append an interesting and illuminating statement by Dr. J. A. Kiernan, chief of the tuberculosis-eradication division:

COOPERATIVE TUBERCULOSIS ERADICATION WORK IN THE UNITED STATES.

The eradication of tuberculosis from our live stock is one of the greatest pieces of constructive live-stock sanitation work that has ever been undertaken in any land. This work has passed the experimental stage. The Bureau of Animal Industry has demonstrated for more than 10 years that when live-stock owners were interested in exterminating the disease and would follow the instructions laid down by the department tuberculosis could be eradicated from any herd, even though it was 75 per cent diseased.

More than 10 years ago the Bureau of Animal Industry undertook to eradicate tuberculosis from the cattle within the District of Columbia and near-by points in the State of Maryland and Virginia. At that time within the District there were approximately 1,200 cattle, and upon the application of the tuberculin test 18.87 per cent of the animals were found affected with tuberculosis. Each year since that time all of the herds within the District have been subjected to the test, and during 1918 it was revealed that less than 1 per cent of the animals were affected. This small amount of infection that persists from year to year is due largely to the introduction of cattle from other States. These new additions to the herds, although they are subjected to the tuberculin test, at times prove to be diseased upon the application of a retest. If no additions were made to the native herds of the District for a period of five years, it is confidently believed that tuberculosis would be absolutely exterminated. Similar progress has been made in the herds under the supervision in Maryland and Virginia and, in fact, wherever and whenever owners have placed their herds under supervision for the eradication of tuberculosis and have followed the prescribed rules they have succeeded in getting rid of the disease.

With the above-mentioned information at hand Congress appropriated $500,000 for the fiscal year ending June 30, 1919, but this money did not become available until October 1, 1918, when the annual agricultural appropriation bill was approved. This item appropriating funds for the eradication of tuberculosis authorizes the Secretary of Agriculture to compensate owners for cattle that are destroyed on account of tuberculosis.

The tuberculosis-free accredited-herd plan is one project of the general plan of a campaign which has been inaugurated in eradicating tuberculosis from live stock in the United States. This plan was jointly adopted in December, 1917, by the live-stock sanitary officials of all the States in the Union and the United States Bureau of Animal Industry.

Progress in eradicating any widespread animal disease depends not only on suitable methods of control, but also in large measure on the desire of live-stock owners to cooperate. It is important that they understand clearly why the work is done, the methods of conducting it, and the benefits which the completed work will bring.

Eradication of tuberculosis from live stock means primarily the removal of a constant source of danger to the health of mankind and of its animals; also, it will reduce sharply the economic losses from animal disease.

To accredit a herd as free from tuberculosis means briefly to certify officially that the owner has complied with specified requirements. Best results may be expected only when every live-stock owner becomes familiar with the provisions of the accredited-herd plan.

The idea and advantages of accrediting herds of cattle found to be free from tuberculosis has gained wide publicity and popularity among cattle breeders during the first year's work. They appreciate the fact that a certificate of approval indorsed by the State in which the herd belongs and the further indorsement by the United States Department of Agriculture gives prospective purchasers confidence that the animals are free from the disease, and they are in consequence willing to pay a considerable advance in price for such animals.

During the first year's operations 296 herds, comprising 9,284 cattle, have been fully accredited as free from tuberculosis; and 1,462 herds, having 35,052 cattle, passed one successful test in preparation for certification; in addition, 4,622 herds, both pure bred and grade, totaling 98,002 animals, have been under supervision for the eradication of tuberculosis. Each month a large number of additional herds are taken under supervision.

List No. 1 of herds officially accredited as free from tuberculosis and of herds that have passed one successful test with a view to certification was issued in pamphlet form and 50,000 copies have been distributed to cattle owners throughout the country. It is proposed shortly to revise the list and publish list No. 2, which will contain the names of the owners of the additional herds that have been fully accredited as well as those that have passed one successful test.

Tuberculosis eradication work is being carried on in more than 40 States in cooperation with the State live-stock sanitary officials and the stock owners. Joint agreements between the State and the Bureau of Animal Industry governing the application of the tuberculin test and the handling of the herd of cattle are forwarded to each owner interested in having his herd freed of tuberculosis or in having it accepted as officially accredited. Applications for the joint agreement may be made to the proper State sanitary official or to the Bureau of Animal Industry, Washington, D. C.

It has been found by very careful experiments and practical work that tuberculosis can not be detected to any great extent among animals by a physical examination. Herds which seem apparently healthy may be extensively affected with tuberculosis. The most reliable method for definitely determining whether tuberculosis exists or not is the tuberculin test applied by a trained operator. Tuberculin, while it is the most accurate diagnostic agency known to science, is safe only in the hands of a trained and skillful operator who is acquainted with its limitations and with the symptoms it produces in the animals to which it is applied.

It is proposed to carry on the accredited herd plan until practically all pure-bred herds of cattle in the United States are under State and Federal supervision for the eradication of tuberculosis. Thus it will be possible for an owner in one State to purchase cattle in another State with the assurance that he will receive animals that may be introduced into his herd with perfect safety so far as tuberculosis is concerned. Under former conditions many such animals proved to be a menace in place of an asset.

In addition to the accredited herd plan, the eradication of tuberculosis from live stock will be carried on in circumscribed areas comprising one or more counties. The disease will be eliminated from cattle and swine in such areas and the campaign extended until it takes in entire States.

In order that the work may progress satisfactorily, it is necessary that live-stock owners cooperate to the fullest extent. The success of the movement for eradicating tuberculosis rests upon the live-stock owners of the country to a greater degree than on any other force. Whenever they are ready and willing to "get behind" the work success is bound to follow.

The legislatures in 23 States convene during the present winter, and from present indications the amount of money that will be appropriated by them for the eradication of tuberculosis from live stock will be nearly $2,000,000, much of which will be used for indemnifying owners for cattle that are destroyed on account of tuberculosis. The appropriations for indemnity are in most cases being made with the understanding that partial indemnity will be made by the Federal Government if States provide for partial indemnity themselves. In States where it is necessary to change the laws relating to tuberculosis eradication in order to cooperate with the Federal Government and receive some Federal assistance in the way of indemnity, the necessary changes will in all probability be made. From the great interest that is being shown by the State legislatures it is very evident that the importance of tuberculosis eradication is realized and the Federal cooperation appreciated.

The great importance of eradicating tuberculosis from our live stock can be appreciated when we know that the value of the cattle in the United States on January 1, 1919, was $3,796,725,000 and the estimated value of swine on the same date was $1,665,987,000.

PROGRESS, TUBERCULOSIS ERADICATION, DURING YEAR 1918.

The tuberculosis-free accredited-herd plan, which was inaugurated in December, 1917, and has been worked out in cooperation with the United States Bureau of Animal Industry, was slightly changed at the twenty-second annual meeting of the United States Live-Stock Sanitary Association, held in Chicago, Ill., December 2–4, 1918. It was agreed to strike out the word "pure bred" so as to admit to certification grade herds in addition to registered cattle.

The annual conference between representatives of the United States Live-Stock Sanitary Association and the pure-bred cattle breeders' associations resulted in the further indorsement of the tuberculosis eradication campaign and a recommendation that the work be extended as rapidly as possible.

Very satisfactory progress has been made during the first year of the work, and prospects for the future are exceedingly bright. During the year 296 herds, comprising 9,284 cattle, have been fully accredited as free from tuberculosis, and 1,462 herds, having 35,052 cattle, passed one successful test in preparation for certification. In addition, 4,622 herds, both pure bred and grade, totaling 98,002 animals, have been under supervision for the eradication of tuberculosis. Each month additional herds are added to the list. A revision of list No. 1 of accredited herds will be made in the near future, and when printed will be widely distributed, as was the original list, the supply of which is now exhausted.

Details by States.

State.	Pure-bred herds accredited.		Pure-bred herds once tested without reactors.		Pure-bred herds containing one or more reactors.		Grade herds under supervision.	
	Herds.	Cattle.	Herds.	Cattle.	Herds.	Cattle.	Herds.	Cattle.
Alabama			23	655	12	682	88	4,102
District of Columbia	1	134					300	1,206
Florida			24	644	4	194	2	14
Georgia			14	916	11	953	212	5,379
Illinois	2	163	19	445	21	801	3	44
Indiana	17	377	64	1,295	39	989		
Iowa			4	77	8	395		
Kansas			18	345	12	261	4	19
Kentucky			57	1,569	23	1,284	2	88
Louisiana	1	18	15	1,059				
Maryland	2	21	28	723	37	1,122	90	1,595
Michigan	13	260	61	1,561	54	2,250		
Minnesota	88	2,987	186	5,031	131	4,826	374	5,235
Mississippi			42	1,063				
Missouri					3	127		
Montana	11	262	19	548	21	1,076	824	14,873
Nebraska			1	2	13	458		
New York			7	160	10	366	2	97
North Carolina	1	37	63	997	22	832	144	2,104
North Dakota	59	1,654	167	2,731	53	2,032	341	3,243
Ohio	1	25	75	1,495	94	4,225	4	15
Pennsylvania			59	675	26	801	10	119
South Carolina			26	756	12	610	78	2,512
South Dakota			8	231	23	708	101	621
Tennessee	2	99	20	595				
Texas			2	71				
Utah	4	155	16	300				
Vermont	8	294	72	1,888	67	2,551	162	2,954
Virginia	54	2,062	155	4,186	75	3,358	659	14,660
West Virginia			10	226	2	62	7	77
Wisconsin	9	344	50	1,374	29	1,265	2	25
New Hampshire	11	147	97	1,551	75	2,465	299	2,478
Connecticut								
Rhode Island								
Delaware								
New Jersey			8	179	8	855	1	27
Washington	12	245	52	1,684	22	820	6	146
Total	296	9,284	1,462	35,052	907	36,368	3,715	61,634

Mr. LEVER. Mr. Chairman, this is one of the most important items in this bill and to my mind in the years to come will be regarded as one of the wisest pieces of work that this body has ever proposed. I would not feel justified in letting this occasion pass without saying that this item in this bill is due, not in whole but in large measure, to the far-sightedness, the energy, and the perseverance, of the gentleman from Nebraska [Mr. SLOAN]. [Applause.] It has always been a happy thought to me that the Committee on Agriculture knows no party lines. This item was suggested by the gentleman from Nebraska. He

urged it with all of the force of his eloquence and logic and good horse sense, as we say south of this river, with the result that he convinced the committee and convinced the Congress. The work has progressed so nicely, it has proven itself to be so beneficial, and is meeting with such hearty response from thoughtful men everywhere that the committee of its own initiative at this session of Congress in preparing this bill increased the appropriation by $500,000 over the estimates submitted by the Department of Agriculture, and that action had the very hearty concurrence of the Department of Agriculture.

I feel that when the gentleman from Nebraska leaves Congress he can go before his people and receive from them the commendation of "Well done, thou good and faithful servant." [Applause.]

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has one minute remaining.

Mr. LEVER. I yield that to the gentleman from North Dakota [Mr. YOUNG].

Mr. YOUNG of North Dakota. Mr. Chairman, the people of our State were among the first to realize the danger of tuberculosis to our herds, and I am glad to say have made commendable progress toward its eradication. The States of North Dakota and Minnesota have made the greatest progress of any area in the United States. This has been accomplished by the application of the tuberculin test and the slaughter of reactors, for which State indemnity has been paid.

The testing of herds in Minnesota and North Dakota has been voluntary rather than compulsory, and the testing is now being confined largely to pure-bred herds. No indemnity is paid by the State unless the entire herd is tested annually and the owner complies with certain regulations specified by the live-stock sanitary boards. The fact that Minnesota and North Dakota have the largest number of tuberculosis-free accredited herds, and the further fact that these States have also required the pasteurization of skim milk and other creamery by-products before it is fed to hogs, undoubtedly explains in large measure the cause of the low percentage of condemnations for tuberculosis among both cattle and hogs at the St. Paul market, as compared with all other northern markets. The records of the Division of Meat Inspection of the Department of Agriculture show that 3.8 per cent of all the cattle slaughtered at the Chicago, Sioux City, and Milwaukee markets during the fiscal year ending June 30, 1918, were found on post-mortem to be affected with tuberculosis, whereas only 1.9 per cent of all the cattle slaughtered at the St. Paul market during 1918 were found on post-mortem to be affected with tuberculosis. These statistics also show that 17 per cent of all the hogs slaughtered under Federal inspection at the Chicago, Sioux City, and Milwaukee markets during the year 1918 were found on post-mortem to be affected with tuberculosis, whereas at the St. Paul market during the same year but 5 per cent of the hogs slaughtered were found on post-mortem to be affected with tuberculosis. The pamphlet issued by the Bureau of Animal Industry on July 1, 1918, entitled, "The Control and Eradication of Tuberculosis," asserts that North Dakota and Minnesota have by far the largest number of tuberculosis-free accredited herds of any States of the Union.

Mr. Chairman, it is very plain that this problem must be attacked upon a national scale in order to bring complete success. So long as other States are careless or neglect to protect their herds our State will be in danger. I ask leave to print in the RECORD a letter received from our North Dakota State veterinarian, Dr. W. F. Crewe.

The CHAIRMAN. Is there objection?

There was no objection.

DR. CREWE'S LETTER.

STATE OF NORTH DAKOTA,
LIVE STOCK SANITARY BOARD,
January 22, 1919.

Hon. GEORGE M. YOUNG,
House of Representatives, Washington, D. C.

DEAR MR. YOUNG: I have received your communication of the 18th instant relative to the eradication of bovine tuberculosis.

It would seem superfluous to quote statistics regarding the prevalence of this disease in this country, as no doubt same have been furnished your committee by the Federal department. Our experience contending with this disease in this State during the past seven years and our knowledge of the prevalence of the disease in other States leads us to believe that the eradication of bovine tuberculosis is a national problem.

Work on this disease is being and has been carried on in a more or less irregular manner in many of the States with little or no uniformity. In some States practically nothing has been done. The disease is becoming more extensive every year until it is a serious menace to the cattle and swine industries.

On account of the enormity of the cattle and swine industries in this country the control and eradication of this disease presents the greatest undertaking that has been placed before sanitary authorities.

Scientific investigators, sanitary authorities, and stock owners practically agree on plans for this undertaking. The entrance of the Federal Government into this work in cooperation with the different States means the establishment of uniformity of these methods. The cooperation of the Federal authorities will add a great stimulus to the efforts of the different States.

The suppression of this disease means the reduction of the annual loss incurred. Neglect to control and suppress this disease means increased loss.

A liberal appropriation by the Federal Government means increased appropriations by the States and a corresponding decrease in the loss by disease.

North Dakota is expending effort in the endeavor to eradicate tuberculosis from our pure-bred herds and keep them free from this disease. We find that many pure-bred animals shipped from other States are diseased in spite of being accompanied by health certificates. To illustrate: Of 6,890 pure-bred cattle tuberculin tested in this State within the year, 4½ per cent were found tuberculous. Within the year, 598 pure-bred cattle imported into the State were retested and 65 were found to be tuberculous, or over 11 per cent. In conjunction with our own efforts we are anxious to see this disease eliminated from other States and be thereby given better protection.

I might state that the budget committee has recommended an increase of our appropriation for tuberculosis of $30,000 to $40,000.

Thanking you for your kind interest in this subject, I remain,

Very respectfully, yours,

W. F. CREWE.

Mr. Chairman, I am sorry that our colleague from Nebraska [Mr. SLOAN], who has again spoken so convincingly in favor of this appropriation item for the eradication of tuberculosis in cattle is not to be with us in the Sixty-sixth Congress. He pioneered the movement looking to the eradication of tuberculosis in both cattle and hogs, and the campaign against hog cholera, and his face became so familiar in our Agricultural Committee room that one day our chairman forgot to ask him to leave when we were to have an executive session. Now that he has succeeded in boosting the appropriation items for the eradication of tuberculosis in both cattle and hogs I assume that he will retire from Congress feeling that the purposes for which he came down here have been accomplished. Perhaps that is not true and that he had other ambitions in respect to legislation. If so, the members of the Committee on Agriculture were never taken into his confidence and never permitted to forget the commanding importance of caring for the health of our cattle and hogs.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota for three minutes.

Mr. ANDERSON. Mr. Chairman, I am very glad indeed to concur in what the chairman of the committee has said with respect to my distinguished colleague from Nebraska [Mr. SLOAN] and his efforts to promote the work under this item. The item itself and its present proportions are due more to the industry and the careful preparation and study of the gentleman from Nebraska than to any other one man or thing, and I am very glad myself to testify to the fact; and I can do that with particular fitness, because the State which I have the honor to represent, in part, has more accredited herds, has more herds in process of becoming accredited, has more herds under agreement with owners, and more herds on the waiting list than any other State in the Union, although the State of Minnesota has by no means yet the largest number of pure-bred cattle. The work is of very great interest and of very great importance to the State of Minnesota, and that State, like I think every other State in the Union in which stock raising or dairying is of any importance, will do its part, and more than its part, in the work of eradicating this disease.

Mr. Chairman, I ask unanimous consent to extend my remarks by incorporating in the RECORD a letter from a member of the live-stock sanitary board of the State of Minnesota touching the cooperative work done under the item in that State.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks by inserting certain material mentioned. Is there objection? [After a pause.] The Chair hears none.

The letter is as follows:

STATE OF MINNESOTA,
LIVE STOCK SANITARY BOARD,
St. Paul, January 17, 1919.

Hon. SYDNEY ANDERSON,
House of Representatives, Washington, D. C.

DEAR SIR: In the absence of our secretary, Dr. C. E. Cotton, I am asked by our board, in session to-day, to report our response to your request of January 9 for information concerning tuberculosis-control work in Minnesota.

During the year ending July 31, 1916, we expended $28,283.81 in reimbursing owners for cattle killed on account of tuberculosis and approximately $9,000 for veterinary services, including traveling expenses.

During the year ending July 31, 1917, we expended in reimbursement of owners for cattle killed on account of tuberculosis $39,621.35, and approximately $9,250 for veterinary services and traveling expenses.

For the year ending July 31, 1918, for tuberculous cattle, $40,094.82, and approximately $8,500 for veterinary services and traveling expenses.

It should be understood that no charge is made to the owner for veterinary services in this or any other similar State work.

The opportunity for enlarging this work is limited only by available funds. The sentiment among Minnesota breeders is such that an almost unlimited work could be done upon urgent request from owners. To

illustrate this, I would call your attention to the fact that Minnesota has now about 88 pure-bred herds on the fully accredited list; 182 herds have passed the first completely negative test and 131 other herds have had one test and are approximately clean.

The State and Federal bureau together have now work under way with about 562 herds. We have a waiting list of about 400 herds that have not been touched. There is absolutely no important opposition whatever, and the only objections and criticisms coming from Minnesota are that we do not get to the herds sooner. As to the present condition of Minnesota herds, I would offer the following quotation from a recent statement by a Bureau of Animal Industry official:

"According to a report rendered by the bureau ending December 1, 1918, Minnesota leads all States in tuberculosis-control work, with North Dakota a close second. At the present time there are over 820 herds under Federal-State supervision. The splendid position Minnesota holds along this particular line is due to the hearty cooperation of the past personnel of the live stock sanitary board, which has recently selected Dr. C. E. Cotton as secretary and executive officer, to fill the vacancy caused by the death of Dr. S. H. Ward."

This is certainly a fine showing for Minnesota, and the Minnesota State Live Stock Sanitary Board and the veterinary division of the State agricultural college and experiment station, which two institutions have been working in perfect harmony, take a great deal of pride in the showing.

I would also call your attention to the fact that Minnesota's pure-bred, clean herds are constantly threatened by importations from herds in other States that are not so clean as Minnesota herds; for example, in 1917–18 of 442 pure-bred herds tested, containing about 14,200 cattle, 340 animals, or 2.4 per cent reacted. This is a very low average for pure-bred cattle, but our average reactions for several years with Minnesota pure-bred cattle that have been previously known and tested, has ranged about 1 per cent. A seriously large proportion of these reactions in 1917–18 were of cattle recently brought into the State. Minnesota pure-bred cattle raised in Minnesota herds have continued very clean. The point is that we are getting too many reactions among imported cattle and this lowers our per cent showing for the State. In addition to this, it is endangering our clean Minnesota herds. At a certain sale in Sioux City 19 animals were purchased by Minnesota breeders subject to test. Of the 19 animals only 9 were shipped into Minnesota after the test, and of these 9, 5 subsequently reacted on Minnesota home test. During the year ending July 31, 1918, we had 207 tuberculin test reactions in cattle imported almost entirely from six States.

As a representative of Minnesota, we are sure you will take pride in knowing that Minnesota has now more Federal-State accredited herds, more herds in the process of becoming accredited (having passed one clean test), more herds under agreement with owners, and more herds on the waiting list than any other State in the Union, and Minnesota is not as yet the biggest pure-bred cattle State in the Union by any means.

We have under way in Minnesota, in cooperation with the Federal Bureau of Animal Industry, these three projects:

1. Federal and State accredited pure-bred herds project.
2. The circumscribed area tuberculosis eradication project.
3. Swine tuberculosis eradication work.

The swine tuberculosis is reducing automatically with the eradication of tuberculosis in cattle. I mean by this that just in proportion as we remove tuberculosis from our cattle we will at the same time remove tuberculosis from our Minnesota swine.

Trusting that this may be of some assistance to you in an extremely important movement, I am,

Very truly,

M. H. REYNOLDS,
Member University Department of Agriculture and State Live Stock Sanitary Board.

The CHAIRMAN. The gentleman from New Hampshire is recognized for three minutes.

Mr. WASON. Mr. Chairman, I desire to rise to supplement with a word the remarks of the chairman of our committee. Well do I remember about a year ago the suggestion of the distinguished Member from Nebraska [Mr. SLOAN] regarding an increase of the appropriation for the eradication of tuberculosis in animals. He has worked in time and out of time almost gathering statistics and information from all parts of the country regarding this disease, and when he delivered his speech here upon this floor it was a forceful, complete, and a comprehensive presentation of the subject. As the chairman has well said, we were impressed with his remarks, his sincerity, and the ability with which he presented this subject. This year the lingering impression of his reasoning assisted the committee and we were willing and glad to increase the appropriation which we hope will result in greater benefits to the producer of beef and pork and the consumers of these food products.

CHARLES H. SLOAN leaves this body at the close of this session, and we wish he were to return and be with us during the next session. He will leave the impress of his ability, fidelity, valuable service here, which his people must admire and appreciate, and the people of the entire country will long remember him for his successful efforts in attempting to enact legislation tending to decrease the ravages of this dread and devastating disease among the live stock of our country. [Applause.]

Mr. HAUGEN. Mr. Chairman, I rise simply to say I heartily concur in what the chairman and others have said about our worthy and distinguished colleague from Nebraska [Mr. SLOAN]. His ability, industry, and fidelity to duty is recognized by all, and it is due that it should be stated here that the item carried in this bill is the result of the industry and efforts of that distinguished gentleman. [Applause.]

Mr. LITTLE. Mr. Chairman, last year when the gentleman from Nebraska [Mr. SLOAN] offered the amendment for the eradication of tuberculosis, which would have very materially increased the appropriation, enough to have been effective, it gave me great pleasure to follow his leadership and to get in and make as hard a fight as I could in support of his contention. It is peculiarly gratifying to me, Mr. Chairman, to find this year he has induced the committee to appreciate the importance of the industry, which is so important to his community and to my own, and I want to thank him in behalf of the farmers of Kansas for the great aid he has given us and the country's cattle interests generally. I have seen in the newspapers of this country many criticisms of Congress and many fine suggestions, I presume, of what we ought to do here, but I am not familiar with any editorial that has ever been published that has been of such utility to the people of this country as this suggestion of the gentleman from Nebraska; and I am sorry that he has decided not to remain with us this year. As the newspapers have not been able to make any suggestions as valuable as his, I might suggest that they take up this valuable suggestion, very helpful expenditure, an idea of a Nebraska Member of this Congress, and tell the people about it. If they have any suggestions to offer equally as good, I would like to have them brought out and many of us would be glad to follow them. When we are at home we always think we can run a newspaper better than the editor can, but now that the price of paper has increased so very likely not anybody here has the qualifications to run a newspaper at all unless it is perhaps the gentleman from Illinois [Mr. MCKINLEY]. On the other hand, the editors, by way of reciprocity, I reckon, they think they can run Congress better than Congressmen can. Perhaps there is some doubt about the correctness of that, too. And it is peculiarly pleasing to me to see one plan that after a year has fixed itself upon the House committee's bill and to anticipate the excellent results that will come from a proposition that is as beneficial as this. This plan will go far to getting rid of tuberculosis in cattle, and that will do more good for the country than any New York City daily has accomplished in 10 years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. JUUL. Mr. Chairman, H. R. 15018, a bill making appropriation for the Department of Agriculture for the fiscal year ending June 30, 1920, and carrying appropriations totaling $31,691,562 is, as far as I can see, a very meritorious measure, and yet contains matters that my conscience will not permit me to let pass without a word of protest.

I listened with a great deal of interest to the remarks of the gentleman from Nebraska [Mr. SLOAN], and, coming, as I do, from an agricultural State, I am naturally in sympathy with everything he said about tuberculosis in cattle and in pigs. But tuberculosis, Mr. Chairman, is a disease that is brought about in humans by virtue of bad housing and undernourishment, and I want to know from the chairman of the Agricultural Committee, if he will give me his attention for half a minute, what he expects will result but tuberculosis to humans from a bill that contains items like $240 a year to charwomen? I can fancy to myself a home where the woman earns $240 annually, working as these women do, and, as I am informed, for five hours per day, and even those that are paid as high as $300, and some of them $360 per year—the United States Government sending women home with 60 cents per day, out of which to pay car fare and luncheon, and then working in offices and elsewhere for 60 and 70 cents a day, when at the same time we are appropriating money to destroy tuberculosis in animals.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JUUL. Just half a minute more. I do not get much time on this floor, and, while I realize that the Chairman has got to be strict in the matter of time, the hammer in my case is entirely out of order. I sit here from day to day and see men get up a hundred times a day and talk——

The CHAIRMAN. The committee has fixed the time for debate.

Mr. HAUGEN. Mr. Chairman, I ask that the time be extended so that the gentleman may have five minutes.

Mr. LEVER. If that is the case we will have to make it eight minutes. The gentleman from Maryland desires three minutes.

The CHAIRMAN. The gentleman from South Carolina [Mr. LEVER] asks unanimous consent——

Mr. LEVER. Mr. Chairman, there are a great many fingers going up. I wonder if we could not take the time on the next item?

Mr. HAUGEN. The gentleman from Illinois does not take much time.

Mr. LEVER. I appreciate that. I wondered if the gentleman could not take it on the next item just as well.

The CHAIRMAN. The gentleman from Iowa [Mr. HAUGEN] asks unanimous consent that the time of the gentleman from Illinois [Mr. JUUL] be extended five minutes. Is there objection?

Mr. LEVER. Mr. Chairman, I ask that the time be extended 10 minutes, so that the gentleman from Nebraska may have two minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the time be extended 10 minutes, 5 to be occupied by the gentleman from Illinois [Mr. JUUL], 3 minutes by the gentleman from Maryland [Mr. LINTHICUM], and 2 by the gentleman from Nebraska. Is there objection?

There was no objection.

Mr. JUUL. Mr. Chairman, I maintain that the Congress of the United States is placing itself in a false light before the people, particularly the working people of this country, by permitting a bill to go out with items in it like some which are contained in this bill. There is nothing else the matter with the average family when tuberculosis invades it than that they are not able to get proper nourishment and they are not able to get proper housing. I do not know what the circumstances are in a family where women are willing to tender their services for $240 per year, but I can imagine that nothing but dire poverty compels them to accept the employment; and I would like to ask the chairman of the committee and the members of it to revise that part of the bill dealing with the charwomen.

Mr. LEVER. Let me say to the gentleman from Illinois that these $240 charwomen are doing half-time work.

Mr. HAUGEN. And they get the benefit of the bonus also.

Mr. LEVER. And get the benefit of the bonus also.

Mr. JUUL. I would like to ask the gentlemen if these women are not required to work five hours per day, and that they must in coming and going from their places of employment pay their own car fare; and if the gentleman will take $240 and divide the sum by 365 days he will find we are paying an amount so scant that it reflects absolutely upon the humane thoughts and feelings of this Congress to retain such items in the bill, and I sincerely hope that the gentleman, before the bill goes to final passage, will remedy this evil. It is a crying disgrace that we should sit here and pass legislation carrying items like this.

Mr. LEVER. I would say to the gentleman from Illinois that this committee some years ago, again on its own initiative, took the bit in its teeth and raised the salaries of a great many low-grade salary people. Now, without any specific information on this proposition, I am satisfied that these individuals are doing probably half-time work. The salary may be too little, and probably is too little. I think that the next Congress ought to provide some remedy for this whole question of salaries in the various departments of the Government, and I trust that a committee of the two bodies may secure the information and make a report back at the next session.

Mr. JUUL. I would like to ask the gentleman if this Government has money to stamp out tuberculosis in cattle and at the same time has no money to stamp out tuberculosis among human beings? You can not get anything else but tuberculosis out of $240 a year for pay for a woman devoting five hours a day for 365 days a year to Government service. Allow me to tell you this, Mr. Chairman, that no woman can accept five hours per day employment from the United States Government and at the same time contract for employment elsewhere. She is barred from doing it. And I sincerely hope the gentleman will take the credit of remedying this bill instead of waiting for the Republicans to come in next year to do it.

Mr. ROSE. Will the gentleman yield to me for a moment?

Mr. JUUL. Yes.

Mr. ROSE. I was once impressed, just as the gentleman from Illinois is. I undertook once to make an investigation of the pay of the charwomen about the House Office Building and Capitol, and I was informed that they work three hours a day at such work, leaving them the balance of the day to take up other kinds of employment. I felt satisfied the wages they were receiving were entirely too low and that they would only result in the manner the gentleman from Illinois [Mr. JUUL] has suggested. I thought it might be well for the gentleman to know that one feature, that they are not working five hours per day.

Mr. HAUGEN. The salary is $480 besides the bonus, and I submit that, considering the character of work they are doing, that salary is away above what servants are receiving in our houses when we hire charwomen at $480 a year.

Mr. JUUL. I want to say to the gentleman that almost any servant in the house of any decent white man gets her food and lodging in addition to the wages she receives.

Mr. HAUGEN. But the charwomen get $20 a month and $60 bonus for the time they spend.

Mr. JUUL. If the gentlemen will kindly look at this bill, page 4, line 23, they will find 1 charwoman at $360, 15 charwomen at $240; and if they will look further on page 5, line 9, 1 charwoman, $480; page 5, line 10, 5 charwomen at $240 each.

If the gentleman from Iowa [Mr. HAUGEN] will kindly look at his bill, page 7, line 4, he will find 1 charwoman at $360, 3 charwomen at $240 each. If the gentleman will take a look at page 11, line 7, he will find 16 charwomen at $480 each, 5 charwomen at $360 each, 2 charwomen at $300, 7 charwomen at $240 each; and the case becomes still more aggravated by examining page 21 and finding, in line 2 and line 3, 21 charwomen at $240 each, and so on through the bill.

Now, if the gentlemen will take their pencils, they will find by doing a little bit of figuring that these women receive barely 66 cents a day, out of which to pay car fare, for it is reasonable to suppose that they can not afford to live on Capitol Hill out of the compensation furnished by the Government. I want to do all in my power to join the gentlemen from the country districts in stamping tuberculosis out among the farm animals, but I think we might take time occasionally listening to the voices within us that tell us that to proceed along lines here indicated is cruel, and that to sit here comfortably making appropriations for the stamping out of tuberculosis among cattle and yet denying time for those who would like to prevent the same dread disease among humans is hardly in keeping with the high standard of thought that should prevail in this House.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. LAZARO. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois be given one more minute.

The CHAIRMAN. The committee has just fixed the time for debate on this paragraph.

Mr. JUUL. I suppose it will be passed now as usual.

Mr. LINTHICUM. Mr. Chairman, I want to congratulate the committee for having inserted in the bill this paragraph for the purpose of eradicating tuberculosis in cattle. I have been speaking to this House for some time about the great importance of this subject, and it is inspiring to me that the gentlemen of the committee have seen the vision. The gentleman from Nebraska [Mr. SLOAN] has done splendid work, along with the chairman of the committee, and also the gentleman from Iowa [Mr. HAUGEN] and the gentleman from Pennsylvania [Mr. MCLAUGHLIN] have done good work.

I believe it is one of the most important items that this Congress will pass at this session or that has been passed at any other session. It provides for safeguarding the purity of those necessities of life which the young consume. I think that when this inspection has been in vogue for a few years, after we have been able to enforce its provisions throughout the country, the inspection will cover all milk products that are consumed by the young—not only milk in its original state but butter and cheese. We will then have been able very largely to eradicate tuberculosis throughout the United States. It is a subject in which everybody is interested. It is a subject in which we are more interested to-day, perhaps, than ever before in the history of the country, because "the boys" are coming home, many of them in a condition which needs absolute attention and pure food, so that they may not be contaminated with any diseases, and particularly with the germs of tuberculosis.

The item will go far toward perfecting the desired condition of which I have been speaking for several years. I want to extend to the American Federation of Labor, and particularly to the Federation of Labor of Maryland, my sense of appreciation of the assistance they have given in this work, in that their lodges throughout the whole United States have adopted resolutions asking Congress to provide against tuberculosis in animals. My good friend from Nebraska, Mr. SLOAN, has worked in season and out of season for this proposition, and I am sure the consumers of his State and the consumers of the entire country will appreciate his work more and more as the years roll by. It is a provision in which Congress can well feel pride in that it protects and cares for the young children who consume these products in their raw state, and particularly the sick, who are compelled to consume milk products during their illness because those products are perhaps the only things they can digest. It is a proposition which the country at large will applaud, and there will not go up a single voice from the Atlantic to the Pacific or from the Canadian boundary to the Gulf of Mexico against this proposition. [Applause.]

I tell you, gentlemen, you are building greater than you realize, and generations yet unborn will rise up to call you blessed for the protection and purification of this all-important

food product. Important to the young, when they are unable to care for themselves or look out for their interests; important to the sick, when they must rely upon the good judgment of their fellow beings for those things which they can use for their sustenance; a blessing to old age, when milk and its products perform such an important part of their daily food.

The time will come when the people will wonder why Congress delayed in the protection of the milk supply from the ravages of tuberculosis in the cattle, when they will wonder why we delayed in eradicating this dreadful disease among the cattle, in the face of medical testimony that it is largely transmitted to humanity, and when they realize that a vast part of this white plague which has ravaged man for innumerable years will have been discontinued through this protection afforded by Congress.

Not only will they appreciate the fact that you have provided against the spread of tuberculosis and the elimination thereof in the cattle, but the further fact that by the next item of your bill you have also provided for the investigation of the dairy industry and particularly for the inspection of renovated butter factories and markets. Renovated butter has perhaps carried more dirt and disease than any dairy product, second alone to infected milk. Now that you have provided for the inspection of these all-important factories I believe that the butter furnished the public will rapidly improve and that people shall again feel safe in eating that most nutritious of the milk products. Many people, by reason of cost, and sometimes by reason of fear of disease, have entirely eliminated the use of butter, and have substituted those new inventions which in many instances splendidly replace butter.

Congress saw the light in the inspection of beef; it has now seen the light and the wisdom in the protection of milk and milk products. I hail the day when the percentage of tuberculosis in cattle will be so low that it will be negligible. It is my proud privilege to again congratulate the committee and the workers of the same for the results they have brought about. It has been a long fight, but what a worthy one.

That my good friend from Nebraska [Mr. SLOAN] will not participate in the formation of future agricultural bills, but has voluntarily left this body, is a regret, I know, to each and every one of us. I have crossed swords with him on several occasions, fighting in the interest of the purity of milk, but I am glad to relate that it was not a difference of desire, but a difference of method only that caused these combats. To-day we stand together as one, united with the other workers for the cause in the betterment of milk and milk products and their purification. [Applause.]

I am thankful that the great war has ceased, that no longer do we murder and destroy the white races of the earth, but that conservation not alone of property but of the human race as well has begun. This appropriation will go a long way toward saving the lives of those 6,000 babies who have died from bovine tuberculosis each year. May the good work go on.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. LINTHICUM. I ask unanimous consent, Mr. Chairman, to extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LOBECK. Mr. Chairman, it is a great pleasure to me to listen to the compliments that are being paid to my colleague from Nebraska [Mr. SLOAN]. He and I came here to Congress eight years ago and will leave at the same time. We have known each other intimately, and we have worked together for the interest of the farming communities and agricultural sections, especially in the trans-Missouri country. During that time there has been no one Member of Congress who has been more faithful to the agricultural portion of our country than my colleague from Nebraska.

When a year ago he took up this work to get an appropriation for the eradication of tuberculosis, he not only made a great speech, because he had made a careful study of the subject, but individually sought out every Member of this House and took a personal interest in the making of the appropriation. And he followed the course of that legislation to the Senate and there secured an increase of the amount which this House had given. Nebraska and every other State in this Union that is engaged in the production of cattle for human food or otherwise can be congratulated on the fact that my fellow Member from Nebraska was here and on the job attending to their needs. [Applause.]

The CHAIRMAN. The time of the gentleman from Nebraska has expired. The pro forma amendment will be withdrawn, and the Clerk will read.

Mr. LOBECK. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For all necessary expenses for investigations and experiments in dairy industry, cooperative investigations of the dairy industry in the various States, inspection of renovated-butter factories and markets, $350,370.

Mr. LEVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. LEVER offers an amendment: Page 16, line 14, after the word "markets," strike out the figures "$350,370" and insert in lieu thereof the following: "$410,370: *Provided*, That the sum of $60,000 may be used for stimulating the utilization of dairy products and by-products as human food."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the amendment.

Mr. LEVER. Mr. Chairman, the purpose of this amendment is to enable the Department of Agriculture, through its Dairy Division, to stimulate the use of dairy products. When the food-production act was under consideration last year it carried an item of $60,000, I think, for cottage-cheese work. That item met with a good deal of ridicule by Members of the House, but at the time I tried to impress on the House the fact that the matter of encouraging the production and use of cottage cheese alone, to say nothing of the encouragement of the use of other dairy products, would be worth the expenditure.

This is not a committee amendment. I reserved the right to offer it myself without the indorsement of the committee. The committee did not pass upon it.

I was reading one of the pamphlets of the Public Health Service the other night, where they bring out the fact very forcefully that pellagra is most likely caused by an unbalanced ration. It is caused largely by a lack of milk or lack of milk products in the diet.

Cottage cheese is one of the most delightful of all cheeses, and yet it is almost impossible to get it in the markets. The average person in the city of Washington does not know what it is and has never eaten it, and, strange to say, the great majority of farmers in this country producing milk have not brought themselves to a very large use of cottage cheese. Of course, the processes of making it are very simple. My grandmother made it when I was a boy. Yet very little of it is used in my own family now. It is hard to get. The average consumer of milk products does not know anything about it. The farmer himself does not produce it. If we could teach our farm demonstration agents to encourage the production of it, and then teach the city people to eat it in its various forms, I think we would be performing a service to this country that would be well worth the appropriation that we desire to have made for this purpose.

Mr. MANN. Mr. Chairman, I am told that the gentleman's amendment is largely for the purpose of promoting the use of so-called cottage cheese.

Mr. LEVER. That and all dairy products. I should say about $25,000 would be used for that.

Mr. MANN. It may be a useful thing. I do not know. Cottage cheese happens to be an article which is recommended to me by my doctors to eat. My difficulty has been to get it.

Mr. LEVER. That is it.

Mr. MANN. I had a standing order all last summer with a high-grade dairy concern in Chicago to deliver cottage cheese to me, and I never got an ounce of it all summer.

Mr. LEVER. I got my first in Washington the other day.

Mr. MANN. What is the use of stimulating the consumption of cottage cheese when you can not get it now? It is made from surplus milk.

Mr. LEVER. That is just one part of the proposition. I want to encourage the production of cottage cheese. I want to encourage our farmers and dairymen to save this waste milk and make it into cottage cheese and also to encourage people to eat it.

Mr. MANN. Cottage cheese is something that will not keep any length of time. It has got to be used promptly when it is made. The Bureau of Food Control issued pamphlet after pamphlet——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. LEVER. I do not want it extended as much as that.

Mr. MANN. I do.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from South Carolina be extended five minutes. Is there objection?

There was no objection.

Mr. MANN. The Bureau of Food Control issued pamphlet after pamphlet at great expense urging people to eat cottage cheese when they could not even get milk, and milk is cheaper to eat than cottage cheese. Cottage cheese is made from surplus milk. If there is an extra amount of milk, then they turn it into cottage cheese.

Mr. LEVER. It is a waste product.

Mr. MANN. I would not say a waste product.

Mr. LEVER. A by-product.

Mr. MANN. But it is rapidly taken up when you can get hold of it. Now it is proposed to spend $60,000 to urge people to eat cottage cheese, which they can not get.

Mr. HAUGEN. Which they will not eat.

Mr. MANN. They would eat it if they could get it.

Mr. LEVER. The statement is made that last year it cost $38,000, and that 38,000 farmers in 38 States have taken up the systematic making and use of cottage cheese on their farms. And it is certain that thousands more not heard from have done likewise.

Mr. MANN. Oh, my mother made cottage cheese when I was not that high [indicating].

Mr. LEVER. Certainly.

Mr. MANN. And taught me to eat it.

Mr. LEVER. Certainly. Mine did, too. All you have to do is to take a cheesecloth bag and pour clabber milk into it and hang it up and let it drip until the next morning; then you have a very good article of cottage cheese in the bag.

Mr. MANN. But if it is more profitable to make butter, they will make butter. If it is more profitable to sell the milk, they will sell the milk.

Mr. LEVER. Very true; but they do not make cottage cheese out of the milk that they use to make butter from.

Mr. MANN. Oh, yes.

Mr. LEVER. Cottage cheese is made from sour milk, or clabber milk, as we call it in our part of the country. I strongly believe that, while this matter can be easily ridiculed, I have a duty to perform. I feel very strongly that people ought to be encouraged not only to produce cottage cheese but to use it, because it is one of the most delightful of milk products. I would rather have it than butter. I would rather have it than milk, but you can not get it. The farmers do not produce it.

Mr. MANN. But cottage cheese can not be made out in the country and shipped to the city to any advantage.

Mr. LEVER. Why can not the dairies around Washington be induced to make it?

Mr. MANN. They can if they do not sell their milk at a higher rate than people would pay for cottage cheese. You can get cottage cheese at the Center Market here.

Mr. LEVER. It is hard to get.

Mr. MANN. Now, if the gentleman's proposition was to teach people to make other kinds of cheese, to make cheese that would keep, there might be something to it. I have had occasion to study the food value of various cheeses. I got a long list showing the food values of cheeses, from examinations made by the Department of Agriculture, and practically none of the cheeses mentioned are to be had. You can not find out anything about the food value of those that are to be had.

Mr. LEVER. As a matter of fact, a portion of this sum will be used to teach the people of this country to eat more cheese. On looking over this article I find that the people of the United States per capita consume less cheese than any other people in the world, and there is no reason for that except we have had other things in such great abundance.

Mr. PLATT. It seems to me it is foolish to try to teach people to make something out of waste milk when milk is selling at such a high price that all the milk will be sold and there is no waste milk. You have got to stop guaranteeing wheat at $2.20 and get it down so that people can buy it.

Mr. LEVER. Let me suggest to the gentleman that this is anticipating peace.

Mr. PLATT. We had better wait until we get peace.

Mr. LEVER. We shall have the price of wheat taken care of pretty soon.

Mr. PLATT. Butter is so high that the people do not eat it and have to eat substitutes.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. CARTER of Oklahoma. Is it not a fact that cottage cheese is made from milk that has soured and that could not be disposed of otherwise, so that when it has become sour, and there is a market for cheese, it can be made into cottage cheese?

Mr. LEVER. Yes.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. GREEN of Iowa. How much was spent last year in trying to teach the people this extremely elaborate method of making cottage cheese?

Mr. LEVER. Thirty-eight thousand and some-odd dollars.

Mr. HAUGEN. I beg the gentleman's pardon, the total amount was $65,141. The statement of Dr. Rawl, on page 32, as to this matter is as follows:

> We spent on it last year—1918—out of the emergency fund, $23,066 on the factory work, $38,167 on the farm work, and $3,907 on the city work, making, all told, $65,141.

Mr. LEVER. The gentleman is correct. I had the figures before me, but I had not added them.

Mr. HAUGEN. Mr. Chairman, I would like to be heard on this proposition.

Mr. LEVER. I have two minutes remaining, but I do not care to use the time now.

Mr. HAUGEN. Mr. Chairman, as stated by the chairman of the committee, this proposition has been ridiculed in Congress, not only here, but it has been ridiculed from one end of the country to the other, and most properly so. Of all the absurd propositions ever suggested by Congress this is certainly the most ridiculous one that ever came before it.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. GREEN of Iowa. Would not the gentleman go further and say it has brought ridicule on Congress?

Mr. HAUGEN. Certainly; not only cottage cheese has been ridiculed but Members of Congress have been ridiculed as well, and properly so. As stated by the chairman, the process of making cottage cheese is very simple. On page 31 of the hearings the chairman, speaking of cottage cheese, says:

> I can take an old cheesecloth and make the finest in the world.

That is all there is to making it. You remember the testimony of Dr. Rawl two years ago. He described the process. His proposition was to send out an agent to teach how to make cottage cheese, next to fill them up with cottage cheese, return in a few days and again pump them full, and to repeat the process three or four times; then it was believed, after the process had been repeated four times, that they could be made to eat that precious product. [Laughter.] We have carried this ridiculous, absurd, proposition a number of years and spent $65,141 last year, and yet the distinguished gentleman from Illinois [Mr. MANN] says he had an order in for cottage cheese and not one pound could be procured.

We have been trying to teach people what they have known for hundreds of years. There is scarcely a woman or child in the country who does not know how to make cottage cheese. They do not make it because there is no market for it. They make all that is needed at home and all they can find a market for. As stated by one representative of the department, they did stimulate production, I believe, in Detroit, but found no market, and it was found necessary to send their agents there to stimulate a market for it.

Like many other unworthy and foolish appropriations this unfortunate child was ushered into this world. It was accepted as a war measure. Now, after masquerading as such, and now that the war is over, we find that it has not only been discredited and ridiculed in general but deserted by its own parent, Dr. Rawl. No estimates have been submitted for its continuance. It has been turned down, turned out into the cold, relegated to the rear, to be consigned into oblivion. Here it is, without parentage, without that loving protection and influence of the Department of Agriculture, and would have been left to sleep undisturbed had it not been for its godmother coming to its rescue. Through his generosity and his tender heart and sympathy for the fallen and unfortunate, he has taken this unfortunate skim-milk member of society under his protecting wing, offering it shelter and sustenance. With due regard for its present sponsor and due appreciation of his deep sympathy for the unfortunate, now that it has been given a thorough trial and has failed to make good, disowned and humiliated, I repeat it is the most absurd proposition ever suggested. Why should we make ourselves even more ridiculous?

Mr. CANNON. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. CANNON. If you enter upon this, why not get a judicial writ, a mandamus, and make everybody eat it?

Mr. HAUGEN. If it is necessary to make an appropriation, by all means we should make it mandatory and compel them to do so.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I trust this amendment, offered by the gentleman from South Carolina, will not be adopted. I do not oppose it altogether for the reasons suggested by other gentlemen. A year ago some attention was called to the work done by the Department of Agriculture and to the result of literature sent out urging farmers to make cheese, and to make cottage cheese of their sour milk, and the reports were very gratifying. It was shown that tons of additional food were produced—tons of nutritious and wholesome food produced during the war—practically from what would have been but for this a waste product. But the sum proposed by the gentleman from South Carolina is not necessary, because that kind of work is provided for in this and other appropriations. We are providing for the employment of a man in almost every county in the United States and for a woman in almost every county in the State, the man to advise the farmers respecting their work and the woman to advise the women as to their work in the house, the preparation and use of food, and the use of material in the making of clothes. It seems to me, if we wish to make the appropriation and provide it shall be used as the gentleman from South Carolina suggests, there will be a duplication, and I believe there would be the taking up of work that the Federal Government ought not to engage in. I doubt very much the right or authority or advisability of the Government of the United States to engage and send agents into the homes to oversee the preparation of meals, see to the making of clothing, or to aid as suggested in the bill—to go out among the people of the country and organize sewing clubs to teach the women how to sew and make the ordinary garments for members of the family.

There is a limit to Government activities—or there ought to be—and in this particular case, if this money were provided and the agents of the Government were engaged and sent out, there would be a duplication of work. Agents—men and women—are to be employed to go around now, and if they know enough to hold their jobs and earn their money they are able to give all the advice necessary as to the making of cottage cheese. In fact, advice and instruction are not necessary. If there is a demand for further production of cottage cheese, a suggestion merely is enough, because, as gentlemen on the floor have well said, every housewife in the country knows how to make cottage cheese, and knowledge of the necessity for making it for the purpose of increasing the supply of food is all that is necessary. A suggestion is enough. It is not necessary to hire men or women to invade the home, to interfere with domestic affairs, and to urge and teach the making of this product, valuable though it may be. I trust that the amendment will not be adopted.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. CANNON. There are 100,000,000 people in the United States. Everybody knows about cottage cheese and all the difficulties there are in producing it; but does not the gentleman think it would be cruel to deny this appropriation or fail to make this appropriation which has once been utilized in instructing in the making of cottage cheese? What is going to become of the people who will get this $50,000? There are two sides to this question, I submit to the gentleman. [Laughter.]

Mr. McLAUGHLIN of Michigan. It is true that during the war emergency a very large number of men and women were employed in the department, and there is a tremendous effort on the part of the department to retain their services, to find something for them to do, and money is asked in these various items in order that many of these men and women whose services are not now needed may be retained. When the Government undertakes an activity it is almost impossible to induce it to lay it aside. When a man has once attached himself to the pay roll of the Government, it takes a major surgical operation to separate him from it, although there may be absolutely no need for his services. I suggest there is no need of the services of these people and that the appropriation ought not to be made.

Several Members rose.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in——

SEVERAL MEMBERS. Oh, no.

Mr. LEVER. Mr. Chairman, it is very apparent that the committee is against this proposition. Why not have a vote upon it?

Mr. MANN. Why not withdraw it.

Mr. LEVER. Let us vote.

The CHAIRMAN. The gentleman from South Carolina asks for a vote.

Mr. HOWARD. Oh, Mr. Chairman, there is no more important question before this country, and it ought to be thoroughly debated.

Mr. GREEN of Iowa. Mr. Chairman, I would like to be heard before we take a vote.

Mr. CARTER of Oklahoma. Mr. Chairman, I desire to offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Oklahoma desires to offer an amendment to the amendment. The Chair will recognize the gentleman for that purpose.

Mr. CARTER of Oklahoma. Mr. Chairman, I move to strike out the first two lines of the proposed amendment offered by the gentleman from South Carolina, being the following language:

The figures "$350,370," and insert in lieu thereof the following: "$410,370."

And to retain the following language:

Provided, That the sum of $60,000 may be used for stimulating the utilization of dairy products and by-products as human food.

The CHAIRMAN. The Clerk will report the amendment.

Mr. MANN. Mr. Chairman, I suggest that an amendment is not now in order, because a point of order is pending.

The CHAIRMAN. That is true. The Chair had overlooked the fact that a point of order is reserved against the amendment. Does the gentleman from Wisconsin insist upon the point of order?

Mr. STAFFORD. Mr. Chairman, I prefer to reserve it so as to get further information upon the subject.

Mr. LEVER. I insist that the gentleman make his point of order.

Mr. STAFFORD. Mr. Chairman, being of the same mind as the gentleman from South Carolina, that the sentiment of the committee is overwhelmingly opposed to this, I withdraw the reservation of the point of order.

Mr. LEVER. Mr. Chairman, I ask for a vote.

Mr. MADDEN. Mr. Chairman, I make the point of order against this amendment.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

For investigating the disease of hog cholera and for its control or eradication by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers, associations, State or county authorities, $641,045: *Provided*, That of said sum $163,560 shall be available for expenditure in carrying out the provisions of the act approved March 4, 1913, regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals: *And provided further*, That of said sum $30,620 shall be available for researches concerning the cause, modes of spread, and methods of treatment and prevention of this disease.

Mr. JUUL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. RUBEY. Mr. Chairman, I move to strike out the last word for the purpose of having inserted in the RECORD at this point a letter from the Bureau of Animal Industry as to the progress of the work that has been done in respect to hog cholera during the past year. I ask unanimous consent to extend my remarks for that purpose.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks by inserting the data referred to. Is there objection?

Mr. TOWNER. Mr. Chairman, I suggest to the gentleman, if the letter is not long, that it be read for the information of the House.

Mr. RUBEY. Very well. I ask that the Clerk read the letter in my time.

The CHAIRMAN. Without objection, the Clerk will read.

There was no objection, and the Clerk read as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF ANIMAL INDUSTRY,
Washington, D. C., January 16, 1919.

Hon. THOMAS L. RUBEY,
House of Representatives.

DEAR MR. RUBEY: In accordance with your telephone conversation yesterday, the following data are submitted:

The hog-cholera appropriation in the regular bill for the current year provides $247,600 for the control of hog cholera in the field; $32,060 for researches concerning the cause, etc., of hog cholera; and $167,240 for regulating the preparation of hog-cholera serum and similar products. In addition, the food-production act of November 21 carries an item of $202,965, which supplements the regular funds.

During the year ending March 31, 1914, there were 7,004,756 hogs lost from cholera, or approximately 119 hogs out of every 1,000. Through the efforts of the bureau, in cooperation with various State agencies, this loss has been gradually reduced until the death rate for the year ending March 31, 1918, was 3,280,161, or 42.1 per 1,000,

the lowest rate recorded by the department in the history of the swine industry. The aim of the bureau is to reduce these losses to a minimum, and if the funds made available by the food-production act are not continued next year the bureau will have available approximately $250,000 for field work, or 50 per cent less than the amount that will be expended during the current fiscal year.

This work is in the nature of an investment, and it is simply a question how rapidly the Nation wishes it to develop. It is believed that an additional sum equal to the amount provided by the food-production act could be efficiently expended during 1920.

The work looking to the control of hog cholera has been continued along the general lines adopted in 1917 and has been extended from a certain number of counties in 14 States to State-wide efforts in 34 States, the work in 30 of these States consisting of control measures. In California, Colorado, Florida, Georgia, Kansas, Ohio, Oklahoma, and Utah, in addition to control work, a veterinarian has been assigned to each State with the extension division of the agricultural college, with the object of giving his entire time to educational activities in the field. In Louisiana, South Dakota, New Mexico, and West Virginia the efforts are principally educational in character.

The following information may be of interest to the committee in connection with its consideration of this matter:

Number of States in which work is conducted	34
Arkansas, Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Illinois, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Montana, Missouri, Maryland, Nebraska, North Carolina, North Dakota, New Mexico, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin.	
Number of veterinarians assigned	185
Number of investigations of reported outbreaks	38,046
Number of visits and interviews with farmers and stockmen	371,792
Number of hogs treated in connection with the work by bureau veterinarians, practicing veterinarians, and others cooperating	5,500,000

An important phase of the work has been to assist in formulating and applying rules and regulations covering the immunization and handling of stocker hogs at public stockyards intended for feeding purposes on farms in order that these animals may be returned to localities where feed is available without danger of spreading infection and where they may be subject to reinspection from time to time, assuring safety to the feeder while these hogs are being finished for market.

Of the 34 States in which we are working only a few are financially equipped to render any material assistance. Probably the most efficient cooperation received is the system in vogue in Missouri, where a number of practicing veterinarians are deputized by the office of the State veterinarian to assist the bureau inspectors in the investigation of outbreaks of hog cholera and the application of the serum treatment. Florida, Georgia, Arkansas, Texas, Oklahoma, Ohio, Mississippi, Kentucky, California, Kansas, and Indiana are lending material assistance, as these States have appropriated State funds for this class of work. The remaining 23 States are lending moral support only, but it is the understanding that in several of these efforts are being made to encourage the legislatures to set aside funds for the control of hog cholera.

The following are tables showing the number of hogs raised and the monetary loss from cholera for the State of Missouri and the United States extending over a period of five years.

	Hogs on farms January 1.	Hogs lost from cholera.	Monetary loss. March 31.
Missouri:			
1913	4,087,000	643,680	$5,471,280
1914	4,250,000	344,250	2,926,125
1915	4,250,000	353,813	2,765,885
1916	4,505,000	385,178	3,334,764
1917	4,280,000	200,304	2,003,040
United States:			
1913	61,178,000	6,064,470	58,833,431
1914	58,933,000	6,304,320	67,697,431
1915	64,618,000	5,541,971	54,322,549
1916	67,766,000	4,057,884	33,943,443
1917	67,453,000	2,959,322	32,475,190

Very truly, yours,

J. R. MOHLER,
Chief of Bureau.

Mr. TOWNER. Mr. Chairman, at this time I desire to express my satisfaction that the committee has wisely continued this appropriation. I think the success of the work of the National Government in the eradication of hog cholera throughout this country has been one of its most notable achievements. In nothing has the Department of Agriculture more commended itself to the farmers of the country than in this work. In nothing, I think, has there been a greater measure of success. There is now, comparatively speaking, on a percentage basis, less hog cholera in the country than there has been for probably 25 years. I think that to-day, when we have been able to reduce to the present minimum the ravages of hog cholera, we should recognize the fact, when the malady is at its lowest strength, that now is the time when we should most vigorously look to bring about its entire extinction. I am very glad indeed that the temptation that might exist, because of the small comparative amount of hog cholera in this country, to cut down the appropriation has not led the committee to make unnecessary and dangerous reductions, for I believe such reductions, if made, would lead to wider extension and greater percentage of mortality from hog cholera.

There is nothing that this country can do to reduce the high cost of living, as it pertains at least to the meats and fats, as to encourage the production of hogs in the country. Not only is it the farmers most profitable work, the most profitable stock that he can handle, but it is to the ultimate consumer the cheapest meat that he can obtain. It is the best meat that can be furnished to our armies in the field, because it can go to them in the best condition. It is not necessary that it should be refrigerated, it is not necessary that great losses should be incurred, but it can be taken to them in an appetizing, attractive form and at the same time with entire safety and without loss. So, Mr. Chairman, nothing that can be done by the Department of Agriculture, in my judgment, will be of more direct benefit to the farmers of the land than continuing this work for the purpose of saving the herds of hogs that are left in the country, and there can be nothing that would more directly contribute to this than the eradication of hog cholera. [Applause.]

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. In doing this I shall not extend my speech as I did on the tuberculosis item. I have sat here under very flattering compliments of my friends and colleagues, unable to do more than blush. You know a man is not entirely bad as long as he can blush. I desire to say of this item it is important to the producing and consuming public. It gives me an opportunity to say of the chairman of the Agriculture Committee, and say it truthfully and sincerely, that one of the first important acts of his administration, really performed a few weeks before he became its active chairman, was to use the force of his influence in committee to bring about the first appropriation for this important enterprise. He will have been six years chairman of the great Agricultural Committee. The Agriculture Department has been the most progressive department of the Government, I am convinced. That never in the history of agriculture legislation did this body ever present more important measures than have been prepared in the last six years under the leadership of the able, eloquent, efficient, devoted, and patriotic chairman of the Committee on Agriculture. [Applause.] This particular item was started about the time the gentleman from South Carolina became chairman of the committee, and the results which have followed the activities are marvelous. Listen, if you will, to some figures based upon those taken from those furnished by the department, but so presented as to give a little different angle from that presented by the department's tabulations. In the United States for 29 years before this activity was begun the average annual loss was 74 per thousand. During that time the lowest loss was 49 out of every thousand, while the highest was 144.

I have from Dr. Hess an estimate of the last year's activities. The last hog year ended with March 31, 1918. Every dog has his day and a hog has his year, ending just ahead of April 1. And the rate for the last year—1918—is figured here at 36 per thousand. That is important, and more important is the following fact, that during the activities of this department, cooperating with the various States of the Union, the hog census has shown a large increase. A large increase in meat animals has not occurred anywhere in the world during the last five years except in the United States, and in the United States the increase of quadruped food-producing animals, hogs are the only kind that showed a marked increase.

In 1914 there were only 58,000,000 hogs in the United States. In 1918 there were 74,000,000 hogs. That increase occurred notwithstanding the attractive prices that had been going on and the tremendous drain of the European war. Men look at the price of their bacon and ham and say it has been high. I venture to say that if this cooperative Government and State activity had not been going on during the last five years there would have been no such encouragement to the hog producers. Instead of having 74,000,000 hogs in the United States we would have had 44,000,000. I submit to you, gentlemen, that would have made your bacon and ham twice the price you have been paying for it during the war. As a matter of preparedness for the great struggle in which the United States took its part the Committee on Agriculture and every one of its members in encouraging the production of this great product surpassed any department of the Government.

Let me call your attention to figures for a number of States. I begin with Iowa. Iowa is my native State; that is where I began. It is the greatest hog State of the Union. The average of its loss for 29 years before these activities was——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SLOAN. Mr. Chairman, I ask for five minutes more.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in eight minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. SLOAN. The average rate during all these years in Iowa was 89 out of every thousand. For 1912 and 1913, in which years there was no activity, it was 180 out of every thousand. The average for the last two years, namely, 1916 and 1917, under the activities in Iowa is 42 out of every thousand. During the whole period of 29 years the highest loss in Iowa was 329 out of every thousand, nearly 1 out of 3; and the lowest in that time was 42. The lowest in all its history was 35, in 1917. Figures for none of the States for 1918 are available.

I read the other day the statement of the gentleman from Iowa [Mr. HAUGEN], the ranking member of the committee, that his county of Worth had no loss from hog cholera during the last year. He is to be congratulated on that; but I want to say that of all the diseases that inflict themselves upon the food-producing animals of the world, as was said of the serpent in the Garden, the hog cholera is the most subtle of them all. The hog-cholera germ undoubtedly knew who was going to be the chairman of the great Agricultural Committee next year. It was warned, and it stayed out of Worth County. [Laughter.]

I here present similar statements from 9 other States of the Union. These with Iowa in their order constitute the 10 States that produce more than half the hogs in the country:

ILLINOIS.

Average loss per thousand for 29 years before national activities	90
Average for 1912 and 1913	100
Average for 1916 and 1917	63
Lowest for 29 years before activties	41
Highest for same period	242
Lowest in history (in 1917)	36

NEBRASKA.

Average loss for 29 years before activities	87
Average for 1912 and 1913	80
Average for 1916 and 1917	40
Lowest for 29 years before activities	36
Highest same period	170
Lowest in history, 1917 (except 1911)	40

INDIANA.

Average for 29 years	79
Average for 1912 and 1913	130
Average for 1916 and 1917	75
Lowest for 29 years	30
Highest	238
Lowest (recent history), 1917	50

MISSOURI.

Average for 29 years	90
Highest	200
Lowest	44
Average for 1912 and 1913	155
Average for 1916 and 1917	74
Lowest in recent history (1917)	53

OHIO.

Average, 29 years	53
Highest, 29 years	108
Lowest, 29 years	33
Average for 1912 and 1913	72
Average for 1916 and 1917	50
Lowest in history (1917)	34

TEXAS.

Average, 29 years, for activities	60
Lowest	30
Highest	200
Average, 1912 and 1913	37
Average, 1916 and 1917	48
Loss for 1917	42

GEORGIA.

Average for 29 years	96
Highest	150
Lowest	50
Average for 1912 and 1913	119
Average for 1916 and 1917	78
Loss for 1917	76

UNITED STATES.

Average loss for 29 years before activities	74
Average for 1912 and 1913	94
Average for 1916 and 1917	44
Lowest for 29 years before activities began	49
Highest, same period	144
Lowest in history (1918)	36

Hog census since activities began.

1914	58,933,000
1915	64,618,000
1916	67,766,000
1917	67,453,000
1918	74,324,000

As I said before, referring to different sections, two of these States are those that are not usually considered hog States. Georgia and Texas are on that list. So that what was said about the cattle is going to be true about the swine. The United States in the years to come, under these two great activities, will look to the Southland for its beef and for its pork nearly as much as it has heretofore been looking for its cotton.

Mr. Chairman, I ask leave to extend my remarks in the RECORD by presenting a number of statistics which I have figured out myself, and a communication from Dr. Hess of the Department of Agriculture, who has special charge of this work, and to insert some other matters that I think would be pertinent to the subject under consideration.

The following embodies facts and views of Dr. Hess, who has charge of cholera eradication work in the Bureau of Animal Industry, and is entitled to great credit for his industry and achievements:

The work of controlling hog cholera has extended from experiments in three counnties in 1913 to State-wide activities in 34 States, comprising the principal hog-raising sections of the country. The work in its present scope involves sanitary surveys, the investigation of reported outbreaks of hog cholera, supervising and assisting in the treatment of infected herds, cleaning and disinfecting premises, establishing quarantine when necessary, applying State and Federal regulations, and furnishing assistance and advice to farmers, stockmen, practicing veterinarians, and others concerning the proper disposal of dead animals and methods of prevention and control of hog cholera.

An important phase of the work has been to assist in formulating and applying State and Federal rules and regulations that require the immunization and proper handling at public stockyards of stocker hogs intended for feeding purposes on farms, in order that they may be returned to localities where feed is available without danger of spreading infection. These animals are subject to reinspection from time to time, thus assuring safety to the feeder while the hogs are being finished for market.

The following States are receiving the benefit of the work: Arkansas, Alabama, Arizona, California, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Illinois, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Montana, Missouri, Maryland, Nebraska, North Carolina, North Dakota, New Mexico, Ohio, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, and Wisconsin.

For the year ending March 31, 1914, out of a hog population of 61,178,000, cholera destroyed 118 in every 1,000, or a total of 7,204,756. March 31, 1918, according to the Bureau of Crop Estimates of the Department of Agriculture, there were on the farms of the United States 74,324,000 hogs. Assuming that these hogs were marketed at an average weight of 200 pounds each, they would return to the producers not less than two and a quarter billion dollars, or approximately one-third of the largest loan ever floated during the history of the Government. Through the efforts of the Bureau of Animal Industry, in cooperation with State authorities, losses have been reduced over 60 per cent, or to 42 per 1,000, in the year 1918.

Even though the number of hogs lost has been greatly reduced, the monetary loss is still great, owing to the high value of this class of animals, and particularly at this time and stage of development of this very important industry we can not afford to neglect the protection which this hog-cholera work is offering. The monetary loss from hog cholera for last year, although the number of hogs lost was greatly reduced, represents probably seventy-five times the amount that is being asked for for the continuation of this work, or sufficient to maintain the work in its present scope for a period of more than 60 years. Without the protection that has been provided to the swine industry, the millions of pounds of pork products that have been added to the Nation's supply, through the increased number of hogs raised during the period of the war, would not have been possible.

The following is a table taken from Farmers' Bulletin 834, prepared by Drs. Marion Dorset and O. B. Hess. It may be proper to state that Dr. Dorset was one of the scientists who discovered and developed the hog-cholera serum.

Estimated number of hogs in each State on Jan. 1, and losses from hog cholera for year ending Mar. 31, 1913 to 1917.

State.	1917		1916		1915		1914		1913	
	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.
Iowa	9,370,000	337,320	9,069,000	448,916	8,720,000	1,216,440	6,976,000	1,601,010	8,720,000	1,255,680
Illinois	4,444,000	163,984	4,489,000	404,010	4,358,000	470,664	4,358,000	549,090	4,315,000	543,690
Nebraska	4,309,000	174,514	4,266,000	191,970	3,809,000	385,661	3,228,000	508,410	3,798,000	376,020
Missouri	4,280,000	200,304	4,505,000	385,178	4,250,000	353,813	4,250,000	344,250	4,087,000	643,680
Indiana	3,970,000	214,380	4,010,000	408,783	4,167,000	457,537	3,969,000	482,220	3,709,000	500,760
Ohio	3,527,000	120,623	3,713,000	250,628	3,640,000	262,080	3,467,000	265,230	3,399,000	263,070
Texas	3,229,000	136,587	3,197,000	172,633	2,880,000	174,960	2,618,000	176,760	2,493,000	100,980
Georgia	2,585,000	186,120	2,348,000	190,188	2,042,000	165,402	1,945,000	157,500	1,888,000	280,350
Kansas	2,535,000	63,882	2,815,000	159,611	2,656,000	144,619	2,350,000	122,670	2,611,000	281,970
Wisconsin	2,060,000	48,204	2,142,000	48,195	2,255,000	76,106	2,050,000	92,250	2,030,000	51,120

Estimated number of hogs in each State on Jan. 1, and losses from hog cholera for year ending Mar. 31, 1913 to 1917—Continued.

State.	1917		1916		1915		1914		1913	
	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.	Hogs on hand.	Losses from cholera.
Alabama	1,850,000	116,550	1,715,000	100,328	1,559,000	115,796	1,485,000	133,650	1,456,000	144,180
Minnesota	1,733,000	34,313	1,716,000	46,332	1,716,000	188,417	1,430,000	275,400	1,702,000	84,249
Mississippi	1,698,000	99,333	1,617,000	87,318	1,540,000	180,180	1,467,000	137,340	1,482,000	205,380
Louisiana	1,584,000	149,688	1,553,000	118,805	1,412,000	133,434	1,398,000	157,320	1,412,000	139,770
Kentucky	1,589,000	85,806	1,709,000	107,667	1,582,000	113,904	1,507,000	122,040	1,638,000	140,049
Arkansas	1,575,000	184,275	1,589,000	154,451	1,573,000	173,929	1,498,000	168,480	1,529,000	220,140
North Carolina	1,550,000	69,750	1,550,000	72,045	1,525,000	68,625	1,362,000	61,290	1,335,000	69,660
Tennessee	1,485,000	101,574	1,531,000	115,744	1,501,000	131,037	1,390,000	137,610	1,495,000	133,200
South Dakota	1,432,000	34,797	1,314,000	47,304	1,195,000	145,193	1,039,000	215,100	1,181,000	40,410
Michigan	1,345,000	30,263	1,462,000	47,369	1,392,000	61,387	1,313,000	73,260	1,313,000	47,250
Oklahoma	1,372,000	55,566	1,491,000	112,720	1,420,000	98,403	1,352,000	85,140	1,325,000	96,570
Pennsylvania	1,174,000	36,981	1,210,000	30,492	1,186,000	37,359	1,130,000	42,750	1,130,000	43,740
Florida	1,100,000	99,000	996,000	98,604	949,000	111,333	904,000	122,040	878,000	134,370
Virginia	1,023,000	34,987	1,023,000	43,273	956,000	40,002	869,000	36,000	836,000	36,090
California	994,000	31,311	947,000	34,944	877,000	37,097	797,000	37,980	822,000	36,999
South Carolina	920,000	36,432	870,000	41,265	819,000	42,383	780,000	45,630	765,000	51,660
New York	759,000	13,662	799,000	16,539	768,000	19,008	753,000	21,690	761,000	20,529
North Dakota	650,000	17,550	706,000	17,791	642,000	29,757	428,000	28,890	366,000	6,570
West Virginia	380,000	9,918	378,000	15,309	374,000	15,481	367,000	15,480	356,000	23,400
Maryland	359,000	19,063	350,000	23,909	349,000	23,871	332,000	23,310	335,000	27,180
Colorado	352,000	8,870	320,000	7,776	256,000	5,990	205,000	4,590	205,000	18,450
Oregon	315,000	5,670	370,000	8,910	360,000	7,290	300,000	5,400	268,000	7,200
Idaho	292,000	5,256	344,000	10,836	328,000	12,545	252,000	11,340	233,000	7,749
Washington	283,000	4,075	314,000	5,087	327,000	5,592	284,000	5,130	258,000	5,130
Montana	269,000	5,568	298,000	5,900	276,000	6,458	184,000	4,950	153,000	2,790
New Jersey	163,000	4,401	161,000	7,535	161,000	7,390	158,000	7,110	160,000	5,760
Vermont	113,000	2,543	113,000	2,034	108,000	2,430	106,000	2,880	107,000	1,890
Massachusetts	112,000	2,520	112,000	3,024	108,000	3,645	106,000	4,320	115,000	4,140
New Mexico	101,000	1,273	91,000	1,065	73,000	1,117	56,000	1,080	52,000	1,260
Utah	101,000	2,000	112,000	2,923	98,000	2,693	85,000	2,430	81,000	1,800
Maine	100,000	1,800	102,000	2,203	95,000	3,591	97,000	5,220	101,000	2,520
Arizona	80,000	2,160	40,000	720	31,000	1,046	24,000	1,170	23,000	270
Wyoming	69,000	745	70,000	630	64,000	864	51,000	900	41,000	540
Delaware	60,000	3,240	61,000	3,569	60,000	3,375	58,000	3,150	58,000	2,610
Connecticut	58,000	783	59,000	956	58,000	1,383	57,000	1,800	58,000	1,620
New Hampshire	53,000	954	55,000	1,040	52,000	1,310	51,000	1,620	52,000	1,170
Nevada	37,000	500	40,000	1,044	36,000	1,037	33,000	1,080	32,000	630
Rhode Island	14,000	227	15,000	311	15,000	324	14,000	360	14,000	360
United States	67,453,000	2,959,322	67,766,000	4,057,884	64,618,000	5,541,971	58,933,000	6,304,320	61,178,000	6,064,470

On hand March 31, 1918, 74,324,000. Losses from cholera year ending March 31, 1918, 2,701,825 hogs.

In this connection I desire especially to thank the members of the committee and others who have said the beautiful, complimentary, and flattering things concerning myself. I expect to leave Congress at the end of this term, voluntarily of course. Having always while here been a minority member, that meant pulling hard against the stream. I have tried during all that time in a modest way to impress some of my views upon constructive legislation. It is difficult to establish credit to much accomplishment, but among the measures of constructive legislation for the good of the whole country, while having special application to my own district and State, I consider having a creditable part in starting the two great National and State cooperative enterprises, namely, to eradicate hog cholera and tuberculosis, among the best measures upon which I lavished my study and industry. I shall leave behind me, I trust, many friends upon this floor upon either side of this great party aisle. I am convinced that if the future of this Republic is left to Members such as we have now and will have in the coming Congress, and they live up to their great opportunities, duties, and responsibilities, the measure of the years of the Republic has not been taken, nor will it until many centuries have been added to our history. [Applause.]

The CHAIRMAN. The gentleman from Nebraska asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CRISP having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911."

The message also announced that the Senate had further insisted upon its amendments to the bill (H. R. 11984) to provide for the Fourteenth and subsequent censuses disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHEPPARD, Mr. ASHURST, and Mr. LA FOLLETTE as the conferees on the part of the Senate.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Meat inspection, Bureau of Animal Industry: For additional expenses in carrying out the provisions of the meat-inspection act of June 30, 1906 (34 Stats L., 674), there is hereby appropriated for the fiscal year ending June 30, 1920, the sum of $803,960: *Provided*, That hereafter the Secretary of Agriculture is authorized, in his discretion, to pay employees of the Bureau of Animal Industry employed in establishments subject to the provisions of the meat-inspection act of June 30, 1906, for all overtime work performed at such establishments, at such rates as he may determine, and to accept from such establishments wherein such overtime work is performed reimbursement for any sums paid out by him for such overtime work.

Mr. MADDEN. Mr. Chairman, I move to amend by striking out all the language after the word "determine," on line 3, page 19, down to and including the word "work," in line 6.

The Clerk read as follows:

Amendment by Mr. MADDEN: Page 19, line 3, after the word "determine," strike out the remainder of the paragraph.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MADDEN. Mr. Chairman, when the meat-inspection law was first passed, as the result of a nation-wide agitation, the then President of the United States, Mr. Roosevelt, anxious to see that American meats were prepared in such form as to be acceptable to the meat buyers of the world, fearful that Congress would fail to appropriate the needed money, suggested that the cost of the inspection should be paid by the packers. The reply to the suggestion was that the payment of the inspection cost by the packers would indicate that the inspection was a packers' inspection. The law provides that every packer who fails or refuses to pack the meats according to the regulations commits a crime, for which he is liable to be punished.

I take it that the meat inspector is nothing more nor less than a detective, although he has special knowledge of the manner in which the meat should be packed. But the main purpose for the employment of the inspector is to see that the meat is so packed as to comply with the law, and for failure to pack the meat in such form it is his business to accumulate evidence to be used in the courts against the man who violates the law.

Now, who is liable to violate the law? Is it not the packer? And if the packer is called upon to pay any part of the compensation of the inspector, you have taken away the incentive of the inspector to see that the law is observed. And you have

also compelled the man who may commit the crime to pay the man who is employed to get evidence against him, if I may so put it, to furnish the evidence upon which to convict himself. And this provision of the law reported by the committee would do just that.

Now, I maintain that this is an iniquitous suggestion. If the men who are employed by the Government of the United States to inspect the packing of the meats to be consumed by the people of the United States or by the meat users of the world are entitled to overtime pay, the Government of the United States ought to pay them. And I have no objection to their payment for overtime; but I do object to placing the matter of the payment of these men for overtime work in the hands of the men whom they are employed to accumulate evidence against in case of their failure to pack the meats as they should be packed according to the provisions of the law.

Mr. CANNON. Will the gentleman allow me a question?

Mr. MADDEN. Yes.

Mr. CANNON. Does the Government pay or the packer pay for the time that is not overtime?

Mr. MADDEN. The Government pays. And if the Government did not pay, the inspection would not be considered worth a cent anywhere in the world. Why, everybody knows if the packers were permitted to pay, the people everywhere would consider it a packers' inspection and not worth the paper it was written on.

When this law was up for consideration originally I recall that President Roosevelt sent for me to talk the matter over. He said then that he wanted a provision placed in the bill to provide that the packers should pay the cost of the inspection, and that the amount of money received from that source should be placed in the hands of the Secretary of Agriculture, to be used by him without being appropriated by Congress. And he wanted me to support it. I said, "I will not do it. The proposal that you make is untenable."

The people of England fought for 400 years to take the power away from the King to expend money that was not appropriated by Parliament, and at the end of the 400 years' fight the people won, and the King of England has never had the power to expend any money since that time except such money as was appropriated by the Parliament. When we organized this Government we included a provision in the Constitution of the United States that no executive officer of the Government should expend money except that appropriated by the Congress. And the Secretary of Agriculture ought not to be permitted to expend any money received from any source that does not go through the Treasury of the United States and which is reappropriated by the Congress.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MADDEN. And this item here, although the money would go into the Treasury of the United States if it was received from the packers, and be paid by the Government from those receipts, yet it is an indirect payment of the men by the packers for the overtime work they are called upon to do. And it is not the way to do the business. If the Government of the United States feels that its employees are entitled to more compensaion for additional work done, then the Treasury of the United States ought to be drawn against for what it costs, and no outside interest should be compelled or required or permitted to contribute any part of the money necessary to be paid for that purpose except through the ordinary methods of taxation.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. TOWNER. Is it not within the power of the packers under the arrangements for inspection that they can in fact determine how much overtime work is performed and when the overtime work shall be performed, so that it is within their power to favor or not to favor the men who are inspecting the meat products?

Mr. MADDEN. That may be the case. I really do not know. But the main thing with me is that I object to any private individual being required or permitted to pay any part of the Government expense for men who are employed to inspect the work which those private individuals are called upon to do.

Mr. LEVER. Mr. Chairman, I was a member of the Committee on Agriculture, a new member, when the original meat-inspection law was passed. The contest in committee was as has been described by the gentleman from Illinois [Mr. MADDEN], namely, as to who should pay the expense of inspection. It was a contest long drawn out and bitterly fought. I remember the distinguished gentleman from Illinois, a Member of the House, came before the Committee on Agriculture and made a very earnest plea for some action at the hands of the committee.

When this proposition first came to my attention I felt exactly as the gentleman from Illinois does about it. I felt that it would be a most unwise policy to have the packers pay the expense of this overtime, but after looking into the matter I saw that the payment was so indirect that there could not be any possible influence upon the character of the work of the inspection force. We had before the committee Dr. Mohler, Chief of the Bureau of Animal Industry, and we cross-examined him at considerable length, and he informed us that the Canadian Government has exactly the same system, recently put in force, for the packers to pay the overtime work. And the Canadian officials have recently informed him that the system works beautifully.

These inspectors, these employees of the Government at the packing houses, frequently work from 7 o'clock in the morning until 8 o'clock at night. There is no incentive on the part of the packing establishments to speed up their work. They may keep these men there as long as they please.

I feel now, after thoroughly considering the matter, that it would very much inure to the benefit of the inspector himself; it would save him time. It would really reduce overtime work in these packing houses if the packer himself is made to pay the burden of the expense of the overtime work. If the proposition were to pay these men directly, I would oppose it just as vigorously as the gentleman from Illinois. But the payment for this overtime work is turned over to the Secretary of Agriculture. He must accept and pay for this overtime just as he does under the present law, and I do not see how there can be any possible influence by the packer over the inspector by an arrangement of that kind. For example, one or two years ago in the Forest Service we permitted certain lumber companies to cover into the Treasury, or we allowed the Secretary of Agriculture to accept from these lumber companies, payment for brush being burned. It is a matter of similar nature, and no harmful results have come from that kind of an arrangement.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. MADDEN. There is quite a difference between the burning of brush and the packing of meats that all the people of the world must use, and the value of the inspection depends upon whether it is a Government inspection or a private individual's inspection.

Mr. LEVER. Yes; I appreciate that, and the whole inspection law is based on that theory. If this in any wise would break down the inspection service of the country, I would be opposed to it, but I do not think it can possibly do so.

Mr. TOWNER. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. TOWNER. Does not the gentleman think that if it becomes generally understood that the packers pay in part at least for the inspection it will militate against their faith in the efficiency of the inspection in the eyes of purchasers all over the world?

Mr. LEVER. I do not see how that can be possible, because the whole inspection proposition is under the Government control all the time. These inspectors are very carefully supervised in their work. They have their efficiency commissions and all that kind of thing, which makes it certain that the inspection will be efficient.

I am informed from the testimony that the overtime work is now costing $345,275 a year, and that would be the expense that the Government would have to pay if it paid for overtime.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

Mr. LEVER. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. MADDEN. It is not a question of the amount involved. The amount involved ought not to make any difference. It is the moral side of the question that is under discussion here, and that is the only side that ought to receive consideration.

Mr. SABATH. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. SABATH. Can the gentleman inform me if there is any other food industry in the United States that is examined or that has this inspection system for which the Government pays?

Mr. LEVER. Well, the enforcement of the food and drugs act, of course, is paid for by the Government. We have inspectors who go into the markets and get samples and see whether there is adulteration or misbranding. But there is no other Government service just like this meat-inspection service.

Mr. SABATH. This applies to the meat industry of the United States?

Mr. LEVER. Yes.

Mr. SABATH. Is this amount of $803,960 the entire amount that the Government expends on the meat-inspection service?

Mr. LEVER. No. The original law carries an annual appropriation of $3,000,000.

Mr. SABATH. This is additional to the $3,000,000?

Mr. LEVER. Yes. This is put in here for the purpose of providing additional inspectors, and also for the purpose of increasing the salaries of some of the low-grade inspectors.

Mr. SABATH. And all you desire is that the industry pay that small portion which is being paid in addition to the regular service of those who are obliged to work overtime?

Mr. LEVER. That is all that there is to this proposition.

Mr. LOBECK. It says here—

Total for Bureau of Animal Industry, $5,127,033.

Mr. LEVER. That includes this and other activities of the Bureau of Animal Industry. The total for meat inspection, if this item passes, will be $3,803,960.

Mr. MADDEN. It was $3,000,000 to begin with.

Mr. LEVER. It was $3,000,000 to begin with, and this is an additional appropriation.

Mr. HAUGEN. Mr. Chairman, when the meat-inspection law was enacted, as stated by the gentleman from Illinois, it was provided that the Government should pay the expense of inspection. We were confronted with this situation: Limited appropriations were made. The appropriations were inadequate to meet the demand, and as a result certain packers—in most instances the large packers—were provided with inspection. The smaller plants throughout the country were not provided with inspection. The suggestion was either that the Government make adequate appropriations or that it permit the packers to pay for the inspection. They objected to coming before Congress every year on bended knees and asking for these small appropriations. It was then suggested that a permanent appropriation be made large enough to meet the expense for all time to come. The chief of the bureau estimated that $1,800,000 would meet the demand. Later he revised the estimate to $2,200,000, and it was suggested that a permanent appropriation be made of $3,000,000, so that that question would never arise, but every packer would be supplied with the inspection. We have met that demand, but the business has so grown that it now requires about $4,000,000. Now, it is suggested that all the packers be treated alike. Each packer is to be provided with inspection on an eight-hour schedule, and if additional service is required or desired it is proposed that the packers are to pay that additional amount, or pay for the overtime. As suggested here, the $400,000 is, of course, a small percentage of $4,000,000. We are simply following the policy of Canada, and following the policy adopted as to other inspections.

Mr. LOBECK. I move to strike out the last word. I should like to ask the chairman a question. In the report here it says:

There is an apparent increase in this item of $326,760, but, as $27,720 has been transferred to statutory rolls, there is an actual increase of $354,480. This sum will be used for increasing the salaries of 2,932 employees of the meat-inspection service by $120 per annum each and of 11 employees of said service by $240 per annum each.

Why the difference?

Mr. LEVER. Does the gentleman mean between $120 and $240?

Mr. LOBECK. Yes.

Mr. LEVER. Those 11 men are higher-salaried men.

Mr. RUBEY. The others get the benefit of the $120 bonus.

Mr. LEVER. We just give these 11 men $240 and the others get the $120 bonus.

Mr. LOBECK. Mr. Chairman, by this section I judge that the Secretary of Agriculture has the power to determine the wage to be paid. I am glad to see that he has that power, because for several years past I have taken an active interest in it to see that in some way these lay meat inspectors and veterinarians were paid a reasonable wage for their work. Therefore I am glad to vote for this section, for it does look to me like the Secretary of Agriculture has been given the power in this portion of the Agricultural bill to get a reasonable inspection and to pay a reasonable and equitable wage for the meat inspection and that the men may get a living wage for work and service rendered. In the Sixty-fourth Congress I made untiring and persistent efforts to get the Lobeck bill passed, which would classify the wage of the inspectors and veterinarians. The opposition to the bill was very active, and finally, on account of the limited time for discussion in the House, it did not come to a vote and under the rules the Agricultural Committee could not have another day for consideration. During the Sixty-fifth Congress, on account of war legislation no classification bills or scarcely any legislation not known as war legislation has been enacted into law. Therefore I am glad to be present to-day and by my voice and vote favor this legislation, which, I hope, will be of real value to these men, who are and have been rendering valuable and splendid service to the inspection bureau of the Bureau of Animal Industry.

Mr. GALLAGHER. Mr. Chairman, I want to speak to the amendment for just a moment, because I think it is a very wise amendment, and I believe if you want to keep the inspectors independent of the packing influence this is one of the ways of doing it, because I am of the opinion that nothing would suit the packers better than to have the privilege of providing for the overtime for these inspectors. For that reason I hope the amendment will pass.

Mr. CANNON. I have just come in. What is the amendment?

Mr. LEVER. The amendment of the gentleman from Illinois [Mr. MADDEN] would compel the Government to pay for the overtime proposition.

Mr. CANNON. Then, if I understand it, the provision as reported by the committee appropriates for eight hours' work, for reasons that I have heard assigned here, so that the packers can not tamper with them. But for overtime, which is time and a half, as I understand it, the packers are to pay; so that the Government would pay part and the packers would pay part. It seems to me that there is no sound reason why the packers would not pay all or the Government pay all.

Mr. LEVER. There is this distinction between overtime work and regular work: Overtime work is more largely in the interest of the packers than it is in the interest of the public. The packer has a large accumulation of hogs or cattle on hand, and he wants to get rid of them. He wants to have them butchered, but must have them inspected before and after they are slaughtered. Therefore he works these inspectors overtime. For that reason I think he should bear some of the expense of the benefit we are giving him.

Mr. CANNON. After all is said and done, if it would work harm to pay for eight hours, because it might put the inspector under an unworthy influence, it would work harm to pay for time and a half for over eight hours, so far as I can see.

Mr. GALLAGHER. The idea is to have the packers pay everything or the Government pay everything.

Mr. CANNON. Precisely. It ought to be one way or the other.

Mr. GALLAGHER. I have no objection to the packers paying it all, if you want to put it on the packers, but it is a matter of principle.

Mr. LOBECK. The fact is the people have got to pay it finally anyway.

The CHAIRMAN. The question is on the amendment of the gentleman from Illinois.

Mr. YOUNG of North Dakota. Mr. Chairman, on January 27 there was an article printed in the Washington Post, written by Mr. Herbert Hoover, which was an interesting discussion of some farmers' problems. In that article he makes this statement:

If the farmers' prices threaten to fall below the level of a fair return, it behooves the country to do some quick, clear thinking.

And he goes on to discuss some problems of marketing of cattle and hogs in connection with the packing industry. The packers are not the only offenders. The men who trade with them, the commission men at the stockyards, often treat the shippers very unfairly.

I want to call the attention of the House to one particular case. A farmer in North Dakota made a shipment of his cattle to St. Paul, to George Hawkinson. The farmer followed up the shipment and reached St. Paul the morning after the cattle had arrived. He called to see Mr. Hawkinson before the market opened, and Mr. Hawkinson told him that he had sold the cattle for 6½ cents a pound. A little later he walked over to the cattle yards to see where the cattle were. He found them in one yard not mixed in with other cattle. Another commission man belonging to the same board or exchange came along and the farmer said, "How much can I buy these cattle for?" He said, "I just sold them for 8 cents a pound." The farmer said, "I guess you are making good money, for I sold them at 6½ cents a pound." "Well," he said, "you know I had to mix them with other cattle to bring them up." The farmer examined them and found every single one in the yard was

marked with his brand and there were no other cattle mixed with them. This figured up a loss to him of $2,000 on that one shipment of 130-odd cattle.

Mr. YOUNG of Texas. That is just a case of an ordinary crook handling this fellow's stock.

Mr. YOUNG of North Dakota. Yes; an ordinary shyster, as my father would say.

Mr. YOUNG of Texas. The farmer consigned them to a crook.

Mr. YOUNG of North Dakota. Does the gentleman find that condition in his section of the country?

Mr. YOUNG of Texas. Oh, we run into crooks sometimes down there.

Mr. YOUNG of North Dakota. Do you not think that Congress ought to give some attention to this when we are trying to find out why things are costing so much?

Mr. LOBECK. Are not the stockyards of St. Paul under the regulation of the State of Minnesota, giving them the privilege to do business and coming before the legislature every year as to the price they can charge for corn, hay, and feed?

Mr. YOUNG of North Dakota. I presume, like other stockyards, it is under regulation by the State, and now it gets some regulation under the license system.

Mr. LOBECK. We had hearings whether the Government should take over the stockyards and run them themselves.

Mr. HAUGEN. They have taken them over to the extent of licensing them.

Mr. LOBECK. I have seen the time when I proposed to sell and my commission man said I could get a better price the next day, but it did not turn out so.

Mr. YOUNG of North Dakota. The facts concerning the case I have just been telling about are set forth in a letter from U. L. Burdick, a prominent and successful stockman of Williams County, N. Dak., to the Equity Cooperative Exchange of St. Paul, Minn. This concern is sound financially, with capital of upward of $2,000,000, and is honestly managed. It is owned by farmers—a great many of them—each one owning a small portion of the capital. This concern, having done a successful business at St. Paul and performing there a real service for northwestern stock raisers, has recently opened a branch at the Union Stockyards, Chicago, Ill., under the management of an old and trusted friend of mine, Fred E. Osborne. If the stockmen generally knew about this honest and efficient farmers' agency there would be no trouble, but many of them do not, particularly in the Chicago territory. It seems to me steps should be taken to prevent a return after the war to conditions which obtained in the stockyards prior to the war. I ask for permission to print the letter of Mr. Burdick in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

LETTER OF U. L. BURDICK.

WILLISTON, N. DAK., *February 5, 1918.*

Mr. F. B. WOOD,
Manager Live Stock Department, Equity Cooperative Exchange, South St. Paul, Minn.

DEAR SIR: Referring to the report that I shipped you 130 head of steers last September and that I lost approximately $2,000 on them, I wish to state that this is not true as to the first part of the proposition.

I have never shipped you any cattle at any time. The second part of the proposition is true, and the facts are as follows:

On or about the 1st day of September, 1917, I shipped to South St. Paul 130 head of steers, all branded with U bar on the right shoulder, same being a brand I use in Williams County, N. Dak.

In making up my mind where to ship these cattle, I at once decided to ship them to an old friend of mine—George Hawkinson, of South St. Paul. These steers would average about 900 pounds on the first 75 head and probably 750 pounds, or thereabouts, on the balance.

I arrived at the South St. Paul stockyards at 9.30 a. m. on the day which the cattle were sold, and at once went to the yards of the Hawkinson Commission Co. I arrived there before the general market had opened up, or at least had apparently opened up. When I came I was informed by Mr. Hawkinson that he had sold the cattle—to whom I did not know; that he had sold them at $6.75 for the top end and $6.25 for the poor end. I was, of course, surprised at the sale, but as I had consigned them to him I did not think at the time that I could stop the sale.

I investigated the market and found on that day that the general run of prices for the top end of my bunch was 8 cents. I then investigated to find out where the cattle were, and discovered that Mr. Hawkinson had sold them to Paul Thuet. In company with Peter Knutson, of Williston, N. Dak., I then went to the Thuet yards, and, as he did not know me, I looked over my own cattle and asked him what he would take for them. He said, "I have just sold them to a party in Iowa for 8 cents." I said, "That is pretty good business. I just got $6.75 for the same bunch." He said, "Well, of course, I had to mix them with other cattle to bring the grade up." I examined the bunch and found that every single steer in the pens had the U-bar brand on them. I said, "Mr. Thuet, you know you lie when you say you had to mix the bunch, because you couldn't brand them and have the brands heal up on them within one hour."

I have not calculated to the exact figure just how much I lost on this transaction, but approximately $2,000 on the bunch.

I then discovered that Paul Thuet made a regular business of making rounds of the stockyards early on market days and buying up all the cattle he could buy, taking them over to his pens and reselling them on the same day. I presume, while I don't know, that I am not the only victim of the speculator who operates on the South St. Paul stock market.

I complained of the same to Mr. Hawkinson, but he said to me that he got all the cattle were worth. I asked him why it was, then, that the general price of cattle on that day (which anyone can now look up) for the same class of cattle was approximately 8 cents. "Well," he said, "cattle vary so much. Your cattle were not extra good ones." I replied that they were fat and averaged 900 pounds. "Well," he said, "I did the best I could, and I am sorry that you lost so much money, but if you will ship to me again I will do my best to make a sale next time that will represent the full value of the cattle."

Very truly, yours,

(Signed) U. L. BURDICK.

Mr. YOUNG of North Dakota. I also desire to call attention to a plan for correcting the abuses of future selling on the great exchanges prepared by Gen. A. P. Peake, of Valley City, N. Dak. During the war we have not had occasion to give much attention to this subject, because the exchanges have been closed as to option trading in wheat. At the end of this crop year we may face lower prices for wheat, and it behooves the wheat growers and those who represent them to study out or work out some plan to put a stop to gambling in the market places. Gen. Peake, who has made a special study of this subject, believes that any plan adopted should protect both the farmers and the flour millers. He believes that any injury to the flour industry will be reflected back to the wheat growers. He therefore proposes that the flour millers and others legitimately connected with the trade shall be permitted to make contracts for future delivery of grain under conditions which will prevent uneconomic speculation. In order that Members may have the opportunity of examining Gen. Peake's plan, I desire to have permission to print the same in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

GEN. PEAKE'S PLAN FOR PREVENTION OF SHORT SELLING OF GRAIN.

Situation: Farm products are now unprotected against short selling of nonexistent quantities by speculators.

Problem: To prevent the selling of contracts for future delivery of nonexistent grain and other farm products without interfering unduly with hedging by warehousemen and grinders, including country and terminal elevators, mills, and packers.

Solution of problem proposed:

First. Provide a form of warehouse receipt signable by the bonded agents of elevators, packers, and mills.

Second. Provide that any sale contract made on any grain or produce exchange or branch office thereof for sale of any farm product for future delivery must be completed by the delivery to the clearing house of such exchange within five days from date of such sale contract of a warehouse receipt showing such grain or produce actually in store, in a warehouse, or terminal or country elevator in charge of a bonded agent.

Third. Provide rules for the conduct of exchange clearing houses which will compel the keeping of such a file and record of warehouse receipts that the gross amount of warehouse receipt covering grain or produce in any warehouse or elevator will be shown by balance each day in so far as that exchange is concerned.

Fourth. Provide that the warehouse receipts contain an agreement for the payment of delivery charges to contract point by outside warehouses and elevators.

Fifth. Provide for inspection of files, records, and warehouses by agent of the Department of Agriculture and for frequent reports to said department, arranging severe penalties for allowing warehouse receipts to remain in exchange clearing houses after grain or produce is shipped beyond the period necessary to deliver grain or produce at the terminal where the contract provides for delivery.

Sixth. Provide penalties for failure to comply with these rules, including the forfeiture of contract, heavy fines, and imprisonment.

Suggestions: To allow mills to continue selling wheat to hedge flour, it might be made allowable for them to have warehouse receipts issued for wheat at the rate of 3½ bushels per barrel of flour.

Mr. MANN. Mr. Chairman, I would like to say to the gentleman, if he will yield, that the transaction such as he has narrated, in my judgment, if it took place in the Chicago Live Stock Exchange and became known, the men who participated in it would be expelled promptly from membership of the exchange, because the whole basis is the personal honesty of the men who operate the live stock exchange in buying and selling cattle, and without it they can not do business very long.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimons consent that all debate on the paragraph and amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. JOHN W. RAINEY. Mr. Chairman and gentlemen, this is an age when legislators must recognize as they have never recognized before the necessity of doing impartial justice to the man who works for a living, and particularly the man who works in the great industries.

I have the honor to represent a constituency containing 200,000 working men and women, and it is the center of one of the most important industries in the entire world. I represent the voters of that great district, the men who send me here, and in no sense do I hold a brief for the great packers or the packing industries, yet I believe it to be my duty and privilege to see

that these industries are both fairly and justly dealt with. The immediate question—overtime and increased compensation for the employees of the Bureau of Animal Industry—has been thoroughly discussed by the Members, and I believe the consensus of opinion is that both the overtime and the increased compensation should be granted, as asked in the bill before the House.

Mr. Chairman, I take it that the committee itself wishes the House not to show any partiality as far as appropriations or assessments are concerned. I would like time to perfect an amendment so that in this part of the bill we may treat all alike. It has been suggested by my colleague [Mr. MADDEN] that he is opposed to the packers paying overtime. I likewise hold the same position. It is not my desire to give the packers an opportunity to put their hands or fingers on the employees in the inspection of meat, where they might influence the opinion and judgment of these men, but if it is the wish of a majority of the Members of this House to so assess the packers for overtime, why not be fair and assess all the people of this country who are using the time of the veterinarians engaged in this important work. The farmer has a sick cow or a sick horse, and I am told that he calls a veterinarian on a Sunday morning; the veterinarian, perhaps after four or five hours, arrives at the farm, attends to the hog or the cow, and maybe stays until 1 o'clock the following morning.

Mr. LEVER. The argument of the gentleman falls for the reason that the veterinarian is in private practice and not a Government employee.

Mr. JOHN W. RAINEY. I say this, because I am not as familiar with the work of this bureau as the distinguished gentleman from South Carolina, and I bow to any suggestion he offers. But I am informed that the veterinarians employed by the Department of Agriculture from time to time are called upon by the farmers to attend their sick cattle. Am I correctly informed that the farmer has the right to call for veterinarians employed by the Bureau of Animal Industry or Department of Agriculture.

Mr. LEVER. That is not my information. I might have to refresh my memory about it.

Mr. SMITH of Idaho. Let me say that it is the custom, at least out in our country, for any farmer having cholera among his hogs to call up the veterinarian as they would a physician to come and visit his family.

Mr. JOHN W. RAINEY. And he is a Government employee?

Mr. SMITH of Idaho. Yes.

Mr. HAUGEN. That is for hog cholera, but he is not to practice outside of that.

Mr. SMITH of Idaho. Of course, I had reference to hog-cholera work.

Mr. JOHN W. RAINEY. Mr. Chairman, I would like to be correctly informed on that. I have been informed by veterinarians engaged by the bureau that they are called upon by farmers from time to time to attend their herds of cattle or swine or sheep—their sick animals.

Mr. LEVER. I should say that as to their ordinary work as Government employees that may be true, in their hog-cholera work and their tuberculosis work, and things of that kind. That is true, but when they are called upon by some individual to treat a sick animal at night, I imagine they are called upon as individuals and not as Government employees.

Mr. LESHER. The testimony shows that they dare not even do that.

Mr. LEVER. Yes; I am reminded by my colleague from Pennsylvania that the testimony shows that they can not even do a private practice.

Mr. JOHN W. RAINEY. I know they are not permitted to engage in private practice.

Mr. WOOD of Indiana. Mr. Chairman, I know that this is the practice, so far as the veterinarian is concerned, connected with the United States Government station at Purdue University. When the foot-and-mouth disease broke out the veterinarians, with all of their assistants, were busy throughout the State of Indiana until the thing was finally allayed. I know that whenever any new disease breaks out among animals the first report is made to that institution and the veterinarians are sent out from there for that purpose—for the purpose of making investigation and report.

Mr. LEVER. They go as Government employees?

Mr. WOOD of Indiana. Yes.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. JOHN W. RAINEY. Mr. Chairman, I ask unanimous consent to proceed.

Mr. LEVER. Mr. Chairman, the time has been fixed, but the gentleman is a very modest member of the committee and is not going to take up much time, so that if this does not set a precedent I shall not object; but it is with the understanding that at the conclusion of his remarks debate upon the paragraph and amendments shall close.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed. Is there objection?

There was no objection.

Mr. JOHN W. RAINEY. Mr. Chairman, again the chairman of the committee overwhelms me with his kindness. The point that I want to impress upon the minds of the Members of this House is this: I come from the stockyard district. As I have said, I hold no brief for the packers. As we all know, they are now under investigation by a congressional committee. The other day on the streets of Washington I had my first opportunity to meet two of the most prominent men in this industry. That is an illustration of how little I know of the packers personally; yet the packing industry is in my district and I can not refrain from saying that it seems to be the will of some Members of both branches of Congress whenever they desire to break into public print to attack these large industries in the most reckless and unjustifiable manner.

All that I ask for these industries, as a matter of justice, is that they shall receive fair treatment at the hands of the Members of this House.

Again, I know that the farmers of this country have a few friends in this House; at least my observation has convinced me of that fact. Therefore I suggest that if we are going to assess the packers or any other industry for investigational work, or for labor performed by the Department of Agriculture, such assessment should be spread upon all who receive the same benefit, and that means the farmer as well as the packer. If I am misinformed and the farmers do not have the advantage of the services of veterinarians engaged in this work, then we can not ask the farmer to pay for the services; but, gentlemen, I know that the farmer has the benefit of these services, and if you care to hear me I will go into that at greater length.

Mr. MADDEN. Mr. Chairman, will the gentleman yield?

Mr. JOHN W. RAINEY. Yes.

Mr. MADDEN. Of course, if the amendment such as my colleague proposes were embodied in the bill and the farmers were not called upon to use the services of the veterinarian, they would not have to pay, so there could be no harm in it.

Mr. JOHN W. RAINEY. Mr. Chairman, I will ask for time to offer this amendment as soon as I can perfect it.

After the fullest investigation and the best consideration I have been able to give this question, I want to say that I am not in favor of either assessing the packer for the overtime of veterinarians, nor am I in favor of assessing the farmer for the services he receives from these governmental employees. I am firmly convinced the Government of the United States has a duty in such matters, and that duty is to pay its own employees in order to retain the fullest control over their actions.

When this question first came up in 1906 President Roosevelt at that time favored payment by the Government for all meat inspection, and he is quoted to this effect in the House hearings of that date on the Chicago stockyards.

I do not believe in any business or industry paying for Government inspection of its own work. Such a practice is wrong in principle, and it would be disastrous in practice. In order to secure undivided allegiance the Government must pay and control its own employees.

With reference to the amendment I propose to introduce, Mr. LEVER has suggested and the Chairman intimates that it is subject to a point of order, and consequently it would be a waste of valuable time for me to attempt to offer same under these circumstances.

Now, I would ask you to bear with me while I discuss the necessity for the increase of pay to the inspectors and veterinarians of the Bureau of Animal Industry.

There are at this time employed by the United States Department of Agriculture approximately 1,700 veterinarians, whose duties are to inspect live stock and to aid live-stock owners and State live-stock sanitary officials in the control and eradication of contagious, infectious, and communicable diseases of animals.

The meat-inspection service, in which bureau veterinarians are employed, consists in the examination of cattle, sheep, swine, and goats from the moment they are received at public stockyards, where they are unloaded from stock cars, through the commission merchants' pens, into the packing houses, where they are slaughtered; thence to the innumerable sections of packing houses, where the meat is prepared in various ways for human consumption. In other words, these servants of the Government inspect and are charged with the responsibility of seeing that only wholesome meat food products enter into commerce for

interstate shipment, as well as meats which are consumed within the States, and other meat products which may be exported.

As testimony of the efficiency of the Government meat-inspection service, not one valid complaint has been sustained against the service since the outbreak of the great world war in 1914, notwithstanding that these products, which have been labeled with the stamp of Government approval, have been sent to every corner of the world. From several sources complaints have been received, and upon investigation have been confirmed, of shipments of meat to Army camps from some small plants where Government inspection is not maintained.

This work was inaugurated many years ago, but the principal meat-inspection act under which the work is now being carried out did not become effective until 1906.

A corps of veterinarians are employed in the control and eradication of diseases of live stock, such as hog cholera, tuberculosis, the eradication of the cattle tick, the eradication of scabies of sheep and cattle, the eradication of glanders from horses and several other maladies which live stock may contract.

Twenty years ago the sheep industry of the United States was rather a precarious one on account of the excessive existence of scabies. At that time there was really no true type of sheep in the United States. Sheep developed much like wolves and coyotes; they multiplied, but without any appreciable upbreeding. It was a case of "survival of the fittest." Oregon sheep were long-legged and thin and could be recognized in contrast with Montana sheep. Texas sheep were different from those raised in California, and the sheep from the plains of New Mexico were unlike those from Utah and Idaho. The disease known as scabies, which is caused by a parasite, not visible to the naked eye and which causes scabs to appear upon the hides and also causes the shedding of the wool, existed in practically every State, and not very much attention was paid to it. It was spreading so rapidly that, if no concerted effort had been made to control it, is it not reasonable to suppose that the industry would have been so seriously handicapped that it would have proved entirely unprofitable?

The United States Department of Agriculture took up the question of the controlling of this disease with State live-stock sanitary officials and the sheep owners, experiments were conducted by treating the sheep with disinfectant to kill the bug which was the cause of the trouble. From those experiments evolved a very practical method of freeing the sheep from the disease by a process of dipping them in a solution of lime and sulphur. Dipping vats were constructed on the sheep ranges and at all of the public stockyards, and whenever a band of sheep were found diseased they were prohibited from being shipped through the country unless they were properly disinfected under supervision. This work developed very rapidly because it proved of vital benefit to the sheep owners.

In the course of 10 or 12 years this disease was practically exterminated, and the quarantine under which many of the States had been placed was removed, thus permitting the free traffic anywhere in the United States. Veterinarians were removed from the work to be placed on work of greater emergency at that time, and in consequence the disease began to spread again, and it became necessary, and, in fact, the sheepmen demanded, that the inspectors be returned to the field to direct the eradication work.

Sheep scabies exists to but a moderate degree in the United States to-day, and out of the hazardous business, which was despised by most live-stock men 20 years ago, there has developed one of the most lucrative and interesting branches of the live-stock industry. There have been developed in the United States true types of sheep. Sheepmen are progressing along definite, well-planned lines, and they are not handicapped now by a disease which, but a few years ago, threatened them with bankruptcy, for it is impossible for sheep to thrive that are affected with scabies and other parasitic diseases.

In 1906 the bureau veterinarians were sent into the Southern States to aid the farmers in the boll-weevil stricken areas in the eradication of the cattle tick. It has been proven beyond peradventure that a profitable cattle industry could not be developed where the cattle tick existed. It has been found by the Bureau of Animal Industry that this parasite, which transmits the organism which causes a fatal disease known as Texas fever, could be eradicated by dipping the cattle which harbored the pest. This work has proven one of the most popular and successful pieces of live-stock sanitary work ever undertaken in any part of the world. More than 70 per cent of the original area quarantined on account of the Texas fever has been freed of the tick, and in the freed counties and States there has been developed, and will continue to be developed, a high class of cattle husbandry. Cattle which in 1906 were valued at about $10 per head in the tick-infected area are now worth $40 per head, and the increased valuation is not entirely due to the high price of cattle everywhere, but these animals are worth more because they are in better condition to be used for beef; that is, while the animals are covered with ticks the parasites suck the blood, and in consequence the host always remains in an unthrifty condition, unsuited for beef purposes. This work will be carried on until there are no cattle ticks left in the United States. This one piece of live-stock sanitation is worth at least $50,000,000 in the additional beef that the Nation conserves thereby.

Other veterinarians in the Bureau of Animal Industry are engaged in the eradication of hog cholera, a disease which, a few years ago, was cause of an annual loss to the Nation of $100,000,000. It was discovered by the Bureau of Animal Industry that swine could be immunized against the infection of cholera. This immunization consists of injecting the hogs with a serum obtained from swine which, through treatment, have become highly immunized against the disease. Millions of hogs are treated annually by veterinarians of the bureau, and thereby the losses have been reduced to a very large degree.

Another field in which veterinarians are engaged is in the eradication of tuberculosis. It was absolutely necessary that some agency inaugurate a campaign to check the ravages of this insidious disease. It was spreading from State to State and from herd to herd, as may be judged from the amount of infected animals found in the abattoirs in 1918, where Government inspection was demanded. Out of 35,000,000 swine slaughtered in those establishments, practically 3,500,000 animals were found tubercular to some extent. Likewise with the cattle which were killed, more than 200,000 cattle were found to be infected with tuberculosis in those abattoirs. The owners of live stock from every section of the United States demanded that this work of controlling the eradication of this disease be taken up by the Federal Government. While the campaign has been in existence only a little more than a year, there is sufficient evidence to show that it is making satisfactory progress and is proving to be a very popular work with the farmers.

The Bureau of Animal Industry has in its organization a pathological division, in which veterinarians are engaged in scientific investigations dealing with live-stock diseases. Every year thousands of samples of diseased specimens are forwarded to the bureau, where they are examined microscopically and by animal inoculation, so as to determine the exact nature of the malady.

There are a number of other branches of the live-stock industry to which the veterinarians of the bureau are assigned, such as the supervision of the manufacture by private concerns of hog-cholera serum, virus, and other biological products, such as black-leg vaccine, tetanus antitoxin, tuberculin, mallein, and so forth.

The entrance salary of the veterinarians in the Bureau of Animal Industry is $1,500 per annum, and, of course, with this parsimonious stipend the bureau is having great difficulty in obtaining the services of professionally trained veterinarians. The future opportunities for veterinarians in the Bureau of Animal Industry is anything but attractive to an earnest, competent, and energetic employee. Of course, the lack of appreciation of the Federal Government for this class of employees has caused hundreds of them to resign every year to take up positions which enable them to support their families and bring them up in a true American way. The average veterinarian in the Bureau of Animal Industry does not receive sufficient compensation to properly feed and clothe the average-sized family.

Many of the best-posted live-stock owners and other persons interested in that industry have grave apprehensions as to how their immense industry is going to be properly protected in the future. Veterinary colleges are closing their doors because young men are not attracted to the profession, simply because there is no opportunity for them to gain a respectable livelihood in it. During the past 12 months four veterinary colleges in the United States terminated their careers. These institutions were known as the George Washington Veterinary College, Washington, D. C., the Kansas City Veterinary College, the San Francisco Veterinary College, and the Terre Haute Veterinary College. It is believed that it will be necessary within the next 12 months for other schools to discontinue.

A veterinarian to-day is a trained man who receives an education of the same completeness as a medical man receives at colleges for physicians. The veterinarian is required to be a high-school graduate, and the course in the veterinary college is fixed at four years of nine months each. Can you imagine a vigorous, intelligent, ambitious high-school graduate being attracted to take up the veterinary profession when the best prospect that he has in sight as an employee of the Federal Government is $1,500 per annum? Such men will spurn any such proffer for a lifetime career. They need not complete a

high-school course or a grammar-school course to become a butcher, which trade will give them $60 to $90 per week, or a puddler in a steel factory, which will pay them $400 a month, or any other line of industry. The Federal Government, if it does appreciate the services of its employees, should have enough business acumen to see that the efficiency of the whole structure of the Nation will be greatly diminished unless efficiency is recognized and equitable compensations made. Unless the Government is aspiring to inefficiency and failure, it must be willing to at least go part of the way in increasing compensations to its employees as the merchants and manufacturers and every other person, firm, and corporation throughout the length and breadth of the land have done in recognizing the services of the employee.

The veterinarian is the agency upon which the live-stock industry of the Nation, valued at $10,000,000,000, must place its faith to preserve that gigantic business from the ravages of disease. What would it profit this country to go on building up the cattle, swine, and sheep industry if at the foundation of the industry it was rotten with disease? We are coming to an era now where European countries and South American countries will be seeking for breeding cattle, swine, and sheep. If they come to our land and buy these animals and later they are found to be diseased, our reputation and industry along that line are ruined for all time to come; whereas if we sell them the right kind of live stock free from disease, the Nation will build up a reputation throughout the world that will assure for all time a prosperous industry.

The grade lay inspectors are men who through years of practical experience have gained a wide knowledge of the meat industry. They are men who are qualified to serve the United States Government in the capacity of inspectors or as foremen of various branches of the packing-house industry. A great many of this class of employees have left the Government service to fill positions of more lucrative nature with the meat-packing concerns.

Sometime ago I took up with Secretary Houston and also suggested to his assistant, Mr. Harrison, the imperative need of a substantial increase for the lay inspectors and veterinarians in the Bureau of Animal Industry.

I desire to urge upon you the imperative need of increasing the salaries of these employees. I know something of their work. I know that these men report at their post of duty long before 7 each working day, that they work from 9 to 12 hours, and during the busy season often work both Sundays and holidays.

I know that the veterinarians are responsible for all the work in the enforcement of the regulations pertaining to the meat-inspection laws, that they are directly responsible for all work performed by inspectors under their supervision, and that they are responsible for the enforcement of all the sanitary regulations at the packing houses.

I know that the receipts of animals of recent months have been unprecedented.

I know that many have resigned to take up work in commercial fields where the compensation is considerably greater. This has necessitated a greater responsibility on the older employees. I know that a great number of them have not been advanced for several years; and I also know that by comparing the salaries of the Bureau of Animal Industry employees to packing-house employees, that the employees of the packing industries receive from 50 to 100 per cent more than do the Government employees for equal responsibilities.

Safeguarding the health of the consumer of packing-house products is of greatest importance, and I feel that I am extremely conservative in urging that this be appropriated for the fiscal year 1920.

I want to say something now about the comparison between wages paid by the United States Government and wages paid by private concerns. We know what the veterinarians and inspectors of the Bureau of Animal Industry receive, but take, for instance, the cattle and hog butchers; their weekly wages for weeks ending, respectively, October 12, 19, 26, November 2, 9, 16, and 23, amounted to $63, $62, $60, $62, $59, and $62 each. In addition to wages, many of these men received a bonus amounting in some instances from $200 to $300.

The above wage is an average of what is being paid to skilled labor and includes floor men, rumpers, packers, cutters, splitters, hide droppers, and chuck splitters. When you compare their wages with the salary of the Government inspector who has spent the best of his young days in educating and preparing himself for his life's work—namely, the preservation of the health of humanity in the preparation of meat-food products—you will readily see even under normal conditions these inspectors are very unjustly treated.

Let me further submit the following table of wages paid to beef boners for the same weeks suggested heretofore:

Loin rib chuck and plate boners average $50 to $100; $50 to $105.11; $50 to $103; $37 to $70; $47 to $104; $50 to $80; $50 to $120.

Common laborers in the beef cutting, who as a class are men composed of uneducated Mexicans and the like, receive weekly wages from $25 to $38. The same class of laborers in dry salt curing cellars receive from $28 to $40 and in the sweet pickle curing cellars from $30 to $45. Foremen and assistant foremen in these departments, whose duties are not more arduous than inspectors and who at all times have advantages for promotion, receive from $40 to $65 per week, and it can easily be said that the lay inspectors in educational and executive ability measure up to the standards of these foremen.

The award made by Judge Alschuler in the arbitration between the packers and their employees convinces me that the Government employees are the lowest-paid men in the packing industry, and they are the men that the public holds responsible for the condition of every piece of meat and all meat products that leave the packing house.

I am indebted for some of my information with reference to the Bureau of Animal Industry to Dr. S. J. Walkley and Dr. Hess, who have willingly responded to numerous inquiries made by me.

Let me cite a few reasons why men engaged in the work should receive an increase of salary.

A friend of mine in Chicago—a high-grade gentleman named Richard Walsh—has been in the service of the Bureau of Animal Industry for 24 years and is now receiving $90 a month. How can he support and educate a family on this salary?

I know another gentleman who associated himself with the Bureau of Animal Industry some twenty years ago. The salary at that time for a young man was attractive—$60 per month. After being in the service a few years his mother died and left him the family home, worth approximately $2,000 to $3,000. Not long afterwards he married, and God blessed him, as he does most of the people of my district, with a large family. Sickness followed; doctor bills and many other incidental expenses accumulated. It finally became necessary for him to mortgage his little home. Unable to keep up the interest the mortgage was finally foreclosed and he had to sacrifice his place of abode.

After 20 years' faithful and efficient service with the Government he is now receiving the enormous salary of $1,200 a year. I have talked with him a number of times and tried to convince him that he should discontinue his services with the Government and attach his name to some pay roll where his work and efforts would be appreciated, but like many others, after being associated with the Government for a great number of years, he lives in hope the Government will do something substantial for him. These men seem to lose initiative and are fearful because they know nothing but Government work, and fear they may not be able to do as well on the outside.

The gentleman I last spoke of was compelled, on account of the high cost of living, to take his children out of school as they reached the age where State laws would permit them to go to work and send them into factories, thus depriving them of an education so necessary to-day, and practically making impossible an opportunity for them to advance and progress.

Other concrete examples that have been brought to my personal attention:

A gentleman entered the service; lived out in Iowa; owned his own home, worth about $1,800, with a mortgage of $600 he had borrowed to improve the property. After he was in the service a year he had to increase the mortgage $100. The taxes and interest were too much for him, the mortgage was foreclosed in the summer of 1918, and he lost the property. In 1909 he was transferred to another town in Iowa at his own request, figuring that he could do considerably better. He borrowed $100, which he still owes. After he was in this town for a while it was necessary for him to take his daughter, 16 years of age, out of high school and put her to work. The establishment in Iowa closed down and he was transferred to Chicago. His next oldest daughter was attending high school, but when they came on to Chicago he found expenses so high daughter No. 2 was compelled to leave her studies and start to work. Grocery bills approximated $55 to $60, the monthly rent $35. Of course, cheaper homes, rather more reasonable rates for rent could be had, but this gentleman was anxious to rear his family in a respectable neighborhood. It costs this man about $120 a month to live. If sickness occurs, doctor and medicine bills accrue, and it is absolutely impossible for him to keep his head above water.

In the case of a man who entered as meat inspector in 1906 at $1,000. He was 26 years of age when he started. Seven years after his appointment he received an increase of $200. In order to live it was necessary for him to have his wife find employment. They had three children. His wife had to accept a position with hours from 3 p. m. until 12 o'clock midnight. It was necessary for this gentleman to prepare dinner for himself and the children; also to go about 1 o'clock every morning and meet his wife when she returned from her work.

Another letter from a gentleman who has been a meat inspector for four years. He receives $1,200 and is unable to meet his obligations. He had to place his household goods in storage and send his wife and three children to be supported through the generosity of relatives.

Another gentleman has been in the Bureau of Animal Industry for 10 years. He now gets $1,200. He has no children. It takes every dollar he earns to get along. His wife took sick last summer; a doctor's bill resulted, and up to the present time he has been unable to make any payments to the doctor who took care of his wife through her illness.

Another letter from a gentleman who started to work two years ago at a salary of $840; he is now receiving $1,080. He has a family of five children. If it were not for the assistance he receives from his parents and the fact that he engages in outside employment several nights a week he would be unable to keep going. Sickness in the family has incurred obligations to the amount of about $500 in the last two years.

And so on, gentlemen, I could furnish any number of cases such as these from letters I have received; but I do not care to take up your time any longer. The Good Book says, "Feed the hungry and clothe the naked." That suggestion is offered in the spirit of charity. It is not charity that I ask when I request that you take care of the men in this important branch of governmental work; that their families may have an opportunity to receive an education; that they might enjoy some of God's sunshine; that they might have the advantages of a few luxuries; that they get sufficient bread and butter, and occasionally squeeze in a little jam; it is in the spirit of justice I make this request.

Another suggestion: These men suffer many hardships in their line of duty. Working in blood and water in the killing floors, in dry salt and sweet pickle cellars, coolers, and freezers, where temperatures are often 10 degrees below zero. They must be warmly clad for this work, as they are exposed to low and high temperatures which endangers their health. In many cases these men can not afford to buy proper clothing. Boots, shoes, woolens, and leathers have increased over 100 per cent, and the blood, salt, and water conditions wear out the clothing very quickly. Suffering and sickness frequently result on account of their inability to purchase proper clothing. Now, the packers provide men doing this kind of work with suitable clothing, and I think the Government should take this under advisement, and I hope in the near future they will equip men engaged in this capacity with proper raiment that will prevent any ill effects as a result of their work.

Out in Chicago it is often suggested by business men that it is not a question of salary, but a question of getting the right man to fill the job; that they would be willing to pay any price for the right man. If the opportunity is afforded me to meet any who offer this suggestion in the future I am going to refer them to some of the men in the Government service and associated in the Department of Agriculture.

A young man named Harrison, for whom, I am happy to say, a deserved increase was provided, can intelligently and correctly answer more questions than anyone I ever met. Dr. Mohler, connected with this department, a most capable and able gentleman, a master of every detail; Dr. Kiernan, who impresses me as an intellectual giant, and I am advised that he is an authority in his profession. In Chicago, since my election to Congress, I made the acquaintance of a Dr. W. N. Neil, in charge of the Chicago office. All lay inspectors and veterinarians are under his direction; he is interrogated and cross-examined continuously by men engaged by the packers to look after their interests, and the packers pay their representatives from two to three times the salary paid Dr. Neil, who has devoted more than 20 years to the service of the Government. He has won the respect and admiration of all with whom he has come in contact and has received several tempting offers to leave the service. I feel absolutely certain that these gentlemen—and when I speak of them I know this is true of the great majority of men engaged in this bureau, veterinarians and lay inspectors—if they were associated with some large corporation their services would be appreciated, their ability recognized, and their salaries would at least be doubled.

So in conclusion, gentlemen, let me urge upon you the adoption of the amendment I offered in our committee, and while the amount I requested was materially reduced, the sum suggested here, I am pleased to state, is the unanimous report of the committee and it in a small way manifests our appreciation of the great work these men are doing and for the adoption of which I will be thankful and the employees in this department exceedingly grateful.

May I add this poem of T. P. White, an employee of the bureau, which appeared recently. It suggests far more eloquently than I am able to the status of the employees in the Bureau of Animal Industry, commonly referred to as the B. A. I.

YE MORTALS WHO WORKED FOR THE B. A. I.

The day of judgment at last had dawned,
And millions of souls had stretched and yawned;
Had passed in ranks called by trumpet horn,
The souls of sinners and babes unborn.
And amid the few to be glorified
Were the souls of men not yet "classified."

The Master, He judged, and 'twas done well,
Sending souls on to heaven or hell.
With careful thought he reviewed their creeds,
And the record book for acts and deeds.
Till he came to a horde of souls most shy
Of the men who had worked for the B. A. I.

"Recording Angel," the Master said,
"Why are the souls of these many dead
So humble in mien, so dreary, so sad?
Are their records filled with actions bad?"
"These souls," said the Angel, and heaved a sigh,
"On earth were employed by the B. A. I.

"Their records are filled with noble deeds;
They have labored long with many needs;
Through their mortal lives they have done their share
To assist mankind, and have dealt fair,
While they struggled on with wage not high,
As they worked on earth for the B. A. I.

"In the cities' marts where meats were sold,
In slaughterhouses, in the heat and cold,
They applied their skill, under sworn oath bound,
To the end that food be pure and sound,
Thus protecting health when danger drew nigh,
These trusty men of the B. A. I.

"In the field they worked both day and night,
Preaching the gospel of wrong and right
To stock raisers and tillers of soil,
That costly plagues they might learn to foil.
If failure came, once again they'd try,
These faithful men of the B. A. I."

A stroke of the pen canceled all debts,
And He smiled on clerks and "lays" and "vets,"
Who stood near the throne with gaze steadfast,
Hoping a "raise" had come at last.
Then the sentence came, "remain on high,
Ye mortals who worked for the B. A. I."

And let me add:

That all you Congressmen answer "Aye,"
And increase the pay of the B. A. I.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

Mr. LEVER. Mr. Chairman, I suggest to the gentleman that I would make the point of order against the amendment anyway as not being germane.

Mr. MADDEN. But the gentleman from Illinois might just as well give the gentleman a chance to do something, notwithstanding the point of order which was made against it.

Mr. LEVER. I am ready to receive the gentleman's amendment, but I do not want to stop the reading of the bill until it is prepared.

The CHAIRMAN. Does the gentleman ask that the matter be passed over?

Mr. LEVER. No; I would not want to do that. I think it is an unnecessary waste of time, because it is subject to a point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF PLANT INDUSTRY.

Salaries, Bureau of Plant Industry: One physiologist and pathologist, who shall be chief of bureau, $5,000; 1 assistant to the chief, $3,000; 1 executive assistant in seed distribution, $2,500; 1 officer in charge of publications, $2,250; 1 landscape gardener, $1,800; 1 officer in charge of records, $2,250; 1 executive clerk, $2,000; 3 executive clerks, at $1,980 each; 1 seed inspector, $1,000; 1 seed warehouseman, $1,400; 1 seed warehouseman, $1,000; 1 seed warehouseman, $840; 9 clerks, class 4; 14 clerks, class 3; 4 clerks, at $1,500 each; 25 clerks, class 2; 3 clerks, at $1,320 each; 73 clerks, class 1; 2 clerks or draftsmen, at $1,200 each; 2 clerks, at $1,100 each; 4 clerks, at $1,080 each; 7 clerks, at $1,020 each; 30 clerks, at $1,000 each; 43 clerks, at $900 each; 1 clerk or draftsman, $900; 11 clerks, at $840 each; 1 laborer, $780; 42 messengers or laborers, at $720 each; 8 messengers or laborers, at $660 each; 16 messengers or laborers, at $600 each; 1 artist, $1,620; 1 artist, $900; 1 clerk or artist, $1,400; 2 clerks or artists, at $1,200 each; 1 photographer, $1,200; one photographer, $840; 2 laboratory

aids, at $1,440 each; 1 laboratory aid, $1,380; 4 laboratory aids or clerks, at $1,200 each; 1 laboratory aid, clerk, or skilled laborer, $1,080; 3 laboratory aids, clerks, or skilled laborers, at $1,020 each; 2 laboratory aids, at $960 each; 1 laboratory aid, $900; 4 laboratory aids, at $840 each; 7 laboratory aids, at $720 each; 1 laboratory apprentice, $720; 1 map tracer or laboratory aid, $900; 2 gardeners, at $1,440 each; 4 gardeners, at $1,200 each; 8 gardeners, at $1,100 each; 15 gardeners, at $900 each; 19 gardeners, at $780 each; 1 skilled laborer, $1,100; 1 skilled laborer, $960; 2 skilled laborers, at $900 each; 3 skilled laborers, at $840 each; 1 assistant in technology, $1,400; 1 assistant in technology, $1,380; 1 mechanician, $1,080; 1 mechanical assistant, $1,200; 1 blacksmith, $1,200; 1 carpenter, $900; 1 painter, $900; 1 teamster, $840; 1 teamster, $600; 21 laborers, at $540 each; 29 messengers or laborers, at $480 each; 3 messenger boys, at $660 each; 14 messenger boys, at $600 each; 10 messenger boys, at $480 each; 5 messenger boys, at $420 each; 16 messenger boys, at $360 each; 4 charwomen, at $480 each; 21 charwomen, at $240 each; in all, $491,280.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I hesitate to take the time of the committee on anything, but we are making very good progress on this bill. I would ask the gentleman from South Carolina, or any other gentlemen a member of the Committee on Agriculture, if he knows anything about this new order issued forbidding the importation of nursery stock into the United States after June 1 next?

Mr. LEVER. Mr. Chairman, I would say to the gentleman that if he will permit me to get it from my office I shall be very glad to give him a very full statement of the matter. It came to my office this morning, I think, but I have not yet had time to read it. It is not involved here. The Secretary sent me a very full statement about it.

Mr MANN. I am very much obliged to the gentleman, because I intended to go over to the Horticultural Board and ascertain, as the country is very anxious to know, whether this order is to stand or not. No one defends the form of it, except to say it may be the best they can do. It allows the introduction of a seedling tree and forbids the introduction of a grafted tree, it allows the introduction of a tulip bulb and forbids the introduction of a peony root, and it affects a great many nurserymen and florists throughout the United States disastrously. Now, I do not undertake to say whether the order is justified or not, but somebody ought to be prepared to say they are certain that it is justifiable; and, gentlemen, there will be a roar going up in this country against this order when it takes effect such as we have not heard even about the hog cholera or tuberculosis in cattle, which swept the House off its feet.

Mr. LEVER. As a matter of fact, the roar has already come, as would be seen if the gentleman could see some of the letters I have received.

Mr. MANN. I know the roar has come, but the roar really has not commenced yet, as the order has not taken effect and they can still import until June 1. Now, it is going to be utterly unfair to the business interests involved if they start this thing and then stop it because somebody protests. It may ruin many a man, and the department ought to be very certain of its ground both as to its desirability and its legality and its power to withstand the roar that will come up from Members of Congress.

Mr TOWNER. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. TOWNER. Under what authority is this order issued?

Mr. MANN. I think very likely they have the authority. We have an insecticide law not only prohibiting the importation from foreign countries but prohibiting the transportation of anything from an oak tree to an acorn or a smaller seed from one county to another or from one State to another.

Mr. TOWNER. But for some particular purpose; I was wondering what the particular purpose was that would be assigned in this case.

Mr. MANN. The purpose in this case is not protection of home industries but to prevent the introduction of insects or disease in plants.

Mr. TOWNER. I was going to ask the gentleman in that connection if a wholesale order of this kind could be justified for such a purpose. That was the thought I had in my mind.

Mr. MANN. Of course, the order as it is framed started out with the idea, I think, that it would prohibit the importation of any plants that had any dirt upon them, on the idea that the diseases might be in the dirt, although we permit the introduction of a great many plants, the roots of which are taken right out of the dirt in the native soil. But what I wanted to get at also, if the gentleman's letter covers it, is whether any method is provided by which importations can be made through the Department of Agriculture.

Mr. LEVER. These prohibited plants?

Mr. MANN. Yes.

Mr. LEVER. I have not read this communication, but I will ask unanimous consent to insert it in the RECORD so we may have it at this point. It is a memoradum prepared by the department.

Mr. MANN. Is it a printed memorandum?

Mr. LEVER. No; it is merely a memorandum, one just sent up.

Mr. MANN. I would like to get it before it goes in the RECORD——

Mr. LEVER. I ask unanimous consent to insert it at this point.

Mr. MANN. Because I hate to destroy my eyes by reading the small type in the RECORD.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD by inserting the matter indicated. Is there objection? [After a pause.] The Chair hears none.

The matter referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C.

MEMORANDUM OF INFORMATION CONCERNING QUARANTINE NO. 37, RESTRICTING THE IMPORTATION OF NURSERY STOCK AND OTHER PLANTS AND SEEDS ON AND AFTER JUNE 1, 1919.

A HISTORY OF THE ACTUAL STEPS LEADING UP TO THE ISSUANCE OF THE QUARANTINE.

The need for additional restrictions on the importation of nursery stock and other plants and seeds has been under careful consideration by the board for several years. This need has been emphasized by numerous requests for greater restrictions on plant importations from official bodies representing the State departments of agriculture, the inspection officials of the States, entomological and phytopathological associations, forestry, horticultural, and other associations, etc. As a basis for such additional restrictions, a public hearing was conducted at this department May 28, 1918, and the proposed restrictions were thoroughly discussed with all the interests involved, including, in addition to the above, both importing nurserymen and seedsmen as well as producing nurserymen in this country.

Following this hearing, and at the request of the board, the subject was given careful study in all of its phases by the plant experts of the Department of Agriculture over a period of several months, in the course of which many of the principal nursery and florist establishments of the United States were visited by these experts, and the details of the proposed quarantine were discussed with the persons in charge of these establishments. As a result of this extended inquiry, a tentative draft of proposed regulations was formulated and submitted to the principal nurserymen of the country. A final conference was then held in the office of the chairman of the board October 18, 1918, at which all interested parties were invited to submit criticisms or suggestions either in person or by letter. The quarantine and regulations as finally adopted represent the best judgment of the plant experts of this department after a thorough reconsideration of the entire subject.

In formulating the quarantine and regulations the idea that has been kept constantly in mind is to reduce the danger of introducing injurious insects and plant diseases to the minimum with the least possible disturbance to the interests involved. The classes of nursery stock and other plants and seeds, the commercial entry of which is to be continued, are those represented by importers and other trade interests as being most essential to the horticulture and floriculture of this country under existing conditions.

DISCUSSION OF PRINCIPAL OBJECTIONS IN LETTERS OF PROTEST AGAINST THE QUARANTINE.

Recently numerous letters have reached the department protesting against the enforcement of the quarantine. Practically all of these letters are in response to a printed circular entitled "Protest against the horticultural import prohibition," signed by Henry A. Dreer, of Philadelphia, and sent to nurserymen all over the country. Most of the letters received simply repeat the information contained in Mr. Dreer's circular letter.

In that letter reference is made to what is considered inconsistencies in the regulations in that they permit the entry of rose stocks for propagation and of six varieties of bulbs, while they exclude budded or grafted roses and all bulbs with the exception of the six varieties referred to.

During the period when the quarantine was under discussion the Federal Horticultural Board was urged very strongly by many advisers, including horticultural and forestry associations and State plant inspectors and their organizations, to prohibit entirely the importation of all plants, bulbs, and other classes of nursery stock on the ground that all of them were sources of risk of introducing dangerous insects and plant diseases.

Such dangers do exist. They are greatest in importations from distant or little-known countries, many of which do not maintain any system of inspection. The dangers are proportionally greater among the miscellaneous classes of nursery stock and other plants, including bulbs, which are imported in smaller quantities, but which represent numerous genera and species and bring in a corresponding number of new parasites.

While complete exclusion undoubtedly affords the greatest measure of safety, the governing principle in the quarantine as issued was to limit plant introductions to the classes of plants which were represented by the plant interests concerned in this country as being essential to plant production; in other words, the raw material out of which salable fruit trees, roses, etc., are made. To this were added certain classes of plants, including bulbs and seeds, which could be safeguarded by inspection and disinfection. In the case of bulbs it was realized that a danger existed, and the entry was restricted to classes of bulbs least subject to risk of bringing in new pests and which from their nature could be most readily inspected and certified as clean and, for the most part, originating in countries where the least risk of danger attaches. The excluded bulbs involve the less important and miscellaneous importations coming from widely scattered sources over the world, and the entry of which is attended with much greater risk of introduction of plant diseases or insect pests.

The quarantine makes provision for the entry of these miscellaneous other bulbs and other prohibited articles in limited quantities through the office of foreign seed and plant introduction, this department, for the purpose of keeping the country supplied with new varieties and creations and the necessary breeding or propagating stock, such entry necessarily being safeguarded by the highly developed inspection and quarantine service which has been organized by this department. It is impracticable to give this type of inspection to commercial importations. The cost would be prohibitive, especially under conditions which would require very frequent provision for holding the imported material in quarantine for a period of months or years and the necessity for very high-grade and expert inspectors. Furthermore, inspectors with the training required are not available.

The distinction between rose stocks, on the one hand, and budded or grafted roses on the other, was made with a view to accomplishing two objects: (1) To reduce the number of roses imported, thus reducing the risk involved, and (2) to limit importations largely to such stock as is usually grown in commercial nurseries where special care is exercised to control and eradicate pests. The stocks permitted entry under item 3 of regulation 3 are practically always grown in commercial nurseries, while budded and grafted roses may, immediately upon their arrival in the United States, be shipped broadcast over the country to consumers who pay little or no attention to the eradication of any insects or diseases the plants may carry.

Mr. Dreer's letter also conveys the impression that at the hearing and conference the information given the board was against the advisability of putting the quarantine into effect. On the contrary, at the hearing, which was largely attended and of which a stenographic record was kept, the argument was strongly in favor of the quarantine, and, as indicated in the early part of this statement, the restrictions which have been embodied in this quarantine have been strongly urged and indorsed by many representatives of the nursery trade and unanimously by letters received from officials representing the forest, agricultural, and horticultural interests of the several States.

The argument that this action is unjust to European countries, particularly at this time when they are just released from the restrictions on commerce caused by the war, has its force and is emphasized by the keen sympathy which we all feel, especially for Belgium and France. If, however, there are important dangers to be guarded against and therefore a real need for these restrictions, mere sentiment, however strongly warranted, has no place. In point of fact, with respect to the two countries which have suffered most from the war—France and Belgium—the latter is the only one which is much affected by this quarantine. The plant exports of France are largely fruit-tree stocks, which are still permitted entry. Unfortunately the plant exports of Belgium are largely ornamentals, shipped with earth about the roots, and are therefore the ones which entail greatest risk to the United States; and, furthermore, the inspection service of Belgium is inferior to that of both France and Holland. In the case of Holland the argument from the war standpoint does not apply to the same extent, and, furthermore, the bulb exports of Holland are not materially interfered with. The potted and baled plants, however, from Holland convey the same dangers that they would from Belgium and other foreign countries.

In general, with respect to this action and to European countries, it should be remembered that this quarantine merely places the United States in more close alignment with action long since taken by these countries relative to plant imports from the United States. France, Holland, Germany, and to a less extent Belgium, have long maintained practically complete prohibition of plant imports from the United States.

DISCUSSION OF THE CONDITIONS WHICH HAVE RENDERED SUCH QUARANTINE RESTRICTIONS NECESSARY.

With respect to the actual condition of nursery stock and other plants hitherto received from foreign countries, it is appreciated that the countries which have been most concerned in such exports to the United States have established inspection and certification service, with the result of very greatly reducing the amount of infestation on such exported plants. The conditions in this respect prior to the passage of the plant-quarantine act and the requirement of inspection and certification on the part of foreign countries, and the rigorous holding of these countries up to as high a standard as possible, were deplorable. Brown-tail moth nests and gipsy-moth egg masses and numerous other insect pests in various stages were coming into the United States in quantity, and in one season thousands of such brown-tail moth nests were found in nursery stock, particularly from Holland, Belgium, and France.

The improvement since the establishment of this service, as indicated, has been very great, but it has not by any means eliminated the danger. Of these principal export countries Holland has perhaps as good an inspection service as any, if not the best. The service of France is nearly as good as that of Holland. The service of Belgium is inferior, and the risk from other countries is even greater.

The status as to freedom from insects and diseases of plant imports from Holland probably represents, therefore, the best work that can be expected under existing conditions of inspection and certification. Notwithstanding the supreme effort of the Netherlands Government to safeguard its plant exportations to the United States, a great many injurious insects have been found on stock imported from that country since August, 1912, when the Federal plant-quarantine act became effective. During this period of six years of enforcement of this act and inspection of imported plant materials no less than 148 different species of injurious insects have been collected on nursery stock imported from Holland. Some of these have been found in over 1,100 different shipments of plants. Many have been detected hundreds of times. It is true that many of these are insects which have already become established in the United States, but many others are insects which have not been so established and which are new elements of danger to the horticulture and agriculture of this country. For example, the European tussock moth (Notolophus antiqua) has been found in connection with no less than 67 different shipments of plants from Holland, representing over 16 different kinds of ornamental plants. Similarly, many other injurious leaf-feeding and wood-boring insects have been collected on from one to many different shipments of plants.

This list of 148 different kinds of insects on Holland stock includes comparatively few of the soil-infesting species, because it has not been possible without destruction of the plants to disintegrate and make adequate examination of the soil imported with baled and potted plants. The danger is probably much greater from such insects concealed in the soil than it is from the insects which are found on the aerial portion of the plants. Dr. T. J. Headlee, New Jersey State entomologist, reported at the hearing conducted by this department in May, 1918, on the subject of this quarantine, that his office two years before had made a limited study of the insect fauna in baled plants from Europe, and a short examination of perhaps two dozen baled plants had resulted in the finding of over 20 different species of insects in the soil.

There is risk of entry from foreign countries through the medium of such soil of a vast number of insects, many of which may have no relation to the plants imported but are possibly important enemies of field crops, such as clover, alfalfa, and other forage crops and the grains. For example, there are more than a score of European weevils and root borers known to infest clover, alfalfa, and related plants. Several of these have already been introduced into this country and are now among our most serious forage insect pests. Examples of these are the alfalfa weevil now invading half a dozen States surrounding Utah, its point of introduction, and the clover-leaf weevil now widely distributed throughout the United States. Of the same nature are many insects likely to be brought in with soil which affect common truck crops. Several of these have already been introduced with plants imported with soil, such as the European mole cricket, the European earwig, and various wireworms. The list of such European truck-crop insects possible of introduction with soil is a very long one. There are also many important European fruit insects which can be introduced with soil about the roots of nursery stock. These include apple, pear, and plum weevils, fruit and bud weevils, twig and stem borers, and various leaf-feeding insects which hibernate in the soil.

With respect to plant material which it is necessary to bring in with the soil, it should be borne in mind also that no system of effective disinfection of the soil about such plants without destroying the plants is known.

The risk from importations from Oriental countries, such as China and Japan, and other quarters of the world where the insect enemies and diseases of plants have been very meagerly studied, is illustrated by the establishment in this country from such sources of many of our most important injurious insect pests and plant diseases. Few of these were known prior to their appearance in this country, and therefore could not specifically have been looked out for and guarded against. Among such introduced insects are the San Jose scale, the citrus white fly, the oriental peach moth, and the Japanese beetle. The peach moth and the Japanese beetle, furthermore, illustrate insects which it is apparently impossible to kill by any practicable fumigation in their hibernating condition.

The list of insects introduced from such little-explored countries is already very large, and the new pests constantly being intercepted on such stock now coming in represent a constant and very serious menace to this country. A recent illustration of this state of affairs came in last month's report of Mr. E. M. Ehrhorn, a collaborator of the board and chief of the division of plant inspection of the Board of Commissioners of Agriculture and Forestry of Hawaii. Mr. Ehrhorn reports that in December, 1918, he made a thorough examination of two small pots of a dwarf Chinese arbor vitæ (Thuya orientalis) offered for entry at Honolulu and took from the soil about the roots of these plants no less than 122 grubs of a curculionid beetle, a near relative of such injurious insects as the alfalfa weevil, plum and apple curculio, etc.

The danger of introducing plant diseases is just as great if not greater than that of introducing new insect pests, and with respect to such diseases inspection is a safeguard of no importance. Very often these diseases are not discoverable by inspection, or may develop to a visible stage only after a period of months or years after the plants have been imported. Notable examples of such diseases received from the Orient are the chestnut blight and citrus canker from Japan and China. With respect to the risk of introduction of dangerous diseases from Europe, it is significant that of the three serious forest diseases that have been imported into this country in recent years, two of them, the white-pine blister rust and the European poplar canker, have come from Europe, where both these diseases are well known, and in spite of the protection of the European inspection service.

A manual describing the dangerous insects likely to be introduced into the United States has recently been published by the Department of Agriculture. It was designed for the information of Federal and State inspectors, and lists and describes over 3,000 distinct insect pests. Probably half of these are Old World insects injurious to forest and shade trees, and the balance insects injurious to fruit and ornamental trees and to the various farm and garden crops. A similar manual is in preparation on the fungous diseases on plants likely to be introduced into the United States.

LOSSES OCCASIONED BY INTRODUCED PESTS.

In this discussion the actual losses now being suffered from plant enemies, insects and disease, which have been introduced from foreign sources have not been considered. These losses, occasioned by insect pests to agriculture in this country, have been carefully worked out by experts to cover both the actual damage of these pests to the crops concerned and also the cost of the control operations. This is not the place for an extended discussion, but a few illustrations may be given.

Typical examples of insect pests introduced with nursery stock or other plant material are the San Jose scale, the oriental peach moth, and the Japanese beetle. The San Jose scale has been in this country for certainly 40 and perhaps 50 years. It became widespread throughout the United States in the late nineties, and at the present time there is practically not a commercial deciduous orchard in the United States that it is not necessary to spray at least once annually to control this pest. The expenditures for apparatus and spraying alone in the United States amount to approximately $10,000,000 annually. In addition to this are the losses which the insect causes in spite of this control treatment, and they are very large, especially in small orchards and household plantings, where spraying is not always practiced. This insect alone undoubtedly has cost this country during these years upward of $100,000,000.

The oriental peach moth, which gained entry in 1912 with imported ornamental cherry trees from Japan, has just begun its spread and depredations. It affects practically all deciduous fruits, and bids fair to be a much more destructive pest in the long run than the San Jose scale.

The Japanese beetle, brought in about the same time as the peach moth, has already obtained such firm foothold that in view of its habits and powers of prolonged flight it is probably incapable of extermination, and will no doubt ultimately overspread the United States. It attacks not only practically all fruits but also many garden vegetables and corn. The amount of damage which it will ultimately cause to American agriculture is undoubtedly tremendous. It is worthy of note that this beetle, in the opinion of the experts of this department and of the State of New Jersey who have investigated the matter, was brought in by the Dreer Nursery with importations of iris from Japan. The insect first appeared in the heart of the Dreer Nurseries, and has

spread from this center over an area of approximately 25,000 acres, involving four townships in New Jersey, opposite Philadelphia.

The annual cost to this country of the San Jose scale and the probable ultimate annual cost of these other two recently introduced oriental pests, would probably pay for the total importations since the foundation of this Republic of ornamental, nursery, and florist stock. The declared value of the importation of such stock for the year 1914 was only $3,606,808. It should be understood that the plant stocks still permitted entry represent much of this value.

These insects are mere examples of a vast horde of introduced insect pests. Upward of 100 different imported injurious insects to agriculture and forestry have been thus introduced, and in addition to these, hundreds of other minor insect pests. The total annual loss occasioned by these introduced insect pests to our national forest and farm crops, etc., from careful estimates which have been made, very much exceeds a million dollars a day—in other words, approximately $500,000,000 a year.

It is true that many of these foreign insect pests have come in independently of nursery stock, as, for example, the Hessian fly, the pink bollworm of cotton, and European corn borer. Nevertheless, the bulk of the introductions have been with living plant material of all sorts.

Losses correspondingly large are chargeable to introduced plant diseases. Nursery stock and other plant importations are responsible for such important diseases as the chestnut blight, which has already destroyed the chestnut forests over much of eastern United States, and threatens the existence of the entire chestnut growth of the country, the white-pine blister rust, a disease already widespread in the eastern white-pine area, and the citrus canker recently introduced from Japan and Asia and threatening the very existence of much of the American citrus development of Florida and the Gulf coast. The attempt in Florida and elsewhere in the United States to eliminate this disease has necessitated the burning of nurseries and hundreds of established orchards. Giant oil torches have been devised which will lick up and utterly consume large fruiting trees in a few minutes, and the entire orchards in a few days. This, of course, means the destruction of property which represents thousands of dollars of expenditure and years of labor. Furthermore, Congress has appropriated and is still appropriating considerable sums to aid in the control of these pests.

INADEQUACY OF SPECIAL QUARANTINES.

To prevent the entry of like plant pests quarantines and restrictions have been applied under the plant quarantine act to all important dangers as they appear, and in this piecemeal fashion some 20 restrictive orders or quarantines are now in force against foreign plants and plant products. Such piecemeal action can only be taken, however, when the enemy is known, and gives no security against such unknown or unanticipated enemies as the San Jose scale, the oriental peach moth, and the alfalfa weevil.

NECESSITY OF GENERAL QUARANTINE.

It certainly would seem to be good business and practical common sense to stop as far as possible such dangerous introductions to the agriculture and horticulture of this country. This is the primary object of the action taken in quarantine No. 37. The experts of this department are convinced that it will be possible very promptly for the producers of this country to supply practically all the needs for plants prohibited by this quarantine, and this opinion has been indorsed by leading nurserymen and florists.

After having studied this subject for many years, and after giving earnest consideration and practical trial to the possible alternatives of inspection and disinfection of plant imports, the department and the country at large have reached the conclusion that the only possible solution of this problem, which is constantly becoming more serious with the widening of commerce, is in the policy of practical exclusion of all stock not absolutely essential to the horticultural and floricultural needs of the United States. The conclusion is absolutely a forced one that no other system will give adequate protection to the great fruit and agricultural interests of the country, and these interests are so paramount as to fully warrant the restriction prescribed at this time in quarantine No. 37.

The main lines of this quarantine are undoubtedly justified, but it is entirely proper at any time for the interests affected to make any suggestion of modification which may appeal to such interests as being warranted to meet essential needs and which can be granted without opening up dangers which quarantine No. 37 is designed to guard against. Correspondingly, should it develop that the entry of any of the plants or classes of plants now permitted should be accompanied with dangers which can not be otherwise safeguarded, on such showing the restrictions must necessarily be extended to cover such plants. In this connection the department now has prepared an amendment to regulation 3, permitting the use of sand, soil, or earth in packing the bulbs specified in item No. 1 of that regulation, when such sand, soil, or earth has been previously sterilized in accordance with methods prescribed by the Federal Horticultural Board.

C. L. MALATT,
Chairman of Board.

The CHAIRMAN. The pro forma amendment is withdrawn.

The Clerk read as follows:

For conducting such investigations of the nature and means of communication of the disease of citrus trees, known as citrus canker, and for applying such methods of eradication or control of the disease as in the judgment of the Secretary of Agriculture may be necessary, including the payment of such expenses and the employment of such persons and means, in the city of Washington and elsewhere, and cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, $196,320, and, in the discretion of the Secretary of Agriculture, no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided*, That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I do so to obtain information from the committee as to the condition of the citrus canker and its ravages throughout the South. As I recall, a year ago when this item was under consideration the gentleman stated that this pest was under control and it would be but a short time when there would be no further need of this appropriation.

Mr. LEVER. In a measure that is very true. The citrus canker has been largely eliminated from Florida and a number of the other Southern States. They have, however, a rather serious outbreak in the Rio Grande Valley in Texas. The work being done now in Florida and other States is largely a matter of investigating and inspecting certain nursery stock to see if there is any left. It will take a few years before the work is complete. Dr. Kellerman, testifying before the committee, stated that two years would probably complete this work.

Mr. STAFFORD. Of this $196,000 appropriation how much is contemplated to be used in Florida and the adjoining States, where the pest was most virulent a few years ago?

Mr. LEVER. My recollection is that it is a very small percentage.

Mr. STAFFORD. So that the greater percentage of this appropriation is to be placed for emergency use in the Rio Grande Valley?

Mr. LEVER. In real eradication work.

Mr. STAFFORD. I withdraw the pro forma amendment.

Mr. LEVER. The gentleman will observe there is a decrease of $50,000.

The Clerk read as follows:

For soil-bacteriology and plant-nutrition investigations, including the testing of samples, procured in the open market, of cultures for inoculating legumes, and if any such samples are found to be impure, nonviable, or misbranded, the results of the tests may be published, together with the names of the manufacturers and of the persons by whom the cultures were offered for sale, $39,060.

Mr. RAYBURN. Mr. Chairman, the civilized world has just passed the supreme crisis in its history. Civilization and its right to exist has been put to its bitterest test. War has been waged between two antagonistic and irreconcilable systems of government—on the one hand a government of brute force administered by the few, and on the other government by designated representatives of the masses. Out of this clash of contending systems may we hope that lasting good to all the world may flow.

In this great conflict in which right and justice contended successfully and victoriously against all the minions of autocracy and infamy the United States played no small part. A more magnificent army of brave and sturdy young men never went to battle with a sublimer courage nor in a juster cause. All honor to them for the part they have played. Nothing that we can do will be too good for them when they return nor in the years that are to follow. Nothing that we can do for them will be more gladly received by them nor do them and their posterity as much and lasting good as to preserve for them the best government ever devised by statesmen.

These intrepid young men went forth to fight for this Government and its rights, not for some other form of government or its rights. They went forward with zeal and glee to fight for this Republic and its great institutions. We should make it our highest hope and our first ambition to preserve for them when they return a representative Republic and not a conglomerate mass of socialism and all the other isms.

The great work of this war has been finished, and let us hope that in finishing this task we have put war so far in the future that none now living will ever again be called from the wonderful arts of peace by the dreaded note of martial music.

With this task now completed, we turn to the tragic days of reconstruction. I say "tragic" because I think they are the most momentous days that this Republic has faced since the curtain rose on American history. The coming months are freighted with more opportunity for evil than any ever faced, not excepting those following the great War between the States, when so many foolish and unnecessary things were done by people in the atmosphere of passion and prejudice.

I fear that the trend of the times is a sinister portent for the preservation of the Government that our soldiers fought to continue. Instead of the established way of curing evils that grow up in industry, by legislating to correct those evils, from many quarters the only suggestion that comes is for the Government to take over, own, and operate the industry—and every time some sick and tottering makeshift of an industry gets into the deep waters of real affairs it comes running to the Government, crying "Take me ere I perish."

When the Federal Trade Commission had a short time ago conducted an investigation into the packing industry of the country and found that evils existed—and I do not doubt there are many that should be corrected—they did not come to Congress with a recommendation of a program of legislation to correct these evils and divorce the packing industry from some of the many lines they have taken up, which the commission reports is not just and right to the public, but they came with a single recommendation that the Government take over and operate the allied lines of the packing industry.

Then comes the assertion that the telephones and telegraphs are not performing the functions for which they were intended and that evils have grown up in their operation, which I believe is correct. Does a recommendation come from the Postmaster General, who now has charge of the telegraphs and telephones under the war power, of a program of legislation to correct these evils and force the telegraphs and telephones to well serve the people and the Government? No; but the single recommendation that the Government take over, own, and operate the telegraph and telephone lines. What do we find in connection with the telegraph and telephone lines? Complaint from every portion of this land comes of the poorer service and a higher rate. I want to say that I am in favor of restoring the telegraphs and telephones to private control, under Government regulation, at the earliest possible moment.

Mr. Chairman, the greatest problem that we face to-day is the railroad question. The question is, Shall we keep the railroads or with proper legislation turn them back to private control? I am not now nor have I ever been in favor of Government ownership of railroads, and nothing that has happened in the recent past in Government operation has caused me to lessen my opposition to Government ownership of railroads, but has intensified that opposition. I here and now make the broad assertion and defy successful contradiction that Government ownership in practical results has been a dismal failure the world over. Everywhere it has brought higher rates, more unsatisfactory service, and a lower wage to labor. I am within the facts when I say that every country in Europe except England has now or has had in the past some form of Government ownership of railroads, and I am further within the facts when I say that statistics show beyond a doubt that in the whole of Europe it costs as much to haul a ton of freight 1 mile as it does to haul a ton of freight 2 miles in the United States, with a poorer and more unsatisfactory service, both for freight and passengers.

Take Prussia, where Government ownership is at its best, where it is operated under the best conditions anywhere in the world, the haul on the same commodity is just about twice as much as it is in the United States. These conditions exist in Europe, where the railroads are standardized, and where the country is fully developed—where all the railroads that are needed or wanted have already been built and are in operation. How much more burdensome and expensive would Government ownership be in a country like ours, where so much of our country is practically undeveloped, and where people are crying for the expenditure of enormous sums to extend existing lines and to build new roads that are necessary for the development of virgin territory? How much higher would freight and passenger fares mount here, when the Government can not now run the roads without an enormous deficit, even though the rates have been increased to an unheard-of extent? Private initiative and the hope of ultimate profits only will cause the hazard of new roads into new and undeveloped territory. Individuals always operate industry more economically than government.

What magic has been wrought anywhere at any time with Government ownership of anything that would cause this wild shriek of the centralizationist in favor of plunging this country into this maze of destruction to the fundamental principles of this Republic? I make the assertion here and now that under the interstate-commerce clause of the Constitution the Government has all the regulatory power over the instrumentalities of interstate transportation that it would have under Government ownership. If the Government should encumber itself with the ownership and operation of all the railroads, it would involve itself in political confusion and corruption unspeakable, which alone would offset any possible advantage suggested by the disordered mind of the wildest theorist. Government ownership has been the football of politics everywhere. The man who thinks for a moment that Government ownership and operation will take the railroads out of politics is indeed a shortsighted man. If we had Government ownership of railroads there would be more political logrolling by Members of Congress and influential organizations to get new roads built, existing lines extended, and ornate depots built in ambitious towns than there has ever been with the rivers and harbors or with public buildings, with all the reported stench of "pork barrel."

Gentlemen talk of Government ownership lightly and seem to think that it would be an easy transition from private ownership and control to Government ownership and operation. They seem to forget that at one fell swoop they would add more than $20,000,000,000 to our national debt. On December 13, 1916, the latest date for which the Interstate Commerce Commission has complete figures, the total outstanding capitalization of all the railroads in the United States amounted to $20,679,350,501, of which $8,958,815,801 was stock and $11,720,534,690 was bonds. There are in the United States to-day 503,833 stockholders, and the Interstate Commerce Commission reports that they do not have a definite number of bondholders, but there are probably as many bondholders as stockholders.

Do you think that it is a small question when we start out to try to deal with these billions worth of property and with a million stock and bond holders of this country? It matters not whether the stock and bonds which they hold represent value or not, at least all the small stock and bond holders have paid value for their holdings. You would also by this one stroke add 2,000,000 employees to the Government, which would again add to the politics of the situation. The politicians would at that time be torn between two contending factions—the public on the one hand demanding better service and a lower rate, with 2,000,000 employees on the other hand demanding increased wages. I believe that every laboring man should have a wage that is a living wage, provided he earns it. I think that wages in many lines, and especially in the railroad service, have been too low in the past; some of them have probably been high enough. It is not because I want to defeat the ends of labor, whereby a man may receive a wage that he can support himself and his family decently, that I oppose Government ownership of railroads, but I believe that a great many employees of the railroad companies have been misled into supporting Government ownership of railroads on the one ground only, and that is that under the recent Government operation they have received a higher wage than they did in the past. Does labor want to go on under a system where merit commands promotion and where the humblest man may aspire to the highest place in the service, or does he want the good jobs to be handed around as political plums to some one because he supported some particular man or some political party?

In the United States under private control, even before the recent increase in wages to the employees, the employees of railroads received the best wages and had the best hours of labor of any class of railway employees on earth; but with the Government owning the railroads, with 2,000,000 men on one side demanding higher pay, with the other millions of Americans on the other side demanding better and cheaper service—does the railroad employee believe that he would be able to command higher wages when the organized taxpayers of the country felt the tremendous burden of increased rates that always goes with Government ownership and operation of railroads?

Talk of taking railroads out of politics by Government ownership! Gentlemen have only to refer to the history of countries that have tried it. In some of the countries that have Government ownership of railroads the politics of the situation has become so bad that every person high or low employed by a railroad has been denied the right to vote for any member of the legislative branch of the government. It would build up here at Washington a bureau government the like of which has never been seen in the world, and no one who has read history with any degree of understanding will deny that a government by bureau is the worst and meanest autocracy upon the earth.

Ah, gentlemen, shall we send forth our gallant young men to fight and die to destroy autocracy and tyranny in a foreign land, and at the same time allow to be built up in our own land another kind of autocracy? In this hour of reconstruction and hysteria we had better go slow in throwing off the tried and tested and taking on the new and untried. Every consideration of the public welfare, it seems to me, argues against government going into any more business than it is now in. It is the province of government to govern business where there is need, not go into business. If the American people are ready for higher taxes, higher, more expensive, and more unsatisfactory service, they are ready for full Government ownership and operation of industry.

If the cotton farmers of the South want higher rates on cotton shipments, which will be taken from the price of cotton, and hence a lower price, they are ready for Government ownership of railroads. If they want a system under which the service will be poorer, as is the case in all countries that have had Government ownership and operation, then they are ready for Government ownership. I do not believe they are ready for this or want it.

Everyone knows who is not blind to the facts that we have race feeling in some sections of the country, where whites and blacks are not now and never will be on an equal social plane. Do the people of these sections want the separate coach law abolished and whites and blacks made to ride in the same cars? I tell you frankly, this is what will happen, as Congress will never pass a law nor uphold one forcing whites and blacks to ride in separate coaches. This matter alone would add fire and action to this question that we are all seeking to keep from flaming into destruction.

Is it possible that government is so impotent that it can not deal in a legislative way with the great problems of industry, or will the statesmen of this hour acknowledge their inability to cope with the situation and surrender to this form of bureau autocracy that is against the genius of our Republic and its institutions and which will, if adopted, ultimately destroy our form of government?

Government ownership of railroads would destroy every sort of competition in facilities and service, and no one who knows the situation will argue but that the conveniences to the public in travel are brought about by the competition in service and facilities.

Under private ownership we have built up the greatest and most efficient and extensive railroad system in the world. In America we have, by the latest official report, 252,029 miles of railroad. The next country approaching this in number of miles of railroad has about one-sixth as many miles of railroad as the United States. There are only seven countries in the world that have more miles of railroad than the State of Texas. Do you think that under Government ownership, with all of its attendant ills, we would to-day have the great system that we have? I warn the people of the undeveloped sections that they had better think twice before they embrace this Government-ownership theory. All the money that could be raised would not be enough to make the improvements wanted in the developed sections where they have enough representation here to outvote the sparsely settled sections. I here put in the RECORD the number of miles of railroad in the leading countries of the world:

Number of miles of railroad in the leading countries of the world.

Country.	Year.	Miles.
United Kingdom	1914	23,701
Germany	1913	37,894
France	1913	25,373
Belgium (State)	1912	2,913
Holland	1915	2,339
Switzerland	1913	3,292
Italy (State)	1913	8,461
Austria	1913	14,434
Hungary	1913	13,520
Denmark (State)	1914	2,333
Norway	1917	1,975
Sweden	1912	8,650
Spain	1913	9,291
Portugal	1910	1,521
Russia	1910	41,622
Western Australia	1917	3,370
Bulgaria (State)	1913	1,242
Roumania	1913	2,205
Canada	1917	38,601
Brazil	1912	10,821
Argentina	1914	21,161
Japan	1917	5,853
India	1915	35,285
Egypt (State)	1912	1,485
South Africa	1915	9,209
New South Wales	1917	4,313
New Zealand	1917	2,970
Queensland	1915	4,939
Victoria	1917	4,104
South Australia	1917	2,221
United States	1917	252,029

During the next two years the opponents of these doctrines must be vigilant, as there is going to be conducted a campaign for Government ownership the like of which this country has seen few times in the past. I know not what course others may take, but as for me I intend to resist with all the force I possess any attempt to commit the party of which I am a member to this destructitve and socialistic heresy.

I thought when we passed the railroad-control act that the railroads should be held a reasonable time after the war for good reasons, and the principal of these was that whatever remedial legislation was desired should be passed. The act provides 21 months after the formal ratification of peace. I thought then, and think yet, that this period was long enough, and I sincerely hope that the necessary legislation may be passed and that they may be turned back to private control at even an earlier date. I therefore do not favor the recommendation of the Director General of Railroads to extend the Government operation for five years after peace is declared, for I know if Government control is extended for five more years that it means permanent Government ownership and operation. Millions of money must be spent upon the railroads within the coming five years, and I know that with all of these millions of Government money in the railroads that we will be so enmeshed in Government operation and control financially that we can never get out.

The retiring Director General of Railroads says that he wants this five-year extension of Government control in order to take the question out of politics, yet a five-year control would place it beyond two more presidential elections. The incoming Director General of Railroads says that he wants a five-year extension of Government control so that the question may be fully discussed in the political campaigns that are to come. The same as I am against a five-year extension of Government control because I know that the question is to be unsettled and in the politics of the country for five more years, I am also against the recommendation of the railroad executives that a secretary of transportation be named as a member of the Cabinet, and as others argue the railroad executives say they want to take the question out of politics, yet they would name a Cabinet officer secretary of transportation as the supervisor of railroad operations in this country, whose office would change with each changing administration and would plunge the question into politics and keep it there continuously.

Much has also been said about regional control. I have not yet heard a plan announced for regional control and operation of railroads that I believe is feasible. If we have regional operation of railroads we must do one of three things, in my opinion. We must first have one control and one ownership in the region which would be necessary if we are to have a region, in order that poor roads and rich roads alike may survive; for under one single system the profit or loss would be spread out over the whole system; or, second, in this region rates must be set high enough, if there are to be separate systems, that the poor road can get enough money to maintain itself, which rate would allow the rich road to make more than would be just and fair, and the only way that this could be equalized would be to tax out of the rich road above a certain percentage of its earnings the remainder of its earnings; or, third, a rate must be set in that region on all railroads, considering the rich and the poor road, which would be presumably just and reasonable, but under which the rich road would make money and the poor road would lose money, and that the surplus of the rich road would be taken and applied to the deficit of the poor road.

These are the only three ways that I can understand or that I have heard advocated that a region be adopted and operated, and I can not subscribe to either. Instead of destroying the State commissions, as some would advocate, they should be used for all of the valuable information that they may possess and allowed to exercise their proper functions, and in this way make the State commissions the directors for the State regions. I quite agree, therefore, with the recommendation of the Interstate Commerce Commission that a better understanding should be brought about between the State and Interstate Commissions. They are both great instrumentalities for good, and instead of the antagonism that has heretofore existed between them they should work in the fullest harmony. I believe further that when the Interstate Commission is considering a case that affects a railroad that enters a State that the commissions of those States should be officially notified and allowed to appear either in person or by representative.

Mr. Chairman, I can see nothing in the present situation that make it any supertask as to turning the railroads back to private control, and I fear that the idea that is so prevalent that some radical changes must be made and a maze of new law enacted will cause the advocacy and probable passage of wild and needless legislation. There are some things that I am definite should be done and some that should be given our best consideration, which at this time I am not sure as to the wisdom. When I say that I think private control and ownership is much preferable to Government ownership and control, I do not mean to justify many acts of railroad management for many things done in the past, nor acquit them of the injustices that they have practiced toward the public. A railroad wrecker is a commercial highwayman and should be dealt with as any other robber. He should have the extreme penalty of an extreme law.

Much complaint has come from the railroads that they have been unable to raise money by sale of their securities to make needed improvements. This lack of confidence of the investing public in railway stocks and bonds has been the fault of the railroad owners themselves. In the past they have issued and sold securities based on nothing but wind and water that represented nothing in the hands of innocent purchasers but hope, and that has usually been a vanishing hope.

In 1914 I introduced a bill to give the Interstate Commerce Commission control over the issue of securities of railroads, which bill passed the House almost unanimously but never got through the Senate. I still advocate the measure as one of the vital things that should be done before the railroads are turned back to private control. I believe that before the railroads should be allowed to issue any additional securities, that they should come before the Interstate Commerce Commission, present their full case, and be forced to justify the issuance of

these securities; lay before the Interstate Commerce Commission what they intended to do with the money and receive the approval of the Interstate Commerce Commission of the issue before they are allowed to put them upon the market.

After these securities have been put upon the market and sold, the railroads should then, at the call of the Interstate Commerce Commission, be compelled to go in and show that they spent the money for the purposes for which they asked that the issue be made. I believe that it should be made so that railroad securities in this country should represent value the same as any other sort of security. The railroad companies should have no secrets from the public; therefore their books and papers, letters, files, and all should be open to the inspection of the accredited representatives of the Government. When the railroads make an application to the Interstate Commerce Commission under this system for approval of an issue of securities, the different State commissions, through which the railroad runs, should be notified of the application and of the hearing, and be allowed to appear in person or by designated representatives to present the facts as they get them from their supervision of the railroads in their State. And while I am upon this point I desire to say that power should be given so that there may be a complete and a definite understanding between the Interstate Commerce Commission and the different State commissions. In other words, I would adopt the recommendation of the Interstate Commerce Commission, which is as follows:

That, without abdication of any Federal authority to finally control questions affecting interstate and foreign commerce, the commission be authorized to cooperate with State commissions in efforts to reconcile upon a single record, the conflicts between the State and the interstate rates.

There should be a better unification of service and especially of terminal facilities. The railroads should be allowed or should be forced to have common terminals, operated so that there will be no discrimination between roads. There should also be a unification of ticket offices, which would, indeed, effect a saving. I also believe that under the strict supervision of the Interstate Commerce Commission that some forms of pooling of traffic and equipment should be allowed.

Furthermore, I think that under proper supervision freight should be routed over the shortest or the least-congested lines, to the end that it will reach its destination in the shortest time and hence in the least expensive way. Then, I think that the question should be taken up and well considered as to giving the same body that controls the rates the power of control over wages. This is a question upon which I express no definite belief at this time, but one that I think within the 21 months that we have for Government operation should be considered. Federal incorporation is advocated from many quarters. This is a question that should be taken up and given the fullest consideration. However, I at this time express doubt as to its wisdom or as to the country being ready to receive it.

There should be some way devised in railroad operation under which there would be a better understanding between employer and employee. It should no longer be that each should think that the other is his enemy. I sometimes think that probably the man who gets promoted to one of the higher positions forgets that the fellow down in the ranks from which he came is the same kind of a fellow that he was when he was also down in the ranks.

Mr. Chairman, the railroad question is only one of the many seriously important ones that will come before the Congress for consideration. None are so tremendous that they can not be solved if the statesmen of this day will, without fear, speak their minds and vote their convictions. This I intend to do. I know if I am right that my people will sustain me. I have supreme confidence in the fairness and intelligence of the American public, and I would warn the politician of this time that the great heart of America is sound and will stand for no attempt at deception. We have a great opportunity and a great work to do. Let us put our hand to the plow and not look backward until this labor is done.

Mr. Chairman, I believe in this Government and its institutions. On my desk and in my room at my hotel and also on my desk at home, down on the farm in Texas, I keep a copy of the Constitution. When I read it I many times think that the men who wrote must have been inspired by the One who notes even the sparrow's fall and knows all things. We should wait long before we do anything that would change the fundamentals of the Republic. Next to my religion, I believe in my Government, and if I should ever attempt knowingly and purposely to strike at its foundation, I hope that my best arm may fall useless to my side and that my tongue may speak no more.

Give us men at this tragic hour with strong hearts and true; men who are willing to sacrifice; men who are willing to lay political ambition on the altar of right and justice; men who will use their God-given talents to a fearless solution of these mighty problems and to the preservation of the best and freest Government ever devised by the wisdom of statesmen or wrought in the blood of heroes.

For the information of Members, I here insert in the RECORD the bill as introduced by me for the control of the issuance of securities by common carriers and which passed the House in June, 1914:

SEC. 20a. That from and after the passage hereof it shall be unlawful for any common carrier subject to the act to regulate commerce, as amended, to issue any capital stock or certificate of stock or any bond or other evidence of interest in or indebtedness of the carrier (hereinafter collectively termed "securities"), or to assume any obligation or liability as lessor of another carrier, or as lessee, guarantor, surety, or otherwise in respect of the securities of any other person, natural or artificial, if connected with or relating to that part of the business of such carrier governed by the act to regulate commerce as amended, even though permitted by the authority creating the carrier corporation—

(a) unless it be for some purpose within its corporate powers and in the public interest, necessary or appropriate to the proper performance of its service for the public, and not intending to impair the financial ability of the carrier to discharge its duty to the public; and

(b) unless and until, and then only to the extent that, upon application by the carrier, and after investigation by the commission of the purposes and uses of the issue and the proceeds thereof, such issue is approved by order of the commission as reasonably necessary or appropriate for the purposes stated.

"Each such application shall be made in such form as the commission may from time to time determine and prescribe, and shall set forth such matters as the commission may require, including:

"First. (a) The total amount of proposed issue, and how authorized by or on behalf of the carrier;

"(b) The number and amount of all of its securities outstanding at any time prior to the date of such application, the amount thereof retired prior to said date, the amount thereof then undisposed of, and whether such amount is held in the treasury of the corporation as a free asset or pledged, and, if pledged, the terms and conditions of such pledge;

"(c) The number and amount of securities then to be issued, and whether to be sold, pledged, or held in the treasury of the corporation as a free asset, or otherwise disposed of or applied, as the case may be, specifying number and amount in each case; if any such securities are to be sold, the terms and conditions of sale; if any part of the consideration to be received therefor is other than money, an accurate and detailed description of such consideration; if any such securities are to be pledged, the terms and conditions of pledge; or if other disposition or application is to be made, a full and detailed explanation thereof;

"(d) The number and amount of its securities so authorized, but not then to be issued;

"(e) If the issue is of shares of stock, the number thereof, the face or par value thereof, if any, specifying whether common or preferred, and the number and kinds of then outstanding shares previously issued.

"Second. The preferences or privileges granted to the holders of any such securities; the dates of maturity, rates of interest, or fixed dividend, whether cumulative or not, and any conversion rights granted to the holders thereof, and the price, if any, at which any such securities may be retired or redeemed.

"Third. The purposes to which the proceeds of the issue are to be devoted, in such detail as the commission may require.

"Fourth. In case of proposed assumption of any obligation or liability in respect of the securities of any other person, natural or artificial, like showing shall be made as to the financial condition of said other person, as also of the objects sought and benefits to be realized by the carrier from such assumption, to be accompanied by copies of any agreements or contracts therefor.

"Every application for authority, as also every certificate of notification hereinafter provided for, shall be made out under oath, signed, and filed on behalf of the carrier by its president, a vice president, auditor, comptroller, or other executive officer having knowledge of the matters therein set forth and duly designated for that purpose by the carrier.

"Whenever any securities set forth and described in any application for authority or certificate of notification as pledged or held as a free asset in the treasury of the carrier shall, subsequent to the filing of such application or certificate, be sold, pledged, repledged, or otherwise disposed of by the carrier, such carrier shall, within 10 days after such sale, pledge, repledge, or other disposition, file a certificate of notification to that effect, setting forth therein all such facts as are required by subdivision (c) of the foregoing first paragraph, or as may be required by the commission.

"Upon application to the commission for approval of proposed issues of securities the commission shall cause notice to be given to the railroad commission or public service or utilities commission, or other appropriate authority, of each State in which the applicant carrier operates. The railroad commission, public service or utilities commission, or other appropriate State authority, thus notified shall have the right to present before the commission such representations as they may deem just and proper for preserving and conserving the right and interests of their people and the States, respectively, as involved in such proceeding. The commission may hold hearings, if it sees fit, to enable it to determine its decision upon the application for authority.

"Nothing herein shall be construed to imply any guaranty or obligation as to such issues on the part of the United States.

"The foregoing provisions of this section 20a shall not apply to notes to be issued by any said carrier maturing not more than two years after the date thereof and aggregating not more than 5 per cent at any time of the securities of said carrier then outstanding. Within 10 days after the date of such notes the carrier issuing the same shall file with the commission a certificate of notification, in such form as may from time to time be determined and prescribed by the commission, setting forth as nearly as may be the same matters as those required in respect of applications for authority to issue other securities.

"The commission shall require periodical or special reports from all carriers hereafter issuing any securities, including such notes, which shall show, in such detail as the commission may require, the disposition made of said securities and the application of the proceeds thereof.

"All issues of securities contrary to the provisions of this section may be enjoined by any court of competent jurisdiction at the suit of the United States, the Interstate Commerce Commission, or of any direc-

tor, officer, or stockholder of the carrier proposing to make the issue; and any director, officer, attorney, or agent of such corporation who assents to, or concurs in, any issue of securities forbidden by this section 20a shall upon conviction be punished by a fine of not less than $1,000 nor more than $10,000, or by imprisonment for not less than one year nor more than three years, or by both such fine and imprisonment, in the discretion of the court.

"From and after the passage hereof it shall be unlawful for any officer or director of any operating carrier to receive for his own benefit, directly or indirectly, any money or thing of value, in respect of the negotiation, hypothecation, or sale of any securities issued or to be issued by said carrier, or to share in any of the proceeds thereof, or to participate in the declaring or paying of any dividends of an operating carrier from any funds properly included in capital account, or otherwise than from the revenues of said carrier. Any violation of these provisions shall be a misdemeanor and on conviction in any United States court having jurisdiction shall be punished by a fine not less than $1,000 nor more than $10,000, or imprisonment for a term not less than one year nor more than three years, or by both such fine and imprisonment, in the discretion of the court."

I here insert in the RECORD a statement made by the Hon. W. C. Adamson, at that time chairman of the Interstate and Foreign Commerce Committee of the House. This statement was made at the time Judge Adamson was retiring from Congress and from membership on the Newlands committee. It is so full of wisdom and good common sense, for which he was famed, that I can not refrain from here again calling the attention of Members of the House to it:

STATEMENT OF W. C. ADAMSON, VICE CHAIRMAN AND MEMBER OF THE JOINT SUBCOMMITTEE.

Mr. ADAMSON. Mr. Chairman and associate members of the joint subcommittee, inasmuch as I am to sever my connection with the committee and not be present to join in a report, I shall embrace the opportunity afforded by the committee to express a few of my impressions.

It is obvious to me from the investigations held in San Francisco and general conditions that during the war it is not practicable to give satisfactory consideration to the subjects before the committee, much less to make a final report. The public attention is so engrossed in subjects connected with the war as to be reflected in the testimony of every witness. Naturally, witnesses are considering war conditions, and when we try to consider permanent peace practices and regulations the tendency is to try to apply to them the same treatment that is appropriate to war conditions, which is a mistake.

The truth is, all consideration should be given now to war conditions until we win the war, which we must and shall win sooner or later at all hazards regardless of cost. Until that is done all other considerations must be subordinated and all plans and arrangements for peace conditions, such as conducting business in time of peace and the securing of prosperity through private and public enterprise, must be postponed until that period arrives. The mischief of confounding plans for operation in time of peace with war conditions is that diametrically opposite conditions require entirely different treatment. In time of war we need centralization and consolidation, national mobilization of all instrumentalities and all lines of business, and individual enterprise must submit to such conditions of regulation and control as will support war purposes, whereas in time of peace we need general diversification and dissemination of enterprise and energy so as to enliven every portion of the country, stimulate every avenue of business, and production and distribution through individual and local enterprise under local control, which make the ideal conditions of peace.

We have already provided for the mobilization of our industries and resources during the war with a dispatch and efficiency unrivaled by any democracy, if not unrivaled in history, and this in spite of the fact that pessimists have prophesied this was impossible. We must not allow special and designing interests to take advantage of feverish and abnormal conditions during war to perpetuate these conditions to fetter and cripple honest private enterprise, investment, and prosperity when peace comes. During the war discussion of matters in time of peace hereafter to come can be at best but academic—in fact, if indulged in should be only academic, else it might produce either one or two evils—first, diversion of attention necessary to war maneuvers; second, perpetuation of war methods and application of them to peace times.

The propositions of the railroads were made before our participation in the war, and we entered upon their consideration. I hope my views on their propositions may be of some value in the final conclusions of the committee.

The basis of the railroad propositions is the lack of sufficient revenue and repressive, punitive, and unfriendly legislation. It is obvious that the railroads need revenue, but it is equally obvious that their representations have grossly exaggerated the situation and placed it before the committee in an imperfect light, not discriminating between strong and weak railroads and not disclosing to the committee the different figures and conditions of different roads nor assigning the true causes of such financial straits as exist.

Our railroad system is the pride of the country, the best and greatest in all the world, even after making allowance for the lamentations of all the pessimists. It must be preserved, but admission of the fact that it must be preserved does not logically lead to the conclusions insisted upon. I think every railroad in the country should be made safe to the public, safe for life and limb of travelers, and safe for prompt and expeditious carriage and delivery of all property, and it should be safe to the investors in the sense that they are allowed to enjoy profitable return on their money invested, and safe to the operators who depend upon their personal labor and attention for the daily bread of themselves and their families.

The excuse for appealing to Congress for redress is that the Government has hampered the attainment of these ends by repressive and restrictive regulation.

The carriers, in order to insure an ideal system conforming to the condtions which I have already stated, should be enabled to furnish in some places three and four tracks and more, and in all places double tracks, sufficient terminal facilities, and motive power promptly to transport all passengers and freight. It is believed that fair treatment of the public, such as they are entitled to, would insure to the railroads revenues, enough to meet all these demands.

Is it true that the railroads have been deprived of realizing these necessary revenues through unjust and punitive regulation? I deny it. When attention has been called to particular measures for regulation, it has been admitted by the advocates of this revolution that such has not been the result of a single Federal statute. The basic principle of our system of regulation is that rates and practices must be "reasonable and just." No honest man can object to that. Railroads should not make money by rates and practices that are not "reasonable and just."

They can not complain of a general system of regulation, because, although fighting such regulation at every step, the carriers themselves now generally admit the wisdom of the legislation. It can not be claimed that the prevention of rebates and special privileges was injurious or repressive, because many of the carriers themselves advocated that legislation. They can not deny that the law prohibiting the issuing of free passes resulted to their benefit. In fact, they told the House Committee on Interstate and Foreign Commerce that if relieved of that burden they would carry passengers at a much lower rate. Free transportation should be forbidden. The transportation of employees should not be called free transportation. It should be provided for as a part of compensation.

They can not complain at the safety-appliance laws, for the carriers have generally participated in that legislation and have sanctioned the general principles, claiming usually that they have voluntarily been doing all that legislation or necessity required.

Without further enumeration it is safe to say, as I have already done, that no particular act can be justly criticized by the carriers as punitive and unduly restrictive.

Then they reduce the statement to the general complaint that they can not make profits because we control their practices, their rates, and their revenues, and that it is all done by politicians and not by business men. That statement is refuted by the fact that the Committee on Commerce in the two Houses have been composed for generations of the very best business men in the country, not only able lawyers, but men who have had experience in all sorts of litigation concerning transportation and other business, and they have had the advice and assistance in every instance of all the available skill and experience of the railroad experts both in administrative and operating departments of carriers in the United States.

When driven, however, from criticism of Federal regulation they say the trouble is with State regulation, and they want to be freed from 48 different masters. Well, if we taken your position and viewpoint with the millionaire investor, with no interest in the carriers or in the public except to derive dividends from stock or bonds, or take our place with the high-salaried directors and officers of the companies who wish to avoid all regulation possible, and all friction and labor possible, in transacting their business, we may be able to reconcile our minds to revolutionizing our system of government, denying and dethroning the authority of the 48 States, depriving local communities of conveniences and assurance of proper consideration and service in order for one central authority at Washington to make easy corporate operation and render certain large dividends by the proposed step. That view of the case, however, assumes and sanctions a historical and political revolution of our system.

The sovereign States were here first. They made the Government. With them rests the propagation of natural persons and the creation of artificial persons or corporations. Before railroads were ever dreamed of the makers of the Constitution realized that some States were discriminating against other States and that it was desirable that interstate commerce should freely operate throughout all the States. In order to overcome the discrimination of one State against another State, the commerce clause of the Constitution was enacted, giving the Federal Government the power to regulate interstate commerce.

It was not adopted for the purpose of destroying the power of the States to regulate transactions wholly within their borders, but for the purpose of enabling each State, while surrendering the power of discrimination against other States, to do business in all other States on equal terms. No purpose of the Constitution has been so widely perverted as has this particular proposition, intended solely for the purposes stated.

When we examined the great and able lawyer who represents the committee of 15, representing a portion of the railroads in the United States, he in his honesty and candor admits that that power of the Constitution does not authorize Congress to go into the internal affairs of any State in railroad matters or otherwise. But he proposes, at the behest of the committee which he represents, a system of Federal incorporation, and then he admits, as a lawyer, that a Federal corporation will have no more rights under the commerce clause of the Constitution than a State corporation. Congress, under that clause of the Constitution, has plenary power over all instrumentalities alike, no matter where a man is born nor where a corporation is chartered nor where a partnership has its headquarters, for physical and sovereign control over all such instrumentalities applies alike to all, without exception or qualification. The qualification applies not to the form or person of the instrumentality or its origin but only to a line of demarcation, to wit, is the operation within a State exclusively or does it appertain to more than one State?

The truth is that the idea, not of the distinguished lawyer who represents the railroad committee—he would not entertain such a thought—but it is prevalent throughout the country that there is a glamor and potentiality apparently investing anything with a Federal name that carries irresistible force everywhere that, bearing such credentials, an agent claiming Federal authority will infringe and fudge and the people will yield. Something akin to moral intimidation will break down local opposition and barriers and that a Federal incorporation would enable things to be done with less friction and resistance. That idea is fortified by a long historical list showing different assertions about the intendment of the clause and the manner of its construction—a long list dangerous to our liberties in connection with the Federal Government.

When that compromise was agreed upon Jefferson and his disciples apprehended and Hamilton and his disciples fully anticipated that Federal construction would lead to the extension of the powers conferred by Federal Constitution, and that accordingly by construction the centralizing idea which seemed to fail of expression in the Constitution would reap full fruition by construction. For strict construction a large number of wise patriots in the country have always contended. Unless we stand with that body of wise patriots we will hasten the destruction of the Republic, which will inevitably come sooner or later through liberal construction which permits Federal legislation and enforces it by more liberal construction.

Entertaining such views, I regard Federal incorporation not only as dangerous but as entirely unnecessary. The proposition "to rid the carriers of 48 masters" is a misleading statement. The persons who bought up these railroads have done so of their own volition, which they had a right to do and operate them cum onore, induced thereto solely by financial considerations. The proposition to change

our form of government to add to their convenience or gains is entirely untenable. The charters granted by the States were intended for local purposes and were consented to by the people from considerations of local conditions, convenience, and profit. Rights of way, local concessions, local control of schedules and connections, the prosperity of towns and communities based on such considerations were all moving factors in original construction.

The fact that final ownership of these railroads has passed to bondholders, stockholders, and other chance investors does not justify disregard or destruction of these conditions. To say that our transportation is a national question is a misleading catch word. It sounds big and is useful in time of war, as has already been shown. In time of peace it is a matter for local consideration. The country is made up of local population and local and individual interests. Its greatness depends on local enterprise and local prosperity. It is sometimes convenient for a tourist or commercial man to hurry from Boston to California, but it is irritating to the local communities, on which the carrier is dependent for its prosperity, to see these palace trains dash by without noticing the localities on which they depend for revenue and verdicts in the courts while relegating the local population to second-class trains, which run before day and after dark, and which often make long waits at connecting points for those selfsame through trains. It would be profitable to the carriers to stop and study considerations of sound policy right there. Furthermore, it is not true that any of these carriers have as yet succeeded in dominating 48 States by ownership of all the railroads. It will be a sad day when they do; but if they should, it would not justify them in changing all laws to suit their convenience in all States.

Every business man has a right to do business in every State, but when he goes away from his own State he must behave himself as a gentleman and conform to the local police regulations for morality and good conduct in all those States. The owners of railroad stocks and bonds and the officials of the carriers are mere humans, citizens of the United States and of the various States, and have no superior right to claim any greater immunity from local submission than have other citizens.

The restrictive provisions contained in Federal and State laws are all leveled at bad men, not good ones. They do not inflict injustice and are not offensive to any honest railroad man any more than laws against immorality and crime are offensive or repressive to preachers and other good men in the country. Such laws are made for the protection of good men by curtailing the evil conduct of bad men.

All benefits of the commerce clause of the Constitution can be easily secured under the present plan of regulation. If we destroy the present Commerce Commission and establish regional commissions, the regional commissioners would be appointed at Washington. They would not be representative of the localities. They would not necessarily be representative of the public view in any locality, and under any suggested plan of review or appeal ultimately all authority would be exercised by some sort of commission at Washington. The new plan like the present plan must be executed by mortal men and their efficiency depends on their personal merits and efforts. The Federal Government can secure just as good men under the present system as under the proposed new plan. The trouble with reformers now and always has been, if you can call this a reformation, is that instead of trying to correct abuses by amending existing systems and executing existing laws they always want to do away with what exists already and undertake new legislation and new systems. If the reformers would first try to enforce present laws awhile, at least far enough to give them a fair trial, and suggest necessary amendments, it would be found much wiser and better.

We have lately amended the present law by adding two commissioners and authorizing subdivisions of the commission, each with power of the commission, with the action of each subdivision subject to revision by the entire commission. The membership should be increased to 15, and they should be selected from every part of the country. There would be no difficulty in providing for and carrying out the present scheme, and it would be better if the commissioners should hold investigations in all parts of the country and discontinue the present system of making these investigations through agents and examiners. If $10,000, the present salary, will not secure the ablest men in the country, it is easy to increase that salary. It is the most important body in the country and should be composed of the ablest and best men, and that could and would be accomplished as easily as with any other possible board.

Every benefit possible under the commerce clause of the Constitution can be realized under the present system. The line between interstate commerce and internal police authority is not definitely defined. It is a matter for ascertainment in each particular case. It is certain the Federal Government is the final arbiter as to where that line can eventually rest. If the present commission has not sufficient authority to condemn every State act which interferes in any way with interstate commerce, Congress can easily make that power clear. When Congress enacts such a statute and the Supreme Court construes it, then it is final.

I apprehend that ultimately the action of the Federal Government will leave very little control over transportation in the States themselves. Every transportation company, railroad or otherwise, which is necessary to the service of the people can be made a participant in interstate commerce, whether it desires so or not, for it can be connected with interstate carriers. Then every act of a State touching that carrier which interferes in any way with the free operation of interstate commerce will be illegal and void when the Federal Government occupies the field. It is certain it may do so and it seems inevitable it will do so. If so, let it come in an easy, progressive, constitutional, and natural way and not be precipitated by sudden and violent action.

So far as the financial operations of interstate carriers are concerned, there is no doubt of the power of Congress to enact appropriate legislation at least far enough to protect the carriers against themselves and one another against frenzied finance and misappropriation of funds, compelling wise application of funds so that the physical condition of the carriers will be improved instead of impaired by irresponsible operation and administration at the expense of the properties themselves and the safety of the public.

The House has once passed the Rayburn bill and the House committee has reported it a second time. If that bill should be enacted into law, in my judgment, it would meet all the necessities of the case, provided the carriers will adjust their rates and practices to insure fair treatment of the different communities in the United States and the development of those parts of the country which need development, thereby creating new and larger and more profitable fields for revenue instead of scrambling for revenue and traffic already created and depleting the revenues of other carriers by such a scramble.

So far as the proposition for Government ownership is concerned, it is absolutely useless in the first place, because whatever regulatory power the Government would have as a sovereign it may have and exercise over the operation of everything within its boundary regardless of ownership. It would have no more power over the regulation of interstate carriers as the owner of the carriers than it does have as the sovereign. It would have no more sovereignty over its own properties than it has over the holdings of other owners, and it would not exercise its power of sovereignty over its own properties to the detriment of the properties of private citizens. If the Government should encumber itself with the operation of all the railroads it would involve itself in political confusion and corruption unspeakable, which alone would offset any possible advantage suggested by the disordered mind of the wildest theorist.

I wish to call the attention of the committee to what I consider the most important subject, next to destroying the Kaiser, in time of war and of peace, and that is the liberalizing of the general dam act so as to induce private capital to improve the navigable streams. The possibilities of development in this country are so great that even if only partially realized the existing transportation facilities will be totally inadequate to distribute the products of our farms, mines, and factories. The navigable waters of the country should be made to carry most of the heavy freight. It is not probable that the Government will make all these improvements in a hundred years. They are very expensive and the number is large.

Almost every navigable stream in the country, however, is interrupted or broken by shoals, which attract capital to develop water power for the generation of hydroelectricity. Almost every such stream can be made to pay at least the expenses of its own improvement for navigability. In addition to that, they would be dotted with all sorts of factories. The electricity generated would electrify most of the railroads in the country and save coal. It would manufacture almost all commodities. It would not only produce from the air nitrates for war purposes and for agriculture, but it would be used to manufacture steel in the most approved methods and soda and aluminum, and cotton goods and woolen goods, and almost every conceivable thing needed for foreign and domestic trade, all of which furnish inducements to private capital to improve the shoals. Up to this time little streams which are nonnavigable have been relied upon, and the proposition has been clouded and confused with the question of dealing with power sites on the public domain of which the United States is the owner as well as the sovereign. These public-land sites and the nonnavigable streams are capable of comparatively small development and benefit, and those who promote water-power development should be induced, if not compelled, to develop the navigable rather than the nonnavigable streams, and the inducements are so much greater because of the much larger power obtainable. If permitted by law, they would be developed instead of the minor streams.

We enacted a general dam law in 1906, of which capital was rapidly availing itself. Many consents of Congress were granted and a great many companies were formed. With several projects constructed under that law, further development was suspended because certain persons in the country started a propaganda to the effect that we were giving away something to private monopoly. Our committee conferred with the authors of that propaganda and tried to agree with them on terms. For instance, they demanded that the Government should retain the power to regulate production, practices, and charges. We arranged to provide that. They insisted that the Government should retain the right to impose all conditions requisite to the public good. We agreed to provide that. It was insisted that the Government should reserve the right to charge an annual amount, based on the benefits to the promoter or grantee, with due reference to the benefits to navigation, and we agreed to that. Finally objection was reduced to the concrete form of demanding that the grantee should submit to a stipulation that he should not only construct such locks, dams, and other structures as required at the time of approval of his plans and specifications, but should thereafter put in such other structures at his own expense as might be required by the Government at any time during the life of his grant, and the further demand that annual charges might after 20 years be changed by the Government without the consent of the grantee, and might be changed each 10 years thereafter without the consent of the grantee. Of course, such stipulations would induce no capital to build dams. Other potent obstruction comes from existing electric companies, who assume an attitude similar to that assumed by the leading railroads, to wit, that development is practically finished.

The railroads say no other railroads should be built unless the present railroads need them and do the building. The present electric companies object to the further development of other electric enterprises through fear that competition would reduce the price of electric current, although such reduction would be of great benefit to the public in the building up of the country and break their strangle hold on prices and popular prosperity. They are willing for extensions to be made provided they can control extensions and prices. This suspension of construction has enabled them to acquire property rights at most of the sites, for the original owners were unable to hold unprofitable property, and sold it to the water-power trusts, the only purchasers in the restricted market. It is necessary to liberalize our legislation to provide for condemnation proceedings, so that other investors may secure these sites for improvement if the companies holding them persistently refuse or fail to develop them. I commend the entire subject to the committee for the consideration its transcendent importance deserves.

I shall attach to my statement nine exhibits, showing some efforts of the House Committee on Interstate and Foreign Commerce to amend the general dam law and also to control railroad securities.

Mr. MANN. I understand. The opportunity has not been very great during the last week or so, but we are now on the Agricultural bill, making rather rapid progress upon it, and no other appropriation bill is pressing. There is no other appropriation bill that has been reported, except the pension appropriation bill, which would not take 15 minutes to pass, except for the general debate, probably, and there is no likelihood of the Army bill being reported very soon; and I do not know when the naval bill will be in, but it never comes in on time, or it never has in my experience.

Mr. STAFFORD. Will the gentleman yield?

Mr. MANN. I am not going to object to the gentleman's request, but I had hoped that the gentleman would make his

speech in the House, because the members of the committee upon which the gentleman serves tell me it would be in all probability a very interesting and elucidating speech.

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I know I voice the sentiment of many Members on this side of the aisle who would like to hear the gentleman from Texas deliver this speech on the all-important subject of Government ownership of railroads. I think the membership of this House would be willing to stay here half an hour longer and allow the gentleman now to proceed to deliver that speech. Would the chairman of the committee have any objection, in view of the manifest expression of interest in the gentleman's remarks, to permitting him to proceed for half an hour?

Mr. LEVER. Well, Mr. Chairman, I think it is hardly fair to the Committee on Agriculture, as much as we would like to hear the gentleman's speech. I regard him as one of the ablest men in this House, but the Committee on Agriculture has important business ahead of it. I have arranged for a conference with certain gentlemen touching the wheat-guaranty price on Saturday, and I am very anxious to finish this bill in time to attend to that matter. Next week the committee is going to be engaged practically all the week in trying to work out some plan by which the Government can keep its faith with the wheat farmers of this country.

In addition to that the Committee on Agriculture has other matters that it ought to give attention.

Mr. SABATH. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The regular order is demanded.

Mr. STAFFORD. Will the gentleman just withhold that for a moment?

Mr. SABATH. Yes.

Mr. STAFFORD. The chairman will agree that we are making very good headway on his bill. There are not very many items that will provoke debate. Does not the gentleman feel certain that we shall finish this bill at an early hour to-morrow afternoon?

Mr. LEVER. I hope so.

Mr. STAFFORD. Why would the gentleman not be willing to make an exception now?

Mr. LEVER. Why not agree that at the conclusion of the consideration of this bill the gentleman from Texas may have his time?

Mr. STAFFORD. That would prevent the gentleman from Texas attending very important committee meetings.

Mr. LEVER. If the gentleman from Texas will do that, I shall be glad to promise to help make a quorum and secure him an audience.

Mr. STAFFORD. I suppose it would be more agreeable to the gentleman from Texas to go on right now, and we could stay an hour later this evening.

Mr. MANN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. MANN. I have read the letter from the Federal Horticultural Board in regard to the plan for international prohibition, and, while it has some facts in it that might be new to me, the scope of the letter is in no wise new and it does not throw light on the question that I sought information about.

Mr. LEVER. I have not read it myself.

Mr. MANN. Well, the letter is misinforming in one respect. It says the objection comes because of a letter sent out by Henry A. Dreer, of Philadelphia, one of the great seed merchants of the country. This regulation has been discussed in a great many florists' and gardeners' journals, regardless of the statement of Mr. Dreer. I have not seen the statement of Mr. Dreer, but I have had communications from a great many people who, like myself, are interested in amateur gardening, and letters from a great many people who, knowing my interest in the subject, have written me because of their interest in commercial propositions. In the main, while they criticize the order, I think the desirable thing they wish to know is whether this order is absolute and is going to stand; whether the Federal Horticultural Board, vested with power, has made up its mind that it is going to enforce the plant quarantine for protection to American industries in the florists' and nurserymen's lines, or whether, as suggested by the latter end of this letter, it is going to yield on nearly everything that anybody kicks about—because that is the intimation in this letter.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN. Yes.

Mr. LINTHICUM. In some letters that I have received they seem to have objected to this order as to certain plants, azaleas, and things of that kind. Has the gentleman any information on that subject?

Mr. MANN. Most of our azaleas and fancy rhododendrons and most of the foliage plants and everything of that sort, for both outside and inside, we import from Belgium, or did import from Belgium in the past. We have not imported any in the last few years. They come to us in the main wrapped up with the balls of earth around the roots. They are wrapped. The Department of Agriculture claims, and perhaps justly—and I am not criticizing the claim at all—that the importation of diseases and insects in the dirt is very dangerous, not to mention the importation of the same things in the superstructure of the plant. But those things will be absolutely cut out. They can not raise those things in this country profitably.

Mr. LINTHICUM. The Gardeners' Club of my State are going to hold a meeting in February, and they are going to take up the subject. They think it will injure the business.

Mr. MANN. It is going to revolutionize the business of the florists and nurserymen if it is enforced. That is what I am trying to find out—whether they had made up their minds to keep it or whether this is a tentative proposition to find out how much kicking there will be. They need not solace themselves with the idea that the kicking is going to come only from Mr. Dreer, of Philadelphia. It is universal, I may say.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For acclimatization and adaptation investigations of cotton, corn, and other crops introduced from tropical regions, and for the improvement of cotton and other fiber plants by cultural methods, breeding, and selection, and for determining the feasibility of increasing the production of hard fibers outside of the continental United States, $104,410: *Provided*, That not less than $7,500 of this sum may be used for experiments in cottonseed interbreeding: *Provided further*, That of this amount $3,000 may be used for experiments in the production of New Zealand flax in the United States and for its utilization in the manufacture of binder twine.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. McLAUGHLIN of Michigan. I do so for the purpose of calling the attention of the chairman of the committee to the wording on page 24, line 14, a matter that we have passed, where the words are unusual, and such as we have refused in other places to use.

Mr. LEVER. On what line is it?

Mr. MANN. Line 14, page 24, "That not less than $7,500 of this sum may be used," and so forth.

Mr. LEVER. I suggest that the gentleman offer an amendment to cure that.

Mr. McLAUGHLIN of Michigan. It should say, "Of this sum $7,500 may be used."

Mr. LEVER. That is in my print of the bill now.

Mr. McLAUGHLIN of Michigan. It says, "not less than $7,500."

Mr. LEVER. That "not less than" ought to be cut out.

Mr. McLAUGHLIN of Michigan. I think it should read—and I think the committee will agree with me—"that of this sum $7,500 may be used."

Mr. LEVER. That is correct.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] offers an amendment. Will the gentleman repeat his amendment?

Mr. McLAUGHLIN of Michigan. It should read, "of this sum $7,500 may be used."

Mr. MANN. It depends on what is intended by it. It is easy to see how the language in the bill to which the gentleman calls attention is not correct. The last Congress required that $7,500 be used. I take it that this committee did not intend to require that $7,500 be used, but only to permit it to be used.

Mr. McLAUGHLIN of Michigan. The gentleman is correct.

Mr. MANN. Of course, in that event the gentleman's amendment is correct.

The CHAIRMAN. The gentleman from Michigan [Mr. McLAUGHLIN] asks unanimous consent to return to line 14, page 24, for the purpose of offering an amendment, which the Clerk will report. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 24, line 14, after the word "not," strike out the word "less" and insert the word "more," and transpose the words "of this sum" to follow the word "that," so that it will read: "That of this sum not more than $7,500 may be used for experiments in cottonseed interbreeding."

Mr. McLAUGHLIN of Michigan. That is not as I offered it, but it will do.

Mr. LEVER. That is all right.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. MCLAUGHLIN].

The amendment was agreed to.

The Clerk read as follows:

For testing and breeding fibrous plants, including the testing of flax straw and hemp, in cooperation with the North Dakota Agricultural College, which may be used for paper making, $16,760.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Certain Members of the House who served on the famous Mann pulp and paper investigating committee are interested in the investigation and development work provided for in this paragraph:

For testing and breeding fibrous plants, including the testing of flax straw and hemp, in cooperation with the North Dakota Agricultural College, which may be used for paper making, $16,760.

Can the gentleman from South Carolina tell the House of the status of this work, and whether this is a perennial appropriation that results in any good at all to the paper industry?

Mr. LEVER. The testimony before the committee was to the effect that the principal work now being done is on flax, with a view to manufacturing paper for the making of paper money, and that their work is progressing very satisfactorily. Of course, we did not hold very extensive hearings on this bill, but I was more encouraged by the brief statement that was made about this than I have been for some time. I think they are going to get some results out of flax.

Mr. STAFFORD. Have they progressed to any extent in the commercial manufacture of paper of any kind out of flax or hemp?

Mr. LEVER. No; not at all.

Mr. STAFFORD. They are just merely doing laboratory work?

Mr. LEVER. Yes.

Mr. STAFFORD. I suppose the gentleman can assure us that this appropriation will continue for many, many years?

Mr. LEVER. This appropriation, like all appropriations for investigation work, for the solving of such problems, is quite likely to continue.

Mr. CRISP. It is like Tennyson's brook—it goes on forever.

Mr. STAFFORD. After the very illuminating information I have received from the gentleman from South Carolina, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

To cultivate and care for the gardens and grounds of the Department of Agriculture in the city of Washington, including the keep and lighting of the grounds and the construction, surfacing, and repairing of roadways and walks; and to erect, manage, and maintain conservatories, greenhouses, and plant and fruit propagating houses on the grounds of the Department of Agriculture in the city of Washington, $11,690.

Mr. MADDEN. Mr. Chairman, I make a point of order against that item. The Committee on Agriculture has no jurisdiction to report appropriations for the city of Washington or any part of the expenses of running the Agricultural Department within the District of Columbia.

Mr. LEVER. I think the gentleman's point of order is probably good, but I trust he will not make it. This item has been carried in this bill ever since I have been a member of the Committee on Agriculture, and it provides only for the keeping up of the grounds, buildings, and greenhouses, and the like of that, on the Agricultural Department grounds.

Mr. MADDEN. The Park Board have jurisdiction over all that work, and they are no doubt doing it very satisfactorily.

Mr. LEVER. I do not understand that they are doing anything of the kind. As I say, this appropriation has been carried in this bill ever since I have been a member of the Committee on Agriculture, for 16 years. I suppose it is subject to a point of order if the gentleman wants to make it. I have not looked into it lately——

The CHAIRMAN. The Chair will state that it is not his first impression that this item is subject to a point of order; but if the gentleman from Illinois has any authority, the Chair will be glad to hear him.

Mr. MADDEN. The Committee on Appropriations has jurisdiction over the appropriations for all the departmental expenses and everything connected therewith within the District of Columbia. This Committee on Agriculture has no jurisdiction over appropriations except outside of the District of Columbia.

Mr. LEVER. I made the statement that this is probably subject to a point of order. I remember some years ago, before I was chairman of the committee, this bill was all cut to pieces on the floor of the House by some one making points of order that this committee had no power to report appropriations for purposes within the District of Columbia. This item may stand in a different light from that general proposition. It seems to me that if we are going to have an Agricultural Department, and going to have greenhouses and things of that kind, there ought to be power somewhere to appropriate for their upkeep, and that is all this does.

The CHAIRMAN. When the Chair made the remark that he made, he did not quite understand the point of order of the gentleman from Illinois. The Chair will ask if there is any committee reporting appropriations for the care of the grounds and immediate surroundings of the different public buildings.

Mr. MADDEN. The Committee on Appropriations, in the District of Columbia appropriation bill, report appropriations for all improvements within the District of Columbia.

Mr. MANN. No other bill carries an appropriation for the care of the grounds of the Agricultural Department. The District of Columbia appropriation bill carries items for the care of various grounds, and the sundry civil bill carries an appropriation for the care of the Smithsonian grounds, but there is no other committee that takes care of the Agricultural Department grounds. Probably the only thing that is subject to a point of order here is the words "to erect."

Mr. LEVER. Of course, if the gentleman from Illinois [Mr. MADDEN] desires to press the point of order, I would rather cure it somewhere else, because it is necessary for them to erect small buildings for greenhouse purposes.

Mr. MANN. The item was carried in the bill when they were erecting greenhouses as they needed them. Probably they not not need any this year.

Mr. LEVER. I hope the gentleman from Illinois will withdraw his point of order. I am satisfied that there is no duplication.

Mr. MADDEN. I think the Department of Agriculture goes to a lot of extravagant expense in maintaining the surroundings of buildings in which clerks are occupied and which is entirely unnecessary.

Mr. MANN. Will my colleague yield for a moment?

Mr. MADDEN. Yes.

Mr. MANN. Mr. Chairman, I am one of the few who goes through the conservatories or greenhouses, properly so called, of the Department of Agriculture on the grounds. They have a few men there who are expert hybridizers. The head of the greenhouses is a wonderful man, and he has a number of men under him who have developed more benefit to the country for the same expenditure than can be found anywhere else in the country. All sorts of plants are hybridized by hand fertilization; the seed is saved and planted and the greenhouse records kept. They keep developing some new kind of plant, some new kind of bean or wheat, or something of that sort, that is of inestimable value. That work has not been anywhere else in the world as efficiently done as it is done here. Any Member of the House who wants to get intensely interested in that subject should go down there and try to get hold of Mr. Peters, or some other man under him in the greenhouses, and he will learn more about the wonderful possibilities of the development through cross fertilization and hand fertilization and hand hybridizing than anywhere else in the world, unless he goes to Dr. Van Vleeck out here in Maryland.

Mr. LEVER. Mr. Chairman, I hope that my friend from Illinois will withdraw his point of order.

Mr. MADDEN. Mr. Chairman, I was wondering what prompted my colleague to make such wonderful observations of the beautiful flowers that are propagated at the agricultural gardens around the office of the Secretary of Agriculture in order that the aroma may pass through the windows of the Secretary on a warm day and give him something of pleasure. I take it that most of the items for which money would be expended under this provision of the bill would have nothing to do with the raising of flowers at all. It includes the heating and lighting of the grounds. That I suppose is done by electricity drawn from the power plant of the Potomac Electric Power Co., and it does not require any of these artistic means that my colleague speaks about to change the colors of the flowers to that of the rainbow to do that work. I see, too, that this expenditure provides for the resurfacing and repairing of the roadways and walks, and I assume that they are made of gravel and cement and that no flowers are mixed with the gravel and cement, and hence there is no necessity for hybridizing flowers in that connection.

Then, I see, too, the paragraph provides for the erection of buildings, the management of buildings, conservatories, greenhouses, propagating houses and grounds, but nowhere do I see

anything about raising flowers or the wonderful genius that may be needed for that purpose. But, notwithstanding my failure to understand the necessity for this great work of art about which we have heard, I am persuaded by the smiling countenance of the gentleman from South Carolina and the persuasive argument of my colleague that nothing would be gained by insisting on the point of order, and hence I withdraw it.

The Clerk read as follows:

For the purchase, propagation, testing, and distribution of new and rare seeds; for the investigation and improvement of grasses, alfalfa, clover, and other forage crops, including the investigation of the utilization of cacti and other dry-land plants; and to conduct investigations to determine the most effective methods of eradicating weeds, $139,780: *Provided*, That of this amount not to exceed $57,800 may be used for the purchase and distribution of such new and rare seeds.

Mr. MANN. Mr. Chairman, I move to strike out the last word. May I ask why the amount of the appropriation here is reduced for the purchase of new and rare seed?

Mr. LEVER. That is due to a transfer to the statutory roll. It is really not reduced. It is due to a transfer to the statutory roll of two clerks, class 1, and one clerk at $1,000.

Mr. MADDEN. So it had nothing to do with the purchase of seed, but it was to give a permanent job to somebody on the temporary rolls.

The Clerk read as follows:

For general administrative expenses connected with the above-mentioned lines of investigation, including the office of the chief of bureau, the assistant chief of bureau, the officers in charge of publications, records, supplies, and property, and for miscellaneous expenses incident thereto, $29,040.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman from South Carolina if this apparent reduction in the bill is occasioned in some way by the transfer of clerks to the statutory rolls?

Mr. LEVER. Yes.

Mr. MANN. The current bill carried $91,000 and this bill $82,700. As a matter of fact, it ought to be twice that.

Mr. LEVER. Eight thousand seven hundred and forty dollars has been transferred to the statutory rolls.

Mr. MADDEN. Let me ask the gentleman a question, if I may. I move to strike out the last word. How much did the gentleman say had been transferred to the statutory roll?

Mr. LEVER. Under that item, $8,740.

Mr. MADDEN. That would make the two items come to about $38,000.

Mr. LEVER. Yes.

Mr. MADDEN. How much of an expenditure does this general administrative bureau have jurisdiction over?

Mr. LEVER. This takes care of the office force of the chief of the bureau—his own immediate administrative force.

Mr. MADDEN. I mean the total expenditures under the jurisdiction of the administrative branch of the bureau?

Mr. LEVER. That is $29,000 and odd.

Mr. MADDEN. I do not think the gentleman understands me. Of course, he would not spend $29,000 to run the office force without some duties. What duties do they perform?

Mr. LEVER. They perform the ordinary duties of an administrative officer.

Mr. MADDEN. Over what branch of the service? How much money do they get altogether?

Mr. LEVER. I do not think I get the gentleman's point.

Mr. MADDEN. For example, this says "for general administrative expenses connected with the above-mentioned lines of investigation." How much money is expended altogether in this investigation?

Mr. LEVER. None of this money would be expended on investigation. This money would be expended on clerical hire.

Mr. MADDEN. I understand that. What I want to get at is, What percentage of the total amount of money expended under the jurisdiction of this bill in this bureau does this amount to?

Mr. LEVER. The gentleman will see below that the total is $3,294,000, so that this $29,000 would be a little more than 1 per cent. That is about the way it runs ordinarily.

Mr. MADDEN. It is a little over 1 per cent.

Mr. LEVER. Yes.

The Clerk read as follows:

Purchase and distribution of valuable seeds: For purchase, propagation, testing, and congressional distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, postal cards, gas, electric current, rent outside of the District of Columbia, official traveling expenses, and all necessary material and repairs for putting up and distributing the same; for repairs and the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, $358,980. And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned, and in which same are to be distributed as hereinafter stated, and such seeds so purchased shall include a variety of vegetable and flower seeds suitable for planting and culture in the various sections of the United States: *Provided*, That the Secretary of Agriculture, after due advertisement and on competitive bids, is authorized to award the contract for the supplying of printed packets and envelopes and the packeting, assembling, and mailing of the seeds, bulbs, shrubs, vines, cuttings, and plants, or any part thereof, for a period of not more than five years nor less than one year, if by such action he can best protect the interests of the United States. An equal proportion of five-sixths of all seeds, bulbs, shrubs, vines, cuttings, and plants, shall upon their request, after due notification by the Secretary of Agriculture that the allotment to their respective districts is ready for distribution, be supplied to Senators, Representatives, and Delegates in Congress for distribution among their constituents, or mailed by the department upon the receipt of their addressed franks, in packages of such weight as the Secretary of Agriculture and the Postmaster General may jointly determine: *Provided, however*, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly indicated, and the Secretary shall not distribute to any Senator, Representative, or Delegate seeds entirely unfit for the climate and locality he represents, but shall distribute the same so that each Member may have seeds of equal value, as near as may be, and the best adapted to the locality he represents: *Provided, also*, That the seeds allotted to Senators and Representatives for distribution in the districts embraced within the twenty-fifth and thirty-fourth parallels of latitude shall be ready for delivery not later than the 10th day of January: *Provided, also*, That any portion of the allotments to Senators, Representatives, and Delegates in Congress remaining uncalled for on the 1st day of April shall be distributed by the Secretary of Agriculture, giving preference to those persons whose names and addresses have been furnished by Senators and Representatives in Congress and who have not before during the same season been supplied by the department: *And provided, also*, That the Secretary shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same. And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, testing, propagation, and distribution of valuable seeds, bulbs, mulberry, and other rare and valuable trees, shrubs, vines, cuttings, and plants.

Mr. YOUNG of North Dakota. Mr. Chairman, I move to strike out this entire section. I make this motion for the reason that I think the best opinion throughout the country is that this is a very unwise and unnecessary appropriation or expenditure of money. If anybody here could assert truthfully that the Government was going to furnish the farmers or others a quality of seed which they could not buy from ordinary dealers, there might be some excuse for making the appropriation, but it is common knowledge that the seed that is distributed from year to year in this way is of exactly the same quality as they can buy at the store at the nearest town. I have had a good many letters each year from my district from people asserting that the seed was not even as good as the average quality of seed sold by reputable houses. But assuming that it is as good, I am absolutely unable to see any reason why we should furnish at big expense something which a farmer can buy for a few cents with the utmost convenience as he goes to town to get his mail. It does not seem to me that there is any excuse at all for the appropriation. It will be noticed also that this year we are proposing to expend 50 per cent more than we have expended before. Is not that correct, I will ask the chairman of the committee?

Mr. LEVER. Yes; that is correct.

Mr. YOUNG of North Dakota. It is proposed now to add 50 per cent to an appropriation item which always has been attacked here every year since I have been here.

Mr. HEFLIN. Mr. Chairman, if the gentleman will yield, the answer that the chairman of the committee made probably is misleading to the committee.

Mr. YOUNG of North Dakota. I can not yield to the gentleman, as my time is very limited.

Mr. HEFLIN. Then I shall follow the gentleman and make a statement.

Mr. YOUNG of North Dakota. I have made only two statements since I got up. One is that this seed is of no better quality than the farmers can buy anywhere, and the other that the appropriation has increased 50 per cent. I do not see how the gentleman can correct either. I am unable to see why anyone can feel that he is adding in any way to his prestige in his district by sending out these small packages of seeds to the farmers. I am partly of the opinion that it is a political liability to send them out, because an increasing number of farmers from year to year are getting to understand——

Mr. WASON. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of North Dakota. Yes.

Mr. WASON. Do I understand my colleague to say that the distribution of these seeds is a liability? Did he use the seed accredited him under previous acts by sending them into his district?

Mr. YOUNG of North Dakota. I will tell the gentleman that last year I passed the buck to others. I reached the conclusion that personally I did not care to select those to whom they might be sent, and I sent them to some people who gave it out that those who thought they could use them could come and get them.

I realize that some one is going to follow me now and say that those who happen to object to this appropriation ought not to use any of the seed. I do not think there is anything inconsistent about distributing the seed if voted by Congress and a certain quantity is set apart for each congressional district in the country. As long as Congress buys the seeds and places them at our disposal, I think the people of my district are entitled to their share. There may be some trifling value to them, and whatever value there is, I propose they shall have, but it does seem to me that it is a waste of money.

Mr. WASON. Mr. Chairman, will the gentleman yield there?

Mr. YOUNG of North Dakota. It seems to me that it is a waste of money to buy these seed and send them out, when perhaps three out of every four men who get them do not want them or have no use for them and would sooner buy them at the store. If it were proposed to use the money for rare or new kinds of field seed, such as the farmers could not otherwise secure, I would not object to the appropriation.

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. LEVER. Mr. Chairman, this item brings up the annual discussion about free seeds. I ask unanimous consent that the debate on this paragraph and all amendments thereto be concluded in 10 minutes, the gentleman from Alabama [Mr. HEFLIN] to have five.

Mr. MANN. There are several gentlemen here who desire to be heard.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 25 minutes.

Mr. MANN. I think the gentleman had better make it 30 minutes, and then he will be getting off lightly.

Mr. LEVER. I will make it 30 minutes with the understanding that the gentleman from Mississippi [Mr. CANDLER] shall have five.

Mr. MANN. Make it 35.

Mr. LEVER. No; I include him in the 30 minutes.

The CHAIRMAN. Will the gentleman from South Carolina indicate who is to have time?

Mr. LEVER. The gentleman from Alabama [Mr. HEFLIN] to have five minutes, the gentleman from Michigan [Mr. McLAUGHLIN] to have five minutes, the gentleman from Minnesota [Mr. STEENERSON] to have five, the gentleman from Oklahoma [Mr. MORGAN] desires five, and the gentleman from North Dakota [Mr. BAER]——

Mr. MANN. The gentleman from North Dakota was to have five minutes.

Mr. LEVER. How much is that?

The CHAIRMAN. Twenty-five minutes.

Mr. LEVER. Mr. Chairman, I make the request that debate close in 30 minutes. That takes care of everybody.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in 30 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 30, line 8, strike out "$358,980" and insert "$239,320" in lieu thereof.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, if this amendment be adopted it will provide the same amount of money as was available last year for this purpose. The Secretary of Agriculture in making his estimates and suggestions to the committee asked for $239,320 for this work. The committee added 50 per cent, or $119,660. I think that increase was unwise, and I think the whole thing is a very cheap proposition.

Mr. MORGAN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. In just a moment. I would like to have the whole thing stricken out, but I believe the temper of the House is to make some appropriation for this work, and I believe, and I hope, it will agree with me that the amount of money that was available last year, the very large sum of $239,320, will be enough. I now yield to the gentleman.

Mr. MORGAN. What was the object of increasing the fund? Was that occasioned by the increased cost of seed?

Mr. McLAUGHLIN of Michigan. No; I think it was not on account of increase of cost of seed. It was made to increase the amount of money available to add to the allotment of seed which each Member will receive. There was some talk about the increased price of seed, but there is a difference of opinion about that. Some well-informed men say that the price will be higher; others, I believe just as well informed, say the price will be lower. In fact, I heard the gentleman from Illinois [Mr. MANN], who has large information on this subject, express the opinion that seeds will likely be lower than they were, so that the idea that the seeds may be high in price will not justify the increase of this appropriation by $120,000. The increase was made in the committee for the purpose of providing a larger allotment for each Member under this distribution, and it is very questionable indeed whether an appropriation of this kind ought to be made at all. I trust that the committee will decide that the old amount is sufficient, and that amount can be had by adopting my amendment.

Mr. HEFLIN. Mr. Chairman, this increase is only 50 per cent over the amount provided for in the last appropriation bill. Members who really represent agricultural districts have complained that the provision in the old bill did not furnish seeds sufficient to go around. This provision as it now stands restores the provision that was in the law prior to the last appropriation bill, and I submit to gentlemen if we are going to distribute these seeds at all they ought to be supplied in sufficient number to cover those districts where people really need them and want them. The gentleman from Michigan [Mr. McLAUGHLIN] suggests by his amendment that we cut out this additional amount and leave the old amount that was in the bill before. Now, unless you could find out who in the district wants seeds and needs seeds, his amendment should not be adopted, because if you are going to send seeds out in this way you are liable to send them to people who do not want them, and you are liable to leave those who do want them and need them without seeds. So I submit to this committee that with the vast appropriations that this Congress is making for things that help every other class of people, that we ought at least to be willing to expend this small amount for rare seeds, the best seeds that the Government can buy from time to time, to send out to the farmers in the various sections of this country, and I think it were much better if gentlemen could suggest economy along other lines, rather than to follow the suggestions of the great seed houses, who have always fought this appropriation, and who have always tried to cut it down, because they hoped to be able to sell seed in the localities where the Government now sends this high character of vegetable seeds. [Applause.]

Mr. BARKLEY. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. BARKLEY. Under the old arrangement each Member obtained 25,000 packages of garden seed and 3,000 packages of flower seed. This year we get only 14,000 packages of garden and I do not remember how many flower seed, but we do not have the privilege of exchanging garden seed or flower seed one for the other, and does not the gentleman think if we are going to send these seed out and attempt to cover the district that instead of leaving it as it was before it ought to be doubled, so as to be enough to go around to the people of the various districts?

Mr. HEFLIN. I would support a proposition to give even a larger amount of these seeds to the various Members, to be distributed among the Members generally, than we have provided for in the bill. I hope what we have in it will remain there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STEENERSON. Mr. Chairman, I can speak as one coming from an agricultural district in regard to this item. Perhaps the conditions there are quite different from some others, but we regard this as a very important provision. I have in the years that I have been here received only one or two letters opposed to this appropriation, and they came, as I found out on investigation, from what you might call "bonanza" farmers, like the Grandins and the Dalrymples, who have large estates, with fine buildings, with automobiles and all the accouterments of wealth, like so many of the farmers in the district of my friend from North Dakota [Mr. YOUNG]. But in my district we have probably two or three thousand new settlers. They settled in the timber country, where it takes time as well as lots of labor to develop farms, and they have only a few acres cleared. They have to go out into the "bonanza" district of North Dakota to work in the summer in order to earn money with which to pay living expenses and to gradually develop their lands. These small farmers are all anxious for these seeds. And the statement made by the gentleman from North Dakota that these seeds are for sale at near-by stores is hardly justified. Especially is it unwarranted so far as my district is concerned. The people who want these seeds are in many cases, I think, 25 to 30 miles from where the seeds can be bought. If any of these stores have garden seed, they get them without any skilled assistance in selecting them. The bill here is to authorize the department to purchase and propagate and test for congressional distribution valuable seeds and bulbs and vines. Where can you buy bulbs and vines in a country store? They have got to be selected and distributed in

accordance with the suitability of the seeds to the different localities. They can not be purchased by the department without an investigation as to the suitability and value of these seeds for a particular locality. Now, the seeds that are sent promiscuously from the seed houses to the stores are not selected with the care with which these seeds are selected. Therefore, the contention the gentleman makes, that you can buy equally as good seeds in the stores as can be secured from Government distribution, is unwarranted.

Another class of people outside of the new settlers that want these seeds, as I have found from experience, are the people who have small gardens, the people in villages and towns who are, perhaps, mechanics and employed in the mills and factories, and who have a little plot of ground which they can cultivate. And the encouragement by the Government of war gardening has stimulated the demand for this seed, which everyone found out who had charge of this distribution last year. In addition to that, I have in my district from 7,000 to 8,000 Indians, whose original occupation was that of hunting and fishing and war, but whom the Government has gradually sought to train to a life of civilization by teaching them industry, and especially agriculture. The children gradually acquire a taste for the cultivation of the soil. The greatest demand I have for seeds has come from the people on White Earth and the Red Lake Indian Reservations, and especially from the schools. The school-teachers there tell me the children manifest a wonderful desire to have seeds and to watch their development and growth, and the crops raised from them, and this helps the very work the Government is carrying on, and upon which it is spending millions of dollars in the United States, to encourage civilization and self-support among them.

The only opposition I have discovered to this item comes from the rich farmers and, perhaps, from those who read too seriously the farm journals. These farm journals generally ridicule the items more effectually than anybody has ever done on the floor here. But if you turn over the pages of these periodicals you will find page after page of seed advertisements. So it is perfectly plain that the motive for it is not for the benefit of the people but for the benefit of the seed houses.

I hope the appropriation will remain in the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MORGAN. Mr. Chairman, in the discussions of this question on former occasions I have never expressed my views, but I have always voted for an appropriation of this kind. I am in favor of this appropriation as it is proposed by the committee, and I am opposed to the amendment offered by my distinguished friend from Michigan [Mr. MCLAUGHLIN]. This year we have but 14,000 packages of seeds allotted to each congressional district. This is only half enough for an agricultural district. I think if we send out these seeds at all we ought to have a quantity sufficient to go to practically all our farmers. And I assume if seeds go down in price the Secretary of Agriculture will not need to expend this entire amount.

Now, it is true that I have occasionally had letters from men who seem to be opposed to this so-called congressional seed distribution, but now, after 10 years of experience and somewhat intimate association with the people of my district, I believe that a very large majority of the people in my district, in the cities and towns as well as in the country, are in favor of this appropriation and of this distribution of seeds. I have been surprised how many men in the cities—lawyers, bankers, merchants—have written me special letters asking me for these seeds, not that they were not able to pay 10, 15, or 25 cents for seeds, but they wanted some from the congressional distribution. They have written me often for them, and I receive every year thousands of letters asking me for such seeds. Of course there are some of my constituents who get them who perhaps do not care for them, but there are thousands who write me for them. Now, then, there are some who believe, on account of the propaganda carried on by certain papers, that this distribution is made solely to help reelect Congressmen.

In all candor I do not believe that is true, and I say here honestly and truly that if I thought this appropriation was made and I voted for it simply to help elect myself to Congress I would be unworthy of a seat in the House of Representatives if I voted for it. But I have believed and I believe to-day that this distribution of seeds, when it is properly done, is a means of linking the farmers of this country to the National Government, and there is nothing so important to the stability and the welfare of this Nation as to have the farmers of this Nation in a friendly attitude toward the Federal Government. It is not the value of the seeds, but it is in a way a recognition of the farmer and his industry.

So I am for this appropriation, because I believe it is in the right direction and in accordance with the right policy.

I had a letter a year ago from the editor of the leading daily paper of my State asking me to turn a portion of my seed distribution over to that city, although it is not in my district. A few days ago I had a similar letter, and the writer goes on at length to tell how, by the use of the seed in that great city, in developing home gardening among the poor, he has been able to do a great deal of good. I am for this entire appropriation. I am opposed to reducing it. I think it is a proper expenditure of the public money [Applause.]

Mr. BAER. Mr. Chairman, before I was elected to Congress there were criticisms in certain periodicals, such as the Searchlight on Congress, criticizing Congress for the sending out of free seeds, books, and pamphlets as a perverted system of politics. Several of my constituents have told me that when I got down to Congress they wished I would not send them any seeds. They preferred to have enacted good legislation, such as a grain-grading law and other matters relative to the distribution and marketing of farm products. In order to ascertain the popularity of free seeds, I sent out a letter, in which I embraced a statement asking whether or not these seeds were desired. I inclosed a list of bulletins issued by the Department of Agriculture. Out of 30,000 letters sent to my district I received 1,200 replies. These names constitute my live list for seeds.

But since the war began I found a new manner in which we can very usefully distribute these seeds. I had the pleasure of dining with Dr. Francis, who is the head of one of the school-garden commissions in this country, and it is surprising to know what they have done in this country toward encouraging the children in the schools to grow gardens. This is of great consequence to this Nation. We talk of the "back to the land" movement, but sometimes we do not act just as we preach. I think that the school-garden movement is inciting in the children an appreciation of the value of land and encouraging and inspiring them to ultimately become landowners. It is an excellent and worthy movement, which demands greater appropriations and more earnest attention of Congress. I am taking the balance of my seeds and sending a number of packages to each school, with a letter encouraging the children to see how much they can raise in their little gardens this year.

Mr. PLATT. Mr. Chairman, will the gentleman yield?

Mr. BAER. Certainly.

Mr. PLATT. Has the gentleman ever succeeded in getting the Bureau of Plant Industry to put up seeds that are peculiarly adapted to the school gardens? I find that they are inclined to put up seeds such as the children can not use.

Mr. BAER. No; I do not favor the attempt to produce butterfly effects and flower seeds. We want something that the children can raise to show them the actual value which they can receive from the soil by cultivating it.

If we are to have free seeds, I believe we should have the full amount of this appropriation and should not cut it down at all. But if we are going to do away with the proposition in the Department of Agriculture, I would prefer that it be transferred to the Bureau of Education, so that the seeds can be distributed directly to the schools and superintendents through the head of this school-garden movement. [Applause.]

Mr. MANN. Mr. Chairman, how much time did the gentleman from North Dakota use?

The CHAIRMAN. He had two minutes remaining.

Mr. MANN. Perhaps the gentleman from Kentucky [Mr. LANGLEY] could use those two minutes.

The CHAIRMAN. Without objection, the gentleman from Kentucky will be recognized for the two minutes remaining of the time allotted to the gentleman from North Dakota [Mr. BAER].

There was no objection.

Mr. LANGLEY. Mr. Chairman, I have always been enthusiastically and overwhelmingly for this garden-seed appropriation. [Applause.] I want to say further that I am bitterly and uncompromisingly opposed to any amendment reducing the amount [applause]; which means, of course, that I propose to fight all these amendments that have been offered. [Applause.] I wish I had it in my power to increase the appropriation, because the amount reported by the committee will not be sufficient to give each Member a quota large enough to enable me to send a package to each housekeeper in my district, and that means that I will have to keep up my former practice of begging and borrowing them. [Laughter and applause.] My judgment is that no greater harm could be done in the estimation of the public to this great Department of Agriculture, which is doing such magnificent work for the farmers of the country, than would result from the abolition or even the further curtailment of this garden-seed distribution. [Applause.] I have private information to the effect that this seed distribution next spring will have a lot more

corn and beans in it than heretofore. Of course, we all want the beans, of which there has been a dearth for a good while, and I imagine that all are interested in helping to avoid a fall off in the corn crop for one reason and another. [Applause.]

Some reference has been made in the debate on this paragraph to the fact that a great many people do not want these seeds sent to them, and when they are sent they do not use them. I have found very few cases like this in my district. Wherever I hear of a fellow who makes fun of the garden-seed distribution or indicates in any way that he does not want them, I take particular pains to strike him off my seed list. I send them only to those who want them, and that means practically everybody in the tenth Kentucky district. [Applause.]

Referring to those Members of Congress who are always opposing this appropriation, I think it would be a good idea, and certainly a just one, to amend the bill so as to take their quotas away from them and pro rate what they would otherwise get among the balance of us Members who do want them. [Applause.]

I realize that there are some sections of the country, particularly in large cities, where they do not raise much garden stuff, and some sections where they prefer hops and other agricultural products not included in the congressional distribution. Now that these other products are less profitable than they used to be, that is no reason why they should raise Cain with us farmers who still want the garden seed sent out.

Some gentleman remarked a few moments ago that he was not voting for continuing the distribution of garden seeds, because it helped him in his races for reelection to Congress, and that if that was his reason he would be unworthy of his seat. I do not mind confessing, incidentally, that I am conscious of the fact that sending everybody in my district a package of garden seed does not decrease my popularity. If I thought it would have that effect I might hesitate long and seriously before I would vote for the seed distribution [applause], and I imagine that a good many others would do likewise. But speaking seriously, gentlemen, I am for the continuance of this custom and for its enlargement, because I know it is of great value to the people of the country, and especially to the farmers. It increases their interest in agriculture and stimulates production, and it also makes the people out in the country feel that the Government at Washington is interested in their welfare and that their Congressman remembers them and is desirous of helping and serving them. [Applause.] But, Mr. Chairman, I see that the Chair and the House are impatient to hear the immortal bard from the Tombigbee, the distinguished gentleman from Mississippi [Mr. CANDLER], and I give way to him. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SISSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 13274. An act to provide relief where formal contracts have not been made in the manner required by law.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3220) authorizing the Secretary of the Interior to make investigations through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

The message also announced that the Senate had passed without amendment the bill of the following title:

H. R. 8828. An act increasing the limit of cost for the acquisition of a public building site at Yonkers, N. Y.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The gentleman from Mississippi [Mr. CANDLER] is recognized. [Applause.]

Mr. CANDLER of Mississippi. Mr. Chairman, I am very grateful, indeed, to be thus called out from the Speaker's chair to discuss this important question. [Applause.] Of course it is absolutely necessary each year in Congress to have me express my views on this great question, in order that it may be properly settled and determined in the interests of the country and for the welfare of the people. [Applause.] For that reason I deem it my duty at all times to be present upon occasions like this in order that I may promptly respond to invitations from the Chair as well as from my numerous friends on both sides of this House, who desire to hear me speak for the entertainment as well as the edification of my fellow Members. [Applause.]

I have been quite ill lately. In addition to that my wife has been seriously ill. My secretary in my office has been seriously sick also, all of us with the influenza. For these reasons I have not been able to attend promptly to my public duties on the floor of the House or in the departments, or even in my office. I regret this very much, because it is my earnest desire to be prompt and efficient at all times. If there is one thing I have tried to do at all times it has been to be prompt and faithful in discharging every duty devolving upon me as a representative of the people. Therefore I am here now under these difficult conditions to protect, if I can, the interests of the plain people. [Applause.]

I always take notice—and I take notice to-day—of the great statesmen on the floor of the House of Representatives. I love them all. I have served with them during all these years in pleasant association. I have seen gentlemen who did not measure up to the high standard of genuine statesmanship arise upon the floor of the House year after year and move to strike out this very important item. [Laughter.] I have seen the real statesmen—among whom I am one—arise year after year upon the floor of the House to advocate and to defend this appropriation. I am glad that in times gone by the statesmen have always prevailed in the advocacy of the expenditure of this small sum in the interest of the plain people of the United States of America. [Applause.] Many efforts have been made to eliminate it, but they have not succeeded, and they will not succeed to-day. [Applause.] The truth of it is, my friends, that this is not only an appropriation that appeals to the people themselves but it is an appropriation that accomplishes real and genuine good. I have heard it said to-day—or insinuated—that these seeds have no value. In order to demonstrate their value I took some packages and put them away last year in my office. This year I took a small box and put it in my office, filling it with soil that I got just outside the House Office Building. In this soil I planted those seeds, which were nearly or about 2 years old, and put a little water on the soil, and every one of those seeds germinated and brought forth the identical plant the name of which was printed on the outside of the package. [Applause.] Still some people say these seeds are no account. The truth is they are the best seed you can get anywhere. [Applause.]

I hope this provision carrying this appropriation will be adopted, and I have no doubt it will be. Then let the other provisions of this splendid bill be approved and the bill in its entirety be promptly passed. Why delay and take unnecessary time in its consideration? There is not a line in it which is not in the interest of the people and for the good of the farmers of the country. That being true, it deserves and should receive the vote of every Member. Stand by the farmers and they will stand by the country, and prosperity and happiness will result. So let us hurry this bill along and pass it, and in doing so render a real service to our constituents and to the country. [Applause.]

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment of the gentleman from Michigan [Mr. MCLAUGHLIN].

The question was taken; and on a division (demanded by Mr. MCLAUGHLIN of Michigan) there were—ayes 17, noes 60.

Accordingly the amendment was rejected.

The CHAIRMAN. The question now is on the motion of the gentleman from North Dakota [Mr. YOUNG] to strike out the paragraph.

The question being taken; on a division (demanded by Mr. YOUNG of North Dakota) there were—ayes 16, noes 61.

Accordingly the amendment was rejected.

The Clerk read as follows:

General expenses, Forest Service: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: *Provided*, That the cost of any building erected shall not exceed $800; to pay all expenses necessary to protect, administer, and improve the national forests; to ascertain the natural conditions upon and utilize the national forests; and the Secretary of Agriculture may, in his discretion, permit timber and other forest products cut or removed from the national forests to be exported from the State or Territory in which said forests are respectively situated; to transport and care for fish and game supplied to stock the national forests or the waters therein; to employ agents, clerks, assistants, and other labor required in practical forestry and in the administration of national forests in the city of Washington and elsewhere; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service;

to purchase necessary supplies, apparatus, and office fixtures, and technical books and technical journals for officers of the Forest Service stationed outside of Washington, and for medical supplies and services and other assistance necessary for immediate relief of artisans, laborers, and other employees engaged in any hazardous work under the Forest Service; to pay freight, express, telephone, and telegraph charges; for electric light and power, fuel, gas, ice, washing towels, and official traveling and other necessary expenses, including traveling expenses for legal and fiscal officers while performing Forest Service work; and for rent outside of the District of Columbia, as follows.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from North Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. LEVER: Page 36, line 4, strike out the word "and" between the words "fixtures" and "technical" and insert in lieu thereof the words "law books."

Mr. LEVER. Mr. Chairman, the comptroller has held that the Forest Service, under the words "technical books," has no authority to buy law books and has turned down their vouchers. This is to cure that situation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The amendment of Mr. LEVER was agreed to.

The Clerk read as follows:

In all, for the use, maintenance, improvement, protection, and general administration of the specified national forests, $2,069,201: *Provided*, That the foregoing amounts appropriated for such purposes shall be available interchangeably in the discretion of the Secretary of Agriculture for the necessary expenditures for fire protection and other unforeseen exigencies: *Provided further*, That the amounts so interchanged shall not exceed in the aggregate 10 per cent of all the amounts so appropriated.

Mr. MANN. Mr. Chairman, I move to strike out the last word. We carry something over $2,000,000 for general administrative purposes of the national forests. In addition to that we carry total appropriations of about $6,000,000. What are the receipts from the national forests now?

Mr. LEVER. I am happy to state to the gentleman from Illinois that the receipts from the national forests are constantly increasing. The total receipts of the national forests for the last fiscal year amounted to $3,574,930.07. That is divided as follows: From timber, $1,621,000; for grazing, $1,735,000; for special uses, $227,000; so that the total is $3,574,000.

Mr. MANN. I am rather surprised that there has not been a greater receipt from timber during the last fiscal year. There was a very large demand for timber on account of the war, much of it of a character which was furnished by some of the national forests and at rather high prices. We have forests that are costing $6,000,000 a year, and having the timber under these conditions and have it only amount to one million and a half dollars seems to me rather strange.

Mr. LEVER. We made inquiry as to whether or not the Government got out much timber for aeroplane work from the national forests, and they said no, because it is too far removed from railroad facilities. Most of it was gotten from private property. They said that the prospect for timber sales next year is much larger than ever before, and the receipts for timber for the next fiscal year will be very largely increased. The promise was made years ago that the service would become self-sustaining, and I am glad to say that I think the receipts of the national forests show an increase from year to year.

Mr. MANN. As far as I am concerned, that does not concern me. I doubt whether they will ever get self-sustaining or whether they ever should be.

Mr. LEVER. Except for the permanent improvement, such as trails, roads, and bridges, and things of that kind, that ought to be regarded as permanent improvements, the national forests are pretty nearly on a self-sustaining basis now.

Mr. MANN. I think they are a good ways from it.

Mr. LEVER. That is the statement of the forester before the committee.

Mr. MANN. I have no doubt he is honest about it, but it depends upon what is covered by maintenance. Probably they do not cover a great many items, and as a matter of fact the estimate for trails is maintenance, and roads are largely maintenance.

Mr. LEVER. The methods of wood distillation should not be charged to it.

Mr. MANN. Methods of wood distillation ought not to be charged against the account.

Mr. LEVER. The purchase of tree seeds and cones I regard as permanent improvements.

Mr. MANN. Not at all, the purchase of tree seeds for planting trees in the national forests is not permanent improvement; that is current expense.

Mr. LEVER. Then there is the item for silvicultural and dendrological and other investigations.

Mr. MANN. One is for the purpose of investigating the best methods for the conservation and management of forests and forestry lands, and that certainly is current expenses, an investigation of how to manage the thing you have got. That is certainly current expense.

Mr. LEVER. A good deal is spent on the national forests for silvicultural purposes. I feel encouraged at the outlook for the national forests.

Mr. MANN. I have never been discouraged about it, I believe in the national forests and I am not worried as to whether they pay an income at present or not, because they are maintained in the main for the future, but I did think that probably they would dispose of more timber than they have during the war.

Mr. LEVER. They say on account of the location they disposed of very little.

Mr. JOHN W. RAINEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MADDEN. Mr. Chairman, I move to strike out the last two words. I have always been more or less interested in the national forest reserves under the control of the Agricultural Department, and it has been my understanding for a good many years that they were going to be put on a profitable basis. But I notice that every year as the bill comes in there are appropriations for new activities, and the service runs behind anywhere from two to three million dollars. Here we are told that the prospect for the succeeding year is brighter; that the sun is shining more clearly in the West than it shone the year before; that the rains are wetter than ever before; that the grass is greener and the trees bigger than they have ever been, and the receipts from the sale of timber are greater and the expenses are less. But as the bill comes in from time to time they have appropriations for new activities.

The salaries of the foresters are increased, perhaps the number of foresters is increased, the number of roads to be built up are on a larger mileage, the forest fires perhaps blazed more than they used to blaze, and there is always, first one reason and then another, why the Forest Service continues to run behind. I have rather hoped that we would be able to see the light of day some time in the not distant future, but when one calls attention to that the answer is that the trees are growing higher than they used to and they shut out the light of the sun.

Mr. LEVER. Mr. Chairman, the gentleman is always humorous. Let us see what the facts are.

Mr. MADDEN. Of course, facts are very interesting things on occasion.

Mr. LEVER. In 1907 the receipts from the national forests were $3,457,000. In 1914 the receipts were $2,457,000.

Mr. MADDEN. That is something of a decrease in receipts. What was the increase in expenditures?

Mr. LEVER. The receipts from 1918 were $3,574,000, in round numbers $120,000 increase over last year. The estimated receipts for 1919 are $4,400,000.

Mr. MADDEN. Mr. Chairman, before the gentleman proceeds further, will he be kind enough to tell me how near his estimates have come to the facts in the past.

Mr. LEVER. Oh, they are not my estimates. They are the estimates of some one else.

Mr. MADDEN. Oh, I understood the gentleman to say they were his estimates, or the estimates of his committee, and I assumed, of course, that his committee had become so proficient in estimating the outcome of its activities that by this time it had reached such a state of perfection that its estimates, as related to the facts, would be beyond doubt.

Mr. LEVER. I think the committee as a whole has reached that state of perfection, though I doubt that the chairman has.

Mr. MADDEN. Seriously, Mr. Chairman, I think the committee is to be congratulated upon its great efficiency.

Mr. WASON. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WASON. Does the gentleman want to require a higher standing for the Committee on Agriculture relative to estimates than is exhibited by the Committee on the Post Office and Post Roads?

Mr. MADDEN. If I did, I would have to look up to the gentleman who has just propounded the inquiry. I want to say of the committee that it really has displayed a great deal of wisdom, in some senses conservatism, although extravagant in other senses. As a whole, the committee has been one of the great committees of the House, composed of men of high patriotic purpose. The gentleman from South Carolina [Mr. LEVER] has occupied the position of chairman of this committee for a good many years. He is soon about to retire

from the chairmanship, and I want to say of him that I have never known a man acting as chairman of any committee of the House during my membership who has qualified for the position better than he. [Applause.] He not only knows what he is about, but he has given painstaking care to every activity in which he has been called upon to participate. He knows everything connected with the agricultural activities of the country. He has been patriotic, painstaking, conservative, clean, forceful, intelligent, and, on the whole, has earned a right to the confidence not only of the membership of the House but of the people of the United States. [Applause.] I congratulate him upon the great services he has rendered to the American people, and the greatest regret that I have to express is that although I want him to sit beside me as an associate he is not going over to the body at the other end of the Capitol, to which he is so much entitled to go. [Applause.]

The Clerk read as follows:

For investigations of methods for wood distillation and for the preservative treatment of timber, for timber testing, and the testing of such woods as may require test to ascertain if they be suitable for making paper, for investigations and tests within the United States of foreign woods of commercial importance to industries in the United States, and for other investigations and experiments to promote economy in the use of forest products, and for commercial demonstrations of improved methods or processes, in cooperation with individuals and companies, $173,260.

Mr. MANN. Mr. Chairman, I move to strike out the last word, and I beg the pardon of the committee for having to ask information of it in this respect. In view of the claimed scarcity and rather high price of various kinds of print paper and other papers, may I ask the gentleman from South Carolina if he happens to recall what the paper testing bureau is doing now?

Mr. LEVER. Mr. Chairman, I must say very frankly to the gentleman that we did not make any inquiry about that this year.

The Clerk read as follows:

For the purchase of tree seed, cones, and nursery stock, for seeding and tree planting within national forests, and for experiments and investigations necessary for such seeding and tree planting, $145,640: *Provided*, That of this sum the Secretary of Agriculture is authorized to use so much as may be necessary, but not to exceed $200, to acquire by purchase land now used as a forest nursery site for the Michigan National Forest.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I rise for information for, though Michigan is an adjoining State to Wisconsin, I must confess I am not apprised of the Michigan State Forest.

Mr. LEVER. Mr. Chairman, I had intended to yield on this proposition to the gentleman from Michigan; I do not happen to see him at the moment——

Mr. STAFFORD. He was here a moment ago. Will the gentleman ask unanimous consent to have that passed?

Mr. LEVER. I shall be glad to do so.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to pass the paragraph, page 45, lines 15 to 22, inclusive. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

BUREAU OF CHEMISTRY.

Salaries, Bureau of Chemistry: One chemist, who shall be chief of bureau, $5,000; 1 chief clerk, $2,500; 1 administrative assistant, $2,500; 3 executive clerks, at $2,000 each; 10 clerks, class 4; 13 clerks, class 3; two clerks, at $1,440 each; 20 clerks, class 2; one clerk, $1,300; 75 clerks, class 1; 1 clerk, $1,100; 13 clerks, at $1,020 each; 15 clerks, at $1,000 each; 2 multigraph operators, at $1,000 each; 1 clerk, $960; 11 clerks, at $900 each; 2 food and drug inspectors, at $2,500 each; 2 food and drug inspectors, at $2,250 each; one food and drug inspector, $2,120; 13 food and drug inspectors, at $2,000 each; 13 food and drug inspectors, at $1,800 each; 1 food and drug inspector, $1,620; 11 food and drug inspectors, at $1,600 each; 10 food and drug inspectors, at $1,400 each; 1 assistant, $1,600; 4 laboratory helpers, at $1,200 each; 1 laboratory helper, $1,020; 4 laboratory helpers, at $1,000 each; 4 laboratory helpers, at $960 each; 3 laboratory helpers, at $900 each; 7 laboratory helpers, at $840 each; 2 laboratory helpers, at $780 each; 24 laboratory helpers or laborers, at $720 each; 2 laboratory helpers or laborers, at $660 each; 27 laboratory helpers or laborers, at $600 each; 1 laboratory assistant, $1,200; 1 toolmaker, $1,200; 3 samplers, at $1,200 each; 1 janitor, $1,020; 1 mechanic, $1,800; 2 mechanics, at $1,400 each; 1 mechanic, $1,200; 1 mechanic, $1,020; 1 mechanic, $1,000; 1 mechanic, $960; 1 mechanic, $900; 2 student assistants, at $300 each; 2 messengers, at $840 each; 1 skilled laborer, $1,050; 1 skilled laborer, $840; 7 messenger boys, at $600 each; 3 messenger boys, at $540 each; 6 messenger boys, at $480 each; 3 messenger boys, at $420 each; 2 messenger boys, at $360 each; 7 laborers, at $480 each; 13 charwomen, at $240 each; in all, $411,670.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I notice there is a new position created that is designated as one administrative assistant at a salary of $2,500.

Mr. LEVER. That is a transfer from the lump sum of the food and drugs act.

Mr. STAFFORD. Is he receiving the same salary?

Mr. LEVER. Yes.

Mr. STAFFORD. I notice in this bill the bureau has also three executive clerks at $2,000. There is a chief clerk at $2,500, and the gentleman now proposes to have an administrative assistant at $2,500 in addition to three executive clerks.

Mr. LEVER. The same number is carried.

Mr. STAFFORD. What is the necessity of having so many supervisory officials over a clerical force that is not very large?

Mr. LEVER. Well, I confess I do not know the exact details.

Mr. STAFFORD. There are divisions in some auditors' offices where they have only one chief clerk, but here in this bureau you have three executive clerks and a chief clerk besides, and now you intend to create an administrative assistant. Is there not danger of the force toppling over by reason of having too many at the head?

Mr. LEVER. I would not want to admit what the gentleman said before looking into the matter and finding out what these men are doing. It may be they are looking after the food and drug act in some city like New York or Boston. I am not sure as to that.

Mr. STAFFORD. The gentleman is certain this man is receiving the same salary at the present time?

Mr. LEVER. Yes.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. MANN. Mr. Chairman, I move to strike out the last word. Mr. Chairman, for nearly a year now I have intended, as soon as I could, to prepare some information to suggest to the Congress that it provide an authorization, and if necessary an appropriation, to investigate food values. I have been on a diet personally for over a year, and very likely will be for the balance of my life in a way, with at least a suggestion from doctors as to how much of food values I shall take in the way of proteins, fats, and carbohydrates, which mean sugars, sweets, and starches. The Department of Agriculture some years ago made an investigation of the subject, which is still in the main the standard authority. The Connecticut agricultural department has made an investigation of the subject and various other people have, but the main authority is the report made a number of years ago by the Department of Agriculture. There are various books published giving details of food values. To most of you those are of absolutely no importance, but to many people in the country they are of vital importance. The trouble we have is that they are inaccurate and conflicting. There is a standard book—Locke on Food Values—which is the standard used by many hospitals, and while I was in the hospital at Baltimore passing away the time, in the main feeling very well, I used to read this book and, having a rather retentive memory for things that I try to remember, when I would come to some item in the middle or the latter part of the book which absolutely contradicted a statement in a former part of the book I would return to it, and I amused myself quite a good deal while at the hospital asking my doctor, who had told me to study the food values of this book and to prepare a diet accordingly, which food values he would take in the book, whether the one on page so and so, giving the food value of a certain article of food, or vegetable or fruit, or one on page so and so, giving an entirely different food value.

The only response that I really ever got out of my doctor, I believe, was once when I asked him about grapefruit, which they were feeding me at the hospital. In one place in the book they said that grapefruit was to be charged with 15 per cent of carbohydrates, and in another place they said it was to be charged with 3 per cent of carbohydrates. I said to the doctor, "You are giving me grapefruit here. It makes a good deal of difference, under the tables you give me, as to which percentage is correct." He smiled at me and said, "Mr. MANN, if I were you I would not eat so much grapefruit, but would eat oranges instead." But there is just as much difficulty about oranges.

Now, this is a work that can only be done correctly by the National Government. Tables which were published years ago by the Agricultural Department, in a bulletin which is not now obtainable, are themselves very disappointing.

We had the subject up a while ago of cottage cheese and other cheeses. In these tables that are now published, even in the tables that are in the new books, no lists of cheeses which you can find anywhere in this country or probably on earth by the name are given, and the cheeses you can find you will not find any tables for, usually. They are out of date.

We are always preached to. Food values used to fall from me like water from a duck's back. Farmers know something about food values for the stock they feed. Occasionally they or their wives know something about the food values of the food which they eat in their families, but only in a general way. A man may eat too much protein, which will be extremely deleterious to his health; he may eat too much of fat, which will

be extremely deleterious to his health; he may eat too much of sugar, or starch, or of carbohydrates, which will be extremely deleterious to his health; but he has no way of knowing now how much he is eating.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

For the investigation and development of methods for the manufacture of table sirup and of methods for the manufacture of sweet sirups by the utilization of new agricultural sources, $12,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. I notice this is a new activity of the department. What is proposed to be undertaken by the Bureau of Chemistry in the investigation of methods for the manufacture of table sirup and of sweet sirups by the utilization of new agricultural sources?

Mr. LEVER. The department proposes to make some investigation of the methods of manufacturing sweet sirups from grapes, apples, and other fruits. The department is now doing its work as to the manufacturing of table sirups, but it wants to extend its activities to these various fruits from which other sirups can be had.

Mr. STAFFORD. Is that predicated on the idea that the country is going dry next July?

Mr. LEVER. The committee felt we might hope for some relief through this.

Mr. STAFFORD. There are all kinds of substitutes being suggested to appease the thirst, especially in the arid districts of the country. I hope there will be some oases where they may continue to be quenched even after July 1.

Mr. LEVER. I expect that this is rather important work. I never ate any grape sirup, I confess, but I do not see why grapes should not make very fine sirup.

Mr. CRISP. They make good wine.

Mr. LEVER. They make good wine, my prohibitionist friend from Georgia says.

Mr. STAFFORD. Of course, prohibitionists are generally authority on wines.

Mr. HUMPHREYS. Perhaps this is with a view of making some other city "famous."

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

For experiments in the manufacture of rare chemicals for use in chemical research, including investigation of domestic sources of supply, $10,000; and the Secretary of Agriculture may furnish, upon application, samples of rare chemicals to investigators for research work and charge for the same a price to cover the cost thereof, such price to be determined and established by the Secretary, and the money received from sales to be deposited in the Treasury of the United States as miscellaneous receipts.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I am quite interested to ascertain whether this activity could not be more properly performed by the Bureau of Standards. The Bureau of Standards has a large chemical laboratory. It is supposed that their function is to determine the standards of physical contents and, I assume, of chemical contents. You purpose here, in language at least, to have the Bureau of Chemistry perform work that, from my information, should be performed by the Bureau of Standards.

Mr. LEVER. This is the statement that was made to the committee: It is proposed under this new language to enable the Bureau of Chemistry to manufacture certain very rare chemicals, the quantities of which that are used being so small that commercial enterprises will not manufacture them, and they gave us as an illustration a very rare chemical of which the Bureau of Standards itself had on hand a little phial full, sufficient for a whole year in its work. It is to take care of these rare chemicals that the Bureau of Chemistry desired to do this work. It is not contemplated at all that it shall be done on a commercial scale. Dr. Alsberg says this about it:

The situation which led me to suggest to the Secretary of Agriculture the insertion of this item is something like this: There are a great many rare and unusual chemicals and reagents which are absolutely necessary in research that are not being made in the United States and for which we used to depend upon importations from Europe. When the embargo on importations came along an immense amount of research had to stop because the necessary chemicals with which to do it could not be obtained. These are rare materials that are produced in very small quantities and are not matters of ordinary manufacture, but are absolutely necessary if the country is to carry on any extensive chemical research. Now, if we are to hold our own in the chemical industries permanently, I think there is nothing that can be done by the Federal Government that will add more to the development of chemical research and to establishment of a self-reliant chemical industry in the United States than to put some agency of the Government into the position of assisting in research by furnishing to investigators and to others doing research work these rare and unusual chemicals which can not be obtained in the markets.

Then he goes on to give some illustrations.

Mr. STAFFORD. The statement that the gentleman has just read by Dr. Alsberg would confirm my position that the work should be performed by the Bureau of Standards rather than by the Bureau of Chemistry.

Mr. LEVER. Why?

Mr. STAFFORD. Because that is the very purpose of the Bureau of Standards—to ascertain standards of chemicals, as well as physical contents.

Mr. LEVER. This is a process of manufacture, not a standardizing of chemicals at all. It is a proposition to manufacture these chemicals in very small quantities and sell them to people engaged in research work.

Mr. STAFFORD. Oh, well, in the Bureau of Standards they are manufacturing certain standards and selling them to the trade. For instance, they are manufacturing standards of certain chemicals that are used in the manufacture of steel and selling those standards. They have a large chemical laboratory. All the activities of the Government during the war to determine the proper content of textiles and manufactured articles was performed by the Bureau of Standards. From the President's emergency fund the Bureau of Standards was advanced something like $300,000 or more. Large buildings have been erected. Those activities are going to continue in peace times. Why should we throw some of that work into the Bureau of Chemistry when we have accommodations in the Bureau of Standards to develop it?

Mr. LEVER. I did not understand from the statement of Dr. Alsberg that the Bureau of Standards is prepared to do this work. As I understand it, there is a pretty clear line of demarcation between the work of the Bureau of Standards and the work of the Bureau of Chemistry in the Department of Agriculture. Of course, this work might as well be done in the Bureau of Standards as in the Bureau of Chemistry, but what is the difference?

Mr. STAFFORD. There should not be any duplication of effort.

Mr. McLAUGHLIN of Michigan. There is no duplication here. This is simply making things in such small quantities that they can not be manufactured elsewhere. The Bureau of Standards is reaching out and encroaching on the Department of Agriculture in many directions, but there are many things that the Bureau of Chemistry in the Department of Agriculture ought to be permitted to do in its own sphere.

Mr. STAFFORD. This is not limited, however, to agricultural work. It is to manufacture chemicals that can be used in any line of activity.

Mr. McLAUGHLIN of Michigan. It is to manufacture chemicals that are useful in lines of activity in which the bureaus of the Department of Agriculture are engaged.

Mr. LEVER. If you wanted to manufacture chemicals, you would not go to the Bureau of Standards, but to the Bureau of Chemistry in the Department of Agriculture.

Mr. McLAUGHLIN of Michigan. This work is too particular and too fine for the Bureau of Standards. It has to be intrusted to the hands of real chemists who know something about agriculture.

Mr. STAFFORD. Oh, when it comes to finesse of operation, of course the Bureau of Standards excels any other bureau engaged in any Government activity. The gentleman shows by that statement that he is thoroughly unfamiliar with the character of the work performed by the Bureau of Standards.

Mr. Chairman, for the present I make the point of order, unless we can have positive testimony that it does not conflict with the work of the Bureau of Standards.

Mr. LEVER. If the gentleman will permit, I will ask unanimous consent to pass this item over until to-morrow. I am satisfied that there is no duplication, but I will get a positive confirmation of it.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that this paragraph be passed without prejudice. Is there objection?

Mr. GREEN of Iowa. Mr. Chairman, reserving the right to object, I should like to inquire just a little further of the gentleman how is it that the Bureau of Chemistry has anything to do with this matter? Is not the work of the Bureau of Chemistry confined to chemistry connected with agricultural operations?

Mr. LEVER. The work of the Bureau of Chemistry is not confined entirely to matters connected with agriculture, but a large part of the work of that bureau is connected with what is called organic chemistry.

Mr. GREEN of Iowa. That would apply, however, to the Department of Agriculture, of course?

Mr. LEVER. Yes. The bulk of their work is agricultural chemistry. This is merely a proposition that some agency of

the Government shall manufacture these very rare chemicals, which can not be had in the commercial trade, because the quantity used during any one year is so very small that no manufacturing concern will bother with it.

Mr. GREEN of Iowa. I understand that perfectly; but the trouble is, it seems to me, that this is simply an entering wedge to enlarge the work of the Bureau of Chemistry in the Department of Agriculture, which properly has to do only with the chemistry connected with agricultural operations and has nothing to do with minor chemical operations.

Mr. BAER. It is my understanding that in the organic chemistry that is practiced in the Department of Agriculture they have use for certain acids and reagents that are not required in inorganic chemistry, and that is the reason they want those chemicals, to make the tests on proteids and other things, which are not needed in ordinary inorganic chemistry.

Mr. GOOD. If the gentleman will permit, the very language of this appropriation says that it is to standardize something for use in the Department of Agriculture. Now, just as the gentleman from Wisconsin said, that is the province of the Bureau of Standards, which is standardizing for every department of the Government—the War Department, the Navy Department, the Treasury Department, and so on. Now, this is for experiments in the manufacture of rare chemicals. That is the very work that the Bureau of Standards was created to perform.

Mr. LEVER. Why have a Bureau of Chemistry at all, then? Why not abolish it?

Mr. GOOD. Oh, I can see how there should be a Bureau of Chemistry in the Department of Agriculture.

Mr. LEVER. Then why are you asking the Bureau of Standards to do chemical work? The very name indicates that it is not a chemical department at all.

Mr. GOOD. This means to make analyses and to enter upon experimental work and discover something and standardize something. That is the province of the Bureau of Standards.

Mr. ANDERSON. I think the gentleman from Iowa is entirely mistaken as to the purpose of this item.

Mr. LEVER. Absolutely so.

Mr. ANDERSON. The purpose is to manufacture certain rare chemicals which are used by chemists in order to produce certain reactions. These rare chemicals are not manufactured commercially at all. They are necessary in the trade, but they are used in such small quantities that they are not manufactured on a commercial scale. The purpose of this item is to permit the Bureau of Chemistry to manufacture these chemicals, in order that the trade may have them when it is desired to produce these reactions.

Mr. LEVER. They are to be sold and the money turned into the Treasury.

Mr. GREEN of Iowa. This item says it is for research work and experimental work, as we are to understand.

Mr. LEVER. Would you not have the Bureau of Chemistry conduct research work with reference to very rare chemicals, as well as furnish them to the trade?

Mr. GREEN of Iowa. No; that is the work of the Bureau of Standards. Of course, the Bureau of Chemistry in the Agricultural Department, I think, ought to confine its work to biological chemistry, the chemistry which applies to that department. Otherwise you will have these two departments overlapping each other.

Mr. LEVER. We have been getting these rare chemicals from Germany. That is the truth about the matter. We have been importing them, and unless we want to depend in the future, as we have in the past, on foreign nations for things of that sort some one has to do the work. It seems to me that, it being for chemical purposes, it ought to be the Bureau of Chemistry.

Mr. GREEN of Iowa. This is experimental work and peculiarly within the province of the Bureau of Standards.

The CHAIRMAN. Does the gentleman from Wisconsin withdraw his point of order?

Mr. STAFFORD. By no means.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that this paragraph be passed over.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

BUREAU OF SOILS.

Salaries, Bureau of Soils: One soil physicist, who shall be chief of bureau, $4,000; 1 chief clerk, $2,000; 1 executive assistant, $2,000; 4 clerks, class 4; 2 clerks, class 3; 5 clerks, class 2; 1 clerk, $1,260; 10 clerks, class 1; 7 clerks, at $1,000 each; 1 soil cartographer, $1,800; 1 chief draftsman, $1,600; 1 soil bibliographer or draftsman, $1,400; 1 photographer, $1,2000; 5 draftsmen, at $1,200 each; 1 clerk-draftsman, $1,200; 2 draftsmen, at $1,000 each; 1 laboratory helper, $1,000; 3 laboratory helpers, at $840 each; 1 machinist, $1,440; 1 machinist, $1,380; 1 instrument maker, $1,200; 1 machinist's helper, $900; 1 messenger, $840; 1 messenger or laborer, $480; 2 messenger boys, at $480 each; 3 laborers, at $600 each; one laborer, $300; one charwoman or laborer, $480; in all, $74,160.

Mr. LEVER. Mr. Chairman, I offer an amendment to correct a typographical error.

The Clerk read as follows:

Page 53, at the end of line 18, strike out $1,2000 and insert in lieu thereof $1,200.

The amendment was agreed to.

The Clerk read as follows:

BUREAU OF ENTOMOLOGY.

Salaries, Bureau of Entomology: One entomologist, who shall be chief of bureau, $5,000; 1 chief clerk and executive assistant, $2,250; 1 administrative assistant, $2,250; 1 editor, $2,250; 1 financial clerk, $1,800; 4 clerks, class 4; 7 clerks, class 3; 16 clerks, class 2; 22 clerks, class 1; 8 clerks, at $1,000 each; 1 insect delineator, $1,600; two insect delineators, at $1,400 each; 2 entomological draftsmen, at $1,400 each; 1 entomological draftsman, $1,080; 1 photographer, $1,200; 1 entomological preparator, $1,000; 4 entomological preparators, at $840 each; 8 entomological preparators, at $720 each; 7 entomological preparators, at $600 each; one laborer, $1,080; 2 messengers or laborers, at $900 each; 1 messenger or laborer, $840; 3 messengers or laborers, at $720 each; 6 messenger boys, at $480 each; 1 laborer, $540; 1 laborer, $480; 2 charwomen, at $480 each; 3 charwomen, at $240 each; in all $124,010.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. Is the entomologist, whose salary you propose to increase, the same person recommended for an increase last year?

Mr. LEVER. Yes; he has been in the Government service many, many years.

Mr. STAFFORD. Mr. Chairman, I make the point of order.

Mr. LEVER. I concede it.

Mr. McLAUGHLIN of Michigan. Will the gentleman reserve his point of order?

Mr. STAFFORD. I will reserve it.

Mr. McLAUGHLIN of Michigan. The committee made the recommendation to increase the salary $500, took testimony on it, and considered it very carefully. In our judgment the increase in salary ought to be made for an official who has been in the department, as the chairman says, for a long time at the head of this bureau. He has performed able and faithful services. The salary is less than the salary paid to the heads of other bureaus. We felt, after listening to all that was said, and with a knowledge of the work he has been doing and has done, the salary proposed is not too large. We realize that it is subject to a point of order, but it was not put in carelessly and was not arrived at without due deliberation, and it was the unanimous vote of the committee that the salary should be increased.

Mr. STAFFORD. How long has he been there?

Mr. LEVER. He has been there 42 years.

Mr. STAFFORD. What is his age?

Mr. LEVER. Over 60, perhaps nearer 70, but he is still vigorous and able to do good work. He is one of the greatest entomologists in the world.

Mr. STAFFORD. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 5, line 23, after the colon, insert "one entomologist, who shall be chief of the bureau, $4,500."

The amendment was agreed to.

The Clerk read as follows:

For investigations of insects affecting cereal and forage crops, including a special investigation of the Hessian fly and the chinch bug, $147,060, of which sum $10,000 shall be immediately available.

Mr. WHITE of Maine. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question with reference to this item. My understanding is that this lump sum of $147,000 includes an estimate of $25,000 for investigation of and the eradication of the European corn borer. Will the gentleman confirm that?

Mr. LEVER. That is true, and we propose making $10,000 available for that purpose.

Mr. WHITE of Maine. I understand $10,000 is made immediately available for the work in that connection.

Mr. LEVER. It is.

The Clerk read as follows:

For investigations of insects affecting truck crops, including insects affecting the potato, sugar beet, cabbage, onion, tomato, beans, peas, etc., and insects affecting stored products, $84,960.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. Will the chairman of the committee explain the reason for the large increase in this item of investigational work?

Mr. LEVER. Mr. Chairman, the gentleman will recall that last year the Senate put in this bill in the miscellaneous items an appropriation of $20,000 for certain sweet-potato work. We

have transferred that $20,000 from the miscellaneous funds to this item, where it properly belongs. In other words, we have corrected an error in respect to the proper place it should appear in the bill.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Preventing spread of moths, Bureau of Entomology: To enable the Secretary of Agriculture to meet the emergency caused by the continued spread of the gypsy and brown-tail moths by conducting such experiments as may be necessary to determine the best methods of controlling these insects; by introducing and establishing the parasites and natural enemies of these insects and colonizing them within the infested territory; by establishing and maintaining a quarantine against further spread in such manner as is provided by the general nursery-stock law, approved August 20, 1912, as amended, entitled "An act to regulate the importation of nursery stock and other plants and plant products, to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests, to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes," in cooperation with the authorities of the different States concerned and with the several State experiment stations, including rent outside of the District of Columbia, the employment of labor in the city of Washington and elsewhere, and all other necessary expenses, $304,050.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. At the top of page 58 there is an item providing for investigational work under the direction of the Federal Horticultural Board. Early in the afternoon the gentleman from Illinois [Mr. MANN] directed attention to the ban placed by this board upon the importation into this country of certain flowers and plants which are generally used, most of them coming from Belgium. I rise to inquire whether this appropriation of $304,000 is the item from which the activities of this Federal Horticultural Board are paid?

Mr. LEVER. No; that item is carried further on in the bill, under the heading "Horticultural Board." It is on page 86.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

BUREAU OF BIOLOGICAL SURVEY.

Salaries, Bureau of Biological Survey: One biologist, who shall be chief of bureau, $4,000; 1 chief clerk and executive assistant, $1,800; 1 administrative assistant, $2,250; 1 executive assistant, $1,800; 1 financial clerk, $1,600; 3 clerks, class 3; 6 clerks, class 2; 1 clerk, $1,260; 10 clerks, class 1; 1 clerk, $1,100; 1 clerk, $1,080; 3 clerks, at $1,000 each; 4 clerks, at $900 each; 1 clerk, $840; 1 clerk, $720; 1 preparator, $1,200; 1 preparator, $900; 1 messenger, $720; 1 photographer, $1,300; 1 game warden, $1,200; 2 messenger boys, at $480 each; 1 messenger boy, $360; 1 laborer, $600; 2 charwomen, at $240 each; in all, $55,970.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. Will the chairman of the committee inform the House as to how long this biologist has been in the service of the Government, and how long he has been receiving the present salary of $3,500, on which you recommend an increase of $500?

Mr. LEVER. Mr. Chairman, this gentleman, whose name is Nelson, has been in the service of the department since November, 1890, a period of 28 years. He has served as chief field naturalist from 1907 to 1912, and was assistant in charge of the biological investigation from 1913 to 1914. On August 6, 1914, he was appointed assistant chief of the bureau, and on December 1, 1916, was made chief of the bureau. He took the place of Dr. Henshaw.

Mr. STAFFORD. And the salary has been $3,500 since 1916?

Mr. LEVER. Yes.

Mr. STAFFORD. What is his age?

Mr. LEVER. I should think that Dr. Nelson is around 50 years of age.

Mr. STAFFORD. He is not superannuated?

Mr. LEVER. Oh, no; he is a very vigorous man.

Mr. STAFFORD. Mr. Chairman, I withdraw the point of order.

Mr. SUMNERS. Mr. Chairman, I move to strike out the last two words for the purpose of asking unanimous consent that I may print in the RECORD for the information of members of the committee an amendment which at the proper place I propose to offer.

The CHAIRMAN. Is there objection?

There was no objection.

The amendment referred to is as follows:

For establishing and operating a farm produce exchange, the sum of $1,000,000, or so much thereof as may be required, and the Secretary of Agriculture is hereby authorized and directed to establish, at as early a date as practicable, a farm produce exchange, with such branches thereto as may be necessary, in order to afford a medium through which the economic and systematic sale and distribution of farm products may be effected.

Such exchange shall be divided into four sections, designated, respectively, as the grain, cotton, fruit and vegetable, and miscellaneous sections, and such additional sections as Congress may from time to time provide for by specific appropriation.

The commissioners of agriculture of the several States may select, and are requested to select, an advisory committee for each of said sections, other than the miscellaneous section, composed of three of their number, to act with the Secretary of Agriculture in connection with the sale of the farm products to be sold through the section for which they may be respectively selected, provided, however, the members of said committees shall have been selected by a majority vote by such commissioners based upon the average value, as determined by the Secretary of Agriculture, of the production of their respective States during the five years preceding such selection of the product or products to be dealt in through the section for which they may be selected. Nothing herein shall prevent an individual commissioner from being selected for the advisory committee of more than one section.

It shall be the duty of the Secretary of Agriculture to determine the time the first selection of advisory committees shall be made, and to notify the commissioners of agriculture of the several States of his action with regard thereto; and upon request by a majority vote, based upon production as herein provided, of the commissioners of agriculture shall designate the place where the selection of the several committees shall be made: *Provided, however*, That upon request of such majority vote the Secretary of Agriculture may provide for such selection otherwise than by a meeting of the several commissioners entitled to make such selection.

In the operation of such exchange the Secretary of Agriculture, as far as practicable, shall cooperate with the several States and the various agencies therein which may be utilized and may formulate plans and regulations for exchange of service between them and such exchange.

It shall be the duty of each of the departments of the Government to furnish the Secretary of Agriculture with such statistics and data as may be acquired which would be useful in the operation of such exchange and to render such other service in the sale and distribution of farm products through such exchange as it would be practicable to render.

The Secretary of Agriculture, as rapidly as possible, shall provide standards as to quality, and, where practicable, as to containers of agricultural products not heretofore standardized and subject to subsequent standardization by Congress.

The Secretary of Agriculture shall keep advised as nearly as practicable of the details of the quantity, quality, location, and price at which held of agricultural products and the volume and location or demand in the United States and abroad and the price at which such products may be sold, and shall make such information available to producers and purchasers of such products and to the general public and shall endeavor to bring about such system in the sale and distribution of farm products as shall eliminate the waste and extremes in prices resulting from the present lack of system therein and from the undue influence of price manipulation in relation thereto.

Those desiring to offer products for sale through such exchange may do so by grade or by sample, delivered to such exchange under such rules and regulations as the Secretary of Agriculture may prescribe. Those desiring to purchase farm products may in like manner submit offers to purchase, and it shall be the duty of the Secretary of Agriculture to endeavor to establish trading relationship between those desiring to purchase and those desiring to sell and to procure the transfer of title and possession under such sales as may be effected at points along the natural line of movement of farm products moving to points of consumption and to direct such movement so that such products shall move as nearly as practicable from the first point of concentration to the point of ultimate need by the shortest and most economical route and in quantity and quality in accord therewith. And to this end may designate points for inspection and of delivery, and shall exercise such intermediary inspection and supervision of delivery as shall inspire general confidence in the integrity of transactions consummated through such exchanges.

The Secretary of Agriculture is authorized to require such deposits in money, such bonds, or other guaranties of compliance with the obligation to deliver according to tender, or to receive and pay according to offer, as in his judgment may be necessary to insure compliance with the contracts made through such exchange.

All information furnished by such exchange shall not be at a higher cost than that necessary to pay the expenses of transmission.

No charges shall be made to individual producers or to producers' organizations for services rendered in effecting sales of products grown by them or by their members, as the case may be.

The Secretary of Agriculture is authorized to establish such additional rules and regulations governing transactions through such exchange and the service rendered by such exchange as in his discretion may be deemed necessary.

The Clerk read as follows:

For all necessary expenses for enforcing the provisions of the migratory-bird treaty act of July 3, 1918 (Public, No. 186, 65th Cong.), and for cooperation with local authorities in the connection of migratory birds, and for necessary investigations connected therewith, $147,000: *Provided*, That of this sum not more than $22,000 may be used for the enforcement of sections 241, 242, 243, and 244 of the act approved March 4, 1909, entitled "An act to codify, revise, and amend the penal laws of the United States," and for the enforcement of section 1 of the act approved May 25, 1900, entitled "An act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other purposes," including all necessary investigations in connection therewith.

Mr. STAFFORD. Mr. Chairman, on that I reserve the point of order.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee with reference to this paragraph which carries an appropriation of $147,000 for the purpose of enforcing the migratory game law, whether anyone has ever been convicted under the provisions of that law?

Mr. LEVER. Mr. Chairman, I do not know about that. Of course the Supreme Court has dismissed the case which came to it from one of the lower courts on the migratory game law itself. This is the first time that we have appropriated anything for the purpose of enforcing the migratory game treaty provision. I did not make any inquiry about it. There have been convictions, because these cases have come to the Supreme Court.

Mr. GREEN of Iowa. The statement of the gentleman leads to another inquiry. I have not followed the recent decisions of

the Supreme Court on this subject. The gentleman's statement that an appeal from the Supreme Court was dismissed does not tell me whether the court held the law valid or invalid.

Mr. LEVER. The Supreme Court did not pass on that, as the law had been superseded by another.

Mr. GREEN of Iowa. As far as I know, the lower courts have uniformly held the law to be invalid.

Mr. LEVER. I think there was a conflict there. One court held it valid and another invalid. I think there has been a conflict as to that, but not on this proposition. Of course that was the migratory game law, and not the migratory game treaty for which this item provides.

Mr. GREEN of Iowa. Well, this is for the purpose of enforcing the law, as I understand, which was passed for the purpose of carrying out this treaty?

Mr. LEVER. That is true. The enforcement of this act will not begin until the next fiscal yeor.

Mr. GREEN of Iowa. Very true; but they have been trying to enforce this same law—well, not the same law but a similar law?

Mr. LEVER. Yes. They have been enforcing the law which Congress passed and which one of the lower courts held to be unconstitutional and another court to be constitutional. One case finally came to the Supreme Court, but the migratory bird treaty was entered into, so the Supreme Court dismissed the case.

Mr. GREEN of Iowa. All I care to say in this connection is it is an utter waste of money, because nothing is accomplished by it.

Mr. PLATT. The gentleman is mistaken about that.

Mr. STAFFORD. Mr. Chairman, I wish to inquire of the gentleman what is purposed in the expenditure of this large appropriation of $147,000 for the enforcement of the provisions of the migratory bird treaty with Great Britain?

Mr. LEVER. Seventy-five thousand dollars of that will be used for that purpose.

Mr. STAFFORD. What is purposed in the minutia of the enforcement of that treaty? Is it intended to employ game wardens throughout the entire country?

Mr. LEVER. Certainly.

Mr. STAFFORD. And under the guise of this treaty try to enforce the migratory bird law?

Mr. LEVER. Exactly. This will enable them to employ more game wardens than they have had under the old law.

Mr. STAFFORD. Under the former law we only appropriated something like $50,000.

Mr. LEVER. Yes; we increase it $25,000.

Mr. RUBEY. Will the gentleman yield?

Mr. STAFFORD. I will yield to the gentleman for further information.

Mr. RUBEY. The department have always asked a larger sum than we have allowed. A year ago they asked for $100,000 for the enforcement of the law, and the committee or the House, I forget which, cut it down to $50,000. They have always asked for a larger appropriation than we have allowed.

Mr. STAFFORD. Can the gentleman give any information as to what is planned by the department in the enforcement of the law under the guise of this treaty?

Mr. LEVER. As I understand it, they intend simply to increase their force of game wardens and pursue the same policy of enforcing this act as they have been doing in reference to the act under which a case was dismissed by the Supreme Court.

Mr. STAFFORD. The gentleman from Missouri says that the department has heretofore requested a much larger amount than was granted.

Mr. LEVER. That is true.

Mr. STAFFORD. Has the department requested a larger amount this year for the enforcement of the treaty?

Mr. LEVER. The department asked for an appropriation of $125,000 for that purpose, and we gave $75,000. We cut it $50,000.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. CURRY of California. Mr. Chairman, I make the point of order against the section; it is subject to the point of order.

Mr. LEVER. Oh, it is not subject to the point of order; it is existing law.

Mr. CURRY of California. It is existing law?

Mr. LEVER. Certainly.

Mr. CURRY of California. Then, I move to strike out the section.

Mr. LEVER. And upon that I ask that all debate close in six minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto close in six minutes. Is there objection?

Mr. STAFFORD. Reserving the right to object, make it 10 minutes.

Mr. LEVER. Mr. Chairman, I will make it 12 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman that all debate on this paragraph and all amendments thereto close in 12 minutes? [After a pause.] The Chair hears none.

Mr. CURRY of California. Mr. Chairman, I do not care about taking up the time of the committee so late this afternoon on a matter of this kind. Every person understands the section, what it refers to, why it is there, and why it ought not to be there. They are opposed to it or else they are in favor of it. I think a mistake was made in approving the treaty between Great Britain and the United States in reference to birds that migrate betweeen Canada and this country. It has not resulted in any good, but it has resulted in bad local conditions.

Birds do the farmer some good, or at least the insectivorous birds do; but most of them are not migratory or do not migrate between Canada and the United States. Birds also do the farmer much harm. They carry and spread wheat smut, citrus canker and scale, pear blight, and domestic animal diseases.

In the Sacramento and San Joaquin Valleys in California wild ducks and geese destroy millions of dollars worth of grain, particularly wheat and rice. The Secretary of Agriculture, on application, may issue licenses to farmers injured by wild birds to shoot them on his farm or ranch, but the farmer is prohibited from selling, giving away, or transporting the birds they shoot. The result is that millions of ducks and geese rot on the ground of the ranches where they are shot.

The States themselves are in a better position to legislate on migratory birds and as to the time of the open and closed season than this Congress is. The California game laws protect all wild birds, except game birds, during the open season; that is, the killing of all birds except game birds named in the act is prohibited all the time and game birds can only be shot during the open season. Giving Congress the right to enact game laws is a centralization of power that is unwarranted and that a few years ago would not have been attempted. This treaty never should have been ratified in the first place. It has been adopted, and it was done for two purposes only—one to protect the game for the gentlemen sportsmen from the cities and the other was a surrender to the theorists and idealists of the Audubon Society. They both worked together and they worked this proposition through Congress. It is not in the interest of the people at all. It is only in the interest of a theory and idea and in the interest of the rich man in large cities who can afford to own preserves and employ men to go out there and stock the preserves with feed for the game. It is not in the interest of the public. Therefore I have made the motion to strike out the section.

Mr. PLATT. Mr. Chairman, I disagree entirely with the gentleman from California. The States are absolutely not in a position to legislate in regard to migratory birds, and neither is one country alone. The great migratory game birds, like the ducks and the geese, as I have said before on several occasions, do not belong to this country. If a person lives where his home is, then the ducks, most of them, live really in Canada. That is where they raise their young. They come down into the United States and spend the winter, just like our rich people go to Florida or to California.

Mr. CURRY of California. Will the gentleman yield for a moment?

Mr. PLATT. But the ducks and geese are a comparatively small part of the birds which are protected by the treaty. There are hundreds of varieties, or at least something over 100 species, of migratory birds that are small and that are of great economic use in destroying insects. And many of those birds nest in Canada. Many simply pass through the United States and go way down to South America in winter, some as far as Brazil and the Argentine.

I have already spoken several times on the subject of migratory birds, and I do not want to take up too much of the time of the House on that subject. Migratory birds rest sometimes only over a day or a night in a State, or they fly to it and perhaps spend a few weeks there. I have amused myself every spring by going out into the woods and fields with members of the Audubon Society and others in order to see how many birds I could identify. There are some that pass through rapidly. If you do not happen to see them in a certain week in April or May, you are not likely to see them during the whole year, unless you catch them on their return in the fall, when they are silent and do not sing and are generally harder to identify.

Mr. CURRY of California. Does not the gentleman know that more ducks and geese nest in California and Oregon than in Canada, and that the ducks and geese destroy millions of dollars' worth of cereals—wheat and rye—in that State, and that while the farmers are permitted to kill the ducks, if possible, to keep them off their ranches, they are not permitted to sell or give away or transport them? And there are millions upon millions of ducks and geese in the State of California that are killed and allowed to lie right on the ground simply on account of this law.

Mr. PLATT. If they are allowed to kill them they should be allowed to dispose of them. There are ducks and geese that nest in this country. But the great bulk of migratory ducks and geese to-day nest in Canada and along the northern border of the United States. A few species are nearly entirely resident in the United States. But the mallards and the canvasbacks and the most of the ducks that we see down here on the Potomac nest in Canada.

Mr. GREEN of Iowa. The gentleman has made a study of this subject and is much better informed than I am; but I had supposed that every State in the Union forbade the killing of song and insectivorous birds, and that there was not any necessity of further legislation on that subject. I do not understand that the national game wardens pay any attention to that part of the law.

Mr. PLATT. The gentleman is mistaken. For instance, take the bobolink. The bird we call the bobolink in the North, where he nests, is a rather famous song bird. After the nesting season he migrates down here into Maryland and Virginia and changes his plumage, and in the fall of the year is called a "reed bird." Then he looks entirely different, and before the Lacey Act was passed thousands of reed birds used to be shot by pot hunters to be served on our tables here in Washington and elsewhere. "Reed birds on toast" were to be found in every high-priced restaurant. The States did not generally prohibit the destruction of these birds, but as a rule their protection was made effective through the enforcement of the national law, at first by the Lacey Act, which has recently been superseded by the migratory bird act. There used to be also thousands of little birds of brilliant plumage, little warblers, killed to ornament women's hats.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Certainly.

Mr. McLAUGHLIN of Michigan. Speaking of birds being destructive of farm crops, the gentleman knows, I presume, that the authorities on that subject say that there is only one bird, the English sparrow, that does more harm than good?

Mr. PLATT. I do not know that even the English sparrow does more harm than good, though we have more of them than we need in most cities; but I understand there are certain species of hawks that do more harm than good. It has been conclusively shown, however, that most hawks do more good than harm. You will find down in the Biological Survey of the Department of Agriculture there are experts who spend all their time examining through microscopes the contents of the stomachs of birds. These men can determine what kind of a caterpillar a bird has been eating; and they can make a pretty close estimate of how many worms or bugs in a day or in a year a certain kind of bird eats, and how many seeds of a certain kind a bird has been eating, and so can determine pretty clearly whether it does good and how much good it does.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes; I yield to the gentleman from Ohio.

Mr. FESS. Referring to the destructiveness on the part of birds of agricultural products, has the gentleman any knowledge of how much the birds save by their destruction of insects and other pests which afflict vegetation?

Mr. PLATT. I have seen various estimates. They certainly save millions and millions of dollars' worth.

Mr. FESS. More than they destroy?

Mr. PLATT. Yes; vastly more.

The CHAIRMAN. The time of the gentleman from New York has expired. The question is on agreeing to the amendment of the gentleman from California [Mr. CURRY].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

DIVISION OF PUBLICATIONS.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. The next paragraph will provoke some discussion, and I would suggest to the gentleman from South Carolina that, having covered two-thirds of the bill, it might be an opportune place for the committee to rise.

Mr. LEVER. I will be very glad to make the motion to rise. The committee has been very kind, and there is a prospect that we can get through to-morrow. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW—11 O'CLOCK A. M.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. WINGO, by unanimous consent, was granted leave of absence for the day on account of illness.

ADJOURNMENT.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 59 minutes p. m.) the House adjourned, pursuant to the order made, until to-morrow, Friday, January 31, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of Commerce submitting a supplemental estimate of appropriation required to complete the pending purchase of land for the Bureau of Standards (H. Doc. No. 1744); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting report of expenditures on account of appropriation for contingent expenses of the War Department during the fiscal year ended June 30, 1918 (H. Doc. No. 1745); to the Committee on Expenditures in the War Department and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting list of extensions of Federal buildings which have been authorized by Congress but have not so far been constructed (H. Doc. No. 1746); to the Committee on Public Buildings and Grounds and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk and referred to the several calendars therein named, as follows:

Mr. CLARK of Florida, from the Committee on War Claims, to which was referred the bill (H. R. 6019) to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the acts of Congress approved July 1, 1862, March 7, 1864, July 13, 1866, and March 2, 1867, reported the same without amendment, accompanied by a report (No. 1017), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. EAGLE, from the Committee on Banking and Currency, to which was referred the joint resolution (S. J. Res. 179) authorizing national banks to subscribe to the United War Work campaign, reported the same without amendment, accompanied by a report (No. 1018), which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. CANNON: A bill (H. R. 15386) authorizing the Secretary of War to donate to the Neoga Township High School, Neoga, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15387) authorizing the Secretary of War to donate to the city of Hoopeston, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15388) authorizing the Secretary of War to donate to the city of Manteno, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROWLAND: A bill (H. R. 15389) authorizing the Secretary of War to donate to the town of State College, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15390) authorizing the Secretary of War to donate to the town of Oscelo Mills, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STRONG: A bill (H. R. 15391) authorizing the Secretary of War to donate to the E. D. Sharp Post, No. 267, Grand Army of the Republic for the E. D. Sharp soldiers' plot in the cemetery at Rimersburg, Clarion County, Pa., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. ASHBROOK: A bill (H. R. 15392) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the village of Johnstown, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15393) authorizing the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Mount Vernon, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15394) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Mansfield, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15395) authorizing the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Delaware, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15396) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Coshocton, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15397) authorizing the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Ashland, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15398) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the Grand Army of the Republic Club at the city of Newark, Ohio; to the Committee on Military Affairs.

By Mr. JONES: A bill (H. R. 15399) to regulate the sale of stock of private corporations in States or Territories of the United States other than those in which such concerns are incorporated, and to regulate the sale of lots by oil, mining, gas, or township corporations in States other than those in which such concerns are incorporated and providing that such corporations shall secure a permit from the Federal Trade Commission, and providing a penalty against the organizers, agents, and representatives violating the provisions of this act; to the Committee on Interstate and Foreign Commerce.

By Mr. TOWNER: A bill (H. R. 15400) to create a department of education, to authorize appropriations for the conduct of said department, to authorize the appropriation of money to encourage the States in the promotion and support of education, and for other purposes; to the Committee on Education.

By Mr. HAYES: A bill (H. R. 15401) increasing the limit of cost for a Federal building and site at San Luis Obispo, Cal., to the Committee on Public Buildings and Grounds.

By Mr. BANKHEAD: A bill (H. R. 15402) to promote the education of native illiterates, of persons unable to understand and use the English language, and of other resident persons of foreign birth; to provide for cooperation with the States in the education of such persons in the English language, the fundamental principles of government and citizenship, the elements of knowledge pertaining to self-support and home making, and in such other work as will assist in preparing such illiterates and foreign-born persons for successful living and intelligent American citizenship; to the Committee on Education.

By Mr. GOOD: A bill (H. R. 15403) authorizing the Secretary of War to donate to the town of Wyoming, Iowa, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KEHOE: A bill (H. R. 15404) increasing the limit of cost for a Federal building at Marianna, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15405) increasing the limit of cost for a Federal building at Apalachicola, Fla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15406) for the purchase of a site and the erection of a customhouse and post-office building at St. Andrews, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. HAMILTON of Michigan: A bill (H. R. 15407) providing for the erection of a public building at the city of St. Joseph, Mich.; to the Committee on Public Buildings and Grounds.

By Mr. BLAND of Indiana: A bill (H. R. 15408) to make additions, extensions, and improvements to the post-office building at Vincennes, Ind., to be used for post-office and mine-rescue purposes; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15409) for the erection of a public building at Linton, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON: A bill (H. R. 15410) to provide for the acquisition, by purchase, condemnation, or otherwise, of a site for a public building at Sanford, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15411) to provide for the acquisition, by purchase, condemnation, or otherwise, of a site for a public building at Hamlet, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15412) to increase the limit of cost of a public building at Thomasville, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15413) to provide for the erection of a public building at Wadesboro, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. MOTT: A bill (H. R. 15414) authorizing the Secretary of War to donate to the village of Dexter, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 15415) to provide for the erection of a post-office building at Lebanon, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15416) to provide for the erection of a post-office building at Noblesville, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15417) to provide for the erection of a post-office building at Tipton, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. ALMON: A bill (H. R. 15418) for the purchase of a site and the erection of a public building at Athens, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15419) to increase the limit of cost of a public building at Decatur, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15420) for the purchase of a site and the erection of a public building at Sheffield, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. HERSEY: A bill (H. R. 15421) authorizing the Secretary of War to donate to the town of Milo, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MANSFIELD: A bill (H. R. 15422) to authorize the acquisition of a site and the erection thereon of a Federal building at San Benito, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15423) to authorize the acquisition of a site and the erection thereon of a Federal building at Alvin, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. PHELAN: A bill (H. R. 15424) authorizing the Secretary of War to donate to the city of Lawrence, Mass., one German cannon or field gun and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15425) authorizing the Secretary of War to donate to the city of Lynn, Mass., one German field gun and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15426) authorizing the Secretary of War to donate to the city of Peabody, Mass., one German cannon or field gun and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15427) authorizing the Secretary of War to donate to the city of North Reading, Mass., one German cannon or field gun and carriage; to the committee on Military Affairs.

By Mr. WHALEY: A bill (H. R. 15428) for the purchase of a site for a public building at Summerville, Dorchester County, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15429) for the purchase of a site for a public building at Walterboro, Colleton County, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15430) for the purchase of a site for a public building at St. George, Dorchester County, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15431) for the purchase of a site for a public building at Manning, Clarendon County, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. PADGETT: A bill (H. R. 15432) for the purchase of a post-office site at Dickson, Tenn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15433) for the purchase of a post-office site at Lawrenceburg, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. BURROUGHS: A bill (H. R. 15434) to acquire by purchase, condemnation, or otherwise additional land for the Federal building at Manchester, N. H., and to construct an addition thereon; to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: A bill (H. R. 15435) directing the Secretary of the Treasury to withhold temporarily Federal aid to States for the construction of post roads under certain conditions; to the Committee on the Post Office and Post Roads.

By Mr. GOODWIN of Arkansas: A bill (H. R. 15436) for the erection of a public building at El Dorado, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15437) for the purchase of a site for a public building at Warren, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15438) increasing the limit of cost for a Federal building at Prescott, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. HERSEY: A bill (H. R. 15439) authorizing the Secretary of War to donate to the town of Dexter, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CRAGO: A bill (H. R. 15440) for the purchase of a site and the erection of a public building thereon at Somerset, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. DIXON: A bill (H. R. 15441) for the erection of a public building at Greensburg, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. ELLIOTT: A bill (H. R. 15442) increasing the limit of cost for a Federal Building at Shelbyville, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. HOLLAND: A bill (H. R. 15443) to authorize the Secretary of the Treasury to acquire, by condemnation or otherwise, such additional land in the city of Norfolk, Va., as may be necessary for the enlargement of the post-office building in said city, to cause said building to be enlarged, and making an appropriation therefor; to the Committee on Public Buildings and Grounds.

By Mr. McKINLEY: A bill (H. R. 15444) to appropriate additional money to build an addition for the increase of postal facilities at the present post office at Decatur, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. FAIRFIELD: A bill (H. R. 15445) to enlarge the post-office building at Fort Wayne, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. GRIEST: A bill (H. R. 15446) to provide for the purchase of a site for a public building at Columbia, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Colorado: A bill (H. R. 15447) to require publicity in prospectuses, advertisements, and offers for sale of securities; to the Committee on the Judiciary.

By Mr. WELLING: A bill (H. R. 15448) for the purchase of a post-office site at Tremonton, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15449) for the purchase of a site and the erection of a public building at St. George, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15450) for the purchase of a post-office site at Cedar City, Utah; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15451) for the purchase of a post-office site at Mount Pleasant, Utah; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 15452) granting public lands to the State of Arizona for the construction, repair, and maintenance of public roads and highways; to the Committee on the Public Lands.

By Mr. CLARK of Missouri: A bill (H. R. 15453) authorizing the Secretary of War to donate to the city of Wellsville, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PARKER of New York: A bill (H. R. 15454) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the town of Luzerne, in the State of New York; to the Committee on Military Affairs.

Also, a bill (H. R. 15455) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the city of Glens Falls, in the State of New York; to the Committee on Military Affairs.

Also, a bill (H. R. 15456) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the village of Ballston Spa, in the State of New York; to the Committee on Military Affairs.

By Mr. BURNETT: Resolution (H. Res. 538) providing for the consideration of House bill 15302; to the Committee on Rules.

By Mr. KNUTSON: Resolution (H. Res. 539) authorizing the appointment of a select committee to investigate charges made against the management of the St. Elizabeths Hospital; to the Committee on Rules.

By Mr. CANTRILL: Resolution (H. Res. 540) authorizing the payment of $1,200 to G. D. Ellis for extra and expert services rendered in the office of the Clerk of the House of Representatives during the second and third sessions of the Sixty-fifth Congress; to the Committee on Accounts.

By Mr. ANTHONY: Joint resolution (H. J. Res. 401) to express the opinion of the Congress of the United States in reference to continued expenditures of public money heretofore appropriated for the construction of military camps and cantonments during time of war; to the Committee on Military Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Alabama praying Congress to retain the training in the use of small arms and tanks at Fort Benning in the State of Georgia; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GOULD: A bill (H. R. 15457) for the relief of certain officers and members of the crew of the U. S. S. *San Diego;* to the Committee on Ways and Means.

By Mr. KNUTSON: A bill (H. R. 15458) granting an increase of pension to Alonzo Green; to the Committee on Invalid Pensions.

By Mr. PARKER of New York: A bill (H. R. 15459) for the relief of Glens Falls Pharmaceutical Co.; to the Committee on Claims.

By Mr. STRONG: A bill (H. R. 15460) granting a pension to John Bohntinsky; to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 15461) granting a pension to Willie E. Vaughan; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURROUGHS: Petition of Mrs. T. E. Ingalls, of Manchester, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of L. B. Ackerman and M. M. Ackerman, of Derry, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Rev. D. P. Ganie, pastor first Baptist Church, Keene, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also petition of Benjamin A. Nelson and three others, of Keene, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Rev. B. J. Glazier, pastor Advent Christian Church, Northwood Narrows, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of H. J. Farnham and four others, of Derry, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Walter H. Lewis and three others, of Manchester, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Charles H. Perkins and W. L. Woodworth, of Lakeport, and Albert C. Moore, of Laconia, all in the State of New Hampshire, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Draftsmen's Union, Local No. 15767, Portsmouth, N. H., signed by W. B. Collier, recording secretary, and 17 others, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Mrs. Alice A. Haynes and 13 other residents of Pittsburg, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. CARY: Petition of Bluemound Country Club, protesting against the proposed raise in war tax on club dues; to the Committee on Ways and Means.

Also, petition of Rotary Club of Milwaukee, Wis., approving of the change of the name of the Panama Canal to Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Milwaukee, Wis., favoring the proposition of converting a portion of the T. N. T. plant at Ives, Wis., into a "zoological garden," and asking an investigation of status of said property; to the Committee on Public Buildings and Grounds.

Also, petition of Reel Quality Shop, of Milwaukee, Wis., protesting against the luxury tax; to the Committee on Ways and Means.

By Mr. CLAYPOOL: Petition of citizens of State of Ohio urging national ownership and government of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAGO: Petition of Philadelphia Produce Exchange favoring the determination by Congress of the scope of the work to be done by the Bureau of Markets, Department of Agriculture; to the Committee on Agriculture.

Also, petition of Rotary Club, of New Castle, Pa., favoring continuation of Federal control of wire systems until Congress shall have studied the question further; to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of Wisconsin State legislative board of the Brotherhood of Locomotive Firemen and Enginemen, of Milwaukee, demanding new trial for Thomas J. Mooney; to the Committee on the Judiciary.

Also, petition of legislative boards of the Brotherhood of Locomotive Firemen and Enginemen and Brotherhood of Railroad Trainmen of Wisconsin, opposing General Order No. 42, which denies to railroad employees their constitutional rights; to the Committee on Interstate and Foreign Commerce.

By Mr. HERSEY: Petition of Britton Leather Co., Brewer, Me., urging repeal of the periodical postage amendment to revenue law; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of Oscar Marietta and 10 other residents of Salem, Ohio, asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. KAHN: Petition of Northern California Hotel Association, urging the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of San Francisco Chamber of Commerce, protesting against Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KINKAID: Petition of P. E. Fitzgerald and others of Pleasanton, Nebr., asking repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of Mrs. Dema Marsh and citizens of Westerville and Arcadia, Nebr., asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. MAGEE: Petition of Mr. and Mrs. L. D. Palmer, of Syracuse, N. Y., favoring repeal of the postal zone rate provision; to the Committee on Ways and Means.

By Mr. MANSFIELD: Petition of Cuero Chamber of Commerce and Agriculture, Cuero, Tex., urging Congress to enact such laws that all transportation by rail or water and the wire system shall be released from Government control and returned to individual or corporate owners; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: Petition of the Pittsburgh Board of Trade, asking for the creation of a Federal highways commission, that the present appropriations for Federal aid to the States be continued and increased so as to keep pace with the development of the country, and that all governmental activities with respect to highways be administered by the Federal Highways Commission; to the Committee on Roads.

Also, petition of the Pittsburgh Board of Trade, urging legislation to prevent any German or Austrian reservist or any other person who was engaged in any manner in opposition to the United States and its allies returning to the United States for any purpose whatever, and that all enemy aliens be deported and forever debarred from returning to this country; to the Committee on Immigration and Naturalization.

Also, petition of Pittsburgh Board of Trade, urging that Turkish authority should not be reestablished, and that the new Syria shall be federated union of provinces; to the Committee on Foreign Affairs.

By Mr. MOTT: Memorial of senate of State of New York, urging that Congress enact legislation giving pay bonus to men discharged from the Army and Navy; to the Committee on Military Affairs.

By Mr. NEELY: Petition of George T. Watson, Fairmont, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of J. Clyde Lewis, Grafton, W. Va., protesting against new tax bill being more than $4,000,000,000; to the Committee on Ways and Means.

Also, petition of L. B. Brydon, Grafton, W. Va., requesting that tax issue be kept down to $4,000,000,000; to the Committee on Ways and Means.

By Mr. NOLAN: Petition of San Francisco Chamber of Commerce and the Northern California Hotel Association, favoring the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Local Lodge, No. 441, International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, approving of Government ownership of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Northern California Hotel Association, urging the return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of San Francisco Chamber of Commerce, favoring the return of railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of California Federation of Women's Clubs, indorsing the league of nations; to the Committee on Foreign Affairs.

Also, petition of Mississippi Valley Association, for the development of foreign and domestic trade; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: Petition of Central Labor Council of Los Angeles, Cal., protesting against construction of vessels for the United States Shipping Board in Japanese and Chinese ports by Asiatic labor and the consequent increase of unemployment in the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. STRONG: Petition of citizens of Brookville, Pa., favoring Government ownership of railroads within the United States and its possessions; to the Committee on Interstate and Foreign Commerce.

Also, petition of members of St. Nicholas Church, Mayport, R. F. D., Clarion County, Pa., favoring self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. TAYLOR of Colorado: Petition of citizens of Cimarron, Colo., asking for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Local Lodge No. 406 of the Brotherhood of Railroad Trainmen, of Colorado Springs, Colo., urging Government control of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *January 31, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we come to Thee, the Changeless One, in whom there is no variableness, neither shadow of turning. Our little systems have their day. They have their day and cease to be. Thy law standeth sure unto all generations. Thy will concerning men is their happiness, their prosperity, and their peace. We worship Thee and put ourselves under Thy divine command. We pray Thee to direct us in the discharge of all the sacred duties of this high and holy office. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, January 28, 1919, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

SENATOR FROM WEST VIRGINIA.

Mr. SUTHERLAND. I present the credentials of Hon. DAVIS ELKINS, chosen by the qualified electors of the State of West Virginia a Senator to represent that State for the term of six years beginning on the 4th day of March, 1919, which I ask to have read and placed on the files of the Senate.

The credentials were read and ordered to be placed on the files, as follows:

THE STATE OF WEST VIRGINIA.

To all to whom these presents shall come:

This is to certify that on the 5th day of November, 1918, DAVIS ELKINS, of the county of Monongalia, was duly chosen by the qualified electors of the State of West Virginia a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1919.

Given under my hand and the great seal of the said State of West Virginia this 17th day of January, 1919.

JOHN J. CORNWELL, *Governor.*

By the governor:

[SEAL.] HOUSTON G. YOUNG, *Secretary of State.*

WAR EMERGENCY EMPLOYMENT SERVICE (S. DOC. NO. 365).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Labor, submitting a supplemental estimate of appropriation in the sum of $2,932,849.53 required by the War Emergency Employment Service for the fiscal year 1919, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

TAX ON CHILD LABOR (S. DOC. NO. 364).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Labor, submitting an estimate of appropriation in the sum of $184,160 to carry out the provisions of that portion of the revenue bill now in conference which relates to the tax on the employment of child labor, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

COST OF THE WAR (S. DOC. NO. 363).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of December 15, 1918, a report giving full information and findings, as far as the Department of Agriculture is concerned, relative to the cost of the war with Germany and Austria, which, with the accompanying paper, was ordered to lie on the table and be printed.

WASHINGTON & OLD DOMINION RAILWAY.

The VICE PRESIDENT laid before the Senate the annual report of the Washington & Old Dominion Railway for the year ended December 31, 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT. The Chair lays before the Senate resolutions adopted by the Legislatures of the States of California, Iowa, Tennessee, and New Mexico, ratifying the proposed prohibition amendment to the Constitution of the United States, which will be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 12001) to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, and it was thereupon signed by the Vice President.

VALIDATION OF WAR CONTRACTS.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives, disagreeing to the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CHAMBERLAIN. I move that the Senate insist upon its amendments and agree to the conference asked for by the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to, and the Vice President appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX conferees on the part of the Senate.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT laid before the Senate a resolution adopted by the Legislature of the State of Alabama, petitioning Congress to retain the established school of training in the use of small arms and tanks at Fort Benning, in the State of Georgia, which was referred to the Committee on Military Affairs and ordered to be printed in the Record, as follows:

MONTGOMERY, ALA., *January 30, 1919.*

The PRESIDING OFFICER,
United States Senate, Washington, D. C.:

I, Fred H. Gormley, clerk of the House of Representatives of Alabama, do hereby certify that the following resolution has passed both houses and that the same has been signed by the proper officers. Copy of resolution H. J. Res. No. 23, by Mr. Waddell, memorializing Congress to retain the school of training in the use of small arms and tanks at Fort Benning, in the State of Georgia:

"*Resolved by the House of Representatives of the Legislature of Alabama (the Senate concurring)*, That the Congress of the United States of America is hereby respectfully petitioned and memorialized to retain the established school of training in the use of small arms and tanks at Fort Benning, in the State of Georgia, and that a copy of this joint resolution be forwarded to each the Vice President of the United States, the President of the Senate, the Speaker of the House of Representatives, to each Senator from the State of Alabama, to each Senator from the State of Georgia, and to each Representative in the Congress from the State of Alabama and from the State of Georgia."

FRED H. GORMLEY,
Clerk, House of Representatives.

Mr. McKELLAR. I present a number of memorials from public bodies in Tennessee and two or three telegrams on the subject of turning back the telegraph and telephone to private ownership, which I ask may be printed in the RECORD without reading.

There being no objection, the memorials and telegrams were ordered to be printed in the RECORD as follows:

MEMPHIS, TENN., *January 30, 1919.*

Senator K. D. MCKELLAR,
Washington, D. C.:

We, the undersigned business men of Memphis, earnestly request that you use your efforts toward turning the telegraph and telephone back to private ownership immediately.

Chappell Harris, A. R. Hudson, Wells & Gustafson, J. A. Evans, jr., W. J. Britton, W. M. King, B. F. Powell, W. W. Barbour, G. K. Eckert, Leroy Cooper, B. P. Snyder, H. F. Arnold, W. R. Bond, F. D. Farabee, W. T. Cole, Irwin Leatherman Cotton Co., M. Mass, W. O. Pharr, M. Lowenthal, Thomas A. Goodwin, Gwynne Yerger, F. L. Page, W. A. Jones, jr., A. J. Warwick, W. L. Oates, E. C. Sledge, Geo. W. Pease, J. A. Gorman, Tom P. Beane, J. A. Sprolec, W. P. Maury, C. W. Loeb, C. H. Fried, W. A. May, W. M. Robinson, Jas. S. Patteson & Co., J. A. Brown, L. D. Falls, J. S. Williams, T. W. Carter, H. B. Weisiger, J. S. Dinsman, A. H. Campbell, Leo G. Carter, Geo. Williamson, A. A. Adams, Wm. Rhett, Fern Wood Mitchell, L. Eustis, C. L. Wilkinson, John A. Rawson, Ed Frohlich, J. A. Evans, J. W. Falls, T. H. Morris, W. H. Raney, W. D. Mallory, Louis M. Browne, John D. Massey, J. B. Hurt, J. F. Mathis Co., Porter Weaver & Co., J. H. Farrar & Co., G. E. Reid, J. F. Maury, H. B. Albro, J. S. Finley, R. P. Fargason, W. M. Drake, S. B. Wilson, F. A. Gaston, Shepard & Gluck, W. E. Richmond, manager, G. M. Schloss, J. P. McGhee, C. P. Twiferd, V. M. Crooker.

—

JACKSON, TENN.

Whereas the extraordinary problems produced by the war and the coming reconstruction period render it extremely difficult, if not impossible, for the owners of the great wire systems now under Federal control to successfully resume the operation of the same without remedial legislation and the provision of some reasonable period in which to allow for the necessary preparation and readjustment; and

Whereas to properly consider these problems will require more time than is available during the present short session of Congress; and

Whereas unless some action is taken at this time the properties will be returned to the owners upon proclamation by the President of the ratification of peace treaties, without any advance notice and without any period for readjustment; and

Whereas this would clearly be a manifest injustice to the owners thereof and a menace to the business interests of the country: Now, therefore, be it

Resolved, That this organization, the Jackson Association of Commerce, go on record as favoring the enactment by Congress of some law which will continue the control and operation of such utilities by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed.

Be it further resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative of this district.

THE JACKSON ASSOCIATION OF COMMERCE,
A. J. MCGEHEE, *Secretary.*

—

WINCHESTER, TENN.

Whereas the extraordinary problems produced by the war and the coming reconstruction period render it extremely difficult, if not impossible, for the owners of the great wire systems now under Federal control to successfully resume the operation of the same without remedial legislation and the provision of some reasonable period in which to allow for the necessary preparation and readjustment; and

Whereas to properly consider these problems will require more time than is available during the present short session of Congress; and

Whereas unless some action is taken at this time the properties will be returned to the owners upon the proclamation by the President of the ratification of peace treaties, without any advance notice and without any period for readjustment; and

Whereas this would clearly be a manifest injustice to the owners thereof and a menace to the business interests of the country: Now, therefore, be it

Resolved, That this organization, the Winchester Chamber of Commerce, go on record as favoring the enactment by Congress of some law which will continue the control and operation of such utilities by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed.

Be it further resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative of this district.

F. B. ALEXANDER, *President.*
T. A. EMBRY, *Secretary.*

—

COMMUNITY CLUB,
Gallatin, Tenn.

Whereas the great wire systems now under Federal control will be returned to the owners upon the proclamation of the President of the ratification of the peace treaties; and

Whereas sufficient time is not available during the present short session of Congress for the proper consideration and solution of this great question as to what is the best course to take; and

Whereas it would clearly be a manifest injustice to the public, the employees, and to the owners, as well as a menace to the business interests of the country, without some remedial legislation and the provision of some reasonable period in which to allow the study and careful consideration by Congress of a matter of such great importance and to make necessary arrangements and preparation for the readjustments that are sure to come in the proper settlement of this question: Now, therefore, be it

Resolved, That the board of directors of the Community Club, of Gallatin, Tenn., go on record as favoring the enactment of some law by the present Congress which will continue the control and operation of

such utilities by the Government until Congress shall have studied the question thoroughly and determined upon some proper and safe procedure to be thereafter followed; be it further

Resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative of this district.

H. A. HOLDER,
President.
E. B. HOUSE,
J. T. BASKERVILLE,
L. M. ROSS,
T. S. PIERCE,
R. T. GUTHRIE,
OSCAR V. SMITH,
W. P. MORTON,
W. T. WALKER,
Directors.

—

MEMPHIS, TENN., *January 29, 1919.*

Senator KENNETH MCKELLAR,
Washington, D. C.:

For the best interest of the public I urge immediate return of telephone and telegraph companies to their owners.

W. G. CAVETT.

—

MEMPHIS, TENN., *January 29, 1919.*

Senator KENNETH MCKELLAR,
Washington, D. C.:

As a large user of the telegraph and telephone, I believe absolutely that it is to the interest of the business public to have the wire systems returned to their owners and operated by them immediately. Please do what you can to have the lines returned.

A. C. HUTCHINSON,
Foreign Freight Broker.

—

MEMPHIS, TENN., *January 29, 1919.*

Senator KENNETH MCKELLAR,
Washington, D. C.:

Use your influence to have telegraph and telephone companies returned to their owners at once. It will be greatly appreciated.

H. B. JONES.

—

MEMPHIS, TENN., *January 29, 1919.*

Senator KENNETH MCKELLAR,
Washington, D. C.:

For the best interest of the public we urge immediate return of telephone and telegraph companies to their owners.

R. G. & W. H. BELCHER.

Mr. THOMAS. I present two joint memorials of the Senate and House of the Legislature of Colorado on the subject of the drainage of the San Luis Valley in southern Colorado and for the adoption of reclamation projects for the benefit of returning soldiers and sailors, which I ask may be printed in the RECORD.

The memorials were referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
STATE OF COLORADO,
Denver, January 27, 1919.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

SIR: I am transmitting herewith one certified copy each of house joint memorials Nos. 2 and 3, in accordance with the terms thereof.

Respectfully,

HARRY P. MASON, *Chief Clerk.*

House joint memorial 2.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the General Assembly of the State of Colorado, respectfully represent that—

Whereas in the San Luis Valley, in southern Colorado, are 600,000 acres of excellent agricultural land that has become so water-logged for the want of drainage that one-half of it has become entirely unproductive and the other one-half largely so; and

Whereas prior to the time that these lands become water-logged they were occupied, cultivated, had an established record of great production, and have decreed water rights already available under constructed systems of distribution; and

Whereas the drainage of this land would release a very large amount of water, greatly enhancing the supply in the Rio Grande River for repeated use below; and

Whereas the situation in this area is such that little, if any, of the added supply of water gained from such drainage could be used in Colorado, but would be of vast benefit to the lands in New Mexico and Texas; and

Whereas surveys and sufficient drainage work has been accomplished in this locality to show that the project is not only feasible but that the supply of water returned would be so great as to make its value to the Government, cost considered, greater than any reclamation project so far constructed by it: Now, therefore,

Your memorialists, believing this to be a truly interstate enterprise of as much benefit to lands beyond our borders as it is to those within our State, most urgently recommend that the Reclamation Service be authorized and directed to proceed with the drainage of the San Luis Valley without delay.

It is directed that this memorial be enrolled and one copy sent to the President of the United States, one copy to the honorable Secretary of the Interior, one copy to the House chairman of the Committee on Irrigation of Arid Lands, one copy to the Senate chairman of the Committee on Irrigation and Reclamation of Arid Lands, and one copy to the Senators and Congressmen representing the State of Colorado.

This is to certify that the foregoing is a true and correct copy of house joint memorial 2, as passed by the Senate and House of Represenatives of the State of Colorado.

HARRY P. MASON,
Chief Clerk of the House of Representatives of Colorado.

House joint memorial 3.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the General Assembly of the State of Colorado, respectfully represent that—

Whereas the honorable Secretary of the Interior has requested the immediate passage of a bill appropriating the sum of $100,000,000 to be employed on reclamation projects for the benefit of returning soldiers and sailors; and

Whereas such an undertaking is not only commendable as a practical recognition of a patriotic service rendered, but alike meritorious, in that it would place unproductive land in the productive lists, a distinctly governmental function: Now, therefore

Your memorialists do advise, recommend, and request that the measure herein referred to be passed by your honorable body with the celerity that its merit justifies, and thus meet a situation that has already arisen, the importance of which is being daily emphasized at every American port of debarkation.

It is directed that this memorial be enrolled and one copy sent to the President of the United States, one copy to the honorable Secretary of the Interior, one copy to the House chairman of the Committee on Irrigation of Arid Lands, one copy to the Senate chairman of the Committee on Irrigation and Reclamation of Arid Lands, one copy to the Senators and Congressmen representing the State of Colorado.

This is to certify that the foregoing is a true and correct copy of House joint memorial No. 3, as passed by the Senate and House of Representatives of the State of Colorado.

HARRY P. MASON,
Chief Clerk of the House of Representatives of Colorado.

Mr. CHAMBERLAIN. I present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial 7.

To the honorable the Senate and the House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas there are many wives and families of soldiers and sailors in the State of Oregon who have failed to receive from the Bureau of War Risk Insurance of the Treasury Department of the Federal Government the allotments made unto them by said soldiers and sailors; and

Whereas many policies of insurance have been taken out by soldiers and sailors which have not been delivered by said bureau to the beneficiaries therein provided for; and

Whereas said bureau has in numerous instances either failed to answer inquiries of such beneficiaries with respect to allotments or policies of insurance and in many other instances have been dilatory and unsatisfactory in their responses, notwithstanding the fact that said bureau has a sufficiently large clerical force, reported to be in excess of 14,000 clerks and assistants; and

Whereas such conduct of said bureau would appear to be inexcusable and due to an unjustifiable system of red tape, apparent incapacity, and incompetency: Now, therefore, be it

Resolved by the house of representatives (the senate concurring), That our Senators and Representatives in Congress and the Congress of the United States of America be, and they are hereby, memorialized and requested to cause an investigation to be made as to the conduct of said bureau with respect to the matters aforesaid and to determine and fix the responsibility therefor, and that thereupon proper legislation be enacted to increase the efficiency of said department and to expedite the business thereof; be it further

Resolved, That the chief clerk of the house be, and he is hereby, directed to forward a copy of this joint memorial to each Senator and Representative from Oregon in the Congress of the United States.

Adopted by the senate January 23, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 21, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that the foregoing house joint memorial 7 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I also present a joint memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Indian Affairs.

There being no objection, the memorial was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial 1.

Whereas in 1894 the United States Government caused to be issued trust patents to the Indians to certain lands in the Siletz Indian Reservation, in Lincoln County, State of Oregon, with the provision and understanding that at the expiration of 25 years fee simple patents would issue to the Indian allottees in lieu of said trust patents; and

Whereas the 25-year period mentioned in the said trust patent has expired; and

Whereas the Indians on said former Siletz Reservation are practically all educated and competent to manage their own affairs, and all Government schools have been abandoned on said Indian reservation, and the Indians are attending the public schools of the county, situated on said reservation, which are kept up by taxes imposed upon the taxpayers of the State and county; and

Whereas said Indians are subject to the civil courts and practically all the criminal business concerning said Indians is had in the civil courts of Lincoln County, Oreg., at the cost of the taxpayers thereof; and

Whereas the said allotted Indian lands are not taxable, and the approximate valuation of said Indian lands is about $2,000,000, and the cost and burden of Government has been transferred from the United States to State and county government; and

Whereas the people are taxed for the purpose of building roads through these lands, and the State and county receive no benefit whatever from said lands: Be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That we respectfully memorialize the Congress of the United States to enact a law authorizing and directing that patents in fee simple be issued to all the allottees of Indian lands or their heirs to whom trust patents were issued to lands within the boundaries of the former Siletz Indian Reservation, in Lincoln County, Oreg.

Adopted by the Senate January 23, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the House January 15, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that House joint memorial No. 1 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. TOWNSEND presented a petition of sundry citizens of Port Huron, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. MOSES presented a petition of Commodore Barry Council No. 533, Knights of Columbus, of Brooklyn, N. Y., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

Mr. CURTIS presented resolutions of the Kansas State Board of Agriculture, in session at Tokepa, Kans., relative to the early discharge of soldiers, compulsory military training, continuation of Government-fixed prices, and reduced fares for harvest hands, which were referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of Lawrence, Kans., praying for the repeal of the present zone system of postal rates, which was referred to the Committee on Post Offices and Post Roads.

He also presented resolutions of Local Council No. 356, Amalgamated Sheet Metal Workers, of Parsons; of Local Lodge No. 462, Brotherhood of Locomotive Engineers, of Arkansas City; and of the Trades and Labor Assembly of Wichita, all in the State of Kansas, favoring the proposed extension of Federal control of railroads, which were referred to the Committee on Interstate Commerce.

He also presented resolutions adopted by Local Lodge No. 293, International Association of Machinists, of Parsons; of Local Lodge No. 880, International Association of Machinists, of Pittsburg; and of sundry citizens of Wichita, all in the State of Kansas, favoring Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

Mr. LODGE presented resolutions adopted by the city council of Cambridge, Mass., favoring the granting of six months' extra pay to honorably discharged soldiers, sailors, and marines, which were referred to the Committee on Military Affairs.

Mr. SUTHERLAND presented resolutions adopted by the Chamber of Commerce of Charleston; of the Board of Commerce of Parkersburg; of the Chamber of Commerce of Sistersville; of the Board of Trade of Elm Grove; of the Rotary Club of Wheeling; of the Rotary Club of Weston; of the Business Men's Association of Morgantown; of the West Virginia Retail Clothiers Association, in convention at Wheeling; of the Lansing Telephone Co., of Lansing; of the Mount Cove Telephone Co., of Mount Cove; of the town council of Thurmond; of the Wetzel County Bank of New Martinsville; and of the Kiwanis Club of Wheeling, all in the State of West Virginia, favoring the enactment of legislation continuing Government control of public utilities until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed, which were referred to the Committee on Interstate Commerce.

DEMOBILIZATION OF TROOPS.

Mr. JONES of Washington. Mr. President, I have received several letters in reference to the demobilization of troops, urging that the troops be sent to their homes before discharge. I received a letter from the secretary of the soldiers' and sailors' placement bureau regarding this matter. I referred it to the War Department. I think the answer of the War Department would be of considerable interest not only to my section of the country but elsewhere. So I ask that it may be printed in the RECORD. It explains the situation quite fully from the standpoint of the War Department.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, January 28, 1919.

Hon. W. L. JONES,
United States Senate, Washington, D. C.

MY DEAR SENATOR: The Secretary of War directs me to acknowledge receipt of your communication of January 24, 1919, inclosing a telegram from Mr. Frank Gages, secretary soldiers' and sailors' placement bureau, urging discharge of soldiers at their homes rather than near a large city, and to advise you that this matter has been given careful consideration by the War Department.

In order to accomplish what Mr. Gages suggests it would be necessary to establish at or near the homes of the men the necessary facilities for demobilization, including medical and other personnel for the purpose of preparing records, conducting physical examinations, and making final payment, and in addition maintaining facilities for housing and feeding men and furnishing hospital treatment, if necessary, while the soldiers were awaiting discharge.

To discharge men at a camp and send them to their homes for the receipt of their discharge certificate and final payment is unauthorized. The soldier is entitled to his discharge certificate and final payment at place of discharge. To discharge soldiers in camp and deliver their discharge certificates to them at that place and to send them to their homes for payment is equally unauthorized, since it infringes upon the rights of freedom of action of the discharged soldier, who may, as a matter of fact, desire to go to some place other than his home.

The suggestion has been received from time to time that the local draft boards might be utilized for the purpose of demobilization. You can readily understand that if the War Department, after the careful consideration which it has given to this problem, found that by handling demobilization through these instrumentalities the discharge of soldiers would be facilitated and the interests of the men and the Government would be protected, this method would have been utilized. It is believed, however, that the contrary is true. Under this system there would be as many demobilization centers as there are local draft boards, each with a more or less elaborate overhead, depending upon the number of men to be discharged.

The best solution, which was considered not only lawful but practicable, was considered to be arrived at by placing the men in a camp already established in or nearest the State from which they entered the service and there discharging them. This plan places men so near their homes that they may easily return thereto if they so desire.

An officer from the War Department recently visited Camp Dix, Wrightstown, N. J., which is located a short distance from New York City, and there found that of 1,200 men discharged in one day whose homes were within a radius of 350 miles of Camp Dix, 805 purchased their railroad tickets to place of induction or enlistment immediately after receiving their pay, the ticket office being at one end of the pay room. All men whose payment was witnessed had ample funds remaining after purchasing their tickets to pay all legitimate expenses.

It is appreciated that many men who have had the attractions of a large city unfolded before their eyes for the first time have a natural desire to see them. This is common to all men. It is believed, however, that those whose homes have been attractive to them, or those who have positions awaiting them at their homes, will in most cases return to their homes. On the other hand, it is quite reasonable to suppose that many young men who have been away from home for the first time and have found other places more attractive to them will not return to their former surroundings at all, while some, if they do return to their former homes, will not remain there permanently. It is believed that this condition could not altogether be modified, even though men were sent to their home towns and there discharged.

Thanking you for bringing this matter to the attention of the War Department, and assuring you that the present plan of demobilization was not arrived at until it was viewed from all angles, and with the interests of the Government, the soldier, and the general public in mind, I remain,

Sincerely, yours,

E. D. ANDERSON,
Brigadier General, General Staff.
Acting Director of Operations.

LETTER FROM FREDERICK A. BUSHEE.

Mr. THOMAS. Mr. President, I have received the following letter from one of my constituents in Colorado, and I deem it my duty to read it into the RECORD:

I was much surprised to see my name included in the list of persons holding "radical or pacifist views," which Mr. Stevenson presented to the Senate committee. Permit me to say that there is absolutely no reason for such a charge against me. I consider it a slander, and I want the matter made right. As Mr. Stevenson can not substantiate such a charge with any reasonable evidence, he should publicly retract his statement. I have been strongly proally from the beginning of the war and have been an ardent supporter of the war, and shortly after we entered the contest I offered my services to the Government. As to the question of radical views, I hold just about as radical views as President Wilson does. I voted for President Wilson and have actively supported him throughout his administration; and when Mr. Stevenson puts my name in a list of suspected persons he does not know what he is talking about. The Senate has no business to permit names to be printed as suspicious when they know no more about them than they evidently do about me.

* * * * * * *

I ask that you investigate this matter and if possible have my name taken from the list and set the matter right before the public. The error is likely to do me and the University of Colorado much harm.

The letter is signed by Frederick A. Bushee, who is a professor in the department of economics and sociology in the university of my State. I am not acquainted with Dr. Bushee, but I have a letter from Dr. Willard, of the department of history, whom I know very well and who testifies to the loyalty and political integrity of Dr. Bushee.

I should add that a day or two ago I called this letter to the attention of the chairman of the subcommittee having these investigations in charge, and he will insert it in the record of the investigations.

I do not care to comment further upon the incident, except to say that in view of the attitude taken by the Secretary of War regarding Stevenson, it would seem that that gentleman allowed his enthusiasm to get away with his judgment.

OLD RIVER DAM, TEX.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (H. R. 7362) to authorize construction of a lock and dam in Old River, in the State of Texas, and the making of improvements enabling the passage of fresh water

from a portion of Trinity River above the mouth of Old River into Old River above such lock and dam, and for the protection of rice crops against salt water, reported it without amendment and submitted a report (No. 676) thereon.

PANAMA CANAL ZONE.

Mr. THOMPSON. From the Committee on Interoceanic Canals I report back favorably with amendments the bill (S. 5224) to prohibit intoxicating liquors and prostitution within the Canal Zone, and for other purposes, and I submit a report (No. 677) thereon. I have a letter from the general commanding the troops in the Canal Zone, which I should like to have made a part of the report, showing the importance of early action on the bill.

The VICE PRESIDENT. It will be so ordered, and the bill will be placed on the calendar.

SENATOR FROM MICHIGAN.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably without amendment Senate resolution 415, referring the petition of Henry Ford, contesting the election of Truman H. Newberry as a Senator from Michigan, to the Committee on Privileges and Elections, authorizing said committee to take possession of the ballots, poll books, tally sheets, documents, and so forth.

The VICE PRESIDENT. The resolution will be placed on the calendar.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. UNDERWOOD. From the Committee on Appropriations I report back favorably with amendments the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and I submit a report (No. 679) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

MISSISSIPPI RIVER BRIDGE AND TUNNELS.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge, and I submit a report (No. 675) thereon. I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved August 8, 1916, to be built across the Mississippi River near and above the city of New Orleans, La., by the city of New Orleans, or for constructing a tunnel or tunnels under said river in lieu of the bridge, are hereby extended to two and five years, respectively, from the date of the approval of this act.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COLUMBIA RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 5316) granting the consent of Congress to the Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington, and I submit a report (No. 674) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Wenatchee-Beebe Orchard Co., a corporation organized under the laws of the State of Maine, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near a point within 4 miles northerly from the town of Chelan Falls, in the county of Chelan, in the State of Washington, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13004) extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed, and I submit a report (No. 673) thereon. I ask for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge authorized by section 1 of the act of Congress approved April 28, 1916, are hereby extended two and five years, respectively, from April 28, 1917.

SEC. 2. That if the bridge built under the provisions of said act shall be found, in the judgment of the Secretary of War, to be so construed that it does not reasonably meet the requirements for continuous and uninterrupted railroad traffic, then and in such event, he may order such changes as in his judgment may be necessary to make said bridge meet such requirements. All the privileges herein conferred and the right to maintain the bridge to be built hereunder shall cease and determine unless such changes as the Secretary of War shall direct shall be commenced within six months and completed within two years next following the date of service of such order.

SEC. 3. That the time during which the Chicago, Milwaukee & St. Paul Railway Co. was authorized to maintain its pontoon and pile bridge across the Missouri River at or near Chamberlain, S. Dak., by section 2 of the said act of April 28, 1916, is hereby extended for one year from date of approval hereof.

SEC. 4. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time and referred as follows:

By Mr. SHEPPARD:

A bill (S. 5486) to amend section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917; to the Committee on Pensions.

A bill (S. 5487) to authorize the city of Beaumont, Tex., the Neches Canal Co., and the Beaumont Irrigating Co. to construct and maintain a dam across the Neches River about 8 miles above the city of Beaumont, Tex.; to the Committee on Commerce.

By Mr. KNOX:

A bill (S. 5488) granting the consent of Congress to the Pittsburgh Junction Railroad Co. to construct a bridge across the Allegheny River at Pittsburgh, Pa.; to the Committee on Commerce.

By Mr. JONES of Washington:

A bill (S. 5489) providing for the investigation of certain lands in the State of Washington with a view to their reclamation; to the Committee on Irrigation and Reclamation of Arid Lands.

By Mr. TRAMMELL:

A bill (S. 5490) to authorize the Secretary of War, in his discretion, to deliver to certain towns and cities in the State of Florida captured German cannon and cannon balls or shells; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 5491) authorizing the Secretary of War to donate to the city of Taunton, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROBINSON:

A bill (S. 5492) granting to certain claimants a preference right to purchase certain public lands in the State of Arkansas; and

A bill (S. 5493) authorizing local drainage districts to drain certain public lands in the State of Arkansas, counties of Mississippi and Poinsett, and subjecting said lands to taxation; to the Committee on Public Lands.

By Mr. CURTIS:

A bill (S. 5494) donating captured cannon and cannon balls to the city of Osage City, Kans.;

A bill (S. 5495) donating captured cannon and cannon balls to the city of Independence, Kans.;

A bill (S. 5496) donating captured cannon and cannon balls to the city of Emporia, Kans.;

A bill (S. 5497) donating captured cannon and cannon balls to the city of Hays, Kans.;

A bill (S. 5498) donating captured cannon and cannon balls to the National Guard at Liberal, Kans.; and

A bill (S. 5499) donating captured cannon and cannon balls to the Kansas Wesleyan University, Salina, Kans.; to the Committee on Military Affairs.

By Mr. CALDER:

A bill (S. 5500) to amend the act of June 3, 1916, entitled "An act for making further and more effectual provision for the national defense and other purposes"; to the Committee on Military Affairs.

By Mr. CHAMBERLAIN:

A bill (S. 5501) granting an increase of pension to Edward D. Hamilton; and

A bill (S. 5502) granting a pension to Joseph B. Doan; to the Committee on Pensions.

By Mr. CALDER:

A joint resolution (S. J. Res. 217) admitting into the United States 560 barrels of Spanish wine ordered by Luigi Bick, of New York City, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect; to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment proposing to appropriate $5,500 to pay Mrs. Natalie Summers, widow of Madden Summers, late consul general to Moscow, being one year's salary of her deceased husband, who died at his post of duty, intended to be proposed by him to the Diplomatic and Consular appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. CALDER submitted an amendment proposing to appropriate $6,000,000 to enable the Secretary of Agriculture to join in the construction of a tunnel or tunnels under the Hudson River between Manhattan, N. Y., and some point in Hudson County, N. J., etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

He also submitted an amendment providing that for the fiscal year ending June 30, 1920, each fourth-class postmaster shall be paid a sum not less than 20 per cent of his or her compensation under existing law, and not more than 25 per cent thereof as allowance for rent, light, and fuel, etc., intended to be proposed by him to the Post Office appropriation bill, which was ordered to lie on the table and be printed.

BREWING AND LIQUOR INTERESTS AND GERMAN PROPAGANDA.

Mr. OVERMAN submitted the following concurrent resolution (S. Con. Res. 29), which was read and referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there shall be printed 10,000 copies of the hearings entitled "Brewing and Liquor Interests and German Propaganda," held before a subcommittee of the Committee on the Judiciary, United States Senate, in the second and third sessions of the Sixty-fifth Congress, pursuant to Senate resolution 307, of which 3,500 copies shall be for the use of the Senate, 6,000 copies for the use of the House of Representatives, and 500 copies for the use of the Senate Committee on the Judiciary.

FEDERAL TRADE COMMISSION.

Mr. JONES of Washington. I submit a resolution, which I ask may be read and lie on the table.

The resolution (S. Res. 431) was read and ordered to lie on the table, as follows:

Resolved, That the Federal Trade Commission be, and it is hereby directed, under the authority of the act entitled "An act to create a Federal Trade Commission, to define its purposes and duties, and for other purposes," approved September 26, 1914, to investigate, ascertain, and report to the Senate the facts relating to the production, manufacture, profits upon, and sale of milk products in the United States since January 1, 1914, with particular reference to the condensed-milk industry, its methods, practices, profits, and interlocking interests, and submit its recommendations to the Senate, for the prevention of fraudulent and discriminatory practices and unreasonable profits connected therewith, and also to investigate and report to the Senate to what extent the Food Administration fixed the price of milk and milk products, the fairness of such prices to the producers of the milk and to the consumers of the finished products, and what effect the prices fixed or the action taken by the Food Administration had upon the producers of the milk and the prices paid by the consumer for the manufactured products, and what relation to or interest in any particular line of the industry was held by any and all of the officials of the Food Administration who had to do with the price fixing of milk or milk products.

EMPLOYMENT OF ADDITIONAL CLERKS.

Mr. CALDER submitted the following resolution (S. Res. 432), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate resolution No. 75, agreed to on April 3, 1918, being a resolution authorizing the employment of an additional clerk by each Senator having no more than one clerk, one assistant clerk, and one messenger for himself or for the committee of which he is chairman for the remainder of the second session of the Sixty-fifth Congress, at the rate of $100 per month, said compensation to be paid out of the miscellaneous items of the contingent fund of the Senate, and which said resolution was extended and continued, under authority of Senate resolution No. 328, agreed to on November 15, 1918, until the end of the Sixty-fifth Congress, be, and the same is hereby, further extended and continued in full force and effect until otherwise provided by law.

ORDER OF PROCEDURE.

Mr. NEW. Mr. President, if it is at this time in order, two or three days ago I gave notice that at the conclusion of the morning business the first day when the morning hour was observed I would submit some remarks to the Senate upon the subject of the reorganization of the Army.

The VICE PRESIDENT. If there is no further morning business, the morning business is closed.

REORGANIZATION OF THE ARMY.

Mr. NEW. Mr. President, the time has come when Congress, the War Department, and the people must give serious thought to the reorganization of our military forces, if not to defining the future military policy of the country. That the War Department realizes the truth of this is evidenced by the fact that it several days ago submitted a plan for reorganization to the House of Representatives. After a brief discussion, which developed marked differences of opinion concerning its merits, the subject was passed over to the next Congress, which is well enough, for it is manifest that insufficient time remains of this session to digest and adopt a plan. Until Congress acts we must retain a considerable portion of our present force. In creating the Army now in the field it was expressly provided that it was for the emergency only, and that the period of service should be limited to a date four months after the signing of the declaration of peace, or as early as transportation home could be supplied the troops overseas. When this proclamation may be issued is of course a matter of doubt. It may be months away or it may come much sooner; events alone can determine that. It now appears that it is not imminent; but, Mr. President, 90 days ago there were few who anticipated the imminence of the armistice. Whenever it comes, the men now under arms have a right to assume that the law will be respected and observed and their Government's contract with them lived up to. If it is not, I fear we shall find ourselves with a dissatisfied and discontented lot of soldiers and, to put it mildly, an indignant and protesting lot of parents and wives in every walk of life from which those soldiers were drawn. Without reference to final proclamations, they all consider the war as over; they want their soldiers sent home, and any alteration of plans which will result in holding the boys in the ranks for a protracted period is not going to be received with favor. It will be well to bear that in mind.

But in the absence of a plan it is proposed, according to announcement, to provide by a paragraph in one of the bills yet to be considered authority for the President to retain indefinitely "as much of the present armed forces as he sees fit." I have not had opportunity to read the bill. The details of this proposition, assuming that there may be details, have not been given out, but if they work to the annulment of the four months' contract I unhesitatingly venture the prediction that they will prove far from popular either with the Army or the folks back home. Whenever the time comes for discharging the conscripted men and those who volunteered for the emergency there will remain in the Army of the United States only those who were in the Regular Army previous to April 6, 1917, and whose terms of enlistment have not then expired, a force utterly inadequate to cope with any real emergency, for the maintenance of a sufficient force in our island possessions and the Canal Zone, to govern our established posts, and to patrol the border.

Obviously, therefore, the adoption of a well-defined scheme to rehabilitate our armed forces is a prime necessity. And this brings me to what must be a very superficial consideration of the plan presented to the House committee. I have already said that I have not been privileged to read the bill, and I shall therefore confine myself to those features of it which have been given to the public through the newspapers and which I assume to have been correctly stated. Initially it provides for an army of more than half a million men—509,909, to be exact. Mr. President, I have always been and am still a believer in and advocate of real military preparedness. The enormous and excessive cost, the loss of time, and the unnecessary hardships to the men encountered in our latest effort, conceding to it the fullest measure of success to which it is entitled, all strengthen my conviction that preparedness is the part of wisdom. I believe with our greatest American tactician, Gen. Upton, who said in effect that "the nation which goes to war unprepared educates its statesmen at greater expense than its soldiers." But, sir, preparedness does not necessarily imply the permanent maintenance of a great standing army. For one, I do not believe an army of anything approaching the size of that contemplated in the War Department bill is either necessary or desirable. Moreover, unless I entirely misconceive the temper of the people of the United States, they will not have it; and, if they would, I do not believe it even remotely possible to obtain anything like a volunteer army of that size unless indeed we are to pay our soldiers a wage that would make the maintenance of such a force too burdensome from the standpoint of operating cost. The cost of maintaining such an army on the basis of the present emer-

gency pay will reach $797,000,000; on the basis of pay before the war $713,000,000, while the total expense of the universal military training plan would be only about $450,000,000 for the training of 700,000 men annually.

But that, after all, is not the most serious objection to it. The chief objection is that it smacks too much of that very militarism which is righteously abhorrent to our national ideals and which we have denounced from every stump and housetop in the country. That is an army approximately as great as that maintained in the permanent establishment of Germany prior to its entrance upon the world war. It may be that the Secretary of War, who presented the bill, does not mean that a force of the size contemplated shall be made permanent; that he thinks the present extraordinary emergency is to endure indefinitely, and that the army to be thus created is to meet this condition only; but if that be the case it is a mere expedient. Even in that event it would partake largely of the character of a professional army.

What is needed is a fixed and permanent policy, something real, something at once definite, effective, sufficient. And, Mr. President, I confidently believe that this is easily attainable. In my opinion it is readily and comparatively inexpensively obtained through the adoption of the policy of universal military training.

Mr. President, the public mind needs to be disabused of whatever impression prevails in it that universal military training presupposes a large standing army. On the contrary, it presupposes the exact opposite. In case of war, it follows as a necessary sequence that the young men of the country must comprise its armies. Universal military training guarantees that the youth who is to be conscripted or who shall volunteer in such a case shall go prepared for the various phases of the ordeal he is to face rather than that he shall be taken unprepared and unfit. It provides the only guaranty against any occasion for the maintenance of a Regular Army of greater proportions than the country needs or is willing to support. Under the operation of this system the soldier is in reality a citizen, free to follow his chosen vocation except for the period required for his proper training. We should have at all times something like 200,000 men capable of being officers. This is about the number we have had in this war. They can be developed under the universal training system, and like the enlisted personnel they may be passed into a reserve force, subject to instant call if occasion requires.

At this moment the country is in condition to develop such a policy at less expense and to better advantage than ever before. The cantonments necessary are already in existence, and at comparatively small expense may be made to answer our needs for several years. To be sure there may be, and doubtless will be, some expense attached, in some instances, for the purchase of lands now under lease; but comparatively speaking, the outlay will not be great. We have great surplus stores of clothing, arms, munitions, much of which will deteriorate and become worthless within a short time and be a total loss if not used, and it might better be employed to a useful purpose than permitted to go to waste.

Far be it from me to detract by a single word from the amazing accomplishments of the American forces on land and sea in the great world war. Every American citizen feels a towering pride in all they did. Neither is it my present purpose to indulge in criticisms of administrations or of individuals for the lamentable state of unpreparedness in which our entrance into the war found us, but it is a matter of common knowledge and infinite regret that we were unprepared. Speaking in this Chamber a few days ago, the senior Senator from Pennsylvania made reference to troops from that State who were sent into battle without having been previously taught the use of the weapons they bore. What is true of them is equally true of the troops from other States. Few of them had ever seen machine guns until they were forced to face them, so few that it was pathetic. It was the inevitable consequence of our smug complacency. It could have been prevented in this instance; it must be in the next, if there is to be a next, and no idealistic dreams of leagues of peace and the brotherhood of man convey guaranties that there will not be, and even if made, no league of nations can be made effective without a force sufficient to enforce its decrees. Unless occasion comes, the citizen army need never be mobilized, but its members will have had the benefits that accrue from judiciously applied physical training, of discipline, and the improved conception of the obligations of citizenship that military training brings.

Mr. President, by the passage of legislation providing for the selective draft we affirmed the military obligation of our citizens. They are under the obligation to fight for our country in its need, but under this obligation they have acquired correlative rights; their fathers, their mothers, their children, and their wives demand that we shall not send them naked and untrained against the foe.

We have proclaimed their obligations. I affirm their right of preparation to fulfill those obligations.

We are now called upon to pass emergency legislation to meet the military conditions abroad. We are called upon to replace emergency legislation by further emergency legislation, but with the expiration of this emergency the provisions of the new legislation must also expire. As matters stand to-day, within four months after the date of the proclamation of peace we shall have no army. Extend the provisions of the existing law, and again there will come a date when the system created by it will cease by legislative limitation. Let us confront the facts. We do not know what obligations are being prepared for us in Paris, but we do know that we have duties toward ourselves and toward posterity. It may be well to make the world safe for democracy. Let us first make it safe for ourselves.

On February 7, 1918, the present Secretary of the Treasury, Mr. Glass, stated in the House of Representatives, of which he was then a Member, that—

> The truth of the matter is that for a century and a half we have emphasized the single warning of Washington against "entangling alliances abroad" and sadly neglected his admonition about a sane preparation against war. Our aversion to a large standing army is traditional and constitutional, bred in the blood and bone of successive generations. The whole policy of the Nation for all these years has been antagonistic to preparation. No one group of men is to blame. No one political party above another is to be censured. Indeed, now in 1918 some of the most frantic protestants against our plight share tremendously the responsibility for our condition.

This is a national issue, and I am firmly convinced that now—not at some nebulous future indeterminate date—is the time to come to a decision concerning our military policy for the future. To-day we can take advantage of the experience which has been gained and continue the application of its lessons. To-day we can come to a decision concerning the employment of the sites and material which during the present emergency has passed into the possession of the United States. Demobilize completely, and it will be too late. We shall have to start all over again, and I, for one, am not willing to permit the loss of what we have gained.

Mr. President, I would again repeat my opposition to a large professional army. Holding these views, I have prepared a bill providing for the adoption of a system of universal military training. I have given the subject much thought, and in the preparation of the bill have taken counsel of military men in whose judgment I place reliance, and yet I wish to frankly state that I regard the bill as the nucleus only for a complete system. If I may have unanimous consent for its introduction at this time, out of order, I will send it to the desk for reference to the Committee on Military Affairs, to which I would add that I shall in turn ask the committee to refer it to the General Staff of the Army, with the request that it make a detailed study of the subject and report it back to the committee as soon as it consistently can, with such amendments, alteration, or substitutions as it may deem necessary and consistent with the country's needs.

In conclusion I want to say that I thoroughly agree with the Senator from New York [Mr. WADSWORTH], who said in his very admirable address of a few days ago that the general staff of the American Expeditionary Forces should be consulted with reference to this matter. They are the men who have commanded this great Army of ours and the only men living who have had the actual experience qualifying them to give dependable, expert opinion as to the real merits of this question. No plan that may be considered will be complete until it has been submitted to them, and I shall ask that they be consulted with reference to this one of mine in conjunction with the General Staff. It may not be necessary to await their return to the United States. Their recommendations may be forwarded here. Representatives of the General Staff may easily go over for conference with them and the courier service be employed for full and frequent exchange of views. It is unlikely that the question can be considered in the limited time remaining to this session, but I shall ask that the report shall in that case be made to the Military Affairs Committee of the next Senate in order that no time may be lost and the day for action thereby much advanced.

Mr. KNOX. Mr. President, may I ask the Senator a question?

Mr. NEW. Certainly.

Mr. KNOX. I should like to know from the Senator whether in forming his judgment as to the size of the Military Establishment that should be maintained by the United States he has taken into consideration the recent developments at the Paris peace conference, by which it is proposed that the United States shall take over, as a sort of receiver or trustee, all of the German colonies, and, what is even more startling, I see by

this morning's New York Tribune, a copy of which is lying here on my desk, that it is the plan of both Great Britain and France that the United States is to become the guarantor of the peace of the world, and that the peace of the world is to be maintained by the forces of the United States?

Mr. NEW. Well, Mr. President, I think if we are to engage in that kind of a program we shall need a system of universal military training to apply to a great many more than the oncoming youth and young manhood of the country.

Mr. President, I send to the desk the bill to which I have referred, and ask that it be printed at the conclusion of my remarks and that it be referred to the Committee on Military Affairs.

The bill (S. 5485) to provide for a system of universal military training and to improve the manhood and citizenship of the youth of the United States was read twice by its title, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That all male citizens over 18 years of age, or those persons who have declared their intention of becoming citizens of the United States, capable of full or modified military service, shall be trained for the land and military forces of the United States for a single period of not to exceed one year, under such regulations as the President may prescribe: *Provided*, That under no circumstances shall the training period be divided into two or more periods, but that such period as determined upon shall be continuous.

SEC. 2. That liability for training under this act shall not begin before the nineteenth year, and shall not terminate until the end of the twenty-sixth year, for all males liable under section 1 of this act, except for those who have taken their training in some one year of this period or who have been excused as hereinafter provided. Training should be given preferably in the first year in which liability for training becomes effective, i. e., the nineteenth year.

SEC. 3. That no one liable for training under section 1 of this act shall be excused from training unless he is the sole support of parents, wife, or child, and then only in the event that equivalent support to dependents is not provided by the Congress: *Provided*, That such equivalent shall represent the net contribution made to the support of dependents in the case of each youth liable under this act.

SEC. 4. That the President be, and hereby is, authorized to divide the territory of the United States into such training zones or districts as may be necessary for the purposes of this act.

SEC. 5. That the President is hereby authorized to appoint such boards as may be found to be necessary for the purpose of registering and examining all persons of training age, and that such boards, under regulations to be prescribed by the President, shall pass upon all applications for exemption from training for any particular year: *Provided*, That any person exempted is not relieved from liability under this act, but must come again at the next registration for examination, and if the disability under which he was first excused has disappeared he shall then be certified for training; but if this disability still obtains he is to be exempted as before, and so on until the end of the twenty-fifth year, when he shall automatically pass into the unorganized militia.

SEC. 6. That all persons trained under this act shall automatically become members of the national reserve, without compensation, upon the completion of training: *Provided*, That each class so graduated into the national reserve shall be given a number, and that the youngest class, in the event of necessity, be called first.

SEC. 7. That all members of the national reserve shall be liable to service by classes in time of war or other grave emergency, and that these classes be called in rotation, as provided in section 6 of this act.

SEC. 8. That the notice of the time and place of examination and training or service shall be deemed to have been made known to all persons liable under this act when such notice is issued by proclamation by the President, and shall be deemed sufficient to bring within its provisions and penalties all persons liable under this act.

SEC. 9. That training is a duty of citizenship, and no person liable under this act, while in training, shall receive pay, but shall be entitled to subsistence, clothing, transportation, laundry, medical attendance, shelter, and such other allowances as may from time to time be established: *Provided*, That a gratuity of $5 per month be, and hereby is, granted to each member while in training.

SEC. 10. That 20 per cent of commissioned and other grades necessary for training shall be permanent, but 80 per cent shall be temporary, and for not more than a period of three years: *Provided*, That all temporary grades for the training period shall be filled by appointment only from men that have had training as prescribed in this act: *And provided further*, That all persons serving in the land and naval forces since April 6, 1917, shall be considered as having had training as contemplated by this act: *And provided further*, That no temporary commission shall be to a higher grade than major or lieutenant commander.

SEC. 11. That at the end of all temporary service all commissioned, noncommissioned, and enlisted personnel shall be passed to the national reserve with the grade for which their individual service has demonstrated them to be fitted.

SEC. 12. That all members of the national reserve called to the colors for service shall receive transportation and subsistence to the point of mobilization, and from date of reporting at such mobilization center, and during the period of service, they shall receive the same pay and allowances as established for corresponding grades in the regular land and naval forces.

SEC. 13. That any person or persons, combination of individuals, corporation, firm, partnership, or association evading, aiding, or abetting in the evasion of any provision of this act shall be considered guilty of a misdemeanor, and upon conviction by a competent tribunal therefor shall be punished by a fine of not more than $5,000 or imprisonment for not more than five years, or both.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Massachusetts?

Mr. LODGE. I thought the Senator had yielded the floor.

Mr. NEW. No; I thought the Senator desired to ask me a question.

Mr. LODGE. I was going to ask a question in connection with what the Senator from Pennsylvania [Mr. KNOX] has said. I have seen these dispatches, and apparently we are going to take a part in managing the German colonies in South Africa and also the Pacific Islands. I wanted to ask the Senator from Pennsylvania, as he asked his question in regard to the Army, whether he understands that we are to use American troops to keep order in the Kameruns and in East Africa?

Mr. KNOX. Certainly. Otherwise how could we maintain order? Those people can not be ruled by moral suasion.

Mr. LODGE. Well, the conception is that we are going to rule them by moral suasion, I suppose, is it not?

Mr. KNOX. That perhaps may be the theory; but we all know that in uncivilized countries, such as those that have been mentioned by the Senator from Massachusetts, force is the only factor by which peace can be really and permanently secured, and, besides, it is not a question of the number of troops we may have to send to the German colonies in South Africa. It is avowed here in this dispatch, which is signed by Arthur S. Draper and published in the New York Tribune of this morning, that—

The situation is as follows:

1. Great Britain and France, especially the former, are working to get America committed to the policy of expansion and endeavoring to shoulder upon the United States a large measure of the responsibility for preserving world peace.

2. The European great powers are strongly supporting the league-of-nations scheme, because through it they see the possibility of drawing America out of what they term her "splendid isolation."

3. Territorial questions have become of secondary importance to the European great powers. The same is true of indemnities.

4. Russia is the allies' great worry. America their greatest hope, bolshevism and the general unrest of Europe being the predominating influences in the peace congress.

5. The Far Eastern question is hardly less difficult of solution than the remaking of Europe.

One can scarcely read this without reaching the conclusion that if it is true it is the purpose of the allied powers not only to allow us to conduct operations in the German colonies and take them over under a trusteeship or receivership, as I said a moment ago, but that the burden of the maintenance of the peace of the world is to rest upon us. If that is true, of course, there is no army which this country could raise that would be sufficient for such a purpose; and there is no burden of taxation that could be laid upon the people of the United States that would be adequate to maintain such a force.

I hope that these stories are not true; I can not believe, Mr. President, that they can be true; I can not believe that, without consulting the Congress of the United States, without consulting the members of the committees that have charge of these special matters, without consulting the people, the United States can be pledged to any such stupendous and preposterous undertakings.

Mr. LODGE. Mr. President——

Mr. VARDAMAN. May I ask the Senator from Pennsylvania a question just at that point?

Mr. LODGE. I believe I have the floor.

Mr. VARDAMAN. I merely wish to ask, admitting that the stories are true, does the Senator think it is remotely possible that the Senate shall be so neglectful of the interests of the American people as to approve a treaty containing such provisions?

Mr. KNOX. Mr. President, if I may be permitted to answer that question, of course, it is the wildest kind of guessing as to what the Senate will do. I have made a futile effort to try to get the Senate to express an opinion on two or three fundamental propositions to which I did not suppose there was any objection, but I can not even get the matter out of the Committee on Foreign Relations.

Mr. LODGE. Mr. President, I asked that question of the Senator from Pennsylvania. Of course, if the Senator from Indiana has not concluded, I will withhold what I was about to say.

Mr. NEW. I have concluded.

Mr. LODGE. I was glad that the Senator from Pennsylvania called attention to this matter. I have felt from the beginning that the important thing to do, the one thing to do, was to make the peace with Germany, and I was prepared to have the United States do everything that was necessary to carry out that peace. Instead of that the time has been spent over there in discussing questions not one of which has been essential to the making of peace with Germany, ending the war, getting a proclamation of peace, and enabling us to bring our men home and put an end to all this legislation which hinges on the proclamation of peace. And now, Mr. President, come these reports of the last two or three days, some of which seem to me absolutely unbelievable.

I know that the dispatches are colored, almost all of them colored for a certain defined purpose; and yet it seems in-

credible that some of the things should be pure invention. We apparently are being involved in some sort of guaranty, either with force or without force, to take care of the German possessions in Africa and in the Pacific Ocean. We seem to have involved ourselves already in serious differences with the Australians and the Boers of South Africa—populations with which we have always been most friendly and sympathetic. Our good relations with Australia are of enormous importance. I do not know exactly what we are doing, but we seem to be annoying them very much; and in some method we are apparently going to guarantee and sustain and watch over republics or States made up of Bantus and Hottentots, and we are to be meddling with it all the time in an indefinite future.

I do not think the safety of the world, or the making of peace, which is our first duty, is concerned very much with what happens in Africa and in New Guinea and in the Marshall Islands and in the Caroline Islands. We must protect our own interests there, which consists of the Island of Guam; that is a different thing; but apparently we are to be invited to take part in the management of all those territories.

I say these things with hesitation, because I do not know what the facts are. The Senate is kept absolutely in the dark. It has nothing to go upon except these casual dispatches; and I merely express this as the feeling of one person who takes a great interest in it, who wants to see peace made with Germany and proclaimed, and thus give us the opportunity to go to work here to readjust the really grave situation which exists in this country in regard to industry and business and bring the war to an end; and yet we are entertained with discussions about the Kamerun and New Guinea and quarrels with the Australians.

I wish we could have some explanation from an authoritative source.

Mr. THOMAS. Mr. President, may I ask the Senator a question before he takes his seat? I fully agree with the Senator that the primary duty of the conference in Paris is to settle the terms of a treaty of peace with Germany; but I want to ask the Senator whether he does not think that one of the indispensable elements involved in the making of that treaty is the disposition to be made of the German colonies?

Mr. LODGE. I think the German colonies ought to be taken away from Germany. I have said that over and over again.

Mr. THOMAS. I know the Senator has.

Mr. LODGE. And they can turn them over to the people who captured them, who are the Boers of South Africa, if the allies and the United States take the African colonies from Germany, or to the Australians, in the case of the South Sea colonies, under suitable guaranties. But should we hand them over to a league of nations not yet in existence, why should we be involved in guaranteeing them for an indefinite future?

Mr. THOMAS. Aside from that question, which is a debatable one, does the Senator think that these colonies should be arbitrarily disposed of to the particular nationalities which captured them?

Mr. LODGE. Personally, I think that all that concerns us is to see that they do not go back to Germany, and that in that way a barrier is established against German aggression.

Mr. THOMAS. But that is a common duty to every party to this treaty.

Mr. LODGE. But to say that we must see that they are properly disposed of is one thing; to make an agreement that we shall look after them for all the rest of time is another.

Mr. THOMAS. Oh, I am not entering into that subject at all. I do not know but that I am in sympathy with the Senator in regard to that, but one of the complications which seems to me to be immediately before this conference is the disposition that shall be made of these colonies and possessions, one of the most serious of which is the German principality in China, which was captured, as the Senator knows, very early in the war by Japan. Now, China demands the return of Kiaochow to her, not only upon the proposition that it is part of her territory but also upon the assurance of Japan that her purpose in wresting the colony from Germany was ultimately to restore it to China. Certainly the Senator will not go so far as to say that our commission in Paris is not interested in the disposition ultimately to be made of that important principality.

Mr. LODGE. Far from it, Mr. President. I think the question of China and Japan is one of the most momentous there is and concerns us in the most direct way. I have not mentioned that question at all.

Mr. THOMAS. I am not at all in sympathy, as I am now advised, with the notion that we are to enter into an agreement for administering these colonies, but I do think that the disposition of them is one of the vital elements entering into a treaty with Germany.

Mr. LODGE. I think we might dispose of them, and it seems to me that these wild tribes are to be under somebody's control. I do not believe they can form a government.

Mr. THOMAS. There is no question about that, in my judgment.

Mr. LODGE. My disposition would be to put them under the control of the South African Republic, but what I am objecting to is this launching out on an indefinite guaranty, we do not know exactly what, which involves eternal meddling in the affairs of Africa. There are other questions which concern us very nearly and which are of great moment and which will require all the strength we have and all the intelligence we have to deal with them, but I do not think New Guinea and South Africa are in that list.

Mr. BORAH. Mr. President, we seem to be discussing this matter without sufficient information. I trust that the Senator from Massachusetts and the Senator from Pennsylvania will realize that one of the most necessary things in regard to it is open negotiations, open covenants of peace, openly arrived at, so that we may know before we discuss the matter what the real facts are.

Mr. LODGE. The Senator does not mean to imply that we are not having open covenants?

Mr. BORAH. I understood the Senator to say that the trouble of it was that we did not know what the facts were.

Mr. LODGE. That is the trouble with me.

Mr. BORAH. That is precisely the trouble with the whole situation.

Mr. JOHNSON of California. Mr. President, I desire to call to the attention of the Senator from Idaho and the Senator from Pennsylvania the very crux of this situation, and that is found in the communique that was yesterday given out by the peace conference in Paris. Permit me to read to you what it has to say, and permit me to call to the attention of my brethren upon the other side of the Chamber the knowledge that is accorded us of what is transpiring abroad. Here is the portion dealing with the German colonies and Turkey, concerning which, the correspondents assert, the most momentous decisions were made yesterday.

In the afternoon—

I am reading now the official communique—

In the afternoon satisfactory provisional arrangements were reached for dealing with the German colonies and the occupied territory in Turkey in Asia.

The Senate of the United States and the people of the United States are singularly fortunate in having the illuminating news sent by the delegation who represent democratic America that satisfactory arrangements yesterday were made by their peace commissioners in Paris. Just think of it, Mr. President, when we emblazon to the world that this democracy speaks with frankness, that it believes in open covenants of peace, openly arrived at, and that we will not tolerate under any circumstances secrecy in arriving at those peace terms, how fortunate we are to know that yesterday "satisfactory arrangements" were made for dealing with the German colonies and with Turkey in Asia. The correspondents tell us—I do not comment upon that, because I do not know whether it be accurate or not—that those satisfactory arrangements were that American troops should take care of these German colonies and should take care of Turkey in Asia.

I amount to little in this body; my voice will not carry far; but there will be one vote in this body when the treaty comes to us that never will vote for American troops to take care of Turkey in Asia or German colonies in Africa.

Mr. WALSH. Mr. President, the discussion to which we have listened was precipitated by an inquiry addressed by the Senator from Pennsylvania [Mr. KNOX] to the Senator from Indiana [Mr. NEW] as to what increase we would need in our Military Establishment if the United States should undertake as the mandatory of the league of nations supervision of all the German colonies. I can not conceive that our commissioners at the peace conference will ever undertake to impose upon the Government of this country any such burden, and I apprehend that any alarm concerning any such condition as that will probably be found to be without much foundation.

But, Mr. President, it is not so serious a matter, so far as the Senator's question is concerned, as might seem, namely, the question of what increase in the Military Establishment would be requisite in such an event, because the governments controlling colonies in Africa practically supply only the officers of the military establishment they maintain there; the rank and file are native troops.

I had a very interesting interview with a distinguished English officer, who had fought in the Kamerun, while he was in this country recuperating from malaria which he had contracted in

the English service in the war in that section. He tells me that all the English troops as well as all the German troops opposed to them were native blacks.

In "In the Fourth Year," by Mr. Wells, a book which has been repeatedly referred to in the discussion of the general question of a league of nations on the floor here, he adverts to the real peril that there exists to the world in the possible militarization of the natives of the Dark Continent. He says:

> The first most obvious danger of Africa is the militarization of the black. Gen. Smuts has pointed this out plainly. The negro makes a good soldier; he is hardy, he stands the sea, and he stands cold. (There was a negro in the little party which reached the North Pole.) It is absolutely essential to the peace of the world that there should be no arming of the negroes beyond the minimum necessary for the policing of Africa.

Mr. President, I do not advert to this condition of things for the purpose of making more tolerable the idea that we should become the mandatary over the African Provinces. I rather desire to suggest to the Senate that the solution of the troublesome problem of the German colonies in South Africa is nowhere near so simple as one might gather from the remarks of the distinguished Senator from Massachusetts [Mr. LODGE], the ranking minority member of the Committee on Foreign Relations. Those colonies are adjacent to territory claimed by four rivals among the allies—Great Britain, Belgium, Portugal, and France. The Senator from Massachusetts would, were he intrusted with the duty of devising a plan for their disposition, solve it by turning them over to the Boer Republic. I apprehend that solution would be entirely unsatisfactory to either France, Belgium, or Portugal. I undertake to say that it would be rather difficult to divide up those territories in such a way as to be entirely satisfactory and quite objectionable to assign them all to any single power.

It may be that the plan of putting them in trusteeship may not work; but, Mr. President, if it should be entered upon I feel entirely confident that the American commissioners will assume no such burden as that for the United States, unless it is absolutely impossible to escape it. Doubtless some power more directly interested will be found ready to assume the responsibility.

Mr. LODGE. If the Senator will allow me, will he tell me on what authority he says France, Belgium, and Portugal would resist it?

Mr. WALSH. I do not say that they do.

Mr. LODGE. I mean resist giving East Africa to the Boer Republic?

Mr. WALSH. I do not say that they are resisting it. I say I apprehend that they would.

Mr. LODGE. I thought the Senator said that they were.

Mr. WALSH. No; but the Germans have the Kameruns, and they have southwest Africa and southeast Africa.

Mr. LODGE. I understand, and the French will take control undoubtedly of some of these western colonies, the Kameruns, probably; but I have not heard that France or Portugal or Belgium were making any resistance at all. The objections that have been published in the papers—and I know how inaccurate dispatches are—state that Australia and South Africa are resenting very much this attempt to take the adjoining territories and put them in control of a league of nations, to be policed by the United States and other powers.

Mr. WALSH. I understood the Senator said so, but——

Mr. LODGE. I do not know that that is correct.

Mr. WALSH. The Senator seems to think that the disposition of the German-African colonies is a very simple matter. It would occur to me as a very troublesome problem.

Mr. LODGE. I do not say that it is a simple matter. I think it is one that should be decided without involving us in more negro problems.

Mr. LEWIS. Mr. President, I beg the Senate to indulge me for a contributive thought not particularly impressive, but which I feel should be stated as most appropriate.

It is very natural that the Senator from California [Mr. JOHNSON], the Senator from Idaho [Mr. BORAH], indeed the Senator from Massachusetts [Mr. LODGE], however much they may have occasion to doubt the absolute accuracy of the reports, were influenced by them. This because it is natural that any of us would be influenced by first information we have which appears to come from an authoritative source.

Mr. President, I would not like to have the United States impressed with the belief at this time merely from these reports that Woodrow Wilson, President of the United States, has really entered into any kind of a final understanding that would take one set of people without a voice from them in any way whatever and hurl them into some community lap as one would throw peas and potatoes in a market basket to be thereafter carted away and distributed to such beneficiaries as may bid for them.

One of the very fundamental doctrines which President Wilson announced to this body in the presence of both Houses as one of the basic things for which he purposed contending for in our name was that there should be no trading of peoples without a voice from them and no sovereign humanity bartered at the dictation of some people and transferred without a voice from them or an expression of their will in their behalf.

It may be as the report comes to us accurate that an arrangement has been made. I assert that if such be true it is one by which these people or these colonies are to be transferred to a form of temporary government spoken of as a league of nations. Mr. President, I will not subscribe at this time to the belief that the United States, through its emissaries, have really violated that fundamental, humane promise and pledge, which was given in behalf of this country time and time again, opposing the transfer of peoples to sovereignties not of their consent or concerning which they did not have a voice.

I rather beg to say that I assume, when we come to investigate this question, it will be found that what the agreement really is is that temporarily the administration of the colonies is transferred to the concentrated order or combination of nations called a league merely for the purpose of a temporary administration of a people now without head, government, or sponsors until there shall come the opportunity to make such disposition as their permanent welfare would disclose as necessary. I am unwilling for myself, Senators, to believe that at this time and up to this moment the United States has pledged itself to any permanent distribution of these colonies and the transfer of these people and of their fates into the hands of other nations without a voice from those who are affected and whose destinies are cast in the balance.

Mr. President, the eminent Senator from Montana [Mr. WALSH] called attention to a problem which, as he says, is brought about by the inquiry of the able Senator from Indiana [Mr. NEW] in respect to what military force would be called into action if we were to assume the administration or domination of these colonies.

Mr. President, I agree with the observation of the Senator from Montana. I do not feel the time will ever come when this Government will be called into the adoption of some military army for the purpose of administering these colonies of Germany or any other foreign territory.

There will come a time, Senators, as I behold it, when if there shall be an arrangement for the policing of nations and the avoiding of war, this for the entrenching and establishment of peace, to this purpose I urge that to each continent there be left the question of controlling its own local or internal affairs. For myself I certainly feel that now is the moment to say that there ought not to be any disposition on the part of America to indicate to the European or the Asiatic Hemispheres that we are ready to have either of those come into this continent and to merely police purely local difficulties and local disturbances on this continent, nor will we inject and intrude ourselves on other continents for similar purposes as against them.

I make bold to offer a suggestion for reflection, for I will not interfere more than a moment with the eminent chairman in control of the Post Office appropriation bill. It is this: Public report tells us that the German Navy is now in the balance as to the disposition of it. Let me suggest, sir, that instead of a military force being proposed as a police agency the German Navy be not given to any one of the victors, but that if the league of nations be constituted and be brought into action upon any permanent basis the German Navy be turned over to it as its police force, to be administered by it and used there in Europe or in a foreign continent wherever necessity would justify that use, and that that be the police agency. We thus neutralize that navy. It becomes no property of any one victor. It awakens none of the rivalry and resentment which will surely follow by attempting to give it to any one victor nation as against another.

By this we do not assume to distribute among ourselves other nations or peoples to control this navy. We leave this navy intact as a police power and avoid the result of difficulties which the Senator from Indiana and the Senator from Massachusetts would clearly call up by their suggestions. In this way we avoid the militarism of either blacks in Africa or whites in America or in any other country.

I merely rose to say that which I reassert: That I can not accept in behalf of this country as a verity and an established fact that President Wilson has in behalf of this Nation agreed to

any permanent policy of transferring any people, of colonies or elsewhere, into the sovereignty of any other nation without any voice from them or any consideration of their personal welfare, from the consideration of their interests and without an expression of their own will.

I thank the Senate for allowing me to intrude.

Mr. KIRBY. Mr. President, I think the occasion warrants a short expression from me that seems to be needed here.

We have fought this war and won it. We have expended over $30,000,000,000 in waging it. We have had 263,000 of our men slain yonder on the battlefields of France or cut to pieces and crippled for life. The war has been won. And for what? Did we fight Germany, I will ask the distinguished Senator from Massachusetts, that the South African possessions should be given to England? Did we fight the central powers that Alsace-Lorraine should be given to France? Did we fight the central powers and conquer them for that purpose? For without our going into the war the allies were absolutely powerless to prevent their own subjugation; they were already beaten by the German forces. Did we fight and win the war to give Trieste and Trent back to Italy, or did we fight and win the war to give the Chinese provinces to Japan?

The learned and distinguished Senator from Massachusetts does not know everything; he admits that he has some limitations. He says he does not know what ought to be done with the German South African colonies, but he is unstinted in his criticism of the course of our representatives yonder in the great world conference to-day, and he is joined by other Republicans on that side and by Democrats here, which ought not to be.

The condition exists. Our representatives are on the ground for what? To procure as much benefit to this country and mankind because of our expenditure in blood and treasure as we are entitled to out of the great peace conference yonder, and it seems that ours is the only delegation on the face of the earth that has mankind and humanity's future at heart. All has been forgotten by the others except a disposition to clutch and hold what they have in hand. We have helped to destroy the balance of power of the Old World, and but for our entrance into the war it would have been destroyed by Germany and other lands acquired by her.

If we shall withdraw from this peace conference without establishing some kind of a league of nations that will guarantee in some sort of effective way peace to the world and fair treatment to the weak and small and subject peoples of the earth and protection from exploitation by the strong and powerful, we may have done a disservice to mankind instead of a benefit in helping to vanquish the central powers.

To say the least of it, what have our people been taught to believe caused us to go into the war? That our rights on the seas were infringed, and the freedom of the sea * must be safeguarded yonder. The war was fought for that purpose, and what else? That there might be a league of nations to enforce peace and settle forever the question of armaments and to destroy militarism as it has flourished to now and cursed the world with the greatest war of all time. If we have not fought for those other things and have fought for these two, have conquered the enemy and are now laying down terms of peace, why should we not insist upon these things being regarded and accomplished there, and why should we not insist with a united voice?

I say the President of the United States ought to speak to the peace conference yonder as one having authority, as one who has 110,000,000 people behind him and the most powerful country on the face of the earth, a country that has gone into the war 3,000 miles away for the things that I have just spoken about. Would you have us withdraw quietly without accomplishment of the purpose, with a policy of cringing cowardice that would be a disgrace to the blood our heroic sons shed on the battle fields of France?

Incidentally, just there, I saw in the paper this morning a statement by an admiral of the United States Navy, while the President, the Commander in Chief of the Army and Navy of the United States, the President of the United States of America, the head of the peace delegation, is yonder at the great conference insisting upon a league of nations, and here is this admiral in our Navy, while the negotiations are going on and without knowing what may come of them, saying for publication that the league of nations has descended to the importance and prominence of an old ladies' sewing circle.

What did we spend all this blood and money for? Shall it have been expended in vain? If I were the Commander in Chief of the Army and the Navy and one of my subordinates should make a statement like that in this country for publication at this time, I might think it was for the good of the service to reduce him to a rank so low that he would forget what the Navy is for.

Why should it be done? It is about time the United States Senate, in my judgment, should have regard for the great sacrifices this country has gone through and the immense burdens it must bear hereafter, and what ought to be gotten for this country and the benefit to the future of mankind out of the great peace conference. It can not be gotten after the conference is ended. We ought not to embarrass and obstruct our representative, who is on the ground and understands the situation. I say let him continue to speak as one having authority, and the United States Government and all the people will be with him in the declaration, notwithstanding this unwarranted criticism by Senators.

Mr. MYERS obtained the floor.

Mr. JOHNSON of California. Mr. President——

Mr. MYERS. If the Senator from California desires to address his remarks to the subject under consideration, I will yield to him.

Mr. JOHNSON of California. I thank the Senator from Montana. I wanted just one moment, for I thought it was illustrative of the argument that has proceeded in the days past. I think this morning's interesting debate but emphasizes the force of what has been so eloquently said by the Senator from Idaho [Mr. BORAH] upon the first of the peace terms. I do not think there is any substantial difference between the views of the Senator from Illinois [Mr. LEWIS] and those that I possess concerning those peace terms. I doubt, indeed, if the Senator from Arkansas [Mr. KIRBY] differs from either of us; but what we have demonstrated this morning is the unfortunate situation in which we and the country find ourselves to-day during the progress of these negotiations. I want to read to the Senate just a line that to me was most appropriate, and that I kept in mind during the remarks on the President's absence, and which I thought, of course, would be all controlling in the days of this peace conference—a line from the farewell address that was made to us by the President just prior to his departure. He then said:

> I shall be in close touch with you and with affairs on this side the water, and you will know all that I do.

Of course, that is an error, for we know nothing; but that, taken in conjunction with the first of the peace terms concerning "open covenants of peace openly arrived at," led me to believe—and, I am sure, led many other Senators to exactly the same belief—that we would at least substantially understand what was transpiring abroad which touched us so intimately and bore upon our future destiny.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from California yield to the Senator from Montana?

Mr. JOHNSON of California. I yield.

Mr. WALSH. I should like to inquire of the Senator from California if it is his view that the secrecy, of which he complains and which everybody deplores, is attributable to the American commissioners?

Mr. JOHNSON of California. I have no information upon that subject at all. I should say, were I to express an opinion, that it was not, for I assume, of course, with the announcement that the President made upon that subject, that he endeavored with all his power to prevent that sort of thing. I would not indulge for an instant in any other assumption concerning the President of the United States.

But the situation exists as a fact, nevertheless. It is most unfortunate. We here, a part of the treaty-making power, with the intensity of interest that every one of us has in what is transpiring abroad, with the hope, at least, that we were to know substantially what was transpiring as it transpired, with the words of the President ringing in our ears and before us, the solemn assurance given to the world, accepted by every power on earth, that there should be "open covenants of peace, openly arrived at," are to-day told, when they are dealing with the very blood and bone of this Republic, "that satisfactory arrangements yesterday were made." There ought to be some means by which there would be some information authentically brought to this body. I do not know how it can be accomplished. We are dependent upon the newspaper correspondents, and I hesitate to comment upon much that they say; but, nevertheless, we are left in confusion and in doubt and without the facts. We do not know what is transpiring, when to all the world we have said that not only the world but we ourselves should know just exactly what was occurring from minute to minute and from day to day.

Mr. LEWIS and Mr. BORAH addressed the Chair.

The PRESIDING OFFICER. The Senator from Montana [Mr. MYERS] has the floor.

Mr. MYERS. I will not claim the floor at this time, Mr. President.

The PRESIDING OFFICER. Then the Chair will recognize the Senator from Illinois.

Mr. LEWIS. Mr. President, I beseech the Senator from California [Mr. JOHNSON] to regard a situation, and I ask him if he can see from the situation where there has been any violation on the part of that covenant given by the President in his concluding observations, or what has been termed by the Senator from California the President's farewell address to us?

Mr. President, the President of the United States did say that he would be in constant touch with this country and that he would keep us informed as to those matters which transpired. We ought not to leave the country under the impression that these things have really officially transpired merely because the newspaper correspondents, catching the very first rumor that they thought reliable, and in their diligence giving it to the country, as became their office. The report says "it is currently rumored" that it has been agreed upon. But I invite the Senator from California to notice that France does not say such has happened; Britain does not say so; nor do any of the authoritative sources give it out as having transpired or having been officially adopted by any of those Governments.

Mr. JOHNSON of California. Mr. President——

Mr. LEWIS. I will yield to the Senator in a moment. But might I submit to the Senator this thought: If really these matters have been concluded, have really been decided upon, have been finally ascertained and settled, will not the Senator assume that, were such to be the circumstance, the President then would have communicated to this country? Will we not assume, sir, that the report we have is based upon the best information that the newspaper representatives have; but may we not also assume that it is a mere statement tentatively of what they understand has transpired, and not until we really know that a thing of this kind or any other thing of this importance has actually been arrived at and accepted, is the President of the United States under any obligation by his word to remit the facts or to transmit the information to us?

I inform the able Senator from California that there are reasons by which a few—indeed, all—of the Senators may rest assured that, as fast as any one thing is done, is in itself in a completed state, that will be communicated promptly by the American commissioners and by the President himself to anybody, whether it be the Senate or the other House or any agency of this Government, that has, in the nature of our administration, the right to have it, and to the American public, at the very first moment that it is convenient and appropriate.

I wish to press upon the Senator from California this thought as I now yield to him: Is it just to assume that there has been any violation on the part of the President or of the American commissioners in the promise to transmit information here merely because we have a general information of the presumption that things have been done of which we have no official statement from any official source anywhere at any time that they have officially been concluded?

I now yield to the Senator from California for reply.

Mr. JOHNSON of California. Mr. President, in response to the Senator from Illinois I will say just a word. The vice of the able Senator's argument is that he would have us have no knowledge, in any event, until the entire transaction has been concluded. Then, of course, discussion would be futile and useless. But that is apart from what I was speaking of a moment ago.

The Senator from Illinois is in error when he says that we have assumed that certain things have occurred. I read the official communique yesterday issued, and the official communique says that "satisfactory provisional arrangements were reached" as to Turkey and as to the German colonies. If the arrangements were yesterday made, under what was said to us by the President, that we should know all that he knows, ought we not or—eliminating ourselves because of the position into which the supposedly popular branch of the Government has fallen—ought not the people of the United States know, the event having transpired, just exactly what has been done?

Mr. LEWIS. Mr. President, I reply to say that the mere expression on the part of diligent correspondents announcing that a satisfactory arrangement or some temporary administration has been made is a mere conclusion on the part of those gentlemen.

Mr. JOHNSON of California. Mr. President, will the Senator pardon an interruption?

Mr. LEWIS. I yield again.

Mr. JOHNSON of California. I am not speaking of correspondents, if the Senator will pardon me; I am speaking of the official communique issued by the Governments participating in the peace conference—not about what the correspondents are saying at all.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. The Senator from Illinois has the floor.

Mr. NEW. Will the Senator from Illinois yield to me for a question?

Mr. LEWIS. Yes; at this juncture I yield.

Mr. NEW. I should like to ask the Senator from Illinois if, to his knowledge, there has yet been any communication of any character from the President of the United States to either House of the Congress? Negotiations have been in progress for some time, and I should like to ask if there has been a single word from the President to either House of Congress concerning those negotiations?

Mr. LEWIS. Mr. President, I answer both Senators. In the first place, the communique to which the Senator from California refers is, I repeat, sir, a statement of the newspaper correspondents giving the best information they had at hand, and in announcing the communique they state their conclusions that some satisfactory arrangements have been reached as to the matters referred to; but I appeal to the Senator from California again to notice that there is no statement anywhere that there has been any arrangement made by the President of the United States concluding any subject, and I must assume again that if anything has been entered upon by him and concluded it would be reported promptly to that particular agency of our Government where under our laws and customs the report should be made.

Now, says the Senator, there are proceedings daily transpiring. That I concede, and I have stood on this floor, as did the Senator from Montana [Mr. WALSH] and Senators on the opposite side of the Chamber, deploring that any rule should be adopted by the convention that would prevent the daily proceedings from being heard; but, Mr. President, it appears that these daily proceedings are reported in so far as whatever transpires day by day is concerned. What A or B may say and what response C or D may make may not come to us each moment by telegraph any more than what we are saying here each moment is being reported each moment back there.

But, answering the Senator from Indiana, who asked if there had been any report from the President to either House of Congress, let this be the answer: The only thing that has transpired has been a mere convention, a gathering, that has been as open as the proceedings transpiring here. Every agency of the world has reported it. There was not a thing the President could communicate that was not known to the various citizens of our land. Since then nothing has transpired of a completed character affecting our Government, that I can see, which called upon the President to report it. It is not yet in a shape or condition when upon a point of honor or a point of duty it would be expected that he would pause to communicate it fully to us. The reason clearly, I may say, is that until he has full information to impart, information in mere fragments would be misleading and most unsatisfactory. I think there has not yet arisen a time when it can be said that it was his duty by any form of obligation or undertaking to have communicated to us anything that we do not now know.

I think what we need is a little patience; I think also what we need is some confidence in those who represent us, and not to assume that they are employing every opportunity to trick and betray us; but to place some hope in mankind, some trust in the solemn oath of officials, some belief that in the honor of the men the same obligations will be complied with at a distance that we know were ever complied with at home. As we have had no real reason for ever lodging any complaint, we are not justified now in this honorable place in expressing a suspicion.

Mr. BORAH obtained the floor.

Mr. JOHNSON of California. Mr. President, will the Senator from Idaho yield for a moment?

Mr. BORAH. I yield.

Mr. JOHNSON of California. I do not wish to prolong the discussion, but because of his repeated statement, which leads me to believe that the Senator from Illinois has misapprehended what I have said, I read:

COMMUNIQUE TELLS DECISIONS OF COUNCIL.

[By the Associated Press.]

PARIS, *January 30.*

The official communication on the peace proceedings to-day reads:

"The President of the United States, the prime ministers, and ministers of foreign affairs of the allied and associated powers, as well

as the Japanese representatives, to-day held two meetings at the Quai d'Orsay, the first from 11 a. m. until 1 p. m. and the second from 3.30 to 6 p. m.

"The exchange of views continued on the German colonies in the Pacific and in Africa, in the presence of the representatives of the dominions and of M. Simon, French minister of the colonies, and of the Marquis Salvago Raggi (Italy).

"In the afternoon satisfactory provisional arrangements were reached for dealing with the German colonies and the occupied territory of Turkey in Asia."

I am reading the official declaration.

Mr. LEWIS. I think, Mr. President, the Senator will see the United States was not mentioned as having taken any part whatever, and therefore could not have been under any obligation to make report to us.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. The Senator from Idaho has been recognized.

Mr. MOSES. If the Senator from Idaho will yield to me for just a moment. I have no wish, Mr. President, to administer any kindergarten instruction in diplomatic practice to the eminent and able Senator from Illinois, but, speaking from my own personal experience, having assisted, in the French sense, at one peace conference, I wish to say that the communique which the Senator from California has read is an official document emanating from an officer of the conference who is known as the chef du protocol, who puts out a statement each day in skeleton form of the doings of the conference. In this instance the chef du protocol, who issued the communique which the Senator from California has read, is, as I understand, M. André Tardieu, who is well known to many people in this country because of his presence here as the French high commissioner a year ago.

Mr. LEWIS. Still that merely verifies the assertions I have made and the conclusions I have heretofore drawn.

Mr. BORAH. Mr. President, it is impossible for Senators to feel other than a deep interest in everything which is transpiring at Versailles. The nature of the questions which are there being considered and the consequences which may follow from a decision this way or the other are such that no one can be indifferent to what is transpiring, and it must be understood that Senators here will continue to discuss these matters from day to day, either upon insufficient information, if we can have no other, or upon sufficient information to enable us to discuss them correctly, if it can be had. In other words, Mr. President, no Member of this body would think of remaining silent while these matters are transpiring. He would be unfit to occupy a place in this Chamber if he did.

Mr. President, it is not a question of confidence in the President. Those of us who may have views contrary to the views which the President entertains with reference to these things ought not to be charged with having a lack of confidence in the man or anything of that nature. The President has said that he is in favor of the league of nations. I am uncompromisingly opposed to it. That is my position. It is not a question of personality at all; it is a question of policy for my Government, and that I decide regardless of individuals or persons.

When the President of the United States declared in favor of "open covenants of peace, openly arrived at," if I may be permitted to make the statement, he simply announced a doctrine that some of us here had been advocating in the Senate Chamber for eight years. I did not modify my position because a Democratic President had announced his position to be in harmony with that view. I continued to support it because I believe in it as a principle, aside from the fact that this or that individual may be in favor of it, or this or that individual may be opposed to it. In fact, it amounts to but very little in this world, through the sweep of the ages, what this or that particular individual believes, but it is of tremendous importance as to what particular principle or policy of government is to obtain. And so, sir, we are dealing with policies and principles, and not with individuals; and I suspect that some of us here have supported the President as earnestly in critical times in his administration as others who have been of the same party. So it is not a question, sir, of confidence or lack of confidence in the President. It is a question of whether or not certain policies should obtain. It is a profound disagreement upon a far-reaching policy of the Government.

Mr. President, the difficulty of the situation arises out of this condition of affairs, in my humble judgment, expressing myself as I must in my own way, that we have entered upon a boundless sea, without chart or compass to indicate where we are going. When we declared that we would take part in readjusting the territorial boundaries and the governmental conditions of Europe, we broke away from the fundamental principle upon which the foreign policy of this Government was established a century ago, and we have had neither chart nor compass for our sea since that hour. Let us get back to our safe and ancient moorings. Let us recur to those great policies which enabled Washington to direct our course in safety in times just as turbulent and dark as these.

I do not care what kind of a league of nations you form. It may, as Admiral Mayo said, be nothing more than an old ladies' quilting society; but it will finally lead us into all kinds of entangling obligations and conditions with European affairs. If we sit in the council chamber with nothing more than our moral influence and our moral suasion and exercising our intellectual powers, we are still dealing with European affairs and creating corresponding obligations upon our part, against which the Father of his Country declared. If we take possession of the German colonies and undertake to administer them and become mandatory for them, we have in that very hour—I do not care whether there is any declaration to that effect or not—abandoned the Monroe doctrine. Is human nature so constituted that Europe would permit us to interfere with the Monroe doctrines of Europe and Europe never have anything to say with reference to the Monroe doctrine of the United States? Certainly not.

So, Mr. President, it is against the fundamental principle of a league of nations that I inveigh, and not a challenge of the confidence or the integrity or the intellectual power of the President of the United States. He is perfectly entitled to his views, and I do not criticize him for urging them—not at all. I simply want to present the question to the only tribunal upon the face of the earth that shall decide it; and that is, to the tribunal of public opinion in the United States. If the public opinion of the United States shall finally ratify that course after it is thoroughly presented to the people, then I must, as an American, bow to the majority opinion of my countrymen and abide by it and watch, as I shall with deepest anxiety, for its consequences. But until the final decision is taken, I propose to present to that tribunal in my humble way, at every opportunity I have, my firm, even my religious, belief that such a policy is the end of the Republic as the fathers made it.

So believing, I shall not remain silent out of fear of being called a carping critic. Therefore, when the news came across the water that in all probability we were to take charge of the German colonies, I raised my voice against it, because I was against the policy. I know of no higher duty devolving upon a Senator than, with courtesy, with proper consideration for the personal feelings of others, and for the due respect belonging to the man who occupies the position of Commander in Chief, to advocate his own beliefs and his own views, regardless of the awe which surrounds that high office. These are not the times for intellectual timidity or spineless opposition.

HOMESTEADS FOR SOLDIERS AND SAILORS.

Mr. MYERS. From the Committee on Public Lands, I report back favorably without amendment the bill (S. 5071) extending the benefits of sections 2304, 2305, and 2309, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican border troubles and the war with Germany and its allies, and I submit a report (No. 678) thereon. I desire to say a few words concerning the bill.

It was prepared by the Secretary of the Interior and introduced by me at his request. It relates to a matter of considerable urgency. There is now a law which provides that the veterans of the Civil War, the Spanish-American War, and the Philippine insurrection, when they enter land as homesteaders, may have counted in their favor, as part of the period of residence on those homesteads, the time they served in the armed forces of the United States. That applies to veterans of the Civil War, the Spanish-American War, and the Philippine insurrection. But there is no such law applicable to soldiers who served on the border during the Mexican trouble, nor to soldiers or sailors in the forces of the United States during the present war. This bill is simply to extend to soldiers and sailors of the present war the same privilege that has been granted to the veterans of the Civil War, the Spanish-American War, and the Philippine insurrection, to put them on the same footing.

I will read briefly from the communication of the Secretary of the Interior:

DEPARTMENT OF THE INTERIOR,
Washington, November 27, 1918.

Hon. HENRY L. MYERS,
Chairman Committee on Public Lands, United States Senate.

MY DEAR SENATOR: I have the honor to submit, with the request that you introduce the same, draft of a bill extending the benefits of sections 2304, 2305, and 2309, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican border troubles and the war with Germany and its allies.

The three sections named grant credit, in lieu of actual residence and cultivation, in connection with homestead entries initiated after

such service has terminated, for military or naval service rendered during the Civil War, the Spanish War, and the insurrection in the Philippines, and authorize the soldier or sailor to file a declaratory statement, in person or by agent, in advance of entry and settlement.

Public resolution No. 32 and the act of July 28, 1917, referred to in the draft, are protective measures affecting claims initiated prior to entering the service, and reference is made to them as defining the character of service for which credit is to be given.

There is no existing law under which credit may be given for military service rendered during the Mexican border troubles or the war with Germany in connection with homestead entries made after the service has been rendered, and the Land Department is receiving many letters on the subject from persons who have so served or are now serving.

I am submitting a like draft to Hon. SCOTT FERRIS and earnestly hope that the legislation may be pushed to early enactment.

Cordially, yours,

FRANKLIN K. LANE, *Secretary.*

The Secretary of the Interior is taking a great interest in directing the settlement of returned soldiers and sailors on the public lands of the country, and this measure is in line with that idea. It simply puts the soldiers and sailors of the present war on the same footing with soldiers of past wars.

I ask that the bill may be read, and then I ask for its immediate consideration.

Mr. FRANCE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	New	Sutherland
Calder	Jones, N. Mex.	Nugent	Swanson
Colt	Jones, Wash.	Overman	Thompson
Curtis	Kellogg	Page	Trammell
Fletcher	Kenyon	Penrose	Underwood
France	Kirby	Ransdell	Wadsworth
Gay	La Follette	Shafroth	Walsh
Gronna	Lewis	Sheppard	Warren
Hale	McKellar	Smith, Ariz.	Weeks
Henderson	McNary	Smoot	Wolcott
Hollis	Myers	Spencer	

Mr. BANKHEAD. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. LEWIS. I desire to announce that the Senator from Kentucky [Mr. MARTIN] is necessarily detained on official business.

Mr. OVERMAN. I wish to announce that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Georgia [Mr. SMITH] are detained on official business.

Mr. SHEPPARD. I wish to announce that the Senator from South Carolina [Mr. SMITH] is detained by illness.

Mr. HENDERSON. I desire to announce the absence of the senior Senator from Oregon [Mr. CHAMBERLAIN] on account of official business.

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. KENYON. I wish to announce the absence of the junior Senator from Nebraska [Mr. NORRIS] on official business.

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness.

The PRESIDING OFFICER. Forty-three Senators have responded to their names, a quorum is not present. The Secretary will call the names of absentees.

The Secretary called the names of the absent Senators, and Mr. PITTMAN, Mr. SIMMONS, Mr. STERLING, and Mr. VARDAMAN answered to their names when called.

Mr. KIRBY. I wish to announce the absence of the Senator from Delaware [Mr. SAULSBURY], the Senator from Ohio [Mr. POMERENE], and the Senator from Arkansas [Mr. ROBINSON], who are necessarily absent on official business.

Mr. THOMAS, Mr. FERNALD, Mr. REED, Mr. GORE, and Mr. BECKHAM entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-two Senators having answered to their names, there is a quorum present. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. MYERS. Mr. President, the Senate spent an hour and three-quarters this morning in talking when nothing was before the Senate and accomplished nothing. There was one hour and three-quarters of time spent in absolutely idle talk. At a few moments before 2 o'clock I rose and explained that I wished to ask the immediate consideration of a bill which would do something for the soldiers and sailors of this country who had exposed their lives, that in a sense would confer some benefit upon them. It would have taken only a minute to consider the bill. The Senator from Maryland [Mr. FRANCE] very kindly interfered, and suggested the absence of a quorum, which took all the time up to 2 o'clock, when the unfinished business comes on. The Senator from Maryland has had the distinction of interfering with doing something in this body for our soldiers and sailors.

AMENDMENT OF THE RULES.

Mr. BORAH. Mr. President, I rise to give notice of a motion for the suspension of the rules with reference to permitting legislation upon an appropriation bill. I give the notice now, although I desire to say to the Senator in charge of the bill that it is not my purpose to utilize this notice to delay the Post Office appropriation bill. If the appropriation bill should go over until to-morrow, one day being necessary, I shall avail myself of the virtue of the notice. If the Senator from Alabama can conclude the consideration of his bill to-day, I will not take advantage of this notice to delay it.

I should have given the notice sooner, but I did not anticipate that this bill would go through so rapidly as it apparently is going through at this time, so I give this notice now, and I will avail myself of it, if I can, later.

I ask that the notice may be read.

The VICE PRESIDENT. The Secretary will read the notice.

The Secretary read as follows:

Mr. BORAH. Mr. President, I desire to give notice that on Saturday, February 1, 1919, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 3 of Senate Rule XVI, prohibiting any amendment proposing general legislation to any general appropriation bill, for the purpose of offering the following amendment to the Post Office appropriation bill, H. R. 13308, now pending, by adding a new section to the bill, as follows:

SEC. —. That sections 1, 2, and 3, title 12, of an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," passed and approved June 15, 1917, which sections read as follows:

"SECTION 1. Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing of any kind, in violation of any of the provisions of this act is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier: *Provided*, That nothing in this act shall be so construed as to authorize any person other than an employee of the Dead Letter Office, duly authorized thereto, or other person upon a search warrant authorized by law, to open any letter not addressed to himself.

"SEC. 2. Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing of any kind containing any matter advocating or urging treason, insurrection, or forcible resistance to any law of the United States is hereby declared to be nonmailable.

"SEC. 3. Whoever shall use or attempt to use the mails or Postal Service of the United States for the transmission of any matter declared by this title to be nonmailable shall be fined not more than $5,000 or imprisoned not more than five years, or both. Any person violating any provision of this title may be tried and punished either in the district in which the unlawful matter or publication was mailed, or to which it was carried by mail for delivery according to the direction thereon, or in which it was caused to be delivered by mail to the person to whom it was addressed," be, and the same are hereby, repealed.

SEC. 2. That section 4 of an act entitled "An act to amend section 3, title 1, of the act entitled 'An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes,' approved June 15, 1917, and for other purposes," passed and approved May 16, 1918, which section reads as follows:

"'SEC. 4. When the United States is at war the Postmaster General may, upon evidence satisfactory to him that any person or concern is using the mails in violation of any of the provisions of this act, instruct the postmaster at any post office at which mail is received addressed to such person or concern to return to the postmaster at the office at which they were originally mailed all letters or other matter so addressed, with the words, 'Mail to this address undeliverable under espionage act,' plainly written or stamped upon the outside thereof, and all such letters or other matter so returned to such postmasters shall be by them returned to the senders thereof under such regulations as the Postmaster General may prescribe," be, and the same is hereby, repealed.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. NUGENT. I present a memorial of the Legislature of the State of Idaho in favor of Federal aid for post roads, a subject embraced in the pending bill, and I ask that it be read.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Without objection, the memorial will be read.

The Secretary read as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 2, by McDonald, which was filed in this office on the 21st day of January, A. D. 1919, and admitted to record.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 22d day of January, A. D. 1919, and of the Independence of the United States of America the one hundred and forty-third.

[SEAL.]

ROBERT O. JONES,
Secretary of State.

House joint memorial 2.

A joint memorial memorializing the Congress of the United States for the passage of an amendment to the bill introduced by Senator BANKHEAD in the United States Senate on December 4, 1918, known as S. 5088; also the same amendment to a bill introduced in the United States Senate by Senator SWANSON on December 5, 1918, known as S. 5098; also the same amendment to a bill introduced by Mr. SHACKLEFORD in the House of Representatives of the United States on December 12, 1918, known as H. R. 13354; and also to any other similar bills introduced in Congress, in order to provide a more equitable application of Federal aid for post roads in the sparsely settled States, and to provide a more reasonable time limit for the availability of such Federal aid.

We, your memorialists, the house of representatives and senate of the State of Idaho, respectfully represent that—

Whereas there are pending in the Congress of the United States bills known as S. 5088, S. 5098, and H. R. 13354, all of which provide for additional Federal aid for post roads under the terms of the act of Congress approved July 11, 1916, and commonly known as the Federal-aid road act; and

Whereas section 6 of said Federal-aid road act provides that the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and

Whereas although additional Federal aid for road building at the present time is highly desirable, nevertheless those States having large areas and relatively small populations will be unable to avail themselves of the benefits of this act as amended to provide additional Federal aid without a disproportionate burden of taxation: Now, therefore,

Your memorialists urgently request that the said bills, and other similar bills which may be introduced in the Congress of the United States, be so amended that section 6 of the said Federal-aid road act will provide that in those States where the average population per square mile of area is 100 persons or more, based upon the census of 1910, the United States shall not cooperate in any road project in an amount greater than 50 per cent of the total estimated cost thereof; and that in those States where the average population per square mile of area, based on the census of 1910, is less than 100 persons the share of the United States shall be increased one-fourth of 1 per cent for each person or major fraction thereof less than 100 per square mile; and, furthermore,

Whereas section 3 of said Federal-aid road act provides that so much of the appropriation apportioned to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State only until the close of the succeeding fiscal year; and

Whereas on account of the said provision of section 3 of said act, local conditions existing in some States render it practically impossible to comply with the terms of the act: Now, therefore,

Your memorialists also request that said bills now pending in Congress, and any other similar bills which may be introduced, be amended so that section 3 of the said Federal-aid road act will provide that so much of the appropriation to any State for any fiscal year as remains unexpended at the close thereof shall be available to such State until the close of the second succeeding year: And be it

Resolved, That a copy of this memorial be sent to each of the Members of the congressional delegation from the State of Idaho, to the Congress of the United States, and to each body of said Congress.

This memorial passed the house on the 15th day of January, 1919.

M. A. KIGER,
Speaker of the House of Representatives.

This memorial passed the senate on the 16th day of January, 1919.

C. C. MOORE,
President of the Senate.

This memorial received by the governor on the 21st day of January, 1919, at 10.55 o'clock a. m., and approved on the 21st day of January, 1919.

D. W. DAVIS, *Governor.*

I hereby certify that the within house joint memorial No. 2 originated in the house during the fifteenth session of the Legislature of the State of Idaho.

DAVID BURRELL,
Chief Clerk of the House of Representatives.

(Indorsed: Received and filed January 21, 1919. Robert O. Jones, secretary of state.)

The PRESIDING OFFICER. The pending question is on the amendment of the committee to insert a new section, to be known as section 5.

SEVERAL SENATORS. Let it be read.

The PRESIDING OFFICER. It will be read.

The SECRETARY. On page 36, after line 16, the committee report to insert the following as an additional section:

SEC. 5. That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used or may be made suitable for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart.

Mr. BANKHEAD. I desire to offer an amendment to the amendment of the committee.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. At the end of the amendment, at line 3, page 37, strike out the period and insert a colon and add:

Provided, That section 6 of said act be further amended so that the limitation of payment not to exceed $10,000 per mile, exclusive of cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to $20,000 per mile.

Mr. SMOOT. Mr. President——

Mr. THOMAS. I should like to make an inquiry of the Senator from Alabama.

Mr. BANKHEAD. If the Senator will yield just a moment, I will make a brief explanation and give the reason why it is thought necessary to offer this amendment to the amendment.

Under the existing law the Secretary of Agriculture can not expend more than $10,000 out of the present appropriation to aid in the construction of roads. There are quite a number of States that desire to build roads that cost more than $20,000 per mile, and the Secretary of Agriculture thought this amendment to the amendment would be very advisable, because it would authorize him, in each State where they desire to build better roads than they can for $20,000, to expend more money in their construction.

In other words, if the State of New York or the State of Massachusetts or any other State desires to build a road or improve or reconstruct a road that costs more than $20,000 a mile, it can only receive from the Federal appropriation $10,000. I think, and the committee thought, that States which desire to build roads more expensive than $20,000 per mile should be permitted to spend $30,000 or $40,000 a mile and get their pro rata share from the Federal appropriation. That is the purpose of the amendment to the amendment.

Mr. SMOOT. I rose to ask the Senator a question. I am not opposed whatever to the amendment the Senator has just offered. I think it is a very wise amendment. What I wanted the Senator to do was to explain the difference between the existing law and the law as amended by section 5 of the bill.

Mr. BANKHEAD. There is no difference, except that section 5 increases the appropriation heretofore made.

Mr. SMOOT. No; there is no increase of appropriation in section 5.

Mr. BANKHEAD. Does the Senator mean with reference to construction?

Mr. SMOOT. Yes; I mean all the amendments. Section 5 provides:

That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used, or may be made suitable, for the transportation of the United States mails.

Mr. THOMAS. It adds the words "may be made suitable."

Mr. BANKHEAD. Yes; "may be made suitable." That is a definition or an explanation of the words in the original act, which were "may or can be used." The Secretary of Agriculture, in discussing this matter with me, regards this as a very important amendment because it relates to roads over which rural mail goes on the major part of the road. It may go over both ends of a road, but there may be a short link in the middle where the conditions up to this time had not made it possible or desirable to carry the rural service.

Mr. SMOOT. Of course, the object is to make any road in the United States fall under this law.

Mr. BANKHEAD. Yes; wherever mails go.

Mr. WADSWORTH. Will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. WADSWORTH. I was going to ask, in view of the suggestion that that phrase be inserted—to wit, any road which "may be made suitable"—why not wipe out all reference to post roads, because, from the explanation which the Senator made just a moment ago, it is intended to cover and include roads which are not to be used for carrying the mail?

Mr. BANKHEAD. That is a construction which might be put on it by the Senator from New York, but I do not think the department meant that. I am sure I would not put that construction on it.

Mr. WADSWORTH. If I know the meaning of the English language, it seems very clear to me. I am convinced that any road that can be made suitable for carrying mail includes any and every road in the United States.

Mr. BANKHEAD. It might.

Mr. WADSWORTH. I have suspected that would be the outcome of the legislation, anyway. I am glad that it comes so quickly, so that we may know what we are confronting. We might just as well strike from the statute enacted two years ago all reference to post roads and say "any road in the United States," and let the American people understand it frankly.

Mr. SMOOT. I think that is a fair construction of the amendment, and I really believe that is what will be done.

Mr. SWANSON. Under the existing law you have to get an affirmative opinion from the Post Office Department that it is practical to be used for carrying the mail before certain parts of the road can be improved, and unless that affirmative action of approval is given by the Post Office Department it is impossible to use any of this money for that purpose. The reason

why it is desired to retain that language is to let it be known that the general purpose is to include post roads. As the Senator from Alabama well says, sometimes there are 4 or 5 miles which the Post Office Department are not willing to say they contemplate using for a post road. Then the entire system would fail. I have not read the opinion, but my information is that the solicitor decided that unless that was done it was impossible to use the money for that purpose. There were cases in which connecting links were left out because they did not get their certificate from the Post Office Department that the department contemplated using them for a post road.

Mr. WADSWORTH. Will the Senator yield?

Mr. SWANSON. Certainly.

Mr. WADSWORTH. Could not the community build the connecting link? Must the Federal Government do all this?

Mr. SWANSON. The Federal Government is to contribute one-half. We think it is wise and proper.

Mr. WADSWORTH. We legislated on the theory that the Federal Government has a direct interest in the carrying of mail.

Mr. SWANSON. The word "may" was thought to cover the case, but on account of the solicitor's opinion and that of the Comptroller of the Treasury, the word "may" would mean that any time in the future it might be done. It was on account of the narrow construction given the word "may" under existing law that we thought there ought to be substituted "can" or "suitable." That was the condition. It was because of the narrow construction given to the word "may." I understand it is the law that mail may be carried, and it was construed that that must indicate the purpose on the part of the Post Office to do it, and unless that purpose was stated these short links could not be connected up. It proved to be an embarrassment in the administration of the law. Everybody thought the word "may" would be construed as "can" or "suitable." It was the narrow interpretation given to it that necessitated this amendment.

Mr. WADSWORTH. The Senator will concede that there is no intention to carry mail on the so-called short links.

Mr. SWANSON. The department said at the time it may be three or four years or five years before they do it, but under the amendment they would have the right to do it.

Mr. WADSWORTH. The Senator will concede that when the time came they would improve the roads?

Mr. SWANSON. If there were any such necessity it would require an investigation by the Post Office Department to determine years ahead what its policy would be as connected with our rural-route delivery.

Mr. THOMAS obtained the floor.

Mr. KELLOGG. I wish to make an inquiry.

The PRESIDING OFFICER. Does the Senator from Colorado yield for that purpose?

Mr. THOMAS. I yield.

Mr. KELLOGG. Leaving out the words "may be suitable," the law would be that it would include only roads which are now used, but when the roads come to be improved, in a couple of years from now, the fund would be available for that purpose.

Mr. WADSWORTH. I think the Senator is not entirely familiar with the existing law. The existing law is found on page 3 of the committee report:

> Any public road over which the United States mails are now or may hereafter be transported—

The phrase "may hereafter be transported" is to be stricken out, and in its place is put "or may be made suitable," which is a very different story.

Mr. THOMAS. The act to which the proposed act is amendatory is entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes." Under that designation Congress passed an act appropriating $75,000,000 under certain circumstances for the construction of rural post roads. This is a Post Office appropriation bill, and in a bill making appropriations for the service of the Post Office Department, and for other purposes, it is proposed to add $200,000,000 to the appropriation of two years ago, and by the amendment of section 2 of that act to make the $200,000,000, plus the unexpended previous appropriation of $75,000,000, available for the construction of all roads of every kind, nature, and description.

It may be that the department gave to the committee the reason which has been set forth here, and of course the phraseology of the proposed amendment will permit the department to act in the instances cited, but it does not stop there. It is a radical and fundamental departure from the policy entered upon two years ago. As the Senator from New York [Mr. WADSWORTH] says, if it is enacted it commits the General Government and the Treasury of the General Government to the policy of universal highway construction. Of course, the time is coming when the States are going to be relieved of their proportion of this burden. Indeed, some people in my State sometime ago requested me to initiate proceedings whereby the State could be relieved of its 50 per cent burden under the act of 1916, the idea being that inasmuch as these roads were post roads, and inasmuch as the Government has exclusive jurisdiction of the post offices and post roads, ergo, the State treasury should be relieved from the incubus placed upon it by the act of 1916.

It may be perfectly proper, indeed necessary, for the United States at this time to assume the new burden of highway construction, unlimited in its character and extent, and to place the expense of this construction upon the shoulders of the taxpayers of the United States. If so, then let us do it with our eyes open, and labor under no misconception as to the real purpose sought to be obtained in this apparently unimportant amendment of section 2 of the existing law.

Mr. SMOOT. May I ask the Senator a question?

Mr. THOMAS. Certainly.

Mr. SMOOT. I have no doubt that the construction placed upon those words by the Senator is correct. I construe them exactly as he does. I was going to ask the Senator, if it is desirable to accomplish even what the Senator from Virginia [Mr. SWANSON] said it was the intention of the department to accomplish, would it not be better to strike out the word "or" and insert the word "and," so that it would read:

> Shall be construed to mean any public road which is now used and may be made suitable for the transportation of the United States mails.

Mr. THOMAS. That would improve the phraseology of the section.

Mr. SMOOT. Certainly it would.

Mr. THOMAS. But it would not relieve it from the operation which I contend must necessarily result and which by the department, at least, is designed to result from this amendment.

Mr. SMOOT. I recognize that, but I do believe that it would be a limitation.

Mr. THOMAS. It may be.

Mr. SMOOT. I think it would greatly improve the amendment.

Mr. THOMAS. I am willing to take chances on it, but under the suggestion made by the Senator from New York, or another Senator, the State itself surely ought to be willing, or the community should be willing, when these little spaces or stop gaps, so to speak, exist in a general system, which are not suitable for rural postal purposes, to make the improvement itself.

Mr. SMOOT. I agree with the Senator entirely, and I am perfectly willing to vote against section 5 of the bill; but as we are now considering it, I simply wanted to suggest at this time, if the Senator has no objection, that the word "or" be stricken out and the word "and" be inserted, which I am quite sure will improve the amendment.

Mr. THOMAS. The Senator from Alabama has charge of the bill.

Mr. BANKHEAD. I have no objection to that.

Mr. THOMAS. I move that on line 22, page 36, the word "or" be stricken out and the word "and" inserted.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. In line 22, page 36, after the comma, strike out the word "or" and insert the word "and."

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Will the Senator from Colorado yield to the Senator from Minnesota?

Mr. THOMAS. I yield to the Senator from Minnesota.

Mr. KELLOGG. As section 5 is now amended, this aid can only be extended to a road which is now used for this purpose. The provision to which the Senator from New York calls attention, which was in the original bill, is cut out, and no road, however important, which should be hereafter, during these three years or any other time, used for post roads could be aided under this clause.

Mr. BANKHEAD. If that is a proper construction, I do not so understand it. Personally I do not care anything about this amendment, so far as I am concerned. It is offered here at the urgent request of the Secretary of Agriculture, who has charge of the work. He said the construction put upon the language of the original act by the solicitor was very embarrassing to the department. It was, he thought, very narrow, and he said the language ought to be changed so that he might apply his pro rata share to a link of a road over which the mails may hereafter go. I think every Senator on the floor knows that there will be a rural route over every good road in this country, so far as that is concerned.

Mr. KELLOGG. The amendment as it is now amended amends the act of 1916, and the aid can only be granted to a rural post road, which shall be construed to mean any public road which is now used and made suitable, while the original act——

Mr. BANKHEAD. That being true, I move to reconsider the vote by which the amendment to the amendment was adopted. I do not understand it, and I do not think that any other Senator does.

Mr. SMOOT. I wish to say to the Senator that I had no ulterior motive in offering the amendment.

Mr. BANKHEAD. I appreciate that.

Mr. SMOOT. I listened to the statement made by the Senator from Virginia that there are roads now where there might be a part of the road used at each end only, and a gap between those two used roads upon which, under the construction of the department, no money could be expended, and therefore I simply wished to limit it to cover such roads.

Mr. SWANSON. Could it not be very easily covered by inserting the words "or forming a connecting link"?

The PRESIDING OFFICER. Is there objection to reconsidering the vote by which the amendment to the amendment was adopted? The Chair hears none. It is reconsidered, and the question is on the amendment to the amendment of the committee.

Mr. SMOOT. Mr. President, I do not want to take the Senator from Colorado off the floor, but——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Utah?

Mr. THOMAS. I yield.

Mr. SMOOT. As it has been reconsidered, I ask that it may go over until the Senator concludes his remarks. I want a yea-and-nay vote upon it, and I do not wish to call for a quorum now.

Mr. THOMAS. I do not care to take up the time of the Senate in discussing a provision of a bill or an amendment which may be subject to a point of order, and consequently before I proceed further I want to raise a point of order against section 5, in that it is the inclusion of general legislation upon an appropriation bill.

The PRESIDING OFFICER. The Chair will hear the Senator on the point of order, if he desires.

Mr. THOMAS. It is too clear to my mind to require any elucidation. It is general legislation. The precedents are abundant upon it. There is no exception to it. It is clearly within the prohibition of Rule XVI, subdivision 3.

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from South Dakota?

Mr. THOMAS. I yield.

Mr. STERLING. I thought the Senator had concluded; but I hope he will not insist upon his point of order.

Mr. THOMAS. I shall not only insist upon it as to this section, but I am going to make a point of order as to the next section when that comes up.

Mr. STERLING. I think Federal aid to the post roads of the country is a beneficent thing, a beneficent activity upon the part of the Government, and my thought is that the Senator's main objection to the amendment and to section 5 was because of the words "or may be made suitable."

Mr. THOMAS. Oh, no; that is merely a trivial incident.

Mr. STERLING. It is an extension of a system which is already established; and I may say to the Senator that I think the country has been benefited by it; that it approves of the legislation, and that there is a demand for this Federal good-roads legislation.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. STERLING. I yield to the Senator from Utah.

Mr. THOMAS. Who has the floor, Mr. President?

Mr. STERLING. I am speaking, I know, in the time of the Senator from Colorado.

Mr. KING. The Senator will pardon me. I had forgotten the Senator from Colorado had the floor.

Mr. STERLING. I have finished all I care to say. I simply hope that the Senator from Colorado will not insist upon his objection to this amendment.

Mr. THOMAS. I may say, Mr. President, that all of the appropriations of public moneys since I have been here have been for beneficent purposes, and the more beneficent the purpose the greater the appropriation. I shall address myself to the beneficence of this appropriation after the point of order shall have been disposed of.

Mr. BANKHEAD rose.

The PRESIDING OFFICER. The Chair will hear the Senator from Alabama on the point of order.

Mr. BANKHEAD. Mr. President, I can not quite understand why this provision of the bill is subject to a point of order. It is an amendment, it is true, to an appropriation bill, but it is amending a general law as to which the appropriation is made. It is estimated for by the Department of Agriculture, it was regularly introduced, it went to the Committee on Post Offices and Post Roads, and it is reported as an amendment to the bill. It seems to me that clearly takes it out of the category of being subject to a point of order.

Mr. SWANSON. Mr. President, in addition to what the Senator from Alabama has said, I desire to say that the margin between general and special legislation is sometimes very narrow. Take the view which the Senator from Colorado [Mr. THOMAS] has presented. This is not general legislation, because it is a special limitation of a special appropriation for good roads. It has been held repeatedly that limitations and conditions upon which expenditures are made for special purposes are not general legislation. The margin is so narrow as between what is considered general and what is considered special legislation that frequently when legislation applied to a special appropriation, such as good roads, or a special thing, such as a building—something that is special and not general in all of its characteristics—it has been held special legislation, especially if it came from a committee that had charge of the subject.

Mr. THOMAS. Mr. President, the claim that this is a special appropriation——

Mr. SWANSON. As I understand, the Senator's objection does not go to the appropriation, but simply to section 5 as an amendment to the existing law.

Mr. THOMAS. I can not very well make the point of order as to the succeeding sections until they are reached.

Mr. SMOOT. It is true that if this amendment were applied only to one road in the United States it would be special legislation; but it does not apply to one road; it applies to every post road in the United States, and so it is an amendment embodying general legislation.

Mr. THOMAS. I do not think there is any question about it.

Mr. SWANSON. I should like to ask the Senator from Colorado a question.

Mr. THOMAS. I yield to the Senator from Virginia.

Mr. SWANSON. General legislation, as I understand, would be legislation controlling all kinds of appropriations. For instance, if it were provided that no appropriation should be made for anything until the money is provided, that would be general in its character, whether it applied to roads, colleges, or what not; but this is something that applies especially to certain roads; it is especially road legislation. The only way to make it general is to say that it applies to all roads.

Mr. THOMAS. That would make an appropriation for the Navy Department special legislation for the Navy Department.

Mr. SWANSON. It has been so held in some cases. We have had cases here where it has been held that certain legislation in reference to the Navy Department was not general. It is a difficult question to determine, but such has repeatedly been the decision. There have been no consistent decisions about it. If legislation applied to everything in the Navy Department it was considered as general, but if it applied to a special thing in the Navy Department or to a special employee in the Navy Department or to a special class of employees, it was held to be special legislation.

Mr. THOMAS. Mr. President, the illustration which has been given by the Senator from Utah [Mr. SMOOT] is so complete that I can not add to it.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Montana?

Mr. THOMAS. I yield to the Senator from Montana.

The PRESIDING OFFICER. The Chair begs pardon of the Senator from Colorado. The Chair overlooked the fact that that Senator had the floor.

Mr. THOMAS. That is not necessary, Mr. President.

Mr. WALSH. I also ask pardon of the Senator from Colorado.

Mr. THOMAS. That is not necessary.

Mr. WALSH. This thought has occurred to me in connection with the point of order now raised: I do not believe that the point of order can be successfully controverted, that the appropriation provided for in the succeeding sections—sections 6, 7, and 8——

Mr. SMOOT. That is another question.

Mr. WALSH. Well, we shall reach that directly.

Mr. THOMAS. I will say to the Senator from Montana that we are only considering one section.

Mr. WALSH. I understand the Senate is considering section 5, and the point of order is directed against and lodged at section 5. However, I was going to say to the Chair that I do

not believe a point of order could be successfully made against the appropriations provided for in the succeeding sections. I have no doubt that an appropriation for the purpose of improving post roads is entirely appropriate in a general appropriation bill; that is, in the general Post Office appropriation bill. Appropriations have frequently been made for the construction and maintenance, for instance, of pneumatic-tube routes for the transmission of mails; they have been made for the railway transmission of mails; and I do not doubt that in a general Post Office appropriation bill appropriations may properly be made for those purposes.

These appropriations follow, as provided for in sections 6, 7, and 8; and section 5, it occurs to me, is intended simply as a limitation upon the use of the money provided for in the succeeding sections. That, Mr. President, it has frequently been held is entirely proper—that an appropriation may be made and a limitation may be put upon the use of that appropriation.

Mr. THOMAS. In this instance the limitation is an extension. Let me ask the Senator from Montana right there, if he will permit me, this question: Suppose section 5 shall go out upon a point of order, will not the appropriation provided for in section 6 be equally effective? Is it in any way dependent upon section 5?

Mr. WALSH. It will be equally effective; but, Mr. President, the appropriations then provided for in the succeeding sections will not be expended in the way that they would if section 5 remained in the bill. In making appropriation for one of these purposes Congress has power to direct how that appropriation shall be used. In other words, if section 5 goes out, then the appropriations provided for in sections 6, 7, and 8 can be used only upon rural post roads as defined in the existing law. If section 5 remains in, then these appropriations will be used in another way and upon an extended class of roads. Therefore, Mr. President, to my mind section 5 operates as a limitation upon or a direction concerning the manner of the expenditure of the appropriations provided for in the succeeding sections.

Mr. THOMAS. Mr. President, section 5 is either a distinct amendment or it is not. We are treating it as a distinct amendment. Section 6, of course, is germane to the subject matter, as is also section 7, and perhaps the succeeding sections providing another appropriation for roads in the forest reserves.

The PRESIDING OFFICER. May the Chair ask the Senator a question? If sections 6 and 7 are germane why is section 5 not germane?

Mr. THOMAS. It is germane, but it is not a necessary part of either. These sections each stand by themselves. The Senate is now considering section 5. Section 5 assumes to amend a specific section of a preexisting act. Let us suppose there were no sections 6, 7, and 8 at all, would not this point of order be good? The amendment would be general legislation.

Mr. WALSH. I have no doubt about that.

Mr. THOMAS. The Senator from Montana says he has no doubt about it. Now, we are considering the section as a distinct section. I do not think there can be any question about it, whether it be considered in connection with section 6 or not.

Mr. WALSH. But, Mr. President, if the Senator will pardon me, I do not think we are permitted to consider it as a separate and distinct thing, as if there were nothing else in the bill.

Mr. THOMAS. I understand that.

Mr. WALSH. That would violate every rule of statutory construction, which requires us to take the whole thing into consideration in construing it.

Mr. THOMAS. I understand that that is the Senator's position; but, unfortunately for him, we are doing it.

Mr. SMOOT. Mr. President, will the Senator from Colorado yield to me?

Mr. THOMAS. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, I desire to say that, if the contention of the Senator from Virginia [Mr. SWANSON] is correct, then all of these sections will go out on a point of order; but I doubt whether he is correct.

The PRESIDING OFFICER. The Chair would like to ask the Senator from Utah a question. The Senator is a parliamentarian. This is something which bothers the Chair; and the Chair would like to have the Senator from Utah address himself to it. Why should not sections 5, 6, 7, and 8 all be considered as a whole?

Mr. SMOOT. There is no necessity for considering them as a whole. Section 5 simply proposes to amend the existing law so that certain moneys which are appropriated may be spread over roads that are now not entitled to any appropriation made by Congress. Therefore it is changing a general law.

Mr. STERLING. Mr. President, will the Senator from Utah yield to me?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from South Dakota?

Mr. SMOOT. I yield.

Mr. STERLING. I desire to ask the Senator a question right there. Do not the appropriations provided for in section 6 depend upon the limitations in section 5?

Mr. SMOOT. No, Mr. President. Every cent of those appropriations can be expended whether section 5 remains as it is or whether it is amended.

Mr. STERLING. That may have been the moving consideration for the adoption and reporting of section 6.

Mr. THOMAS. It may be, but it is not the controlling feature of the point of order.

Mr. SMOOT. The only question——

The PRESIDING OFFICER. The Chair desires to ask the Senator from Utah, who is well versed in parliamentary law, a question. Suppose all of this question were embodied in one section—that is, that sections 5, 6, 7, and 8 were a whole instead of being divided up into four sections—would the amendment be germane or would it not?

Mr. SMOOT. Any Senator could then ask for a division of the question; I have no doubt about that. This is the subject, and I invite the attention of the Chair to the volume containing the precedents in the Senate of the United States. On page 60 it reads:

> No subject is more widely discussed in the Senate during the consideration of appropriation bills and amendments thereto than the question, "What is general legislation on a general appropriation bill?"

Then it goes on to define "general legislation."

> General legislation, that legislation which is applicable throughout the State generally, as distinguished from special legislation, which affects only particular persons or localities.

Mr. President, this amendment affects all of the States of the Union. It is therefore general legislation. There are no specific items to take into consideration. It is amending general law, and to-day that law is general legislation. I can not see but that the point of order to section 5 is well taken.

Then, further down on the same page of this volume, it is stated:

> "General," with reference to the subject matter of the statute, is synonymous with "public" and opposed to "private," but with reference to the extent of territory over which it is to operate is opposed to "local" * * * and means that the statute to which it applies operates throughout the whole of the territory subject to the legislative jurisdiction.

That is exactly what this amendment does. It operates in every State of the Union, not as to one State or one road, but it operates on every road in every State of the Union.

Mr. WALSH. Mr. President——

The PRESIDING OFFICER. Before the Senator from Montana proceeds the Chair would like to ask a further question of the Senator from Utah. The Senator says that the other three sections are not dependent upon section 5. The Chair will call the attention of the Senator to lines 4 and 5, on page 37, which read:

> That for the purpose of carrying out the provisions of said act, as herein amended—

That would indicate that these sections are interdependent.

Mr. SMOOT. Mr. President, I have not said that the appropriation is not for the purpose of building roads, as provided in the amendment to section 2 of the existing law; there is no doubt about that; but if section 5 went out and this appropriation were made, by striking out the words "That for the purpose of carrying out the provisions of said act, as herein amended"—that is, section 2 of the act of July 11, 1916—it would be used the same as similar appropriations have heretofore been used and only upon the class of roads that are now being improved.

Mr. SWANSON. Mr. President, if the Senator will allow me for just a moment, it has been conceded that a limitation upon an appropriation as to its expenditure is not general legislation.

Mr. THOMAS. Who has conceded that?

Mr. SWANSON. The Vice President has so ruled repeatedly. If this is a limitation upon the expenditure of money, it is not general legislation, even from the Senator's standpoint. Now, let us see whether it is a limitation upon the expenditure. We have $75,000,000 to be expended, whether section 5 prevails or not. This limitation upon the expenditure applies also to section 5, which stipulates that the appropriation can be expended only on a certain kind of road. It is a limitation as to the nature of the expenditure, as the Senator from Montana [Mr. WALSH] has well said. It simply limits the conditions under which this money is to be spent.

Mr. THOMAS. In other words, in the Senator's vocabulary "a limitation" and "an extension" are synonymous terms.

Mr. SWANSON. This amendment simply limits the character of roads on which the money can be expended.

Mr. THOMAS. It limits it to all the roads in the United States.

Mr. SMOOT. All that is necessary to answer that is to call attention to the fact that the amendment in section 5 is an amendment not by way of limitation, but to extend the number of roads on which this money can be expended.

Mr. SWANSON. A limitation may either extend or contract. The amendment provides certain channels where this money shall be spent. It defines the conditions under which this money must be expended. The department will have no right to spend it for every purpose or for every kind of road. This section provides a limitation upon the expenditure. There is a limitation provided in the present statute, if the Senator will permit me, and the amendment we propose now is likewise a limitation. Is not that true?

Mr. THOMAS. Mr. President, if I may ask the Senator a question, what class of roads in the United States, if this section is adopted, will be excluded from this appropriation?

Mr. SWANSON. Those that are not suitable for carrying the mails.

Mr. THOMAS. That is the very amendment that you have offered.

Mr. SWANSON. No; the provision says, "roads which are suitable." So the appropriation is limited to roads suitable for the carriage of the mail. If a road is not suitable for that purpose, the money can not be expended upon it.

Mr. THOMAS. It reads, "any public road which is now used, or may be made suitable, for the transportation of the United States mails."

Mr. SWANSON. If it is made suitable some of the appropriation may be expended upon it, but if it can not be made suitable to carry the mails, the department can not spend any money on it. It is perfectly plain.

Mr. THOMAS. It is as plain as mud.

Mr. WALSH. Mr. President——

Mr. THOMAS. I yield the floor to the Senator from Montana.

Mr. WALSH. Mr. President, I wish to follow the suggestion made by the Senator from South Dakota [Mr. STERLING] for the information of the Chair. Section 6, as the Chair has said, reads:

> That for the purpose of carrying out the provisions of said act as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums—

If section 5 goes out and sections 6, 7, and 8 are adopted, then the bill provides that the appropriations made by sections 6 and 8 are to be expended in accordance with the act "as hereby amended." Those appropriations can not be expended under the act as it was before; a limitation is put upon the use of the money appropriated by sections 6 and 7; and I insist that sections 6 and 7 would be utterly inoperative, even if adopted in this bill, if section 5 were taken out, unless, of course, they were amended so as to eliminate the words "as herein amended." That is to say, Mr. President, in construing the act the court would be obliged to say, "You can not spend this money in accordance with the act as it was passed a year or two ago, because it must be expended only under the provisions of that act as amended.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Montana yield to the Senator from Colorado?

Mr. WALSH. In just a moment. Therefore, I insist that we can not dissociate these three sections; we must construe them together in order to arrive at a just conclusion upon this matter.

I now yield to the Senator from Colorado.

Mr. THOMAS. In the event the point of order is sustained, could not the Senator from Montana or some other Senator very easily move to strike out the words "as herein amended" in the second line of section 6?

Mr. WALSH. Quite so.

Mr. THOMAS. And would not the appropriation which it carries then be applicable under the bill?

Mr. WALSH. Undoubtedly. It would be then expended under the law as it now stands; but, Mr. President, I desire the Senator from Colorado to assume that the subsequent section is not amended and that those words are left there.

Mr. THOMAS. Before that, let me ask the Senator another question. Let us assume, for the sake of the argument, that there were no sections dividing the subjects matter, would not that part of it now included in section 5 then be subject to a demand for a separate vote or to a point of order?

Mr. WALSH. I dare say it would; but then the question would be squarely put up to the Senate as to whether they desired to make this appropriation expendable under the provisions of the law as it stands or to make it expendable only under the amended act.

Mr. THOMAS. Then, Mr. President, if I understand the position of the Senator, it leads to this necessary result, that a point of order that a certain proposed amendment is general legislation depends upon whether it is accompanied by an appropriation the expenditure of which depends upon whether or not that point of order is sustained. If it carries an appropriation, even in another section, the appropriation and the purpose of it must necessarily be considered in connection with the point of order for the purpose of determining whether it was within or without the rule of the Senate.

Mr. WALSH. The Senator is quite right in the general idea expressed in his language, although I do not approve of the language; but it has been repeatedly determined in this body that when an appropriation is made with a provision accompanying it limiting or directing the manner in which that appropriation is to be used, it is immaterial that it amends a general law; in other words—I have not expressed it quite right—it is immaterial that it directs the expenditure of that money in a way that is different from the general law.

Mr. THOMAS. I will say to the Senator that if he can find a precedent which sustains that proposition I will concede the point. It does not exist; it is incredible, Mr. President—and I am sorry that I am unable to express myself in appropriate language; I try to—it is incredible to me that the question of whether a proposed amendment is or is not general legislation shall depend upon whether it is or is not accompanied by an appropriation. Certainly there is nothing in the rule to justify that contention; and if it were so, then by the simple device of adding an appropriation to the proposed change we might put anything on a general appropriation bill in the way of general legislation, notwithstanding the inhibition of the rule.

Mr. STERLING. Mr. President, just one word. I think I have heard it ruled in the Senate again and again that words which limit an appropriation, the uses and application of that appropriation, are not words of general legislation.

Mr. THOMAS. Can the Senator find a precedent to that effect?

Mr. STERLING. The tendency is to construe the word "limitation" as meaning "to cut down." The word "limitation" as we use it here bears no such construction. The word "limitation" means to prescribe, to fix limits. They may be broad or they may be narrow, so far as that is concerned; but words which define to what the appropriation shall go are words of limitation, be they never so broad or be they limited or narrow. I think the word "limitation" is often used in that sense when we come to construe a statute. I call attention to the definition of the word, as follows:

> Limitation: To bound; the act of bounding; circumscribing; the fixing of a limit or restriction.

The language in section 5 does fix a limit or a restriction. It provides that the appropriation shall be expended on those roads which are now post roads or on those roads which may be made suitable for post roads. That limits the appropriation, and I think nothing can be clearer. It is my clear recollection, without being able to refer to specific cases now, that the Chair has ruled again and again that language in the bill by way of an amendment which limits the expenditure of an appropriation provided for in the bill is not general legislation.

Mr. THOMAS. Mr. President, may I ask the Senator if the word "limitation" does not imply something outside of—something beyond—the particular thing limited?

Mr. STERLING. I think it does; certainly.

Mr. THOMAS. If you include post roads and any road "that may be made suitable," what remains outside of that definition?

Mr. STERLING. I am taking the language now as it is. It is limited to those roads that are post roads and those that may be made suitable for post roads. That is a limitation, whatever you may say about the extent of the limitation.

Mr. WALSH. Mr. President, if the Senate will indulge me for just a moment, the Senator from Colorado asked for a precedent.

Mr. THOMAS. Yes.

Mr. WALSH. I refer the Chair to pages 22 and 23 of the second volume of Precedents, in which the views of former

President pro tempore Clarke, of Arkansas, are found. I read from the Precedents as follows:

[Sixty-third Congress, second session.]

MAY 2, 1914.

On motion, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13679) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1915.

On an amendment increasing the salary of the Assistant Secretary of Agriculture to $6,000, as follows:

"*Provided*, That if the position is held by any other than the present incumbent the salary shall be reduced to $5,000."

Mr. CLARK of Wyoming. I make the point of order against the proviso that it is legislation upon an appropriation bill.

Mr. GORE. I think the proviso is subject to a point of order.

The PRESIDENT pro tempore (Mr. Clarke of Arkansas). The Chair is not disposed to take the view that this limitation or direction as to the manner in which a specific sum of money is to be expended is general legislation in the sense of our rule on the subject. The Senator from Wyoming [Mr. Clark], however, spoke to the contrary with such confidence that he has raised a doubt in the mind of the Chair.

The Chair will state that his ruling is in line with a precedent made when we had under consideration an item in an appropriation bill providing that certain officers should be exempt from the operation of the civil-service law. The appropriation was designed to make a certain investigation in connection with this class of officers, and the Senator from North Carolina made the point, and the Vice President sustained it, that any legislation which sought to give direction for the expenditure of, or place a limitation upon, a particular item of appropriation was not subject to that point of order; that it was not general legislation. If Congress has power to appropriate the money, it has an incidental right to say how it shall be actually expended. The Chair holds that the point of order is not well taken.

Mr. SMOOT. Mr. President, I remember the case very well. That was no general legislation, and Senator Clarke was perfectly correct in deciding the way he did. That was an appropriation of $6,000 for one individual. It was special legislation and not general legislation; and therefore the President pro tempore ruled exactly right.

Mr. CALDER. Mr. President, if the Senator will kindly yield——

Mr. SMOOT. I yield to the Senator from New York.

Mr. CALDER. It is necessary for me to attend a meeting of the Committee on Appropriations. I desire to offer an amendment to the next section, and have it lie on the table and be noted. I desire to ask the Chair to have me notified before the next section is disposed of.

The PRESIDING OFFICER. Without objection, that will be done.

Mr. SMOOT. Mr. President, just a word in relation to a statement that was made by the Senator from South Dakota, and that was that whenever there was an appropriation made it was held that it was not general legislation.

Mr. STERLING. No.

Mr. SMOOT. I understood that to be the Senator's statement. What did the Senator say?

Mr. STERLING. No; I said the words of limitation prescribing the extent or the manner in which the appropriation should be used are not general legislation.

Mr. SMOOT. Why, Mr. President, general legislation, as it has been held in this body ever since I have been a Member of it, is legislation that is general in character, which does not apply to any one section of the country, or to any one class of employees of the Government, or to one person employed by the Government, but legislation general in its scope, applying to all parts of the United States and to every State in the Union alike. That is general legislation.

As far as I am concerned, I will say that I can not for the life of me see why this is not general legislation. It is claimed that the amendment is a limitation. The present law limits the expenditure of money to certain routes. The object of the amendment is that that limitation shall not be further limited or restricted, but that it shall be expanded so as to take in all of the roads of the United States. As far as that is concerned, Mr. President, the wording as it is in this section is unlimited, and therefore the question of limitation does not apply in the least.

Mr. STERLING. Mr. President, if there is any road in the United States that may not be made suitable as a post road, this will not apply. It is to that extent a limitation.

Mr. SMOOT. I will ask the Senator if there is a road in the United States that can not be made suitable for a post road?

Mr. STERLING. I do not know whether there is not, but there easily might be.

Mr. SMOOT. I can not conceive of one.

Mr. STERLING. I think perhaps this would be taken into consideration, as to whether the postal business will warrant the construction of a post road.

Mr. SMOOT. But it does not say so. It is unlimited.

Mr. SWANSON. Mr. President, I should like to ask the Senator a question. To my mind there is no doubt that this $200,000,000 is absolutely in order. It seems to me that there can be no question about that. First, it is estimated for, which makes it in order under the rule; second, it is reported by a standing committee of the Senate. Consequently you agree that section 6 is in order.

Mr. THOMAS. I do not.

Mr. SWANSON. I am addressing myself to the Senator from Utah.

Mr. THOMAS. But the Senator said it was agreed.

Mr. SWANSON. I mean by the Senator from Utah. I suppose the Senator from Utah will agree that under the rules the $200,000,000 appropriation is in order, being estimated for, and being reported by a standing committee of the Senate, as a new item.

Mr. SMOOT. I think myself that if it has been estimated for and reported by a standing committee of the Senate on an appropriation bill, it is in order, and the point of order will not lie against it.

Mr. SWANSON. Now, that is plain. It has been reported by a standing committee of the Senate, and is included in this bill, and therefore it is in order.

The PRESIDING OFFICER. In other words, as the Chair understands the Senator from Utah, the point of order would not lie as to sections 6, 7, and 8.

Mr. SMOOT. No; that is my opinion only; but I wish to say that it does not necessarily follow that no amendment could be made to those sections.

Mr. SWANSON. Of course; but it is in order for discussion, and the point of order can not be made against it, because it has two things that put it in order: It has been estimated for and it is reported by a standing committee of the Senate under the rules. Now, if that is in order, section 5 simply limits the conditions under which the money appropriated in sections 6 and 7 can be expended.

Under the rules, whether it is a general limitation or a special limitation makes no difference. Limitations can be either broadening or they can be narrowing. The Senator has an idea that it is not a limitation unless it is narrowing. A limitation is something that fixes the method in which money is spent.

Sections 6 and 7 are clearly in order. There can not be any dispute about that, it seems to me, for two reasons. Now, then, all that section 5 does is to limit the conditions under which the money appropriated under sections 6 and 7 can be used. To my mind it is clearly a limitation.

Mr. SMOOT. Mr. President, it is an amendment of a law on the statute books to-day, and that law limits any appropriation that has been made for the purpose of building roads.

Mr. SWANSON. If the Senator will permit me——

Mr. SMOOT. And now it is proposed to amend section 2, and the amendment is not a limitation, but it is a broadening provision, and there is no limit on it. There is not a road in the United States that can not be made suitable for a post road.

Mr. SWANSON. Let us see what would be the result of the contention made by the Senator from Utah. He concedes that you can appropriate money, but he contends that you can not change the limitations under which it has to be spent; that when an appropriation of money is made by a new item, for all time in the future it must be subject to the old limitation of expenditure.

Mr. SMOOT. Mr. President, the Senator is wrong. There is a way of changing general legislation; but our rules have said that it shall not be upon an appropriation bill. There is no question but that a bill could be introduced into Congress amending section 2 of the act of July 11, 1916, in any way—limiting it, or extending it, or making any change even to the repeal of it—but the rules say that you shall not do it upon an appropriation bill.

Mr. SWANSON. No; the rules forbid general legislation on an appropriation bill, which would mean that you could not put an entire road law on this.

Mr. SMOOT. Why so?

Mr. SWANSON. But if we come here and simply change the limitation in the old law, and this same limitation is applied with an amendment to this expenditure, the Senator admits that that is in order. To decide otherwise would be to say that Congress has the power to increase an appropriation and make it larger, but that it can not alter the limitation under which it is spent.

The PRESIDING OFFICER (Mr. MCKELLAR). A point of order is raised by the Senator from Colorado [Mr. THOMAS] to section 5 of the bill because he states it comes within the prohibition of subsection 3 of Rule XVI. That subsection reads as follows:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received; nor shall any amendment to any item or clause of such bill be received

which does not directly relate thereto; and all questions of relevancy of amendments under this rule, when raised, shall be submitted to the Senate and be decided without debate; and any amendment to a general appropriation bill may be laid on the table without prejudice to the bill.

That rule has come up very frequently for a ruling by the Chair, as it seems from the precedents, and apparently there is a good deal of confusion as to the rulings of previous presiding officers; and very naturally so, because the rule itself is neither clear nor accurate, and it does seem to the Chair that the rule itself needs amendment and clarification. The Chair calls attention of the Senate to pages 60 and 61 of the Precedents of the Senate, which apparently forms a good rule by which this matter should be determined:

In deciding whether or not a given law is general, the purpose of the act and the objects on which it operates must be looked to. If these objects possess sufficient characteristics peculiar to themselves and the purpose of the legislation is germane thereto, they will be considered as a separate class, and legislation affecting them will be general; but if the distinctive characteristic of the class have no relation to that purpose of the legislation, or if objects which would appropriately belong to the same class have been excluded, the classification is faulty, and the law not "general." The effect, not the form of the law, determines its character.

Upon an examination of the four sections which constitute this amendment, it is virtually conceded by Senator SMOOT, who is an able parliamentarian, that sections 6, 7, and 8 are not subject to points of order. If sections 6, 7, and 8 are not subject to points of order—and the Chair does not think that they are subject to points of order—then it seems to the Chair to be beyond controversy that section 5 is a limitation upon the other sections named, and therefore——

Mr. THOMAS. Mr. President, before the decision is announced, in view of what the Chair has said——

The PRESIDING OFFICER. Will the Senator just wait one moment until the Chair makes one other observation?

Mr. THOMAS. I simply wished to interpose a suggestion before the final decision was announced.

The PRESIDING OFFICER. The Chair will permit the Senator to do that.

The Chair is also of opinion that the ruling referred to by the Senator from Montana [Mr. WALSH] is in point. In that ruling there was an amendment increasing the salary of the Assistant Secretary of Agriculture to $6,000, which amendment read as follows:

Provided, That if the position is held by any other than the present incumbent the salary shall be reduced to $5,000.

After careful consideration, the President pro tempore of the Senate, Mr. Clarke of Arkansas—whom we all know to have been a great parliamentarian—decided that the point of order was not well taken. Later on, in connection with the same bill, a little lower down on the page, there was another amendment offered by the Senator from Oklahoma [Mr. GORE], as follows:

Provided, That no part of this sum of $628,240 shall be used in connection with any money contributed or tendered by the General Education Board or any like organization.

The Senator from Virginia [Mr. MARTIN] raised a point of order against that language, and that point of order was overruled. Surely, if those two matters were not general legislation, it seems to the Chair that section 5 is not general legislation.

The Chair also calls the attention of the Senate to a ruling made on May 15, 1914, where the provision was as follows:

Provided, That of the sum thus appropriated $100,000 shall be used for furnishing the primary markets in the cotton-growing States with a set of the samples as standardized by the Government and a sample of the bleached and unbleached yarns made from the different grades, showing the waste, tensile strength, and bleaching quality thereof.

And a point of order was overruled to that provision on the ground that it was not general legislation.

Mr. SMOOT. And that was right, too.

The PRESIDING OFFICER. The Chair will now hear the Senator from Colorado.

Mr. THOMAS. Mr. President, the Chair stated at the commencement of his opinion that, inasmuch as no point of order had been presented to the succeeding sections, the Chair would regard section 5 as a limitation upon the appropriation, and therefore not general legislation.

The PRESIDING OFFICER. The Senator misunderstood the Chair. The Chair said that, it being virtually conceded, because of the fact that those sections were reported from a standing committee, and because they were estimated for, that sections 6, 7, and 8 were not subject to a point of order, the Chair thought that section 5 was a limitation upon those sections.

Mr. THOMAS. That is a statement of the same thing in different language. I have a point of order, Mr. President, to section 6, which is founded upon section 2 of Rule XVI, which provides that—

All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations—

And the chairman of the committee in charge of this bill informs me that no such reference was made. Hence I think it is subject to a point of order, on the ground that the amendment has been reported without compliance with that section of the rule. So if that be a substantial point of order, and should be sustained, then the reasoning of the Chair, or, at least, the preliminary reasoning of the Chair, with regard to the subject matter of the first point of order falls to the ground.

The PRESIDING OFFICER. Subsection 3 of Rule XVI provides that this matter may be settled by the Senate without debate. The Chair first thought that that was the proper way to settle this matter, but the doubt the Chair had it no longer has. Therefore the point of order is overruled, and the Senator from Colorado may appeal from the decision of the Chair if he is not satisfied with it. The Chair trusts he may appeal, because the matter is doubtful and the Senate should decide it.

Mr. THOMAS. Oh, I shall not appeal. I know that the Senate is hungry for this $200,000,000. The position taken by the Chair will be sustained, and I shall not waste time upon it. But inasmuch as the Chair has virtually decided that these three sections are practically the same thing, I wish to submit, in the discharge of what I conceive to be my duty, the point of order to section 6 which I have just stated.

Mr. SMOOT. Mr. President, I am compelled to go to the Committee on Appropriations. That committee desires to report out the legislative appropriation bill and is in session now. I wanted to offer a substitute for section 6, and I am going to ask the chairman of the committee if he will not let section 6 go over until to-morrow, and take up the other questions that were passed over in the bill for the balance of the day.

Mr. THOMAS. Mr. President, I make the point of order.

Mr. BANKHEAD. I understand that the Senator from Utah desires to offer a substitute for section 6.

Mr. SMOOT. Yes.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Utah to the fact that he has an amendment pending to section 5.

Mr. SMOOT. I have already had my amendment printed, but, of course, I did not want to offer it until section 6 is finally decided upon, so that there are to be no further amendments to it.

Mr. THOMAS. Does the Senator from Utah want the point of order which I have suggested to section 6 also to go over?

Mr. SMOOT. Oh, no; I do not want the point of order to go over. The Senator can make that; but, as I have to leave the Chamber, I do want section 6 to go over to-night, and I want to offer a substitute for it when it is in order.

Mr. BANKHEAD. If section 6 is going over to-night, I want the point of order to go over, too.

Mr. SMOOT. That will be all right; and I think it will be just as well to let it go over.

The PRESIDING OFFICER. The Chair will call the attention of the Senator from Utah to the fact that the Senator has an amendment pending to section 5.

The SECRETARY. The amendment is to strike out "or" and insert "and" in line 22.

Mr. SMOOT. The Senator having the bill in charge has asked that that be reconsidered; and the whole matter can be settled in a very little while.

The PRESIDING OFFICER. Is there objection to the amendment of the Senator from Utah?

Mr. SMOOT. Yes; I understand that the Senator having the bill in charge objected to it.

Mr. BANKHEAD. Yes; I objected to that, and it was reconsidered, and it is now open, before the Senate.

Mr. SMOOT. And I want it all passed over until to-morrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KING. Mr. President, do I understand that section 5 is passed over, as well as the following sections relating to roads?

The PRESIDING OFFICER. Yes; it has all been passed over. The Secretary will resume the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Post Offices and Post Roads was, on page 39, line 3, to change the number of section from 5 to 9.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. FRANCE. Mr. President, I offer an amendment, which I think is acceptable to the chairman and which has the approval of the department.

The PRESIDING OFFICER. The Senator from Maryalnd offers an amendment, which will be stated.

The SECRETARY. On page 15, line 22, where it reads:

For street-car collection service, $9,000.

It is proposed to strike out the numerals "$9,000" and to insert in lieu thereof the following:

$19,000: *Provided*, Of this amount the Postmaster General, in his discretion, may expend not to exceed $10,000 in experimenting and testing a method of rapid collection of letter mail in suburban territory.

Mr. BANKHEAD. Mr. President, the amendment is strongly urged by the Post Office Department, and I see no objection to it; and as far as I am concerned I will accept it.

The PRESIDING OFFICER. The question is upon agreeing to the amendment offered by the Senator from Maryland.

Mr. WADSWORTH. Mr. President, may I have the amendment stated again?

The PRESIDING OFFICER. The Secretary will again state the amendment.

The Secretary again stated the amendment.

Mr. WADSWORTH. Can the Senator from Maryland give us some idea as to the nature of these experiments—what is had in mind by the department? I have noticed that when a sum is appropriated for carrying on an experiment it is the beginning of a large list of appropriations, which generally extend for many years in the future. What is this?

Mr. FRANCE. This will not involve any large expenditures in the future. It is merely to provide for experimentation with a device by which the mail may be easily collected by suburban trolley cars. I do not feel that it will involve any large expenditure.

Mr. VARDAMAN. Mr. President, I will ask the Senator to speak a little louder.

Mr. WADSWORTH. The Senator states that it is a device by which mail may be collected by suburban trolley cars?

Mr. FRANCE. A device by which suburban trolley cars easily collect the mail, bringing it in to a central point.

Mr. WADSWORTH. I assume that some one must alight from the car and take the mail out of the mail box.

Mr. FRANCE. Not at all. This is a device which can be placed upon either the front or the rear of the car, entirely uncovered and accessible to all, so that a letter can be dropped into the box without any difficulty; but the nature of the device is such that while it is entirely open and without top, the rain can not get to the mail. I shall be very glad to submit, in this connection, the letter from the Postmaster General.

Mr. WADSWORTH. I do not wish to criticize the device or any effort made to expedite the collection of mail; but it seems very strange that it should require $10,000 to put those things upon the front or rear of a trolley car.

Mr. FRANCE. The Senator will note from the language of the amendment that the whole of the sum of $10,000 need not be expended.

Mr. WADSWORTH. Oh, but it will be; the Senator from Maryland need not have any doubt about that.

Mr. FRANCE. It is within the discretion of the Postmaster General to determine how much of this sum will be required for this experiment. I hope the Senator will not object, as I have had the matter up with the department, and I feel that the department is quite in favor of this appropriation for this experimentation.

Mr. WADSWORTH. I have no doubt the department is, Mr. President. Did the Senator ask that a letter might be read?

Mr. FRANCE. I ask that the letter may be read.

Mr. WADSWORTH. It may explain it.

The PRESIDING OFFICER. The Secretary will read the letter, in the absence of objection.

The Secretary read as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., January 25, 1919.

Hon. J. H. BANKHEAD,
Chairman Committee on Post Offices and Post Roads,
United States Senate.

MY DEAR SENATOR BANKHEAD: In answer to your inquiry relative to an amendment proposed by Senator FRANCE to the Post Office appropriation bill, appropriating $10,000 for experimental street-car collection service, I wish to state that it is the judgment of the First Assistant Postmaster General that this appropriation should be made, as it is believed that a service of this character can be used to advantage in certain cities where the street cars all diverge from one center or point. An appropriation of the amount mentioned above would be sufficient to determine the feasibility of such service. Instead of making this a separate item, it is believed that it should be included in item 19, page 30, of the committee print of the bill, which can be done by increasing the amount for street-car collection service from $9,000 to $19,000.

The amendment, therefore, has my approval.

Respectfully,

A. S. BURLESON, *Postmaster General.*

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland.

Mr. WADSWORTH. I simply desire to remark that after hearing the letter read, I know nothing more about it than I did before.

Mr. KING. I should like to ask the chairman of the committee or the Senator from Maryland if there is not a general fund provided which authorizes the Postmaster General and the various heads of departments to conduct legitimate and proper experiments with a view to improving the service? I understand there is a contingent fund at the disposal of the Postmaster General which would permit reasonable experimentation with respect to devices, and so forth, necessary for the improvement of the service.

Mr. BANKHEAD. There is such a fund, but it does not apply to experiments like this.

Mr. WADSWORTH. Can the Senator state something as to the nature of this experiment? What is so mysterious about this matter of collecting letters in mail boxes?

Mr. BANKHEAD. There is nothing mysterious about it. I do not care anything about it. I do not care whether it goes in the bill or not. The Postmaster General thought it ought to go in.

Mr. WADSWORTH. I know $10,000 amounts to nothing at all.

Mr. BANKHEAD. The Postmaster General explained it in the letter which has been read. He explains that you can not use this device on all the street railways of the country, but there are a great many places in the country where the cars congregate at one place and bring in mail from the country. The purpose of this device, I understand, is to attach it on the side of a street car which goes through the country and wherever it stops, wherever a passenger gets off or on, even when it goes by, if it is not going too fast, anybody can drop a letter into the box and it is delivered at the place where the cars congregate in the city. It is believed that it will be a very convenient and appropriate thing to experiment and try out. That is the view of the Post Office Department.

Mr. WADSWORTH. For the life of me I can not understand why there is anything original in the idea. It is simply tacking a mail box to a trolley car and letting people drop letters in it, so far as I can see, and now we are asked to appropriate, it is true, an infinitesimal sum. Ten thousand dollars means nothing, I suppose. I shall ask for a vote on the amendment.

Mr. KENYON. I would like to inquire if it is to be placed on the street cars of Washington?

Mr. BANKHEAD. No; the Postmaster General will not attempt to use it on the street cars of Washington. The Senator very well knows that, too.

Mr. KENYON. There might be more space for people to ride on. [Laughter.]

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland [Mr. FRANCE].

On a division, the amendment was rejected.

Mr. MOSES. I wish to offer an amendment.

Mr. BANKHEAD. I ask the Senate to return to page 16, line 22.

The PRESIDING OFFICER. The Chair will say to the Senator from New Hampshire that only committee amendments are now in order. The Chair will recognize the Senator from New Hampshire a little later. The amendment of the committee which was passed over will be read.

The SECRETARY. On page 16, line 22, after the words "*Provided further*," the committee report to strike out:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $300,000 for the purchase of aeroplanes and the operation and maintenance of aeroplane service between such points as may be determined. That the Postmaster General in expending the appropriation herein for aeroplane service shall purchase, so far as possible, the aeroplanes, motors, equipment, and supplies from the War Department and Navy Department when no longer required because of the cessation of war activities. It shall be the duty of the Postmaster General before purchasing any of such articles to ascertain whether the War or Navy Department has articles of the character described that are serviceable. And articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. Said departments are authorized to sell such articles to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as a miscellaneous receipt: *Provided further*, That the Secretary of War is hereby directed to deliver immediately to the Postmaster General 100 De Haviland four aeroplanes, 100 Handley-Pages, 10 Glen Martin day bombers, all planes completely assembled and with the necessary spare parts; also 100 extra Liberty engines with spare parts, 50 Hispano-Suiza engines with 300-horsepower motors, and 20 Hispano-Suiza engines with 150-horsepower motors, the same to be out of any equipment that the War Department has on hand or under construction, the War Department appropriation to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane service, and that no part of said sums shall be expended for the maintenance or operation of the aeroplanes above directed to be delivered to the Postmaster General by

the Secretary of War, but such machines shall be operated and maintained by the personnel of the Air Service of the Army, under the control and direction of the Postmaster General.

And to insert:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points as he may determine. The Postmaster General in expending this appropriation shall purchase, as far as practicable, such available and suitable equipment and supplies for the aeroplane mail service as may be owned by or under construction for the War Department or the Navy Department when no longer required because of the cessation of war activities, and it shall be his duty to first ascertain if such articles of the character described may be secured from the War Department or the Navy Department before purchasing such equipment or supplies elsewhere. If such equipment or supplies are purchased elsewhere than from the War Department or the Navy Department, the Postmaster General shall report such action to Congress, together with the reasons for such purchases. All articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, a reasonable price shall be paid therefor, considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That the Secretary of War and the Secretary of the Navy are hereby authorized and directed to deliver immediately to the Postmaster General, as he may request, and as hereinbefore provided, such aeroplane machines, supplies, equipment, and parts as may be serviceable and available for the aeroplane mail service, the same to be out of any equipment that the War Department or the Navy Department has on hand or under construction, the War Department and the Navy Department appropriations to be credited with the equipment turned over to the Post Office Department: *And provided further*, That separate accounts be kept of the amount expended for aeroplane mail service.

So as to make the clause read:

For inland transportation by railroad routes and aeroplanes, $59,625,000: *Provided*, That not to exceed $1,000,000 may be expended for payment of freight and incidental charges for the transportation of mails conveyed under special arrangement in freight trains or otherwise: *Provided further*, That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes, etc.

Mr. KING. The Senator from Washington [Mr. JONES] is interested in this amendment and I do not see him in the Chamber. It went over at his request. I ask the Senator from Alabama if he will not consent that the amendment may be passed over until the Senator from Washington is in the Chamber?

Mr. BANKHEAD. Can the Senator tell me when the Senator from Washington will be in the Chamber? He may not be here before next week.

Mr. KING. I will make inquiry and ascertain. I am sure he has not left the city.

Mr. NEW. I know the Senator from Washington is interested in this committee amendment. So am I on another matter. I will offer an amendment to the amendment. I move to strike out "$850,500," where it appears in line 12, on page 18, and insert the figures "$300,000."

Mr. KING. Will the Senator accept an amendment to make it $100,000? If not, I shall offer an amendment to his amendment.

Mr. NEW. I hesitate to accept the amendment. I shall not fight the Senator's amendment to my amendment very vigorously, however, if it is offered; but I offer the amendment to make the figure "$300,000" in place of "$850,500," in line 12 on page 18.

Mr. JONES of Washington entered the Chamber.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Indiana [Mr. NEW] to the amendment of the committee.

Mr. NEW. On this subject I should like to say just a few words. I am offering this amendment not because I do not believe the airplane is going to come into pretty general use in the transportation of mail—at least much more general use than is found for it now—but I am offering it because I believe, and, in fact, I am absolutely confident, that the Post Office Department is not equipped at present to carry on any extended operations of that character. I believe $300,000 is fully as much money as should be given for the kind of experimentation it has in mind at this time.

I have no doubt whatever that if $850,500, which is provided in the committee amendment, is given, the money will be spent, and it will be added to what has already been spent without compensating results in the field of airplane experimentation. I do not believe the service is at all constituted to spend $850,500 intelligently or to advantage at this time.

Mr. BANKHEAD. Mr. President, I wish to say one word with reference to this item.

In the last Congress $300,000 was appropriated for this experiment. The Postmaster General organized a route from here to New York and he has been experimenting with it. He came before the committee and insisted that he could not make a fair experiment on one short route, and he wanted to get an appropriation sufficient to enable him to experiment on two routes, suggesting that one should start at Boston and end at Norfolk and the other from New York and end in Chicago or some point in that vicinity. If he had money enough to make these two experiments and put on these two routes, he felt that he would be able to report to the next Congress whether it would be advisable to continue this service or whether it would be advisable to further experiment with it.

Now, that is the reason why the appropriation was increased from the $300,000 given last year to the amount contained in the bill as reported by the committee. With the appropriation provided in the last act he can establish only one route. With the increased appropriation that the committee reports he can establish two experimental routes of considerable length, his contention being that he can not make a fair experimental test on a short route and that he ought to be permitted to cover more territory and more extensively experiment as to whether the project is feasible and one that it would be desirable to continue.

That is the whole question, as I understand it. If the Senate of the United States thinks we ought not to enter upon these experiments on the subject of airplane mail the Senate can vote the amendment out or reduce the amount. My own judgment is that the Postmaster General ought to be permitted to make the experiment or the experimentation ought to be stopped entirely. He came before the committee and stated that he can not experiment on one short route; that he can not reach a conclusion that is satisfactory to himself or to the Post Office Department with the experiments that he is permitted to make with an appropriation of $300,000. It is perfectly evident from his statement that he can not put on any other route with an appropriation of $300,000, and he will have to continue with the one that he has established from here to New York. That route, he says, is too short to make a fair experiment.

Mr. FLETCHER. I wish to ask the Senator whether it is necessary to build special airplanes for this service. Have we not airplanes already constructed sufficient to supply the service?

Mr. BANKHEAD. If the Senator will read the provision in the bill he will ascertain how these airplanes must be obtained and from where. We provide in the amendment that the Postmaster General shall get airplanes from the Secretary of the Navy and the Secretary of War.

Mr. FLETCHER. What I am particularly interested in is whether it is necessary to build special planes for this service.

Mr. BANKHEAD. Oh, no.

Mr. FLETCHER. Then, another question occurs to me. The Senator seems to have based his contention that the item ought to be retained on the theory that it is necessary in order to make a full and complete experiment.

Mr. BANKHEAD. That is my contention.

Mr. FLETCHER. But the item says that it is for the purchase of airplanes, and the operation and maintenance of airplanes.

Mr. BANKHEAD. I ask the Senator to go on and read the balance of the amendment.

Mr. FLETCHER. That is the whole sentence. Then it proceeds:

That out of this appropriation the Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of aeroplane mail service between such points as he may determine.

Mr. BANKHEAD. The next part of the amendment shows how the Postmaster General may obtain planes.

Mr. FLETCHER. It does speak about how he shall obtain them, but the point I make is that it does not specify that the appropriation of $850,500 is for experimental purposes, but rather for the purchase of airplanes and the operation and maintenance of airplanes. That seems to be the language of the amendment.

Mr. BANKHEAD. That is the language of the last clause.

Mr. KELLOGG. Will the Senator inform us what the result of the experiment has been between Washington and New York, as to the amount of mail carried and as to the financial returns, because I suppose everybody knows——

Mr. BANKHEAD. The testimony before the committee and the report of the Postmaster General, which is found on pages 16 and 17 of the hearings, would indicate that the experiment as made was somewhat of a failure as to the revenues derived. Nobody claims that it is self-sustaining on the short route from here to New York. The Postmaster General does not make such a claim.

Mr. KING. Were we not assured by Mr. Praeger—I think he is the Second Assistant Postmaster General——

Mr. BANKHEAD. He is.

Mr. KING. Or at least by some one who assumed to speak for the Post Office Department, that there would be a revenue in the airplane mail service? As I recall the debate when the last appropriation bill was before the Senate, some statement was made which indicated that it would be profitable, that the people would avail themselves to a very large extent of the airplane service in the transmission of mail.

Mr. BANKHEAD. I think that was the original idea of the Second Assistant Postmaster General, but to be perfectly frank, the department has not had a fair opportunity to make the experiment and determine whether the service should be permanent.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Alabama yield to the Senator from Tennessee?

Mr. BANKHEAD. I yield.

Mr. McKELLAR. I wish to direct the attention of the Senator from Utah to the testimony of Mr. Praeger, who has this matter in charge. It is found on page 88 of the Senate committee hearings:

Senator HARDWICK. As I understand it, we only have one route actually established and in operation, and that is between Washington and New York.

Mr. PRAEGER. Yes, sir; only one route, and it carried seven thousand four hundred and odd pounds of aeroplane mail at the aeroplane rate of postage; and the receipts from that were $60,653.28.

Senator HARDWICK. You get that much in actual money from the mail you carried?

Mr. PRAEGER. Yes, sir.

Senator HARDWICK. And how much did it cost you to carry it?

Mr. PRAEGER. The cost of operation was $75,165.94, which includes a bookkeeping charge of 6 per cent interest on the investment, and 33⅓ per cent depreciation.

I call the Senate's attention to the fact that this route, which is confessedly an inadequate route in so far as the cost and the efficiency of it are concerned, lacked less than $15,000 of paying for itself last year. I think under the circumstances it is a splendid showing.

The Second Assistant Postmaster General goes on further to say in his examination that if he were permitted to extend the route from Boston to New York and to Washington and Norfolk, he believes that it could be made fully self-sustaining another year.

It seems to me, in the light of those figures, we should give him this extra amount for the purpose of extending the route. It appears to me that it is a splendid showing. No one expected it to pay, and the fact that there was a loss of less than $15,000 in one year shows the wisdom of Congress in undertaking it. The time will come when probably most of our mail will be carried by airplanes. I hope to see the day when we shall have airplane service all over this continent.

I hope the amendment of the Senator from Indiana will be voted down. It ought to be voted down. It is an amendment against progress. We discussed this question here a year ago. It was discussed fully by the distinguished Senator from Utah [Mr. KING] and others who were not in favor of the appropriation at that time. The wisdom of Congress in making the appropriation has, in my judgment, been fully established by the experiments that we have already made and the very small loss involved. We should always go forward in this work and not backward.

I trust the amendment of the Senator from Indiana will not be agreed to.

Mr. LEWIS. May I seek some information? I wish to ask members of the committee, the chairman, and the Senator from Tennessee if it is not a fact that foreign Governments have inaugurated this service, particularly in Great Britain and portions of France, and have they not developed a great deal of success with it, notwithstanding their first failure? Have we any evidence before the committee of the extent to which foreign Governments have proceeded? Is it not true that our program is, as it were, one in conjunction generally with the international carriage of mail by airplane?

Mr. NEW obtained the floor.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. The Senator from Indiana has the floor. Will the Senator from Indiana yield to the Senator from Alabama?

Mr. NEW. Yes; to answer that question.

The PRESIDING OFFICER. The Senator from Alabama has the floor by the courtesy of the Senator from Indiana.

Mr. BANKHEAD. I rose to say that I have a statement of the Second Assistant Postmaster General, which gives the complete history of this service in all foreign countries that have it in operation as well as in this country, and I am going to ask to have it printed in the RECORD.

Mr. PENROSE. I suggest that the paper be read.

Mr. LODGE. I ask that the paper be read.

The PRESIDING OFFICER. Objection is made to the insertion in the RECORD without reading.

Mr. LEWIS. The only reason, I may say to the able Senator from Pennsylvania, why I would not ask to have it read is that I do not want to intrude upon the time of the Senator from Indiana, unless the Senator from Indiana desires to have it read.

Mr. KING. I should like to have it read.

Mr. NEW. I would like to have it read.

Mr. LEWIS. Then, of course, I shall be glad to have it read.

Mr. NEW. I yield for that purpose.

Mr. LODGE. I hope it will be read. It is a very important matter, and some of us are not fully informed about it. It is the general impression that the service between here and New York has been a total failure, owing to the uncertainty of the service.

The PRESIDING OFFICER. Is there objection to reading the paper? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

JANUARY 30, 1919.

MEMORANDUM ON AERIAL MAIL SERVICE.

The Aerial Mail Service was inaugurated May 15, 1918, and during the first six months of its existence its operations covered 68,892 miles, at a cost of $75,165.94, including 6 per cent on investment and 33⅓ per cent for depreciation. In that period it carried between Washington and New York 7,452½ pounds of aeroplane mail. The revenue derived was $60,653.28. The net deficit, not taking into account the 6 per cent interest on investment, was $8,969.08. In addition to the aeroplane mail carried there was dispatched between Washington, Philadelphia, and New York in the six months' period a total of 91,926½ pounds of first-class mail, aggregating 3,667,040 letters. This mail was advanced in dispatch from 6 to 16 hours, which many times made up for the small deficit in the operation of this service. This ordinary mail was letter mail from distant States, which was carried in addition to the aeroplane mail. Thus the ordinary mail put on the planes at Washington was usually mail from the South Atlantic Coast States and the Gulf States, distributed to carriers by the Railway Mail Service before reaching Washington, and by reason of aeroplane dispatch was delivered in New York on the same afternoon instead of the following morning.

The Washington-New York route was established not as a typical commercial line, but to solve the problems that had to be met to establish a daily dependable schedule. The flying record made on the New York-Washington line has never been equaled in the history of aviation, and its operation by civilian fliers of the Post Office Department has far exceeded its operation while under military control, the civilian fliers having a record of but 7 forced landings in 100 consecutive flights and only 2 failures in that time on account of fog or storm conditions. The mail has been carried in blinding rain and hail, on fog-bound days with visibility of not over half a mile, and in the face of gales. Only two winter gales were strong enough to prevent the aeroplanes from completing their journey. On Thursday, January 23, the mail was brought south as far as Silverside, Del., in the face of a 65-mile gale at an altitude of a few thousand feet.

The fastest time of flight carrying the mail from College Park to Belmont Park, N. Y., a distance of 218 miles, was 1 hour and 30 minutes, and the slowest time for a continuous flight was 4 hours and 56 minutes. The average time is 2 hours and 40 minutes. The common experience of the users of aeroplane mail is that a letter posted in the down-town stations in Washington as late as 10.50 a. m., and leaving the aviation field at 11.30 a. m., is usually delivered between 4 and 4.30 in the afternoon, which is in ample time before close of business.

EXTENSION OF SERVICE.

The greater the distance between the points on an aerial mail route the greater is the service rendered to commerce and the greater is the patronage of the line. A mail service leaving New York at 6 in the morning and arriving in Chicago before 3 o'clock in the afternoon, in time to connect with carrier deliveries, will advance the mail between the two cities by 16 hours over any train dispatch that can be made after the departure of the Twentieth Century Limited from New York at 2.45 p. m. The department desires to establish this line immediately and extend it west to the foot of the Rockies during the coming fiscal year, with the view of reaching the seaports of Seattle and San Francisco, if Congress authorizes the appropriation necessary. The air mail time between New York and San Francisco will be less than 40 hours. It is desired that this transcontinental trunk line shall be tapped by lines from Minneapolis, St. Paul, St. Louis, Kansas City, and other points, and ultimately by a line from Boston, via Albany, Buffalo, and Detroit, to Chicago.

A north and south trunk line from Boston to Atlanta should likewise be established, with an ultimate extension from Boston to Montreal, Canada, and from Atlanta, via Key West, to Habana. Based on the accurate cost accounting kept in the operation of the Washington-New York air mail line, the cost of an east and west trunk line from New York as far west as Omaha and a north and south trunk line from Boston to Atlanta has been carefully estimated at $1,600,000. To this should be added $400,000 for several essential feeders that would connect up Detroit, Minneapolis and St. Paul, St. Louis, Kansas City, and other points, and would admit of an extension as far west as Salt Lake City, this extension, however, dependent upon the extent to which the Government equipment can be transformed into strong and safe mail-carrying machines.

For this reason it would be very desirable to obtain an appropriation of $2,000,000 for the ensuing fiscal year.

AERIAL PROGRAM OF FOREIGN COUNTRIES.

Such an appropriation and such a program will be found to be modest compared with the plans of the English, Italian, Canadian, French, and other Governments for the development and extension of aerial mail service during the present calendar year. The Italian Government is already operating commercial air lines three times as extensive as the single line now in operation in this country, in addition to the operation of several military air mail lines from Rome to the front. The

Canadian Government is preparing to go extensively into the aerial mail service and has advised the postal administration of the United States that it will send a representative to Washington to work out a plan of cooperation with this country. The following is a summary prepared by the publishers of Aviation on the aerial mail and passenger services in various foreign countries gathered from the latest information obtainable:

ITALY.

(1) Civitavecchia-Terranova, Sardinia (150 miles). Daily mail service by means of flying boats. Inaugurated June 27, 1917; temporarily discontinued during the winter of 1917–18; reopened in March, 1918. Average time, 2 hours.
(2) Venice-Trieste (70 miles).
(3) Venice-Pola (80 miles).
(4) Ancona-Fiume (130 miles).
(5) Ancona-Zara (90 miles).
(6) Brindisi-Cattaro (150 miles).
(7) Brindisi-Vallona (100 miles).
Organized shortly after the signing of the armistice with Austria; operating.
(8) Genoa-Nice (100 miles).
(9) Genoa-Florence (120 miles).
(10) Florence-Rome (140 miles).
(11) Rome-Brindisi (290 miles).
Air mail lines (8) to (11), now being worked out, will constitute the Italian section of an interallied air mail service to be established between London, Paris, Rome, and Constantinople.

FRANCE.

(1) Paris-Mans-St. Nazaire (250 miles). Daily mail service by means of twin-engined Letord biplanes (Hispano-Suiza engines). Inaugurated August 15, 1918. Average time, 3 hours. Postage, 75 centimes (15 cents).
(2) Paris-London (240 miles).
(3) Paris-Lyons (240 miles).
(4) Lyons-Marseilles (165 miles).
(5) Marseilles-Nice (140 miles).
Air mail lines (3) to (5), now being organized, will constitute the French section of an interallied air mail service to be established between London, Paris, Rome, and Constantinople.
(6) Nice-Ajaccio, Corsica (150 miles). Daily air mail service by means of flying boats about to begin operations.
Various air mail lines, operated by the military, are functioning in southern Algeria and Morocco, chiefly for carrying official correspondence. The organization of an air mail line from Marseilles via Algiers to Timbuctoo is now being worked out. The sections, Biskra-Wargla (240 miles), Wargla-Inifel (211 miles), and Inifel-In Salah (223 miles), are in operation.

GREAT BRITAIN.

(1) London-Paris (240 miles). Daily passenger service, weather permitting, by means of twin-engined DH–10 biplanes. Now being jointly organized by the Aircraft Transport & Travel (Ltd.), of London, and the Compagnie Generale Transaerienne, of Paris. Average time, two and one-half to three hours. Passage, both ways, $75.

GREECE.

(1) Athens-Janina (200 miles). Daily mail service; inaugurated August 8, 1918.
(2) Athens-Salonica (220 miles). Daily mail service projected.

DENMARK.

(1) Copenhagen-Odense-Fredericia-Esjerg (170 miles).
(2) Copenhagen-Kalundborg-Aarhus (105 miles).
(3) Copenhagen-Gothenburg-Christiania (330 miles). Daily mail service projected.

AUSTRIA.

(1) Vienna-Budapest (140 miles). Daily mail service, inaugurated July 5, 1918. Postage, 5.10 kronen ($1).

NORWAY.

(1) Christiania-Stavanger-Bergen-Trondhjem (670 miles). Oversea route.
(2) Christiania-Bergen (200 miles). Overland route.
(3) Stavanger-Bergen (100 miles). Oversea route.
Projected air mail lines to be operated by the Norvegian Air Routes Co.
(4) Stavanger-Aberdeen, Scotland (320 miles). Projected air mail line to be jointly operated by the Norvegian Air Routes Co. and Aircraft Transport & Travel (Ltd.), London.

SPAIN.

(1) Madrid-Barcelona (320 miles).
Barcelona-Palma, Baleares (170 miles).
Projected air mail lines to be operated by a Spanish company.

GERMANY.

(1) Berlin-Munich (350 miles). Daily mail and passenger service, weather permitting. Average time, four and one-half hours; passage, $1 per mile.
Several other mail and passenger services are operating between the larger cities, but no details are available.

EQUIPMENT.

The Post Office Department has made a sincere effort to comply with the general and natural sentiment that the war planes left over at the conclusion of hostilities should be utilized in carrying the mails. The attempt at once developed that the DH–4's, of which more than 1,000 are said to be available, are too lightly built for commercial work. They were produced in immense haste for light war purposes, to rise from a prepared field, drop a certain number of bombs, fire machine-gun ammunition, and return to a prepared aerodrome empty. When required to make forced landings because of engine trouble they crumple up in a majority of the cases, frequently crippling or killing the pilot. The single casualty and the single case of serious physical injury sustained in the operation of the aerial mail service in this country, covering 93,463 miles of operation, were sustained in the persistent and conscientious effort made by the Post Office Department to utilize the DH–4 for cross-country commercial work. Single-motor planes must be expected to occasionally develop engine trouble, which necessitates a forced landing for readjustments. These forced landings must be frequently made over fields that are soft from rain or with holes, gulleys, or small obstructions that will turn a plane upon its back while coming to a stop on the ground. Whenever this occurs to a strong commercial machine, such as is used on the New York-Washington run, the damage is usually slight and the delay not serious.

However, when a DH turns turtle in such landings it generally sustains more serious injury. In a majority of the cases it fairly crumples up, resulting in bad spills or injury for the pilots. This is the result of the light construction of the planes, which makes them unavailable except possibly for the special war purposes for which they were designed.

There are also in this country, which might be available for mail service, a number of twin-motor Handley-Paiges. These planes are of a slow type, with an average speed loaded of from 70 to 90 miles according to the characteristics of the individual plane. It requires the two engines to keep it in the air with a load, the result being that with one engine getting out of order the twin-motored Handley-Paige of the type that were built in this country will come to the ground, although the other engine is intact and operating under full power.

Just as the war was coming to a close certain American manufacturers created twin-motor planes which surpassed anything in that line on the battle front. These planes have sufficient speed to make better than fast railroad time against the severest windstorms; also they can continue on their course in the air with a load against head winds with one engine operating. They can be built strong enough for commercial purposes and will prove satisfactory mail machines.

In the expenditure of any appropriation made by Congress it would be the policy of the Post Office Department first to use such of the De Havilland machines as can be rebuilt and strengthened with reasonable cost. A rebuilt plane of this character has been completed and is undergoing tests to ascertain whether it will be a dependable and safe machine. The services of some of the best aeronautical engineers of the country generously have been placed at the command of the Post Office Department to assist in solving the problem of making the surplus war planes suitable for commercial cross-country work. Should all these efforts fail to develop out of the war material a practical mail-carrying machine, it would be the purpose of the Post Office Department to call upon manufacturers for designs and bids for a commercial twin-motor machine of reasonable cost for carrying the mails. It is believed that with readjusted conditions in the aircraft industry with the cessation of war orders it will be possible to obtain such machines for considerably less than $20,000 by utilizing surplus parts and engines which the War Department has put at the disposal of the Post Office Department.

ARMY COOPERATION.

It has always been the policy of the Post Office Department to seek the fullest cooperation with the Army and Navy Departments in their training programs, so that the military personnel and equipment used in military training might incidentally render a civic function in carrying the mails. The Post Office Department has offered to take details of Army fliers and Army mechanics and to utilize war equipment in carrying the mails to such an extent as the military authorities may deem the practice gained by its personnel in the mail service of training value. In this cooperation the Post Office Department has pointed out that the maintenance of mail schedules must be the prime consideration, and that this can be obtained only through placing the men detailed to the Post Office Department under the direction and control of the Postmaster General during the period of such detail. The service can be operated from the standpoint of maintaining mail schedules more efficiently by the Post Office Department. Likewise the service can be operated at a much less cost to the Government by the Post Office Department than it can be operated by a military branch, notwithstanding the higher wages paid to civilian aviators and mechanics, for the reason that it is the policy in the military branches to be more lavish with men and materials than obtains in civilian operations.

The extent of the expansion of the aerial mail program in this country will naturally depend upon the amount of cooperation that the military authorities may finally determine would be of value in their air training program. This factor, however, is a matter of uncertainty, and it is therefore desirable that Congress should make an appropriation of at least $2,000,000 that a substantial aerial mail service may be inaugurated, independent of the final determination of the military authorities as to the value and the extent of utilizing the aerial mail service as an adjunct to their training program. If this is not done it is probable that this country at the end of a year will find itself as far behind in the commercial development of aviation as it found itself in military aviation upon entry into the recent war.

OTTO PRAEGER,
Second Assistant Postmaster General.

Mr. NEW. Mr. President, I have previously seen the report which has just been read, and I have listened to its reading now with renewed interest. Certainly no Senator on this floor has greater faith in the future of aerial navigation than have I. I may be a dreamer on the subject, but, Mr. President, I think I foresee the day when the airplane will not only be used for the very general transmission of the mails but when Senators who live on the western coast will be taken to and from their homes by airplanes, if they will stand for it, before we see the end of the development of aerial navigation.

However, Mr. President, I do not believe that this is the time or the place to indulge in what I think is an extravagant experiment. I believe we should have a central and separate department of the Government devoted to aeronautics. Not only that, but I believe we shall have it before we get through with this thing. I think it is inevitable; and at another time—I do not mind revealing my intentions to press for the passage of the bill which I introduced here last August, and which has been on the calendar of the Senate since the 17th day of September last, calling for the institution of a separate and distinct department of aeronautics. I believe in that. Other nations of the world are making very extensive experiments, and with separate aircraft departments.

As I have said, I have read this report and have again listened to it here to-day. I know what those foreign nations are doing, but they are pursuing those experiments in an intelligent and a systematic way. Nearly every one of them has a separate

and distinct department of aeronautics, which has the direction of everything pertaining to the subject.

Here we have the War Department, that is making many experiments; the Navy Department, that is making experiments; the Marine Corps, that is making experiments; and the Post Office Department—four departments of the Government, at least, who are now each conducting their own lines of experiment in aeronautical navigation. Neither one of them to this hour is equipped to do it, not even the War Department.

The whole matter of aerial navigation as it has been worked out in this country in the last two years has been the one conspicuous failure that we have made, and I do not want to see that failure continued and enlarged, as it is to be if we are going to permit each one of four or more departments of the Government to be making separate and distinct experiments of their own, each at very great cost.

The Assistant Postmaster General, in this report, speaks of the establishment of lines between Chicago and San Francisco. That is all right. I believe that that is all possible and probable at some day; but, Mr. President, we have to-day not a single airplane field between Chicago and San Francisco. They can not inaugurate anything of that kind and maintain it without such fields. The whole matter as it is proposed by the Post Office Department here is so nebulous and so indefinite that, to my mind, it is perfectly apparent that the $850,500 which is asked for in this appropriation will be added to the money which we have already poured into that same hole, and the product of it will be to have added that much to what we have not got.

Mr. KING. Mr. President, will the Senator from Indiana yield to me?

Mr. NEW. I will yield to the Senator for a question.

Mr. KING. That is all I desire. I want to ask the Senator, who is a member of the Military Affairs Committee, and who has given a great deal of attention to the subject of aeronautics, if it is not a fact that, as a result of the war out of which we have just emerged, there has been somewhat of a change of opinion with regard to certain airplanes, and if the countries which have been using airplanes are not now attempting to revalue—if I may be permitted the expression—the uses of airplanes, and to determine those which would be the most serviceable for bombing purposes, for mail purposes, and for freight purposes, if freight may be carried? In other words, would it not be unwise to inaugurate this as a permanent system or to engage in experimentation so long as we have not yet made a true ascertainment of the virtues and the failure of aerial service up to the present time?

Mr. NEW. Oh, Mr. President, that is a pretty broad question and covers a great deal of ground. By way of a general answer to it I will say that I do not believe that I want the United States to refrain from any further investigation or experimentation, for that matter, along the line of the development of the science of aeronautics until some other nation shall have demonstrated what a great thing, I think, it is going to be. I am, however, talking to this one particular point—the appropriation here at this time and in this bill of $850,500 for the Post Office Department to play with.

The department speaks of the establishment of a route from Chicago to New York; they have undertaken that. Why, it is considerably more than a month—it is nearly two months ago—that they announced definitely that they were ready to proceed with the carrying of mails over that route; but up to this very minute, Mr. President, not one single letter has ever been delivered in either New York or Chicago from either end of that airplane route.

Mr. McKELLAR. Naturally, they could not, because they have not the appropriation with which to do the work.

Mr. NEW. Because they are not equipped to manage the route; that is the fact of it.

It is true the War Department has in this country now—well, I do not wish to be held to a strict accounting for what I am about to say—but I think it is something like 1,400 or 1,500 De Haviland four planes on hand. I do not know why they can not be used for these experimental purposes which are spoken of here. I am aware of the fact that some of them were delivered to the Post Office Department and were turned back. I know that, but the fact that they were turned back does not convince me that they were not serviceable.

Mr. President, we have something more than 6,000 trained pilots in the War Department and we have nearly 5,000 cadets who have been graduated for flying purposes. I do not see why the War Department can not be called upon to furnish such fliers and such machines as the Post Office Department needs for carrying on their experiments.

At this point, Mr. President, I should like to ask the Senator from Alabama why it is necessary for us to make a large appropriation here for one department of the Government to purchase planes and equipment from another department of the Government?

Mr. McKELLAR. Mr. President, if the Senator will permit me to answer that question, I should like to quote for him what Mr. Praeger, the Second Assistant Postmaster General, has to say about that very matter. I had the same idea which the Senator from Indiana seems to have when I asked this question:

Senator McKELLAR. Don't you think that after this war is over you are going to be able to get those planes at a greatly reduced cost?

Mr. PRAEGER. We had figured on being able to utilize the Army's aeroplanes without asking for an appropriation to buy any machines at all.

Now, the status of the Army planes is this: You have to rebuild each one for commercial purposes. Take your Handley-Paige plane. That will cost between $10,000 and $15,000 to set up, because they are not set up; you simply have the machinery, woodwork, fuselage, and engines; you have to really build them up.

Senator HITCHCOCK. Then your conclusion on that point is that the Post Office Department will have to buy or build its own planes for mail service?

Mr. PRAEGER. We have got to modify all of the machines which were built primarily for the Army's use.

Senator HARDWICK. Is it more economical to take these War Department machines over and modify them or buy new ones?

Mr. PRAEGER. There are some War Department machines that we will probably be able to utilize with a less expense than it would cost us to buy a new machine. The war planes were all built under war conditions at a very high rate for labor, a very high rate for materials, and——

Senator HARDWICK (interposing). Under rush order.

Mr. PRAEGER (continuing). On the cost-plus basis; and these machines will all sell for a great deal less, possibly 40 per cent more off for depreciation.

Senator McKELLAR. Let me ask you, Mr. Praeger, if we can not utilize these Liberty motors? I am afraid to say the number we have on hand, but it strikes me it is somewhere in the neighborhood of 20,000 or more. Now, can not they be utilized? They are in storage in Europe and in this country; and it seems to me they ought to be utilized in this service.

Mr. PRAEGER. Yes. We have asked the Secretary of War to remit to us 100 of their engines, besides the 100 engines in the 100 De Havilands which they gave us. We are dealing right now with the Navy Department, which is going to sell us machines that we can change for about three-quarters of their values at 60 per cent off for depreciation for this purpose. Ordinarily they would have to sell them to the junkman, because they are obsolete as fighting machines; they are heavier than any of the Army machines that have gone across.

There the Senator will see just the situation. These Army machines have to be changed in order to carry the mail, and it requires money to change them. All of that is taken into consideration in the proposal mentioned in this bill.

Mr. NEW. Mr. President, I do not subscribe to the theory that there must be such numerous and expensive changes in machines which we have just finished building. It is true that they may not be entirely adapted to the purpose of carrying the mail, but they are adapted to the purpose of carrying on experiments and ascertaining whether or not the carriage of mail by airplane can be made successful.

Mr. President, getting back to the main subject again, I wish to renew my protest against this appropriation, on the ground that the Post Office Department is not equipped to carry on these experiments; there is no one connected with the department who knows enough about the subject of aviation to conduct these experiments intelligently and with a view to determining whether or not the service is a success.

This matter was discussed in the other House, and the House made an appropriation of $300,000, unless I am mistaken, and I do not think I am—and if I am I ask to be corrected——

Mr. McKELLAR. The Senator is correct.

Mr. NEW. The House made an appropriation of $300,000 for this service, and I think that is fully as large an appropriation as the Senate is justified in making at this time.

Mr. SWANSON. Mr. President, I wish to state to the Senate what controlled the committee in making this recommendation. As the Senator from Indiana [Mr. NEW] has already stated, $300,000 was appropriated last year for experimental purposes. The experiment was conducted on a route from Washington to New York, and the Senate has heard the result of that experiment. While it was not as satisfactory as was expected and a loss was occasioned by it, yet the department has stated that the reason why it was not a success was because the route was not long enough and did not afford an opportunity to make a favorable test.

When the bill came to the Senate the department recommended the establishment of two routes, which it said would give a fair test as to whether this service would or would not be successful. It recommended one route from New York to Omaha, which would cost $843,320, and it recommended another route from Boston to Atlanta, which would cost $757,460. The department was satisfied that if the experiment were made on these two routes it could come here next year having determined whether aircraft could be successfully used as a means for carrying the mail.

The committee did not determine on either route. The committee thought that the experiment had not been sufficient to justify establishing two routes, but the committee thought no progress would be made unless we gave the department money enough to make the experiments on at least one route which they thought would test the service. We thought it was wise to let them select their own route, the route on which they could make the best showing, taking into consideration distance, population, the amount of mail, and conditions generally that would enable mail to be carried by aircraft. Unless we give them enough to establish a route upon which they can further experiment, we will be no further advanced next year than we are now.

The committee was unwilling to make an appropriation for two routes, but they were willing to let the experiment be extended on one route. Now, it is for the Senate to decide whether they are willing to allow the department to make the experiment on a route which will afford a satisfactory test according to the department or whether they will restrict the department to the short route on which the mail is now being carried by airplane under an appropriation of $300,000. The committee made this recommendation to the Senate with the idea that it was better to let this matter be determined by increasing the appropriation and letting the department select the route, so that they might come in next year and state whether the service was a success or a failure. If it is a failure and it is demonstrated that aircraft can not successfully be used as a means of carrying the mail, then Congress will have afforded the opportunity of determining by experiments actual, full, and complete, and no excuses can then be made; but by making simply a small appropriation now for a route, which it is confessed can not be made a success, we get no further next year than we are this year. So we have simply recommended the one route, appropriating about half of the amount asked for, allowing the department to select a route anywhere in the United States which they think will afford a complete test and be successful.

Mr. WARREN. Mr. President, I have just come into the Chamber. When the Senator speaks of routes, what length routes are contemplated?

Mr. SWANSON. There were two routes contemplated, one from New York to Omaha, which is 1,225 miles, and the other from Boston to Atlanta, which is 1,100 miles. The department asked for an appropriation to make an experiment on these two routes, to determine whether mail could be carried successfully and profitably by aircraft.

Mr. WARREN. The intention being, having gone as far as Omaha and the middle section of the country, to go across and make it an ocean to ocean service?

Mr. SWANSON. Not at this time. The department did not recommend that.

Mr. WARREN. I am not speaking of this time, but of what it is the ultimate intention to do.

Mr. SWANSON. I am not acquainted with any ultimate intention; I have no information on that subject; but they thought that the test on these two routes, on account of business conditions and population, would afford the best opportunity to make a determination and decide whether it would be profitable or not for the Government to continue in the business of carrying the mail by aircraft.

Mr. JONES of Washington. Mr. President, may I ask the Senator a question

Mr. SWANSON. Yes.

Mr. JONES of Washington. I have not been able to be present during very much of this discussion, and have been so busy with other matters that I have not had time to read the testimony and the reports as much as I should like. Is it the understanding of the committee that this eight hundred and fifty and odd thousand dollars is to be used to establish the two routes the Senator has described?

Mr. SWANSON. No, it is going to be used to establish one. The department wanted one million six hundred and some odd thousand dollars to establish two routes.

Mr. JONES of Washington. That is in addition to the route between Washington and New York?

Mr. SWANSON. The route between Washington and New York would be included in the route from Boston to Atlanta. The route to New York would be extended to Boston, and the route from Washington would be extended to Atlanta. The department was satisfied that if the experiment was made on the two routes the service would prove profitable, and that Congress would be satisfied that airplanes ought to be used as a part of the mail service.

Mr. JONES of Washington. I wish to ask the Senator on what basis do they expect a route, for instance, between New York and Atlanta to be profitable?

Mr. SWANSON. From the amount of mail they have already been carrying on the present route between Washington and New York they are satisfied that that route, if extended to Boston on the north and to Atlanta on the south, would cover a sufficient distance to make a fair test and demonstrate whether or not the service could be made profitable.

Mr. JONES of Washington. I understood the Senator to say that, so far as the reports are concerned, they indicate that the route between Washington and New York is a failure?

Mr. SWANSON. I think there was a loss of about $15,000 in six months on that route, after charging 6 per cent for everything bought and 33⅓ per cent depreciation. Now, they have an idea that the route is too short to make a fair test, and that, if it is extended to Boston on the north and to Atlanta on the south, covering a sufficient distance and passing through proper sections of the country, a sufficient demand for such service will be created to make it profitable.

Mr. JONES of Washington. What is the cause of the loss between New York and Washington?

Mr. SWANSON. The expense of operation, and not having enough mail, I presume.

Mr. JONES of Washington. Do they expect to have more mail from Washington City to Boston than they do from Washington City to New York?

Mr. SWANSON. They have an idea that when the mail is brought through in that way, and then they have some collateral connections on the main line, it will prove very profitable. I could not reach a conclusion as to whether this would be true or not; but the consideration that controlled me was that until this is done, and an opportunity is given to try what is proposed, no progress will be made in determining as to whether aircraft can be used as a successful part of the Post Office Department or not.

Mr. McKELLAR. Mr. President, will the Senator yield to me to enable me to answer the question propounded by the Senator from Washington?

Mr. SWANSON. Yes.

Mr. McKELLAR. Why, of course, the necessity for rapid mail facilities between New York and Boston is greater than between New York and Washington. Washington is not a commercial city and Boston is, and they can yoke up these routes by making them longer, so that it will cause the quick mail service to be very much more greatly utilized.

Mr. SWANSON. They have an idea that by stopping at these cities, carrying the mail quickly, and assembling mail at the points where these airplanes will stop enough mail will be engendered to make it profitable.

Mr. WARREN. Mr. President, does the Senator think there is anywhere near as much mail on the route from Boston to Atlanta as there is on the other routes to the West?

Mr. SWANSON. We did not know which was the better route. We refused to put in any terms. The department said, "We can make a test of one route for $850,000, complete and absolute, and you can let the collateral lines come in." We said, "Now, it is useless to waste $100,000 or $200,000 on routes which it is confessed can not be a success. In order to test this matter, we will give you money enough for one route, and you can select it—from Boston to Chicago, from Chicago to San Francisco, or from Boston to Atlanta—but select your one route and make your test and have no excuse of not sufficient money for that one route."

Mr. WARREN. The matter is left entirely to the Postmaster General, is it?

Mr. SWANSON. Absolutely. We do not wish to select a route. When we come back here next year we do not want to have the department coming in here and saying, "We did not have money enough to show whether or not this route was a success." These two routes that they ask for are disconnected. They can select which of the two is better to make the test. Under this provision they will have their money; and if there ever was a time when the test could be made, and could be made cheaply, it is now. We have aircraft in our Army and Navy that can be used. We have men who are already expert in the management of aircraft who can be utilized.

In making this recommendation the committee is satisfied that if there ever was a time when the experiment could be made cheaply and under the best conditions it is now. It is for the Senate to decide whether they want to make the experiment or not. That is all we know about it. After considering the reports that have been submitted, the experiments made, and the recommendations of the department, we simply gave them half what they wanted, because they wanted two routes. We let them select any route they wished and gave them enough money to conduct it successfully, if it can be done.

Mr. KING addressed the Senate. After having spoken, with interruptions, for 25 minutes he said:

May I ask the Senator having the bill in charge how long he desires to continue in session?

Mr. BANKHEAD. That depends upon how long the Senator from Utah desires to speak.

Mr. KING. The Senator from Utah has not exhausted his subject.

Mr. BANKHEAD. It is a very interesting speech, and we might go on for an hour longer. I will leave it to the Senator's convenience.

Mr. KING. I think some Senators have exhibited impatience at the speech, notably the distinguished Senator from Tennessee.

Mr. McKELLAR. Quite the contrary. I have enjoyed it very much.

Mr. BANKHEAD. I am sure everyone is enjoying the speech of the Senator from Utah.

Mr. KING. I am quite sure that most Senators would be glad to take a recess at this time.

Mr. BANKHEAD. I think the Senator had better go on and finish his speech. The Senate would be delighted to hear the Senator further.

Mr. KING. The distinguished Senator from Alabama is very considerate.

Mr. McKELLAR. Let us go on.

Mr. KING. Upon this item I shall conclude in 15 minutes in the morning.

Mr. BANKHEAD. Could not the Senator go on and conclude now?

Mr. KING. I can stop now if the Senator desires.

Mr. BANKHEAD. If the Senator is through with his speech on this item I am willing to take a recess right now, but rather than that he should proceed to-morrow, I would prefer that he should conclude to-night.

Mr. KING. I would not want to promise that I shall say nothing on this item to-morrow. There may be some additional light that might be satisfactory to the Senator from Alabama, and I would be derelict in my duty if I did not bring it to his attention.

Mr. SHAFROTH. Let me suggest to the Senator from Alabama that if he gets the promise of the Senator from Utah that he will conclude in 15 minutes to-morrow morning, he will save time by taking a recess now.

Mr. KING. On this item I shall not take more than 15 minutes further.

Mr. BANKHEAD. I have a very great desire to oblige the Senator from Colorado. The Senator from Utah, I am sure, is a little wearied from his effort.

Mr. SHAFROTH. Yes; let us take a recess.

RECESS.

Mr. BANKHEAD. I move that the Senate take a recess until to-morrow at 11 o'clock.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 1, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 31, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Lord God, our Heavenly Father, take us into Thine everlasting arms and hold us close to Thee, that we may feel the pulsations of Thy loving heart, be uplifted, strengthened, purified, ennobled; that in the onward march of time we may satisfy our better self, for Thine is the kingdom and the power and the glory, forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MILITARY ACADEMY APPROPRIATIONS.

Mr. DENT, from the Committee on Military Affairs, reported a bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and with the accompanying report (No. 1019) ordered to be printed.

Mr. McKENZIE. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. The gentleman from Illinois reserves all points of order on the bill.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 12001. An act to amend an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

RELIEF FROM INFORMAL CONTRACTS.

Mr. DENT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, disagree to the Senate amendments and ask for a conference.

The SPEAKER. The gentleman from Alabama asks unanimous consent to take from the Speaker's table a bill which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to disagree to the Senate amendments and ask for a conference. Is there objection?

Mr. HAMLIN. Mr. Speaker, reserving the right to object, I should like to ask the gentleman from Alabama a question. Recently we had before the Committee on Mines and Mining a bill relating to the settlement of mining claims, growing out of the bill we passed, which I think became a law on October 5 last. I have not had time to examine the bill as passed by the Senate carefully, but I understand that there was added to the bill in the Senate an amendment known, perhaps, as the Henderson amendment, covering the very thing that is covered in a bill that has been considered somewhat by the Committee on Mines and Mining of this House, but upon which our committee has taken no action. I think this is a very important matter. It has never been considered by the House for a moment, and no conclusion has been reached by the Committee on Mines and Mining; but we did go into the matter far enough to discover that it involved the expenditure, perhaps, of millions of dollars. Will the gentleman agree that in case the Senate does not recede from that amendment the House shall have an opportunity to consider it and vote upon it before an agreement is reached?

Mr. DENT. I hope the gentleman will not ask me to make an absolute promise in regard to that. My attention has recently been called to that amendment known as section 7 of the bill. I will state to the gentleman that so far as I am personally concerned I am not inclined to have an extraneous proposition like that incorporated in this bill. It does not come under the jurisdiction of the War Department. It is entirely foreign to the original purpose of the bill; but I would not like to make a hard and fast promise on the subject.

Mr. HAMLIN. In all the time I have served here I have never made this request before, and I am not now saying that I would not favor some plan to adjust these so-called mining claims; but I have gone into the matter just far enough to convince me that it involves a great amount of money, and I am not at all certain that there is a great deal of merit in these claims. I feel that under these circumstances we ought not to send this bill to conference, with the possibility that it will come back in such form that we will have to vote up or vote down the whole conference report in order to obtain consideration of this particular amendment. I think the House ought to have some opportunity to consider it before there is a possibility of agreement upon it.

Mr. DENT. I agree with the gentleman's general statement, but I hope he will not ask me to make any absolute assurance as to what the conferees will or will not do. I have had a conference with the Secretary of War and the Assistant Secretary of War, Mr. Stettinius, who has been representing the War Department in France for some time, and I can state that the contractual situation that we have entered into in England and in France is getting to be quite embarrassing. Unless some legislation is passed on this subject, and passed quickly, this Government is going to suffer some embarrassment.

Mr. HAMLIN. I appreciate all of that, and so far as the part of the bill that the gentleman is specially interested in, the House did consider that. I raise no question at all about that, and I am more than willing to trust to the gentleman's judgment. But upon this matter, which is largely extraneous and I think hardly germane——

Mr. DENT. I do not think it is at all germane——

Mr. HAMLIN. I want the House to have a chance to consider it.

Mr. GARNER. This mining proposition is a very important matter. I do not see any reason why the gentleman can not tell the House that on a matter of this importance if the Sen-

ate is not willing to recede from that amendment he will bring it back to the House.

Mr. HAMLIN. That is what I ask.

Mr. GARNER. I do not like to encumber the gentleman, but this is a big proposition, and the Senate may say to the gentleman, "Very well, now, if you are not willing to take this amendment you can not have any bill"; and if they do that, I for one am willing that we shall not have any bill. I think the gentleman ought to come back to the House before agreeing to a legislative proposition.

Mr. MANN. Why may we not have a vote on this proposition this morning?

Mr. GARNER. I am perfectly willing, as far as that is concerned. I will say to the gentleman from Alabama that I do not believe in making these requests of the conferees except on matters of tremendous importance, but this is a matter of tremendous importance, and the pressure that will be brought to bear upon the gentleman and upon the other conferees, owing to the desire to get this contract law on the statute books quickly, will be very great, and I do not know how far he would be inclined to yield on that proposition.

Mr. MANN. Why not take the sentiment of the House this morning upon it?

Mr. HAMLIN. I will say to the gentleman from Illinois that the trouble about that is that the House has not the information that it ought to have about it this morning. If the House will bear with me a minute, recently the miners of the country—the fellows who are going to present these claims—had a convention at Washington and prepared a bill which was introduced by request by the chairman of the Committee on Mines and Mining in this House. Our committee had taken it up and had one preliminary meeting. I as a member of the committee was present, and we tried to get all the information we could. I confess that I am not prepared to vote on it this morning.

Mr. MANN. The gentleman may not be prepared to vote on the proposition that is before the committee, but he may be prepared to vote whether it should go in as an amendment to this bill.

Mr. HAMLIN. Oh, I would vote against it this morning; against its going into this bill in the light that I have.

Mr. MANN. Everybody knows that on new propositions there will not be given great consideration in the remaining days of this Congress, because time renders that impossible. We have to do things offhand more or less, and why not take the sentiment of the House this morning on this proposition, not merely on a formal rejection, but have the House vote on it.

Mr. HAMLIN. I am willing to have the House vote on it.

Mr. DENT. Mr. Chairman, in order to facilitate the passage of the bill and get it to conference, I will promise the House that if the Senate does not recede on this proposition I will bring it back to the House for a vote.

Mr. MANN. I think it would be better to take the vote now.

Mr. HAMLIN. I think perhaps it is better this way, because the Senate may recede.

The SPEAKER. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

The CHAIRMAN appointed as conferees on the part of the House Mr. DENT, Mr. FIELDS, and Mr. KAHN.

LEAVE OF ABSENCE.

Mr. SCHALL, by unanimous consent, was given leave of absence for one week on account of delivering an address at McKinley Memorial at Niles, Ohio.

AGRICULTURAL APPROPRIATION BILL.

Mr. LEVER. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15018, the Agricultural appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union with Mr. HAMLIN in the chair.

The Clerk read as follows:

DIVISION OF PUBLICATIONS.

Salaries, Division of Publications: One chief of division, $3,500; 1 chief editor, $3,000; 1 assistant chief of division, $2,500; 1 superintendent of distribution, $2,500; 1 chief clerk, $2,000; 1 assistant, $2,000; 1 assistant, $1,400; one assistant in charge of indexing, $2,000; 1 indexer, $1,400; 1 assistant in charge of illustrations, $2,100; 2 draftsmen or photographers, at $1,600 each; 2 draftsmen or photographers, at $1,500 each; 3 draftsmen or photographers, at $1,400 each; 1 draftsman or photographer, $1,300; 10 draftsmen or photographers, at $1,200 each; 1 lantern-slide colorist, $840; 1 laboratory aid, $720; 1 assistant in charge of document section, $2,000; 1 assistant in document section, $1,800; 1 assistant in document section, $1,400; 1 foreman, miscellaneous distribution, $1,500; 1 clerk, class 3; 2 clerks, class 2; 10 clerks, class 1; 16 clerks, at $1,000 each; 40 clerks, at $900 each; 21 clerks, at $840 each; 5 machine operators, at $1,200 each; 5 skilled laborers, at $1,000 each; 2 skilled laborers, at $900 each; 7 skilled laborers, at $840 each; 4 skilled laborers, at $780 each; 1 chief folder, $1,200; 1 messenger or laborer, $900; 13 messengers or laborers, at $720 each; 1 skilled laborer, $720; 1 folder, $1,000; 2 folders, at $900 each; 2 skilled laborers, at $1,100 each; 1 skilled laborer, $1,000; 2 messengers, at $840 each; 7 messenger boys, at $720 each; 3 messenger boys, at $600 each; 2 messenger boys, at $480 each; 2 messenger boys, at $420 each; 2 messenger boys, at $360 each; 1 laborer, $840; 2 laborers, at $600 each; 3 charwomen, at $480 each; 3 charwomen, at $240 each; in all, $195,620.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. HOLLINGSWORTH. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. Will the gentleman from Ohio withhold his amendment?

Mr. STAFFORD. I rise to make an inquiry as to the two new positions provided for in this paragraph, one a "chief editor at $3,000" and a "superintendent of distribution at $2,500." The chief editor and the superintendent of distribution are new positions. Can the gentleman inform me whether they have heretofore been carried on a lump-sum roll?

Mr. LEVER. No; they are new places. The one for superintendent of distribution has been carried heretofore under another fund. The chief editor is a new place. The Assistant Secretary urged upon us the necessity for the chief editor. Heretofore the work of editing has been done by a committee sitting around the table. The Assistant Secretary says that the plan of editing the publications by a committee is not at all satisfactory; that there ought to be somebody who has the final word on the proposition. They will retain the committee, which will make its recommendations, and then the chief editor, who should be a practical newspaper man with agricultural training, shall have the final decision on any proposition before it goes into print.

Mr. STAFFORD. You pay him a pretty high salary for this work.

Mr. LEVER. It is a high salary.

Mr. STAFFORD. You give him a salary that for many years was paid to the chief of a division. Does this relieve the chief of the division of some work so that it makes his position a sinecure?

Mr. LEVER. Oh, no; the chief of the division is not an editor.

Mr. STAFFORD. Des he not pretend to exercise that function?

Mr. LEVER. No; not the functions of chief editor. Let me tell about the salary. The first recommendation by the department was for $2,750. The Assistant Secretary came before the committee and said it was absolutely impossible to get the type of man desired for this work at that salary.

Mr. STAFFORD. The Assistant Secretary has not had a long connection with the Government, has he?

Mr. LEVER. About 12 months.

Mr. STAFFORD. I do not think he realizes the tenacity with which persons connected with the Federal service retain their hold, and the desire of persons outside to get into the service; otherwise I think he would have a different viewpoint as to whether $2,750 would get a desirable man for this position. We are paying editors in other bureaus $2,000.

Mr. LEVER. What does the gentleman suggest?

Mr. STAFFORD. I do not want to put my judgment up against others. I am informed by the gentleman from Iowa [Mr. HAUGEN] that the chief of the bureau was only paid $2,500 for a great number of years.

Mr. LEVER. That information is true. Mr. Hill was paid $2,500 a year when the total appropriations for the Agricultural Department were only a few million dollars as against thirty millions now.

Mr. HAUGEN. He was an editor, and became recognized for his ability by the people in all sections of the world.

Mr. LEVER. He was a great man; no question about that.

Mr. STAFFORD. I would like to ask the gentleman from Missouri as to the necessity of the superintendent of distribution.

Mr. RUBEY. A year ago, when we passed the emergency appropriation act, or food-production act, they rearranged the work in this division and selected a man and gave him the title of superintendent of distribution. This man has held the position for 27 years; he entered the service in 1892 and had gone through every stage of promotion, and a year ago, when they wanted the best man they could find, they selected him and gave him the title of superintendent of distribution, at $2,500.

Now, the department is asking—and in their estimates they say that this employee's salary is now paid from the emergency

fund—that since his duties undoubtedly will be permanent, a place be provided for him on the statutory roll.

Mr. STAFFORD. What salary was this gentleman receiving before he became the beneficiary of the general fund?

Mr. RUBEY. Two thousand dollars. He was receiving $2,000 up to last year, when they gave him this work, and the gentleman knows the importance of this work. He is in charge of all the distributions and has under him 120 men, and you get letters from him every day. He is in entire charge of the congressional distribution and all other distributions in the Department of Agriculture. It is absolutely necessary to carry on this work; and if we do not do this, we are virtually dropping from the service a man who has been in the department for 27 years.

The CHAIRMAN. Did the gentleman withdraw the point of order?

Mr. STAFFORD. I am very much inclined to press the point of order on the chief editor.

Mr. LEVER. I have given the gentleman all I know about the situation. The committee thought, in view of the Secretary's very urgent request for it, that it was wise in giving it. If the gentleman wants to make the salary $2,750, I have no objection to that.

Mr. STAFFORD. I make the point of order on the position of chief editor.

Mr. LEVER. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. RUBEY. I hope the gentleman will not insist on the point of order.

Mr. STAFFORD. I will reserve it for the time being, if the gentleman from Iowa wants to make some inquiry.

Mr. HAUGEN. The item of $2,500, my understanding is——

The CHAIRMAN. Let the Chair understand the situation. The Chair sustained the point of order made by the gentleman from Wisconsin.

Mr. STAFFORD. I reserved the point of order on the entire paragraph and made a point of order as to one position, still reserving the point of order on the other.

Mr. HAUGEN. Mr. Chairman, if I may be recognized, I desire to call attention to the item of $2,500. My understanding is that the committee agreed to an increase of salary of $500; that this particular employee has been receiving $2,000——

Mr. RUBEY. Will the gentleman yield?

Mr. HAUGEN. Let me finish my statement—and it is now proposed to increase the salary to $2,500. Gentlemen, here we have an illustration of what is being done under lump-sum appropriations and emergency appropriations in lump sums. Here we had an employee drawing $2,000 a year transferred to the lump sum under the emergency bill, with an increase of salary of $500. Now, it is recommended that he shall be transferred to the statutory roll at $2,500, with an increase of $500.

It has generally been understood that Congress exercised its right of fixing salaries, but that is not the practice under lump-sum appropriations; furthermore, we find that the salaries fixed in the statutory roll are not always the salaries fixed for certain employees. We find that whenever it is desired to do so, transfers are made from the statutory roll to the lump-sum roll with an increase of salary and then back from the lump-sum roll to the statutory roll with the increase; the increased salaries are made permanent. I simply desire to call the attention of the committee here to the practice that has grown up in the department not with the view of criticizing, but to point out that Congress does not exercise its power in the fixing of salaries. Mr. Chairman, I suggest that the $500 increase ought to be made; but, as before stated, my understanding was not that a new position should be provided for, but that the $500 increase should be made.

Mr. RUBEY. Will the gentleman permit?

Mr. HAUGEN. Certainly.

Mr. RUBEY. I would like to proceed, Mr. Chairman, and explain the whole matter. Now, I feel that the gentleman from Iowa, while he is usually right about these things, is simply in error in regard to this position. The committee created this position. I have called the attention of the committee to the language of the Department of Agriculture, which was read to the committee a moment ago, in which they say that this employee is now paid from the emergency fund, and, since his duties undoubtedly will become permanent, a place should be provided for him on the statutory roll.

Mr. HAUGEN. Exactly.

Mr. RUBEY. Wait a moment. I presented that matter to the committee and asked them to follow the recommendation of the Secretary of Agriculture in his estimates made to the committee. The committee, so far as I know, agreed to make this recommendation for the superintendent of distribution $2,500. This man now has been in the service for 27 years. He has been for the last year not on the lump sum of this appropriation, but he was paid out of the emergency fund and placed in charge as superintendent of distribution and has held that position. Previous to that time he had held a number of positions in the Department of Agriculture lasting over a series of years. For a long time he received $1,400. Then he received $1,500 a year, and was receiving $2,000 a year until they selected him for this particular position.

Mr. HAUGEN. There is no controversy as to the salary to be paid this official.

Mr. RUBEY. I do not care whether you call him superintendent of documents or call him a clerk, or what you call him, but he is there in the department; he is doing an important work that has to be done by somebody, and he is qualified to do it better than anybody else.

Mr. HAUGEN. I am perfectly willing that the agreement entered into in the committee should be carried out.

Mr. RUBEY. So am I.

Mr. HAUGEN. That is that this man should receive a salary of $2,500?

Mr. RUBEY. That is all I am asking.

Mr. HAUGEN. But I also remember the gentleman's statement in the committee to the effect that the salary should be increased $500, making it $2,500.

Mr. RUBEY. If he is increased $500, then he would get $3,000, because he is getting $2,500 now.

Mr. HAUGEN. I am talking about positions and salaries carried on the statutory roll.

Mr. RUBEY. Will the gentleman permit? I am perfectly willing now for you to say just what he shall be called and what title shall be given him and let him be placed in that at $2,500 a year.

Mr. HAUGEN. I am perfectly willing he shall have the title suggested, but I submit it is unfair to add a new place and suggest that if a new place is added at $2,500, then drop the place at $2,000, which he was holding. This is simply providing a new place at $2,500.

Mr. RUBEY. The position was probably dropped two years ago.

Mr. HAUGEN. It is in the bill. You have it at $2,000.

Mr. RUBEY. I will be glad to have you point it out to me.

Mr. HAUGEN. I take it that this assistant at $2,000 is the position he held before, and you should drop that assistant.

Mr. RUBEY. I do not know that. I doubt it very much. Now——

Mr. HAUGEN. Then it is up to the gentleman to ascertain what position should be dropped, because my understanding was that the salary should be an increase of $500.

Mr. RUBEY. The department asks that this new man be put on here in this new position.

Mr. HAUGEN. The department asked it, but when the gentleman made the motion the suggestion was that the salary be increased to $2,500.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RUBEY. I ask unanimous consent that the gentleman may have five minutes more.

The CHAIRMAN. Is there objection. [After a pause.] The Chair hears none.

Mr. RUBEY. The Division of Publications submits the items here. These are all provided for in the bill. In addition to these items, they asked for this additional place at $2,500, so that evidently none of these places corresponds to that. This man is not the first assistant now.

Mr. HAUGEN. The gentleman is referring to the estimates and I am referring to what took place in the committee, and what took place in the committee was that there should be an increase of salary of $500, which does not mean that there should be an additional place at $2,500. And if the gentleman cares to ascertain which one of these $2,000 positions should be dropped, it is an easy matter to call up the department and ascertain what position this gentleman has been holding. And I take it he has been filling this position at $2,000—the one mentioned in the bill.

Mr. RUBEY. In the document section. I do not know what the title is or was. But evidently when he was placed in the present position somebody else was put in that position.

Mr. HAUGEN. My understanding is that his present position is exactly what it has been for years, that this emergency fund was drawn upon to the extent of $500, and it is now proposed to put him on the statutory roll at that $500 increase. The committee has agreed to that, and I am not taking exception to it. To the contrary, I am contending for the increase, but I sumbit that we should carry out the understanding of the committee.

Mr. RUBEY. I do not want the gentleman to come in here and say I am not trying to carry out the agreement.

Mr. HAUGEN. There is simply a misunderstanding about it.

Mr. RUBEY. I think I am carrying it out. It is a difference of opinion as to what the gentleman thought and what I thought.

Mr. HAUGEN. I have given my understanding of it. I remember exactly the statement of the gentleman before the committee, and if it is the purpose to increase the salary $500, very well. We can easily ascertain which one of the $2,000 items should be dropped.

Mr. LEVER. Mr. Chairman, I suggest we have important matters here. I hope the gentleman from Wisconsin [Mr. STAFFORD], if he is not going to press the point of order, will withdraw it.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. HAUGEN. I make the point of order for the present. I would like to confer with the chairman.

Mr. LEVER. I suggest that this item be passed over.

Mr. HAUGEN. That is satisfactory.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that this paragraph be passed over temporarily.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. SHERLEY. Mr. Chairman, I ask unanimous consent for the privilege of revising and extending my remarks in the RECORD that I made two days ago in connection with the deficiency bill.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to revise and extend his remarks on the deficiency bill, which he made a few days ago. Is there objection? [After a pause.] The Chair hears none.

The gentleman from Ohio [Mr. HOLLINGSWORTH] is recognized. Does the gentleman desire to enter a motion?

AGRICULTURAL APPROPRIATIONS.

Mr. HOLLINGSWORTH. Mr. Chairman, I make a motion to strike out the paragraph.

The CHAIRMAN. The paragraph has been passed temporarily by unanimous consent, the Chair would suggest.

Mr. HOLLINGSWORTH. Then I move to strike out the last word.

I do this, Mr. Chairman, to obtain information from the chairman of the committee as to why it is necessary to increase this item by $16,700 this year, when economy is supposed to be the watchword more than when prices were soaring skyward last year, when it only amounted to $178,820.

The stupendous aggregate of the bill, $31,691,562, is startling to the plain farming classes. Farmers do not object to reasonable expenses on the part of the Government. They seldom complain, but occasionally one of an inquiring turn of mind asks troublesome questions. I represent a district of high-class, up-to-date, intelligent farmers, the master of the State grange being a resident. But so far I have received but one letter complaining of any item in the bill. This one is so unique and pointed that I ask leave to read it and also to read my reply in the time allotted to me.

I have been sending the writer department publications, but it seems he does not appreciate the activities of the Department of Agriculture nor the fact that this bill only carries for the whole of next year $31,691,562. I can certify, however, that he is a real farmer, an intelligent, capable man, a molder of public opinion among his associates, who once honored him by making him the Democratic candidate against me for Congress. I read:

CADIZ, OHIO, *January 28, 1919.*

MY DEAR MR. HOLLINGSWORTH: I have to thank you for documents sent me. The last is the Weekly News Letter of United States Department of Agriculture. It is an infernal fraud, but is there any convenient way you could get for me the number of employees and salaries paid in that department of the Government? I don't mean for you to go to any great trouble, but I would like the facts concerning this.

I am inclined to think there is enough money paid barnacles in the Federal and State agricultural departments annually to buy the corn crop of our country in any one year. Not one practical farmer in a thousand pays any regard to them, but they go on from year to year arrogating to themselves credit for all that the farmer accomplishes by long hours and persistent toil.

The accursed system should be aired.

Yours, etc.,

A. N. MCCOMBS.

I promptly mailed to Mr. McCombs a copy of the pending bill and the report of the committee, with the following letter:

HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
Washington, D. C., January 29, 1919.

HON. A. N. MCCOMBS,
Cadiz, Ohio.

DEAR MR. MCCOMBS: In response to your favor of 28th, I am herewith inclosing copy of bill and report from the Committee on Agriculture, which we are now considering in the House, and which will fully, or probably substantially would be the better word, inform you as to the current expenses of the Department of Agriculture for the year ending June 30, 1920. Of course, it is liable to be changed before it is passed, but changes are more likely to increase than decrease it.

I have an open mind on many of the items, and if there be any of them specially objectionable from your standpoint I should be glad to hear from you.

Very truly, yours,

D. A. HOLLINGSWORTH.

Mr. McCombs served for a number of years as State inspector of high explosives, under appointment of Gov. Harmon, of Ohio; but I am inclined to think the explosion in the quiet rural home where he now resides in sweet contentment liable to occur when he receives this bill and reads of the million-dollar items and hundreds of employees will excel any explosion he ever inspected. [Laughter.]

I ask that it be put in the RECORD if it arrives before the bill is completed.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FESS. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

Mr. HOLLINGSWORTH. I thank the gentleman. I am through. I simply ask that it be put in the RECORD if it arrives before the bill is passed. Meanwhile, I withdraw my pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

General expenses, Library: For books of reference, technical and scientific books, papers and periodicals, and for expenses incurred in completing imperfect series; for the employment of additional assistants in the city of Washington and elsewhere; for official traveling expenses, and for library fixtures, library cards, supplies, and for all other necessary expenses, $18,000.

Mr. LEVER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 66, line 17, after the words "For books of reference," insert the words "law books."

Mr. LEVER. That is to take care of the situation I explained yesterday afternoon.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. McLAUGHLIN of Michigan. I do this, Mr. Chairman, for the purpose of answering the question of the gentleman from Wisconsin [Mr. STAFFORD], propounded during my temporary absence from the Hall yesterday.

Mr. LEVER. Before the gentleman does that, I think we had better return to the item.

Mr. McLAUGHLIN of Michigan. Yes. I ask unanimous consent, Mr. Chairman, that we return to that item, on page 45, at the end of the list of the forest reserves.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that the committee now return to the paragraph on page 45, relating to the Forest Service. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. The proviso relates to $200 for the purchase of land used as a forest-nursery site for the Michigan National Forest. This land is, and has been, used for a nursery for the growth of forest trees, particularly pine and cedar.

This site the department wishes to buy is a small piece of land, with buildings and improvements, that for two years has been rented by the Forest Service at $20 per year. The owner refuses to renew or continue the lease, and has offered to sell the place for $175.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. STAFFORD. My inquiry was not directed to the purchase of the nursery site; it was to obtain information as to the location of this Michigan National Forest. I never heard of it, although I live in a State adjoining the State of Michigan. I wish to be informed where it is located and its extent.

Mr. McLAUGHLIN of Michigan. This piece of land adjoins a parcel that is being used as a forest reserve in Iosco County, Mich. The particular piece of land is block 14 of the Newman addition to the city of East Tawas. It has a tool shed and a small house and a small building for the necessary use and comfort of those who use and occupy the property.

Mr. STAFFORD. I am quite interested in the extent of the forest reserve.

Mr. McLAUGHLIN of Michigan. I do not know the exact area of the forest reserve itself, but the particular piece of property is small. As I say, it is one block of an addition to the city near which the forest reserve is located.

Mr. STAFFORD. I notice that in the bill we provide one of the smallest amounts carried in the bill for the maintenance of the Michigan National Forest, $1,981—a tremendous amount for the maintenance of a large forest reserve. Can the gentleman give us any information as to the extent of the national forest bearing the name of the State of Michigan?

Mr. McLAUGHLIN of Michigan. I do not know the exact area of the land devoted to forestry in Michigan, but there are considerable areas that are owned by the State and are under the direction of State authorities, and the Federal Forest Service is cooperating in the work which is done at this particular place. The area of it I do not know, but it is owned and operated by the Federal Forest Service. I supposed the gentleman wished information particularly as to the parcel of land proposed to be purchased by the Forest Service by this $200 item in the bill.

Mr. STAFFORD. No. If the gentleman will examine the RECORD he will notice that I directed my inquiry particularly as to the extent of the great Michigan National Forest. Now, I am not surprised that the State of Michigan is providing for having its cut-over lands developed by State forest reserves, just as the State of Wisconsin has; but I was quite interested as to what the policy of the National Government was, and whether it was pursuing a policy similar to that of the State of Wisconsin. We have no national forest in the State of Wisconsin, but we are doing good work and expending large sums of money for the reforestation of our State forest lands.

Mr. McLAUGHLIN of Michigan. As I stated, a large part of the forestry work in Michigan is done under the direction of the State authorities on State land. I believe the parcels of land are not contiguous, but are reserves covering about 10 townships of 6 miles square each. The Government still has the title to small areas of land within or adjoining the larger area owned by the State. And while the work is largely done by State authority, because a large part of the land is owned by the State, the Federal Government is assisting and cooperating and working particularly the small areas owned by the Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. I ask unanimous consent to proceed for five minutes more, if necessary.

Mr. STAFFORD. I withdraw the reservation of the point of order, because the gentleman has given me so much information about the Michigan forest reserve.

The CHAIRMAN. The gentleman withdraws his reservation of a point of order.

Mr. McLAUGHLIN of Michigan. I believe it is not subject to a point of order, but I am glad to give the gentleman the information he wishes.

Mr. STAFFORD. I am still waiting for information about the Michigan forest reserve.

Mr. McLAUGHLIN of Michigan. What more can I tell the gentleman than that the State is carrying on forestry work on an area practically 10 townships in extent; that the Federal Government's activities are by way of cooperation with the entire work, but particularly as to the small areas included within the limits of the large areas largely owned by the State; and that this particular piece of land mentioned here to be purchased by the Government is a nursery contiguous to a part of the area being operated by the Federal Government; and that it is to be purchased because the lease can not be continued?

Mr. McKENZIE. The trees grown in this nursery are furnished to the State, as well as to the United States, are they not?

Mr. McLAUGHLIN of Michigan. They have been furnished largely to lighthouse reservations, 250,000 of them having been furnished each year for the last two years, and the service expects to be able to furnish at least 400,000 of them this year. It seemed inadvisable to get another location and, perhaps, lose the benefit altogether of the nursery work that has been done up to this time on this particular location. Therefore the department wishes to buy it.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose and the Speaker resumed the chair.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, informed the House of Representatives that the President had approved and signed bills of the following titles:

On January 12, 1919:

H. R. 12916. An act to provide for the temporary promotion of commissioned officers of the Marine Corps serving with the Army; and

H. R. 12945. An act providing for the purchase of uniforms, accouterments, and equipment by officers of the Navy, Marine Corps, and Coast Guard and midshipmen at the Naval Academy from the Government at cost.

On January 13, 1919:

H. R. 11709. An act granting the consent of Congress to Norman County, Minn., and Traill County, N. Dak., to construct a bridge across the Red River of the North on the boundary line between said States.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

RENT IN THE DISTRICT OF COLUMBIA.

Rent of buildings, Department of Agriculture: For rent of buildings and parts of buildings in the District of Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, $158,689.

Mr. JACOWAY. Mr. Chairman, I move to strike out the last word.

When this item for rent in the District of Columbia was reached, and when the bill was being considered by the Committee on Agriculture, the entire committee was of the opinion that this item should be materially reduced. In response to that suggestion a committee composed of the gentleman from Kansas [Mr. DOOLITTLE], the gentleman from Texas [Mr. YOUNG], and myself were appointed to inquire into this particular item and to report back to the full committee. The first witness whom we called was Mr. Dorr, who is the assistant director of munitions and who is fully advised, and his testimony reflects the fact that there are enough buildings that have been constructed during the war emergency to house the various and sundry activities of the Government, so that in a great measure rented buildings can be given up and housed in Government-owned buildings on Government-owned land. That statement was concurred in in a manner by Mr. Reese, of the Department of Agriculture, who states that the following activities of the Agricultural Department which are now renting quarters can be housed in Government-owned buildings, and for the benefit of the committee I read from a letter written by Mr. Reese, chief clerk, which in concise form presents this matter in a way that will shed great light upon the matter. Appended to his letter is a detailed statement of those particular units of the Department of Agriculture which in his opinion may be removed into Government-owned buildings. It is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., January 23, 1919.

Hon. H. M. JACOWAY,
House of Representatives.

DEAR MR. JACOWAY: I inclose herewith a statement of the buildings or parts of buildings now under rental by this department, which, in my opinion, may be vacated by the Department of Agriculture if it obtains the amount of space in Government-owned buildings which Mr. Dorr said this morning he thought we could depend upon getting by July 1, 1919. My recollection is that Mr. Dorr thought we could depend upon 100,000 square feet.

Is there not an impression in the minds of some of the committee that the department, in estimating for $158,000 for rent in the District of Columbia in the Agricultural appropriation bill for 1920, is asking for an increase? If so, permit me to point out that the amount estimated for is exactly the amount allowed for the fiscal year 1919.

I still venture to deprecate any cut in this appropriation for rent, not only because there is no increase asked over the current appropriation but because there is, to my mind, some uncertainty still as to what space we may get in Government-owned buildings. Mr. Dorr, for reasons which he set forth quite clearly, is apparently not able to guarantee any definite allotment of space. If, however, the committee in its wisdom decides that there must be a cut, I am of the opinion that the work now being performed in the buildings which I have listed in the attached statement can be done as well in a Government-owned building as in the present locations.

You will note that I show a total floor space in the attached statement of 52,708 square feet. Mr. Young's tabulation, as I recall it, showed something over 90,000 square feet. The difference, I think, is accounted for by Mr. Young including in his estimate the forty thousand-odd square feet which we are certain to get through Mr. Dorr, and of which we have actually in possession about 13,000 square feet. We had no intention of renting this amount of space; we expected to get it in Government-owned buildings. No question of expenditure for rent is involved in this forty thousand-odd square feet.

In the statement attached hereto I show a total amount paid for rent of $28,440. Please note that of this total $14,100 is paid from the current appropriation for rent in the bill for "Stimulating agriculture" and $1,800 from the fund "Administration of the United States warehouse act." The appropriation "Rent in the District of Columbia" in the Agricultural appropriation act pays the balance, $12,540. If the committee decides that a cut in this item "Rent in the District of Columbia" is necessary in the bill now under consideration, I venture to express the hope that such reduction will not exceed this $12,540.

Permit me to express my appreciation of the courteous and patient hearing which your subcommittee gave me. I fully understand the desirability of saving rent money wherever the department, without serious detriment to its work, can move into free quarters. I am only apprehensive lest it find itself unprovided with free quarters and with its rent appropriation reduced below the point where it can procure rented space for continuing activities.

I am sending a copy of this letter and statement to Mr. DOOLITTLE and to Mr. YOUNG of Texas.

Very truly, yours,

R. M. REESE, *Chief Clerk.*

Units of the Department of Agriculture which, in the opinion of the Chief Clerk, may be removed into Government-owned buildings.

Location of building.	Occupied by.	Net floor space (square feet).	Annual rental.	Annual rental per square foot (net).	Appropriation from which paid.
Homer Building, 601 Thirteenth Street NW	Bureau of Markets	9,900	$8,500	$0.857	Stimulating agriculture.
224 Twelfth Street SW	Office of Farm Management	9,164	2,500	.272	Rent in the District of Columbia.
215 Twelfth Street SW	do	2,129	450	.211	Do.
217 Twelfth Street SW	Farm Management, Office of Exhibits	2,055	450	.218	Do.
Bank of Commerce & Savings, Seventh and E Streets NW.	Bureau of Markets	7,060	5,400	.764	Rent in District of Columbia ($1,600). Stimulating agriculture ($2,000). Warehouse act (Bureau of Markets) ($1,800).
Legal Building, Eighth and G Streets NW	do	8,100	7,000	.864	Rent in the District of Columbia.
1120 Virginia Avenue SW	Bureau of Entomology	2,800	540	.192	Do.
Basement 1227 F Street NW	Bureau of Markets	3,600	900	.25	Stimulating agriculture.
Woolworth Building, 406 Seventh Street	States Relations Service	7,900	2,700	.341	Do.
		52,708	28,440		

Rent in District of Columbia pays	$12,540
Stimulating agriculture pays	14,100
Warehouse act pays	1,800
	28,440

It will be seen that Mr. Reese states that 52,708 feet of space now occupied by the Department of Agriculture, for which a rental of $28,440 is now being paid, can be cut down so that the rent on this item can be decreased $12,540. In part, this is the opinion of Mr. Dorr, who has exclusive jurisdiction of all the buildings that have been constructed in Washington City as the result of the war. The committee went into this in a rather careful way and the record of the hearing covers some 62 pages. With that statement, I move that this item be decreased $12,540.

Mr. STAFFORD. Will the gentleman yield?

Mr. JACOWAY. I will.

Mr. STAFFORD. Will the gentleman inform the committee, after that reduction, what rented buildings will the department still continue to occupy? I think the gentleman should inform the committee as to whether these buildings for which we are providing rental can be vacated and those activities placed in some of these temporary buildings owned by the Government.

Mr. JACOWAY. I have just made a statement about that.

Mr. STAFFORD. It has been the policy of the legislative committee that has charge mostly of the rented buildings of the departments other than the Department of Agriculture to decline absolutely to provide rental for any of the departments of the Government, and so to force the vacation of privately owned buildings and the removal of governmental activities into the temporary buildings on the Mall and on other public grounds.

Mr. JACOWAY. I have just read a list of those buildings, and I have stated the amount of reduction which these gentlemen believe can be made.

Mr. STAFFORD. I am now rising for information as to the private buildings that will continue to be occupied under the proposed plan of the Government.

Mr. JACOWAY. I have mentioned buildings which are now occupied, and for which the Government is paying a yearly rent, and those activities which can be moved into Government-owned buildings and which will result in a saving to the Government for rent.

Stimulating agriculture pays $14,100. The wire act pays $1,800; that is an appropriation from the emergency fund. The items I have read make appropriation for a total rental of $12,540. According to Mr. Reese, who is chief clerk, he states that they can be housed in Government buildings, owned by the Government, on Government-owned lands.

Mr. STAFFORD. Will the gentleman favor the committee with the information as to what private buildings will be occupied by the Department of Agriculture under the rental provision that he now supports?

Mr. JACOWAY. I think this information can be supplied; and if so, I will take pleasure in giving it in detail.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, in my opinion this item can very properly be reduced by a much larger amount than that stated by the gentleman from Arkansas. In fact, from the information I have been able to get, it is my belief that the item can be stricken from the bill entirely. The Department of Agriculture has for a long time been renting a great deal of space; much of it I believe has been unnecessary because the Government owns buildings and has owned them and they are and have been unoccupied; they could very well be occupied by the Department of Agriculture.

Mr. DALLINGER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. DALLINGER. May I ask the gentleman from Michigan why it is that there is no movement on the part of the Government to complete the Agricultural buildings according to the original plans so that these bureaus can be housed under one roof?

Mr. McLAUGHLIN of Michigan. That is a large proposition and involves the expenditure of a large sum of money. The building of a main building between the two wings would require a lot of money, a lot of time, and require action by Congress. During war times, particularly, it has not been thought advisable to embark upon such a large scheme and spend so much money.

Mr. DALLINGER. In the long run would it cost any more when you take into account the interest and time that is occupied in going from one bureau to another?

Mr. McLAUGHLIN of Michigan. As I understand the original plan of constructing a main building between the two wings when fully carried out it would not furnish anything like the room and space that the various activities of the department require. Even should the main building be constructed, or if we had it now, it would be necessary to occupy a great deal of outside space. But my contention, Mr. Chairman, is that there are Government-owned buildings that are now unoccupied and that the Department of Agriculture should be required to occupy some of them, and that money for the rent of other places should not be appropriated.

You find in this bill besides the appropriation in question an appropriation for the grain-standard work.

On page 84 it reads "including such rent and employment of such persons in the city of Washington as the Secretary may deem necessary," a very tidy sum of $598,600.

There is no limitation on the Secretary of Agriculture in the expenditure of that money, and he may expend a large amount of it for rent.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that at the end of the gentleman's statement, debate on this paragraph and amendments thereto be closed.

Mr. McLAUGHLIN of Michigan. There will be further discussion on this.

Mr. LEVER. Let us see if we can not reach an agreement for time.

Mr. MANN. Is there an amendment pending?

Mr. LEVER. Yes.

Mr. MANN. Will there be other amendments offered?

Mr. LEVER. I do not think so; not from this side.

Mr. McLAUGHLIN of Michigan. The gentleman from Minnesota [Mr. ANDERSON], who has just stepped out, wishes to speak on this matter.

Mr. LEVER. I ask unanimous consent, Mr. Chairman, that all debate on this paragraph close in 30 minutes—the gentleman from Michigan to have 5, the gentleman from Iowa [Mr. HAUGEN] to have 5, the gentleman from North Dakota [Mr. YOUNG] to have 5, the gentleman from Minnesota [Mr. ANDERSON] to have 5.

Mr. McLAUGHLIN of Michigan. I object, Mr. Chairman; I do not wish to continue the discussion unnecessarily. There is a good deal to be said on this, and a number of gentlemen wish to speak on it.

Mr. LEVER. I have provided in my request for gentlemen who wish to speak.

Mr. McLAUGHLIN of Michigan. Yes; but they are limited to five minutes. I hope the gentleman will not think I am trying to consume time unnecessarily.

Mr. LEVER. Oh, absolutely not. I wanted to get along on the bill. However, Mr. Chairman, I will withdraw the request.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, there are, as I have said, a number of unoccupied buildings in Washington, buildings that have been vacant for a long time. The Secretary of Agriculture has shown the same disposition as has been shown in other departments in refusing to occupy these buildings, preferring to come to Congress and ask for money to pay rent of other buildings. For a long time nearly all the buildings owned by the Federal Government in the block between Fourteenth and Fifteenth Streets on Pennsylvania Avenue, across the Avenue from the Willard Hotel, have been unoccupied. But the control of them, the actual occupancy of them, can be secured by the Federal Government if proper action is taken. There is space there available for the Department of Agriculture. The Maltby Building, the Senate Annex, has been vacant for a long time.

And there are other buildings I might name suitable and abundantly large to house all the extra activities of the Department of Agriculture.

Mr. MANN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. Yes.

Mr. MANN. Does not the gentleman know that the Maltby Building is generally considered unsafe, and that is one reason why it is not occupied?

Mr. McLAUGHLIN of Michigan. At one time the Maltby Building, as the gentleman from Illinois says, was considered unsafe, but I am told it has recently been reinforced, and is now considered entirely safe. The Government has been working on that building, as the gentleman from Iowa says, all summer, and it is now fixed up and made safe.

Mr. SLOAN. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I will.

Mr. SLOAN. In reference to the Maltby Building, it was considered safe enough about three years ago to house about 100 Congressmen for several months, representing districts all over the United States.

Mr. McLAUGHLIN of Michigan. It was considered safe enough to house a very large number of Senators.

Mr. MANN. It housed a small number of Congressmen, and that is the reason we made them move out, because the building was unsafe.

Mr. McLAUGHLIN of Michigan. It was considered safe later when hundreds of Confederate veterans were housed there during their reunion in the city of Washington. There is a disposition on the part of the Department of Agriculture to continue all its war activities and involve the country in an enormous expense. Its officials show a disposition to refuse to return to normal times and to carry on their regular and proper activities that are proper for times of peace. But I understand the report made to the committee, of which the gentleman from Arkansas is chairman, is to the effect that there is space enough now owned, unoccupied, to house all the activities needing space or for which the Department of Agriculture is now paying rent in the city of Washington. In my judgment, we can get along now without the payment of any additional money for rent.

Mr. JACOWAY. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I have only a short time.

Mr. JACOWAY. Mr. Chairman, I want to say in response to what the gentleman from Michigan has just stated that Mr. Dorr did say to the committee that in time there would be enough space in all of these Government buildings that have been constructed as a result of war emergency in which every activity of the Department of Agriculture could be handled that was now asking for additional floor space; but he said it could not be done now. He further made the observation that we were paying rent on the buildings we are now occupying up to the 30th of June. He said in addition to taking care of the activities of the Department of Agriculture that every other department of this Government was clamoring for space——

Mr. McLAUGHLIN of Michigan. Yes; every other department of the Government is spending all the money it can, and every other department of the Government is striving to continue its war activities, it is enlarging the scope of work, unwilling to return to normal times. In view of the expenditure of immense sums of money I think we ought to cut down to normal times and try to save a little money instead of trying to spend it wherever we can. [Applause.]

Mr. JACOWAY. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. My time is limited. I think my friend has reported the situation fully. There is space, and for a long time has been, to house all of these extra activities of the Department of Agriculture.

Mr. JACOWAY. Will the gentleman yield there?

Mr. McLAUGHLIN of Michigan. And the Secretary of Agriculture has not seen fit to transfer his work to Government-owned property and he does not like the idea now of having Congress refuse his request for large money to pay rent. He admits practically that there is plenty of room and that he can make transfer in time, and he has neglected for a long time to make any effort to make the transfer. When will the Secretary act? When will he be willing to use Government-owned property and avoid expense of renting property? When will he be willing to exert himself, if a little exertion shall be necessary, to effect some reasonable measure of economy in his department?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. I think by refusing these very large appropriations we ought to make it necessary for him to act now. The Congress has waited long enough. I sincerely believe these large appropriations for rent are altogether unnecessary.

Mr. GREEN of Iowa. Mr. Chairman, I wish to say that I entirely agree with what the gentleman from Michigan has said. I observe that the Maltby Building is being put in first-class condition. Its weak points are being strengthened and the building made useful. I do not know why this was not done a long time ago instead of constructing buildings all over the city, a great many of which will be entirely unnecessary.

Mr. JACOWAY. Will the gentleman yield? Would the gentleman state to the committee in what particular building in the city of Washington that he would put these activities at the present time that is not now occupied?

Mr. GREEN of Iowa. Well, the gentleman certainly knows that the Maltby Building is not being occupied at the present time, if he has given any observation in regard to it, and we have a large number of other buildings.

Mr. HAUGEN. Mr. Reese, of the Department of Agriculture, called the attention of the committee to the fact there were 40,000 feet available on leased ground, and if it is desired the Government should occupy the 40,000 feet all that is necessary to provide for it is to pay the rent.

Mr. YOUNG of North Dakota. Mr. Chairman, I do not think the question is how much space is available but how much space now available can be properly used. The reference to the Maltby Building, I think, is just confusing the issue. There is no question but that there is going to be an amount of space available in these temporary buildings on Seventh Street in excess of what the Department of Agriculture can properly use. So the question of space over in the Maltby Building has nothing to do with this proposition at all. I think every fair-minded person here will admit that a certain portion of the offices of the Department of Agriculture could not be put in these temporary buildings on account of the value of their files. This matter of moving portions of the department's activities is merely a question of what the character of the work is that is being done and the value of the files. In some of the offices there are scientific files and data accumulated during many years, which should be protected from loss by fire.

Mr. HAUGEN. Will the gentleman yield?

Mr. YOUNG of North Dakota. I have only five minutes. In a minute I hope to be able to yield to the gentleman.

I think the Secretary of Agriculture has made a fair effort to meet the views of the committee and of Congress in regard to the matter of rentals. The gentleman from Arkansas read a list indicating where they are to move out—that is, from the Homer Building, and from the Bank of Commerce, and from the basement of 1227 F Street, and from the Woolworth Building. This totals 23,400 square feet of space where he is willing to move activities now in operation. In addition to that, there are 41,800 square feet that he is going to use for activities that are to commence hereafter. There is new work to be undertaken for the Bureau of Markets, which is going to occupy 20,000 feet of these temporary buildings. For the Bureau of Chemistry, new work, they are going to occupy 4,800 square feet, and for Crop Estimates, 8,000 feet.

That makes a total of 66,200 square feet which the Secretary of Agriculture is going to use in those temporary buildings. We ought not to overlook the fact that the greater portion of the space is to be used for new work. Now, it is barely possible that a very small amount of extra space could be properly utilized, but the committee checked that over very carefully, and it was our judgment, and we were unanimous, that the buildings for which a rental of $12,500 has been paid are the only ones from which the offices may be properly moved at this time. I do not have any disposition——

Mr. SNYDER. Will the gentleman yield?

Mr. YOUNG of North Dakota. I promised to yield to the gentleman from Iowa [Mr. HAUGEN], and I will do so at this time.

Mr. HAUGEN. I was going to suggest, in speaking about the fireproof buildings, that if any department has used great care in selecting fireproof buildings it is the Department of Agriculture, and certainly the Maltby Building is far superior to any other building hired by the department. It is the best building hired by the department outside of the one across from the Willard Hotel. Speaking about the safety of the Maltby Building, why expend these hundreds of thousands of dollars for its repair?

Mr. YOUNG of North Dakota. These temporary buildings on Sixth and Seventh Streets are perhaps no better. But it is not a case of quantity. The question is, how much space in the temporary buildings can be used to advantage and without endangering valuable records.

Mr. HAUGEN. The Maltby Building has been there for years, and it has been available, and has not been occupied, and it is time now for Congress to take action and make the direction so plain that it will be clearly understood as to what is intended.

Mr. YOUNG of North Dakota. The gentleman makes the mistake of believing that it is space of which we are short. There is any amount of space on Sixth and Seventh Streets. We can probably get over 100,000 square feet for the Department of Agriculture there. The question is, how much of our activities can properly be moved over there at this time. The Maltby Building has nothing to do with it.

Mr. SNYDER. I would like to call the attention of the gentleman to a building that I discovered yesterday and that I did not know was in the city of Washington. It is a new building on Fourteenth Street and Ohio Avenue, known as the War Industries Building, and there must be at least 20 acres of space in that building unoccupied by anybody. There is a small part of the Internal Revenue Bureau moving into it. It seems to me improper to rent more property when you have acres of floor space unoccupied.

Mr. YOUNG of North Dakota. The Department of Commerce is going to use that for taking the census. They require 350,000 square feet, and they are going into that very building of which the gentleman speaks.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, if I may be permitted to say so, either the Department of Agriculture or the Committee on Printing would render a service by inserting in the Congressional Directory the location of the various branches of the department. Nearly every other department of the Government indicates where its bureaus are located. The Department of Agriculture or the Committee on Printing does not do that. We know where the main building of the department is. I know where the old building is. I do not know what occupies either one of the buildings, and nobody else does, unless he goes and finds out or has recently been there. You do not know where the Bureau of Chemistry is; you do not know where the Bureau of Animal Industry is; you do not know where the office of the Farm Management Bureau is, or, if you do not know, you do not get any light from the Congressional Directory. And the same is true of all the other bureaus of the Department of Agriculture. It will be very easy to designate the location in the Directory. When I go to the Department of Agriculture I find it to be universally my experience that I go to two or three places before I find the one I want—always two, and sometimes more.

Now, having said that, and hoping it will have some effect on some callous hide that has to deal with the printing of the Directory, although my communications on that subject heretofore have had no effect, I want to say this: I am opposed to permanent occupation of the buildings erected on the parks in Washington, and that includes the Maltby Building. We purchased all the land around the Maltby Building. We own all those houses down there the other side of the building, north and west of it. We have acquired that property for the purpose of making a park, running from here to the Union Station, a fitting addition to the Capitol Grounds. We have put a lot of temporary buildings on the ground that was cleared off. The ground where these temporary buildings are located used to be covered with houses. Those houses were cleared off. Then we proceeded to get some temporary buildings there. That was for war purposes. The Maltby Building was ready to fall down, but for war purposes it has been provided that it be reinforced. It ought to be torn down, and all the rest of those buildings there ought to be torn down, at the earliest possible moment. The same is true of these buildings on the Mall, and if the Government of the United States or Congress starts to occupy those buildings permanently they will be there for years and years to come. I do not believe in letting somebody creep in to steal a public park temporarily and then, having gotten possession of it temporarily, claim they ought to keep possession of it permanently. [Applause.]

Those parks belong to the people of the country as parks. While it may have been proper to erect temporary buildings upon them for war purposes, I think it is a violation of all decency if Congress shall permanently undertake to have those parks occupied with public buildings. After having spent millions of dollars in acquiring this property over here as an addition to the Capitol Grounds, if we shall now undertake to locate permanently various bureaus and departments of the Government in the buildings that stand there it will not only have been a great loss financially in the purchase of the property, but I think it will be a disgrace to Congress in Washington. [Applause.]

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SNYDER rose.

Mr. LEVER. Mr. Chairman, I renew my effort to limit the debate on this proposition. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes. Only two gentlemen appear to desire time. Let us not drag over an item of $148,000 after we have passed upon millions.

Mr. HAUGEN. I understand the gentleman from Minnesota [Mr. ANDERSON] desires five minutes.

Mr. McLAUGHLIN of Michigan. What is the gentleman's request as to when the debate on all amendments shall close?

Mr. LEVER. The gentleman from Minnesota informs me that he does not want any time at all.

Mr. McLAUGHLIN of Michigan. Would the gentleman stop debate on all amendments or only on this amendment?

Mr. LEVER. On all amendments. If the gentleman from New York [Mr. SNYDER] has an amendment, let him offer it and speak on it.

Mr. SNYDER. I have no amendment, but I want to speak on this proposition for a few moments.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on this paragraph and all amendments thereto close in 15 minutes. Is there objection?

Mr. STAFFORD. Reserving the right to object, how will that time be allotted?

Mr. LEVER. The gentleman from New York [Mr. SNYDER] will have five minutes and the gentleman from Wisconsin five minutes, and I will reserve five minutes and yield it to somebody.

Mr. STAFFORD. Reserving the right to object, the gentleman from Iowa [Mr. HAUGEN] says he wants five minutes.

Mr. LEVER. I will make it 20 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on the pending paragraph and all amendments thereto close in 20 minutes. Is there objection?

There was no objection.

The CHAIRMAN. Before the gentleman from New York [Mr. SNYDER] proceeds the Chair desires to state that the amendment of the gentleman from Arkansas [Mr. JACOWAY] has never been formally reported.

Mr. LEVER. I ask that it be reported.

The CHAIRMAN. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. JACOWAY: Page 67, line 22, after the word "agriculture," strike out the figures "$158,689" and insert in lieu thereof "$146,189."

Mr. SNYDER. Mr. Chairman, in line with what the gentleman from Illinois [Mr. MANN] has just said with reference to taking up permanent quarters in these temporary buildings I agree with him absolutely. I just want to state that yesterday I had occasion to go to the Revenue Bureau, and discovered that the section of that bureau that I had some business with had been moved, and after walking about 3 miles, being directed from one place to another, I finally found they had moved into what is known as the new War Industries Building, down on Fourteenth Street and Ohio Avenue. It is a very large building, and that bureau has moved into one corner of it, and my impression was, from the information I got there, that the Revenue Bureau expects to take over that entire building for permanent use.

It seems to me that it is about time that we or somebody went on record in regard to what is proposed to be done with these temporary buildings. I had supposed that those buildings over here near the station were not to be used, but I notice

in passing there that many of them are already occupied. It strikes me that if we are going to continue to permit these structures to be occupied by the various bureaus we will find that the occupants are permanently located, and we will never be able to get them out.

Now, one thing that the people of this country are demanding is that superfluous employees and inefficient employees should be dismissed from these various departments. Another thing they are insisting upon is that those that are now in positions shall do something for the money they get. I favor good compensation for everybody who is employed to perform public service, but I also favor an honest day's work for it, and unless something is done soon to correct the present situation we will find something on our hands—a trouble on our hands other than unemployment—and I think that this administration should set its mind at the present time upon——

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. MOORE of Pennsylvania. In regard to the question of unemployment, does not the gentleman think that one of the easiest ways to relieve the public distress on that score is to find places for the unemployed in the Department of Agriculture?

Mr. SNYDER. That is one way to do it. But I am opposed to it unless you find some necessary employment for the persons that you put in.

Mr. MOORE of Pennsylvania. Does not the gentleman think that the Department of Agriculture has taken over as many unemployed as any other department?

Mr. SNYDER. I think they have taken over more. I should think so. I think this $11,000,000 that was put through last fall was the biggest steal that was ever put through, and this bill provides a million and a half dollars for the same purposes.

Mr. MOORE of Pennsylvania. The gentleman will notice that a large number of extra clerks are provided for in this bill?

Mr. SNYDER. Yes. I do not see how the Committee on Agriculture could have the nerve to bring in a larger appropriation bill at this time than the last one.

Mr. MOORE of Pennsylvania. Does not the gentleman think that a great many unemployed soldiers could well be added to this vast corp of experts, professors, and lecturers, and other scholars that we are proposing to put into the Department of Agriculture to educate the farmer?

Mr. SNYDER. I think this thing of providing for the soldier is being overworked. I think if the soldiers are left to provide positions for themselves they will do it a good deal quicker than it can be done by this mistaken method of mothering and coddling that we see in operation.

Mr. MOORE of Pennsylvania. Does not the gentleman think we ought to make points of order against the unauthorized increases that are provided for here?

Mr. SNYDER. I do.

Mr. MOORE of Pennsylvania. Why not begin on this bill?

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. McLAUGHLIN of Michigan. I think the gentleman is entirely right in his statement that this bill carries improper amounts for continuing some of the war activities, but it is not entirely right to say that the bill carries a million and a half dollars in addition to the amount provided by the supplemental bill of $11,000,000 that was recently passed. The amount carried by the supplemental bill for the particular work the gentleman has in mind was $6,100,000, and this bill carries $1,500,000 for those purposes.

Mr. SNYDER. This bill, as I understand it, carries $1,500,000 in addition to the $11,000,000 appropriated last year for those purposes.

Mr. McLAUGHLIN of Michigan. No. The gentleman is entirely mistaken.

The CHAIRMAN. The time of the gentleman from New York has expired. Under the allotment of time the gentleman from Wisconsin [Mr. STAFFORD] is recognized for five minutes.

Mr. STAFFORD. Mr. Chairman, in the paragraph under consideration, as reported, for rental of private buildings for use of the Department of Agriculture in the District the same amount is carried as was carried last year, $158,000. They offer an amendment to reduce that sum by the measly amount of $12,540.

Anyone who has given any consideration whatsoever to the rental of buildings used by the Department of Agriculture knows that they are distributed in about 50 private buildings a. an aggregate average rental greater than is paid by any other department of the Government. The legislative committee that has charge of the rental of all buildings for all the other departments save the Department of Agriculture adopted a policy of cutting out the rental and forcing departments into the Government-owned temporary buildings where there is 4,000,000 square feet of space available.

The gentleman from North Dakota [Mr. YOUNG] shakes his head. I say the testimony before the Appropriations Committee on the legislative bill shows that there are 3,994,900 feet available. I said 4,000,000 feet.

Mr. YOUNG of North Dakota. The gentleman means the total space in those buildings—not the unoccupied available space.

Mr. STAFFORD. Available in these temporary office buildings now for the various activities of the Government.

I do not subscribe to the idea advocated by the gentleman from Illinois [Mr. MANN] that these buildings which have been erected at the expense of millions and millions of dollars should now be torn down. They should be utilized during their serviceability, which will very likely be 10 years. The Alien Property Custodian is housed in the most expensive apartment building on Sixteenth Street.

The Federal Trade Commission and other governmental activities are now distributed through the District in private buildings. They should all be forced to move into these temporary office structures until the Government can find time to erect modern office buildings; not ornate buildings, as has been proposed by some, but modern office buildings, such as was purchased by the Secretary of the Treasury for use of the Internal-Revenue Bureau and the War Risk Insurance Bureau, the building on the Arlington Hotel site, or the building erected by the Interior Department. They are sensible modern office buildings.

Mr. YOUNG of North Dakota. Mr. Dorr, who has charge of the space available in the various buildings, said that there was only between 600,000 and 700,000 square feet available in the various buildings.

Mr. STAFFORD. I read from Mr. Dorr's testimony before the subcommittee on the legislative bill, from page 1054:

Mr. BYRNS. What is the total net available space for office purposes in all of these buildings

Mr. DORR. 3,994,900 net square feet.

Mr. ANDERSON. A great deal of that space is now occupied.

Mr. STAFFORD. That is the total available space. Now, there was a provision in the legislative bill apportioning this space, but it went out on a point of order. Mr. Dorr does not testify either before the gentleman's committee or before any other committee that there is no available space in these temporary buildings to house the activities of the Department of Agriculture; but instead of attempting to drive them out of these high-priced private office buildings—such as the Munsey Building, where you are paying more than a dollar per square foot—you come in here and propose a cut of $12,000 in a total appropriation of $158,000, a remarkably small reduction.

Mr. Chairman, these buildings that we have erected here on the Mall and in Potomac Park will be utilizable for 10 years, and now that we have spent millions and millions of dollars in erecting them it is good business policy to keep on utilizing them until they get into a state where the cost of repair and upkeep will be so great that it will be better to demolish them. In the meantime, let us adopt the policy of building modern office buildings to house the present and growing activities of the Government. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 67, line 22, substitute for the amendment of the gentleman from Arkansas [Mr. JACOWAY], as follows: "Strike out $158,689 and insert in lieu thereof $100,000."

Mr. HAUGEN. Mr. Chairman, the gentleman from Illinois [Mr. MANN] stated that if we start to occupy the temporary office buildings their occupancy will be made permanent. I submit that as long as we are issuing bonds at 4¼ per cent it would seem a good business proposition to occupy these temporary buildings that will accommodate the people employed in the Department of Agriculture better than they are, in many instances, provided for to-day. We have heard much about these buildings not being fireproof. As I stated a moment ago, the Department of Agriculture hires more buildings not fireproof than any other department. As I have said, these buildings are superior to those that we are now paying rent for. The Maltby Building and the whole block of buildings there, three or four stories high, are far superior to the majority of

the buildings that the Government is now hiring. The gentleman has asked, "Why not complete the department buildings of the Department of Agriculture?" My answer to the gentleman is that that plan was blocked by the Real Estate Trust of Washington, first by the erection of the buildings underground, and next by the erection of a five or six story building on the ground contemplated for the site of the department building. So that, of course, is out of the question unless a new site is selected and a proper plan and building is decided upon. I think nobody would now suggest the completion of the plan originally suggested.

Mr. DALLINGER. Do I understand, then, that it is the gentleman's idea that that Agricultural Department Building should never be completed?

Mr. HAUGEN. Not the one that is under construction. I can not imagine that any sane man would even suggest such a thing. As the gentleman knows, that building was put nearly two stories of it underground, and another thing, a large six-story building was erected on the site that had been selected for the department building, which would have to be condemned and removed, which would make the site too expensive.

Mr. DALLINGER. Then it is the gentleman's idea that those two wings are going to stay there with that little miserable brick building in the middle to be a disfigurement to the city.

Mr. HAUGEN. They can be disposed of in various ways.

The gentleman from Wisconsin has called attention to the space which is available. It is common knowledge that clerks are being discharged here and leaving the city, and space is being made available every day. The department called attention to 40,000 feet available now. Objection is made to the use of it because it is on leased ground. That ought not to stand in the way. If necessary, we could provide for paying rent of the real estate. The buildings are there; they have been constructed at large expense. As long as we are issuing bonds, it is well to consider and practice a little economy, especially at this time. I trust the amendment will carry.

Mr. JACOWAY. Mr. Chairman, I think there is no Member on the floor of this House more anxious to save money for the Federal Government than I am. I do not believe in paying rent on buildings not owned by the Government when buildings Government owned can be secured. But after looking into the testimony in this matter; after we have called Mr. Dorr before the committee, and who is thoroughly advised; and after the testimony of Mr. Reese is considered, as I stated before, in time I think the Government can save possibly $53,000 in rent on account of rent now paid for the activities of the Agricultural Department in buildings not owned by the Government and moving them into Government-owned structures. Mr. Dorr says that on account of the great demand for extra space by other departments they are short of space, but he thinks by December next that not only can the Agricultural Department be taken care of, but many other departments can be housed in buildings now owned by the Government and on land owned by the Goverment.

As I stated, I am as anxious to save money as any gentleman on this side or the other side of the House. The Secretary of Agriculture stated to the committee that to go ahead and take certain activities out of certain houses that are now in need of space that they are proposing to, he is fearful that when the end of the fiscal year comes he will find himself in a position of having no space and having no appropriation in which to house the activities of the department, and the great Department of Agriculture will find itself embarrassed.

He says to this committee if you will let him administer this matter he will move these Government activities out of the houses on which we are now paying rent at the earliest practicable moment. I think his wishes should be respected. I say that if we are to err we ought to err on the side of virtue. I do not want to do anything to cripple this great Agricultural Department, and I am positively sure I do not want to do anything that will subscribe to the doctrine of spending money uselessly on the part of the Government, and especially at the present time, when every dollar that can be saved should be saved.

Mr. DOOLITTLE. Will the gentleman yield?

Mr. JACOWAY. Yes.

Mr. DOOLITTLE. The gentleman heard the statement that Mr. Dorr said that there were 4,000,000 feet available in temporary buildings. Is it not a fact that Mr. Dorr said that all that space was now occupied?

Mr. JACOWAY. He said, as I recall, that all the space was occupied except a small portion on the corner of Sixth and B. The balance of the space was occupied, but he is of opinion that if given time that a great volume of money could be saved for the Federal Government by housing certain of these Government activities on property owned by the Government. But now it could not be done. Mr. Reese stated also that all these new items I have enumerated could go out of these places at the present time into houses owned by the Government, and in addition to that, he stated by the end of the fiscal year there will be other buildings becoming vacant that they could go into on Government-owned property. But at the present time we would run a chance of crippling the Agricultural Department and placing it in the anomalous position at the end of the fiscal year of being without space and no money to rent space. The subcommittee has gone into the matter in the limited time it had, taking testimony covering 62 pages, and I think out of abundant caution we ought to go slowly and be positively sure that no injustice is done the Agricultural Department in the question of ample quarters. I believe that at the end of the fiscal year, according to the statement of the Secretary of Agriculture, we can reduce it three or four times the amount of the decrease suggested by my amendment, and if it can be done we have the positive and unqualified assurance from the office of the Secretary of Agriculture that it will be done and every dollar possible saved to the Government. I am willing to risk the Secretary of Agriculture in this matter, and I know that the trust so placed in him will not be abused, but will be carried out to the letter conscientiously and in detail.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Michigan [Mr. McLAUGHLIN].

The question was taken; and on a division (demanded by Mr. McLAUGHLIN of Michigan) there were 24 ayes and 35 noes.

So the substitute was lost.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Arkansas.

The amendment was agreed to.

The Clerk read as follows:

STATES RELATIONS SERVICE.

Salaries, States Relations Service: One director, $4,500; 1 chief clerk, $2,000; 1 clerk or chief accountant, $2,400; 1 financial clerk, $2,000; 1 clerk, $1,980; 1 clerk or proof reader, $1,800; 4 clerks, class 4; 11 clerks, class 3; 2 clerks, at $1,500 each; 13 clerks, class 2; 2 clerks, at $1,320 each; 1 clerk, $1,260; 36 clerks, class 1; 3 clerks, at $1,100 each; 39 clerks, at $1,000 each; 31 clerks, at $900 each; 1 clerk or lantern-slide colorist, $900; 3 clerks, at $840 aach; 2 clerks, at $720 each; 5 messengers or laborers, at $720 each; 2 messengers or laborers, at $600 each; 3 messengers or laborers, at $480 each; 3 messenger boys, at $600 each; 13 messenger boys, at $480 each; 1 messenger boy, $360; 3 messenger boys, at $300 each; 1 skilled laborer, $900; 4 charwomen, at $480 each; 11 charwomen, at $240 each; in all, $203,840.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I wish to inquire as to this new position, "one clerk or chief accountant, $2,400." What is the purpose of that peculiar phraseology at the bottom of page 67?

Mr. LEVER. This employee has been transferred from a lump-sum fund to the general administrative expenses and statutory roll with the same title—no change in the salary.

Mr. STAFFORD. Was he formerly on the statutory roll?

Mr. LEVER. No.

Mr. STAFFORD. How long has he been receiving a salary of $2,400?

Mr. LEVER. I can not say.

Mr. STAFFORD. If he is an accountant, what is the need of calling him a clerk? We do not generally pay clerks $2,400.

Mr. LEVER. I assumed that he may be clerk and chief accountant.

Mr. STAFFORD. There is no instance in this or any other bill where we are giving a salary of $2,400 to a clerk.

Mr. LEVER. I will move to amend that.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. LEVER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 67, line 25, strike out, after the word "one," the words "clerk or."

The amendment was agreed to.

The Clerk read as follows:

For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision as the additional appropriations made by the act of May 8, 1914 (33 Stats. L., p. 372), entitled "An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture," $1,500,000; and all sums appropriated by this act for use for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefits of said act of May 8, 1914.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. McLAUGHLIN of Michigan. What is it?

Mr. STAFFORD. The point of order is it is new legislation heretofore not authorized by existing law.

Mr. LEVER. Mr. Chairman, I think the gentleman is entirely wrong about that.

Mr. STAFFORD. I can be convinced if I am. I have read the hearings and I think I know, although I know I have not all the information which the gentleman has about it.

Mr. LEVER. Mr. Chairman, the situation with respect to this item is this. In the food-production act, which is now in force, there is carried a sum of $6,100,000 for county agent, farm, dairy, and home-economics work. In the supplemental estimates the Secretary of Agriculture requested an appropriation of $5,670,000, in addition to the funds available under the extension act. The committee, after a very full and earnest consideration of the whole proposition, agreed to bring in this item increasing the appropriation for farm-demonstration and home-economics work by $1,500,000 over the fund that would ordinarily be available for the next fiscal year. So that we have very considerably reduced the estimates of the department. We have reduced them by $4,500,000 in round numbers. This proposition here merely anticipates the maturity of the so-called Smith-Lever Act. The committee felt in *refusing* the estimates of the Secretary of Agriculture that it was acting wisely for this reason:

The testimony before our committee from time to time discloses the fact that one of the chief difficulties in the organization of the work under this act came as the result of the inability of the department to find suitable men and women for this character of work. And when it was suggested that we should provide for an appropriation of something over $4,000,000, the thought that forced itself upon the minds of members of the committee was this, that this organization, which is now in operation, had been built up under an emergency condition, under war conditions, hastily gotten together, and that of necessity there must be a good deal of inefficiency in it. We felt that we were justified, notwithstanding the earnest plea of extension workers and presidents of agricultural colleges, and the Department of Agriculture itself, that it was unwise to break down this organization and build it up again, and that we would be acting wisely in eliminating from this organization such inefficiency as of necessity had to get into it on account of the haste with which the organization was built. The total appropriations for farm-demonstration and home-economics work for the next fiscal year will amount to $5,776,320, which in large measure will be matched by the State, so that, as a matter of fact, we should have a fund for that purpose during the next fiscal year of between $10,000,000 and $11,000,000. They are expending at the present time during this fiscal year, in round numbers, $8,000,000 of Federal funds and $8,000,000 of funds contributed by States, counties, various business organizations, and so forth, so that the total expenditure for this work during this fiscal year is about $16,000,000. Under the proposal of the committee the total appropriations for the next fiscal year will be something in the neighborhood of between $10,000,000 and $11,000,000.

Mr. STAFFORD. Can the gentleman inform the committee as to how much is being expended by the Department of Agriculture, or is contemplated to be expended by that department, for the next fiscal year if the amounts carried in this bill are appropriated, together with the permanent appropriations that they have under substantive acts of legislation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. I ask unanimous consent to proceed for three minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LEVER. I will be very glad to give the information, although I just gave it a moment ago. Out of the Smith-Lever fund there will be $3,080,000 in round numbers. Out of the two items which we have just read for cooperative demonstration work we will have a fund of $1,196,320, and this proposal is $1,500,000, so that the total for the next fiscal year of Federal funds will be $5,776,320, which will be supplemented, of course, by State funds, which, as I stated a moment ago, would likely bring it up to between $10,000,000 and $11,000,000.

Mr. STAFFORD. That is not what I desired. The gentleman is only giving a small portion of the information I am seeking to obtain. I wish to ascertain the total of funds that will be available under the control of the Department of Agriculture for the next fiscal year under this bill if adopted as reported and also by reason of permanent authorizations?

Mr. LEVER. I thought the gentleman was referring to this class of work. It is set out clearly in the report—something like $31,000,000, which is found on the first page.

Mr. STAFFORD. The $31,000,000 only applies to the amount appropriated in this bill——

Mr. LEVER. The permanent appropriation is something like $62,000,000.

Mr. STAFFORD. Additional?

Mr. LEVER. No; the total.

Mr. STAFFORD. Thirty-one millions additional?

Mr. LEVER. It is about $62,000,000, in round numbers.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. STAFFORD. I make the point of order.

Mr. LEVER. Mr. Chairman, I submit this is not subject to the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. LEVER. Does the Chair desire to hear me or the gentleman from Wisconsin?

The CHAIRMAN. The gentleman from Wisconsin.

Mr. LEVER. It is very clearly in order.

Mr. STAFFORD. Mr. Chairman, on the face of the bill it shows that it is a modification of existing law, namely, the Smith-Lever Act. It seeks to increase the amount of appropriations provided in the Smith-Lever Act, which carries a definite amount of appropriation each year which could be used by the National Government in cooperation with State organizations. As far as that law is concerned certainly it is a change of existing law. Read the paragraph:

> For cooperative agricultural extension work, to be allotted, paid, and expended in the same manner, upon the same terms and conditions, and under the same supervision, as the additional appropriations made by the act of May 8, 1914.

It describes that act. It is admitted by the chairman of the committee that this money is in addition to the permanent amount appropriated by the Smith-Lever Act referred to in this paragraph.

Now, he justifies it on some other act. I have not been able to follow it. He may have the law in his hand. I have the original food-survey and food-control law. I have not been directed to any particular paragraph of that law which authorizes it. That law was limited to the war. It was an emergency measure providing merely for conditions while we were at war with Germany. I have not at my fingers the act referred to by the gentleman. If the gentleman will call attention to what law it is, I may be able to follow him. But certainly, so far as the face of the bill is concerned, it is new law, because the original law fixed the amount of appropriation that Congress was to vote each year. It was an appropriation measure, and that amount is carried independent of this paragraph. That amount has been appropriated. That is part of the $31,000,000 additional that the Department of Agriculture has at its disposal, besides the amounts carried in this bill.

The CHAIRMAN. The Chair catches what the gentleman says. The Chair will hear the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. Mr. Chairman, the organic act of the Department of Agriculture authorizes this kind of work. This is a method of disseminating information. The organic act authorizes the Secretary of Agriculture to collect and disseminate information. This language might have read, "For cooperative agricultural extension work, $1,500,000." Now, the remainder of the language in the paragraph is nothing more nor less than a limitation upon the appropriation bill.

Mr. ANDERSON. Is the Chairman ready to rule?

The CHAIRMAN. The Chair will hear the gentleman.

Mr. ANDERSON. It seems to me the point of order made by the gentleman from Wisconsin [Mr. STAFFORD] is clearly not well taken. All that the item referred to does is to mature the appropriations under an act already in existence. It matures the appropriations which would not otherwise be available under the Smith-Lever Act, and it provides that the sum shall be paid in accordance with the provisions of that act.

The Smith-Lever Act of itself sustains this appropriation. Suppose that act did not carry any appropriation at all; it would certainly be in order to carry an appropriation in this act putting into effect the provisions of the Smith-Lever Act, just as, for instance, in the meat-inspection act. That act originally carried an appropriation; it carries a permanent annual appropriation, and yet in this act we carry an additional appropriation for putting into effect the provisions of the meat-inspection law. The Chair will find that provision on page 18. It is almost identical in language with the paragraph against which the gentleman from Wisconsin [Mr. STAFFORD] makes the point of order. As I said before, all that this item does is to make an appropriation for the carrying out of a law which is already in effect, an appropriation which is an addition, it is true, to the appropriation carried in that act, but it does not make any new law at all. It

simply increases the appropriation which is already carried there.

Mr. STAFFORD. Now, Mr. Chairman, with all due respect to the positions taken by the two gentlemen, they have not advanced anything that shows that this is not a change of the existing law. I am well acquainted, as the gentlemen are, with the Smith-Lever Act. When it was agreed to in the House I protested against its policy. As my memory serves me, that act specifically provided the amount of appropriation that Congress should appropriate for these activities, and that amount is appropriated not by this bill but by that act. It is a continuing appropriation by Congress, and the department does not have to come to Congress to obtain the money, because it has been provided by that act. That was a permanent appropriation bill.

The gentleman refers to the meat-inspection act. That item on page 18 was subject to a point of order the same way. This amendment is akin to an attempt to increase the limit of cost on a public building. Congress has decreed that so much work——

Mr. LEVER. Mr. Chairman, has the gentleman finished?

Mr. STAFFORD. No. Congress has decreed that so much money shall be appropriated for this character of work. It is appropriated. Now they seek to increase that amount on this appropriation bill, just as if in a public-building bill it was provided that so much money should be provided for a building. An amendment that was put on an appropriation bill seeking to increase the limit of cost would naturally be legislation. You can not escape from it.

Mr. MANN. Will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. MANN. If a public-building bill appropriated half a million dollars for a public building, with no limit of cost fixed, would it not be warranted in——

Mr. STAFFORD. That is a different proposition.

Mr. MANN. Is there any limit of cost fixed in the Smith-Lever Act?

Mr. STAFFORD. There is a specific statement as to the amount of money that Congress should appropriate.

Mr. MANN. Is there?

Mr. STAFFORD. There is.

Mr. MANN. On the contrary, does not the Smith-Lever Act appropriate, itself, so much money each year without any limit of the amount which Congress may appropriate?

Mr. STAFFORD. It specifically states that Congress appropriates so much money, and it provides for increasing amounts as the years go on, to be matched by appropriation from the States.

Mr. MANN. I think the gentleman does not quite mean what he says. If I remember the Smith-Lever Act, and I am sure the gentleman's recollection will be correct, the Smith-Lever Act is not an authorization of an appropriation at all. In itself it appropriates so much money each year.

Mr. LEVER. That is true.

Mr. MANN. It is not an authorization of an appropriation and Congress does not appropriate each year the money. It at one time appropriated for the future, each year——

Mr. STAFFORD. It is perpetual——

Mr. MANN. Without any limitation on what the Congress may appropriate and without any authorization whatever as to the amount appropriated.

Mr. STAFFORD. Mr. Chairman, here is a matter of policy as to how much shall be appropriated for this work. Congress adopts a permanent policy and passes an act known as the Smith-Lever Act. That act for the first year appropriated so many thousands of dollars, and then, as the years go on, the amount increases, and for this year that act provides so much money. I believe it will reach its full effect in six or seven years. That is the amount of money appropriated by Congress for that work. There is no authorization by Congress to appropriate anything more, and you are attempting in this bill to appropriate more money for a purpose for which Congress said only so much shall be appropriated, and which has been appropriated.

Mr. LEVER. Mr. Chairman, if the gentleman is through, I want to say that the gentleman's argument is quite aside from the situation. We are not undertaking in this appropriation to mature the Smith-Lever Act. It so happens that $1,500,000 would be sufficient to mature that act this year, but that is simply a coincidence. We are not undertaking to amend the Smith-Lever Act. We are undertaking to make an appropriation of $1,500,000 for the dissemination of information. That is all we do.

Now, the gentleman from Wisconsin [Mr. STAFFORD] says we have fixed the amount of money that can be appropriated for this purpose, and that therefore any increase in that amount would be subject to a point of order. Yet in this bill, in two items already passed, one for $551,000 for farmers' cooperative demonstration work outside of the cotton belt, and one for $645,000 for farmers' cooperative demonstration work within the cotton belt, you have appropriated money to do the very same kind of work that is being conducted under the Smith-Lever Act. The gentleman's argument would make both of those items subject to a point of order.

Mr. STAFFORD. No. Congress has not authorized any activities such as the gentleman refers to.

Mr. LEVER. I will ask the gentleman this question as to that: Would this item be in order if we had never passed the Smith-Lever Act?

Mr. ANDERSON. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. ANDERSON. It seems the gentleman is getting himself in a wrong position there, because this provision does provide that this money shall be expended in accordance with the Smith-Lever Act, and that language would be law unless the Smith-Lever Act did provide that the money should be spent in some way.

Mr. LEVER. That is a fact; but that language is nothing more nor less than a limitation on this appropriation bill. This language might read, "For cooperative extension work, $1,500,000"; but the committee, in its wisdom, adopted a limitation upon this so as to make it sure that this fund would be expended in accordance with the plan already outlined by Congress.

Mr, Chairman, I ask for a ruling.

The CHAIRMAN. The Chair is ready to rule. The Chair feels that the point of order raised by the gentleman from Wisconsin [Mr. STAFFORD] would turn very largely upon the wording of the Smith-Lever Act. If it should be thought to be on a par with an authorization of a limit of cost on a public building, the point of order would be well taken if an attempt were made to increase the amount of the limit. But the Chair, without looking at the Smith-Lever Act at the present time, is under the impression that that law simply permanently appropriated a certain amount to be available annually, but in no respect prohibited Congress from increasing the amount if they deemed it necessary. The recollection of the Chair is, briefly stated, that that bill assured the different States cooperating with the Federal Government that there will be available a certain sum of money from the Federal Government each year, but does not undertake to say that Congress may not from time to time increase that amount. The Chair therefore overrules the point of order.

Mr. McLAUGHLIN of Michigan rose.

Mr. LEVER. Mr. Chairman, does the gentleman from Michigan desire to discuss this?

Mr. McLAUGHLIN of Michigan. I desire to correct the wording of the paragraph from line 20 on page 70 to line 10 on the next page.

Mr. LEVER. I will say to the gentleman that I think that language superfluous. At least some of it can be stricken out. I mean this part—

and all sums appropriated by this act for demonstration or extension work within any State shall be used and expended in accordance with plans mutually agreed upon by the Secretary of Agriculture and the proper officials of the college in such State which receives the benefit of said act of May 8, 1914.

That is provided for in the Smith-Lever Act now in almost identical language. I am willing that it shall be stricken out.

Mr. McLAUGHLIN of Michigan. It says "all sums appropriated by this act," and that would include $645,000 for the boll-weevil work and other sums.

Mr. LEVER. I am sure the department did not contemplate that. If the gentleman will move to strike it out, I will accept it.

Mr. McLAUGHLIN of Michigan. I think it goes too far, and includes two items on page 70, and I doubt if it goes far enough in requiring the department to use the money and distribute the money among the States.

Mr. LEVER. Let me make this suggestion to the gentleman from Michigan: "All sums appropriated by this paragraph" would limit it.

Mr. McLAUGHLIN of Michigan. Yes. I think the language otherwise is loose, and it will not require the Secretary of Agriculture to distribute the money entirely in accordance with the Smith-Lever Act. The language on page 70 seems to be strong enough to require the distribution of the money in that way; but over on page 71——

Mr. LEVER. I would say to the gentleman that if he will move to strike out that language, I will accept his amendment.

Mr. McLAUGHLIN of Michigan. Will not the gentleman be willing to pass over that portion of it for the present, and return

later for the purpose of perfecting the language if we feel it should be perfected?

Mr. HAUGEN. I should like to ask the gentleman from Michigan if it is not possible that the department would construe the language to mean that this would give discretion to the Secretary to say how this money shall be expended, and that he might agree upon a plan to use 25 or 100 per cent of the money to be expended, and that plan might be pursued?

Mr. McLAUGHLIN of Michigan. I think it is uncertain, and that it places restrictions upon the Secretary of Agriculture in the expending of the money, whereas it was intended to restrict the use of the money to the carrying out of such projects as the Secretary of Agriculture and the head of the college shall agree upon.

Mr. HAUGEN. If agreeable to the chairman, I will move that the language be stricken from the bill.

Mr. LEVER. Beginning with line 4, page 71, after the figures "$1,500,000," all down to line 10, inclusive. I have no objection to that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 71, beginning with line 4, after the figures "$1,500,000," strike out the remainder of the paragraph.

The amendment was agreed to.

The Clerk read as follows:

To enable the Secretary of Agriculture to establish and maintain agricultural experiment stations in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands of the United States, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, and all other necessary expenses, $215,000, as follows: Alaska, $75,000, of which $10,000, or so much thereof as may be necessary, shall be immediately available for the erection of barns, purchase of breeding live stock, and other expenses connected with the stock-breeding experiments on the island of Kodiak and at the Matanuska station; Hawaii, $50,000; Porto Rico, $50,000; Guam, $25,000, of which $5,000, or so much thereof as may be necessary, shall be immediately available to repair damage due to typhoon; and the Virgin Islands of the United States, $15,000; and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, Porto Rico, the island of Guam, and the Virgin Islands of the United States: *Provided*, That of the sum herein appropriated for the experiment station in Hawaii $10,000 may be used in agricultural extension work in Hawaii: *And provided further*, That hereafter employees of the Department of Agriculture assigned to permanent duty in the Virgin Islands shall be entitled to the same privileges as to leave of absence as are conferred upon employees assigned to Alaska, Hawaii, Porto Rico, and Guam by the act of June 30, 1914 (38 Stat. L., 441), and if any employee of the agricultural experiment stations of the United States in Alaska, Hawaii, Porto Rico, Guam, or the Virgin Islands shall elect to postpone the taking of any or all of the annual leave to which he may be entitled under the said act of June 30, 1914, he may, in the discretion of the Secretary of Agriculture, subject to the interests of the public service, be allowed to take at one time unused annual leave which may have accumulated within not to exceed four years, and be paid at the rate obtaining at the time the leave is granted.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. MANN. I move——

Mr. LEVER. If there is going to be any controversy on this, I move that the committee do now rise.

Mr. MANN. I do not think there will be any controversy about what I want.

The CHAIRMAN. The gentleman from South Carolina moves that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, had come to no resolution thereon.

THE REVENUE.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to proceed for not to exceed 10 minutes, and after that I shall prefer a request for unanimous consent. I do not think it will take me 10 minutes to make my statement.

The SPEAKER. The gentleman from North Carolina asks unanimous consent to proceed for not more than 10 minutes. Is there objection?

There was no objection.

Mr. KITCHIN. Mr. Speaker, on December 30, when I asked unanimous consent to send the revenue bill to conference, I made assurances to the House, first, that if the House conferees did not agree to the child-labor amendment which was put on by the Senate I would bring it back to the House. The House conferees have concurred in the Senate amendment.

I also said that whether we agreed to the bone-dry amendment or not we would come back to the House and give the House a vote on that, and also that we would come back to the House on the amendment relating to the tax on political contributions.

In regard to the bone-dry amendment, the House appeared to be perfectly willing to send the bill to conference; but just before the question was put the gentleman from California [Mr. KAHN] came in, and not being thoroughly conversant at that time with the entire situation he asked, before giving his consent for the conference, an assurance from me that before we came to a final agreement we should come back to the House on the bone-dry proposition; and this demand was also made by the gentleman from California [Mr. RANDALL]. When on January 2 following we were about to vote on a rule sending the revenue bill to conference I made the same assurances as I had on December 30. Now, subject to the approval of the House, the committee have agreed to the bone-dry amendment. I took the matter up with the gentleman from California [Mr. KAHN] this morning, and also with the gentleman from California [Mr. RANDALL], and with the gentleman from California [Mr. LEA], and the gentleman from California [Mr. NOLAN], who are interested in the matter, and they all assured me that they withdrew any demand that the conferees bring that amendment back to the House to have a vote upon it. So if there is no other demand by any Member in regard to that question, the House conferees will proceed to reach a final agreement with the Senate conferees on that matter. I hope there will be no demand, because it will save us at least two days on the revenue bill.

With respect to the Senate amendment providing a tax on political contributions, on the demand of the gentleman from Illinois [Mr. FOSTER] and the gentleman from Illinois [Mr. MADDEN] I agreed that before reaching any final agreement on that provision I would bring it back to the House. Now, the situation with respect to that amendment is this: I told the Senate conferees that I would have to bring that back to the House before reaching any final conclusion. We discussed that amendment several times. The Senate conferees said that if we were going to bring it back to the House they would recede, because it would mean a delay in the passage of the revenue bill, which they did not wish. I on behalf of myself and the gentleman from Indiana [Mr. DIXON], as members of the House conferees, made several propositions to the conferees. First, we proposed to them to concur in the Senate amendment with an amendment to insert, on page 86, in line 22, after the word "shall," the word "hereafter," so that the tax or penalty would not be retroactive. This was rejected. A majority of the Senate conferees and a majority of the House conferees rejected that.

We made a second proposition to insert the word "hereafter" after the word "shall" and to substitute "$1,000" for "$500." This was rejected by the conferees.

We made a third proposition to insert the word "hereafter" after the word "shall," and to insert the figures "$2,000" instead of "$500." This was rejected.

The fourth proposition was to insert the word "hereafter" after the word "shall" and to substitute "$2,500" for "$500." This was rejected.

Then to test the conferees we made the proposition to concur in the Senate amendment, which was rejected. I make no criticism for rejecting such a proposition, as it contained the retroactive tax; all these propositions, however, were made subject to the approval of the House, since I was under obligations to enter into no final agreement on the subject until I brought the matter back to the House for a vote. As I said, the Senate conferees said if we were going to take it back to the House they would recede, and so far as the Senate conferees could recede they did so yesterday.

I am here trying to keep faith with the House on my assurance that I would give the House an opportunity to vote on it before signing a report. I ask, therefore, unanimous consent that it shall be in order for the House to entertain a motion or motions to instruct the House conferees with respect to Senate amendment 222, relative to the tax on campaign contributions.

Mr. MOORE of Pennsylvania rose.

The SPEAKER. For what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To reserve objection to the request of the gentleman from North Carolina in order that the gentleman may continue his statement.

Mr. KITCHIN. I have completed my statement.

Mr. MOORE of Pennsylvania. May I ask whether it is the intention to offer an amendment to insert the word "hereafter"?

Mr. KITCHIN. Yes; I will go further and state that if the House gives permission to entertain a motion or motions, Judge RUCKER, chairman of the Committee on Election of President and Vice President, will offer the following motion to instruct the House conferees:

That the House instruct its conferees on House bill No. 12863 to concur in the Senate amendment No. 222, with the following amendments: "On page 86, line 22, after the word 'shall,' insert the word 'hereafter,' and on page 88, in lines 5 and 6, strike out the words 'within 30 days after the passage of this act and thereafter' and insert in lieu thereof the word 'hereafter.'"

Mr. FERRIS. Is it proposed to modify the amount?

Mr. KITCHIN. No; that motion leaves the Senate amendment just as it is, except that it does not make the tax retroactive—that is, does not apply to elections and primaries in 1918. It places in it the word "hereafter."

Mr. GARNER. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. In case you get unanimous consent for the purpose of offering that motion, you would not exclude any other motion?

Mr. KITCHIN. No.

Mr. GARNER. The way to get agreement here so that we may be certain to have a law is to concur in the Senate amendment, and then the Senate can not get away from it.

Mr. MOORE of Pennsylvania. I want to say and announce now that if this amendment is offered, making it effective by the word "hereafter," I shall offer an amendment which will make it retroactive in the following words: Strike out of this bill, which is in the present tense, and say, "have given, advanced, paid, expended, subscribed, or contributed during the taxable years since 1912."

That would require an examination of accounts in the way of political contributions in all the campaigns back to 1912, and I am frank to say would cover the period while this administration has been in power, and would probably give us a lot of valuable information that the public ought to have with respect to contributions made during campaigns since that time.

Mr. KITCHIN. I will say that if I can get the unanimous consent, that would be in order.

Mr. LONGWORTH. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LONGWORTH. Did I understand the gentleman to say that the Senate had receded or would recede?

Mr. KITCHIN. The Senate conferees actually receded so far as they had the power, but the question is, Will the Senate permit them to recede? In my judgment it will.

Mr. LONGWORTH. As a matter of fact, as it stands now there is no such amendment to the bill.

Mr. KITCHIN. Yes; there is an amendment in the bill because it has finally to be ratified or rejected by the Senate itself in spite of any action of its conferees.

Mr. LONGWORTH. That is what I wanted to know.

Mr. GARNER. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. If the conferees on the part of the House had concurred, or if the House had concurred in the Senate amendment when the bill was over here for consideration, it would have been as much a part of the bill as the enacting clause is at the present time. The House let it go to conference by unanimous consent on the theory that that provision of the Senate would become a law.

Mr. MANN. Oh, no.

Mr. GARNER. If we had concurred in this amendment when it was over here, it would have been in the bill, and the Senate could not have gotten away from it. It would have been a part of the law.

Mr. LONGWORTH. Of course, it would; but now the Senate recedes.

Mr. GARNER. The Senate has not receded, and the House can make it a part of the bill if it wants to concur in the amendment.

Mr. LONGWORTH. Is not the House then in the attitude of refusing to permit the Senate to recede from an amendment that the Senate put on?

Mr. GARNER. Yes; and that is what we intend to do if we concur and make it a part of the bill.

Mr. MOORE of Pennsylvania. It was put in there as pure buncombe, has no place in a revenue bill, and was put there for spectacular purposes.

Mr. GARNER. That may be true, but if the House had concurred when it had an opportunity to do so, or if the House to-day will give unanimous consent for the purpose of opening it up for amendment and for concurrence, it will be a part of the law.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

Mr. MANN. The gentleman from North Carolina has occupied 10 minutes, and preferred a request for unanimous consent, to which objection was reserved.

Mr. MADDEN. In order that there may be no further waste of time, I will object now.

The SPEAKER. Object to what?

Mr. MANN. Will the gentleman let me make a statement to the House? The gentleman from North Carolina [Mr. KITCHIN] when the bill was sent to conference agreed with the House that the House should have an opportunity to vote on the Senate amendment. Now he is seeking to comply with that agreement by unanimous consent, so that the House may take a vote now instead of having the conference report brought to the House, excluding this item, and then the proposition sent back to conference.

I take it that while there has not been undue haste in reference to this bill, as far as the conferees are concerned, still that it is absolutely desirable to have the matter disposed of at as early a date as possible, and I do not see why it is not just as easy for the House to do it to-day as it will be to do it next Tuesday or next Wednesday.

Mr. KITCHIN. I trust the House will do it to-day, because it will save us from going back to conference the second time.

Mr. MANN. That is all the gentleman is asking unanimous consent for?

Mr. KITCHIN. Yes; so as to save two or three days.

Mr. MOORE of Pennsylvania. The gentleman goes one step further and announces that he proposes to have an amendment offered which would commit the House to this proposition.

Mr. KITCHIN. The House could vote against it if it is opposed to it, and other amendments or motions could be offered.

Mr. GILLETT. May I ask the gentleman if the House should express itself as opposed to this Senate amendment, then the Senate is ready to recede, and the amendment is finished in that way?

Mr. KITCHIN. Yes; and in my judgment, if you will permit me, I think the Senate, if we pass the amendment which the gentleman from Missouri [Mr. RUCKER] will offer, will still recede. I think it will put it upon the ground that to recede would be in the interest of time in getting the bill through.

Mr. GILLETT. So in the interest of speed the best thing is to reject the Senate amendment.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. GARNER. If the House concurs in the Senate amendment to-day on a vote, what position would the conferees then be in? Would not that then be a part of the bill?

Mr. KITCHIN. In my judgment under the circumstances, though I am not as skilled a parliamentarian as some others, I think the Senate itself could still recede or instruct its conferees to recede.

Mr. GARNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GARNER. If the Senate puts on an amendment to a House bill and the House concurs in that amendment, does not that make it a part of the bill, the two Houses having come together on that one provision?

The SPEAKER. Yes.

Mr. KITCHIN. After the Senate conferees have receded?

Mr. GARNER. They have not receded.

Mr. MOORE of Pennsylvania. Yes, they have.

Mr. GARNER. They have not.

The SPEAKER. There is a question about whether they have receded or not.

Mr. LONGWORTH. Is not this the state of facts: If the House takes no action whatever to-day, this whole matter remains in exactly the same situation as when it passed the House?

Mr. KITCHIN. Yes. If the House takes no action at all.

Mr. LONGWORTH. The Senate will then recede and the matter is not in the bill. Therefore the bill will be exactly as it passed the House.

Mr. GARNER. But the gentleman from North Carolina and his conferees will be in the very embarrassing position of having agreed to bring it back to the House, and they have not yet brought it back to the House for the purpose of consideration.

Mr. KITCHIN. That is what I am trying to do now by the unanimous-consent request I have made.

Mr. GARNER. If anyone objects to the consideration of it by unanimous consent, then the conferees on the part of the

House are in honor bound to bring it back to the House for the purpose of giving us an opportunity to vote upon it.

Mr. MANN. Absolutely.

Mr. GARNER. Absolutely, and there is no getting away from it.

Mr. KITCHIN. And no one is trying to get away from it, but we are here trying to give the House a vote on the matter.

Mr. GARNER. I understand that.

The SPEAKER. Gentlemen should remember that the conference report is not before the House. When the gentleman from North Carolina asked unanimous consent to send the bill to conference, if the House at that time had agreed to the Senate amendment that this controversy is about, it would have been as much a part of the bill as any other part; but that is not the situation.

Mr. KITCHIN. Mr. Speaker, I am in honor bound to bring this matter to the House, so that it can have a vote upon it. I am seeking to have a vote upon it now rather than to compel us to report a disagreement and bring it back to the House, then vote on it or first discuss it, then have it carried to the Senate and discussed there, and then come back to the House with another report, all of which will consume at least two or three days, possibly longer. We can all know how we stand on this proposition to-day, and I am just asking it in the interest of time, so that we may settle the matter to-day.

Mr. FORDNEY. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. FORDNEY. I want to say to the House that in my opinion this has no place in a revenue bill. It is political buncombe, pure and simple; but as the bill makes the taxes retroactive, if this becomes a part of this bill there is no reason why it should not be retroactive, and I am unalterably opposed to permitting this to be written into law without making it retroactive and go back and show up some of the contributions——

Mr. GARNER. Why does not the gentleman concur in the Senate amendment?

Mr. FORDNEY. Because I do not want it in the bill. This is buncombe in the bill, and we would make ourselves ridiculous to agree to any such thing in a revenue bill.

Mr. GARNER. Child labor may be buncombe.

Mr. FORDNEY. I agree with the gentleman that the child-labor proposition is buncombe, for this reason: You are imposing upon the manufacturers of this country adult labor, but at the same time admitting goods from a foreign country produced by child labor.

That is what you are doing now; you can not make anything but buncombe out of it.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. Wait a minute.

The SPEAKER. The gentleman declines to yield.

Mr. FORDNEY. A majority of the conferees are for striking this out of the bill. The Senate conferees want to yield and strike it out of the bill, and they are unanimous in that.

Mr. RUCKER. Will the gentleman yield now?

Mr. FORDNEY. I will.

Mr. RUCKER. The gentleman does not believe the House wants to yield, does he?

Mr. FORDNEY. I believe the House does want to yield, and I am expressing my own personal opinion, sir.

Mr. RUCKER. I understand, but——

Mr. FORDNEY. They want to yield, because in my candid opinion this is nothing but political bunk.

Mr. RUCKER. The gentleman's opinion is his own opinion——

Mr. FORDNEY. But my opinion will go as far as the opinion of the gentleman from Missouri; but I am expressing my own personal opinion and not attempting to do so for anybody else.

Mr. RUCKER. Will the gentleman yield further?

Mr. FORDNEY. I will.

Mr. RUCKER. The gentleman speaks of it being buncombe; that is, a provision that will have a tendency to stop debauching the people of this country in the future——

Mr. FORDNEY. Let me ask the gentleman a question; you have asked me a question. Do you——

Mr. RUCKER. The gentleman has the floor.

Mr. FORDNEY. Does my good friend believe that anybody on the face of God's green earth will pay a cent of tax under this provision if it becomes a law?

Mr. RUCKER. If they do not it will stop corrupting the people in elections——

Mr. FORDNEY. No; it will not; it will do just what such laws have done in the past; you will find a way to get around it. That is all you will do, and it has no place in this bill. It will make us ridiculous to agree to it; and if we do agree to it, I want it retroactive. I will not agree under any other circumstances.

Mr. TOWNER. Mr. Speaker, reserving the right to object, I want to call the attention of the chairman of the committee to this fact: The gentleman from Texas, in my judgment, is exactly right when he says that the Senate has not receded on their amendment. In fact, the Senate can not recede. They may agree to recede, but they have not done it. There is no way by which a recession can be made except it be part of the report. Now, if this House at this time should agree to the Senate amendment as it has been presented and is now in conference, there would be no possible way for the conferees on the part of the Senate to recede.

Mr. KITCHIN. I think the Senate could recede; I said the Senate could.

Mr. MOORE of Pennsylvania. My Speaker, reserving the right to object, the gentleman from North Carolina intends to have an amendment offered if his request for unanimous consent is conceded?

Mr. KITCHIN. Yes.

Mr. MOORE of Pennsylvania. Well, having made the objection, or reserved the objection, if that amendment is to be offered and I can offer my amendment, I withdraw the objection I made to the request.

The SPEAKER. Does the gentleman from Illinois [Mr. MADDEN] withdraw his request?

Mr. MADDEN. Yes.

The SPEAKER. The gentleman from North Carolina [Mr. KITCHIN] asks that notwithstanding the general rules of the House that it shall not be in order to offer a motion or motions to instruct the House conferees as to Senate amendment No. 222 to the revenue bill. Is there objection? [After a pause.] The Chair hears none.

Mr. GARNER. Mr. Speaker, I want to move to concur in the Senate amendment.

Mr. SAUNDERS of Virginia. Mr. Speaker, I suggest that that would not be in order, because unanimous consent was not given for any such purpose.

The SPEAKER. No; unanimous consent was not given for such purpose. The conference report is not before the House.

Mr. GARNER. I offer a motion that they be instructed to agree to the Senate amendment.

The SPEAKER. The gentleman [Mr. RUCKER] has a motion he wants to offer, which the Clerk will report.

The Clerk read as follows:

Mr. RUCKER moves that the House instruct its conferees on H. R. 12863 to concur in the Senate amendment No. 222 with the following amendment: On page 86, line 22, after the word "shall," insert the word "hereafter," and on page 88, in lines 5 and 6, strike out the words "within 30 days after the passage of this act and thereafter" and insert in lieu thereof the word "hereafter."

Mr. GARNER. Mr. Speaker, I want to move to instruct the conferees to concur in the Senate amendment. I think that has preference over the motion offered by the gentleman from Missouri.

The SPEAKER. The gentleman from Texas moves to instruct the conferees of the House to concur in the Senate amendment No. 222.

Mr. MOORE of Pennsylvania. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

Mr. RUCKER. Mr. Speaker, I make a point of order on the motion made by the gentleman from Texas.

Mr. MANN. I think we ought to have all the matter before the House at once.

Mr. RUCKER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. RUCKER. To make a point of order against the amendment offered by the gentleman from Texas.

The SPEAKER. What is the point of order?

Mr. RUCKER. The point of order is this, if I understand it: The gentleman from North Carolina asked unanimous consent that, notwithstanding the rules of the House, an amendment providing just exactly what this amendment offered by me does——

Mr. KITCHIN. No; my request was for a motion or motions.

The SPEAKER. "Motion or motions" was the language of the request.

Mr. MANN. Nobody can afford to take any fine tricks on this thing.

The SPEAKER. There is no doubt about the gentleman's motion being in order.

Now, for what purpose does the gentleman from Pennsylvania rise?

Mr. MOORE of Pennsylvania. To offer an amendment, which I have sent to the Clerk's desk.

The SPEAKER. The Clerk will report it for information.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Pennsylvania: Page 86, line 22, after the word "shall," strike out the words "give, advance, pay, expend, subscribe, or contribute in the aggregate during any taxable year" and insert in lieu thereof the words "have given, advanced, paid, expended, subscribed, or contributed in the aggregate during any taxable year since April 1, 1912."

Mr. MOORE of Pennsylvania. Mr. Speaker, that amendment is offered as a substitute for the amendment of the gentleman from Missouri [Mr. RUCKER].

The SPEAKER. The vote comes first——

Mr. MOORE of Pennsylvania. Is that not debatable?

Mr. GARNER. All these motions are debatable, if I understand it.

Mr. MOORE of Pennsylvania. I desire to be heard briefly on the substitute.

Mr. GARNER. I have no objection to the gentleman from North Carolina controlling the time, but I want some time on this motion.

Mr. KITCHIN. Which motion here has preference?

The SPEAKER. The motion of the gentleman from Texas [Mr. GARNER].

Mr. KITCHIN. I have always understood heretofore that a motion to concur with an amendment has preference over a motion to concur. That has been the rule.

Mr. MANN. Mr. Speaker, the rule is perfectly patent, and I called attention to it when the gentleman asked to send this bill to conference. When the Senate amendment first comes before the House the preferential motion is to concur with an amendment; but after the Senate has agreed to the amendment and it comes before the House again, the preferential motion is to concur in the Senate amendment, which takes precedence over a motion to concur with an amendment, the design in each case being to bring the two bodies together in the easiest way. The way in which it comes up, by analogy, it seems to me, the motion of the gentleman from Texas takes precedence.

The SPEAKER. The Chair would state that the gentleman has stated the case precisely as it is.

Mr. KITCHIN. Mr. Speaker, I desire to be recognized. How much time does the gentleman from Texas wish?

Mr. GARNER. Five or ten minutes.

Mr. KITCHIN. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from Texas [Mr. GARNER] is recognized for five minutes.

Mr. GARNER. Mr. Speaker, if I can have the attention of the House and the gentleman from Missouri, as well as the gentleman from Pennsylvania, I will say I do not know whether the House desires any legislation on this question or not. But I do want to impress upon the House this one thought: That if you desire legislation upon this question the only possible way to get it is to vote for the motion I have made. If you vote for the motion of either the gentleman from Missouri [Mr. RUCKER] or the gentleman from Pennsylvania [Mr. MOORE] it means that a complete report will be made on the revenue bill and this amendment will be stricken out, the Senate yielding, and there being a difference between the two Houses. But if you agree to the motion I have made, then you will have the minds of the two Houses meeting and there will be no possible way by which this legislation can be defeated, except for the Senate to back up and plead guilty to the fact that they were bluffing, pure and simple. Now, I want to call their bluff. They put this amendment on in the Senate. It comes to the House. The House permitted the bill to go to conference by unanimous consent.

Mr. GARRETT of Tennessee. Oh, no. The bill was sent to conference by a rule; but the gentleman from North Carolina [Mr. KITCHIN] agreed that, notwithstanding the rule, he would bring it back for a vote on this proposition.

Mr. GARNER. Anyhow, this bill went to conference with the idea that the House would agree to at least three propositions in the bill. I call you attention to them. One was the bone-dry amendment, another was the child-labor amendment, and the other was the one in reference to political contributions. Neither of these amendments ought to have been on the revenue bill, but they were all there, and when it came here we asked the conferees if they would not agree to them or they would bring it back to the House for a vote. I submit to the gentleman that there is just one way to get this legislation, and that is to concur in the Senate amendment; that is, to instruct your conferees at this stage of the procedure to agree to the Senate amendment. Now, if your conferees are instructed to agree to the Senate amendment, and they go back under direction of our House, and the Senate conferees agree to this amendment, how are you going to keep it from being law? In only one way, and that is for the Senate conferees to go back to their body with an official record of the fact that they withdraw the amendment and disagree to their own action.

If you vote on the amendment of the gentleman from Missouri [Mr. RUCKER], you have an amendment that makes a disagreement between the two Houses, and we are placed in the position of having refused to legislate on the question of political contributions. I want to put this before the House, so that no Member can say in the future that he would have been perfectly willing to legislate on this subject if he had had an opportunity. You have the opportunity now to either get this as a part of this bill or else the Senate will be compelled to recede and say to the world, "We placed this amendment on the revenue bill, but we did not act in good faith, and when you called our hand we backed down."

That is the only way.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. LONGWORTH. Does the gentleman think that this is good legislation?

Mr. GARNER. I will say to the gentleman from Ohio that I am so anxious to get some legislation on this question, some legislation that will protect the ballot box from the rich men of this country, that I am willing to accept this, and in the future it will enforce an amendment of it. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. GARNER. In a moment. I do not know how you all feel about contributions to political campaigns, but I believe that it does more to create bolshevism in this country than any other one thing. Go up, we will say, to the State of Michigan, the State of my friend FORDNEY, and what have you? You have an affair that is brought before the Senate to investigate the election of a Senator, which is questioned by virtue of the fact that he has spent too much money.

Mr. MOORE of Pennsylvania. That is why I wanted to have it made retroactive.

Mr. GARNER. Will you vote with me?

Mr. FORDNEY. Will you follow me?

Mr. GARNER. I will, if you will undertake to get legislation on this question; and if the conferees on the part of the House will go back into conference and agree to the Senate amendment, you will put the burden on the Senate, will you not? Let me ask the gentleman from Michigan that question.

Mr. FORDNEY. I will say to the gentleman that I have stood for this amendment making it retroactive. I have so stated. I ask the gentleman if he will follow me. I will stand there. Where will the gentleman stand?

Mr. GARNER. I will stand for it.

Mr. FORDNEY. But I will not stand for it unless you make it retroactive.

Mr. GARRETT of Tennessee. Does not the gentleman's motion make it retroactive?

Mr. GARNER. It does.

Mr. FORDNEY. The present provision does not.

Mr. GARNER. The present provision does make it retroactive.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman again yield?

Mr. GARNER. Yes.

Mr. MOORE of Pennsylvania. If the gentleman would go up into the State of Michigan and make an investigation, would it not be well also to go down into the State of Georgia and see whether the Senator from that State was honestly elected?

Mr. GARNER. It does not make any difference to me what State you go to.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. GARNER. Mr. Speaker, I ask for five minutes more.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. GARNER. I want to see enacted a law, and I take advantage of the situation to get some law in this country where we can stop large contributions. I heard complaining a good friend of mine, a member of the conference, who said he did not want to do it because it would be unjust to the people who had contributed in the past. Now, when you find a man who has contributed large amounts for a campaign fund for a Congressman or a Senator you will find one or other of two things: Either he has more money than he has any use for or he is trying to buy something. [Applause.] I want to stop that. I do not care how much a man paid for last year's

contribution. There is not a man who contributed more than $500 for a campaign fund in 1918 for a Congressman or Senator but he either had more money than he could use or he was trying to influence or get into the good graces of that Congressman or that Senator. I am willing to make him pay this tax. I think he is able to do it:

Mr. KELLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. KELLEY of Michigan. Does this provision cover contributions for primary expenses?

Mr. GARNER. I think it does. Let me ask the gentleman from North Carolina. Does this provision cover contributions for primary expenses?

Mr. KITCHEN. Yes.

Mr. GARNER. He says it does. I had not carefully examined the amendment.

What I wanted to do, gentlemen of the House, was to direct your attention to the parliamentary situation with reference to this particular amendment. If you vote for this motion of mine you are likely to get a law, or else you will put the Senate in a hole. If you vote for the amendment offered by the gentleman from Missouri [Mr. RUCKER] you will put the amendment in conference, and the House conferees will contend for it, and the Senate conferees will not yield, and therefore the House conferees will have to yield.

Now, I understand you have this strange state of affairs: The Senate putting on an amendment, and according to the statement of the chairman, the entire conferees on the part of the Senate wanting to yield on their own amendment; they do not want you to concur in it. If the Senate itself had taken that action we would have them on record in the Senate that they refused to stand by their own amendment. But the only way we can do it now is to vote for this motion to instruct the conferees to agree to the amendment, and then the Senate conferees will have to go back into the Senate and get a vote through the Senate instructing them to recede.

Mr. KREIDER. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. KREIDER. There seems to be a lack of information as to the wording of the amendment. Can we have it read so that we can know what the gentleman is talking about?

Mr. GARNER. It is No. 222. I supposed everybody had read this amendment.

Mr. KREIDER. I was trying to get it from the Clerk, and it was stated that the amendments are not printed.

Mr. GARNER. The substance of it is that you are to pay 100 per cent on all political contributions for campaigns of Congressmen and Senators in excess of $500. If a man has contributed $1,000, he would have to cover $500 into the Treasury as taxes.

Mr. FOSTER. Not the candidate.

Mr. GARNER. The one who contributes the money. It is the person who contributes to a candidate's campaign, aside from the candidate himself.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes; I yield.

Mr. MANN. I understand if a candidate for an office contributes $500 to any political committee—even his own—he would be required to pay an additional $500 for taxes?

Mr. GARNER. That is true; but the money that has been expended in his own behalf is not included.

Mr. BANKHEAD. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. BANKHEAD. The gentleman from Texas, in answer to the query of the gentleman from Georgia [Mr. CRISP], said that if you wanted to make the effect of this amendment retroactive all you had to do was to vote for your motion.

Mr. GARNER. It makes it retroactive so far as last year is concerned.

Mr. BANKHEAD. I have just read the proposed amendment, and I fail to find in it any provision to that effect.

Mr. GARNER. This bill is to apply to 1918, and therefore it would apply to that year.

Mr. GOODWIN of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. GARNER. Yes.

Mr. GOODWIN of Arkansas. How about contributions made to campaign committees? What effect will the Senate amendment have as to contributions made to National and State committees and not made directly to the candidate?

Mr. GARNER. Anything over $500 in the way of a contribution made to a committee or a candidate would be taxed. It means that you are going to limit contributions in this country to legitimate purposes; that is to say, $500 or less to a campaign fund.

Mr. FESS. Will the gentleman yield?

Mr. GARNER. Yes.

Mr. FESS. I notice the gentleman said "not to include contributions made by the candidate himself." A good many candidates are in some places assessed a certain amount for each county. When that assessment is made, if the candidate pays it, is that included?

Mr. GARNER. I do not know, but I imagine that $500 would be about as much as most candidates would be assessed.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KITCHIN. I yield to the gentleman from Pennsylvania [Mr. MOORE] five minutes, and, of course, if he wants more time I will let him have another five minutes.

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes.

Mr. MOORE of Pennsylvania. Mr. Speaker, the gentleman from North Carolina [Mr. KITCHIN] has made an accurate statement as to the situation that confronted the conferees. There was a division of sentiment, and a majority of the conferees were for wiping this provision out altogether. They regarded it as bad business, as a fool amendment—buncombe, as it were—upon a great revenue measure. It is one of the weaknesses of another body to inject into measures of this kind propositions that come up from various sections of the country, and this one seems to have come from one particular section of the country, where one particular Senator appears to have had trouble with another candidate. The gentleman from Texas [Mr. GARNER] has made a forceful speech with regard to the desirability of stopping corrupt practices. No Republican will disagree with him as to that. But the gentleman from Texas has cited an election up yonder in Michigan, where, he observes, it is reported that large sums of money were spent on behalf of the respective candidates. The gentleman might just as well have referred to the recent election in the State of Georgia, where, I am told upon reliable authority, more than $100,000, some of it raised from officials of the Government backed by the President of the United States, was spent to elect a Senator—a candidate who, if I am not misinformed, obtained compensation from the Federal Trade Commission, from which he resigned, while he was a candidate for office, and who now holds a very good job, paying him a very large sum, under the auspices of the Alien Property Custodian. These are things which the gentleman from Texas might have called up, because he may have more information upon them than I have.

Mr. CRISP. Will my friend yield to me?

Mr. MOORE of Pennsylvania. Yes.

Mr. CRISP. Without either admitting or denying that there were large contributions made to a campaign in Georgia in a race for the Senate, I think if that is true it is a splendid place to get some revenue. [Applause.] And as a Georgia Member I shall vote for this amendment. If contributions for this purpose were made in Georgia, the contributors should pay the tax, just as they should pay it in any other State. [Applause.]

Mr. MOORE of Pennsylvania. I should not expect the gentleman from Georgia [Mr. CRISP], whom we all esteem highly, to take any other position with regard to a nefarious practice within the confines of his own State, and I question whether the gentleman from Georgia would halt at an investigation that ought to be had into the charges that this campaign in Georgia, which involves letters from the President of the United States, affecting the price of cotton, and the standing of candidates, which involves Col. Ed. Brown, which involves certain gentlemen who have apparently grown enormously rich in recent months—I question whether the gentleman from Georgia would hesitate to investigate all these things, as perhaps they should be investigated by a senatorial committee, if a senatorial committee, controlled by the party in power, were as active in investigating currupt practices in Georgia as it seems to be active in investigating charges in Michigan. [Applause.]

Now, the gentleman from Texas [Mr. GARNER] inveighs against corrupt practices, and yet he has been one of the active spirits of the party in power on this floor for the last six years. With what legislation to check corrupt practices enacted by his own party, which has had the power to enact such legislation, is the gentleman from Texas dissatisfied? We have had one corrupt-practice act after another brought in by the gentleman from Missouri, who took the high ground that the gentleman from Texas takes. Is he dissatisfied with that legislation? Does it not go far enough? Has he left loopholes for high officials of the Government to make large contributions for candidates in Georgia, or elsewhere, or to enable Presidents to write letters affecting cotton prices and drive out all candidates not approved

by him one or two days before the polls close? Or is the gentleman dissatisfied because it is now proposed to reach the primary elections, which are final in certain sections of the country, by a measure which happens to be injected into the Senate because some Senator has a quarrel with somebody in his State?

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes; I yield to the gentleman from Texas.

Mr. GARNER. Would not the gentleman like to see the names of the officials who contribute to the Georgia campaign fund published?

Mr. MOORE of Pennsylvania. Certainly.

Mr. GARNER. Let us vote for this, then.

The SPEAKER. The time of the gentleman has expired.

Mr. KITCHIN. I yield to the gentleman from Pennsylvania five minutes additional.

Mr. MOORE of Pennsylvania. Of course, I should like to see these names published. I should like to see published the name of every contributor to this senatorial campaign in Georgia, which deprived of his election to the Senate one of the most popular young Democrats upon that side of the House. I should like to see emblazoned in large letters on the front page of every newspaper published from Augusta to the sea, or from Jacksonville to New York, the names of public officials and other large contributors who were so anxious to take care of the President's senatorial candidate in Georgia that they were willing to violate even Democratic honor in order that that election might be accomplished. But I want to say that I am not quarreling with the gentleman from Texas nor with any gentleman from Georgia. All these matters could be reached under existing law. The gentleman's party has been in power for all these years, and the gentleman from Missouri [Mr. RUCKER] who brought in this amendment, chairman of the Committee on Election of President and Vice President of the House of Representatives, has been before this body time and time again suggesting a remedy for these corrupt practices, and we have given him all the legislation he desires. Why does the gentleman now want to go to the country with his demagogic proposition introduced as a matter of personal interest in another body, and tie this great House of Representatives up to it on the greatest revenue bill ever passed in the history of man.

Mr. FOCHT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will yield to the gentleman.

Mr. FOCHT. I would like to know of the gentleman whether this interpretation of the bill as amended would apply in specific cases like this. In my district where the Democratic postmaster admitted that he has paid $500 for a post office at Cedar Grove, another man demanded $300. Remember that was out of a fund of $20,000 that was up against me. I hope it will not happen, because I do not think they could pay it.

Mr. MOORE of Pennsylvania. When I said the amendment was put in for personal reasons I did not refer to the gentleman's particular district. [Laughter.] But I do not see any reason why we should get excited over this proposition. If we are going to have it at all, this inquisitorial system, let us get down to rock bottom. The gentleman from North Carolina, finding himself beaten in conference, is endeavoring to keep faith with the House; he is obliged to come back to the House and keep his word and give the House an opportunity to vote.

Mr. BUTLER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. BUTLER. In the gentleman's judgment, is this retroactive and how far back will it run?

Mr. MOORE of Pennsylvania. It will not be if the motion of the gentleman from Missouri is carried, because he proposes to insert the word "hereafter." It will be if my amendment is carried, because I propose that it shall go back to April 1, 1912, about the time the Wilson administration was promising to do great things for the working people of the country by uprooting the tariff system.

Mr. BUTLER. It will make a great many people cough hard. [Laughter.] If the motion of the gentleman from Texas [Mr. GARNER] shall prevail in this House, it would become a part of the law unless the Senate recedes it some way.

Mr. MOORE of Pennsylvania. If the motion of the gentleman from Texas prevails, we would be bound to stand by.

Mr. BUTLER. This provision, then, would go back one year.

Mr. MOORE of Pennsylvania. Yes; in that event it would go back one year, but that would not tax the large contributors when the war began, when we were shipping munitions to Mexico unlawfully and contributions were made that helped along in presidential campaign matters wonderfully well. It would not go back to 1912, when we were not passing out promises "like molasses with which to catch flies." It would not go back when large contributions were being made by people connected with large steel corporations, people who used to be charged with contributing money for Republican purposes, but who seem to have been won over by the administration.

Mr. FOCHT. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will yield for one question.

Mr. FOCHT. Just one question. Would not the gentleman think it would be outrageous and a most unjust thing to have this retroactive because it would take from the postmasters who were appointed on the arrival of the Democratic administration, when there were 19 or 20 candidates and only 1 was appointed, and what about the other 19?

Mr. MOORE of Pennsylvania. Yes; and if the gentleman will wait——

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. KITCHIN. I yield to the gentleman one minute more.

Mr. MOORE of Pennsylvania. Now, I will not yield during that one minute. Of course this ought to cover circulars sent out in the last campaign to postmasters and Federal office-holders asking contributions because the funds were low—some of them sent out not in the name of Vance McCormick, chairman of the Democratic national committee, but by some one close to Vance McCormick. The inquiry should cover those circulars referring to campaign deficiencies, which gently intimated that if people had any faith in the power that appointed them or in such jobs as came to them through Agricultural appropriation bills, and the like, where appropriations were doubled to take care of new employees, they ought to "cough up." All these things should be uncovered and will be uncovered if my retroactive amendment passes. [Applause.]

Mr. KITCHIN. I yield five minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Speaker and gentlemen, I believe every man in this House is anxious to have some law placed upon our statute books to, if possible, purify elections and to prevent the unlawful spending of money to corrupt the people who are voters of the country in a general election. I will vote for such a law at any time, at any place, brought up in a proper manner. As before stated, this provision has no place in a revenue bill, because every man, if honest, will admit that if this provision is put into law this Government will never get one penny of tax unless we make it retroactive. There will be some way to get around the law in the future. I said a few minutes ago, and I repeat, that this bill goes back and taxes the people of the country, manufacturers and individuals, on their incomes for the year of 1918, and Congress claims to have had the right of even going further than that and taxing the people in order to get revenue in the United States Treasury, to help pay these great debts incurred by the war and still going on. I say it has no place in this bill. This provision does not make the law retroactive. Although it seems the intention of the provision was for that purpose, yet it does not do it. The gentleman from Texas [Mr. GARNER] a few minutes ago referred to the great expenditure of money in the State of Michigan. What he would have you to understand is that he meant in the senatorial campaign in the primaries last year. He regrets exceedingly that that straddling-the-fence politician, Ford, failed to receive the nomination on either side, ran on everything political, and succeeded in nothing. Now, I want to go further than that. I am willing to go back to the expenditure of money last year in the State of Michigan in the primary campaign, but, like my good friend from Pennsylvania who suggested an amendment, I want to go back as far as 1912 at least, and further if you want to do so. Oh, if you will only make it retroactive and catch the fellows who contributed more than $500 to past political campaigns for the past 6, 8, or 10 years, this bill will yield more than $6,000,000,000, my friends. We know of plenty of campaign contributions above $100,000 to the presidential campaigns in the past.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. FORDNEY. And, as the gentleman from Pennsylvania has said, no one would be guilty—let me finish this sentence—no one would be guilty of saying that the embargo that was raised by the administration permitting arms and ammunition to go into Mexico had anything to do with permitting the selling of guns and ammunition going into Mexico by any man or any set of men who contributed money for the campaign of 1912. Oh, dismiss it from your mind; but it happened, it happened. Now I yield to the gentleman from Michigan.

Mr. SMITH of Michigan. What reason was given before the committee for limiting it just to last year? Why did they stop just at last year?

Mr. FORDNEY. They did not want to catch anything back of the primaries in Michigan last year, as I understand it; no other excuse was given. In fact that alone was not given, but

I think we can see by the handwriting on the wall what the intent was. Now, one Senator said to me, a member of the Finance Committee, that when the amendment was offered on the floor of the Senate he did not oppose it for he did not think for a moment it would be adopted; had he thought so he would have taken the floor and most earnestly and strenuously opposed the passage or the adoption of that amendment, and he now wants to get away from it. The conferees of the Senate want to be excused or relieved from voting for that amendment remaining in the bill.

The SPEAKER. The time of the gentleman has expired.

Mr. KITCHIN. I yield the gentleman three minutes more.

Mr. FORDNEY. I want to say to the gentleman, and I frankly state, that a majority of all the conferees are in favor of striking this paragraph from the bill because in our opinion it has no place in this law. It makes the conferees, it makes the Congress ridiculous to pass a measure of that kind in a revenue measure intended, my friends, to collect money to support our boys upon the battle fields of Europe, to bring such political buncombe into it. It makes the Members of Congress in both Houses, in my opinion, most ridiculous. Present to this House a measure of this kind to limit contributions to campaign funds and put as heavy a tax upon it as you may place and I will vote for it at any time. I have been elected to this House 11 consecutive terms. I never had more than $100 given to me for any one of those 11 campaigns and never in my life put $300 in the total 11 campaigns I have taken part in, and therefore there is nothing personal in this for me. Gentlemen, my skirts are as free from fraud in a campaign, I believe, as any man on earth and I want to keep it so, but I say this measure is ridiculous to include in this law. I yield back the balance of my time. [Applause.]

Mr. KITCHIN. I yield five minutes to the gentleman from Georgia [Mr. CRISP]. [Applause.]

Mr. CRISP. Mr. Speaker and gentlemen of the House, I want to discuss with you the practical question, so far as the parliamentary situation is concerned. Personally, if I had my way, I would prefer not to have the amendment retroactive. I do not believe, however, that a man who is able to contribute $500 or more to some friend for political purposes will be hurt if he does have to pay a tax on the contribution.

Now, our excess-profits, income tax, and many other taxes of the revenue bill are retroactive. Therefore I do not think it is going to do such grave injustice if those who had enough money so that they could contribute $500 or more to some campaign will be hurt if they pay a tax. But now I want to discuss with you the parliamentary situation.

The Senate proposed an amendment providing that those who contributed over $500 should pay 100 per cent tax. Now, that amendment is before the conferees and is at issue between the two Houses. If the House instructs its conferees to concur in that amendment without any change whatever, when the House conferees go back to the Senate conferees and say, "We accept that amendment," then the jurisdiction of the conferees over that matter ceases. And that amendment goes in the conference report, and when the conference report is presented to the Houses they must accept it or reject it in toto. But say that now we instruct the House conferees to concur in the amendment with an amendment. Of course, the House conferees will endeavor to carry out the instructions of this House, for I do not believe there is a man in this House who was instructed but that would obey those instructions. But suppose that the House conferees go back and say, "We want to concur in this amendment with the amendment of the gentleman from Missouri, my friend, Mr. RUCKER, or the amendment of my friend from Pennsylvania [Mr. MOORE]," and the Senate conferees say, "We will not accept it." Then the Senate conferees can say, "We will not accept it, but we will recede," and they can bring in the conference report, leaving it out.

But take even the other horn of the dilemma, and say that they could not reach any agreement at all, then they can report a disagreement as to that amendment, and when it goes back to the Senate the Senate could recede from its position and the House be left high and dry. Now, that is the situation. Now, my friends, if the membership of this House desires legislation on this subject, the wise thing for them to do is to vote for the motion of the gentleman from Texas [Mr. GARNER] to concur straight. If a majority of the House does not want legislation, if a majority of the House want to fix it so the Senate or Senate conferees can recede without rejecting the conference report, then they had best vote to concur with some amendment, which then will leave it where the Senate conferees can either recede or report a disagreement and make it possible to eliminate the whole matter without rejecting the conference report. [Applause.]

Mr. KITCHIN. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I hope the House is not going to do a silly and ridiculous thing, although I have sometimes seen the House do that.

I want to say at the outset that I have never been in the habit of receiving campaign contributions to any extent; I never have solicited any; I never have received any, even from the packers, notwithstanding the statement that was recently made. [Applause.] In the last campaign there were sent to the man who was looking after my interests two campaign contributions, one of $100 and one of $150, which I duly reported, in accordance with a not very good custom, and, after the election, returned to the contributors. So that I am not at all fearful that a restriction of $500 would ever affect any contribution which I might want or receive personally. But let us see what this Senate amendment is, and then what the situation is here in the House. The Senate amendment, which, to begin with, was probably hastily and somewhat loosely drawn, without fixing any time whatever, provides for a tax upon every campaign contribution of over $500, the tax to be equal to the excess over $500, whether it be in reference to a Member of Congress, a presidential elector, governor of a State, a sheriff, or any other State official who was elected at the same time as the Member of Congress.

Mr. HENRY T. RAINEY. May I call my colleague's attention to the fact that that would apply also to any proposition voted for at any of those elections, including the good-roads proposition in Illinois last fall?

Mr. MANN. I was going to say that it not only applies to candidates of a political party for office, but in those States which permit the submission of propositions to the voters of the States, where a committee is organized to urge the adoption of the proposition—as, for instance, in my State, a constitutional convention—the law applies to contributions made to those people. Now, let me say this, that there seems to be a general idea here that this Senate amendment applies to last year, the election of 1918, because this bill is designed to enact taxes for 1918. This is not a bill for the collection of 1918 taxes. Gentlemen are in error in thinking that. This is a general revenue bill. It provides in that bill in various places that for the year 1918 the taxes shall be so-and-so, but otherwise it is a general revenue bill, and there is no provision specifically that this shall apply to the campaign of 1918. On the other hand, there is no limitation that it may not apply to the campaign of 1916, 1914, and as far back as we can go under the power we have to raise this revenue. The amendment provides, and to that extent it seems to contemplate the collection of taxes for past contributions, that all of these committees and individuals, and everybody else covered by the amendment, shall make a return within 30 days after the passage of this act. Now, the purpose of making the return within 30 days after the passage of this act can only be for the purpose of collecting revenue, because that return has to be filed with the collector of revenue. Now, how far it goes back can not be ascertained except by construction.

It applies to the treasurers or chairmen of all State or congressional committees and of all political committees as defined in the act of Congress approved June 25, 1910, and in my judgment it would require every one of these committees since the act of 1910 became a law to file within 30 days after the passage of this act a full statement of all receipts of those committees. And while that would not be physically possible it would be possible to impose a penalty upon live people, not upon the dead ones, who were occupying these various positions.

There can be no purpose in the amendment requiring these returns to be filed with the collectors of internal revenue within 30 days from the passage of this law unless it applies to somebody; and if it applies to 1918, by equal token of the bill it applies to 1916, 1914, and 1912. That shows how utterly ridiculous the proposition is as it stands.

Now, I have no special fear that the very wealthy men who may have contributed would not be able to pay the tax. Of course the amendment provides that "any person, firm, or corporation contributing," and so forth. The law heretofore forbids a corporation to make a contribution. Whether this amendment, by putting in the term "corporation," will permit corporations to make contributions in the future, I do not undertake to say; but very likely. But here, how about this proposition: This amendment requires a candidate for office himself, if he be a Member of Congress and a candidate for Congress and contributes to a regular campaign committee of his party more than $500, to pay a tax equal to the excess over $500. Now, in some States, in some localities—in Chicago, for instance, and maybe I am interested to that extent—it is the

custom for candidates for Congress, there being 10 districts in our city, to be asked for contributions to the central campaign committee. I have at times in the past, at the request of the committee, contributed $1,000. I think the request last fall was for $750. Now, is it proposed—and gentlemen must vote for the fairness of a proposition—that a man who was a candidate for Congress or some other position—because these contributions were not confined to candidates for Congress—having contributed out of his own means for his election, through the regular political committee channels, in the most perfect way that you can make a campaign contribution, with no effort to spend money personally, soliciting voters personally, shall be penalized now by a tax on his past contribution, against which he could not guard himself, while other Members of this House and elsewhere who spend their own money out of their own hands—I would not say as to Members of this House corruptly, though possibly in some cases outside of the Members of the House it might be corruptly—shall escape paying any tax.

How utterly ridiculous the proposition is! What justification can there be for it? Shall we propose in this bill to tax the profits, the excess profits, for 1918? We propose to increase the personal revenue taxes of individuals for 1918.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that my colleague may proceed for five minutes more.

Mr. KITCHIN. I yield five minutes to the gentleman.

The SPEAKER. The gentleman from North Carolina has only six minutes remaining.

Mr. MANN. We will extend the gentleman's time.

Mr. BUTLER. Mr. Speaker, will the gentleman yield to me for a question before he resumes?

Mr. MANN. Yes.

Mr. BUTLER. We are permitted to spend so much in accordance to the provisions of an act of Congress that was considered fair and honest. Yet if we do spend that money, if I understand the gentleman's statement correctly, we would have to pay it over again?

Mr. MANN. If you paid it to a campaign committee you would have to pay it over again; yes.

Now, it is considered fair, though it is questioned by many people, that we may increase the tax for 1918, because we have had that under consideration, lo! these many months. Early in the year Congress commenced on this legislation, and perhaps people would have to take judicial notice that the taxes which were to be levied against them were to be increased because of war conditions. There can be other justification in any event for going back into the past and collecting taxes about which people could not know in advance. But here is a proposition passed by the Senate after the last election, after people had made their contributions and received their contributions, both for primaries and national-election purposes, that proposes by the strong arm to say to men who were generous enough to contribute, perhaps through friendship, perhaps through belief in the principles of a party, "We will take you by the arm and require you to pay over again." A thief would not be so mean. [Applause.]

And yet it is proposed under the dignity of Congress that they play the strong-arm act upon these people. I have known young men, candidates for office without money, who had some strong personal friends who were willing to put up more than $500 to help them, when other men with wealth could contribute all they pleased out of their own pockets. Under this bill a candidate for governor in my State with wealth may pay $100,000 himself, not to a political committee, and it will cost him nothing. But the poor man who wants to be a candidate for governor and has some friend who is willing to contribute $500 or $1,000 to his campaign expenses must double the amount. It is purely in the interest of the rich campaigner instead of the poor.

I am not in favor of corruption in elections. The power of Congress is plenary for the control of both primary and general elections. We can say that nobody shall contribute anything for campaign expenses. We do not need to resort to a tax for that purpose. We have the power to limit the expenses and the contributions. And yet it is proposed, and seriously proposed, to go back—nobody knows how far back—and say to men who in the open had contributed money which they believed was to be usefully used, "We will rob you now of the amount that you were generous enough to contribute." [Applause.]

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to have my time extended half an hour. There are several gentlemen who desire to speak upon this.

The SPEAKER. The gentleman asks to have the time for debate on the Garner motion extended 30 minutes. Is there objection?

Mr. LEVER. Reserving the right to object, I hope the chairman of the Ways and Means Committee, who is the floor leader of the majority, will urge upon Members of the House that they stay with the Committee on Agriculture until we finish the Agricultural appropriation bill to-night.

Mr. MANN. Oh, well, we are not going to agree to that.

Mr. HEFLIN. It must be done.

The SPEAKER. The gentleman was not asking anybody to agree except the gentleman from North Carolina.

Mr. MANN. Well, he is notifying the House; and while he is doing that I am notifying the House that if he wants to stay late to finish the bill to-night he will have to keep a quorum here.

Mr. LEVER. Then I think a quorum will have to stay here.

The SPEAKER. The House has notice from both sides. The gentleman from North Carolina asks unanimous consent that the time be extended 30 minutes. Is there objection?

Mr. LONGWORTH. Reserving the right to object, will the gentleman yield?

Mr. GARNER. Will the gentleman yield? I do not object to a longer time for debate on this motion, but it seems to me that the opposition ought to have some time. The time ought not to be entirely under the control of the gentleman from North Carolina.

The SPEAKER. The immemorial rule of the House is——

Mr. MANN. The opposition has had all the time so far, except the one speech that I made.

Mr. LONGWORTH. I should like to ask the gentleman from North Carolina a question. I should like to know how the gentleman is going to vote on these various propositions. I have voted with him frequently on revenue propositions——

Mr. KITCHIN. The gentleman wants to know how I am going to vote?

Mr. LONGWORTH. Yes.

Mr. KITCHIN. Will the gentleman consent then to the extension?

Mr. LONGWORTH. Yes.

Mr. KITCHIN. I am going to vote against the Garner resolution because it is retroactive. It takes the fellow who gave his money to political committees or organizations when there was no law against it, when he had a right to do it, and taxes him 100 per cent on all in excess of $500, and I will not vote for any law to go back and punish a man for doing what the law permitted him to do. I shall vote for the Rucker proposition, that just simply puts in the word "hereafter" after the word "shall," and let the Senate amendment stay like it is. The only difference between the Garner amendment and the Rucker amendment is that the Garner amendment taxes the man who contributed in the last campaign, when there was no law against it—taxes his gift—while the Rucker amendment provides exactly the same as the Garner amendment, except to make it apply hereafter.

Mr. GARNER. Of course this time is coming out of the time of the gentleman from North Carolina.

The SPEAKER. The gentleman from Ohio [Mr. LONGWORTH] reserved the right to object to this, and all this debate is out of order.

Mr. GARNER. The gentleman has made his speech to the gentleman from Ohio. The gentleman from Ohio knew how he was going to vote, but he wanted the gentleman to make his speech to the House. Now, let me ask the gentleman from North Carolina a question.

Mr. MANN. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. Has the extension of time been granted?

The SPEAKER. It has not, and all this conversation is out of order.

Mr. FOCHT. I ask unanimous consent to address the House for five minutes.

The SPEAKER. There is already a request pending to extend the time 30 minutes. Is there objection?

There was no objection.

Mr. GARNER. I ask that the gentleman from North Carolina occupy two minutes of his own time for the purpose of answering a question.

Mr. KITCHIN. I yield to the gentleman.

Mr. GARNER. The gentleman from Ohio [Mr. LONGWORTH] knew how the gentleman from North Carolina was going to vote, but, of course, that was an opportunity for the gentleman from North Carolina to make his speech. I do not object to that, but I want to ask the gentleman now, if the Rucker

amendment is adopted by this House, does the gentleman from North Carolina believe that there will be any provision touching campaign contributions in the bill when it becomes a law?

Mr. KITCHIN. I doubt exceedingly if it will become a law. I doubt exceedingly, if the gentleman's amendment carries, whether it will become a law, because I believe the Senate will recede in any event, and therefore, believing that, I can not permit myself to go on record for the sake of shouting political morals for a proposition that in my judgment is really a moral wrong, and that is the reason I am going to support the amendment of the gentleman from Missouri [Mr. RUCKER].

Mr. GARNER. Will the gentleman yield for another question?

Mr. KITCHIN. I will.

Mr. GARNER. If the motion that I have made is agreed to by the House, will it not be necessary then for the Senate, in order to recede, to go back and recede formally and put the Senate on record?

Mr. KITCHIN. While there is some doubt about it, I believe that is exactly what they will have to do.

Mr. GARNER. Then the gentleman's proposition is to adopt the Rucker amendment, when it is a certainty that it can not possibly become a law and the Senate will not go on record; but if you adopt my proposition you will either have it a law or the Senate will have to back up on its own proposition.

Mr. KITCHIN. The Senate will go on record in both events. It is bound to do so.

Mr. CANNON. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. CANNON. The gentleman from Texas now wants his way about it, so that the Senate can back out. The gentleman from North Carolina wants his way about it, to make it hereafter, so that the Senate will back out. Now, if I am right about that, the only difference between the two gentlemen is that the gentleman from North Carolina makes a bluff and the gentleman from Texas—and he will understand what it means—raises the bluff. [Laughter.]

Mr. GARNER. The gentleman from Illinois is an expert on parliamentary law as well as a good many other things, but he is wrong in reference to this proposition. [Laughter.] If the House will adopt the motion I have made, I honestly believe that this will be a part of this bill when the bill becomes a law, because the Senate has not the courage to back out. They played the demagogue, as some have suggested, and when it goes back and it is called to their attention that it is to purify the ballot there is not enough Senators in that body to withdraw it from the consideration of the conferees. This is not raising a bluff; it is calling a bluff. [Laughter.]

The SPEAKER. The Chair will admonish gentlemen that they must not refer to the Senate.

Mr. KITCHIN. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. HENRY T. RAINEY].

Mr. HENRY T. RAINEY. Mr. Speaker, I ask the careful attention of the House without interruption while I attempt to explain what this Senate amendment and the various suggestions connected with it mean. The time may have come, and I believe it has come, when we ought to have a satisfactory corrupt practice act in the United States. But this clause in this bill is not that kind of an act. I expect to vote against every one of these propositions which will be submitted soon to this House. There are the best of reasons for it.

Now, I want to address particularly this side of the House. We are about to yield the control of this body to the Republicans. We ought not in the closing weeks of our control to add to our splendid record of legislative achievement a proposition so silly, so absolutely absurd. Let me tell you what you are voting for. If you vote for this proposition or any of these amendments any firm, person, or corporation who contributes or expends more than $500 toward the success or defeat of any proposition submitted at any election when presidential electors are to be elected, or Members of Congress or Senators, whether it is a primary election or general election, is fined the amount of the excess over $500 and compelled to pay that amount into the Treasury of the United States.

Let me call attention to the conditions in my own State of Illinois, and everyone of you have similar conditions in your own State. In the election of last fall we had pending a proposition providing for a constitutional convention. That was a proposition submitted at a time when there were elected Members of Congress. It was promoted by an organization of lawyers and of citizens who accepted contributions from civic organizations throughout the State and who carried on an extensive campaign. I have no doubt that in some weeks toward the close of the campaign as much as $500 per week was contributed and expended, and the last two or three weeks more than that. If you vote for this proposition, then those contributors are fined—and God knows we need a new constitution bad enough—are fined the amount they contributed above $500.

Are you going to vote for a proposition as absurd as that? The organization which promoted this campaign will be compelled to pay into the Treasury of the United States the entire amount they expended during that campaign over $500.

I wonder how much money the Anti-Saloon League and similar organizations have paid out in recent years to promote the principles they stand for and to influence the result of elections. Every one of those moral organizations, without any exception, expended more than $500 last year, and yet when you vote for any one of these propositions, except the Rucker proposition, you are voting to fine every one of those organizations the amount they expended for these purposes in recent campaigns, less $500; and the Rucker proposition will put them all out of business in the future.

That is not all. Your committees have assessed you in your own State and you paid the assessment. I undertake to say that few committees have assessed Members of Congress less than $500. That money you did not pay for your own election alone; it was expended by your committees, and the entire amount went into the respective counties of your congressional district and your entire ticket got the benefit of it. You are therefore voting to compel yourself to pay into the Treasury the amount of that contribution, less $500. Are you willing to do that?

The SPEAKER. The time of the gentleman has expired.

Mr. KITCHIN. I yield to the gentleman more time.

Mr. HENRY T. RAINEY. It happens frequently that Members of Congress and other speakers participating in a national campaign contribute their expenses. They travel from one end of the country to the other, and they submit their expenses as a part of their campaign contribution and say, This is my contribution to the national campaign fund. How many of you have done that? Many; and few have escaped contributing less than $500. If you vote for any of these propositions, except the Rucker proposition, you vote to fine yourself the amount of the excess of your railroad fares and other expenses in these campaigns over $500.

In some of the States contributions are made compulsory in primary elections. When you submit your name for the purpose of having it printed on a ballot you are compelled by the laws of the State to pay so much money. I am not familiar with laws of that character, and I do not know whether the amount required in any State is over $500, but if it is then you are fined the excess over $500, and are compelled to pay it into the Treasury of the United States. Every man in this House who is called upon to vote for this retroactive proposition, and everyone except the Rucker amendment is retroactive, votes to accomplish the results I am describing. You have invited contributions to your national committees from your friends and from others, and persons representing you have done it, and your friends and others have contributed, and they have contributed because you wanted them to contribute to national committees, and you propose now to go back and fine your friends the amount of their contributions above $500. Mr. Speaker, I am going to vote against all of these amendments, including the Rucker amendment. The Rucker amendment makes these things possible in the future, and that, from my standpoint, is just as bad as making it also retroactive. This is not the kind of a corrupt-practices act we want.

We have at the present time in the United States 17,000 more millionaires than we had when the war broke out in Europe, and this situation demands attention in this connection.

The war has been brought to a victorious close, and our participation in it has not developed in our armies any large number of prominent officers of high rank. After the Civil War from the North and the South there came to both branches of the National Congress military officers of high rank who during that long four years' struggle had rendered most excellent service and had acquired in a military way most prominent positions. It is hardly likely that any large number of military officers of high rank in the American armies will come to this body as the result of reputations made in France. But there is another class developed by the war who will be largely represented here if such propositions as these are written into the law of the land. You do not reach by this amendment, so strenuously insisted upon, the corruption you want to reach. Write into the law this proposition and you destroy political committees, both National and State. A rich man can carry on his own campaign, expend his own money, and can not be reached by anything in the existing law or this proposed amendment. It costs $100,000 to cover my own State of Illinois with a 3-cent letter in a political campaign, and there is nothing

in the law which requires the rich man who is able to send out a communication of this kind to even account for it. A rich man can travel over any State in this Union in a political campaign with secretaries and assistants and publicity men, and we have no laws that would compel him even to account for expenditures of this kind. A rich man at the head of a ticket in any State can establish headquarters and conduct a campaign, such a campaign as may carry his entire ticket through, and expend any amount of money on his correspondence and his alleged personal expenses—a most elastic term—without even accounting for it. This amendment, whether it is retroactive or not, is in the interest of men of great wealth. It makes it impossible for a poor man to make any kind of a campaign against them without the assistance of his committee, and there will be no National or State committees if this is written in the law.

While the war has not developed for us any large number of great generals, it has developed for us 17,000 millionaires. A careful examination of our income-tax statistics—and I have made that kind of an examination—will show that we had 7,400 millionaires in this country in 1914. In 1915 we had at least 10,600 millionaires. In 1916 we had at least 17,000 millionaires. Statistics are not available in this particular for 1917 and 1918. The chances are that the increase in the number of millionaires did not continue at the same ratio on account of the taxes imposed after our entrance into the war, but it is a perfectly conservative estimate to say that we have at the present time in the United States 24,000 millionaires, of which number 17,000 are war millionaires coming into existence as the result of the war since the commencement of the war in Europe in 1914, and of course the number of near millionaires has also largely increased.

You are, therefore, making it possible when you write into the law such amendments as this for this class of war heroes to force their way into the National Congress and into prominent positions in the various States. Do you want to vote for a proposition which may bring about such a result as this?

This proposition, whether retroactive or not, will make it impossible for the Anti-Saloon League to continue in existence if it should be enacted into law in its present form. If it had been written into the law some years ago, it would have defeated the prohibition amendment which has been ratified by the requisite number of States. If this proposition is written into the law, it will put out of business the organizations for the promotion of the equal-suffrage amendment to the Constitution of the United States, for the reason that it will impose a penalty of 100 per cent on the excess over $500 of any amount which any person, firm, or corporation shall give, subscribe, expend, or contribute in the aggregate during any taxable year "for the success or defeat of any proposition to be voted upon at any primary election, general or special election at which candidates for Member of the House of Representatives or United States Senators or electors are to be nominated or elected."

We need and ought to have a corrupt-practices act. It ought to be carefully thought out and prepared, so as to meet the conditions which ought to be corrected at the present time. This amendment, whether retroactive or not, will accomplish the very things this House and the country do not want accomplished. I expect to vote against this motion and against all the amendments to it which have so far been proposed, but I will be glad to cooperate to the very extent of my ability in the accomplishment of legislation which will properly meet conditions presented to us in our elections at the present time.

Mr. KITCHIN. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Speaker, since my service in this House there have been enacted a corrupt-practices act and some amendments to the corrupt-practices act, but up to the present time none of them seems to reach the men who ought to be reached. This motion which we are now called upon to vote on does not go far enough, but there is one thing which we ought to do. Every time it is proposed in this House to vote to improve the corrupt-practices act, to make elections in this country purer than they have been in the past, we ought to vote for it. That is what the proposition is in this case. I do not know how many men in the last campaign, in 1918, contributed to the two great political parties. But, as said by the gentleman from Georgia, these men who have contributed large sums of money to campaign funds will not be ruined if this amendment should become a law and they are assessed and have to pay the taxes provided under this bill. I am free to say I would rather not go back beyond this year, but would rather make it effective from now on; but the difficulty is now that when we take this amendment and put another amendment on it, then the other body will have an excuse to not agree to it. Therefore, in order to cinch this matter now, if it is possible to do it, and I do not know whether that will or not, we ought to vote to accept it with one year. That is the only reason I shall vote for it as it is now written. If we can not do that, then I shall gladly vote for the Rucker amendment. I can say that I would rather have the Rucker amendment now than I would have the straight proposition of concurring in this, if it may come nearer getting such an amendment and stop the use of money in elections throughout the country in every election district.

Mr. HEFLIN. Mr. Speaker, will the gentleman yield?

Mr. FOSTER. Yes.

Mr. HEFLIN. Does not the gentleman think we would be justified in going back to the year 1918, because these men who spent these large sums of money for the election will not take office until the 4th of March of this year? I think that is another reason why we are justified in this vote.

Mr. FOSTER. I doubt that is a good reason or whether we should make this retroactive at all, but I shall vote for the motion only on account of this parliamentary situation we find ourselves in at this time. I shall gladly vote for the amendment the gentleman from Missouri [Mr. RUCKER] has offered, and strike out the last year and make it hereafter, so it will apply to campaign contributions in the future. We have heard a good deal of talk and have seen much printed in the newspapers throughout the country in respect to excessive expenditures in the campaigns in the different States. I do not know that any State is entirely free at times. They do not all get the prominence in every campaign that some of them have had lately. Some men seem to rely upon their money to carry them into office and that is what we want to stop. It has been said here that 17,000 millionaires have been created by this war, so there are 17,000 more reasons why we ought to pass this legislation than there have been in the past. Let us vote for it and put it in if it is possible to do it at this time. Let us do our part so that we will show our willingness to get some legislation along this line. [Applause.]

Mr. KITCHIN. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS of Virginia. Mr. Speaker: We ought to be honest with ourselves, and honest with the country when we deal with the proposition now pending. What is it that it is solemnly proposed that we shall do? Should we concur in the Senate amendment, then we say that every man who, in 1918 at a time when his action was lawful, at a time when contributions were permitted, and public sentiment did not frown upon them, made a contribution in excess of $500 shall now to the extent of that excess, be compelled to pay the same into the Treasury as a so-called tax. This payment will not be a tax, it will be a fine for doing a lawful act. While it is not technically the same, this amendment has all the objectionable elements of a bill of attainder, or an ex post facto law. It proposes to stamp innocent people with the brand of wrongdoing, to penalize them for doing that which under the law of the time of the act, was lawful and proper. I am not interested in this matter of bluffs, and calling bluffs, referred to by some of my friends. They are using technical terms with which I am not familiar. But I am interested in taking up this proposition, and dealing with it in such a way as to make of it an effective law for the future, a law that will be useful and wholesome in respect to the public morals of the country. The gentleman from Missouri [Mr. RUCKER] said, and well said, and we all agree to his statement in our hearts, that debauching influence of great expenditures of money in connection with popular elections, ought to be eliminated both by the force of public opinion, and positive statute. How can we deal with this situation and a just and fair law? The answer is easy. Defeat the Garner motion, and adopt the Rucker resolution. This amendment was undoubtedly intended by the Senate to be prospective in its effects, to deal with the future.

Read this amendment and it will be apparent that as drawn, it was not expected or intended to apply to the election of 1918. But by virtue of certain phraseology used in the bill, which says that the taxable year referred to, shall be the year stated I think on page 4 of the act to be the calendar year 1918, the question is raised whether this amendment might not apply to a situation to which it was not intended that it should apply, viz., to the election in the year 1918. If under any circumstances, the Senate amendment could be construed to apply to the year 1918 it should be amended to remove that possibility. Hence the propriety of adopting the Rucker resolution which proposes to add to the Senate amendment the word "hereafter."

I do not agree with the construction placed upon this amendment by the gentleman from Illinois [Mr. MANN]. It seems to me that upon the most casual inspection of the language of the amendment it will be apparent that the effort to make it applicable not only to the year 1918, but to 1917, 1916, 1915,

or as far back as you choose to go, it is an utterly strained construction of the language used, in contravention, and in violation of the ordinary principles of legal interpretation. This amendment may apply to the year 1918 for the reason that it provides that the reports contemplated shall be filed within 30 days after this amendment becomes law, and then within 30 days after any election occurring thereafter. This language shows that these reports shall be filed with reference to some one specific election. Hence it is a fair interpretation of the amendment that when it says a report shall be filed within 30 days after the passage of this act, having in mind that the other reports are to follow some one election thereafter, this first report was intended to apply to the election of 1918 and to no other. Now, Mr. Speaker, what is it that the motion of the gentleman from Missouri proposes to do? Why, simply to say that in the future, a tax of 100 per cent shall be imposed upon contributions in excess of $500. This would put all persons contemplating political contributions upon notice. The Senate amendment was not intended to ascertain who made political contributions in 1918. If that information is desired, look to the reports filed under the Federal and State laws. These reports will tell you who contributed in New York, Pennsylvania, Georgia or in any other State in the Union. We ought to do what is fair, decent, and honest in this connection. If an opportunity is afforded by appropriate action to make some helpful improvement in the political conditions of this country, let us avail ourselves of it, and pass a wholesome act that will apply, as all acts of this character should, apply, to the future, and to the future only. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. KITCHIN. Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, this bill is not before the House, but is in conference. The gentleman from North Carolina [Mr. KITCHIN], I am informed, by unanimous consent asks that the House conferees be instructed as to the Senate amendment. First, whether the conferees should agree to the Senate amendment. If the vote of the House should be in the negative, then the House should vote on the amendment offered by the gentleman from Missouri whether the Senate amendment should be retroactive. Am I correct in that?

Mr. KITCHIN. I think the gentleman is correct.

Mr. CANNON. Yes. Now, I am not going to vote, as far as I am concerned; I do not think I shall unless I may be suddenly converted, and I do not think I will be. [Laughter.] I am not going to vote to concur in the Senate amendment. I am not going to vote for the instruction.

Mr. Speaker, this Senate amendment was conceived in petty, little politics. I believe in honest elections, but when you take a great revenue bill to close up this war or carry it on, a bill that has taken months and months to consider, and then to have some Member of Congress for some reason or other to hang on it in the name of reform this proposition, why that is little, peanut politics.

Mr. HULL of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, with the permission of the gentleman from North Carolina, on this subject.

Mr. HENRY T. RAINEY. Mr. Speaker, I make the same request.

Mr. RUCKER. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to these requests? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker and gentlemen of the House, in the first place, let us understand the exact issue before us. The gentleman from Texas [Mr. GARNER] moves that the House concur in the Senate amendment providing for a tax on political contributions, which tax, according to the amendment, is retroactive and applies to contributions in the elections or primaries in 1918.

Mr. GARNER. To instruct the conferees to agree to it.

Mr. KITCHIN. It is the same thing. The gentleman from Missouri [Mr. RUCKER] moves that the House instruct its conferees to agree to the Senate amendment with an amendment making the tax on political contributions apply only to such contributions hereafter made in future elections, in future campaigns, and not to such contributions made in past elections and campaigns. Now, what is the object, gentlemen, of any legislation with respect to money contributed for or spent in elections or primaries? It is to prevent corruption and debauchery of elections and primaries. That is the only object that any patriotic man can have, is it not? How in the name of common sense can you prevent debauchery or corruption in an election or primary by putting a tax on persons who contributed in an election or primary that was held months before such a tax was ever suggested? Why, the whole object is to prevent it in the future. What does the Garner motion do? It asks the House to concur, to instruct its conferees to concur, without a change, with the Senate amendment that not only levies a tax on future contributions to campaigns, but 100 per cent of any amount in excess of $500 that was contributed by anyone for political purposes to any person, to any party, to any association, or to any organization during the year 1918, though there was no tax on and no law, statutory or moral, against such a contribution.

Now, let us take a case, we Democrats and Republicans. Suppose, fellow Democrats—even you who advocate the penalizing, retroactive tax—before you heard this cry of "political godliness," to which the gentleman from Illinois [Mr. CANNON] has just referred, you had learned that Bill Jones had given to SCOTT FERRIS, chairman of the Democratic congressional committee, $10,000 in the last campaign to help elect a Democratic House and a Democratic Senate, would not every one of us Democrats, including the gentleman from Texas himself, have thought more of Bill Jones and thought him a better and a more patriotic man than he was before he contributed the $10,000? Would not every Democrat here have thought such a contribution was proper and wise? Would not all of us have defended him?

Mr. GARNER. Will the gentleman yield? We would have known that Bill Jones had an object in giving the $10,000, and that he had gotten certain things, and that it was not legitimate money. They do not make $10,000 contributions unless they have some purpose in doing it.

Mr. KITCHIN. Let us examine our own minds and consciences about this thing. You have to answer this to yourselves, and not to me, or to the House, or to the country. Would not you have thought Bill Jones was a mighty fine fellow and that he had a right, a perfect right under the laws of this country—a perfect right, moral as well as legal—to make such a contribution? And he did have such right, if he felt that a Democratic House and Senate could serve this country better than a Republican House and Senate could. Answer this to yourselves, my fellow Democrats. Would any one of you have condemned and denounced such a contribution? Would you have not defended it? Why now try to punish, penalize with a heavy 100 per cent retroactive tax, Bill Jones for making the contribution?

Mr. DECKER. Will the gentleman yield?

Mr. KITCHIN. Please do not interrupt me. I have but three or four minutes.

My Republican friends, suppose you had learned before this "godliness" had struck the House, before the Senate had put this amendment on, that Tom Smith, a good Republican, had given $10,000 to Dr. FESS, chairman of the Republican congressional committee, to help elect a Republican House and a Republican Senate, because he felt that a Republican House and Senate could serve the country better than a Democratic House and Senate, do you not know that every Republican in this House would have thought more of him and regarded him as a better and more patriotic man than you had before? Would not every one of you have defended such a contribution as wise and proper? Not one of you would have condemned it. Why now attempt by concurring in the Senate amendment to punish by a 100 per cent tax Tom Smith for making such a contribution? The passage of the Garner motion would put us Democrats and SCOTT FERRIS in the position, after soliciting and accepting from Bill Jones his $10,000 to help elect a Democratic House and a Democratic Senate, of coming back in this House immediately after the election and saying to him, "Although we asked you for the $10,000 to help to elect a Democratic House and Senate for the good of the country and you gave it, we are now going to pass a retroactive law and punish you and penalize you in the sum of $9,500 by a tax to the Government, because you complied with our request." [Applause.] And the same observation will apply to the Republicans with respect to Republican Tom Smith, who contributed $10,000 to their campaign in 1918.

Mr. GARNER. Will the gentleman yield?

Mr. KITCHIN. I can not yield.

Mr. GARNER. Are you in favor of the Rucker amendment?

Mr. KITCHIN. I am.

Mr. GARNER. Then you want to say that in the future he shall not have this moral and legal right?

Mr. KITCHIN. Yes; I am willing to curtail that right in the future, but not to punish him for exercising his rights within the law in the past. I am against political corruption; I am against money being wrongfully spent in elections. I try to do the moral thing not only in politics but in all things. [Applause.] But I would not do an immoral or a dishonest or an unfair thing in order to accomplish what some people may think was an honest and right thing. I would not vote now to punish men for making contributions in 1918 or in the past when there

was no tax on and no law against such contributions. It would not be right or the square, fair thing.

We can talk about purity in elections, we can denounce corruption in elections, and we can indulge in glittering generalities about corruption and debauchery and honesty and purity in elections as much as we please, but, gentlemen, it just is not right to go and penalize by any kind of a law a man for doing that which in law and morals he had a right at the time to do. [Applause.] And, therefore, I am not going to support the Garner motion but will support the Rucker motion. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Texas.

Mr. KITCHIN. Mr. Speaker, I move the previous question.

Mr. DOWELL. Will the gentleman from North Carolina yield to a question?

The SPEAKER. All time has expired. The question is on the Garner motion.

Mr. FESS. A parliamentary inquiry. Mr. Speaker——

The SPEAKER. The gentleman will state it.

Mr. FESS. If the Garner motion is not agreed to and the Rucker amendment is not agreed to, what will be the status?

The SPEAKER. It will be exactly where it was when we started in here two hours ago.

Mr. MANN. Mr. Speaker, the question is on the previous question. The gentleman from North Carolina [Mr. KITCHIN] moved the previous question.

The SPEAKER. The Chair did not hear it.

The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the Garner motion to instruct the conferees to concur in Senate amendment 222.

Mr. GARNER. Mr. Speaker, upon that I ask for the yeas and nays.

The SPEAKER. The gentleman from Texas asks for the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor of the Garner motion will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 61, nays 242, answered "present" 4, not voting 122, as follows:

YEAS—61.

Alexander	Evans	Lobeck	Snook
Almon	Foster	London	Steagall
Aswell	Garner	Lundeen	Stephens, Miss.
Blanton	Garrett, Tex.	McClintic	Stevenson
Buchanan	Goodwin, Ark.	McLemore	Taylor, Colo.
Byrnes, S. C.	Gregg	Mansfield	Thompson
Byrns, Tenn.	Hastings	Oldfield	Tillman
Candler, Miss.	Heflin	Quin	Towner
Connally, Tex.	Hensley	Rainey, J. W.	Weaver
Crisp	Hilliard	Rayburn	Whaley
Dickinson	Hollingsworth	Robinson	Wilson, La.
Dies	Huddleston	Romjue	Wingo
Dillon	Humphreys	Rubey	Young, Tex.
Dominick	Jacoway	Sanders, La.	
Dowell	Jones	Sisson	
Eagle	King	Slayden	

NAYS—242.

Anderson	Collier	Frear	Ireland
Ashbrook	Connelly, Kans.	Freeman	James
Austin	Crago	French	Johnson, Wash.
Ayres	Cramton	Fuller, Mass.	Juul
Bacharach	Currie, Mich.	Gallagher	Keating
Bankhead	Curry, Cal.	Gallivan	Kelley, Mich.
Barkley	Dale	Gandy	Kelly, Pa.
Barnhart	Dallinger	Gard	Kennedy, Iowa
Beakes	Darrow	Garrett, Tenn.	Kennedy, R. I.
Bell	Davis	Gillett	Kettner
Benson	Decker	Glynn	Key, Ohio
Beshlin	Dempsey	Good	Kincheloe
Birch	Denison	Graham, Ill.	Kinkaid
Black	Denton	Gray, Ala.	Kitchin
Blackmon	Dill	Green, Iowa	Knutson
Bland, Va.	Dixon	Greene, Mass.	Kraus
Bowers	Doolittle	Greene, Vt.	Kreider
Brand	Doremus	Griffin	La Follette
Browning	Dunn	Hadley	Lampert
Burnett	Dupré	Hamilton, Mich.	Larsen
Burroughs	Dyer	Hamlin	Lea, Cal.
Butler	Eagan	Hardy	Lee, Ga.
Campbell, Kans.	Edmonds	Harrison, Va.	Lesher
Campbell, Pa.	Elliott	Haskell	Lever
Cannon	Ellsworth	Hayden	Little
Cantrill	Elston	Hayes	Lonergan
Carlin	Esch	Hersey	Longworth
Carter, Okla.	Fairchild, B. L.	Hicks	Lunn
Cary	Fairfield	Holland	McArthur
Chandler, N. Y.	Ferris	Hood	McFadden
Chandler, Okla.	Fess	Houston	McKeown
Church	Fisher	Howard	McKinley
Clark, Pa.	Flood	Hull, Iowa	McLaughlin, Mich.
Classon	Focht	Hull, Tenn.	McLaughlin, Pa.
Claypool	Fordney	Hutchinson	Madden
Coady	Foss	Igoe	Magee
Mann	Parker, N. J.	Sherwood	Van Dyke
Mapes	Parker, N. Y.	Shouse	Venable
Martin	Phelan	Siegel	Vestal
Mays	Platt	Sims	Vinson
Merritt	Polk	Sinnott	Voigt
Miller, Wash.	Pou	Slemp	Volstead
Mondell	Powers	Sloan	Walton
Montague	Purnell	Small	Ward
Moon	Ragsdale	Smith, Idaho	Wason
Moore, Pa.	Rainey, H. T.	Smith, Mich.	Watkins
Moores, Ind.	Ramseyer	Smith, C. B.	Watson, Pa.
Morin	Randall	Smith, T. F.	Watson, Va.
Mott	Reed	Snell	Welling
Mudd	Rodenberg	Snyder	Wheeler
Neely	Rogers	Stafford	White, Me.
Nelson, A. P.	Rose	Steenerson	Williams
Nelson, J. M.	Rouse	Stephens, Nebr.	Wilson, Ill.
Nichols, Mich.	Rowe	Stiness	Wilson, Tex.
Nolan	Rucker	Strong	Winslow
Oliver, Ala.	Sanders, Ind.	Sumners	Wise
Oliver, N. Y.	Sanders, N. Y.	Sweet	Wood, Ind.
O'Shaunessy	Scott, Iowa	Temple	Wright
Overmyer	Scott, Mich.	Tilson	Young, N. Dak.
Overstreet	Shallenberger	Timberlake	
Padgett	Sherley	Treadway	

ANSWERED "PRESENT"—4.

Baer	Littlepage	Morgan	Saunders, Va.

NOT VOTING—122.

Anthony	Essen	Kiess, Pa.	Russell
Bland, Ind.	Estopinal	LaGuardia	Sabath
Booher	Fairchild, G. W.	Langley	Sanford
Borland	Farr	Lazaro	Schall
Britten	Fields	Lehlbach	Scully
Brodbeck	Flynn	Linthicum	Sears
Browne	Francis	Lufkin	Sells
Brumbaugh	Fuller, Ill.	McAndrews	Shackleford
Caldwell	Garland	McCormick	Stedman
Caraway	Godwin, N. C.	McCulloch	Steele
Carew	Goodall	McKenzie	Sterling
Carter, Mass.	Gordon	Maher	Sullivan
Clark, Fla.	Gould	Mason	Swift
Cleary	Graham, Pa.	Miller, Minn.	Switzer
Cooper, Ohio	Gray, N. J.	Nicholls, S. C.	Tague
Cooper, W. Va.	Griest	Norton	Taylor, Ark.
Cooper, Wis.	Hamill	Olney	Templeton
Copley	Hamilton, N. Y.	Osborne	Thomas
Costello	Harrison, Miss.	Paige	Tinkham
Cox	Haugen	Park	Vare
Crosser	Hawley	Peters	Waldow
Davey	Heaton	Porter	Walker
Delaney	Heintz	Pratt	Walsh
Dent	Helm	Price	Webb
Dewalt	Helvering	Raker	Welty
Donovan	Husted	Ramsey	White, Ohio
Dooling	Johnson, Ky.	Rankin	Woods, Iowa
Doughton	Johnson, S. Dak.	Reavis	Woodyard
Drane	Kahn	Riordan	Zihlman
Drukker	Kearns	Roberts	
Emerson	Kehoe	Rowland	

So the Garner motion was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. SULLIVAN with Mr. LAGUARDIA.

Mr. DOOLING with Mr. PORTER.

Mr. DOUGHTON with Mr. ZIHLMAN.

Mr. WEBB with Mr. WOODYARD.

Mr. NICHOLLS of South Carolina with Mr. GARLAND.

Mr. DONOVAN with Mr. HAMILTON of New York.

Mr. HAMILL with Mr. LEHLBACH.

Mr. CAREW with Mr. GOODALL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. CARAWAY with Mr. BROWNE.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. BOOHER with Mr. KEARNS.

Mr. MAHER with Mr. TINKHAM.

Mr. SAUNDERS of Virginia with Mr. WALSH (except road appropriation).

Mr. DEWALT with Mr. GRAHAM of Pennsylvania.

Mr. DRANE with Mr. HUSTED.

Mr. GODWIN of North Carolina with Mr. KIESS of Pennsylvania.

Mr. KEHOE with Mr. LANGLEY.

Mr. LINTHICUM with Mr. MCCULLOCH.

Mr. OLNEY with Mr. MASON.

Mr. PARK with Mr. LUFKIN.

Mr. RIORDAN with Mr. PAIGE.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. CLARK of Florida with Mr. GOULD.

Mr. DAVEY with Mr. GRIEST.

Mr. DENT with Mr. KAHN.

Mr. SABATH with Mr. PETERS.

Mr. SEARS with Mr. RAMSEY.

Mr. STEDMAN with Mr. HAWLEY.

Mr. STEELE with Mr. ROWLAND.

Mr. TAGUE with Mr. SANFORD.

Mr. TAYLOR of Arkansas with Mr. SWIFT

Mr. THOMAS with Mr. OSBORNE.

Mr. WELTY with Mr. SWITZER.
Mr. LAZARO with Mr. MILLER of Minnesota.
Until February 3, 1919:
Mr. LITTLEPAGE with Mr. COOPER of West Virginia.
The result of the vote was announced as above recorded.

The SPEAKER. The question now is on the substitute offered by the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MOORE of Pennsylvania. The vote just taken having been entirely satisfactory to me, I would like to inquire whether, by unanimous consent, I can withdraw the substitute?

The SPEAKER. You do not have to have unanimous consent. The gentleman from Pennsylvania withdraws his substitute. The question is on agreeing to the Rucker motion.

Mr. RUCKER. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Missouri demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor of the Rucker motion will, when their names are called, answer "yea"; those opposed will answer "nay."

Mr. PARKER of New Jersey. Mr. Speaker, is the motion to concur with an amendment, or to amend?

The SPEAKER. It is a motion to concur in the amendment with an amendment.

The question was taken; and there were—yeas 189, nays 118, answered "present" 4, not voting 118, as follows:

YEAS—189.

Alexander	Ellsworth	Kinkaid	Robinson
Almon	Evans	Kitchin	Romjue
Ashbrook	Fairfield	Knutson	Rouse
Aswell	Ferris	La Follette	Rubey
Ayres	Fisher	Lampert	Rucker
Baer	Flood	Larsen	Sanders, La.
Bankhead	Foss	Lazaro	Scott, Mich.
Barkley	Foster	Lee, Ga.	Shallenberger
Barnhart	Frear	Lever	Sherwood
Beakes	French	Little	Shouse
Bell	Fuller, Mass.	Lobeck	Sims
Beshlin	Gallagher	London	Sinnott
Black	Gallivan	Lonergan	Sisson
Blackmon	Gandy	Lundeen	Slayden
Bland, Va.	Gard	Lunn	Small
Blanton	Garner	McClintic	Smith, C. B.
Brand	Garrett, Tex.	McKeown	Snook
Brodbeck	Gillett	McLaughlin, Mich.	Stafford
Buchanan	Goodwin, Ark.	McLemore	Steagall
Burnett	Gray, Ala.	Mansfield	Stephens, Miss.
Byrns, Tenn.	Gregg	Mapes	Stephens, Nebr.
Candler, Miss.	Griffin	Martin	Stevenson
Carlin	Hamilton, Mich.	Mays	Sumners
Carter, Okla.	Hamlin	Miller, Wash.	Sweet
Cary	Hardy	Montague	Taylor, Colo.
Church	Harrison, Va.	Moon	Thompson
Clark, Pa.	Hastings	Morgan	Tillman
Classon	Hayden	Neely	Towner
Claypool	Heflin	Nelson, J. M.	Van Dyke
Collier	Hensley	Nichols, Mich.	Venable
Connally, Tex.	Hilliard	Nolan	Vinson
Connelly, Kans.	Holland	Oldfield	Voigt
Cooper, Wis.	Hollingsworth	Oliver, Ala.	Walton
Cramton	Hood	Oliver, N. Y.	Watkins
Crisp	Houston	O'Shaunessy	Watson, Va.
Currie, Mich.	Howard	Overmyer	Weaver
Denton	Huddleston	Overstreet	Welling
Dickinson	Hull, Tenn.	Padgett	Whaley
Dies	Humphreys	Phelan	Wilson, La.
Dillon	Igoe	Polk	Wilson, Tex.
Dixon	Jacoway	Pou	Wingo
Dominick	James	Quin	Wise
Doolittle	Jones	Ragsdale	Wright
Doremus	Keating	Rainey, J. W.	Young, N. Dak.
Dowell	Kelly, Pa.	Raker	Young, Tex.
Dupré	Key, Ohio	Randall	
Eagan	Kincheloe	Rayburn	
Eagle	King	Reed	

NAYS—118.

Anderson	Dempsey	Hayes	Mann
Austin	Denison	Hersey	Merritt
Bacharach	Dunn	Hicks	Moore, Pa.
Benson	Dyer	Hull, Iowa	Moores, Ind.
Birch	Edmonds	Hutchinson	Morin
Bowers	Elliott	Ireland	Mott
Browning	Elston	Johnson, Wash.	Nelson, A. P.
Burroughs	Esch	Juul	Olney
Butler	Fairchild, B. L.	Kelley, Mich.	Parker, N. J.
Campbell, Kans.	Fess	Kennedy, Iowa	Parker, N. Y.
Campbell, Pa.	Focht	Kennedy, R. I.	Platt
Cannon	Fordney	Kettner	Powers
Cantrill	Freeman	Kraus	Purnell
Chandler, N. Y.	Garrett, Tenn.	Kreider	Rainey, H. T.
Chandler, Okla.	Glynn	Lea, Cal.	Ramseyer
Coady	Good	Lesher	Rodenberg
Crago	Graham, Ill.	Longworth	Rogers
Curry, Cal.	Green, Iowa	McArthur	Rose
Dale	Greene, Mass.	McFadden	Rowe
Dallinger	Greene, Vt.	McKinley	Sanders, Ind.
Darrow	Hadley	McLaughlin, Pa.	Sanders, N. Y.
Davis	Haskell	Madden	Scott, Iowa
Decker	Haugen	Magee	Sherley
Siegel	Snyder	Treadway	White, Me.
Slemp	Steenerson	Vestal	Williams
Sloan	Stiness	Volstead	Wilson, Ill.
Smith, Idaho	Strong	Ward	Winslow
Smith, Mich.	Temple	Wason	Wood, Ind.
Smith, T. F.	Tilson	Watson, Pa.	
Snell	Timberlake	Wheeler	

ANSWERED "PRESENT" 4.

Bland, Ind.	Dill	Littlepage	Saunders, Va.

NOT VOTING—118.

Anthony	Estopinal	LaGuardia	Sabath
Booher	Fairchild, G. W.	Langley	Sanford
Borland	Farr	Lehlbach	Schall
Britten	Fields	Linthicum	Scully
Browne	Flynn	Lufkin	Sears
Brumbaugh	Francis	McAndrews	Sells
Byrnes, S. C.	Fuller, Ill.	McCormick	Shackleford
Caldwell	Garland	McCulloch	Stedman
Caraway	Godwin, N. C.	McKenzie	Steele
Carew	Goodall	Maher	Sterling
Carter, Mass.	Gordon	Mason	Sullivan
Clark, Fla.	Gould	Miller, Minn.	Swift
Cleary	Graham, Pa.	Mondell	Switzer
Cooper, Ohio	Gray, N. J.	Mudd	Tague
Cooper, W. Va.	Griest	Nicholls, S. C.	Taylor, Ark.
Copley	Hamill	Norton	Templeton
Costello	Hamilton, N. Y.	Osborne	Thomas
Cox	Harrison, Miss.	Paige	Tinkham
Crosser	Hawley	Park	Vare
Davey	Heaton	Peters	Waldow
Delaney	Heintz	Porter	Walker
Dent	Helm	Pratt	Walsh
Dewalt	Helvering	Price	Webb
Donovan	Husted	Ramsey	Welty
Dooling	Johnson, Ky.	Rankin	White, Ohio
Doughton	Johnson, S. Dak.	Reavis	Woods, Iowa
Drane	Kahn	Riordan	Woodyard
Drukker	Kearns	Roberts	Zihlman
Emerson	Kehoe	Rowland	
Essen	Kiess, Pa.	Russell	

So the motion of Mr. RUCKER was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. STERLING with Mr. FULLER of Illinois.

Mr. PRICE with Mr. MUDD.

Mr. BYRNES of South Carolina with Mr. DRUKKER.

Mr. DILL with Mr. MASON.

Mr. SAUNDERS of Virginia. Mr. Speaker, did the gentleman from Massachusetts, Mr. WALSH, vote?

The SPEAKER. He did not.

Mr. SAUNDERS of Virginia. I wish to vote "present," then, on this roll, and to recall the vote that I cast on the other roll call and to be recorded present on that vote.

The result of the vote was announced as above recorded.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. DAVEY, for four days, on account of illness in his family.

AGRICULTURAL APPROPRIATIONS.

On motion of Mr. LEVER the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, with Mr. HAMLIN in the chair.

The CHAIRMAN. When the committee rose the Chair had recognized the gentleman from Illinois [Mr. MANN].

Mr. LEVER. Will the gentleman from Illinois permit me to make a request for unanimous consent?

Mr. MANN. Certainly.

Mr. LEVER. On page 70, in line 24, it reads:

Thirty-third Statutes at Large, 372.

That is a typographical error and should read Thirty-eighth Statutes at Large. I ask unanimous consent to make that change.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to return to line 24, page 70, for the purpose of making a correction. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 70, line 24, strike out the word "third" and insert the word "eighth."

Mr. LEVER. We have verified this, and my statement is correct.

The amendment was agreed to.

Mr. MANN. Mr. Speaker, I desire to offer an amendment to the paragraph, but the gentleman from Wisconsin [Mr. STAFFORD] had reserved a point of order which I would like to have disposed of first.

Mr. STAFFORD. The purpose of my reserving the point of order was to ascertain what the present practice is as to cumulative leave of absence. The last proviso grants these employees in Alaska, Hawaii, and other distant lands cumulative leave for

a period of four years. I remember when I was on the Isthmus some years ago Gen. Goethals stated that it was not good policy to allow them to collect their leave of absence for too long a period. We all desire to have them return to the States when they are privileged to have their vacations.

Mr. LEVER. I understand from the statement here that the customs service and the labor and immigration services in Hawaii and Porto Rico grant additional time to cover the time required on the voyage. The civil employees of the War and Navy Departments located at stations outside of continental United States are granted more leave than those on the mainland. The Philippine Islands and the Canal Zone are liberal in the matter of annual leave, and, in addition, they make allowance for the required transportation. The Navy act of August 20, 1916, provides cumulative leave for civilian employees at stations outside of the continental limits of the United States, and it is believed that the enactment of the legislation proposed will serve to keep the men more contented, and so forth.

Mr. STAFFORD. The gentleman has not given the information that I sought, and that is why should the departments grant this accumulated leave. Four years is a long time even for Alaska or Porto Rico.

Mr. LEVER. Just how much the various departments of the Government grant I do not know, but it was pointed out to the committee, taking the case of the Virgin Islands, the leave of the individual would practically expire before he could make the trip, and the Hawaiian Islands the same way, also the Philippine Islands, and Alaska worse, and they felt that it would be in the interest of the service to let the leave accumulate.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. MANN. Mr. Chairman, I move to strike out, on page 71, line 24, after the words "Virgin Islands," the words "of the United States."

Mr. LEVER. I think the gentleman is right, and I accept the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 71, line 24, after the words "Virgin Islands," strike out the words "of the United States."

Mr. MANN. I do not want to start giving a long name to the Virgin Islands, so that we will always have to say "Virgin Islands of the United States." The only Virgin Islands we legislate about are the Virgin Islands that belong to the United States. The other language is superfluous and ought not to be in the statutes.

Mr. LEVER. I am glad the gentleman has offered the suggestion; the gentleman is right about it.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. MANN. I also ask to have the same amendment adopted on page 72, lines 11 and 15.

The Clerk read as follows:

Page 72, line 11, after the words "Virgin Islands," strike out the words "of the United States."

The amendment was agreed to.

The Clerk read as follows:

Page 72, line 15, after the words "Virgin Islands," strike out the words "of the United States."

The amendment was agreed to.

Mr. FERRIS. Mr. Chairman, I move to strike out the last word, for the purpose of having read a letter which I think is appropriate to this Agricultural appropriation bill.

The Clerk read as follows:

Hon. SCOTT FERRIS.

DEAR SIR: You remember two years ago last spring you mailed out some sample cotton seed. My name was in the list. The boys prepared the land and I planted the seed by hand, and when the cotton began to grow I could see that it was better than the other cotton, so I picked the cotton and saved it separate from the other; and last winter, when the day's work was done, I picked the lint off the seed by hand. I had enough seed to plant 1 acre. The drought came and my cotton did not mature to do any good, so this summer when I was sad, knowing my boy was going over the top in France, I just could not keep still, so I decided I would spin my lint into thread; so, with the help of a picture, my youngest son constructed a spinning wheel which was a success, so I spun the lint into thread and then I crocheted a laundry bag and donated to the Red Cross, so I decided to make one and send you, also stating how I made it from the seed you sent me. My boy that made the spinning wheel was 13 years old. My age is 52 years. I intended the bag for your Christmas present, but could not get it off. So wishing you success,

Very truly,

EMILY C. FELTS,
Waurika, Okla., R. 2, B. 54.

Mr. FERRIS. Mr. Chairman, I would not under ordinary circumstances take the time of the committee to read any letter from anyone into the RECORD, but I have been so touched by the letter just read from Mrs. Felts that I have made bold to introduce it here. I hold in my hand this laundry bag made by hand by a woman of my district 52 years of age, made by her own hand independent of modern invention. The cotton prepared without the use of a gin, picking by her own hand the lint piece by piece from the seed, the spinning wheel made by her boy 13 years of age upon which the cotton was spun, crocheted with her own hands while her boys were fighting in France. It is so refreshing in these times of war and high prices to know there still lives a woman so worthy, so capable, so generous as to send me this interesting present. I am so proud to make public acknowledgment of the gift and public acknowledgment of her industry, ability, and true worth. It is a worthy lesson in frugality for all of us. I am proud she lives in my district.

Mr. CANNON. Of course you have woman suffrage in Oklahoma. [Laughter.]

Mr. FERRIS. Oh, certainly. We are proud to make acknowledgment of that. To such industry we may all applaud. To such industry and true worth we may all subscribe. [Applause.]

Mr. MANN. Mr. Chairman, I move to strike out the last word. I think I shall not be in the House late this afternoon when the provision relating to the Federal Horticultural Board is reached. There was some talk yesterday about the action of the Federal Horticultural Board and the prohibition of importations. I have a note from Mr. Marlatt with an attached statement or memorandum undertaking to tell how plant novelties may be imported, and as it is a matter of great interest to many people in the country connected with this prohibiton I ask unanimous consent to have the letter and memorandum printed in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The matter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C., January 31, 1919.

Hon. JAMES R. MANN,
House of Representatives.

DEAR MR. MANN: I am handing you herewith a copy of the new statement which has been drawn up by Dr. Galloway relative to plant quarantine No. 37. It gives specific information relative to the means of entry through this department of prohibited articles for the purpose of keeping the country supplied with new varieties and creations and the necessary breeding or propagating stock.

In the statement sent to Mr. LEVER and incorporated in the CONGRESSIONAL RECORD for January 30 the following paragraph covering this point is included:

"The quarantine makes provision for the entry of these miscellaneous other bulbs and other prohibited articles in limited quantities through the office of foreign seed and plant introduction, this department, for the purpose of keeping the country supplied with new varieties and creations and the necessary breeding or propagating stock, such entry necessarily being safeguarded by the highly developed inspection and quarantine service which has been organized by this department. It is impracticable to give this type of inspection to commercial importations. The cost would be prohibitive, especially under conditions which would require very frequent provision for holding the imported material in quarantine for a period of months or years and the necessity for very high-grade and expert inspectors. Furthermore, inspectors with the training required are not available."

Yours, very truly,

C. L. MARLOTT, *Chairman of Board.*

HOW PLANT NOVELTIES MAY BE IMPORTED.

It will be noted that under regulation No. 3 novelties of lily bulbs, hyacinths, tulips, lily of the valley, crocus, or narcissus, or novelties of any fruit plant that can be forwarded as scions or buds, or novelties that may be propagated by seeds or nuts, may still be imported in any desired quantity for propagation purposes under permit. Novelties of many kinds originate each year in all parts of the world, and, while some of these may be excluded under regulation No. 3, provision is made for their importation under regulation No. 14. In other words, quarantine order No. 37 does not preclude the securing of novelties by horticulturists, nurserymen, and others, but provides a way through the United States Department of Agriculture for bringing in this material in limited quantities.

For a number of years the Office of Foreign Seed and Plant Introduction in the Bureau of Plant Industry has been introducing new, rare, and useful plants and plant material from all over the world. In pursuance of this work, which will be continued and expanded, machinery has been developed which can be utilized in bringing in novelties for those engaged in commercial enterprises. Heretofore the work of the Office of Foreign Seed and Plant Introduction has had to do largely with the bringing in of plants and plant materials for scientific workers in the Department of Agriculture, State experiment station workers, and a special corps of collaborators and experimenters. This work has been carried on in close cooperation with the Federal Horticultural Board, resulting in the development of specially equipped inspection houses, quarantine houses, and other facilities for taking care of plants and plant materials when they arrive and during the course of the usual procedure of inspection.

For the importation of novelties a special permit from the Federal Horticultural Board will be required in each case. The shipments will all be made through the Office of Foreign Seed and Plant Introduction. This office will receive the material, care for it during inspection by the inspectors of the Federal Horticultural Board, and when inspection is completed and the material is released it will be repacked and forwarded to its final destination. This is the procedure now followed in the case of plants and plant material brought in for scientific workers. This work has been going on for more than 20 years, and during

that time nearly 50,000 different lots of plants, seeds, bulbs, vines, cuttings, etc., have been brought in.

In recent years the facilities for handling plants during inspection have been improved. From the moment the plant material arrives it is under the supervision of experts and every condition looking to the welfare of the plant is provided. This kind of work must necessarily be limited to small lots. The number or quantity of each lot permitted entry will depend on the nature of the plant or plant material. The Federal Horticultural Board will decide such matters in issuing the special permit. The board will also determine from proper certificates furnished by the persons desiring to import and through its own advisory experts whether the plant or plant material may be classed as a novelty.

The procedure, in brief, for the importation of novelties under regulation No. 14 will be that persons contemplating such importations will first make application to the Federal Horticultural Board for a special permit. The application will be accompanied by a certificate as to the bona fide nature of the novelty or novelties, the name and address of the exporter, and the quantity of material it is desired to bring in. As the quantity of any novelty that will be allowed to come in will be limited, it may be necessary to make limitation by bulk rather than by numbers. This procedure is followed with parcel post material. If the permit is issued, the importer will be furnished with shipping instructions and shipping tags. These he will forward with his order and the material will come addressed to the importer in care of the Office of Foreign Seed and Plant Introduction, United States Department of Agriculture, Washington, D. C. The importer must make arrangements with some responsible party or parties in Washington, D. C., for the clearance of the material through the customhouse at Georgetown, D. C., and for the payment of any and all charges involved. The department can not handle any of these matters. When the material is cleared it will be turned over to the Office of Foreign Seed and Plant Introduction by the duly authorized agent of the importer and prepared for examination by the inspectors of the Federal Horticultural Board. If released by the inspectors, it will be immediately repacked and forwarded to the importer by express, charges collect.

A permit for the importation of a novelty will be granted by the board only upon condition that if the plant material brought in is found infested with a dangerous insect or disease it will be destroyed and the records in the case furnished the importer in order that he may make adjustments with the person or persons from whom the plants were ordered.

The Clerk read as follows:

BUREAU OF PUBLIC ROADS.

Salaries, Bureau of Public Roads: One chief of bureau, $6,000; 1 editor, $2,500; 1 draftsman or clerk, $1,920; 1 clerk, $1,900; 1 instrument maker, $1,800; 1 model maker, $1,800; 4 clerks, class 4; 6 clerks, class 3; 1 clerk or editorial clerk, $1,600; 2 clerks, at $1,500 each; 1 clerk or photographer, $1,440; 1 clerk or instrument maker, $1,440; 1 clerk or tabulator, $1,440; 1 clerk, class 2; 2 clerks, at $1,380 each; 2 clerks, at $1,320 each; 4 clerks, at $1,260 each; 6 clerks, class 1; 1 clerk or editorial clerk, $1,200; 1 draftsman, $1,320; 1 clerk or draftsman, $1,200; 1 clerk or draftsman, $900; 1 clerk or photographer, $1,200; 1 clerk or photographer, $1,000; 2 clerks, at $1,140 each; 1 clerk, $1,100; 2 clerks, at $1,080 each; 1 clerk, $1,020; 9 clerks, at $1,000 each; 1 clerk or skilled laborer, $1,000; 4 clerks, at $900 each; 1 mechanician, $1,680; 1 clerk or instrument maker, $1,200; 1 lantern-slide colorist, $1,320; 1 mechanic, $1,500; 1 mechanic, $1,200; 1 skilled laborer, $1,200; 1 laboratory aid, $960; 2 laborers, at $900 each; 2 messengers or laborers, at $840 each; 2 messengers, laborers, or laboratory helpers, at $720 each; 2 messengers or laborers, at $660 each; 4 messengers or laborers, at $600 each; 3 messenger boys, at $600 each; 1 fireman, $720; 8 messenger boys, at $480 each; 8 charwomen, at $240 each; in all, $113,640.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. I am particularly interested in the reason for the increase of the salary of the chief of the bureau from $4,500 to $6,000.

Mr. LEVER. Mr. Chairman, the Secretary of Agriculture came before the subcommittee in charge of this bill and recited to us the situation which brought about this increase of salary. During the next fiscal year it is probable that under Federal appropriations coupled with State appropriations under the Federal law there will be expended between $65,000,000 and $75,000,000.

The gentleman who for many years had been chief of the bureau and who is in a large measure was responsible for the growth and development of the bureau, as the gentleman from Wisconsin may know, recently died. The Secretary of Agriculture has been making vigorous efforts to see if he could find somewhere some one who is willing to take the responsibilities as to the administration of this large fund at a salary of $4,500.

He took the matter up with 12 of the most influential and best State road commissioners in the United States. He submitted some names to these commissioners and engineers and asked them to suggest to him the names of one, two, or three men in the United States who are big enough to handle the proposition. They submitted three names, he said. It was ascertained, however, that the first man whose name was submitted is now drawing a salary of $10,000 or $12,000 a year in a Western State. The second-named man is drawing a salary of $4,500 in a Middle Western State; but in that connection we are informed that he rents his house for $35 a month. You could not rent the same house here, I should say, for less than $75 or $100 a month. The Secretary tendered this position to the first-named man and asked him to come on here and confer with him. The man declined, on the ground that he owed some obligations to his family.

He brought the second man here and offered him a salary of $4,500 and urged him to take it, pointing out to him that it was practically a lifetime position, that it was a position of great honor, and all that sort of thing. This man for the same reason refused the offer. We can get a man, probably from the New England States, for a little less than this, but the committee concurred with the subcommittee in its belief that we ought to get a man from the western section of the country, which is more interested in the cheap grade of roads than in the high-priced ones. And while the Secretary of Agriculture did not suggest the figure, he did say that he thought he could get this second-named man probably for $7,500, and possibly for $6,000. That is a plain frank statement of the situation.

Mr. STAFFORD. Mr. Chairman, there is no bureau in the department which expends as much money as this bureau, and from the statement made by the gentleman, I think it would be false economy to keep the salary at the present figure. Therefore I withdraw the point of order.

Mr. LEVER. Mr. Chairman, I am very much obliged to the gentleman.

The Clerk read as follows:

For investigating and reporting upon the utilization of water in farm irrigation, including the best methods to apply in practice; the different kinds of power and appliances, and the development of equipment for farm irrigation; the flow of water in ditches, pipes, and other conduits; the duty, apportionment, and measurement of irrigation water; the customs, regulations, and laws affecting irrigation; for the purchase and installation of equipment for experimental purposes; for the giving of expert advice and assistance; for the preparation and illustration of reports and bulletins on irrigation; for the employment of assistants and labor in the city of Washington and elsewhere; for rent outside of the District of Columbia; and for supplies and all necessary expenses, $82,440.

Mr. CURRY of California. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 77, line 4, strike out "$82,440" and insert in lieu thereof "$102,440."

Mr. LEVER. Mr. Chairman, before the gentleman proceeds I ask unanimous consent that all debate on this paragraph and all amendments thereto may close in 10 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. CURRY of California. Mr. Chairman, this amendment restores the appropriation of this item to the original amount. Until the last agricultural bill the amount carried was $102,440. On account of the war and the necessity for using great amounts of money, this item, among others, was cut down by $20,000. The money is used in cooperation with the States on a half-and-half proposition. The State of California in the past has expended $7,000 and the Federal Government $7,000 for this purpose. I am presenting this amendment at the request of the State engineer of California and at the suggestion of the chairman of the Committee on Agriculture. I believe I can explain the matter more thoroughly by reading a letter which I received from the State engineer. It is as follows:

STATE OF CALIFORNIA,
DEPARTMENT OF ENGINEERING,
Sacramento, December 4, 1918.

Hon. C. F. CURRY,
Congressional Office Building, Washington, D. C.

Subject: Funds for cooperative work in irrigation and drainage.

DEAR MR. CURRY: Knowing your keen interest in the matter of proper support of the Division of Irrigation, I make free to request your interest in obtaining, if possible, more money for that division than is now available.

For some 16 years the Division of Irrigation—formerly a part of the office of experiment stations, but now connected with the Bureau of Public Roads—United States Department of Agriculture, has been cooperating with the department of engineering of the State of California.

Each party to the agreement contributes the sum of $7,000 annually for the investigation of such subjects as the irrigation of rice, alfalfa, orchards, and other staple crops of California; the pumping, storage, and conveyance of water for irrigation; the organization of irrigation districts; the design and construction of irrigation works; the silt problem in Imperial Valley; and other kindred subjects.

The Division of Irrigation of the Federal Government is also cooperating with most of the Western States in a similar manner and along similar lines of work.

As you know, the yields of crops throughout the West depend largely upon the wise use of water, and during the past and present emergency regarding increased war production by means of irrigation, the members of this division have rendered valuable service to such State organizations as the department of engineering, council of defense, food and power administrations, railroad commission. The assistance given this office has been of very great and growing benefit.

For several years it has been crippled for lack of funds, and the extra war work which it has undertaken has been made possible only by dropping much of its regular work. In addition, and to make matters worse, the Agricultural Committee of the House during its session last winter reduced the appropriation for this division from $102,440 to $82,440, on the ground that little drainage work could be

done while the war lasted on account of the high price of tiles. This prediction has not come true, since much more irrigated land has been reclaimed by drainage during the past year than has been done in any previous year. The amount should have been increased rather than reduced.

May I ask, therefore, on behalf of the State of California, that you will keep the interests of this division in mind and take such steps as you may deem proper to induce the Agricultural Committee of the House to restore the appropriation to what it was in prewar times?

Very truly, yours,

W. F. McCLURE, *State Engineer.*

Mr. Chairman, it was too late to have this matter included in the bill by the committee. We did not get the report back from the Agriculture Department in time. Mr. C. F. Harrison, Assistant to the Secretary of Agriculture, in a letter to me said that the extra money can be used to advantage, and that it ought to be appropriated, but the Secretary of Agriculture could not see his way clear to put in a supplementary estimate. The chairman of the committee suggested that I present the amendment from the floor, and I understood that he would accept it. I hope that it will be adopted.

Mr. HAUGEN. The amount estimated is only $82,440. I understand the gentleman to say that more was carried in former years.

Mr. CURRY of California. It carried what I have asked to have inserted, $102,440, in the prewar period.

Mr. HAUGEN. The item provides for investigating and reporting upon the utilization of water in farm irrigation, including the best methods to apply in practice, which include tiling.

Mr. CURRY of California. Yes.

Mr. HAUGEN. Tiling is as old as the hills, and the farmers generally know as much about tiling and draining as any one in the department.

It would seem that the time has come—I do not want to take up the gentleman's time.

Mr. CURRY of California. There was nothing said about tiling on this proposition, except the Committee on Agriculture said that on account of the price of tiling there ought not to be so much done during the war. I hope the chairman of the committee will accept the amendment.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, if the gentleman has an understanding with the chairman that the increase is to be accepted, of course, I do not care to rise in opposition.

Mr. CURRY of California. The chairman suggested I submit the amendment, and I understood the committee would accept it.

Mr. LEVER. Mr. Chairman, as a matter of fact, I do not have any objection to accepting the amendment. There are two items in this bill—this is one, and the other item is drainage—which for many years have carried the same appropriations. The committee last year reduced this appropriation, if I recollect, by some $20,000——

Mr. CURRY of California. That is correct.

Mr. LEVER. On the theory that during the war there would be very little irrigation work done. The gentleman from California has been very, very earnest in this matter, and if it is satisfactory to the other members of the committee I have no objection to it.

Mr. HAUGEN. Mr. Chairman, I would like to accommodate the gentleman from California, but I believe it is also fair to say that the people are generally fairly well informed as to drainage, especially tiling, which this appropriation is to be used for—it is for information as to improved piping, and so forth.

Mr. CURRY of California. That is not for tiling; that is a minor purpose. There is not one cent in ten dollars that would be used for tiling.

Mr. HAUGEN. What is it to be used for?

Mr. CURRY of California. It is used for the investigation of irrigation and reclamation in cooperation with the Western States and for the investigation and use of water in the production of alfalfa and all kinds of crops, citrus fruits, and so forth.

Mr. HAUGEN. It says, "the flow of water in ditches, pipes, and other conduits," and I take it it refers to tiling. I am quite certain so far as drainage goes; but, after all, if it is agreeable to the chairman, I do not care to oppose the amendment.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from California.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Total for Bureau of Public Roads, $594,320.

Mr. HEFLIN. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HEFLIN: Page 78, line 7, after the figures "$594,320," insert the following as a separate paragraph:

"That the Secretary of War be, and he is hereby, authorized and directed to transfer to the Secretary of Agriculture all available war material not needed for the purposes of the War Department, but suitable for use in the improvement of highways, and that the Secretary of Agriculture be, and he hereby is, authorized to employ the same in Federal road improvement and to distribute such material as may not be needed for this purpose among the highway departments of the several States upon the same basis of distribution as provided by the Federal aid road act, approved July 11, 1916."

Mr. LEVER. Mr. Chairman, I will reserve a point of order on the amendment.

Mr. HEFLIN. Mr. Chairman, there has been a great deal said about the vast quantities of material, explosives, and other things that have accumulated in the War Department by reason of the great preparations that we have been making for the war just ended. Some have suggested that some of this material should be disposed of, even if it is thrown into the sea, and I submit to the gentlemen of the committee, that this material can be used and used to great advantage by distributing it as the Federal roads act provides. I think it is proper to insert it at this place. I know of no other measure that we could get the provision on, and if we can put it on this bill at this time, why the States can get the benefit of this great amount of war material that has been accumulated by the War Department. It will be distribluted in the States according to the population of the State, according to the number of miles of post roads, and according to the territorial area. That is the provision of the Federal good-roads act, and I hope——

Mr. ANDERSON. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. ANDERSON. What is this material which the gentleman desires to have distributed?

Mr. HEFLIN. Various kinds of materials—explosives for one thing, cement and other valuable stuff, implements, and so forth.

Mr. HAUGEN. Such as automobiles and trucks?

Mr. HEFLIN. It would include all of them, I think.

Mr. HAUGEN. And road machines of all kinds?

Mr. HEFLIN. Every kind that the Government does not propose to use in the war service.

Mr. HAUGEN. Can the gentleman give an approximate estimate of the value?

Mr. HEFLIN. I have not that information.

Mr. HAUGEN. It would run into hundreds of millions of dollars, would it not?

Mr. HEFLIN. I do not know how much it would amount to, but the Government has it on hand, and unless it can be used in the War Department it will probably be thrown aside as junk or sold to somebody at sacrifice prices. It can be used now to great advantage in the various States, and there is no better use to which the Government can put them than for building up the public highways of the country.

Mr. LITTLE. Will the gentleman yield?

Mr. HEFLIN. I will.

Mr. LITTLE. Do I understand that the explosives that they have been throwing or may throw into the ocean are a considerable part of this?

Mr. HEFLIN. I say that it has been suggested that they might have to throw some of it away.

Mr. LITTLE. Permit me to say that I am in favor of this amendment, because my attention has been directed to the fact that they have thrown away explosives of very considerable value. And I heard a very reliable man say that he would give $1,000,000 for certain explosives that he understood they were about to throw into the ocean. And if the gentleman has a suggestion that would take care of that stuff without throwing it away, I am in favor of it.

Mr. HEFLIN. This provision will certainly do that, because here is a way to dispose of this stuff that is actually not needed by the War Department for war purposes. And I trust the gentleman from South Carolina [Mr. LEVER] will not make his point of order but will permit us to put this provision in the bill at this time——

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. LEVER. Mr. Chairman, this matter has received no very serious consideration at the hands of the committee. I recognize it is a matter of great importance, and I wish very much the gentleman from Alabama would work out in greater detail the proposition and be in position to furnish the proper committee, which I think is the Military Committee, with detailed information of the amounts and the kind of material on hand.

Mr. HARRISON of Virginia. Will the gentleman yield?

Mr. LEVER. I yield for a question.

Mr. HARRISON of Virginia. I will just say to the gentleman that that matter is now before the Committee on Military Affairs.

Mr. LEVER. I am very glad to hear the gentleman say that. It belongs properly to that committee.

Mr. HEFLIN. I want to say to the gentleman, inasmuch as we are now passing on the road department of the Government, there is no more appropriate place than here. I spoke to the chairman of the committee about it when we were considering this bill, and I suggested to him I would offer it there or on the floor, and he suggested it be done here.

Mr. LEVER. I will state to the gentleman that my own view is confirmed by the gentleman from Virginia [Mr. HARRISON] that the Military Committee is the proper committee to dispose of these materials. They properly belong to the military establishment of the Government. The Military Committee is more familiar with the subject than we are. The gentleman's purpose is good, and I am in favor of it.

I make the point of order.

Mr. HEFLIN. All I am interested in is getting the material so that it will be available for use in the various States. I hope the gentleman will not make a point of order but will let the House vote on it.

Mr. LEVER. I would much prefer, as good legislation, to let the Military Committee pass on it. Therefore I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

BUREAU OF MARKETS.

Salaries, Bureau of Markets: One chief of bureau, $5,000; 1 chief clerk, $2,000; 1 administrative assistant, $3,000; 1 administrative assistant, $2,500; 1 clerk in charge of supplies and accounts, $2,250; 2 executive clerks, at $2,000 each; 1 clerk, $2,000; 1 executive assistant, $1,980; 1 administrative assistant, $1,980; 11 clerks, class 4; 1 clerk, $1,740; 14 clerks, class 3; 1 clerk, $1,440; 35 clerks, class 2; 1 clerk, $1,380; 5 clerks, at $1,320 each; 1 clerk, $1,300; 163 clerks, class 1; 1 clerk, $1,140; 40 clerks, at $1,100 each; 88 clerks, at $1,000 each; 13 clerks, at $1,080 each; 7 clerks, at $1,020 each; 2 clerks, at $960 each; 24 clerks, at $900 each; 3 clerks, at $840 each; 2 clerks, at $720 each; 1 laboratory helper, $900; 1 laboratory aid, $960; 3 laboratory aids, at $900 each; 1 laboratory aid, $840; 1 laboratory aid, $720; 1 photographer, $1,400; 1 photographer, $1,200; 1 superintendent of telegraph, $2,000; 1 supervising telegrapher, $1,620; 5 telegraph operators, at $1,600 each; 47 telegraph operators, at $1,400 each; 1 telegraph operator, $1,320; 7 telegraph operators, at $1,200 each; 1 telegraph operator, $1,080; 2 telephone operators, at $900 each; 1 telephone operator, $840; 1 draftsman, $1,400; 3 draftsmen, at $1,200 each; 1 draftsman, $900; 1 map tracer, $900; 1 map tracer, $720; 1 map tracer, $600; 4 machine operators, at $1,200 each; 2 machine operators, at $1,100 each; 1 machine operator, $1,000; 3 chauffeurs, at $900 each; 2 skilled laborers, at $900 each; 3 laborers, at $840 each; 6 laborers, at $720 each; 4 laborers, at $660 each; 5 laborers, at $600 each; 2 laborers, at $540 each; 1 messenger, $720; 10 messengers, at $540 each; 1 messenger, $480; 6 messenger boys, at $600 each; 5 messenger boys, at $540 each; 21 messenger boys, at $480 each; 3 messenger boys, at $420 each; 1 messenger boy, $360; 1 messenger boy, $300; 1 charwoman, $540; 6 charwomen, at $480 each; 6 charwomen, at $300 each; 9 charwomen, at $240 each; in all, $671,810.

Mr. MORGAN. Mr. Chairman——

Mr. MOORE of Pennsylvania. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Pennsylvania reserves a point of order on the paragraph.

Mr. MORGAN. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. The gentleman can not do that with the reservation pending.

The CHAIRMAN. The gentleman from Pennsylvania reserved a point of order on the paragraph.

Mr. MOORE of Pennsylvania. Mr. Chairman, I do not want to delay the passage of the Agricultural bill, but the increase in the number of clerks and the increase of appropriation in the Bureau of Markets is so startling that I should like to have some information about it, especially as I believe many of the items in this paragraph are subject to a point of order.

Mr. LEVER. I will say this to the gentleman from Pennsylvania, that I think it will be more expedient to discuss the individual items when we come to them.

With reference to this question of statutory salary I will say that the estimates called for a very much larger appropriation in the Bureau of Markets than the committee allowed, and we came back to the statutory salaries and reduced the number of clerks, and so on, in proportion to the reduction made in the lump-sum item. If the gentleman will allow me to do so when we come to these various items, I shall be very glad to discuss them.

Mr. MOORE of Pennsylvania. May I ask the gentleman if there is a statutory provision for the increase of the salary of the chief of the bureau from $4,500 to $5,000?

Mr. LEVER. No; that would be subject to a point of order.

Mr. MOORE of Pennsylvania. Is there any authorization for the increase of the salary of the administrative clerk from $2,500 to $3,000?

Mr. LEVER. There is not.

Mr. MOORE of Pennsylvania. For the one administrative assistant from $1,980 to $2,500?

Mr. LEVER. No. I will say to the gentleman, to save time, that no increases of salary on this statutory roll are made except where low-grade places have been dropped; as, for example, in the case of five telegraph operators at $1,600 and one telegraph operator at $1,080. Those are new places and the lower grades have been dropped, so that there is no increase or salary unless that can be considered an increase of salary, and I do not think it can be under the rule.

Mr. MOORE of Pennsylvania. I notice in the schedule accompanying the report that 20 telephone operators are provided for at the rate of $1,400 each. Is there a statutory provision of that kind?

Mr. LEVER. You mean in the number?

Mr. MOORE of Pennsylvania. Telephone operators at $1,400 a year.

Mr. LEVER. They are only transferred, I will say to the gentleman, from the lump fund of this bureau at the same salary. When a place becomes permanent the policy is to transfer from the lump-fund item to the statutory roll.

Mr. MOORE of Pennsylvania. I want to call the attention of the gentleman and of the committee to the fact that in the current appropriations for the Department of Agriculture telephone operators in the Bureau of Forestry, for example, get $600 per annum. Telephone operators in the Capitol here, who are very busy operators, get $900 per annum. I have a number of citations here of the salaries paid telephone operators in various departments, and they do not correspond with this $1,400 increase in the Department of Agriculture, which, with $240 added, would make a salary of $1,640 for these particular operators who are favored in the Bureau of Markets.

Mr. LEVER. I think that is due to the fact that the telephone operators for the Bureau of Markets would likely have to be persons who can take technical telegrams. I imagine that they have to be a good deal more skilled and more highly educated than the average telephone operator, although I will say frankly to the gentleman that I did not make inquiry as to that.

Mr. MOORE of Pennsylvania. I will say to the gentleman that the number of clerks of class 1 has been increased from 91 last year to 163 this year.

Mr. LEVER. That is to take care of the increase in the lump-fund appropriation.

Mr. MOORE of Pennsylvania. And the total appropriation for clerk hire, from the chief of the bureau down, has jumped from $387,850 last year to $671,810 this year, or nearly twice as much in one year.

Mr. LEVER. The same answer fits that proposition.

Mr. MOORE of Pennsylvania. How old is the Bureau of Markets?

Mr. LEVER. It is about six years old, I think. The Bureau of Markets started with a $50,000 appropriation.

Mr. MOORE of Pennsylvania. Yes.

Mr. LEVER. The total carried now is considerably over $3,000,000, if I recall it offhand.

Mr. MOORE of Pennsylvania. That is a very startling statement——

Mr. LEVER. I do not think so.

Mr. MOORE of Pennsylvania. In view of the fact——

Mr. LEVER. I do not think so. The Federal Government did not begin to make appropriations for agriculture until the year 1839. For some reason or other the earlier statesmen of this country did not recognize the proposition of appropriating money for the study of agriculture.

Mr. MOORE of Pennsylvania. We did not get a real recognition of agriculture until President Lincoln's time.

Mr. LEVER. If the gentleman will permit me, I will give him some information.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. LEVER. Mr. Chairman, I shall have to ask that the debate on this item be closed.

Mr. MOORE of Pennsylvania. I shall be obliged to make the point of order.

Mr. LEVER. I have no objection to the gentleman proceeding for five minutes further, but after that I shall ask that the debate on this paragraph be closed.

Mr. MOORE of Pennsylvania. I am opposed to this method of increasing salaries without the sanction of Congress, and I

think the time has come when some of us should take a stand on that question. There is no reason why we should sit here month after month, legislating for the departments of the Government, only to permit the departments to run at variance with the legislation we pass.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. LEVER. If the gentleman makes the point of order, let us have a decision on it.

Mr. HEFLIN. Regular order.

Mr. MOORE of Pennsylvania. I am not making this point against the Bureau of Markets any more than against any other department, but I say to the gentleman that the time has come, in my judgment, for somebody in this House to make a stand, not necessarily as "a watchdog of the Treasury," but as one who intends to see that the prerogatives of Congress are preserved.

Mr. ALMON. May I ask if the increase of $240 a year applies to these employees?

Mr. MOORE of Pennsylvania. Yes; it would. While the operators in the Capitol are getting $900, and one of them is getting $2.50 a day, these operators in the department are suddenly jumped to $1,400.

Mr. LEVER. That portion of the paragraph is not subject to a point of order. There is only one item that is subject to a point of order, and that is the increase of the salary of the chief.

Mr. MOORE of Pennsylvania. Does the gentleman mean to say that the other salaries are not subject to a point of order?

Mr. LEVER. Certainly not. They are not increases at all. They are simply transfers at the same salary.

Mr. MOORE of Pennsylvania. Does the gentleman make the statement that these other places are all authorized by law?

Mr. LEVER. Surely they are.

Mr. MOORE of Pennsylvania. And these are simply transfers?

Mr. LEVER. Certainly.

Mr. STAFFORD. I am going to contest the position of the chairman of the committee on that.

Mr. LEVER. Then let the gentleman make the point of order.

The CHAIRMAN. It occurs to the Chair that in the interest of the economy of time——

Mr. GARRETT of Tennessee. I demand the regular order. That brings the matter to an issue.

Mr. MOORE of Pennsylvania. I do not want to do it, but I accept the challenge. I make the point of order that the increase of salary of the chief of this bureau from $4,500 to $5,000 is not authorized by law.

Mr. LEVER. I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. STAFFORD. I wish to reserve further points of order to the entire paragraph.

The CHAIRMAN. Of course, if any part of the paragraph is subject to the point of order, the whole of it goes out.

Mr. MOORE of Pennsylvania. I am willing to make the point of order against the whole paragraph.

The CHAIRMAN. The Chair has already sustained it.

Mr. LEVER. Then I offer the following amendment: To insert the paragraph as it is in the bill, except in line 10, where it says "one chief of bureau at $5,000," make it "one chief of bureau at $4,500."

Mr. STAFFORD. Does not the gentleman think it would aid in the expedition of the consideration of this paragraph to consider each item separately?

Mr. LEVER. I am willing to do that if the gentleman wishes. I want to save time.

Mr. MOORE of Pennsylvania. I am raising a new question. I do not want to delay the passage of the bill.

Mr. LEVER. Then I offer the following amendment to this paragraph.

The CHAIRMAN. The gentleman withdraws the former amendment and offers another.

Mr. STAFFORD. Subject to the reservation of points of order to the other paragraph.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 78, line 9, after the colon insert "One chief of bureau, $4,500."

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I think some of these items are subject to a point of order.

Mr. LEVER. Mr. Chairman, let me suggest this: It is getting late in the day. If my friend from Michigan will permit me, I do not think it is quite fair to the membership of the House and the employees of the House that under the guise of a reservation of a point of order the merits of a proposition should be gone into. I think every Member of the House knows why I am trying to expedite this matter. It is for the purpose of going into a conference to-morrow morning at 11 o'clock, which I have called, believing that this bill would be finished by this time. It is a conference on the wheat-guaranty proposition. Men are coming here from different sections of the country to talk with certain Members of Congress. Will the gentleman point out which of these items he thinks are subject to a point of order and let us pass upon them? That is the thing to do.

The CHAIRMAN. Let the Chair make this statement for the purpose of keeping the RECORD straight: The Chair has already sustained a point of order to the entire paragraph, and unless the gentleman offers an amendment restoring it, it is not in the bill at all.

Mr. LEVER. Then I offer the amendment to insert the paragraph as it was originally in the bill, with the exception of the change of one chief of bureau from $5,000 to $4,500.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 78, after line 8, insert:
"Salaries, Bureau of Markets: One chief of bureau, $4,500; 1 chief clerk, $2,000; 1 administrative assistant, $3,000; 1 administrative assistant, $2,500; 1 clerk in charge of supplies and accounts, $2,250; 2 executive clerks, at $2,000 each; 1 clerk, $2,000; 1 executive assistant, $1,980; 1 administrative assistant, $1,980; 11 clerks, class 4; 1 clerk, $1,740; 14 clerks, class 3; 1 clerk, $1,440; 35 clerks, class 2; 1 clerk, $1,380; 5 clerks, at $1,320 each; 1 clerk, $1,300; 163 clerks, class 1; 1 clerk, $1,140; 40 clerks, at $1,100 each; 88 clerks, at $1,000 each; 13 clerks, at $1,080 each; 7 clerks, at $1,020 each; 2 clerks, at $960 each; 24 clerks, at $900 each; 3 clerks, at $840 each; 2 clerks, at $720 each; 1 laboratory helper, $900; 1 laboratory aid, $960; 3 laboratory aids, at $900 each; 1 laboratory aid, $840; 1 laboratory aid, $720; 1 photographer, $1,400; 1 photographer, $1,200; 1 superintendent of telegraph, $2,000; 1 supervising telegrapher, $1,620; 5 telegraph operators, at $1,600 each; 47 telegraph operators, at $1,400 each; 1 telegraph operator, $1,320; 7 telegraph operators, at $1,200 each; 1 telegraph operator, $1,080; 2 telephone operators, at $900 each; 1 telephone operator, $840; 1 draftsman, $1,400; 3 draftsmen, at $1,200 each; 1 draftsman, $900; 1 map tracer, $900; 1 map tracer, $720; 1 map tracer, $600; 4 machine operators, at $1,200 each; 2 machine operators, at $1,100 each; 1 machine operator, $1,000; 3 chauffeurs, at $900 each; 2 skilled laborers, at $900 each; 3 laborers, at $840 each; 6 laborers, at $720 each; 4 laborers, at $660 each; 5 laborers, at $600 each; 2 laborers, at $540 each; 1 messenger, $720; 10 messengers, at $540 each; 1 messenger, $480; 6 messenger boys, at $600 each; 5 messenger boys, at $540 each; 21 messenger boys, at $480 each; 3 messenger boys, at $420 each; 1 messenger boy, $360; 1 messenger boy, $300; 1 charwoman, $540; 6 charwoman, at $480 each; 6 charwomen, at $300 each; 9 charwomen, at $240 each; in all, $671,810.

Mr. STAFFORD. Mr. Chairman, I reserved a point of order on the paragraph and I make a point of order on the following several items: One administrative assistant, $3,000; 2 executive clerks at $2,000 each; 1 clerk at $2,000; 1 executive assistant, $1,980. Then on page 72, line 2, 1 superintendent of telegraph, $2,000; 5 telegraph operators at $1,600; 47 telegraph operators at $1,400 each; 4 machine operators at $1,200 each; 2 machine operators at $1,100 each; 1 machine operator at $1,000.

The CHAIRMAN. The Chair would like to ask the gentleman from South Carolina is it true that there are no increases in these clerks?

Mr. LEVER. There is not a solitary increase of salary except the increase of the chief of bureau to which the point of order was sustained.

Mr. STAFFORD. Mr. Chairman, I want to be heard on the point of order because this is a vital matter providing new positions in the Government service.

Mr. MOORE of Pennsylvania. Let me ask the gentleman from South Carolina if he did not say in answer to my question at the beginning of this controversy that the administrative assistant raised from $1,980 to $2,500 was not authorized by law.

Mr. LEVER. No; I said it was authorized as far as the appropriation bill was concerned.

Mr. MOORE of Pennsylvania. And did not the gentleman make the same statement in regard to one administrative assistant raised from $2,500 to $3,000?

Mr. LEVER. No; no change in the salary there. I think the gentleman misunderstood me. These are transfers from a lump sum. The man has been carried during the past year from lump items. At least, that is what they told us.

Mr. MOORE of Pennsylvania. My point, Mr. Chairman, is that they are not authorized by law. The salary has not been fixed by law. The law fixes the salary at $2,500, and the department added $500 to the lump sum, and then the gentleman from South Carolina says that is an authorization by law. The department deliberately took from one fund in its possession and placed it to the credit of another sum to pay the salary, advancing it from $2,500 to $3,000. That is not an authorization by law; it is an evasion of the law. That is the practice I am contending against. I would not have made the point of order if it had not been for this subterfuge to get a man into

a job, then increase his salary, and then claim that it is an authorization. The only legislative assistant we have is carried on the rolls at $2,500.

Mr. LEVER. I do not admit that.

Mr. MOORE of Pennsylvania. The gentleman's bill fixes the salary at $3,000, and the only excuse is that the Secretary had another fund into which he put his arm, took out $500, and gave it to the clerk.

Mr. STAFFORD. Mr. Chairman, nothing more vital in determining the salary of employees and officials in the departmental service has been presented than the question now before the Chair for decision. It is proposed to grant authority to the head of a department to single out from a lump-sum appropriation, which is available only for use in the field service, to enable him, without any authorization of law, to provide for any clerk or official, have him fix a salary, and then after he fixes the salary, whether it be at $2,000 or more, to have the committee come in here and provide a statutory place at the increased salary. There is no such law warranting that position.

In the draft copy of the legislative bill which I have in my hand reference is made to the one statute that fixes the salary of clerks—the Revised Statute, section 167. That prescribes the classes and employees. Class 4, class 3, 2, and 1 receive from $1,800 to $1,200; copyists, $900; messengers, $840; assistant messengers, $720; watchmen, $720; firemen, $720; telephone switchboard operators, $720; charwomen, $240.

We have had the question up in the legislative committee. Where the Navy and War Departments had some appropriations for temporary service, they increased the salaries of certain persons that previously had been employed on the statutory rolls from $2,000 to $2,750. We had the question before us in connection with the State Department in the use of their lump-sum appropriation. Because the head of the department under the lump-sum appropriation fixes the salaries, there is no authorization of law for providing an administration assistant at $3,000, because there is no such person employed now under authorization of law by that designation. You might just as well say that he could employ an assistant chief of the bureau at $10,000 or $20,000 if you follow the logic of the position of the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. I have not taken any position yet.

Mr. STAFFORD. This is one of the most revolutionary doctrines that has ever been presented to the House since I have been a Member of it. I wish to go further than that, that even if this appropriation had been an appropriation for the employment of officials, that would not be authorization for the creation of designated employees by name as is provided in this Bureau of Markets. Here we have an instance of what this gross extravagance means. This bureau, which only five years ago had an appropriation of but $30,000, now has an appropriation of over $3,000,000. Here is this item which on the statutory rolls last year carried an appropriation of $387,000, and it is now attempted to raise it to $687,000—by the edict of whom? By the edict of a subordinate bureau chief receiving $4,500 a year—ambitious, it is true, to magnify and extend his functions, but where can the Chair or anyone cite an instance where there has been any authorization of law for an administrative assistant at $3,000? Where can you find any authorization of law for an executive clerk at $2,000, or a clerk at $1,980, or for telegraph operators at $1,400 or $1,600, or for a superintendent of telegraphs at $2,000? There would be no protection to the Treasury, there would be no protection to the Congress, if, under a lump-sum appropriation for activities in the field, an ambitious bureau chief could fix the salaries as he saw fit and then go before the committee and the committee would merely say, "Yes; we have employed that kind of a man in the service out of a lump-sum appropriation, and we will create the office at that price."

The rules of the House have been fixed for the protection of Congress and the protection of the Treasury, and that is why I am here protesting as strongly as I can against any such policy as would recognize the right of a bureau chief to create offices that have never been created by law.

The CHAIRMAN. Let the Chair ask the gentleman a question. Is not the trouble with the whole thing the fault of Congress in giving a lump-sum appropriation to be parceled out by the bureau chiefs or the heads of departments?

Mr. STAFFORD. No; the Congress has said that there shall be just so many places utilized in the bureau as are carried in the appropriation act. There is not a word of authorization in these subsequent appropriations or in the present act which warrants him in utilizing this money for departmental expenses, not a word, and you can not read into it any such thing.

Mr. ALMON. Has the bureau any authority to use this lump-sum appropriation to increase a man's salary whose salary is fixed by law?

Mr. STAFFORD. Under the position taken by the chairman of the committee it would seem so.

Mr. LEVER. But the chairman of the committee has not taken any position as yet.

Mr. STAFFORD. It would seem that the law which provides that the clerks of certain classes shall receive certain salaries can be set aside by the edict of a bureau chief who says, "I will pay this out of the lump-sum appropriation and will pay $2,000 or $3,000," where the salary was theretofore very much less, and then go to Congress the next year and say that the man was employed at that particular sum out of the lump-sum appropriation as warrant for the committee to fix the salary at that sum.

The CHAIRMAN. Is not the remedy this, when they come before Congress asking for lump sums to say that it will not be voted?

Mr. STAFFORD. No; the rules of the House say that you can not carry legislation on an appropriation bill. Where is there a line of legislation in all of the statutes that provides for the creation of an administrative assistant at $3,000, for executive clerks at any salary, or of telegraph operators at $1,600 or $1,800? That is the point at issue. There is no legislation, and they are attempting here to legislate where Congress has not heretofore acted. I am raising this point of order so as to protect Congress, so as to protect the House against the ambitious inroads of these executive officers who have no regard at all for the mandate of Congress or much consideration for the Treasury.

Mr. MOORE of Pennsylvania. Mr. Chairman, this is a matter of such importance that I think a quorum should be present.

Mr. LEVER. I hope the gentleman will permit me to make my statement.

Mr. MOORE of Pennsylvania. Then I shall withhold the point for a few minutes. Will the gentleman permit this to go over until to-morrow?

Mr. LEVER. Oh, no; I have already explained to the gentleman why not.

Mr. HEFLIN. We can have a call of the House. We must finish this bill to-night.

Mr. LEVER. Let me make a statement.

Mr. MOORE of Pennsylvania. I will withhold the point for a short time, Mr. Chairman.

Mr. LEVER. Mr. Chairman, the gentleman from Wisconsin has become violently vigorous on this proposition. You would imagine that this is a new discovery, that it is an innovation of the rights of Congress. You would think that the earth was about to rise up and the skies were about to fall. Now, this very procedure has been going on in the House ever since I have been a Member of Congress, 17 years last December, and this is the first time that the gentleman from Wisconsin has raised his vigorous and eloquent voice in behalf of the protection of the American Congress against bureau chiefs.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LEVER. No; I can not yield now. Mr. Chairman, let me call attention to this fact. I am not speaking without knowledge but from the act of March 4, 1917, which reads as follows:

> And hereafter the Secretary of Agriculture is hereby authorized to make such appointments, promotions, and changes in salaries to be paid out of the lump funds of the several bureaus, divisions, and offices of the department as may be for the best interests of the service, and the Secretary of Agriculture is hereby authorized and directed to pay the salary of each employee from the roll of the bureau, independent division, or office in which the employee is working and no other. *Provided, however,* That details may be made therefrom to the office of the Secretary when necessary when the services of the person whom it is proposed to detail are not required by that office.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. LEVER. About two years ago Congress fixed the salaries and limited the maximum salary that might be paid to men employed under lump-fund appropriations to $4,500. Moreover, the law requires that when the Secretary of Agriculture regards a position in the lump fund as being of necessity a permanent position that he shall transfer that person to the statutory salary.

The department has submitted its own proposition here in the Book of Estimates. There is no increase here, and there is no effort to cover up anything, either by the committee or by the Department of Agriculture. It is all set forth here in this Book of Estimates. This department assistant was carried on the lump sum at $3,000. He has been transferred, so the committee is informed, at exactly the same salary. There is no increase in it at all, and, as to the matter of whether or not the department has the power to employ such an individual, it seems to me

that unless the department can employ persons of this character to do administrative work you had as well abolish the Department of Agriculture, and you had as well repeal the organic act which created it. I do not regard this proposition as being in the same class as that of an Assistant Secretary of Agriculture. I think that the ruling of the Chair the other day was eminently correct. There is not a bureau here, and we have passed practically all of them except this one, that does not have its administrative officer, and has had it since I have been a member of the committee—17 years. It seems strange that gentlemen are willing to cripple a great bureau which is undertaking to do for agriculture that which Congress and the Nation neglected until six or seven years ago. We have spent more than half a century teaching people to produce things, but have neglected the marketing feature.

Mr. GREEN of Iowa. Mr. Chairman, I raise the point of order——

The CHAIRMAN. The gentleman will state his point of order.

Mr. GREEN of Iowa. The point of order is the gentleman is not discussing the point of order and he would not yield to me.

Mr. LEVER. The gentleman is entirely right.

The CHAIRMAN. The Chair wants to ask the gentleman from South Carolina a question. The authority from which the gentleman read a few moments ago has been brought to the desk, and the Chair finds that the Secretary of Agriculture may fix salaries and make appointments and promotions and changes in salaries from the lump sum.

Mr. LEVER. Yes.

The CHAIRMAN. Now, where is the authority to transfer from the lump sum to the statutory roll?

Mr. LEVER. I think I can find it in a moment if the Chair will send back that book. There is an appropriation by Congress. I do not think anyone will deny that proposition.

The CHAIRMAN. The Chair is under the impression that the gentleman is right, but the Chair wanted to find it.

Mr. MOORE of Pennsylvania. Will the Chair bear with me just a minute?

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. I listened attentively to the gentleman from South Carolina [Mr. LEVER], and I have been amazed that he should say that this practice has prevailed with regard to other departments. I have been in this House 12 years, and have seen points of order made time and time again with regard to legislative, executive, and judicial bills, and other appropriation bills, where, when it was patent upon the face of the bill that there was an increase of salary over and above that provided for by law, the point of order was sustained.

Mr. LEVER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. LEVER. You do not want to misquote me. I did not say it prevailed with other departments.

Mr. MOORE of Pennsylvania. Does the gentleman contend this department is exclusive in the right to raise salaries contrary to law?

Mr. LEVER. I do not know about the other departments.

Mr. MOORE of Pennsylvania. I am stating, since the gentleman is putting his 17 years in the House against that of other gentlemen in the House, that during my 12 years experience I have seen such points of order sustained with sustained regularity. Now, I would like——

The CHAIRMAN. The Chair is trying to follow the gentleman's line of argument, which is interesting. If the Chair has got the right idea of the statement of the gentleman from South Carolina [Mr. LEVER], it is that, in the first place, the Secretary of Agriculture had a right to fix salaries out of that lump sum, which seems to be true. Now, I understand the chairman of the committee, the gentleman from South Carolina, to say that this salary provided in this bill is not different from the salary fixed by the Secretary of Agriculture for this position out of the lump sum, and therefore no increase.

Mr. MOORE of Pennsylvania. It is merely a matter of fact that I want to bring to the Chair's attention.

The CHAIRMAN. That is what the Chair wants.

Mr. MOORE of Pennsylvania. In the appropriation bill of last year appropriation was made for one administrative assistant at $1,980. That is the law up to this point. This bill provides for one administrative assistant at $2,500. It is an increase of $520. The gentleman from South Carolina seems to contend that the Secretary of Agriculture or the chief of the bureau had the right to take that $520 from some other fund and appropriate it to the salary of this first administrative assistant, giving him, contrary to what we believe to be the law, an increase of salary of $520. Mr. Chairman, if it can be done in this instance by the Secretary of Agriculture he can suggest next year that the salary be increased $500 more and the next year $500 more until he brings the salary of that first administrative clerk up to $5,000.

Mr. LEVER. The gentleman is mistaken about that. As soon as this man gets on the statutory roll the Secretary ceases to exercise authority as to increase of his salary.

Mr. HAUGEN. Oh, no.

Mr. MOORE of Pennsylvania. I think this is a most dangerous practice and that we ought to stop it now if we can do it.

The CHAIRMAN. Let the Chair make an inquiry of the gentleman. The gentleman from Pennsylvania [Mr. MOORE] just made an interesting statement. The Chair did not exactly understand. I want to know if it is true if the Agricultural bill last year carried a salary of $1,900 for this position and now they seek to increase it to $2,500?

Mr. LEVER. That is not the case.

The CHAIRMAN. That is what the gentleman seems to understand.

Mr. LEVER. The statutory roll of the Bureau of Markets, and all these statutory rolls, carry a certain number of clerks this year. We increase the lump-sum fund item for that bureau, say, $100,000. They employ clerks, maybe an administrative officer, under that, and they fix his salary at $2,500. Then the law requires, if it is a clerical position or a position that is likely to be permanent, that within one year's time that man shall be transferred to the statutory roll. But that is not the case here. He is transferred at the salary that he is getting now. He is now on the lump-fund salary at $3,500. Now, it is proposed to transfer him to the statutory roll at the same salary.

Mr. HAUGEN. Mr. Chairman, I do not care to discuss the point of order, but I desire simply to say that the chairman has made it so clear that there can be no question about it that Congress has surrendered its power, its prerogative, of fixing salaries for the clerks in the departments. As he has cited, the Secretary has been given authority not only to fix the salaries in the first instance but subsequently to increase the salaries at his own will.

Further than that, we had always believed that when we had appropriated for a salary upon the statutory roll that was the salary to be paid to that particular employee, but we find that whenever a department finds it necessary to increase salaries they transfer the clerks from the statutory roll to the lump-sum roll, and then transfer them back again to the statutory roll at an increased salary. As stated, $4,500 is the limit. With that situation, it would seem, in making these lump-sum appropriations we should exercise some care and some judgment. When we appropriate lump sums here of $50,000 or $100,000, we place it in the hands of some Secretary or some bureau chief to fix the salary, not at $1,000 or $2,000, as may be suggested in the estimate, but for them to determine increases; and, as was pointed out here, the salary of one was increased $800 and another $500—people taken from the statutory roll and placed upon the lump-sum roll—and $500 even extracted from the emergency fund in one instance and $800 in another instance and paid to them as additional salary.

Now, gentlemen, I submit to you that Congress ought to exercise its right and exercise that prerogative and fix salaries.

Mr. LEVER. Here is the statement in the Book of Estimates about this administrative assistant:

One administrative assistant, by transfer from lump fund for administrative expenses, $3,000.

Now, this ought to be the highest evidence as to what the fact is.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. In the act making appropriations for the Department of Agriculture approved October 1, 1918, that same administrative clerk is appropriated for at the rate of $2,500.

Mr. RUBEY. No; that administrative clerk is still carried in this bill.

Mr. LEVER. He is carried in this bill.

Mr. MOORE of Pennsylvania. But raised by transfer to $3,000.

Mr. LEVER. No. I know the gentleman wants to be fair. The gentleman does not seem to get the situation. This administrative assistant at $3,000, who is to be transferred at the beginning of the next fiscal year, is not on the statutory roll at all. He is on the lump-sum roll and is drawing $3,000. He is an entirely different man from this other assistant administrative officer here at $2,500. He is an entirely different man from the man drawing $1,980, because they are both now on the statutory roll.

The CHAIRMAN. Let the Chair ask the gentleman if he does not provide in his present bill for only two assistant administrative officers?

Mr. LEVER. No; we provide for three; one administrative assistant at $3,000 in line 11, one administrative assistant at $2,500 in the same line, and then down in line 14 one administrative assistant at $1,980.

The CHAIRMAN. The attention of the Chair had not been called to the third one. But is not the gentleman in trouble by having created a new position?

Mr. LEVER. Not at all. It is not a new position, but a transfer. It is a new place on the statutory roll, that is true.

Mr. STAFFORD. It is a new position that has not heretofore been recognized by Congress.

Mr. LEVER. It is nothing different to what the law requires to be done. It is a position now in the Agricultural Department. The only difficulty is that this man is now being carried on what we call the lump-sum salary roll. We are transferring him at the request of the Secretary under a direction of Congress passed here some years ago. I thought the gentleman from Minnesota [Mr. ANDERSON] had drawn this proposition, but I understand it is carried on the legislative bill.

Mr. STAFFORD. I do not recall it; and I should like to have the gentleman present an authorization which allows the transfer of an official not heretofore created by Congress, who was employed out of a lump-sum appropriation by a bureau chief, to the statutory roll.

Mr. LEVER. I am satisfied I could do it if I had the time.

The CHAIRMAN. Since there seems to be a good deal of difficulty in getting at the facts, the Chair will suggest to the gentleman that he let the matter be passed over until the end of the bill, when the Chair will look the matter up.

Mr. LEVER. The Chair desires to pass this over temporarily.

The CHAIRMAN. Until the close of the bill. If there be no objection, it will be passed for the present.

Mr. MOORE of Pennsylvania. May I have unanimous consent to extend my remarks in the RECORD by inserting a memorial protesting against the Bureau of Markets?

Mr. LEVER. I will be glad to have the gentleman do that.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks by inserting the memorial referred to. Is there objection?

There was no objection.

The memorial is as follows:

MEMORIAL TO THE CONGRESS OF THE UNITED STATES.

JANUARY 27, 1919.

We, the board of trustees of the Philadelphia Produce Exchange, most respectfully submit that the Congress of the United States should determine the scope of the work which the Bureau of Markets shall continue to perform. It is becoming increasingly evident that its activities must be clearly defined and that it shall not be allowed to continue its work to the disturbance of business.

Some of its work is conceded to be useful. Its compilation of receipts of various commodities and its report of the movement of storage stocks are commendable. At the same time this work, to a more limited extent, has always been and still is being done by private agencies, to the perfect satisfaction of business men, giving them all the information they require and at no expense to the taxpayer.

The statement of "receipts by States," and the statement of "shipments originating at Chicago," in our estimation, have no value either statistical or practical, and the time consumed in compiling them is wasted.

The statement of supplies of fresh butter and eggs "on the market" is also valueless, because it includes the stocks of the "chain" stores which retail their goods and whose stocks are not available on the wholesale market.

In announcing its intention to appoint inspectors in the various markets to determine quality and settle disputes between shipper and receiver, and between seller and buyer, it is infringing upon the work of the various trade exchanges and will absorb the inspection fees properly belonging to them.

The bureau has made the experiment of gathering quotations for butter, and it is a failure so far as its utility to anybody is concerned. Wholesale butter merchants are obliged to keep a daily record of their transactions to be given to a representative of the bureau who makes the quotations from the report of the sales given him. Assuming that the transactions reported are correct, so far as prices are concerned, the "score" of the butter sold is always open to question. Any number of perfectly honest and capable butter men may not agree that a certain shipment of butter is "92 score." It may be "91 score" in the estimation of some or "93 score" in the estimation of others; nevertheless, if the seller reports it as "92 score," that is the way it must be quoted, as under the rules of the bureau the seller determines the score. The bureau's ignorance of the butter business is manifested by the rules under which its quotations of butter are compiled.

It is stated that this system of reporting is to be extended to cheese and perhaps to some other commodities, thus giving merchants more useless and unnecessary trouble and expense in making out slips of sales for the information of bureau representatives.

We maintain that the quotations put out by the Bureau of Markets are published too late to be of any service to butter merchants in the big cities. It is necessary for said merchants to have an established trading basis by about 11 o'clock in the morning, and sales on the street and on the various exchanges establish that basis at or before that time every day. The report of the Bureau of Markets is not available until the next morning and is then practically valueless.

The Bureau of Markets every morning gathers the sales of fruits and vegetables at the various railroad depots and at other receiving points and compiles quotations from them, which it publishes. This work is useless and unnecessary as private agencies publish a much fuller and more intelligent market report. Produce men use the report of the private agencies and send it to their shippers for their information and pay for it, in spite of the fact that the service of the Bureau of Markets is free. Why should the taxpayer pay for this useless work?

Like all Government publications, the circulars put out by the Bureau of Markets enjoy the franking privilege through the mails. They are sent out as first-class matter, without postage, in the same category with important business mail. Thousands of these circulars are sent every day to people who do not want them, and they find their way into somebody's waste-paper basket.

The Bureau of Markets is maintained at an expense entirely out of proportion to its utility. It does very little useful work that is not done by private agencies at no expense to the people at large. It does not aid in the distribution of produce; it does not increase exports; it does not keep down the cost of living; it does not help to make any money for anybody, but if allowed to go on in its own way it is likely to become a nuisance which the business man should not tolerate.

Congress should not be guided entirely by the recommendations of the Department of Agriculture as to the Bureau of Markets. It should discover a way to independently investigate conditions in the various large distributing markets and find out just how much of its work ought to be continued, then define the scope of its activities and limit appropriations to its economical conduct. The business man is tired of "bureau" regulation. He had too much of it during the necessary regulations of the Food Administrattion, to which he patriotically submitted. He does not want to be bothered with a bureau that gives him only a lot of additional and useless work and expense. Now that the war is over he wants to be let alone.

Respectfully submitted this 27th day of January, 1919.

[SEAL.] JOHN S. MORRIS, *President.*
SAML. S. DANIELS, *Secretary.*

Mr. ROGERS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee a question. Last year there was carried in the agricultural act an item which in the aggregate amounted to something over $42,000 for the purpose of a city market-news service or something of that nature. That item, as I understand it, has been completely eliminated by the Committee on Agriculture in making up this year's bill. I should like to ask the gentleman in what paragraph it was carried last year and in what paragraph would it be carried if it came into this year's bill.

Mr. LEVER. That item has never been carried in the Agricultural appropriation bill. The work has been done under the food-production division, and the department recommended that it be transferred to the regular appropriation bill. The item does not appear anywhere in this bill. The committee, after a very thorough discussion, concluded to drop it, refusing the estimate on the ground that it was more or less of a local rather than a national service. We did not think it of any great value.

Mr. ROGERS. May I ask the gentleman whether, provided the committee should see fit to continue the activity, this particular paragraph just read would be the appropriate place for it?

Mr. LEVER. No; I suggest to the gentleman that he offer it as a separate paragraph anywhere under this bureau.

Mr. ROGERS. It seemed to me when I heard the language read that this item would, if increased $40,000, be broad enough to cover the purpose which was included by the committee for the current year.

Mr. LEVER. Which item?

Mr. ROGERS. Lines 4 to 11, page 80.

Mr. LEVER. That might be true.

Mr. ROGERS. Is it not a fact also that if this was offered as a separate paragraph it would be subject to a point of order?

Mr. LEVER. I do not think so. If the gentleman will examine the Book of Estimates he can find the exact language.

Mr. ROGERS. I have the exact language and my colleague has the language ready to offer.

Mr. LEVER. I would rather the gentleman offer it as a separate paragraph, because it carries $42,000 and Congress is anxious to segregate these items.

Mr. ROGERS. If the gentleman will assure me that it is not subject to a point of order——

Mr. LEVER. I do not think that it is subject to a point of order, but I am not a parliamentarian.

Mr. STAFFORD. The gentleman from Massachusetts is fully aware that that does not bind other Members of the House against making a point of order.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent to withdraw my pro forma amendment and offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment by Mr. ROGERS: Page 80, line 11, strike out "$317,520" and insert "$360,400."

Mr. ROGERS. Mr. Chairman, when Mr. Braud, of the Bureau of Markets, was before the Committee on Agriculture early this month he called attention at length of the Committee on Agriculture to the necessity, as he viewed it, for the

retention of this item. On page 1920 of the hearings on the Bureau of Markets, Mr. Brand spoke as follows:

This particular item, 124, is what we call our local market-reporting service. The proposition involves an increase in statutory and lump of $50,000, $42,880 of which is lump and $7,120 statutory. I have asked Mr. Branch, who has developed this work from its very inception, to present the matter to the committee.

Then for a dozen pages he developed the need of this service. The Committee on Agriculture, as far as I can understand from the hearings and from conversation with members, decided to eliminate this item altogether on the ground that it involved a duplication in part at least, and, as the chairman of the committee just stated, there is no provision for retaining the work. My opinion is that the work is extremely valuable in certain sections of the country. These sections in general are urban and suburban sections in Massachusetts, Rhode Island, northern Illinois, regions around Philadelphia, and regions around New York City, and some other congested centers of the same kind.

I suggest to the committee that the direct contact between the dwellers of these communities and the dwellers of the largest portions of the United States, on the one hand, and the Department of Agriculture, on the other hand, are extremely limited, and that it is a great pity, provided the work is of real utility to these sections of the country, to eliminate it after only one year of trial. The commissioner of agriculture of the State of Massachusetts, under date of January 28, addressed to Mr. LEVER, chairman of the committee, a letter, which I have laid before Mr. LEVER, and by his authority I desire to read it to the committee at this time.

BOSTON, *January 28, 1919.*

Hon. A. F. LEVER,
Chairman Committee on Agriculture,
House of Representatives, Washington, D. C.

MY DEAR MR. LEVER: I have heard that the Committee on Agriculture has cut the appropriation for city market news reporting service from $50,000 to $10,000—

Mr. Wheeler is misinformed in that respect, because it was cut from $50,000 to nothing—

and that with this smaller appropriation it will be practically impossible to continue this work—

Of course, the elimination of the appropriation means the elimination of the work—

It strikes me that this has been a very satisfactory piece of work, and that the farmers of the country, particularly those near the cities, who have to do with the markets daily, have got to depend upon this service very materially, and that its discontinuance would be a severe blow to their work. I trust that there may be found some way in which this appropriation may be put back on the agricultural appropriation bill, so that we may have the continuation of this service.

I also understand that the news service which has to do with the wholesalers, retailers, and jobbers is to be continued. If this is so, I would like to ask why there has been this discrimination against the farmer, who absolutely needs this market news service in order to know the market conditions in the several cities to which he has to ship his products.

Very sincerely, WILFRED WHEELER,
Commissioner.

Now, Mr. Chairman, the officials of the Bureau of Markets and branches that is designated as special, submitted to the Committee on Agriculture several cases where distinct and cordial commendations of this work has come from large cities of the United States. Those are quoted on page 110 to page 112 of the hearings. They include citations from officials as well as from private citizens from Chicago, Boston, Cleveland, Denver, Springfield, Mass., and Providence, R. I. I do not wish to detain the committee by referring to them in detail, but it seems to me they are strong indorsements, and establish pretty conclusively that there is a real need for the continuance of this service. The amendment which I have offered simply increases——

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in eight minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this item which the gentleman from Massachusetts [Mr. ROGERS] proposes to increase has no relation whatever to the work that he has been telling about. This item provides for "acquiring and diffusing among the people of the United States useful information on subjects connected with the marketing and distributing of farm and nonmanufactured food products, the purchase of farm supplies, and so forth." The service the gentleman is talking about, and for which he wishes to provide money, was a strictly local service, carried on in the immediate vicinity of some of the large cities of the country during the war, when it was very desirable and necessary that no foodstuff should be wasted, and that there should be the best conditions of marketing during that emergency. And I wish to emphasize to the House that it is strictly a local matter. The marketing is by gardeners near to the cities and by growers of small fruits in the immediate vicinity of large cities. It has no relation to matters over which the Federal Government can properly exercise control. The Federal Government has no more right to interfere with or take part in that work or assist or advise in it than the Federal Government has to go out and supply the table or furnish the clothing of individuals throughout the country. It is strictly a local matter; it is an activity in which our Government should not engage, except possibly during time of emergency, as was the case during the late war.

Mr. ROGERS. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN of Michigan. I can not; I have only a few minutes. It is not a Federal function. I hope the committee will pay attention to the tendency of some of these bureaus to extend their activities, to take up lines of work that they should let alone. They like to extend their activities; they like to enlarge their bureaus; they like to have more money to spend; they like to employ more agents and employees of one kind and another. During the war emergency the extension of some of their work was necessary in order to increase the food supply and to see that it was not wasted—to help the people in these respects.

There is now tremendous effort in this Department of Agriculture, as similar effort is being made in other departments, to continue those emergency activities and to make them permanent. Evidently the chiefs of bureaus do not like to see money taken away from them. They would like to keep their divisions and bureaus large, and those who are on the pay roll do not like to have their meal tickets withheld; they do not like to be separated from the pay roll. So there has been an unusual effort to continue work begun and very properly begun and carried on under these war emergency appropriations, and that work has been extended, as I say, to many activities that are strictly local, with which the Government of the United States, as a general proposition, has nothing to do. This is particularly true as to the activities around Boston and around the city of New York and around Cleveland and around Chicago. The business carried on is always entirely between the gardeners, the raisers of perishable fruits in the immediate vicinity of the market and the commission merchants and dealers in those cities. Some of these gentlemen seem to think it would be advisable and entirely proper for a Federal agent to go in and interfere with and regulate affairs of that kind, to influence the purchase and sale of these food products. But what does this lead to? If there is a dispute between the gardener or the orchardist near a city and the dealer in the city to whom he has shipped his goods as to the quality of the goods when they reach the market, they ask that a Federal inspector shall come and inspect the goods and certify as to their condition when they reached the market. That is altogether outside of the proper Federal activities, and where there is such a gross violation of the principle that should always prevail, that this local work should not be done by the Government, this committee and the House ought not to approve such a suggestion as is involved in the amendment of the gentleman from Massachusetts.

Mr. LEVER. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

Mr. HAUGEN. Mr. Chairman, I do not think that this has any place on this item.

Mr. ROGERS. It is in order on the item, and the chairman says it properly belongs here if anywhere.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. ROGERS) there were—ayes 7, noes 18.

So the amendment was rejected.

Mr. DALLINGER. Mr. Chairman, I raise the point of order that there is no quorum present.

Mr. LEVER. I would suggest to the gentleman from Massachusetts there is another opportunity here to offer his proposition as a separate paragraph, and it is found in the Book of Estimates, one from the last.

Mr. DALLINGER. I have the amendment.

Mr. LEVER. And I trust he will not make the point of no quorum, because we have to pass this bill to-night, and I hate to bring gentlemen back.

Mr. DALLINGER. Mr. Chairman, I withdraw the point of order. [Applause.]

The Clerk read as follows:

For collecting and distributing, by telegraph, mail, and otherwise, timely information on the supply, demand, commercial movement, location, disposition, quality, and market prices of grain, hay, feeds, and seeds, $50,000.

Mr. DALLINGER. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 81, line 16, after the figures "$50,000," insert:
"For furnishing to producers, dealers, newspapers, and consumers accurate information regarding supplies of fruits, vegetables, dairy and poultry products, meats, fish, and other food products received on farmers', municipal, and other city markets and prices for which such products are sold; and information regarding such products when in abundance or oversupply, and other related matters, $42,880."

Mr. STAFFORD. I reserve a point of order.

Mr. DALLINGER. Mr. Chairman, I ask that the amendment may be modified so as to come on page 80, line 15, after "$250,000."

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Page 80, line 15, after the figures "$250,000," insert:
"For furnishing to producers, dealers, newspapers, and consumers accurate information regarding supplies of fruits, vegetables, dairy and poultry products, meats, fish, and other food products received on farmers', municipal, and other city markets and prices for which such products are sold; and information regarding such products when in abundance or oversupply, and other related matters, $42,880."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

Mr. LEVER. I understand the gentleman from Massachusetts offers it as a new paragraph?

Mr. DALLINGER. Yes.

Mr. LEVER. I ask unanimous consent that debate on this amendment and all amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this amendment and all amendments thereto close in eight minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DALLINGER. Mr. Chairman, this amendment embodies the language found on page 243 of the estimates of appropriations for the Department of Agriculture for the next fiscal year. This amount is what the Secretary of Agriculture recommends for the purposes enumerated in the amendment. Now, I want to appeal to the members of this committee on both sides of the House, because it is not a partisan question in any way, shape, or manner, for fair play to the agricultural interests in the vicinity of our large cities.

There are many men here in the House who represent suburban districts, and they have constituents vitally interested in intensive agriculture. So far as the value of farm products is concerned, the small but congested district which I represent in Massachusetts is among the leading districts in the country, because it contains a very large number of people engaged in market gardening—raising vegetables and fruit for a market of 2,000,000 people. Now, this little item of $42,000 which the Secretary of Agriculture has recommended and which the Committee on Agriculture has thrown out is practically the only item in this part of the bill, at least, directly benefiting the millions of people living in our large cities—the only direct and special benefit they get out of the Agricultural appropriation bill. Mr. Chairman, you have placed the chief burden of national taxation upon these great centers of population, and when the Secretary of Agriculture comes before you and asks for a little item of $42,000 to benefit the market gardeners and the consuming public living in the vicinity of our large cities, you propose to deny his request.

The CHAIRMAN. Will the gentleman yield to the gentleman from New Hampshire?

Mr. DALLINGER. Certainly.

Mr. WASON. Does not the population you speak of receive benefit by reason of inspected meat that is grown in the West and inspected in the central yards and shipped there for consumption?

Mr. DALLINGER. Of course, the gentleman from New Hampshire is correct. Every item in this bill is for the benefit either of the people of the entire country or of the people of a particular region; but this item of which I speak is the only one in the Bureau of Markets in which the market gardeners and the people they serve are particularly interested. It is a service which the Agricultural Department has been doing for them, and doing for them satisfactorily, and which they are asking to have continued. Now, it is a pretty small matter when we, as their representatives, ask you to keep this item in, not to comply with our request. I trust the committee will adopt this amendment and allow this important work to be carried on as in former years.

Mr. BAER. You want to put this in in order to give prices to the people in the city to protect them against the profiteers?

Mr. DALLINGER. That is one reason. Consumers and producers are both entitled to receive this information.

Mr. LEVER. Mr. Chairman, so far as I am concerned, I do not care to debate the matter, inasmuch as the gentleman from Michigan [Mr. MCLAUGHLIN] covered the subject so fully a while ago.

Mr. STAFFORD. Mr. Chairman, I make the point of order that it is new legislation.

The CHAIRMAN. The point of order is sustained.

Mr. LEVER. I would like to be heard on that, Mr. Chairman, not because I desire the item to remain in the bill, but I think it affects practically every other item in the bill. Will the Chair indulge me for a moment?

The CHAIRMAN. The Chair will do that. The Chair thought the point of order was conceded.

Mr. LEVER. No. This item reads:

For furnishing to producers, dealers, newspapers, and consumers accurate information regarding supplies of fruits, vegetables, dairy and poultry products, meats, fish, and other food products received in farmers', municipal, and other city markets, and prices for which said products are sold; information regarding such products when in abundance or oversupply, and other related matters.

Mr. Chairman, when the first item was inserted in the Agricultural appropriation bill for the estimates of the Bureau of Markets the same question arose. It was argued then by those of us in charge of the bill that the organic act creating the Department of Agriculture provides for two fundamental things: First, the collection of information relating to agriculture; second, the dissemination of that information by different means which might be thought to be wise. Now, this item is nothing more nor less than the carrying out of those important features. We are gathering information relating to the supply and prices, and so forth, at these various places and disseminating that information to those who should have the information. So it seems to me it is clearly in order under the organic act.

The CHAIRMAN. The Chair had his mind concentrated on another matter, and ruled perfunctorily. Has the gentleman from Wisconsin [Mr. STAFFORD] anything to offer?

Mr. STAFFORD. Mr. Chairman, I have not the organic act before me, but the organic act does not authorize the Bureau of Markets to perform this character of work in the extensive manner which is provided in this amendment.

Mr. LEVER. If the gentleman from Wisconsin will permit, I will call the Chair's attention to the organic act, which will be found on the very first page of the book which he has in his hand.

The CHAIRMAN. It reads as follows:

There shall be at the seat of government a Department of Agriculture, the general design and duties of which shall be to acquire and to diffuse among the people of the United States useful information on subjects connected with agriculture, in the most general and comprehensive sense of the word, and to procure, propagate, and distribute among the people new and valuable seeds and plants.

It seems to be rather general and broad.

Mr. MCLAUGHLIN of Michigan. Mr. Chairman, that is general, but it ought to be considered in the light of knowledge as to the kind of Government we are trying to carry on in this country and what our institutions are. The Federal Government has its duties to perform; the officials of the Federal Government have authority which they can exercise. There are certain obligations resting on the people of the States themselves. There are certain rights the people of the States have, and among them is to take care of matters that are strictly local, and the Federal Government has no right to interfere with matters that are local, and entirely so, in their nature. And these activities are entirely local. There is a tendency somewhere—I would not apply this remark at all to this work or the gentlemen who are urging it—to ask the Federal Government to do things the like of which the people of the country ought to be ashamed to ask the Government to do—things that they ought to do themselves.

The CHAIRMAN. The Chair will call attention to the fact that this amendment is general and applies to work all over the United States. The Chair is ready to rule.

The Chair will repeat that he did not give the matter anything like careful consideration a few moments ago for the reason he thought the point of order had been conceded. But after having his attention called to the matter, he thinks that the point of order is not well taken, and he overrules the point of order.

All debate has been exhausted on the paragraph and all amendments thereto.

Mr. HAUGEN. Mr. Chairman, this is a matter that was given very careful consideration by the committee. Upon hearing the

representative of the bureau it was decided by the committee that the money could be used to better advantage otherwise. I will read from the hearings:

The CHAIRMAN. Have you this service here in Washington?
Mr. BRANCH. Yes.
The CHAIRMAN. Do you use the rural telephone in getting these prices out to the farmers around here?
Mr. BRANCH. No; we do not.
The CHAIRMAN. Would that be possible?
Mr. BRANCH. Yes; if the way we handle it did not serve them adequately. For those who come into the market on a certain morning the bulletin is there for them when they arrive and before they start selling; and those who do not come in are reached the same morning by mail. So if they come in the following morning they have read it, consequently, I think the distribution is pretty well covered in that way.

Now, I submit to you that that sort of information can be of no value to any particular one, and as I stated, after the committee gave it careful consideration it thought that this was one of the items that might be eliminated from the bill.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. DALLINGER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 12, noes 16.

The CHAIRMAN. The vote on this question is—ayes 12, noes 16; so the amendment is rejected.

Mr. DALLINGER. Mr. Chairman, I raise the point that there is no quorum present.

Mr. LEVER. Mr. Chairman, I suggest to the gentleman from Massachusetts that he ask for tellers.

The CHAIRMAN. The gentleman from Massachusetts makes the point of no quorum. The Chair will count. [After counting.] Forty-five Members are present—not a quorum.

Mr. HEFLIN. Mr. Chairman, a call of the House will be taken automatically.

The CHAIRMAN. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Drukker	Hood	Padgett
Anthony	Dunn	Houston	Paige
Aswell	Dupré	Howard	Park
Austin	Eagle	Hull, Iowa	Parker, N. J.
Ayres	Elliott	Hull, Tenn.	Parker, N. Y.
Bacharach	Ellsworth	Husted	Peters
Bankhead	Elston	Hutchinson	Phelan
Barkley	Emerson	Ireland	Porter
Barnhart	Esch	Jacoway	Pou
Benson	Essen	Johnson, Ky.	Powers
Beshlin	Estopinal	Johnson, Wash.	Pratt
Birch	Evans	Kahn	Price
Blackmon	Fairchild, B. L.	Kearns	Ramsey
Booher	Fairchild, G. W.	Keating	Rankin
Borland	Farr	Kelley, Mich.	Reavis
Brand	Fields	Kelly, Pa.	Reed
Britten	Fisher	Kennedy, R. I.	Riordan
Brodbeck	Flynn	Key, Ohio	Roberts
Browne	Focht	Kiess, Pa.	Robinson
Brumbaugh	Fordney	Kitchin	Rowland
Burnett	Foss	Kreider	Rucker
Burroughs	Foster	La Follette	Russell
Butler	Francis	LaGuardia	Sabath
Byrnes, S. C.	Frear	Langley	Sanders, La.
Caldwell	Freeman	Lea, Cal.	Sanders, N. Y.
Campbell, Kans.	French	Lehlbach	Sanford
Campbell, Pa.	Fuller, Ill.	Linthicum	Saunders, Va.
Cannon	Fuller, Mass.	Lobeck	Schall
Cantrill	Gallivan	Lufkin	Scott, Iowa
Caraway	Gandy	Lunn	Scully
Carew	Gard	McAndrews	Sears
Carter, Mass.	Garland	McArthur	Sells
Cary	Garner	McCormick	Shackleford
Chandler, N. Y.	Garrett, Tex.	McCulloch	Sherley
Church	Gillett	McFadden	Shouse
Clark, Fla.	Godwin, N. C.	McKenzie	Sims
Claypool	Good	McKinley	Slayden
Cleary	Goodall	McLemore	Small
Coady	Gordon	Madden	Smith, Idaho
Cooper, Ohio	Gould	Magee	Smith, C. B.
Cooper, W. Va.	Graham, Pa.	Maher	Smith, T. F.
Cooper, Wis.	Gray, N. J.	Mann	Snell
Copley	Green, Iowa	Mapes	Snook
Costello	Greene, Mass.	Martin	Snyder
Cox	Greene, Vt.	Mason	Stedman
Crago	Gregg	Mays	Steele
Crosser	Griest	Merritt	Steenerson
Davey	Griffin	Miller, Minn.	Stephens, Miss.
Davis	Hadley	Mondell	Stephens, Nebr.
Delaney	Hamill	Montague	Sterling
Dempsey	Hamilton, Mich.	Moon	Stevenson
Dent	Hamilton, N. Y.	Moores, Ind.	Stiness
Dewalt	Hardy	Mott	Sullivan
Dies	Harrison, Miss.	Mudd	Swift
Dill	Hawley	Nelson, A. P.	Switzer
Dillon	Heaton	Nicholls, S. C.	Tague
Donovan	Heintz	Nolan	Taylor, Ark.
Dooling	Helm	Norton	Taylor, Colo.
Doolittle	Helvering	Oldfield	Temple
Doremus	Hersey	Oliver, Ala.	Templeton
Doughton	Hicks	Olney	Thomas
Drane	Hilliard	Overmyer	Thompson
Tilson	Voigt	Welling	Wingo
Tinkham	Waldow	Welty	Winslow
Towner	Walker	Whaley	Wise
Van Dyke	Walsh	White, Me.	Woods, Iowa
Vare	Walton	White, Ohio	Woodyard
Venable	Ward	Williams	Zihlman
Vinson	Webb	Wilson, Ill.	

The committee rose; and Mr. GARRETT of Tennessee having taken the chair as Speaker pro tempore, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Agricultural appropriation bill, H. R. 15108, found itself without a quorum, whereupon he caused the roll to be called, when 152 Members, a quorum of the Committee of the Whole, answered to their names, and he presented the names of the absentees to be printed in the Journal and RECORD.

The SPEAKER pro tempore. A quorum is present. The committee will resume its session.

Accordingly the committee resumed its session, with Mr. HAMLIN in the chair.

The CHAIRMAN. The question is on the motion of the gentleman from Massachusetts [Mr. DALLINGER].

Mr. LEVER. Mr. Chairman, I understood that the vote had been taken on that and that it was defeated.

The CHAIRMAN. The Chair thinks the gentleman is entitled to another vote. The question is on the amendment offered by the gentleman from Massachusetts [Mr. DALLINGER].

The question being taken; on a division (demanded by Mr. DALLINGER) there were—ayes 28, noes 55.

Accordingly the amendment was rejected.

The Clerk read as follows:

For investigating, demonstrating, and promoting the use of standards for the different grades, qualities, and conditions of cotton, and for investigating the ginning, grading, stapling, baling, marking, compressing, and tare of cotton, $45,920: *Provided*, That of the sum thus appropriated $26,960 may be used for testing the waste, tensile strength, and bleaching qualities of the different grades and classes of cotton in order to determine their spinning value and for demonstrating the results of such tests.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. HEFLIN. I have an amendment that I want to offer.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. STAFFORD. I ask unanimous consent that the amendment may be read for information.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the amendment of the gentleman from Alabama may be read for information. Is there objection?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. HEFLIN: Page 82, line 14, after the figures "$45,920," insert:

"*Provided*, That the Secretary of Agriculture shall hereafter require the cotton exchanges of the United States to tender and deliver on contracts only such grades of cotton as are specifically named in the nine standard grades adopted by the Congress of the United States."

Mr. LEVER. I reserve a point of order on that.

Mr. STAFFORD. It was only read for information.

Mr. HEFLIN. Mr. Chairman, about eight years ago the Congress passed an act, and I had a part in its passage, naming nine grades of cotton and standardized the grades of cotton to be tendered on the exchanges of the United States. The Bureau of Markets has widened out these grades. It has made technical shades and variations of grades, and now has 21 or 22 of them. If a man buys cotton on a contract on the New York exchange now, he does not know what he is going to get. If they tender him a grade and he says "That is not within the nine grades standardized by Congress," then they say, "Oh, we have made variations of those grades," and they claim the right in the Department of Agriculture to do that. I submit to gentlemen in this House that it is unfair to the producer and unfair to the spinner to permit this addition to the number of grades. I hold that these 21 grades help nobody but the gambling speculator upon the exchange; and I say to you gentlemen that the nine grades standardized by Congress cover every spinnable grade of cotton that we produce in the United States, and if we are in favor of honest dealing on the exchanges we ought to require these men to tender upon contracts one of these nine grades and no other, because they cover every grade of cotton grown in the United States. I do not think that these exchanges ought to be permitted to tender stuff on a legalized exchange that does not represent 10 per cent of American cotton and that which the spinner does not want; and I say to my friends from the grain-growing section that if under this law the department has the right to spread out these grades and enlarge the number, as it has done, it will do the same for you upon your wheat and corn, and if ever they spread out your wheat and corn grades the gamblers will fleece you just as they now fleece the

cotton producers. I am in favor of requiring honest dealing on these exchanges, and if this law permits this kind of grading to be done it is detrimental to the producer, it is hurtful to the spinner, it is helpful only to the gambler in cotton. [Applause.]

Mr. Chairman, if this amendment is adopted at this time, the Secretary of Agriculture will have to issue an order saying to the exchanges, "You must comply with the act establishing the nine standardized grades of cotton." When we passed the law I thought—and others here from the cotton belt thought—that none but the nine grades could be used. That was your purpose. It was the purpose of the Senate; it was the purpose of everybody who knew anything about it, and this power that they now claim to have, to spread out these grades covering more than 20 of them, must be taken from them, and this provision that I offer here will do that thing. [Applause.] I hope the gentleman from Wisconsin will not make the point of order.

Mr. STAFFORD. It is the gentleman from South Carolina [Mr. LEVER] that has made the point of order.

Mr. HEFLIN. I trust the gentleman from South Carolina will not make the point of order against this proposition, because I want to say that under the present system they are robbing the cotton producers of the South of millions of dollars every day. The demand for American cotton is 6,000,000 bales more than the American supply, and yet they are beating down the price by speculation and by grades from 21 to 22, and are not required to deliver standard grades that Congress has provided.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEFLIN. I ask for two minutes more.

The CHAIRMAN. Without objection, the gentleman will proceed.

Mr. HEFLIN. Gentlemen, the other day spot cotton at Charleston, S. C., was 30 cents and the future price 24 cents on the exchange in New York—thirty dollars difference in the bale. Heretofore under honest dealing on the exchanges the future market in New York would have been 31 cents and the spot market 30, the one cent accounted for by the freight charges to get the cotton from Charleston to New York. Whenever the spot market is higher than the future market it is wildcat gambling pure and simple. [Applause.] If they can do that with cotton, gentlemen, it will not be long before they can do it with grain.

I had a spinner to tell me the other day that he could not get his cotton supply through the exchange. The producer is being robbed by the present operation of the exchange. All I want is to have the price be exactly what the law of supply and demand justifies. That is what I am asking for, and I trust that no gentleman will make a point of order against this meritorious and emergency measure. Let the law of supply and demand operate, and if this gambling is to go on do not for God's sake let it go on by the sanction of Congress. [Applause.] You have an opportunity here and now to stop it. You can by the adoption of my amendment stop it now and require these men to tender standard grades and not 21 and 22 grades that they are using over there without authority of law.

I repeat again that when I voted for this law I never dreamed that they had the power under it, and I do not think now they have, and if they have I want to take it away from them as soon as it is possible. [Applause.]

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order to the paragraph.

The CHAIRMAN. The question is on the amendment.

Mr. LEVER. Mr. Chairman, I do not understand that the amendment has been offered.

Mr. HEFLIN. I offered the amendment.

The CHAIRMAN. The gentleman from South Carolina is correct, a point of order was pending.

Mr. HEFLIN. I offer it now.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk again reported the amendment.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the amendment that it is new legislation.

Mr. HEFLIN. I hope the gentleman from Wisconsin will not make the point. I would like for the House to vote on it.

Mr. STAFFORD. We have had the subject up before the House, and the House has passed on it.

Mr. HEFLIN. Not exactly this case; this has never been voted upon.

Mr. STAFFORD. That is the difficulty; we have had the general subject up.

Mr. HAYES. This requires expert knowledge, and the gentleman asks the House to vote on something that it knows nothing about.

The CHAIRMAN. The point of order is sustained.

The Chair is now ready to pass upon the point of order which was reserved to the item on page 78.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to page 78.

The CHAIRMAN. Without objection, it will be so ordered. The Chair hears no objection. The Chair will now pass on the point of order. The gentleman from Pennsylvania [Mr. MOORE] made a point of order against one item of the bill, to wit, "one administrative assistant, $3,000," on the ground that it was an increase of salary. The gentleman from South Carolina, in charge of the bill, made a statement—which, of course, is accepted as true—that that was a transfer from the lump-sum roll, without any increase in pay to this particular individual, to the statutory roll. The gentleman from Wisconsin argued with considerable force and a great deal of evident sincerity that a transfer could not be made from a lump-sum to a statutory roll in the face of a point of order. It is a novel proposition to the Chair, because in the experience of the present occupant of the chair he does not recollect that such a point of order was ever raised before.

It was a novel proposition to the Chair, because in all his experience here he has known this kind of transfers to be made repeatedly, but he does not recall that ever before was a point of order raised against it. The Chair has taken some time in looking the matter up. The vital point of the whole proposition is whether a transfer can be made from the lump-sum roll to the statutory roll without change of salary. In the act of March 4, 1913, Thirty-seventh Statutes at Large, page 739, section 7 provides—

> That no part of any money contained herein or hereafter appropriated in lump sums shall be available for personal services at a rate of compensation in excess of that paid for the same or similar services during the preceding fiscal year, nor shall any person employed at a specific salary be hereafter transferred and hereafter paid from a lump-sum appropriation at the rate of compensation greater than such specific salary, and the heads of the departments shall cause this provision to be enforced.

That is all that it is necessary to read. The Chair finds from that an authority to transfer from the so-called statutory salary roll an employee to the lump-sum roll, provided that the salary paid under the lump sum shall not be greater than that he was receiving under the statutory roll.

There is existing law providing for the head of a department to employ, to promote, and to fix salaries of clerks to be paid out of a lump-sum appropriation. The Chair confesses very frankly that the question of a proper holding on this proposition is not free from doubt; but here is authority to transfer from a specified salary to a lump-sum roll, and the Chair is going to hold that there is an implied authority, to say the least, to transfer back from the lump-sum roll to the specified-salary roll, provided the salary is not increased, and that that can be done even in the face of a point of order. The fact being taken as true as outlined, and no doubt it is, that this transfer was made from the lump-sum roll to what we know as the statutory roll at the same figure he was drawing under the lump sum, the Chair feels impelled to overrule the point of order.

Mr. LEVER. Then it will be considered that the statutory roll will be passed as we fixed it.

Mr. STAFFORD. What is the position of the Chairman on the other points of order that I have made on other items—for instance, one superintendent of telegraphs, $2,000?

The CHAIRMAN. The Chair had really overlooked the fact that a point of order had been made against this item.

Mr. LEVER. I call the Chair's attention to the fact that all of the other propositions involved in the gentleman's point of order are exactly in the same category. They are all transfers.

Mr. STAFFORD. There is no provision in the statutory roll at present for any such position as superintendent of telegraphs.

The CHAIRMAN. The Chair would say that he is decidedly of the opinion that no new statutory position can be created by these transfers.

Mr. LEVER. I do not think the Chair is correct upon that proposition. The organic act permits the Secretary of Agriculture to employ "other persons." I think that is the language of this act, section 523, in the volume before the Chair. These people have been employed out of a lump sum at a salary of $1,400, and now they are being transferred. I do not think it is necessary to have any specific authority creating these positions on the statutory roll. I do not know myself of any specific authority for the employment of an assistant administrative officer, and yet the Chair has just held that that is in order.

Mr. STAFFORD. I understood the Chair to hold that if a position is estabilshed you can transfer it onto the statutory roll at the same salary.

The CHAIRMAN. It was the intention of the Chair to be so understood.

Mr. STAFFORD. Did I understand the Chair to hold that the salary would have to be the same as that which was carried on the statutory roll?

The CHAIRMAN. If a transfer from the statutory roll to the lump sum is made it can not be made at a salary greater than that received under the statutory roll, and if a transfer is made from the lump sum back—as the Chair understands the facts are in this case—to the statutory roll, it must be made at a salary not larger than he was receiving under the lump-sum appropriation.

Mr. STAFFORD. Then the Chair's ruling, in effect, is that if the head of a bureau plays the game of ping-pong and takes a man off the statutory roll at $2,500, for illustration, an administrative assistant, and puts him on the lump-sum roll and increases the salary to $3,000, then he can transfer him back to the statutory roll at $3,000 and create a new position at a higher salary?

The CHAIRMAN. No; the gentleman does not understand the Chair at all upon the proposition. If this party was upon the statutory roll at $2,500 and then transferred to the lump-sum roll, he would have to be transferred at a salary of not over $2,500 under the lump sum.

Mr. STAFFORD. I do not believe there is any testimony here that this gentleman, chief of this bureau, deliberately took him off the statutory roll, receiving $2,500, and placed him on the lump-sum roll at $3,000, and put him back on the statutory roll at $3,000.

Mr. LEVER. There is no such testimony and no such fact.

The CHAIRMAN. The Chair did not intimate that there was, but just read the provisions of the law, which was very plain, that if he was only drawing $2,500 on the statutory roll he can not be transferred at over $2,500 under the lump-sum appropriation. That is very plain. The Chair recognizes, and may as well say it, speaking as a Member of the House now, always being opposed to this lump-sum appropriation business, he realizes that great abuses may grow up under such practices. If a man is on the roll and transferred to the lump-sum appropriation, the salary can not be increased above that he was receiving in the first place, but if he was never in the service the law gives the Secretary of Agriculture authority to make appointments, promotions, and changes in salary to be paid out of the lump sum of the several bureaus, divisions, and so forth. He has authority to employ a man and fix the salary. Now, the Chair has held that he thinks he may transfer him back to the statutory roll, providing he does not increase the salary. It is up to the House to determine whether they would reduce that salary or not. The point of order is overruled.

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE of Pennsylvania. Does a Member of the House lose the right to make a point of order that arises in connection with the Chair's decision? I think under the Chair's ruling a point of order would now lie against the words "one administrative assistant," because there is a clear case of an increase of salary for that particular officer.

The CHAIRMAN. It is clearly too late to make that point of order; the gentleman should have reserved that point of order at the proper time.

Mr. MOORE of Pennsylvania. The gentleman from Pennsylvania, of course, nor any other gentleman could foresee what the decision of the Chair would be.

Mr. STAFFORD. I wish to inform the Chair a point of order was not only made against this one administrative assistant, $3,000, but half a dozen other positions.

The CHAIRMAN. Yes; but not the point of order the gentleman is now seeking to raise. The Chair would like to ask the gentleman from South Carolina in reference to the point of order now made by the gentleman from Wisconsin: Does the gentleman concede that this is a new position created?

Mr. LEVER. Which position?

Mr. STAFFORD. Superintendent of telegraph, $2,000.

Mr. LEVER. All of these telegraph operators are now in the Government service. They are in exactly the same position as the one administrative assistant upon which the Chair passed. They are drawing this salary from the lump-fund appropriation. They are now being transferred to the statutory roll, but they are not new places. It is a new place on the statutory roll, but not in the service.

Mr. MOORE of Pennsylvania. Mr. Chairman, this is a matter of such consequence that I think the Members of the House ought to have a chance to consider it before we proceed further on this bill, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman makes the point of no quorum. The Chair will count. [The Chair proceeded to count.]

Mr. OVERSTREET. Mr. Chairman, I would like to ask the gentleman to withdraw that point of order and let us proceed to business.

The CHAIRMAN. It is too late now. [After counting.] Sixty gentlemen are present, not a quorum. The Clerk will call the roll.

The Clerk proceeded to call the roll.

Mr. WASON. Mr. Chairman, a parliamentary inquiry.

Mr. GARRETT of Tennessee. Oh, no. Call the roll.

Mr. WASON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The Chair has decided there is no quorum present, and no business can be transacted.

Mr. WASON. A parliamentary inquiry can be made, can it not?

The CHAIRMAN. It can not when the roll is being called.

Mr. WASON. I addressed the Chair before the roll call was ordered.

The roll was called, and the following Members failed to answer to their names:

Anthony	Elston	Kreider	Rucker
Aswell	Emerson	La Follette	Russell
Austin	Essen	LaGuardia	Sabath
Ayres	Estopinal	Lampert	Sanders, Ind.
Bacharach	Evans	Langley	Sanders, La.
Bankhead	Fairchild, B. L.	Lea, Cal.	Sanders, N. Y.
Barkley	Fairchild, G. W.	Lehlbach	Sanford
Barnhart	Farr	Lesher	Schall
Benson	Fess	Linthicum	Scott, Iowa
Beshlin	Fields	Little	Scully
Birch	Fisher	Lobeck	Sears
Blackmon	Flood	Lonergan	Sells
Bland, Ind.	Flynn	Longworth	Shackleford
Booher	Foss	Lufkin	Sherley
Borland	Foster	Lunn	Sherwood
Brand	Francis	McAndrews	Shouse
Britten	Frear	McArthur	Sims
Brodbeck	Freeman	McCormick	Slayden
Browne	French	McCulloch	Slemp
Brumbaugh	Fuller, Ill.	McFadden	Small
Burnett	Fuller, Mass.	McKenzie	Smith, Idaho
Burroughs	Gallivan	McKinley	Smith, C. B.
Butler	Gandy	McLaughlin, Pa.	Smith, T. F.
Byrnes, S. C.	Gard	McLemore	Snell
Caldwell	Garland	Madden	Snyder
Campbell, Kans.	Gillett	Magee	Stedman
Campbell, Pa.	Glynn	Maher	Steele
Cannon	Godwin, N. C.	Mann	Steenerson
Cantrill	Good	Mapes	Stephens, Miss.
Caraway	Goodall	Mays	Stephens, Nebr.
Carew	Gould	Merritt	Sterling
Carlin	Graham, Pa.	Miller, Minn.	Stevenson
Carter, Mass.	Gray, N. J.	Mondell	Stiness
Carter, Okla.	Greene, Vt.	Montague	Sullivan
Cary	Gregg	Moores, Ind.	Swift
Chandler, N. Y.	Griest	Mott	Switzer
Chandler, Okla.	Griffin	Mudd	Tague
Church	Hamill	Nelson, A. P.	Taylor, Ark.
Clark, Fla.	Hamilton, Mich.	Nelson, J. M.	Templeton
Classon	Hamilton, N. Y.	Nicholls, S. C.	Thomas
Cleary	Hardy	Nolan	Thompson
Coady	Harrison, Miss.	Norton	Tinkham
Collier	Hawley	Oldfield	Towner
Cooper, Ohio	Heaton	Oliver, Ala.	Treadway
Cooper, W. Va.	Heintz	Olney	Van Dyke
Cooper, Wis.	Helm	Osborne	Vare
Copley	Helvering	O'Shaunessy	Venable
Costello	Hersey	Overmyer	Vinson
Cox	Hicks	Padgett	Voigt
Crago	Hood	Paige	Volstead
Crosser	Houston	Park	Waldow
Curry, Cal.	Howard	Parker, N. J.	Walker
Dale	Huddleston	Parker, N. Y.	Walsh
Davey	Hull, Iowa	Peters	Walton
Davis	Hull, Tenn.	Phelan	Ward
Decker	Husted	Platt	Watkins
Delaney	Hutchinson	Porter	Watson, Va.
Dempsey	Ireland	Pou	Weaver
Denison	James	Powers	Webb
Dent	Johnson, Ky.	Pratt	Welling
Dewalt	Johnson, Wash.	Price	Welty
Dies	Jones	Ramsey	Whaley
Donovan	Kahn	Ramseyer	Wheeler
Dooling	Kearns	Rankin	White, Me.
Doolittle	Keating	Rayburn	White, Ohio
Doremus	Kelley, Mich.	Reavis	Wilson, Ill.
Doughton	Kelly, Pa.	Reed	Wilson, Tex.
Drane	Kennedy, Iowa	Riordan	Winslow
Drukker	Kennedy, R. I.	Roberts	Wise
Dunn	Key, Ohio	Robinson	Woods, Iowa
Dupré	Kiess, Pa.	Rodenberg	Woodyard
Dyer	Kitchin	Rogers	Young, N. Dak.
Eagle	Knutson	Rose	Zihlman
Ellsworth	Kraus	Rowland	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15018) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, and having found itself

without a quorum, he had directed that the roll be called, whereupon 134 Members responded to their names, and he submitted a list of absentees for printing in the Journal.

The SPEAKER. The committee will resume its session.

The committee resumed its session.

The CHAIRMAN. Will the gentleman from Wisconsin [Mr. STAFFORD] specify the provisions against which he makes points of order?

Mr. STAFFORD. I made points of order against "1 administrative assistant, $3,000"; "2 executive clerks," lines 12 and 13, "at $2,000 each"; "1 clerk, $2,000"; "1 executive assistant, $1,980." I also made a point of order against "1 superintendent of telegraph, $2,000." Will the Chair permit me to say just one word?

The CHAIRMAN. The Chair will hear the gentleman briefly.

Mr. STAFFORD. The gentleman from South Carolina [Mr. LEVER] directed the attention of the Chair to the authorization of the Secretary of Agriculture to fix the salaries out of lump-sum appropriations. I wish to direct the attention of the Chair to the fact that that was simply a current appropriation law, and that with the lapse of that appropriation that authority ceased absolutely. That has been the current of the decisions of the Chair right along. There has been no authority called to the attention of the Chair authorizing the transfer of clerks or officials employed from the lump-sum roll back to the statutory roll.

These positions that I am making points of order against are, some of them, new positions which have not heretofore been created.

I wish to direct the Chair's attention to a provision carried in one of the former Agricultural appropriation acts which legalized all the positions that were then carried in that act. Inferentially, positions that were not carried in that act were not provided for by law, and when a committee attempts to bring in positions that have not heretofore been provided for by law, I think it is a safe conclusion that they are positions that are not authorized by law.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. McLAUGHLIN of Michigan. As to that provision that was passed which legalized all those that are now employed, which makes them statutory positions, does not that mean that all those who were on the statutory roll at the time of that enactment were those that were on the lump-sum roll, because many of them on the lump-sum roll were but temporary?

Mr. STAFFORD. That is the very point. The gentleman from Michigan emphasizes the very position that I am taking on this matter. The provision referred to is "That hereafter any officer or employee of the Department of Agriculture whose rate of compensation is specified herein shall receive compensation at the rate so specified." The purpose of that provision, which is similar in its purport to a provision carried on the legislative, executive, and judicial appropriation bill, was to legalize the positions as carried in the then existing act.

Now, as brought out very succinctly by the gentleman from Michigan, the intent was to legalize the positions on the statutory roll, and when they were legalized they became fixed as the positions that were created for that department. The provision that the gentleman from South Carolina pointed out, that as to a lump-sum appropriation, which expires with the year, the Secretary of Agriculture may fix the salaries of the respective positions under that appropriation; of course that is merely temporary and falls with the appropriation. The Chair can not hold that it authorizes the Secretary of Agriculture to create for all time a statutory provision. This provision here shows the intention of Congress to legalize those positions, those positions that were existing at that date then established, and no other positions have been established. I cite Thirty-seventh Statutes at Large, in the appropriation act for 1914. The burden is upon the chairman of the committee.

Mr. LEVER. It is not a burden at all. It is a pleasure to relieve myself of the burden.

Mr. STAFFORD. It is a burden upon the committee to show that these positions have been authorized.

Mr. LEVER. Mr. Chairman, with reference to the point the gentleman from Wisconsin brings out, I wrote the language that he has read. I suggested it to meet a situation such as we have to-night, when Members, forgetting the larger things, think about the smaller things. But that does not in the least affect this situation. That affected the clerks and employees of the Department of Agriculture, who were then in the service, and it was designed to do that very thing. The point of order which the gentleman has made has already been decided by the Chair, because every one of the propositions here involved is identical with that upon which the Chair has already ruled.

Mr. STAFFORD. Will the gentleman permit there? I wish to call attention to the fact that there is no present position known as executive clerk, nor is there any provision for an executive assistant, nor is there any provision for a superintendent of telegraphs.

Mr. LEVER. In answer to that I will say that up to probably last year there was no provision in this bill for an administrative assistant; and yet that place is lawfully created under the lump-sum appropriation, and has been transferred here. The Chair has held, very properly, in my judgment, that the point of order as to the executive assistant is not good, that the point of order as to this particular individual is not good, and it can not be good as to the other individuals against whom points of order have been made, because they are in exactly the same category.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, it seems to me it can not be right to hold that the Secretary of Agriculture or the head of a bureau can create a new office, and as many new offices as he pleases each year, by having the officials and clerks that he appoints put under the lump sum; that he can not, by transferring them to the statutory roll, make them statutory and permanent positions. If that ruling is to prevail, the Congress might as well acknowledge its inability in any manner or to any extent whatever to influence the number of positions that can be created in this department, and that the Congress has surrendered all authority and given up all attempt at exercising authority over the amounts of salaries to be paid to the clerks and officials employed by the Secretary of Agriculture. That is the inevitable conclusion that we reach and the position that we must take as a result of the Chairman's ruling holding these positions in order simply because the Secretary of Agriculture has employed some new man, created a new office, and after a time transferred him to the statutory roll with such salary as he may be pleased to pay if it does not exceed the limit provided by law, $4,500 a year.

Mr. LEVER. Mr. Chairman, will the gentleman yield for a suggestion?

The CHAIRMAN. The Chair is ready to rule.

Mr. LEVER. I think, in fairness, it ought to be said that if there is any abuse on this proposition at all it is not the fault of the executive department of the Government. It is the fault of Congress, and we might as well take the blame and not try to shift it. If we do not desire one assistant executive officer, or if we do not desire five telephone operators, we can strike them out.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LEVER. In just one minute.

Mr. MOORE of Pennsylvania. I was going to make that motion, but the Chair declared that it would not be in order at this time.

Mr. LEVER. If we do not desire to increase the appropriation in a lump fund of $100,000, we can reduce it. The executive officer does not pass upon it, and I think we ought to be fair to these men. It is the fault of Congress and not of the executive.

Mr. McLAUGHLIN of Michigan. If Congress provides a lump sum of $100,000 in the proper department, and turns it over to that department, there is still no limit to the manner in which that $100,000 lump sum can be used. The Secretary can pay any salary he pleases, discharge all the low-priced men, and pay the money entirely to high-priced men. And I want to point out to the Chair that the practice has prevailed to some extent in the department of transferring men from the lump-sum fund to the statutory roll at high salaries, and later taking those same men and transferring them back to the lump sum and paying them higher salaries than they had received either under the lump sum before or on the statutory roll, and then transferring them back to the statutory roll at the original salary that was paid under the statutory roll. Clearly, it seems to me a violation of law and an abuse of discretion.

Mr. MOORE of Pennsylvania. A parliamentary inquiry, Mr. Chairman. In view of the statement made by the gentleman from South Carolina, will the Chair recognize me to make a motion to reduce the figures $3,000 to $2,500 where it applies to the administrative clerk and which shows an evident increased salary?

The CHAIRMAN. The Chair could only do that by the unanimous consent of the committee.

Mr. STAFFORD. The gentleman's motion would be in order as soon as the point of order is disposed of.

Mr. MOORE of Pennsylvania. We have passed over the paragraph.

Mr. STAFFORD. But we passed it with the right of all Members to offer amendments.

The CHAIRMAN. The Chair is ready to rule. The Chair is not entirely clear as to how he ought to rule on this proposition. He stated a while ago that it is a somewhat new proposition; but the Chair recognizes this fact, that the Congress has given to the Secretary of Agriculture the right to make appointments and promotions, change of salaries, and so forth, and to pay these employees out of a lump sum. The Chair has no doubt that abuses may have, in all probability, grown up under it. The Chair thinks it is bad practice to make appropriations in that way, but that makes no difference in this ruling. The law recognizes the right to take a man from the statutory roll, pay him out of a lump-sum appropriation, with certain limitations, to wit, that it must not be at a greater salary than he received on the statutory roll. It seems to the Chair that if they can transfer to the lump-sum roll they may transfer back from the lump-sum roll. That this has been done continually and repeatedly for the last 14 years the present occupant of the chair thinks there is no doubt. That of itself would not be, perhaps, a sufficient reason for holding that it can be done; but there must have been an intention in the mind of Congress to give authority for that kind of transaction, or else the question, no doubt, would have been raised before this time. The Chair is going to hold that the point of order is not well taken. If any Member wants the judgment of the committee, the Chair would be glad to have an appeal taken and get the judgment of the committee on this proposition.

Mr. STAFFORD. Does the Chair predicate that on the fact that the positions have existed on the statutory roll?

The CHAIRMAN. Congress gave the right to the Secretary of Agriculture to establish positions, and so forth, under the lump-sum appropriation. We are informed by the chairman of the committee in charge of the bill that these positions were created, salaries fixed, and now they are simply being transferred to another roll at the same amount exactly that Congress gave the Secretary the right to fix, and which he did fix. Consequently it looks like the remedy of the House is on a motion to strike out these provisions by a vote of the majority if the committee are opposed to these items.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out, in line 11, page 78, the figures "$3,000" and insert "$2,500."

The Clerk read as follows:

Amendment by Mr. MOORE of Pennsylvania: Page 78, line 11, strike out "$3,000" and insert "$2,500."

Mr. LEVER. Will not the gentleman make it two at $2,500 instead of one?

Mr. MOORE of Pennsylvania. If the motion should prevail in this instance, it would be in order to proceed down the line and reduce the increases.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that all debate on this amendment and amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman asks unanimous consent that all debate on this amendment and amendments thereto close in eight minutes. Is there objection?

There was no objection.

Mr. MOORE of Pennsylvania. Mr. Chairman, I very much regret having to help hold the House here at this late hour, but, appreciating the perplexity of the chairman in ruling on this very important question, and believing this to be one of the most important questions that confronts Congress, I feel that we ought to deliberate seriously before we get away from this item of the Bureau of Markets. What are the facts? The facts are that the Bureau of Markets was created about five or six years ago, with an appropriation of $50,000. By industry and activity during the last six years it has so developed that in the present bill it asks for an appropriation of about $3,000,000, a very significant increase. In this particular item for salaries, appropriations have advanced from $387,851 last year to $671,810 this year, almost double the amount allowed last year for salaries alone.

An examination of the list reveals the fact that we are paying higher salaries for these places created in the Bureau of Markets than we are to many others where corresponding work is done. For instance, we pay telephone operators at the Capitol $900 per annum. The Secretary of Agriculture in this bill pays his operators—and there are 20 of them in this bureau alone—$1,400, a very great disparity and an injustice to those who receive only $900. According to the argument and reasoning of the gentleman from South Carolina, now supported by the Chair in his ruling, there is nothing for Congress to do but accept the assignment of clerks in the Bureau of Markets at any salaries the Secretary may fix.

The statutory provision fixing the number of clerks, and their salaries, is brushed aside, and we are made to accept the conditions laid down by the Secretary of Agriculture, who may employ as many clerks as he chooses to employ at the salary he fixes, and Congress has nothing to do with it at all if this bill passes. That is what I rise to oppose. I am opposed to yielding all of the prerogatives of Congress to the departments. I am opposed to the creation of this horde of offices at salaries fixed by the chiefs in spite of the legislation which we enact. I am opposed to the subterfuge of putting men upon the statutory roll and transferring them by departmental authority to higher salaries taken from lump-sum appropriations. That is contrary to the will, contrary to the act of Congress, but by this bill we are brought to this position: The Chair rules that the point of order is well taken which opposes an increase of $500 in the salary of the chief of the bureau who under statutory law gets $4,500 and who in this bill is raised to $5,000, but when it comes to these hundred or more of clerks who have been created since the last bill was passed, who have been given jobs within a year, whose salaries have been practically doubled within a year, by the edict of the Department of Agriculture, the Chair rules that we are bound by the action of the department and that Congress has nothing to say about it. I shall take the Chair at his word and the committee upon its pretenses, and move to strike out the increases that are apparent in this bill. The one administrative clerk who received a salary of $2,500 under the act of Congress making appropriations for the Department of Agriculture, passed October 1, 1918, is advanced in the bill now before us to $3,000, and my motion is to strike out the $3,000, which is allowed by the departmental dictum in this bill, and reinsert the $2,500, which we allowed last year. It is not a reduction but a restoration of existing law.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. LEVER. Mr. Chairman, the gentleman from Pennsylvania [Mr. MOORE] complains that this appropriation for the Bureau of Markets has increased within the last two years. That is true. As I was proceeding to say some time ago when interrupted by some one, it has not been until within six or eight years that any attention whatever has been given to the matter of the distribution of farm products. In 1862 we passed the Morrill Act; in 1888 we passed the Hatch Act; in 1896, I think, we passed the Adams Act; and in 1914 we passed the Smith-Lever Act, all more directly dealing with the problem of production than with the problem of distribution. Yet there is not a man here who ever gave five minutes' thought to the economics of agriculture who does not agree with me in the statement that the bigger end of the problem of agriculture is the problem of distribution. The gentleman from Pennsylvania would hamstring and hamper the efforts of progressive agricultural thinkers in their desire to promote a better system of marketing farm products.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. LEVER. Yes.

Mr. TILSON. Will the gentleman answer me with his usual candor as to whether we are getting any substantial, good results from the huge expenditures in the matter of markets?

Mr. LEVER. Mr. Chairman, the best answer to that question is the resolution of the National Live-Stock Association on one item in this bill, passed in Denver, Colo., last week or the week before, not only indorsing the work of the Department of Agriculture in this respect, but asking for increased funds for the expansion of this work. And I take it that a great association, comprising the intelligent live-stock men of the country, would not go on record in favor of a proposition unless they thought it was a benefit to their great industry.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LEVER. For a question.

Mr. MOORE of Pennsylvania. Will the gentleman permit me to say that the business men in my city complain that the Bureau of Markets is a detriment to business?

Mr. LEVER. Mr. Chairman, I had a suspicion that somebody in Philadelphia was complaining about this Bureau of Markets, because the gentleman's activities did not manifest themselves until we reached this bureau.

Then the gentleman, with his usual eagerness, adroitness, and suavity, and all those other good things I might say about him, entered into the arena; and if there is a "nigger in the woodpile," I am glad to uncover him.

Mr. MOORE of Pennsylvania. Will the gentleman yield for one more question? Does the gentleman think he has answered

my proposition about the increasing of pay from $2,500 to $3,000 by his eloquence?

Mr. LEVER. Fully. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and the Chair announced the ayes seemed to have it.

On a division (demanded by Mr. LEVER) there were—ayes 32, noes 52.

Mr. MOORE of Pennsylvania. I ask for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. MOORE of Pennsylvania and Mr. RUBEY) announced that there were—ayes 36, noes 56.

Mr. MOORE of Pennsylvania. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order there is no quorum present. The Chair will count. [After counting.] A hundred and two Members are present, a quorum.

So the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out, on page 78, lines 12 and 13, the words "two executive clerks, at $2,000 each."

Mr. LEVER. And on that I ask that debate be now closed.

Mr. MOORE of Pennsylvania. I would like to have five minutes on this.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this amendment be closed in six minutes.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 78, lines 12 and 13, strike out the words "two executive clerks, at $2,000 each."

The CHAIRMAN. On this amendment the gentleman from South Carolina asks unanimous consent that debate be closed at the expiration of six minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, it seems a duty to call the attention of our friends upon the other side, who are soon going out of power, to the political wisdom displayed by their Secretary of Agriculture in providing all the offices he possibly could for deserving Democrats before his retirement from his high station. The two executive clerks, at $2,000 each, whom I have moved to strike out, and against whom I have no personal feeling whatever and who will probably hold their jobs despite anything I may say, were evidently created since the last session of Congress. But they are not alone in the gentle art of being found when the finding was good and while the war was on. The two executive clerks have been provided. From what section of the country they come I do not know. Evidently they were useful to the Bureau of Markets for a kind of work that is more or less useful. Citizens in my vicinity claim that the work of the bureau they serve is useless and a waste of public expenditure and energy, but gentlemen who differ as to the two executive clerks probably feel that they are of great service to the community. But I call the attention of my Democratic brethren to the fact that while the funds were in their possession they have made the most of their opportunity. I do not know that we can find fault with them for that. They have had plenty of money in these appropriations and amongst others have provided for these extra clerks. I do not know whether these two executive clerks are going out by our action to-night, but if they do not the chances are they may go out when we have a real reform in governmental expenditures. I am quite sure, however, that those who have been in possession of the purse strings during the last six years since this Bureau of Markets has been created, and since it has grown from a little $50,000 bureau to a bureau that has the audacity and the power to come in here and ask for $3,000,000—I say, I am sure, that the lines may be a little more tightly drawn than they have been heretofore.

These two executive clerks have been created in spite of any legislation enacted by the Congress of the United States. They have been created because somebody wanted the places or because somebody who had possession of the funds desired to give them employment.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield.

Mr. GREEN of Iowa. My friend says that this bureau has not manifested its usefulness, which I think is quite true as a general proposition, but I understand that the great packing houses consider it a very useful bureau, and perhaps it is in one way. I understand the storage houses of the big packing establishments are filled to the top with provisions of every kind, which they are holding for high prices.

Mr. MOORE of Pennsylvania. People in my city are paying the highest prices that were ever paid for food in the history of the world, and are barely able to make money enough to buy sufficient to eat. And yet we have to provide in this bill for executive clerks, for teachers, scholars, and investigators, to go out and tell the farmers how to run their farms and the people in the large cities and around the markets how to do business. I am raising this question of increases in appropriations and salaries as a matter of duty, so that those in the galleries and those in the newspapers offices and those elsewhere outside of the Halls of Congress may know that there is at least one silent voice raised in protest against this saturnalia of extravagant expenditures that has been going on in the Department of Agriculture.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, the gentleman from Pennsylvania has disclosed his real purpose in this whole matter. He desires that the folks in the galleries shall hear him, and, if they can not hear him, that the people who read the newspapers may read about him.

Mr. MOORE of Pennsylvania. I was afraid it would not get in the papers, and wanted the galleries to carry the news.

Mr. LEVER. The gentleman is very anxious to have that "silent" voice of his reach the four corners of the world. Oh, Mr. Chairman, do you not think we ought to go along here like Members of Congress. [Applause.] I ask for a vote.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. MOORE].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. MOORE of Pennsylvania. Division, Mr. Chairman.

The committee divided; and there were—ayes 34, noes 59.

So the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to amend the bill, page 78, line 11, by striking out after the word "assistant" the figures "$2,500," and inserting "$1,980."

Mr. LEVER. Mr. Chairman, I move that debate on this paragraph and all amendments thereto do now close.

The CHAIRMAN. The gentleman from South Carolina moves——

Mr. MOORE of Pennsylvania. Mr. Chairman, a parliamentary inquiry. If that motion is carried, would not the effect be to close debate instantly? That is to say, the gentleman offering the amendment would have no right to be heard?

The CHAIRMAN. The gentleman will state the inquiry again.

Mr. MOORE of Pennsylvania. If the gentleman's motion should prevail, the gentleman offering the amendment would have no right to be heard on this amendment under the rule?

The CHAIRMAN. The amendment would be voted on.

Mr. MOORE of Pennsylvania. In other words, the purpose of the motion is to gag those who desire to discuss this bill and to intelligently state the manner in which the Department of Agriculture prepares its estimates to hoodwink Congress. That is the purpose of it?

The CHAIRMAN. The gentleman from South Carolina——

Mr. HAYES. A point of order, Mr. Chairman.

Mr. DOWELL. Mr. Chairman, I raise the point of order that under the rules a motion can not be made within five minutes.

Mr. CAMPBELL of Kansas. Mr. Chairman——

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. CAMPBELL of Kansas. Mr. Chairman, I rise to make a point of order that this motion is premature and not in order at all.

Mr. LEVER. I do not admit that it was premature; but I ask unanimous consent that debate on this paragraph and all amendments thereto shall close in nine minutes, the gentleman to have five minutes and myself four minutes.

Mr. MOORE of Pennsylvania. That would shut out discussion on all the other amendments to this paragraph, which has been padded for the purposes of the Department of Agriculture. This is a padded pay roll, as comparison with the bill that was passed last year will demonstrate. It ought to be exposed.

Mr. LEVER. The gentleman has not seen fit to be on the floor with the committee on this bill this afternoon——

Mr. MOORE of Pennsylvania. That is true. I have been busy elsewhere.

Mr. LEVER. Of course that is true. And yet he comes in here offhand and says it is a padded proposition.

I move that the debate close in five minutes' time.

The CHAIRMAN. The Chair will state to the gentleman from South Carolina that under the rules debate must have begun before that motion would be in order. There is no debate on this paragraph and, of course, the motion, under the rules, is premature.

Mr. LEVER. Let the debate go on, then.

Mr. MOORE of Pennsylvania. Mr. Chairman, I am not only surprised but grieved at the petulance of my brilliant and distinguished, if not handsome, friend from South Carolina. [Laughter.] I have not known him hitherto, in his long experience of 17 years in this House, 12 of which I have enjoyed with him, to attempt to enforce what we know popularly as the gag rule.

He is the last man in the House to be suspected of invoking that rule. If it had come from a hot-tempered man or from one of the orators of the House who like to be heard after 8 o'clock in the evening, when the galleries are full, I would not have been surprised. [Laughter.] But coming from the amiable member of the South Carolina delegation, from one who might become a Senator from that State—and I hope he may some day—I am grieved beyond expression.

However, I know that the gentleman is hungry and tired and anxious to get to his bed, as I am to mine, and I forgive him. But the gentleman is also extremely anxious, I am sure, to accommodate the Department of Agriculture and get this bill through. He is anxious to circumvent the Republicans who happen to object to the padding of this bill to the extent of over $300,000 in this one item. I merely wanted to call attention to that fact. This is the only opportunity we have to do so.

Mr. RAGSDALE. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. RAGSDALE. Is the gentleman trying to carry out the charge that has been made in the press recently that the Democrats are inclined to think the Republicans are attempting to force an extra session? [Laughter.]

Mr. MOORE of Pennsylvania. No. I am trying to pursue the even tenor of my way on this floor and secure the enactment of legislation that will be as interesting to the fair-minded Democratic Members as it will be to all Republicans. To-morrow we will find nothing in the newspapers about this talk on the Agricultural appropriation bill, as we have found scant mention in the newspapers of any talk on a bill brought in here in the last six years intended to take money out of the Treasury. Yet our friends on the Democratic side blandly demand that we close our lips; in fact, they now propose to put the gag on us so that feeble-voiced men like myself [laughter] can not be heard in protest against these padded salary lists.

I have moved to retain the salary that we fixed last year of $1,918, rather than advance it to $2,500, as proposed by the committee at the instigation and under the spur of the Secretary of Agriculture. The Secretary is one of the most modest of our high officials in his addresses to the public, in his speeches to the stock growers and the cattle raisers and the cotton planters, but he is one of the heftiest individuals we have in public life when it comes to taking care of the 17,000 or 18,000 people under his control, who have increased almost as rapidly under his administration—I am impelled to say, almost—as the "cooties" in France have advanced upon the Army of the United States. [Laughter.] He has given us lecturers and experts and investigators until we are prepared to teach the farmers' wives how to make cottage cheese, or to harry housekeepers in the large cities, who are already distressed by excessive food prices.

I do not want to hamstring the committee, but I do not want the business of the country to be hamstrung by hundreds and thousands of useless investigators, who simply take up the time of the man who is trying to do business and furnish food to the public. That is what I am afraid the Bureau of Markets is trying to do. It sends out reports of information that is already in the hands of business men, and it takes up the time of the man at the plow with advice that frequently uses up the bread-winning time at his disposal. [Applause.]

Mr. LEVER. Mr. Chairman, I want to say, in response to the statement of the gentleman from Pennsylvania, that I do not resent his statement that I am petulant to-night because I have had a long day, but I do resent the idea that I am pampered. That is not fair to myself or to my constituents. I am not attempting here to enforce a gag rule. I am undertaking here only to prevent a gabfest, so that the House of Representatives in the Committee of the Whole may do business. [Applause.] I therefore move that the debate on this paragraph and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from South Carolina moves that all debate on this paragraph and all amendments thereto be now closed. The question is on agreeing to that motion.

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. MOORE of Pennsylvania. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 70, noes 31.

Accordingly the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The question being taken, the amendment was rejected.

Mr. MOORE of Pennsylvania. Mr. Chairman, on page 79, line 22, I move to amend by striking out the figures "$671,810" and inserting in lieu thereof the figures "$387,850."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 79, line 22, strike out "$671,810" and insert in lieu thereof "$387,850."

Mr. MOORE of Pennsylvania. Mr. Chairman——

The CHAIRMAN. All debate has been closed upon this paragraph. The question is on the amendment offered by the gentleman from Pennsylvania.

The question being taken, the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of Agriculture to make studies of cooperation among farmers in the United States; to diffuse among the people of the United States useful information growing out of these studies, in order to provide a basis for a broader utilization of results secured by the research, experimental, and demonstration work of the Department of Agriculture, agricultural colleges, and State experiment stations, $15,780.

Mr. MORGAN. Mr. Chairman, I move to strike out the last word. I should like to ask the chairman of the committee if it is under this paragraph that the department does its work in investigating rural credits?

Mr. LEVER. Yes; it is.

Mr. MORGAN. I should like to know if the chairman can tell us how many men are employed in the division that has this subject under investigation?

Mr. LEVER. It was ascertained by the committee that the sum of $10,000 was being expended under this item for investigations into rural credits. The committee felt that inasmuch as we had a Farm Loan Board of five members employed at salaries of $7,500 a year each, they might very well be intrusted with the study of rural-credit problems, and that to continue this work in the Department of Agriculture—while recognizing the very great efficiency of the gentleman who is in charge of these studies—would be a duplication of work. So therefore the committee reduced the appropriation $10,000 and struck out the authorization for the continuance of the studies of rural credits by the Department of Agriculture.

Mr. MORGAN. The gentleman is aware, of course, that the Federal Farm Loan Board has no jurisdiction except over so-called land credits or farm-mortgage credits?

Mr. LEVER. That is very true, and yet we have five men on high salaries down there in the Farm Loan Board who are supposed to be big men, and I imagine that if they had the proper kind of enthusiasm and the proper kind of ambition they will be very anxious to work out something that will link themselves with the great system of personal credits.

Mr. MORGAN. Then I understand that the chairman of the committee, as well as the entire committee, have apparently taken from the Secretary of Agriculture all authority to make any investigations about rural credits?

Mr. LEVER. We have.

Mr. MORGAN. And as a matter of fact it is only by implication that the Federal Farm Loan Board will do anything along that line?

Mr. LEVER. If the members of the Federal Farm Loan Board are not studying rural credits, both land and personal, in all the aspects of that subject, they are not doing their duty.

Mr. MORGAN. Has the gentleman any knowledge that the Federal Farm Loan Board are making any study whatever of what are known as personal or short-time credits?

Mr. LEVER. I have not, but this will be a mighty good way to make them study the subject.

Mr. MORGAN. Then would it not be proper for this committee to make an appropriation in order to enable the Federal Farm Loan Board to make this investigation?

Mr. LEVER. In the first place, this committee would not have jurisdiction. In the second place, it seems to me that the Farm Loan Board ought not to wait to be directed by Congress to do their duty. They ought to be doing these things now.

Mr. MORGAN. The Federal Farm Loan Board can not make this investigation without money, without an appropriation, without being able to employ somebody to give their time to that question, can they?

Mr. LEVER. I take it that if the Federal Farm Loan Board needed the money for this purpose, if they are like other bureaus of the Government, they would not hesitate to ask for it.

Mr. MORGAN. I withdraw my pro forma amendment and offer the following amendment.

The CHAIRMAN. The gentleman withdraws the pro forma amendment and offers an amendment which the Clerk will report.

The Clerk read as follows:

Insert on page 82, line 21, after the word "of," the words "rural credits," and in line 2 strike out the figures "$15,780" and insert "$25,780."

Mr. LEVER. I ask for a vote on that.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 82, line 21, after the word "of," insert the words "rural credits"; page 83, line 2, strike out the figures "$15,780" and insert in lieu thereof the figures "$25,780."

Mr. McLAUGHLIN of Michigan. I make a point of order on the amendment. I know of no law that gives the Secretary of Agriculture, or anyone in his department, authority to investigate rural credits.

Mr. MORGAN. I understood the chairman of the committee to state that the committee had intentionally dropped out the authority in this paragraph to investigate the subject of rural credits.

Mr. LEVER. It has been carried from year to year in the annual appropriation bills, but that does not make it in order. I rather the gentleman would withdraw his point of order and let us vote on it.

Mr. McLAUGHLIN of Michigan. I am willing to do that, but I hope the chairman will not move to close debate too early.

Mr. STAFFORD. Mr. Chairman, I make the point of order that it is not germane to the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MORGAN. Mr. Chairman, I move to strike out the figures in line 2, page 83, "$15,780," and insert the figures "$25,680."

The Clerk read as follows:

Amendment by Mr. MORGAN: Page 83, line 2, strike out the figures "$15,780" and insert in lieu thereof "$25,780."

Mr. LEVER. I ask unanimous consent that all debate on the paragraph and amendments thereto close in seven minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. MORGAN. Mr. Chairman, I am not only surprised but astounded to have the chairman of the Committee on Agriculture state that he and his associates on this committee have deliberately decided to abandon, in effect, the farmers of this country in so far as they are to be supplied with proper credit facilities. The chairman of the Committee on Agriculture suggests that the Federal Farm Loan Board do the work of studying rural credits. The Federal Farm Loan Board has authority only over farm-mortgage loans. It has nothing whatever to do with short-term or personal credits. Back in 1912 both the Republican Party and the Democratic Party, in substance, declared that the farmers of the United States should have credit facilities equal to the credit facilities provided for commerce, manufacturing, transportation, and mercantile interests in this country. These pledges have not been redeemed. We passed an act providing for farm-mortgage credit, but we have not provided for short-term or personal farm credits. For six years the responsibility has been on the Democratic Party of the Nation, because it has had control of the legislative and the executive departments of the Government.

The Federal Government should continue to investigate and study the subject until we have given our farmers a complete system of credits. We should continue the study of the subject until we have finished our task, until we have made good our promise to the farmers, until we have given them credit facilities equal to the credit facilities enjoyed by the commercial, mercantile, and manufacturing interests. Until this is done we ought not to take this work and appropriation away from the Secretary of Agriculture.

Now, I confess I have not felt that the Secretary of Agriculture was pushing short-term farm-credit investigations very vigorously. I have read with a great deal of interest his reports on this subject. I have felt that he was not very enthusiastic on the subject. But I was not prepared to learn that the party in power in this Nation to-day, after all their pledges to the farmers of this Nation, now when they are about ready to go out of power in Congress, would say to the farmers of the United States, "We have practically abandoned you." Why, the Secretary's report of 1918 says that 60 per cent of the farmers in the Southern States have not access for credits at the banks, that 60 per cent of the credits they use is with the merchants on the "advance system." Are you Democrats of the South willing to abandon the farmers in that condition and say that the great agricultural department of this Nation shall cease to be interested in giving the farmers proper credit facilities? I am surprised. I had more faith——

Mr. QUIN. Mr. Chairman, will the gentleman yield?

Mr. MORGAN. Just for a question.

Mr. QUIN. Tell me what more facilities outside of this banking system for the farmers, the loan banks, or, as we call it, the reserve banks, can the Agricultural Department give to the farmer in the way of money and credit?

Mr. MORGAN. Does not the gentleman know there are two systems of credit—one mortgage credit and the other personal credit?

Mr. QUIN. Does the gentleman want the Government to give him personal credit?

Mr. MORGAN. I want the Government to give him a system of credit at least as good as the European nations have given their farmers.

Mr. QUIN. What would the gentleman substitute in lieu of what we now have?

Mr. MORGAN. I have not the time in five minutes to say what I would substitute, but we have provided for nothing except for farm-mortgage credit. To secure short-term or personal credit the farmers must go to the commercial banks or merchants. More than one-half of the indebtedness of the farmers of the United States is on short-term loans. Indebtedness of this character amounts to $3,000,000,000. The farmers are paying high rates of interest on this large sum. We should provide a special system of short-term farm credits, which will not only reduce interest charges but give such credit facilities as will contribute to the expansion of agriculture. But by withdrawing the appropriation for the study of rural credits the party in power serves notice on the farmers that it will not redeem its pledge to give the farmers adequate facilities.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. QUIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The time for debate has been fixed.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, the words relating to personal rural credits having been ruled out on a point of order, there is no reason for increasing the appropriation. If it were made $25,000 there would be an invitation to the bureau to engage in some other activity, and it already engages in activities that are not proper for the Bureau of Markets to engage in. My criticism of the Bureau of Markets is not that they are paying too high salaries. I was not in sympathy with the amendments offered by the gentleman from Pennsylvania [Mr. MOORE] to reduce salaries. My objection is that the Department of Agriculture, this Bureau of Markets in particular, has been extending its activities too fast, and it has been taking up its work on a scale, enlarging and extending it so hastily, that it can not properly carry it out, and that it is taking up work that is not properly marketing work. All of the objections I have made to these appropriations or to any of the items are along these lines. As the chairman of the committee has said, there is a commission, composed of five men, well paid, who are carrying out a law relating to the lending of Federal money to the farmers, and they can very properly take up this work also. It is directly in their line. It is a good work, and I should like to see it carried on, but it is certainly not in line with the work of the Bureau of Markets. You might as well impose the duty on the Chief of the Bureau of Forestry or upon the Bureau of Chemistry as to put it in the Bureau of Markets. There are five men on this Farm Loan Board, big men—one of them weighs over 200 pounds—and it seems to me they ought to see that it is their duty, and they ought to perform their duty and make investigations respecting personal credits, give us information, and perhaps suggest legislation. If special legislation is needed to start the board to doing this additional work, it ought not to be carried in an item relating to the work of the Bureau of Markets in the Department of Agriculture.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired. The question is on the amendment offered by the gentleman from Oklahoma.

The question was taken; and on a division (demanded by Mr. MORGAN), there were—ayes 62, noes 35.

Mr. MORGAN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Oklahoma makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and seven Members present, a quorum.

So the amendment was rejected.

The Clerk read as follows:

To enable the Secretary of Agriculture to cooperate with the several States in the employment of agents to acquire and diffuse useful information connected with the distribution and marketing of farm products through investigational, demonstrational, or extension methods, $77,750.

Mr. MASON rose.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

Mr. DIES. I object.

Mr. MASON. Mr. Chairman, I shall probably not take five minutes. I simply want to call attention while we are considering the Agricultural appropriation bill to the importance of restoring the man power on the American farms. I have offered heretofore a resolution asking for the appointment of a special joint committee, with power to take evidence, in order that provision may be made to protect the soldiers in this country and out of it. I ask unanimous consent to extend my remarks by inserting the resolution at this point.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The resolution referred to is as follows:

Whereas it is now charged and believed that the matter of bringing American soldiers home and in demobilization of the Army and Navy, gross incompetence is being displayed by the present administration of the military branch of our Government; and

Whereas it is also charged and believed that certain military officers are declining to act promptly upon the requests of soldiers and sailors for discharge, simply to maintain their own organization; and

Whereas in some of the military camps the men are threatened with court-martial and punishment if they ask any assistance outside of military channels to secure their discharge, thereby denying to the American soldier the right to petition in times of peace; and

Whereas it is also charged and believed that it is the plan of the present administration in the control of the Army and Navy of the United States to continue the dilatory practice in failing to demobilize with reasonable promptness and to continue to punish those who seek discharge under the rules already prescribed by the War Department; and

Whereas if the present Congress adjourns without providing some remedy and protection for the soldier there will be no civil authority in Washington to whom the soldiers can apply for protection and relief: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That a joint committee on demobilization be appointed as follows: Eight Members of the House to be appointed by the Speaker, equally divided between the two leading political parties; and eight Senators to be appointed by the Vice President, equally divided between the two leading political parties, with power to send for persons and papers, administer the oath, and investigate and report within 30 days their investigations and facts in regard to the matters above charged, and with recommendations, by bill or otherwise, for laws to expedite the demobilization of the Army and Navy of the United States, and also by resolution or otherwise to plan for returning all American soldiers in foreign lands to the United States and for the demobilizing of same, retaining only such as may be necessary for the present emergency; and be it

Resolved further, That said committee shall have power to sit during recess or after adjournment of the present Congress sine die, with full power to investigate and report to the next Congress.

Mr. MASON. Mr. Chairman, I am acting upon my own initiative in this matter, and no one else is responsible for what I do, so far as I know.

Many men are kept in the cantonments in the United States now, I believe, because the petty officers there desire to keep the organization for their own benefit. They are posting in camps, to my knowledge—and I have the information, but I do not desire to give the names of the soldiers complaining—that people will be punished by court-martial if they ask for a discharge, or ask, rather, any assistance from the outside.

Many of our boys are unfamiliar with the process of getting out of the Army. They are needed on the farms in this country and in the shops and in the stores and in the schools. They do not know how to prepare their affidavits. They write, perhaps, to their father or their mother, and they, in turn, write to the Member of Congress. The proposition now in some of the camps is to court-martial them. Notices have been posted that they would be court-martialed. I believe that is denying the right of petition to a soldier.

Mr. LEVER. Will the gentleman yield for a question?

Mr. MASON. Yes.

Mr. LEVER. The gentleman's charge is a very serious one, and I wonder on what facts he bases it.

Mr. MASON. I have a statement from a soldier whose name I do not want to give, because I do not want him court-martialed, that in a camp down at Old Point Comfort they have posted notices to the effect that if the soldier applies for any assistance from the outside—his Congressman or anyone else—he will be court-martialed.

Mr. LEVER. Will the gentleman yield further?

Mr. MASON. Yes, sir.

Mr. LEVER. I have had a number, as I presume other Members of Congress have, letters about discharges. I have referred those letters to the War Department and the Navy Department. I have never received any intimation from either department, the naval or the military, to the effect that this would bring on the soldier a court-martial, and I do not believe it is true.

Mr. MASON. I will say to my colleague that I simply wrote one request, offering a suggestion that I thought was for the good of the service. A young man was called up, but they finally determined not to court-martial him. The papers were returned to me, and I asked the Secretary of War whether I had lost my right as an American citizen because I had been elected to Congress, and whether I was debarred from offering suggestions for the good of the service of my country. Since then the armistice has been signed, and a number of petty rules and reasons have been applied. And they file away these applications by the score. In one case I had there was a man who had five sons in the service, four of them in France. One of the youngest, who had just been able to get in as a musician, had to be kept in camp for musical purposes since the armistice was signed, although the father's business was going to rack and ruin for the lack of one son, when five of his sons were in the Army and four of them in the trenches in Europe.

Mr. Chairman, I do not want to delay anything in any way that will bring about an extra session. I have had no conferences with anyone else. But there should be a Congress sitting here unless there is some committee appointed to sit, and this resolution of mine provides for a nonpartisan committee of four Democratic Representatives and four Republican Representatives, four Democratic Senators and four Republican Senators, to sit during the recess after adjournment sine die of this Congress, to hear and take evidence and give us some place where we can go to get some action against the rules that have been applied by the little men who happen to wear shoulder straps, and particularly many of the Regular Army, to keep the boys that are needed elsewhere. They will not even give them a furlough. There is a simple plan. They could give them a revocable furlough for 90 days, but they are kept in camp for the purpose of keeping the organization.

Now, Mr. Chairman, I have taken more time than I intended, but I simply want to say that I shall ask for the consideration of this resolution. Otherwise I shall ask the gentlemen who oppose it to take the responsibility of keeping a quorum here for the purpose of transacting public business.

Mr. LEVER. Mr. Chairman, the statement of the gentleman from Illinois is the first that I have heard touching this matter. If his statement is true there is absolutely no justification for it, and the miserable official who is doing that kind of business ought to be brought to the bar of justice quickly. I have not had the experience the gentleman has. As I said a moment ago, I have had a number of letters, and I have referred them to the proper departments and have had no intimation that the interests of the soldiers is, as is indicated here to-day, jeopardized.

Now, as to this paragraph, Mr. Chairman, I ask that the debate be closed.

In doing this, I desire to say this: It is getting late, and we are anxious to pass this bill to-night, and we are going to pass it, and I shall make objections to debate on any of these paragraphs, as we proceed, which does not relate to the paragraph.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that all debate on this paragraph and all amendments thereto be closed. Is there objection?

Mr. DIES. Mr. Chairman, I object.

Mr. LEVER. Then I move it.

The CHAIRMAN. The gentleman from South Carolina moves that all debate on this paragraph and all amendments thereto now close.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For investigating and handling, grading, and transportation of grain, including the grain sorghums, for the purpose of fixing definite grades thereof, $86,050.

Mr. QUIN. Mr. Chairman. [Applause.] Mr. Chairman, I have not taken up any time of this House during the entire month of January [applause], but when I heard the gentleman from Oklahoma [Mr. MORGAN] make an assault upon the party to which I belong I can not let it go unanswered. The gentleman has gone so far as to make slanderous statements against the Democratic party——

Mr. LEVER. Mr. Chairman——

Mr. QUIN. In the face of what the Democratic Party has done for the great masses of the American people——

Mr. LEVER. Mr. Chairman, I regret very much to do it, because the gentleman is one of the best friends I have in this House and one of the best Members also, but I just announced a moment ago that I should make points of order and I make the point of order the gentleman is not discussing the paragraph.

Mr. QUIN. Mr. Chairman, the Agricultural Department has done much for the grain producers of the country. It now helps the farmer put the seeds in the ground, helps transport the grain not only to markets throughtout this country but across to Europe, and yet the gentleman from Oklahoma said that the farmers of this country had virtually no help from the Department of Agriculture. He said that the farmers could not borrow money. This mighty Democratic Party, after the Republicans had for many years burglarized the farmers of this country, came into power and gave the farmers of this Nation the splendid farm loan bank system wherein they have borrowed in the short time since it has been in operation $158,000,000 at a low rate of interest, from 4 to 6 per cent. [Applause.] And yet the gentleman from Oklahoma says that the farmers of this country have not had any help from the Democratic Party. The Republican Party allowed the farmers to hustle around and pay banks 10 and 12 per cent interest.

The Democratic Party has done more in this little time for the farmers of this country than the Republican Party has done since the Civil War. [Applause.] The Democratic Party is trying to put this Agricultural bill through right now for the farmers of our country, and the gentleman from Oklahoma made the point of order that there was no quorum present, and the Chair counted seven Members above a quorum on this floor. He and some of his Republican colleagues have been filibustering to-night. That is evidence of what the Republican Party is doing against the farmer when we are trying to put this great Agricultural bill through here to help the wealth producers. The gentleman and his crowd will make points of order that there is no quorum present just to delay the passage of this bill. The farmer of this country to-day is getting 17½ cents per pound for his hogs, and when the Republican Party was in power he could only get a market at 3 cents. More than that, when the Republican Party was in power corn was being burned—used for fuel because it was so cheap—while to-day it is selling at $2 a bushel. Not only this, but this party of the people, the Democratic Party, has given the wheat farmers $2.20 a bushel for their wheat, and yet the gentleman from Oklahoma says the Democratic Party has done nothing for the farmer. Most of the prosperity among the farmers of this country has been brought about by legislation which organized Democracy has put in force. Some of you Republicans have helped to do it, and I want to say that when a man gets on this floor from your party or any other party and says that the Democratic organization in Congress, the Democratic Party, has not done its full share and its full duty toward the farmers of the American Republic, he is saying something that the records will show to be false. Gentlemen, I thank you. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIES rose.

Mr. LEVER. Mr. Chairman——

Mr. DIES. Mr. Chairman, I do not think the chairman of the Committee on Agriculture will object.

Mr. LEVER. The debate on this paragraph has been closed, and I suggest to the gentleman that he address the committee on the next paragraph.

Mr. DIES. It has not been closed. I did not object to the gentleman's request.

Mr. LEVER. I may be mistaken about that. It may have been on the other paragraph.

Mr. DIES. Then the gentleman will not object on the ground that I am not speaking to the question.

Mr. Chairman, when Members talk about loaning money to the farmers of this country, and talk about Democrats and Republicans, it makes an honest nonpartisan man laugh. The best thing you can do for the farmers of this country is to let them alone and quit spending their money and taxing the eternal life out of them. [Laughter and applause.]

I wish the farmers of this country and the taxpayers of our land might have a return of the old democratic and republican theory that Government is not created to support the people, but that it is a creature to be supported by the people.

The great mistake we are making, my friends, here now is that we are practicing hypocrisy upon the people. We are leading them to believe that the Government can support them and lift them by their boot straps out of their financial difficulties when, as honest men, we should say to them that all that the Government can do is to protect their life and their liberty and tax them to support the Government.

I have been here 10 years, and I am going out now——

A MEMBER. And voluntarily, too.

Mr. DIES. Yes; and I will tell you what you have done, and I hope you will take it in good part: You have taken the fairest and best Government ever known among men and you are making it into the most despicable socialism. You took the American people at a time when they believed they could support themselves and their Government, and you are teaching them hour by hour and day by day to expect that their Government shall support them. Instead of telling our magnificent Army, when the boys are coming back from France and are being demobilized, to go back to their jobs and engage in their former industries, you are leading them to believe that the Government shall take it upon itself as a duty to support them.

My friends, you are tearing down the greatest Government, the greatest democracy, the world has ever seen, and you are building up in its stead the poorest fabric of socialism that history can record.

Is it your intention to help the people? No. You will not help the people unless you tell them that the Government has but one duty to the citizen, and that is to protect his life and property and give him an equal and fair race in this world. [Applause.] And you are teaching him that the duty of the Government is to help him. My beloved country! I do not know; we are losing the greatest Republic the world has ever seen. Talk about international democracies! It is being swamped amidst nebulous phrases and unintelligible jargon. Would to God the President of the United States would get on the *Tennessee* and come home and preserve this Republic [applause] rather than meddle longer with the politics of Europe. We are casting the lot of the people of America, the peace and destinies of our country into what? Into the hotchpotch of the quarrels and poverty and woe and destruction of Europe.

You know, when this is all over, my friends, I will be out home farming, and you who are left here will read Washington's Farewell Address with more respect than you have ever read it before. [Applause.]

There is not anything new to be said. Human nature is just the same as it was when our fathers made this Republic. The President of the United States, representing what has been the greatest Republic the world has ever seen, may speak of justice, and of the league of nations, and the end of the sorrows of mankind; but the best hope of this Republic and of this people is upon our own shores, defending the Constitution of our fathers, protecting the liberties of the people and independent self-government, a representative democracy. And I wish, O God of Nations, that our President would come back home, and that we might leave upon this hemisphere a great democracy, unentangled and unengaged with all the European broils that exist abroad to-day. [Prolonged applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired. The Clerk will read.

The Clerk read as follows:

For general administrative expenses in connection with the lines of investigation, experiment, and demonstration conducted in the Bureau of Markets, $20,635.

The CHAIRMAN. The gentleman from Texas [Mr. SUMNERS] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUMNERS: Page 83, after line 21, insert the following:

"For establishing and operating a farm produce exchange, the sum of $1,000,000, or so much thereof as may be required, and the Secretary of Agriculture is hereby authorized and directed to establish, at as early a date as practicable, a farm produce exchange, with such branches thereto as may be necessary, in order to afford a medium through which the economic and systematic sale and distribution of farm products may be effected.

"Such exchange shall be divided into four sections, designated, respectively, as the grain, cotton, fruit and vegetable, and miscellaneous sections, and such additional sections as Congress may from time to time provide for by specific appropriation.

"The commissioners of agriculture of the several States may select, and are requested to select, an advisory committee for each of said sections, other than the miscellaneous section, composed of three of their number, to act with the Secretary of Agriculture in connection with the sale of the farm products to be sold through the section for which they may be respectively selected, provided, however, the members of said committee shall have been selected by a majority vote by such commissioners based upon the average value, as determined by the Secretary of Agriculture, of the production of their respective States during the five years preceding such selection of the product or products to be dealt in through the section for which they may be selected. Nothing herein shall prevent an individual commissioner from being selected for the advisory committee of more than one section.

"It shall be the duty of the Secretary of Agriculture to determine the time the first selection of advisory committees shall be made, and to notify the commissioners of agriculture of the several States of his action with regard thereto; and upon request by a majority vote, based upon production as herein provided, of the commissioners of agriculture shall designate the place where the selection of the several committees shall be made: *Provided, however*, That upon request of such majority vote the Secretary of Agriculture may provide for such selection other-

wise than by a meeting of the several commissioners entitled to make such selection.

"In the operation of such exchange the Secretary of Agriculture, as far as practicable, shall cooperate with the several States and the various agencies therein which may be utilized and may formulate plans and regulations for exchange of service between them and such exchange.

"It shall be the duty of each of the departments of the Government to furnish the Secretary of Agriculture with such statistics and data as may be acquired which would be useful in the operation of such exchange and to render such other service in the sale and distribution of farm products through such exchange as it would be practicable to render.

"The Secretary of Agriculture, as rapidly as possible, shall provide standards as to quality, and, where practicable, as to containers of agricultural products not heretofore standardized and subject to subsequent standardization by Congress.

"The Secretary of Agriculture shall keep advised as nearly as practicable of the details of the quantity, quality, location, and price at which held of agricultural products and the volume and location or demand in the United States and abroad and the price at which such products may be sold, and shall make such information available to producers and purchasers of such products and to the general public, and shall endeavor to bring about such system in the sale and distribution of farm products as shall eliminate the waste and extremes in prices resulting from the present lack of system therein and from the undue influence of price manipulation in relation thereto.

"Those desiring to offer products for sale through such exchange may do so by grade or by sample, delivered to such exchange under such rules and regulations as the Secretary of Agriculture may prescribe. Those desiring to purchase farm products may in like manner submit offers to purchase, and it shall be the duty of the Secretary of Agriculture to endeavor to establish trading relationship between those desiring to purchase and those desiring to sell, and to procure the transfer of title and possession under such sales as may be effected at points along the natural line of movement of farm products moving to points of consumption, and to direct such movement so that such products shall move as nearly as practicable from the first point of concentration to the point of ultimate need by the shortest and most economical route and in quantity and quality in accord therewith. And to this end may designate points for inspection and of delivery, and shall exercise such intermediary inspection and supervision of delivery as shall inspire general confidence in the integrity of transactions consummated through such exchanges.

"The Secretary of Agriculture is authorized to require such deposits in money, such bonds, or other guaranties of compliance with the obligation to deliver according to tender, or to receive and pay according to offer, as in his judgment may be necessary to insure compliance with the contracts made through such exchange.

"All information furnished by such exchange shall not be at a higher cost than that necessary to pay the expenses of transmission.

"No charges shall be made to individual producers or to producers' organizations for services rendered in effecting sales of products grown by them or by their members, as the case may be.

"The Secretary of Agriculture is authorized to establish such additional rules and regulations governing transactions through such exchange and the service rendered by such exchange as in his discretion may be deemed necessary."

Mr. STAFFORD. Mr. Chariman, I make a point of order on that.

Mr. SUMNERS. Will the gentleman let the Clerk read it through?

Mr. STAFFORD. Oh, the gentleman had it inserted in yesterdays' RECORD.

Mr. SUMNERS. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Enforcement of the United States grain standards act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States grain standards act, including such rent and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $598,600: *Provided*, That section 6 of the said act is hereby amended, effective on and after the passage of this act, by striking out of the last sentence the words "made after the parties in interest have had opportunity to be heard."

Mr. HARRISON of Virginia. Mr. Chairman, I make a point of order on the proviso.

Mr. RUBEY. Will the gentleman reserve his point of order?

Mr. HARRISON of Virginia. I will reserve it.

Mr. BAER. Mr. Chairman, I move to strike out the last word.

Mr. RUBEY. Mr. Chairman, I want to take just a moment to say something in reference to the reservation of the point of order on the proviso in this paragraph. Of course, there is no question but that if the point of order is insisted upon it will go out. It is clearly subject to a point of order.

In 1916 when we passed the grain-standards act, in that part of the bill which refers to an appeal, with a desire to be as absolutely fair as possible and for the purpose of giving everybody connected with the appeal every possible opportunity, we inserted the following language. I will not read it all, but only that part which is referred to in this bill. It says:

The findings of the Secretary of Agriculture as to grade, signed by him or by an officer or officers, agent or agents of the Department of Agriculture as he may designate, after the parties in interest have had an opportunity to be heard, shall be accepted as prima facie evidence, etc.

Now, what are the facts in regard to it? Since this act went into effect in the neighborhood of 3,500 to 4,000 appeals have been taken, and no person has ever taken advantage of the opportunity to be heard; not one. As long as the provision is in the law the Secretary of Agriculture must go through the trouble and take the time to send out notices in order that every man who desires to be heard may be heard. It is practically a dead letter so far as those in interest are concerned.

What are the facts in the case? Here is the sample of grain that is to be graded; the supervisor passes upon the grade of the grain. An appeal is taken to the Secretary of Agriculture or to the agent who represents him. There should be no question of hearing in the matter; the grain speaks for itself. It is or is not of the grade as given by the inspector. The Secretary of Agriculture, the grain trade, and everybody else wants this language eliminated in order that the grain business of the country may be expedited. If you will strike out this language, which has never been made use of by the parties in interest, you will expedite the business of the grain trade in every part of the country. I hope the gentleman will not make the point of order.

I want to call attention to one other thing. There are three reasons which I want to emphasize why this language should go out. The first is to avoid delays in handling grain involved in the appeal. The second is to avoid delays in the settlement of transactions, and the third is to cut out that part which is termed on the exchange "the red tape of the proposition."

There is no question in the world but what the language ought to go out, and I hope the gentleman will not make the point of order.

Mr. HAUGEN. Mr. Chairman, I regret to rise in opposition to a single provision in the bill. We spent several weeks in hard work in preparing it. Although the bill is a good bill, it is not altogether what I would have it in every respect. With regard to this provision, it crept into the bill when I was not present. The proposition is not as stated by the gentleman from Missouri. If the gentleman will read the testimony, he will find the purpose of this is to break down this standard act. I will read to the gentleman——

Mr. RUBEY. Will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. RUBEY. I think the gentleman is under a misapprehension. There are two amendments proposed by the Agricultural Department. The other amendment does what the gentleman thinks it would do, but this amendment does not.

Mr. HAUGEN. I asked this question:

Mr. HAUGEN. The purpose is to eliminate the board of three supervisors and to go direct from the one man to the board of review?

Mr. LIVINGSTON. That is the idea, and also to eliminate the numerous papers which have to be made up and submitted in order that the parties may have a hearing under the terms of the act.

Mr. HAUGEN. Is not one a check upon the other?

Mr. LIVINGSTON. Yes.

Mr. HAUGEN. Why do you propose to set aside this board?

Mr. LIVINGSTON. Because we are placing upon this board men whom we believe will give it a faith and credence that could not be given to any board of three supervisors made up from three field supervisors.

Mr. HAUGEN. But the supervisors are on the spot?

Mr. LIVINGSTON. No; only in the largest markets are they on the spot.

Mr. HAUGEN. In a number of the important markets?

Mr. LIVINGSTON. In about 6 out of 35.

The act of August 11, 1916, provides that an appeal may be taken to the board of three supervisors, and if the interested parties are not satisfied an appeal lies to the board of review.

It is now proposed to do away with the board of appeal and go direct to the board of review, which would delay the findings. For instance, we have a board at six of the most important terminals, and under this provision only one board of review will be provided for, and that in Chicago. If an appeal is taken, for instance, in the city of Minneapolis, instead of having it determined there the appeal will have to go to Chicago, which, of course, will cause a delay. That is the very thing we tried to avoid when the bill was passed.

Mr. RUBEY. Mr. Chairman, the gentleman is absolutely mistaken in the matter.

Mr. LEVER. Mr. Chairman, I insist that the gentleman from Virginia either make his point of order or withdraw it.

Mr. SAUNDERS of Virginia. I will ask that the gentleman not do that. The gentleman from Virginia [Mr. HARRISON] reserved the point of order and everybody else has been speaking under it except the gentleman from Virginia. He ought to have the right to say something about it. He could have made the point of order and shut off the gentleman from Missouri [Mr. RUBEY].

Mr. LEVER. The only objection I have is that under the guise of the reservation of a point of order we may speak here all night.

Mr. SAUNDERS of Virginia. That may be; but it would be a hardship not to permit the gentleman from Virginia to speak after he has given opportunity to the gentleman from Missouri and the gentleman from Iowa. Certainly the point of order will not be insisted upon until the gentleman from Virginia is heard.

Mr. LEVER. I shall make the point of order myself if nobody else does.

Mr. HARRISON of Virginia. Mr. Chairman, I make this point of order because under the operation of the Bureau of Markets the greatest hardship to the southern wheat grower has been worked. By adopting a standard which was prejudicial to the southern wheat grower, the price on the grain has been lowered by at least 10 or 15 cents a bushel during the whole period of the time the price has been fixed by the Food Administration. The way in which this Bureau of Markets has used its power to fix the grade of wheat has been an outrage. Southern wheat brought as high a price in the market before the war as spring wheat, and its food value is as great, and yet under the standards of the Bureau of Markets it was given a low grade. Arbitrarily southern wheat was excluded from a first grade, although the millers were as anxious to get the southern wheat as they were to get the spring wheat. The price of the southern growers has been reduced at least 10 or 15 cents per bushel. After many protests some relief was reluctantly yielded by these bureaucrats, and it is now proposed that this Bureau of Markets, after having operated their system of gradation to the prejudice of the southern wheat grower, shall be authorized immediately upon the passage of this act to reestablish their ridiculous standards and grades without a hearing, without giving an opportunity to southern wheat growers to be heard. The bureau will be in a position to fix the grade of wheat to the prejudice of the southern wheat grower. I insist upon the point of order.

Mr. RUBEY. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. RUBEY. The proposition in this amendment has nothing to do with the fixing of the standard.

Mr. HARRISON of Virginia. It allows them to fix the standard without a hearing.

Mr. RUBEY. It only has reference to appeals taken.

Mr. HARRISON of Virginia. Yes; but it allows them to go ahead without giving anybody an opportunity to be heard.

Mr. RUBEY. Does the gentleman understand that there have been 4,000 opportunities given and not one accepted?

Mr. HARRISON of Virginia. If they have not been accepted it is because they have not been given the opportunity. I know that after they operated their system of grading for about six months they realized themselves that they had been operating their system to the prejudice of the southern wheat grower, and after an insistence on the part of the southern wheat grower they finally agreed to change the grade, and now they propose to go right back to the old system without giving anybody a hearing. I insist upon the point of order.

Mr. RUBEY. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LEVER. Was the point of order made to the whole paragraph or to the proviso?

Mr. HARRISON of Virginia. Just to the proviso.

Mr. GREEN of Iowa. Mr. Chairman, in line 12, I move to strike out the figures "$598,600" and insert in lieu thereof the figures "$400,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 84, line 12, strike out the figures "$598,600" and insert in lieu thereof the figures "$400,000."

Mr. GREEN of Iowa. Mr. Chairman, I want to call attention to the waste of money involved in lump-sum appropriations like this. Last year this particular department or bureau that was attending to this matter spent, I think, something like $456,000. They had some 2,874 appeals. Ordinarily, as I understand, for inspection it would cost about 35 cents for inspection and the total cost in case appeal was taken under the State authorities would be about $1. There is no reason I can understand why this whole proceeding ever ought to cost at the outside more than $50,000, and last year they managed to spend something like $456,000. Even this is too much, and I have moved to cut it down to $400,000.

Mr. LEVER. I am sure the gentleman does not want to go on record as making a ridiculous statement like that. I say it in all candor. I am sure the gentleman is misinformed about this whole situation.

Mr. GREEN of Iowa. The truth is I have studied it a little too carefully to suit the gentleman from South Carolina, and being from a State which raises as much grain as his I know something about it.

Mr. LEVER. This pays the salary of the inspectors, traveling expenses, and so forth.

Mr. GREEN of Iowa. Certainly; and if the gentleman will let me go on I will show the gentleman the difference between having a thing done through Washington authorities and having it done where it ought to be done. That is the trouble. Of course, if you are going to send an inspector back and forth every time you take an appeal to Minneapolis or Chicago, why, you are going to have $100 expense or more before you get through on each appeal.

Mr. LEVER. I wondered if the gentleman voted for this act.

Mr. GREEN of Iowa. Oh, yes, I did; but I never anticipated that money was going to be squandered on it in this kind of manner. Now, if the Committee on Agriculture, including its chairman, whose ability I greatly admire, would get down to brass tacks and fix what these gentlemen are allowed in the way of salaries instead of permitting these bureaucratic officials to determine just what they think they should have, they would save a great many thousand dollars, and I am inclined to think some millions of dollars, before they got through. Instead, they are so wrapped up with this great purpose, and it is a great purpose, and the great objects of this bill, to develop agriculture in this country, that they become so enthusiastic about it that they let these gentlemen put in these lump-sum appropriations, out of which they pay whatever salaries they want and increase the totals of this bill beyond all reason; and this is only one illustration. In the next paragraph below is an appropriation of $35,000. As I understand, they granted some two or three licenses.

Mr. HAUGEN. They have granted three licenses, and it carried an appropriation of $52,000 last year.

Mr. SAUNDERS of Virginia. If the gentleman will yield, this seems to be one of the lump-sum appropriations; does the gentleman happen to know how many officials are appointed under this appropriation and what is the average salary they are getting?

Mr. GREEN of Iowa. No; I do not know how many are appointed, but I know there are altogether too many.

Mr. HAUGEN. They are getting much higher salaries than they were paid before, and about all we could get out of the chief is they are paying about $240 over what they were to receive from the State. Of course, they get $240 under the legislative bill, and we have no way of estimating the number and increase that will be made during the year under the lump-sum or under the statutory roll, because Congress has no control over it.

Mr. GREEN of Iowa. Therein, as my friend points out, lies the great evil of these lump-sum appropriations. Men can be transferred from one roll to another under the operation of these lump-sum appropriations. Then their salaries are increased beyond anything Congress ever intended, and eventually they are put back on the statutory roll at an increased salary.

Mr. FESS. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. FESS. I just made an inquiry of my colleague here whether that statement is accurate or not, and the reply was that it is. Members do not understand why this subterfuge.

Mr. GREEN of Iowa. The reason for the subterfuge is to get around the intention and purpose of Congress, which does not intend that these salaries shall be raised, and notwithstanding the legislative authority does not intend they shall be raised, they are raised.

Mr. FESS. Are we going to tolerate that?

Mr. GREEN of Iowa. We seem to have been tolerating it, for it is permitted to go on under this bill, but it is a gross abuse, which ought to be stopped.

Mr. MOORE of Pennsylvania. We have had an official ruling to-night that it must be tolerated in the case of an agricultural bill.

Mr. GREEN of Iowa. My friend corrects me to that extent, and I accept the correction.

Mr. MOORE of Pennsylvania. Have we not had enough votes on the other side to prove it will go in whether we approve it or not?

Mr. GREEN of Iowa. Yes; they have the majority. Now, these appeals have cost something around $150 or $160 each, when $50 would have been a great big allowance, and perhaps $5 to $10 would have been nearer what it should have been. My amendment would allow all and more than is necessary to carry on this work. Four hundred thousand dollars was once an immense sum. Whole departments were carried on for less. Now, this little bureau chief wants over half a million to carry on a work that ought to be done for less than half the money.

Mr. BAER. Mr. Chairman, I move to strike out the last word.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes, the gentleman from North Dakota [Mr. BAER] to have 5 minutes and the gentleman from Missouri [Mr. RUBEY] 5.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate on this amendment and all amendments thereto close in 10 minutes, the gentleman from North Dakota to have 5 minutes and the gentleman from Missouri 5 minutes——

Mr. LEVER. Make it 15 minutes, so that the gentleman from Minnesota [Mr. ANDERSON] may have 5 minutes.

The CHAIRMAN. The gentleman asks unanimous consent for 15 minutes. Is there objection?

Mr. STAFFORD. Reserving the right to object, it is now quarter of 10. Does the gentleman expect to pass this bill before midnight?

Mr. LEVER. I do.

The CHAIRMAN. The Chair hears no objection.

Mr. RUBEY. Mr. Chairman, I desire to say only this: In 1916, after long debate and after careful consideration, the Congress of the United States passed the grain-grades act. It is now the law of the land. If there ever was a time when that act ought to be enforced it is now. It is not a question to-night for us to consider whether or not we are for the law or against the law. If you do not like the law, then introduce a bill to repeal the law. But just as long as it is on the statute books we ought to appropriate sufficient money to carry the law into execution.

Now, then, we are confronted with this situation: We have a guaranty placed upon every bushel of wheat raised in this country in 1918 and on every bushel which will be raised in 1919. That price guaranteed to the farmer by the Government is based upon these identical standards which have been adopted in accordance with the law passed by the Congress of the United States. It will be necessary for the Department of Agriculture to use these grades, to act quickly upon them. They will need every cent of money they have asked for in this appropriation, and possibly more, because under the guaranteed proposition the demands upon the Department of Agriculture for passing upon these grades will be stronger than it ever was before.

In the last Congress we appropriated $456,580. There was remaining over from the appropriations made in 1916 about $42,000, so that the department had $42,000 more to use in this work than they will have in this appropriation. That will be exhausted when June comes around, and it is absolutely necessary to increase this appropriation.

Not only that, but the law provides that the Secretary of Agriculture shall establish grades not only upon corn and wheat, but also upon oats and other grain, and the Department of Agriculture is ready to promulgate the grades on oats and rice and other products, and it is necessary absolutely to have additional money in order to put this into force and effect and to comply with the law passed by the Congress. I hope the amendment offered by the gentleman from Iowa will not be agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Administration of the United States warehouse act: To enable the Secretary of Agriculture to carry into effect the provisions of the United States warehouse act, including the payment of such rent and the employment of such persons and means as the Secretary of Agriculture may deem necessary, in the city of Washington and elsewhere, $35,000.

Mr. RUBEY. Mr. Chairman, I desire to offer an amendment to correct a typographical error.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RUBEY: Page 84, line 22, after the word "and," strike out "els" and insert in lieu thereof the word "elsewhere."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of the act of April 26, 1910, entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes," $94,790.

Total for enforcement of the insecticide act, $123,940.

Mr. LEVER. Mr. Chairman, I offer an amendment to correct a typographical error. I think we may have passed over it, but if so, I ask unanimous consent to turn back to it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Amendment offered by Mr. LEVER: Page 86, at the beginning of line 12, strike out the word "and."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

To enable the Secretary of Agriculture to carry into effect the provisions of the act of August 20, 1912, as amended, entitled "An act to regulate the importation of nursery stock and other plants and plant products; to enable the Secretary of Agriculture to establish and maintain quarantine districts for plant diseases and insect pests; to permit and regulate the movement of fruits, plants, and vegetables therefrom, and for other purposes, $47,700;

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Pennsylvania moves to strike out the last word.

Mr. MOORE of Pennsylvania. There has been a complaint coming from nurserymen about these quarantine orders, particularly with respect to bulbs and plants coming in from countries like Holland. Is there any reason why that embargo should be enforced at this time?

Mr. LEVER. I will say to the gentleman from Pennsylvania that this matter was called to the attention of the committee on yesterday by the minority leader [Mr. MANN], and this morning he put into the RECORD a memorandum furnished by the Department of Agriculture covering the whole situation. I have not had a chance to see that memorandum.

Mr. MOORE of Pennsylvania. Then it has been explained.

Mr. LEVER. I assume it has been.

Mr. MOORE of Pennsylvania. Then I do not ask the gentleman to go over a matter that has been gone over.

Mr. FESS. Mr. Chairman, I move to strike out the last word, to make an inquiry on the same matter. Who has charge of this particular division?

Mr. LEVER. Dr. Marlatt.

Mr. FESS. I had an inquiry about the matter. I took my inquiry to a member of the gentleman's committee, the gentleman from Michigan [Mr. MCLAUGHLIN], who referred me to Dr. Marlatt. I wrote to him what I thought was a courteous letter, inclosing the letter from my informant, and asking whether he would care to state why this regulation had been made and whether it might not be avoided. Up to date I have received no word from him at all.

Mr. LEVER. How long ago was that?

Mr. FESS. Ten days ago.

Mr. LEVER. I would be very glad to make a note of it, and see what the trouble is. Dr. Marlatt is a very fine gentleman and a very courteous man, and I am satisfied that there must be some mistake about it, probably in the receipt of the letter.

Mr. STAFFORD. I have had some protests from local florists about the enforcement of the recent order prohibiting the importation from Belgium and other foreign countries of generally used plants, bulbs, and flowers. I took the matter up with Mr. Palmer and received immediate replies to my letters, explaining the reasons for the order at length. Mr. Palmer is the executive officer who has charge of the work of the enforcement of this new order.

Mr. LEVER. I am having the clerk make a note of this, and we will find out what is the trouble.

Mr. FESS. I thank the gentleman, because, as a rule, these matters are attended to quite expeditiously.

Mr. LEVER. Dr. Marlatt is a very, very fine gentleman. I wish the gentleman from Ohio might know him.

Mr. FESS. I was wondering whether there was any suggestion of discourtesy on the part of these experts toward the Congress.

Mr. LEVER. I am sure there is not in this case.

Mr. FESS. As the gentleman knows, I am not inclined to make complaints of this sort, but I have felt that there is a little fretfulness in the attitude of some of the members of these expert bureaus in reference to inquiries that are legitimate. It is not a matter of mischief, but simply to get information, so that we can intelligently answer our constituents without simply saying the matter will be considered. I do not like that sort of an answer.

Mr. LEVER. I am very glad the gentleman has mentioned this, and I am sure Dr. Marlatt will be very glad of it, too.

Mr. MCLAUGHLIN of Michigan. Mr. Chairman, a number of the gentlemen of the House have spoken about this order of the Federal Horticultural Board, evidently thinking it is oppressive and wrong, and they would like to have Congress take some action looking to the rescinding of the order. I would suggest that they be very careful in expressions of opinion or in the attempt to influence the action of that board. It was with the greatest difficulty that we secured action by Congress respecting that matter. It was only after a long delay and a

great deal of effort that we were able to secure the passage of the act that provides for the organization of the quarantine board and for its activities, and during the delay the country was suffering untold loss. That law was enacted generations too late. Almost every disease and pest that besets the crops of this country was brought from abroad, and its entrance into this country might have been prevented if we had had on the statute books such a law as was placed there a few years ago and if it had been administered as efficiently as that law is now administered. The brown-tail moth, the gypsy moth, the cotton-boll weevil, the pine blister rust, the San Jose scale—I might name a large number of them—were all brought from abroad, and their entrance into this country might have been prevented, and the loss that has been sustained by reason of their presence here might have been avoided. That loss the country has sustained is absolutely incalculable. Millions and hundreds of millions of dollars have been provided by appropriations of Congress to fight these pests after they reached this country. The losses of crops that the country has sustained, the expense that has been incurred by farmers and gardeners and orchardists throughout the country from these pests are simply beyond calculation, and much of the loss and expense might have been avoided.

To the gentlemen who would interfere with the operations of this particular law I may say that when the bill that became a law and is on the books was before the Committee on Agriculture many nurserymen appeared before that committee and opposed the bill strenuously. It was learned afterwards that shipments of fruit trees and shrubbery from some of the nurseries owned or represented by the men who sat in the committee room protesting against the passage of this act were found, on inspection on arrival at the destinations, to be literally alive with brown-tail moths and gypsy moths and other very dangerous pests—the very kind of insect pests that Congress was then and for years had been appropriating large sums of money to control or to limit their ravages.

This law provides only for the inspection of nursery stock brought here from foreign countries. The amount and value of it is insignificant. The value of the importations is insignificant as compared with the amount of money appropriated each and every year in the Agricultural bills for taking care of these troubles. I suggest to these gentlemen that they be careful not to interfere with the operation of that law or the work of the officials under the law.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

The Clerk read as follows:

To enable the Secretary of Agriculture to meet the emergency caused by the establishment of the potato wart in eastern Pennsylvania, and to provide means for the extermination of this disease in Pennsylvania or elsewhere in the United States in cooperation with the State or States concerned, including rent outside the District of Columbia, employment of labor in the city of Washington or elsewhere, and all other necessary expenses, $50,000, which shall be immediately available.

In all, for general expenses, $97,700.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. May I inquire whether the next paragraph may not be considered in connection with the present paragraph? The following paragraph is really the mandatory provision of the act.

Mr. LEVER. It might be. Mr. Chairman, I ask unanimous consent that the following paragraph may be considered in connection with the paragraph just read.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the following paragraph be considered in connection with the paragraph just read. Is there objection?

There was no objection.

The Clerk read as follows:

That the plant quarantine act approved August 20, 1912 (37 Stat., p. 315), is hereby amended by the addition of the following section:

"SEC. 15. That in order further to control and eradicate and to prevent the dissemination of dangerous plant diseases and insect infections and infestations no plant or plant products for or capable of propagation, including nursery stock, hereinafter referred to as plants and plant products, shall be moved or allowed to be moved, shipped, transported, or carried by any means whatever into or out of the District of Columbia except in compliance with such rules and regulations as shall be prescribed by the Secretary of Agriculture as hereinafter provided. Whenever the Secretary of Agriculture, after investigation, shall determine that any plants and plant products in the District of Columbia are infested or infected with insect pests and diseases and that any place, articles, and substances used or connected therewith are so infested or infected, written notice thereof shall be given by him to the owner or person in possession or control thereof and such owner or person shall forthwith control or eradicate and prevent the dissemination of such insect pest or disease and shall remove, cut or destroy such infested and infected plants, plant products and articles and substances used or connected therewith, which are hereby declared to be nuisances, within the time and in the manner required in said notice or by the rules and regulations of the Secretary of Agriculture. Whenever such owner or person can not be found, or shall fail, neglect or refuse to comply with the foregoing provisions of this section, the Secretary of Agriculture is hereby authorized and required to control and eradicate, and prevent dissemination of such insect pest or disease and to remove, cut or destroy infested or infected plants and plant products and articles and substances used or connected therewith, and the United States shall have an action of debt against such owner or persons for expenses incurred by the Secretary of Agriculture in that behalf. Employees of the Federal Horticultural Board are hereby authorized and required to inspect places, plants and plant products and articles and substances used or connected therewith whenever the Secretary of Agriculture shall determine that such inspections are necessary for the purposes of this section. For the purpose of carrying out the provisions and requirements of this section and of the rules and regulations of the Secretary of Agriculture made hereunder, and the notices given pursuant thereto, employees of the Federal Horticultural Board shall have power with a warrant to enter into or upon any place and open any bundle, package or other container of plants or plant products whenever they shall have cause to believe that infections or infestations of plant pests and diseases exist therein or thereon, and when such infections or infestations are found to exist, after notice by the Secretary of Agriculture to the owner or person in possession or control thereof and an opportunity by said owner or person to be heard, to destroy the infected or infested plants or plant products contained therein. The police court or municipal court of the District of Columbia shall have power, upon information supported by oath or affirmation showing probable cause for believing that there exists in any place, bundle, package or other container in the District of Columbia any plant or plant product which is infected or infested with plant pests or disease, to issue warrants for the search for and seizure of all such plants and plant products. It shall be the duty of the Secretary of Agriculture, and he is hereby required, from time to time, to make and promulgate such rules and regulations as shall be necessary to carry out the purposes of this section, and any person who shall move or allow to be moved, or shall ship, transport or carry, by any means whatever, any plant or plant products from or into the District of Columbia except in compliance with the rules and regulations prescribed under this section, shall be punished as is provided in section 10 of this act."

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read.

Mr. LEVER. Mr. Chairman, I will say that this proposal seems to be necessary, because of the fact that the plant-quarantine act does not apply to the District of Columbia. This is simply to extend the plant-quarantine act to the District of Columbia, and that is all there is to it.

Mr. STAFFORD. If the plant-quarantine act applies to every part of the country, why would not the District of Columbia be immune?

Mr. LEVER. It seems to have been omitted; I don't know why.

Mr. STAFFORD. The gentleman does not get my point. If the plant-quarantine act extends to all parts of the country save the little spot in the District of Columbia, why is not the District of Columbia immune?

Mr. LEVER. I see the force of the gentleman's suggestion, but let me read what the department says:

There is at present no law under which the movement of disease and infested nursery stock and other plants and plant products into the District of Columbia from surrounding or other States, or from the District of Columbia into surrounding or other States, which can be adequately controlled, nor is there statutory authority for control and extermination within the District of Columbia of plant pests and diseases. Such control is exercised under State laws in practically all the States in this country.

The immediate need of this legislation is evidenced by the fact that the oriental fruit moth which threatened seriously to affect the fruit industry of the United States gained entrance in large part through importations of ornamental stock into the District of Columbia, and there has been now within the District thousands of peach, cherry, plum, apple, and other trees infested with this insect, affording breeding sources from which the insect has spread into the adjacent States of Maryland and Virginia.

Mr. STAFFORD. Has any estimate been made of the cost to the Government by extending the provisions of the quarantine act in the District of Columbia?

Mr. LEVER. I will say to the gentleman that there has not been. I judge that there will not be a great cost, because the appropriation is not increased.

Mr. STAFFORD. The bureau seeking increase of activities never asked for an increased appropriation at the time they asked to enlarge their powers; that comes afterwards.

Mr. LEVER. I would not think it would amount to very much.

Mr. STAFFORD. Mr. Chairman, I realize the critical condition that may arise in exceptional situations, and I withdraw the point of order.

Mr. FESS. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman a question with reference to a line which has been passed, but which has very peculiar phraseology. I refer to line 12, page 87, to the language—

caused by the establishment of the potato wart.

The word "establishment" would indicate that there has been some governmental activity. Does it not mean the appearance of the potato wart?

Mr. LEVER. It means the coming in of and the fixing of itself. It has been here for some time; he has established himself in these little towns in Pennsylvania. It is a rather peculiar expression, I admit.

The Clerk read as follows:

Total, Department of Agriculture, for routine and ordinary work, $29,847,162.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. McLAUGHLIN of Michigan: Page 91, line 4, at the end of line 4 add the following:

"*Provided*, That no part of the money appropriated by this act shall be used to pay the salary or compensation of any official or employee of the Department of Agriculture in excess of the salary or compensation he is now receiving in the office or position in which he is now engaged or for the work he is now doing if he shall be entitled to an increase of salary or compensation or additional allowance of pay under or by virtue of any other act of Congress: *Provided further*, That this limitation shall not apply to persons employed outside the District of Columbia."

Mr. LEVER. Mr. Chairman, on that I reserve the point of order.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I think it is not subject to the point of order. It is a limitation, and it is calculated to reduce the appropriation. It limits the right of expenditure of money. I think it is not subject to the point of order.

Mr. LEVER. Mr. Chairman, if the gentleman will permit, I am inclined to think that the amendment is not subject to the point of order, and I withdraw the reservation and ask unanimous consent that debate upon this paragraph and all amendments thereto shall close in 10 minutes.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, this is an important matter, and I think that at this hour of the night no one is going to speak unnecessarily. If the gentleman will accept the amendment, I shall not debate it at all.

Mr. LEVER. No; I can not do that.

Mr. MOORE of Pennsylvania. I was about to ask if the gentleman from South Carolina was going to oppose this amendment?

Mr. LEVER. I am.

Mr. MOORE of Pennsylvania. Because this amendment would satisfy several gentlemen upon this side of the House who have been critical of the bill.

Mr. LEVER. Mr. Chairman, I ask unanimous consent that debate upon this amendment and all amendments thereto close in 10 minutes, the gentleman from Michigan to have 7 minutes and I to have 3 minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that debate upon this amendment and all amendments thereto shall close in 10 minutes. Is there objection?

Mr. ANDERSON. Mr. Chairman, I object.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, as Members present know, points of order have been made to items carrying increases of salary and to increases made by way of transfer, and so forth. Some of the points of order have been sustained and others have not. There has been considerable criticism, and I think the opinion prevails generally that there have been wholesale increases of salaries in the Department of Agriculture, and that the policy of employing officials and others in the departments and of fixing their salaries and raising their salaries, authority to do so resting entirely with the Secretary and the heads of the bureaus, is a vicious practice, one over which Congress apparently has no authority whatever. I think everyone is impressed with the fact that that state of affairs exists, and that something ought to be done to correct it. There has been considerable discussion as to the allowance of additional compensation to Government employees and of how much increase should be allowed. Many of the committees of Congress that frame appropriation bills have had the matter before them. It is a matter that has been quite fully discussed. The Committee on Appropriations has considered it, and that committee finally brought in, in its legislative bill, a provision increasing by $240 the salaries of all clerks and other employees whose salaries are not now above $2,500 a year. That provision was adopted by a very large vote in this House, and we now learn that it has been approved by the body at the other end of the Capitol, practically without division, so that it may be taken as the sense of the Congress, expressed by a very large vote, that the increase of $240 per year is reasonable and as just as any flat rate of increase can be.

Now, one who is familiar with the Book of Estimates, especially one who has heard the testimony of bureau heads and other officials of the department as they have testified before the committee, knows that there are a very large number of increases arbitrarily made by the Secretary or by the heads of bureaus, increases of $100, $200, $300, and, as far as we are able to learn, no particular reason for such action existed, except that in the opinion of the Secretary or the head of the bureau some increases ought to be given. Now, in some cases an increase larger than $240 may have been proper. I am one who believes in paying good salaries and good wages, but if Congress is to exercise any influence or control over salaries in any respect whatever, unless Congress is willing to admit that it has no control, unless it gives it up and washes its hands of it entirely and is willing to let the heads of bureaus do just as they please, it must adopt some such provision or plan as is embodied in the amendment I have offered.

Mr. FESS. Will the gentleman yield?

Mr. McLAUGHLIN of Michigan. And I suggest that on the average the $240 per year will meet the requirements. There may be some injustice. We may make some mistakes; we may not be able to meet the situation as it applies or relates to some or a few employees in the department, but we will cure a great big glaring, inexcusable mistake and omission and failure of duty that we have been guilty of in years past. I yield to the gentleman from Ohio.

Mr. FESS. Does this practice obtain in any department other than the Agricultural Department?

Mr. McLAUGHLIN of Michigan. I think it does, but I do not know to what extent.

Mr. LEVER. I will say it does.

Mr. McLAUGHLIN of Michigan. An amendment similar to this was offered by me in the committee and I think it met with general favor, but a representative high up in the Department of Agriculture came there and objected to it strenuously, saying we were making an exception of the Department of Agriculture and that we were taking away from the Secretary and the heads of the bureaus discretion to fix salaries just as they pleased. They wished unlimited and unrestrained discretion. They wished no interference by Congress.

I should dislike very much to be responsible for a provision that will prevent any employee or official getting all he is entitled to, but I feel sure if the amendment shall be adopted there will be little injustice, and I feel also very strongly that failure on our part to take action in this important matter will be unjustifiable; we must do something of this kind. We have neglected too long.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEVER. Mr. Chairman, the amendment offered by my friend from Michigan [Mr. McLAUGHLIN] is probably a very much more important amendment than Members of the House who are not familiar with the situation may think. The question of the control of lump-sum salaries was fought out on the floor of this House some six years ago. I think it was when I first became chairman of the committee. The fight that is now being made by the gentleman from Michigan and others was inaugurated by the gentleman from North Carolina [Mr. Paige], a very influential member of the committee. By the action of the House itself this policy or plan of controlling lump-sum salaries was agreed upon. The chairman of the Committee on Agriculture, acting with individual members of the committee, has tried repeatedly to find some remedy for this situation. I would not want at 10.30 at night, without a very, very thorough consideration of an amendment of this importance, to have it attached to this bill. The policy of the Department of Agriculture is not different from the policy in other departments. I do not want this proposition of absolutely shutting out the discretion of the Secretary of Agriculture to promote some worthy scientific research man who has performed a great service, who has made a great discovery. I would not want the Secretary of Agriculture, and I do not believe my friend from Ohio would want him, to be foreclosed from giving that man a reasonable promotion.

Mr. CRAMTON. Will the gentleman yield?

Mr. LEVER. Men who are capable of making some great discovery, a little different from the post-office clerk and the rural carrier and the ordinary clerk in class 1, class 4, or class 2. You must hold out some incentive for these men to work and sit up at night and figure, think, look, and inquire, if you are going to have any progress in research work, in scientific work.

If you are going to fix these salaries hidebound, so that the Secretary has no discretion at all to encourage these men, you will throw a wet blanket over the entire research force of the Department of Agriculture; and that is true of every other department of the Government. And my hope is that you will not be carried away by the idea that you are going to save a

great sum of money by undertaking to do something in haste that has not been considered carefully by any committee of the House. I think the best policy would be to allow this matter to go over in the hope that this Congress before it adjourns will create a joint committee, which was suggested by the Committee on Appropriations in the legislative bill, to go into the whole matter of salaries and see if some way of adjusting them can be found that will be equable and will not tend to retard the progress of our research workers.

I hope the amendment of the gentleman will be voted down.

Mr. ANDERSON. Mr. Chairman, the gentleman from South Carolina has made a very good speech. There is only one trouble with it, and that is that it does not relate to the situation which the amendment of the gentleman from Michigan is intended to remedy. The scientific employees of the Government, practically all of them, receive salaries in excess of $2,500 a year, and the amendment of the gentleman from Michigan does not relate to those employees at all, because it is restricted by its specific terms to those employees of the Government who are affected by the provision granting an increase of salary of $240 per year, and that provision is limited to employees receiving less than $2,500 a year. And, I think, every member of the Committee on Agriculture is impressed with the idea that some way must be found by which Congress can exercise some control over the fixing of salaries of that bureau. It has been perfectly evident in the debate here to-night that there is not any way now to do it. The salary of men employed under the lump-sum rolls are fixed by the Secretary, and those men are automatically transferred to the statutory roll. Under the decision of the Chair no point of order lies against that procedure. There is not any way at all that it can be done, except in the way in which my friend from Pennsylvania [Mr. MOORE] undertook to do it, and that is by making a motion to reduce each specific salary. And that will only apply in those cases where salaries are fixed in the statutory roll.

The amendment of the gentleman from Michigan may work some injustice. Perhaps it will. But it will not generally prevent what seems to me to be a very great abuse, and one of the ways in which that abuse comes about is by increasing the salary of the top man and then moving everybody up a peg without any reference to whether or not the individual or individuals have done anything which justifies the increase. It is a purely automatic proposition that goes on under these lump-sum appropriations, in an endless circle, to which there is neither a beginning nor an end, and no way to make a beginning or an end. It seems to me if Congress is to have any control at all over this situation it is bound now or at some time to indicate its intention to have that control, and the sooner it does the sooner the department will realize that it is up to the department to pay some attention to the enactments of Congress.

I think there is a very great tendency in the department, grown up largely from the war and the necessities of the war, to disregard the express enactments of Congress. I asked one of the gentlemen who came before our committee if he could suggest any language by which we could get done the specific thing we wanted done in the way we wanted it done. He could not suggest any, and I am frank to say I can not. That is the situation all up and down the line. We pass these laws and we undertake to fix the specific way in which a thing should be done, and we find when it has been done by the department it has been done in a way in which we least intended.

Mr. LEVER. Will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. LEVER. The gentleman confesses he can find no remedy for this situation and no language which will cure it, and in that connection I wish to say there is no man in this Congress who can draw language to fit a situation more accurately than the gentleman from Minnesota. Now, that being true—I do not ask the gentleman to confess it—does the gentleman think it wise, at 10.35 o'clock p. m. here, to undertake to remedy a situation which has been going on from time immemorial with an amendment offered to the House?

Mr. ANDERSON. I am greatly obliged to the gentleman for his compliment, but this amendment does not seek to remedy any situation except to recommit it this year, and this year we have provided all the increases which men are automatically entitled to. This amendment does not go beyond this year. It seems to me it only meets the situation with which we are confronted now. If the $240 provision did not apply, I think I would not support his amendment, but as long as it does apply I do think his amendment is justified.

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. ANDERSON. Certainly.

Mr. CRAMTON. Mr. Chairman, the gentleman will recall that in the urgent deficiency bill approved on October 6, 1917, more than a year ago, when we were providing a lump sum——

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. CRAMTON. I ask that the gentleman may be allowed to proceed for two minutes.

Mr. GARRETT of Tennessee. I object.

Mr. CRAMTON. Then I ask recognition, Mr. Chairman.

Mr. GARRETT of Tennessee. The debate has closed.

Mr. LEVER. No. The debate has not been closed. Does the gentleman from Michigan want two minutes?

Mr. CRAMTON. Yes.

Mr. LEVER. I ask unanimous consent that debate on this paragraph and all amendments thereto close in two minutes.

Mr. CRAMTON. Oh, no. If the gentleman is going to prevent debate in that way, I shall object.

Mr. LEVER. Then I move, Mr. Chairman, that the debate close now.

Mr. McLAUGHLIN of Michigan. I will say to the gentleman that if he does that he will have to have a quorum here to-night.

Mr. CRAMTON. I do not know that I can conclude in two minutes.

Mr. LEVER. Then, Mr. Chairman, I ask unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the debate on this paragraph and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. CRAMTON. Mr. Chairman, I entirely agree with the gentleman from South Carolina that this is an important matter. The difficulty is that the gentleman from South Carolina does not want to spend any time on it.

I want to call the attention of the gentleman from South Carolina and the attention of the gentleman from Minnesota [Mr. ANDERSON] and the attention of the committee to the fact that this is not an unheard-of proposition that the gentleman from Michigan is offering. The gentleman seems to think that the Department of Agriculture is being discriminated against. Nothing of the kind. In the urgent deficiency bill approved October 6, 1917, when we were beginning to provide these great emergency funds for the great work of carrying on the war, we included this language, and it seems to have worked well and it seems to have been satisfactory, because it has been continued in the bill since. Section 7 provides:

> That no civil employee in any of the executive departments or other Government establishments, or who has been employed therein within the period of one year next preceding his proposed employment in any other executive department or other Government establishment, shall be employed hereafter and paid from a lump-sum appropriation in any other executive department or other Government establishment at an increased rate of compensation.

No matter how great an expert there may have been in the Department of Agriculture or in the Department of Commerce that the Shipping Board wanted, they could not take him and give him a salary commensurate with the work he was to perform. I read further from that section:

> And no civil employee in any of the executive departments or other Government establishments or who has been employed therein within the period of one year next preceding his proposed employment in any other executive department or other Government establishment and who may be employed in another executive department or other Government establishment shall be granted an increase in compensation within the period of one year following such reemployment: *Provided*, That the United States Shipping Board Emergency Fleet Corporation shall be considered a Government establishment for the purposes of this section.

Some cases under it came to my attention, and it seemed to me to be a hardship; but notwithstanding that, the department has gotten along. We won the war, and nowhere did the machinery break down by reason of that provision.

I want to repeat that the Department of Agriculture is not to be discriminated against, but its employees are to be paid on the same basis as those employed under other lump sums that we have appropriated.

Mr. LEVER. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LEVER. Does not this statute apply to the Department of Agriculture?

Mr. CRAMTON. This is to cover cases of transfer from one establishment or department to a new department created by reason of the war, but the principle is just the same.

Mr. LEVER. That applies to the Department of Agriculture and has to do with transfers entirely, and does not hit this thing within 40 feet.

Mr. CRAMTON. A man transferred from the Department of Agriculture to the Shipping Board could not receive an increase

of pay, although his duties might be more responsible in the Shipping Board than those in the Department of Agriculture. The principle is the same. There is more justice in the provision suggested by my colleague than in the provision that has been the law now for something over one year and three months.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN].

The question was taken, and the Chairman announced that the ayes seemed to have it.

Mr. LEVER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 38, noes 53.

The CHAIRMAN. The amendment is rejected, and the Clerk will read.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I ask for tellers.

Tellers were ordered.

The CHAIRMAN. The Chair appoints as tellers the gentleman from South Carolina [Mr. LEVER] and the gentleman from Michigan [Mr. McLAUGHLIN].

Mr. LEVER. I ask that the gentleman from Mississippi [Mr. CANDLER] take my place as a teller.

The committee divided; and the tellers reported—ayes 34, noes 58.

Accordingly the amendment was rejected.

The Clerk read as follows:

To make surveys to determine the actual distribution of the pink bollworm in Mexico and to exterminate local infestations in Mexico near the border of the United States, in cooperation with the Mexican Government or local Mexican authorities, $25,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I want to ask the chairman of the committee why it is necessary to divide into five parts this appropriation for the eradication of the pink bollworm?

Mr. LEVER. Mr. Chairman, in response to the gentleman's inquiry, when the estimate for the eradication of the pink bollworm was submitted a year ago it was in a lump-sum item, just like the foot-and-mouth disease item which has just been read. The committee, however, felt that Congress itself was desirous that these large sums should be as far as possible segregated.

Mr. MOORE of Pennsylvania. What is the total amount of the five items?

Mr. STAFFORD. It is $595,800.

Mr. MOORE of Pennsylvania. Then that is the amount divided into these various items?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. Is a special kind of work to be done under each item, or is it all of the same general character?

Mr. LEVER. Each item sets out the kind of work that is to be done, but it all goes to the proposition of getting rid of the pink bollworm.

Mr. MOORE of Pennsylvania. This being a lump-sum appropriation, who will fix the salaries?

Mr. LEVER. The salaries will be fixed by the Secretary of Agriculture.

Mr. MOORE of Pennsylvania. There will be no legal limitation on him at all?

Mr. LEVER. None except the limit of $4,500, which is the maximum that can be paid to any employee of this character.

Mr. MOORE of Pennsylvania. Four thousand five hundred dollars for taking in the experts and those gentlemen who have ideas, to whom the gentleman from South Carolina referred a moment ago?

Mr. LEVER. Yes.

Mr. MOORE of Pennsylvania. So, in order to encourage the $4,500 men, the Secretary will probably advance those who are paid the lower salaries, as their ideas develop from time to time in the work of eradication?

Mr. LEVER. I think the Secretary of Agriculture is a decent, honest man, and I do not believe the gentleman from Pennsylvania would like to lay that charge at his door. I believe that if one of these men should make a discovery that would be worth while in reference to this very dangerous pest, the Secretary of Agriculture would be warranted in making some kind of a promotion.

Mr. MOORE of Pennsylvania. I do not want the gentleman to think that I am reflecting upon the honesty of any man who takes an appointment under this paragraph, but I do reflect upon the system by which the salaries are fixed without the knowledge of Congress.

Mr. LEVER. And yet the gentleman for 12 years has been here and has not revised this system. Part of the time his party has been in power and part of the time out of power.

Mr. MOORE of Pennsylvania. Oh, yes; I have criticized the system. I never wanted to interfere with the work done by the department, but I have always criticized the system of the department in assuming jurisdiction that Congress did not confer upon it.

Mr. LEVER. The gentleman realizes, of course, that it is very easy to criticize. It is very much more difficult to construct an affirmative proposition.

Mr. MOORE of Pennsylvania. I am of the opinion that if the gentleman from South Carolina would accept the amendment offered by the gentleman from Michigan [Mr. McLAUGHLIN], proposing that hereafter salaries should be kept within the legislative limitation, we would all be satisfied, those of us who have been criticizing and those who have been defending the department.

Mr. LEVER. I expressed my views on that proposition a moment ago, and I have not revised them since.

Mr. MOORE of Pennsylvania. I know the gentleman expressed his ideas, and I have simply taken this time to bring out these few additional points in the hope and expectation that a motion to recommit may be made that will give gentlemen of the House an opportunity to vote on the question whether we shall continue a practice which some of us think is objectionable, a practice which holds only in the Department of Agriculture, or whether we want to keep all of the departments, including the Department of Agriculture, within the limitations set by Congress.

Mr. LEVER. The gentleman realizes that this appropriation is exactly on a par with the appropriation of $1,000,000 which has just been passed in the preceding paragraph, for the eradication of the foot-and-mouth disease.

Mr. MOORE of Pennsylvania. Yes.

Mr. LEVER. The gentleman did not raise any objection to that; I wonder why.

Mr. MOORE of Pennsylvania. Because the total appropriation seems to have been divided in a way that is susceptible of explanation. It is all for the purpose of eradicating the boll weevil.

Mr. LEVER. The other was the eradication of the foot-and-mouth disease.

Mr. MOORE of Pennsylvania. That is the difference between the two appropriations, so that the Secretary of Agriculture will have five distinct ways of employing people and expending the money, and that is what I wanted to inquire about.

The CHAIRMAN. The time of the gentleman has expired, and the pro forma amendment will be withdrawn.

Mr. FESS. Mr. Chairman, I move to strike out the last word. When did the Mexican pink boll weevil first appear?

Mr. LEVER. About 18 months or 2 years ago. The current law is the first act of Congress that carries any appropriation for its extermination.

Mr. FESS. That has not been carried very long?

Mr. LEVER. No; and I will say to the gentleman that the situation is in very good shape.

The Clerk read as follows:

That hereafter the Secretary of Agriculture may, in his discretion and under such conditions as he may prescribe, supply to any municipality or public institution not more than one American bison from any surplus which may exist in any herd under the control of the Department of Agriculture; and, in order to aid in the propagation of the species, animals may be loaned to or exchanged with other owners of American bison.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I suppose it is the purpose that the Secretary of Agriculture may prescribe and require the payment of any expense to the Government by municipalities or institutions that receive the bison.

Mr. LEVER. Yes; that was the intention.

Mr. STAFFORD. Would the gentleman have any objection to an amendment expressing the intention of the committee by inserting after the word "discretion" "without expense to the Government"?

Mr. LEVER. No.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order, and offer the following amendment.

The Clerk read as follows:

Page 96, line 17, after the word "discretion," insert the words "without expense to the Government."

The amendment was agreed to.

The Clerk read as follows:

Whenever, during the fiscal year ending June 30, 1920, the Secretary of Agriculture shall find that the expenses of travel can be reduced thereby, he may, in lieu of actual traveling expenses, under such regulations as he may prescribe, authorize the payment of not to exceed 2½ cents per mile for a motorcycle or 7 cents per mile for an automobile, used for necessary travel on official business.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the paragraph.

Mr. LEVER. The paragraph is subject to a point of order, and I concede it.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

That hereafter in carrying on the activities of the Department of Agriculture involving cooperation with State, county, and municipal agencies, associations of farmers, individual farmers, universities, colleges, boards of trade, chambers of commerce, or other local associations of business men, business organizations, and individuals within the State, Territory, district, or insular possession in which such activities are to be carried on, moneys contributed from such outside sources, except in the case of the authorized activities of the Forest Service, shall be paid only through the Secretary of Agriculture or through State, county, or municipal agencies or local farm bureaus of like organizations cooperating for the purpose with the Secretary of Agriculture.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. I wish to inquire what is the real purpose of this new legislation?

Mr. LEVER. Some three years ago an amendment was inserted in one of the bills—the legislative bill, probably—in the Senate, to the effect that none of these contributions could be made, except through county, State, or municipal authority. That would eliminate the contribution of private individuals in the matter of farm administration or county agent work; it would eliminate the proposition of a market association contributing anything to the salary of the Federal employee, the man in charge of the work. For the purpose of avoiding that situation this amendment was suggested. The act carrying the prohibition did not go into effect until two years after its passage, so that the various departments might ascertain just what effect it might have on the activities.

Under the administrative work connected with the boll weevil, States cooperate with individuals, with farmers and corporations, with agricultural colleges and various institutions within the State that they may be permitted to make these contributions and help the work along. The truth about the matter is, various institutions, firms, and corporations within the State are supplementing very largely the work of the Federal Government. We feel that in these activities we need the cooperation of these various individuals and corporations that I have mentioned. This was aimed primarily at the general education board, as the gentleman knows. The Department of Agriculture is not and was not at that time in any alliance with the general education board. Unless the amendment is agreed to, it will greatly hamper the work of the department.

Mr. STAFFORD. Is not the purpose of the last or next to the last paragraph of the bill aimed practically so as not to permit governmental funds to be used in payment of persons employed under State or municipal authority?

Mr. LEVER. Next to the last?

Mr. STAFFORD. I refer to the paragraph following the one under consideration. Mr. Chairman, I withdraw the reservation of the point of order, and will make my inquiry upon the next paragraph.

The Clerk read as follows:

The officials and employees of the Department of Agriculture engaged in the activities described in the preceding paragraph and paid in whole or in part out of funds contributed as provided therein, and the persons, corporations, or associations making contributions as therein provided, shall not be subject to the proviso contained in the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, approved March 3, 1917, in Thirty-ninth Statutes at Large, at page 1106; nor shall any official or employee engaged in the cooperative activities of the Forest Service, or the persons, corporations, or associations contributing to such activities be subject to the said proviso.

Mr. STAFFORD. Mr. Chairman, on this I reserve the point of order. This is the paragraph about which I sought to obtain information in respect to its effect in exempting certain employees from the effect of the limitation as carried in the legislative bill of a year ago.

Mr. LEVER. The gentleman from Minnesota [Mr. ANDERSON], who was largely responsible for this draft, I will call upon to answer.

Mr. ANDERSON. Mr. Chairman, I would say that the proviso in the legislative act to which this provision refers contained a prohibition against any employee or official of the Government receiving a contribution to his salary except from a State, county, or other municipal corporation. That prohibition was so broad that it would totally disrupt and to a certain and considerable extent prevent the carrying on of the cooperative activities of the department, carried out under items, for instance, as the farmers' extension or demonstration work item. The provision to which the gentleman has reserved the point of order only extends the proviso in the legislative act so as to permit contributions to be made not only through State, county, and municipal agencies, but also through farm-bureau associations and similar associations. Under the proviso to which the gentleman has reserved the point of order it would not be legal for a contribution to be made directly to a Government employee as a part of his salary, nor would it be legal for any organization to make a contribution to the salary of a Government employee, except in the manner and method provided in this particular paragraph. It is only to that extent that an exemption is made of the employees of the Department of Agriculture in respect to the proviso in the legislative bill.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk concluded the reading of the bill.

Mr. LEVER. Mr. Chairman, I ask unanimous consent to return to page 52, line 23, which was passed over, being the paragraph in respect to experiments in the manufacture of rare chemicals.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LEVER. Mr. Chairman, I understand that the gentleman from Wisconsin will make the point of order against the paragraph.

Mr. STAFFORD. I make the point of order against the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LEVER. Mr. Chairman, I ask to return to page 62, line 24.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to return to page 62, to the paragraph beginning with line 24. Is there objection? [After a pause.] The Chair hears none.

Mr. RUBEY. Mr. Chairman, this is the proposition we discussed this morning—the superintendent of distribution. The gentleman from Iowa reserved the point of order on that, and he has investigated the matter——

Mr. HAUGEN. Mr. Chairman, I desire to say upon investigation I find that the gentleman now holding this position is a very worthy and deserving clerk, also that the one who is to take his place, the $2,000 place, is also deserving of promotion, and for that reason I shall not insist on the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. LEVER. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HAMLIN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15018—the Agricultural appropriation bill—and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading.

The bill was ordered to be engrossed and read the third time.

Mr. STAFFORD. Mr. Speaker, I demand the reading of the engrossed copy of the bill.

The SPEAKER. The gentleman from Wisconsin demands the reading of the engrossed copy of the bill, and it is not here.

Mr. RUBEY. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

Mr. YOUNG of Texas. Mr. Speaker, I make the same request.

Mr. SUMNERS. Mr. Speaker, I make the same request.

Mr. BAER. Mr. Speaker, I make the same request.

Mr. KNUTSON. Mr. Speaker, I make the same request.

Mr. MORIN. Mr. Speaker, I ask unanimous consent to extend my reparks in the RECORD on the subject of the problems of the peace conference.

Mr. STAFFORD. Consent not having been granted to these gentlemen, I wish to reserve the right to object to inquire whether the remarks of the gentlemen are on the bill just passed?

The SPEAKER. Yes. Is there objection? [After a pause.] The Chair hears none. Is there objection to the gentleman from Pennsylvania extending his remarks on the problems of the peace conference. [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. I object.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the Seventy-seventh Division of the Army.

The SPEAKER. Is there objection to the request of the gentleman from New York. [After a pause.] The Chair hears none.

Mr. LEVER. Mr. Speaker, I move that the House do now adjourn.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had insisted upon its amendments to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX as the conferees on the part of the Senate.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5354. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved August 24, 1912.

S. 3220. An act authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products.

ADJOURNMENT.

The motion was agreed to; accordingly (at 11 o'clock and 20 minutes p. m.) the House adjourned until to-morrow, February 1, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the Capital Traction Co., transmitting report of the Capital Traction Co. for the year ending December 31, 1918 (H. Doc. No. 1747); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the bill (S. 4727) to authorize the payment to the Government of France of $13,511.13 as an indemnity requested in behalf of Mme. Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones, reported the same with amendment, accompanied by a report (No. 1020), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DENT: A bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. MONDELL: A bill (H. R. 15463) to increase the cost of the public building at Buffalo, Wyo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15464) to increase the cost of the public building at Cody, Wyo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15465) authorizing the Secretary of War to donate to the town of Shoshoni, Wyo., one piece of artillery or like trophy captured or obtained from the enemy during or at the close of the war with Germany; to the Committee on Military Affairs.

By Mr. KINCHELOE: A bill (H. R. 15466) authorizing the Secretary of War to donate to the town of Dixon, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DOWELL: A bill (H. R. 15467) donating a captured German cannon or field gun and carriage to the city of Ames, county of Story, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15468) donating a captured German cannon or field gun and carriage to the city of Nevada, Story County, Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15469) donating a captured German cannon or field gun and carriage to the city of Adel, Dallas County, Iowa; to the Committee on Military Affairs.

By Mr. ANDERSON: A bill (H. R. 15470) to authorize the purchase of a site and the erection and completion of a public building thereon at Waseca, Minn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15471) to enlarge, extend, remodel, etc., the post-office building at Albert Lea, Minn., or to authorize the purchase of a site and the erection and completion of a building thereon, in the discretion of the Secretary of the Treasury; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15472) to enlarge, extend, remodel, etc., the post-office building at Rochester, Minn., or to authorize the purchase of a site and the erection and completion of a building thereon, in the discretion of the Secretary of the Treasury; to the Committee on Public Buildings and Grounds.

By Mr. DOWELL: A bill (H. R. 15473) donating a captured German cannon or field gun and carriage to the city of Winterset, Madison County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15474) donating a captured German cannon or field gun and carriage to the city of Knoxville, Marion County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15475) donating a captured German cannon or field gun and carriage to the city of Perry, Dallas County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15476) donating a captured German cannon or field gun and carriage to the city of Pella, Marion County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15477) donating a captured German cannon or field gun and carriage to the city of Indianola, Warren County, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15478) donating a captured German cannon or field gun and carriage to the city of Des Moines, Iowa, for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15479) donating a captured German cannon or field gun and carriage to the city of Story City, Story County, Iowa, for decorative purposes; to the Committee on Military Affairs.

By Mr. JOHNSON of Washington: A bill (H. R. 15480) authorizing the Cowlitz Tribe of Indians, residing in the State of Washington, to submit claims to the Court of Claims; to the Committee on Claims.

By Mr. DIXON: A bill (H. R. 15481) to provide for the erection of a public building at Franklin, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15482) to provide for the erection of a public building at Lawrenceburg, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. DIES: A bill (H. R. 15483) for the erection of a public building at Lufkin, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15484) to increase the limit of cost for the Federal building and site at Orange, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. PARKER of New Jersey: A bill (H. R. 15485) to increase the limit of cost of the United States post office at East Orange, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. STEVENSON: A bill (H. R. 15486) to provide for the erection of a Federal building at Winnsboro, S. C.; to the Committee on Public Buildings and Grounds.

By Mr. OLIVER of Alabama: A bill (H. R. 15487) for the purchase of a site for and the erection of a post-office building at Marion, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. EAGLE: A bill (H. R. 15488) for the erection of a Federal building at Huntsville, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15489) to enlarge, extend, remodel, and improve the old post-office building at Houston, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. VESTAL: A bill (H. R. 15490) increasing the limit of cost for a public building at Bluffton, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. CANDLER of Mississippi: A bill (H. R. 15491) for the improvement of the Federal building at Aberdeen, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. ELLSWORTH: A bill (H. R. 15492) providing for the purchase of a site and the erection of a public building at Pipestone, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. WATKINS: A bill (H. R. 15493) appropriating $100,000 for the use of the United States Public Health Service in the investigation of influenza; to the Committee on Appropriations.

By Mr. CARTER of Massachusetts: A bill (H. R. 15494) authorizing the Secretary of War to donate to the town of Brookline, Mass., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. TILSON: A bill (H. R. 15495) to amend an act to provide for the appointment of a commission to standardize screw threads; to the Committee on Coinage, Weights, and Measures.

By Mr. PHELAN: A bill (H. R. 15496) to amend the Federal farm-loan act, approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. BIRCH: A bill (H. R. 15497) authorizing the Secretary of War to donate to the city of Wharton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ELLSWORTH: A bill (H. R. 15498) providing for the purchase of a site and the erection of a public building at Tyler, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. ALEXANDER: A bill (H. R. 15499) to provide for the incorporation of certain companies engaged in foreign trade; to the Committee on the Judiciary.

By Mr. VENABLE: A bill (H. R. 15504) for the payment of sailor insurance to Annie Elliner and Mary Agnes Davidson; to the Committee on Interstate and Foreign Commerce.

By Mr. MASON: Concurrent resolution (H. Con. Res. 65) to appoint a special committee on demobilization; to the Committee on Rules.

By Mr. JOHNSON of Washington: Resolution (H. Res. 541) directing the Secretary of War to furnish the House of Representatives certain information; to the Committee on Military Affairs.

By Mr. HADLEY: Resolution (H. Res. 542) directing the Federal Trade Commission to investigate and report to the House the facts relating to the production, manufacture, and profits upon the sale of milk products, with particular reference to the condensed-milk industry; to the Committee on Interstate and Foreign Commerce.

By Mr. HAWLEY: Memorial of the Legislative Assembly of the State of Oregon requesting Congress to investigate the War Risk Insurance Bureau; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislative Assembly of the State of Oregon praying for legislative relief of persons who developed chromite mines to supply war material for the Government; to the Committee on Mines and Mining.

Also, memorial of the Legislative Assembly of the State of Oregon urging Congress to pass the revenue bill with the elimination of loganberry and apple juices from taxation; to the Committee on Ways and Means.

By Mr. SIEGEL: Memorial of the Legislature of the State of New York favoring extra pay for discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. McARTHUR: Memorial of the Legislative Assembly of the State of Oregon, urging the Congress of the United States to enact a law authorizing and directing that patents in fee simple be issued to all the allottees of Indian lands or their heirs to whom trust patents were issued to lands within the boundaries of the former Siletz Indian Reservation in Lincoln County, Oreg; to the Committee on Indian Affairs.

Also, memorial of the Legislative Assembly of the State of Oregon, urging upon Congress the immediate importance of passing the Sinnott bill for reconstruction work which has been indorsed by the Secretary of Interior, Franklin K. Lane; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislative Assembly of the State of Oregon requesting Congress to investigate the conduct of the Bureau of War Risk Insurance; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 15500) granting a pension to Frank Dye; to the Committee on Pensions.

Also, a bill (H. R. 15501) granting a pension to Annie Myers; to the Committee on Pensions.

By Mr. HAUGEN: A bill (H. R. 15502) granting a pension to Martha E. Minar; to the Committee on Pensions.

By Mr. HAWLEY: A bill (H. R. 15503) granting a pension to John Hobbs; to the Committee on Pensions.

By Mr. WALTON: A bill (H. R. 15505) for the relief of Francis Stewart; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALMON: Petition of citizens of Albany, Ala., urging adoption of House bill 10550, providing for national ownership and Government operation of railroads in the United States; to the Committee on Interstate and Foreign Commerce.

By Mr. CARY: Petition of A. M. Jays, president Milwaukee Dry Dock Co., urging support to the proposed deep-sea ship canal to tidewater in conjunction with the Canadian Government; to the Committee on Railways and Canals.

Also, petition of Athletic Club of Milwaukee, Wis., protesting against increase of taxes on club dues; to the Committee on Ways and Means.

By Mr. GALLIVAN: Petition of city council of the city of Cambridge, Mass., favoring league of nations; to the Committee on Foreign Affairs.

Also, petition of president of New York, New Haven & Hartford Railroad Co., New Haven, Conn., requesting additional appropriation of $750,000,000 for the revolving fund of the United States Railroad Administration; to the Committee on Interstate and Foreign Commerce.

By Mr. HADLEY: Petition of citizens of Blaine, Wash., urging repeal of postal rates on periodicals; to the Committee on Ways and Means.

By Mr. HERSEY: Petition of R. F. Bragg, of Milo, Me., and 26 other citizens, urging passage of House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. HOUSTON: Petition of Commercial Club, of Lewisburg, Tenn., favoring the continuous control and operation of Government utilities until full investigation can be made thereon; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: Petition forwarded by Judge Franklin J. Cole, of El Centro, Cal., pertaining to legislation affecting Spanish-American War veterans; to the Committee on Military Affairs.

By Mr. KING: Petition of L. L. Mannon and 13 other employees of Western Union Telegraph Co., Galesburg, Ill., urging that War Labor Board's decision on wages of commercial employees of telegraph companies be put in force, and pointing out that Mr. Burleson's increase granted was in reality a decrease; to the Committee on Interstate and Foreign Commerce.

By Mr. LINTHICUM: Petition of Transportation Club of Maryland, formerly Traffic Club of Baltimore, composed largely of railroad and steamship officials, protesting against Federal control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Patapsco Local, No. 241, International Brotherhood of Blacksmiths and Helpers, urging Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Belair, Md., urging restoration of telegraph and telephone lines to their several companies; to the Committee on Interstate and Foreign Commerce.

Also, petition of Baltimore Section Council of Jewish Women, indorsing Senate bill 4987; to the Committee on Education.

By Mr. MAPES: Petition of members of Patron's Club of Hall School, Grand Rapids, Mich., for passage of Senate bill 4987; to the Committee on Education.

By Mr. RANDALL: Petition of Brotherhood of Boiler Makers and Iron-Ship Builders, of Los Angeles, Cal., favoring continued Government operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSE: Petition of D. Chester Martin and others, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. SIEGEL: Petition of Republican Club of City of New York, in reference to extra compensation for discharged soldiers; to the Committee on Military Affairs.

SENATE.

SATURDAY, *February 1, 1919.*

(Legislative day of Friday, January 31, 1919.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

ZINC MINING INDUSTRY.

Mr. SPENCER. Mr. President, I present a resolution of the House of Representatives of Missouri and ask that it be printed in the RECORD.

The VICE PRESIDENT. Will the Senator have it read?

Mr. SPENCER. There is no need of reading it unless some one calls for it.

The VICE PRESIDENT. It will be printed in the RECORD.

The resolution is as follows:

JEFFERSON CITY, MO., *January 31, 1919.*

Hon. SELDEN P. SPENCER,
Care Senate, Washington, D. C.:

Am instructed by the Missouri House of Representatives to inform you that there has been offered into and adopted by the house the following resolutions:

"Whereas the zinc-mining industry of southwestern Missouri is the greatest metal-mining industry in the entire State; and

"Whereas that industry is now crippled to the extent of the closing down of 95 per cent of all the mines in said district, said closing down of the mines being occasioned by the vast importations of zinc ore into the United States from foreign countries, amounting in the last four years ending June 30, 1918, to 825,000 tons, being approximately three times the normal prewar production of the entire Joplin district, including Kansas, Oklahoma, and Missouri; and

"Whereas there are now approximately 350,000 tons of zinc ore on the docks in Australia awaiting shipment; and

"Whereas Mexico has a potential power of production of at least 150,000 tons annually, which must find its market in the United States; and

"Whereas zinc ore concentrates have also been imported into the United States in the last three or four years from 15 different countries, representing every continent and grand division of the world: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Missouri*, That we believe it to be the patriotic duty of the Legislature of the State of Missouri to memorialize Congress of the United States by special resolution asking that there be at once incorporated into the pending revenue bill a provision providing for a protective tariff of 2 cents per pound on the metallic contents of zinc ore in order to keep out further importations of zinc ore and allow the zinc-mining industry of the United States to live and be again built up to its normal condition; be it further

"*Resolved*, That copies of these resolutions be sent to our Senators and Representatives at Washington, and that they be asked to protect the mining industry of the United States, and that they support and vote for a bill providing for a tariff of 2 cents per pound on the metallic contents of zinc ore imported into the United States."

W. G. KITCHEN,
Chief Clerk.

CALLING OF THE ROLL.

Mr. KING. Mr. President, it is apparent that the Senate is very deeply interested in the pending appropriation bill, carrying about $600,000,000, and, knowing the profound interest which Senators have in a small appropriation bill of that character, I venture to suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	King	Pollock	Swanson
Beckham	Knox	Reed	Thomas
Colt	La Follette	Saulsbury	Trammell
Fletcher	Lewis	Sheppard	Vardaman
Hale	McKellar	Sherman	Wadsworth
Hardwick	McLean	Smith, S. C.	Weeks
Johnson, Cal.	Myers	Smoot	
Johnson, S. Dak.	New	Spencer	
Jones, Wash.	Nugent	Sutherland	

Mr. SUTHERLAND. I desire to announce that my colleague, the senior Senator from West Virginia [Mr. GOFF], is absent owing to illness.

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. SAULSBURY. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. LEWIS. I desire to announce that the Senator from North Carolina [Mr. SIMMONS], the Senator from Georgia [Mr. SMITH], the Senator from Delaware [Mr. WOLCOTT], the Senator from Ohio [Mr. POMERENE], the Senator from Montana [Mr. WALSH], and the Senator from Nevada [Mr. HENDERSON] are absent on official business.

The VICE PRESIDENT. Thirty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. CHAMBERLAIN, Mr. GAY, Mr. KIRBY, Mr. MCNARY, Mr. LENROOT, Mr. STERLING, Mr. UNDERWOOD, and Mr. WARREN answered to their names when called.

Mr. CURTIS, Mr. CALDER, and Mr. HOLLIS entered the Chamber and answered to their names.

Mr. CURTIS. I was requested to announce the absence of the Senator from New Jersey [Mr. FRELINGHUYSEN] on official business. I will let this announcement stand for the day.

Mr. BRANDEGEE, Mr. ROBINSON, and Mr. MARTIN of Virginia entered the Chamber and answered to their names.

Mr. STERLING. I wish to announce that the Senator from North Carolina [Mr. OVERMAN] and the Senator from Minnesota [Mr. NELSON] are absent on official business of the Senate.

Mr. HITCHCOCK, Mr. CULBERSON, Mr. PITTMAN, Mr. SHAFROTH, Mr. OVERMAN, Mr. NELSON, Mr. PAGE, Mr. KENYON, Mr. FRANCE, Mr. GORE, Mr. RANSDELL, Mr. MOSES, and Mr. TOWNSEND entered the Chamber and answered to their names.

The VICE PRESIDENT. Sixty Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3220. An act authorizing the Secretary of the Interior to make investigations, through the Bureau of Mines, of lignite coals and peat, to determine the practicability of their utilization as a fuel and in producing commercial products; and

S. 5354. An act extending the time for completion of the bridge across the Delaware River authorized by an act entitled "An act to authorize the Pennsylvania Railroad Co. and the Pennsylvania & Newark Railroad Co., or their successors, to construct, maintain, and operate a bridge across the Delaware River," approved the 24th day of August, 1912.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. SHEPPARD:

A bill (S. 5503) donating captured cannon and cannon balls to the cities of Cleburne, Kenedy, and Yoakum, all in Texas;

A bill (S. 5504) directing delivery of State war-service records to the States requesting same; and

A bill (S. 5505) regulating the salaries of Army field clerks; to the Committee on Military Affairs.

By Mr. OVERMAN:

A bill (S. 5506) granting a pension to Joseph R. Owens (with accompanying paper); to the Committee on Pensions.

By Mr. HALE:

A bill (S. 5507) granting a pension to Mary L. Bryant (with accompanying papers); to the Committee on Pensions.

By Mr. KELLOGG:

A bill (S. 5508) to validate and confirm certain erroneously allowed entries in the State of Minnesota (with accompanying papers); to the Committee on Public Lands.

By Mr. SUTHERLAND:

A bill (S. 5509) granting an increase of pension to William J. Van Hoose; to the Committee on Pensions.

RIVER AND HARBOR APPROPRIATIONS.

Mr. STERLING submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

WOMAN SUFFRAGE IN TEXAS.

Mr. SHEPPARD. Mr. President, I am in receipt of the following telegram, which I desire to read to the Senate:

AUSTIN, TEX., *January 22.*

Hon. MORRIS SHEPPARD,
United States Senate, Washington:

I have the honor to transmit to you, with request that you read the same in the Hall of the Senate, the following joint resolution adopted by the house and concurred in by the senate of the State on Monday, January 20, 1919:

"*Be it resolved by the House of Representatives of the Legislature of Texas (the Senate concurring)*, That—

"Whereas the thirty-fifth legislature in its fourth called session, in response to the unmistakable sentiments of the voters of Texas, awarded to the women of Texas the privilege of suffrage in the primaries; and

"Whereas in the Democratic primaries of July 27, 1918, the women of Texas spoke clearly and emphatically in behalf of civic righteousness and honor in its public servants, thus giving trustworthy proof of their eminent fitness for the ballot without any limitations whatsoever except such as may apply to all voters alike: Now, therefore, be it

"*Resolved (the senate concurring)*, That the United States Senate is hereby respectfully but urgently requested to act immediately and favorably upon the woman-suffrage amendment, which has already received proper recognition by the House of Representatives; and be it further

"*Resolved*, That such action is in full accordance with enlightened sentiment that sees no reason why further delay should ensue in this regard; and be it further

"*Resolved*, That the secretary of state be, and he is hereby, directed to transmit copies of this resolution to the presiding officer of the United States Senate and to the Senators representing this State therein."

C. D. MIMS,
Acting Secretary of State.

Mr. President, the progress of suffrage sentiment in Texas has been remarkable. In 1916 the Texas State Democratic convention adopted a resolution opposing the nation-wide suffrage amendment. In 1917 the Texas Legislature declined to submit an amendment to the State constitution for suffrage. About a year thereafter the legislature adopted an amendment granting to Texas women suffrage in the primaries. In the primaries last year 386,000 women voted, and an overwhelming majority of the precinct and county conventions declared for the national suffrage amendment. The State Democratic convention in 1918 declared in favor of State and National suffrage.

In January of this year the Texas Legislature submitted an amendment to the State constitution for suffrage, and a vote will be taken on its adoption at an early date. I believe that a similar process is taking place, or will take place, in every other Southern State, and I want to express the earnest hope and the conviction that before this session adjourns the Congress of the United States will submit the suffrage amendment for ratification.

POST-OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. THOMAS. Will the Senator from Utah yield to me?

Mr. KING. I have a few minutes left in which to discuss this measure, but I am compelled to be absent from the Chamber for a few moments, so I yield to the Senator from Colorado, and will take the floor upon the conclusion of his remarks.

Mr. THOMAS. Mr. President, with regard to the pending amendment, I am not disposed to indulge in any criticism. Personally I think the proposed experiment which the appropriation in that amendment is designed to enable the department to make is a highly desirable one. The expansion of aviation is one of the subjects which the Government should encourage in every direction. The three leading nations of Europe are applying their experiences in the war to the promotion of aviation not only for the carriage of the mail but for its utilization in every possible commercial way. If we fail to pursue the same course, we shall very soon find ourselves as far behind in modern aviation as we were when Germany declared war against France. I believe that the development of aviation will, if properly pursued, result in the creation of an offensive and defensive system of warfare that will largely obviate the necessity of a continued coast defense and of a large Navy. Hence this particular appropriation commends itself very strongly to my judgment, and I wish it were possible to be as well disposed toward other items of the bill.

Mr. President, while I am on my feet I propose to discuss for a few minutes the good-roads amendment, and then, so far as I am concerned, I shall be prepared, as usual, to vote with the minority.

A point of order was yesterday raised against section 5 of the bill upon the ground that it proposed general legislation to an appropriation bill. The point was not sustained. The reasons assigned for the ruling of the Chair have added to my humble store of knowledge; I have gained something in the way of experience and feel, therefore, compensated for the effort to secure the excision of the section.

I have learned, Mr. President, that to expand a law is to limit it, and doubtless upon the theory that the more debts a man contracts the more money he owes. I have also learned that if an appropriation otherwise objectionable is appended to an amendment which amounts to general legislation, the existence of the appropriation cures the objection and makes the amendment perfectly legitimate under the rules.

The rules of the Senate, Mr. President, are the most cumbrous and fossilized body of ancient procedure, but subject entirely to the will of the majority, that can be found in any other legislative assembly. The application of the rules depends entirely upon the pleasure of or the interests of a majority of the Senate. Therefore they might just as well be swept, as they should long ago have been, into the limbo of the past and give way to a series of modern regulations having the merit of possible consistency and free from the complicated and irreconcilable series of decisions which have construed them in every possible way, the construction being, for the most part, directed and determined by the interest which a majority had in the particular subject of discussion.

I will address myself at the outset to the effect of section 5, which will, I presume, be enacted into law. This section my distinguished friend from Virginia [Mr. SWANSON] is pleased to call a limitation upon the method of expenditure of the $200,000,000 which are provided for in the succeeding sections. It amends section 2 of the existing law by the substitution of a very simple phrase, consisting of five words. I read:

The term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used, or may be made suitable.

If this becomes a law, it commits the United States to the improvement of every cattle trail and every cow path and every right of way in the United States. It makes the alleged appropriation for the construction and improvement of post roads one of the most expensive fictions in Federal legislation.

Mr. BANKHEAD. Mr. President——

Mr. THOMAS. I yield to the Senator from Alabama.

Mr. BANKHEAD. I desire to suggest to the Senator from Colorado that, in view of the fact that every proposition to which the Federal Government appropriates money must originate in the State, must have the approval of the State authorities, of the State highway commission, and until the road has been located and surveyed and an estimate of its cost made, the Government of the United States has no concern about it; and when they have done that the proposition must be by them submitted to the Secretary of Agriculture, and if he approves it half of the sum provided to be appropriated by the Government may be available, I ask the Senator if he thinks that there is any State highway commission or any State authority that is going to undertake to build a road for the construction of which it must furnish half of the money, while the Government furnishes the other half, of the character which he indicates in his remarks, and provide that such road shall be built anywhere and everywhere, along pig trails in every section of the country?

Mr. THOMAS. Mr. President, this legislation will inevitably be followed by other legislation relieving the States from any responsibility in the matter.

Mr. BANKHEAD. But there is no suggestion like that in this bill.

Mr. THOMAS. Oh, Mr. President, there is no suggestion like that in this bill, and there was no suggestion of this amendment in the act of 1916. We proceed by natural law of progression in our advance upon the outposts of the United States Treasury. To storm it in the open daylight would be impossible. Consequently we reach it by a system of sapping and mining.

The Senator from Alabama has correctly stated the proposition; there is no doubt about that. These projects must originate with the State authorities; but my experience is that every State project having a sufficient amount of political influence behind it, every project capable of commanding a respectable number of votes, will receive favorable consideration by the State authorities, and especially so when, as the law is, 50 per cent of the money required for the improvement comes from the Federal Treasury.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. JOHNSON of South Dakota. I wish to ask the Senator, for information, if it is true that some of the States have already petitioned to be relieved from their share of the contribution for this purpose?

Mr. THOMAS. I do not know; but I do know that a few citizens of my State suggested sometime ago the propriety of my making the effort, their view then being that, inasmuch as these roads were post roads, and post roads being under the sole jurisdiction of the United States, it was wrong to ask the States to bear any part of the burden of improvement.

Mr. President, I do not care how preposterous one of these propositions may be, it can be supported before the State authorities upon precisely the argument made by the distinguished Senator from Virginia [Mr. SWANSON] in support of this appropriation. Good roads mean prosperity; good roads mean better schools; good roads mean more intelligent neighborhoods; in fact, it is difficult to imagine what good roads do not mean in moral, social, financial, and intellectual improvement and development. Of course, I am not gainsaying the fact that good roads are a great asset to any community and to any State; there is no doubt about that; and I would be in favor of constructing good roads and aiding them with Government appropriations liberally if we had the money at present to devote to that purpose. But I will refer to that feature of the subject later.

The theory upon which the Government of the United States is to interest itself in road construction and the basis of the act of 1916 was that under the Constitution Congress, being authorized to establish post offices and post roads, is justified in making these appropriations for that purpose.

That is a doctrine which we all know historically was successfully controverted in the early days of the Republic, when State rights really amounted to something, when the people were too jealous of them to trade them off for Federal money, and when it was the opinion of a majority of the people of the United States that the language of the Constitution was not sufficiently broad to justify the use of the public funds in the making of public improvements. Of course, as the Treasury expanded and the cupidity of the people was enlarged by an occasional appropriation here and there, they gradually forgot the rights of the States and of constitutional limitations in the mad race for the portals of the Treasury, so that now the doctrines then so ably asserted and maintained by our forefathers we at present regard with a sort of good-natured contempt.

I accept the proposition in its entirety that the power to establish post offices and post roads carries with it the power to make these appropriations, but this amendment leaves that situation entirely behind, and it is now proposed to devote the public money to the construction of any road that may be recommended by the local authorities. I do not think we need apprehend that if the highway commission of my State, or of the State of South Dakota, or of the State of Tennessee, makes a recommendation to the Department of Agriculture that department will turn it down. Those things may occur, and so may miracles, but it is safe, I think, to say that any project which passes muster with the people of a State will be accepted by the Agricultural Department or by any other department having jurisdiction of the subject. That department is no worse and no better than the others. I do not know any element of economy that can be discovered in a single department of the Government with a 10,000-power magnifying microscope. In other words, it is as scarce there as it is here. These improvements give employment to additional numbers of men; they bring money to the doors of the taxpayers; they are a good thing for the community, and hence why limit them to post roads? Why not make them applicable to any old road, or any old trail, or all of them together?

That is what this amendment means if it is adopted. It may be that the committee place another interpretation upon it; I am not impugning their good faith; but if I am mistaken about that, then it is perfectly legitimate for me to characterize this little clause of section 5 as a "joker."

Mr. KENYON. As a what?

Mr. THOMAS. As a "joker"—a term which in modern times has received a technical definition that has virtually superseded the broader and original one.

I am not accusing the committee of inserting a "joker" in this bill—far from it—but the effect of the phrase, if crystallized into a statute, will be the same as though it were put in by some interested party and, because of its harmless appearance, escape detection. If we are to have it, let us take it with our eyes open; let us harbor no delusions concerning its practical operation.

But the Senator from Virginia says that the amendment reported by the committee is a limitation upon the appropriation and not an expansion of it. It is true that it has a limit, which is the blue sky; and in the trackless highways of the atmosphere now traversed and soon to be more frequently occupied by fleets of airships it is possible to argue that the limitation being to things terrestrial, there is something beyond, the noninclusion of which makes the term one of limitation and not one of expansion.

Mr. BANKHEAD. Mr. President, I should like to ask the Senator if he would not accept an amendment like this, which I think will meet his views, if they can be met at all: Strike out the words "which is now used," in line 22, page 36, and insert in lieu thereof the following: "the major portion of which is now used or forms a connecting link in any road now so used"?

Mr. THOMAS. Mr. President, I think that helps the situation, but it does not entirely cure it. I am satisfied with the existing law, and I do not want to say to my friend, the Senator from Alabama, that I would accept it, because I am opposed to the appropriation.

Mr. BANKHEAD. I understand that; but I thought perhaps the Senator might be less opposed to it if this amendment were adopted.

Mr. THOMAS. I think that suggestion modifies it. It is an improvement upon the phraseology of the section; but the old law, Mr. President, states the situation as it ought to be. That confines these appropriations to post roads, and that is where these appropriations should be confined.

Mr. BANKHEAD. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. BANKHEAD. No; I will not interrupt the Senator.

Mr. THOMAS. I shall be glad to yield.

Mr. BANKHEAD. It is not necessary. I will answer the Senator in my own time.

Mr. THOMAS. I do not want the Senator to feel that I have the slightest objection to his doing so at this time.

Mr. BANKHEAD. No; that is all right. I do not feel that way.

Mr. SWANSON. Mr. President, if the Senator will permit me, I stated yesterday that the trouble is that there might be a post road of 25 or 30 miles over which rural delivery is going, and there might be a little link in it of 2 or 3 miles or 1 mile which the Government can not improve on account of the narrow interpretation put upon the word "may." They say you must get an agreement or an assurance from the Post Office Department that you are going to run the mails there.

Mr. THOMAS. I know that the Senator so stated.

Mr. SWANSON. The only desire is, in the case of those small links of road which for short distances connect up rural routes or post routes or star routes, to permit those to be improved like the rest of them.

Mr. THOMAS. I know that the Senator stated that yesterday, and that, no doubt, is the purpose which he has in mind and which may need legislation to meet it; but I want to know why the Government of the United States must use its Treasury for the purpose of perfecting little fragments of roads in the counties and communities of the States. Is there not enough local enterprise—there used to be a little with the people of the United States—is there not enough left in the communities through which these roads are to run to meet the expenses of taking care of these little patches?

The chairman shakes his head. I am inclined to believe that he is not overpessimistic. I am afraid that is the case, because we have reached the point where if a man's family gets the colic he wants the Congress of the United States to make an appropriation under which the Agricultural Department can inquire into the cause of the malady and recommend a cure at the Government expense. From the cradle to the grave, from the beginning of the teething process until man pays the debt of nature, we are now coming to the Government of the United States for financial aid. Our initiative, our independence, our enterprise—those qualities which made the Anglo-Saxon the ruler of the world and by which men of independence everywhere in the past were able to get along—are either dormant or disappearing. If anything happens now, let us run to the Government. Only make the appropriation big enough; let it cover enough territory, and there is no question whatever about what Congress will do.

The question was asked day before yesterday by the Senator from Utah [Mr. KING] where the money was coming from. The Senator from Alabama [Mr. BANKHEAD], with that candor which has always distinguished him, said, "That is the business of the Finance Committee." That is true. I happen to be an unfortunate member of that committee. I do not exaggerate when I say that I have a pile of protests, as a humble member of that committee, bulking equivalent to the cubical contents of this desk, protesting against every item of taxation in that bill. To use a homely expression, the whole country is kicking like a steer against it, and yet they have not enterprise enough to organize and demand that their rights be respected in the matter of appropriations. But we may be sure that those desiring the appropriations are organized. There are eight hundred and sixty-four thousand organizations in the United States, and I think eight hundred and sixty-three thousand nine hundred and ninety-nine of them want appropriations from the Treasury, and get them, Mr. President, either through threat, persuasion, entreaty, or all of them combined.

The governor of Pennsylvania, in his inaugural the other day, called attention to the fact that if the revenue bill became a law the taxes of the State of Pennsylvania for the year 1918 would exceed one thousand millions, or more than it has cost to run that State since the days of the Revolution down to the present time; and that is true, Mr. President, of practically every State in the Union. But what do we care? What have they property for if it is not to give it to the Government of the United States? [Laughter.] We want it, and we are going to have it, and we are going to build roads so as to give employment to poor people who have no employment; and from now on we shall build all kinds of roads, at all times, everywhere.

Mr. President, I am not criticizing this bill only. What I say applies to the great bulk of the legislation that is now pending.

Now, let us come to section 6. The Chair held yesterday that inasmuch as section 6 was not subject to a point of order, therefore section 5 was not subject to a point of order. I do not ex-

aggerate. Let the Chair read the RECORD. I suggested that section 6 was subject to a point of order, and I still think so; but a point of order against it, made before a Senate two-thirds of which want this appropriation for their constituents, will simply be a waste of time and of breath.

Section 6, Mr. President, appropriates two hundred insignificant millions of dollars to carry out the provisions of section 5. The act of 1916 appropriated a comparatively insignificant sum—only seventy-five millions—for the same purpose, to be expended in the years 1917, 1918, 1919, and 1920. This adds to that appropriation by 266⅔ per cent. In other words, the appropriation of seventy-five millions, before the second installment has been used, is increased by 266⅔ per cent. Puzzle for the schoolboy: If the public-roads system, beginning with seventy-five millions, requires an increase of 266⅔ per cent in two years, how much will it cost in 10 or in 5?

Of course, Mr. President, roads build schoolhouses. We must not forget that. They uplift the neighborhood. We must not forget that. They are an evidence of progress. We must not forget that. They do not affect anybody adversely except the man who pays the money; and what the devil do we care for him? Let him kick. It is good for him. He needs the exercise. What do we care, as long as we have the money? [Laughter.]

Mr. President, my good friend, the Secretary of the Navy, is one of the leading pacifists of the world and an advocate of the league of nations, based upon the doctrine that it means perpetual and everlasting peace, restore the brotherhood of man, and inaugurate the dawn of the millennium, not for a thousand but for a hundred thousand years; but he proposes that Congress shall give him twelve hundred and fifty billions to build more battleships.

Mr. SMOOT. Twelve hundred and fifty millions.

Mr. THOMAS. Twelve hundred and fifty millions; yes. I am so accustomed to talking about billions that it is difficult to rid myself of the habit. That is what it will be after a while, anyway.

Mr. SMOOT. It is now.

Mr. THOMAS. I know, but this appropriation is twelve hundred and fifty millions; and here arises another query: If a pacifist Secretary wants to increase the Navy at the rate of twelve hundred and fifty millions, in God's name what would a belligerent Secretary of the Navy want? [Laughter.]

Now, we have a pacifist Secretary of War—one of the best friends I have and a man who deserves a great deal more credit than he has received for his management of affairs during the progress of the greatest war the world ever knew. He also believes that a league of nations means perpetual peace, but he wants a trifle of nine hundred or one thousand millions for Army equipment, vigilant, active, and disciplined, evidently to fight the powers of heaven and of hell, because no others are to interfere with this coming age of perpetual peace, and, of course, that costs this additional sum of money.

Our air development will be expensive. Some of us who are not entirely of the view that wars have disappeared forever believe that we should have a development of those more modern implements of war, which I think are the best things in the world to insure peace. That will cost a lot of money.

Mr. President, to show how our natural expenses are to increase let me refer to a letter a day or two ago informing me that a new worm had made its appearance. [Laughter.] It is called the corn borer. It is a sort of a first cousin to the Treasury borer [laughter], except that the Treasury borer has claws and teeth, while this seems to be equipped only with a mouth and with an insatiable appetite for tender corn. This letter informs me that it is necessary to secure a large appropriation, to be crystallized into the Agricultural bill, for the purpose of dissuading the corn borer from proceeding with his ghastly and damnable work, and that unless a great army of greenbacks is soon marshaled in formidable military array against this corn borer he is going to become as invincible as the German Army, and instead of there being a plethora of corn we will have none whatever.

Mr. President, that is a dismal prospect to everybody except those like the Senator from Texas [Mr. SHEPPARD] and the Senator from Washington [Mr. JONES]. I can understand how they would regard with philosophic equanimity the disappearance of corn from the products of the world, because whisky is made of corn, and if there is no corn there can be no corn whisky; and I wondered, when I read that letter, whether there might not be some sort of a conspiracy between those distinguished Senators and this infernal corn borer. [Laughter.] I have no doubt that the Senator from Texas, who always supports everything that is in the Agricultural bill, will declare war against the corn borer in the shape of an appropriation, notwithstanding that he seems to be an unconscious but powerful prohibition ally.

Seriously, Mr. President, when we take all the proposed appropriations now pending and add them together and look at them in cold blood, we will probably, like Lord Clive, stand astonished at our own moderation. They amount to thousands of millions. And they will pass, because it is said the country needs them. It will make money plentiful and give employment to returning soldiers. These seem to be the chief arguments for them if arguments be needed.

Yesterday's Post contained this item:

WAR COST CONTINUES—$1,600,000,000 IN JANUARY, EXCLUSIVE OF LOANS—PRODUCTION BEING REDUCED—BOND ISSUE OF FIVE OR SIX BILLIONS NECESSARY, AS PAYMENTS ARE MADE BY BORROWING AGAINST FUTURE—$26,356,000,000 AGGREGATE EXPENSE DURING WAR MONTHS.

Although nearly three months have passed since the signing of the armistice, the American Government's war expenses show no signs of decreasing materially except in loans to allies.

In January the Treasury paid out $1,600,000,000 for ordinary war expenses, exclusive of allied loans, or only $70,000,000 less than in December, $55,000,000 less than in November and considerably more than in any month theretofore.

It is not necessary to read the remainder. Our expenses are over $50,000,000 a day, and which will not fall below that figure for a long time. In the face of that situation at this time, we propose, among other things, to increase our previous and unexpended good roads appropriation 266⅔ per cent by an addition of $200,000,000.

Mr. President, if any measure of legislation in the past has encountered public criticism which, however, has been wasted as to results, it is what we call the rivers and harbors bill. That has heretofore been regarded as the quintessence of the pork barrel. But what pikers the advocates of that bill appear to be when confronted with this good-roads proposition! It discloses all the difference between $35,000,000 and $200,000,000.

Does it not appear that the good-roads propaganda is not only distancing the public buildings and grounds propaganda and the rivers and harbors propaganda, but augurs such a fruitful field for exploitation in the future as to tempt those conservative gentlemen hitherto engaged in the delightful process of getting money for these other projects to strike and join the good-roads union as soon as possible, not, of course, abandoning their own pet appropriations, but adding to the joys of the Nation by their enthusiastic approval of something absolutely beyond all their enterprising efforts and their consummate genius for securing public funds for local expenditure.

Mr. President, I do not want to take up too much time in the discussion of a project that will doubtless command a large majority of this body, but in view of the large number of telegrams and letters which I have received from my own constituents who are, like all other constituents, urging me to support this measure, I felt bound to give the reasons in public why it would be impossible for me to support it. So much, then, for the general proposition. I wish now to call attention to a proviso which occurs in section 6 and also in section 8, which I will read:

That in the expenditure of this fund for labor preference shall be given, other conditions being equal, to honorably discharged soldiers, sailors, and marines.

Let us not forget that this is a Democratic measure and it comes from a Democratic committee, elected by a party whose shibboleth is anticlass legislation and which demands equal rights for all and special privileges for none. How many times, Mr. President, have I repeated that sublime and beautiful doctrine on the stump before Democratic audiences? How many times have I, with others, insisted that it should be blazoned upon the front page of every National Democratic platform? How often have we told the Republicans, the representatives and embodiment of privilege, that ours is the only party wrapped in the apparel of special privileges for none and equal rights for all? How often have I seen them shrink from our terrific denunciations of their class tendencies and privilege dispensation? I make bold to say, Mr. President, that during my six years' service in the Congress of the United States we have, Democrats and Republicans, enacted more class legislation than had been placed upon the statute books in all the period of the history of the United States before that time. And we are only beginning. Both parties are alike in proposing and enacting it. I know of men in this city who, when some particular species of class legislation is pending, will appear in the gallery, and their appearance indicates how the majority vote will go.

We have exempted farmers, we have exempted union-labor men, we have exempted all classes and conditions of men when the occasion requires from the operation of general laws, and we have done it so often we are getting fond of it. Of course, there is no sweeter thing in the world for an appropriation than love for the soldier. Oh, Mr. President, how that sentiment does gild

and enamel arguments for securing millions from the Treasury! Let us give work to the returned soldiers. Let us see to it that they are rewarded for their sublime sacrifice. Let us make their lives hereafter one long holiday season. They have offered the supreme test of civic duty and have discharged that duty like the heroes they are. Nobody doubts it.

Mr. President, I would be the last to detract one jot or tittle from the honorable and glorious record of the American soldier, notwithstanding which I recognize that he has done the duty and only the duty which American citizenship imposes upon every one of us, and has done it well. I recognize, too, that the man who stayed at home and tilled the soil and ran the factory and the man whose physical deficiencies made it impossible to wear his country's uniform have done their part, and have always done their part, in the crises that have overtaken the Nation in its onward progress.

I would like to ask my Democratic friends in all seriousness, independently of the class nature of this legislation, is it fair to take $200,000,000 out of the Treasury of the United States for a public purpose and then say to the great majority of our citizens, "You shall have no right to enjoy any of the benefits flowing from the expenditure of this money until a certain class is first satisfied"?

I have sons. One of them is in the war; he is still in the service and in uniform. I have another who pays a very considerable amount of taxes, and who has devoted himself to war work. The one is privileged by this law, the other is not. I merely mention that as illustrating the general principle. Mr. President, it is absolutely wrong, and I believe that every man wearing khaki who stops to reflect for a moment will agree with me. But it is in the bill. The query may well be asked, Will you vote against this appropriation and by that means deprive our noble boys of the privilege of handling pick and shovel on the roads? They have preference in the administration of the Federal statute. They are a select class under this law. Speaking to a Senator the other day about it, he said that appears in all the State bills, hence we should insert it also; which, I suppose, means that two wrongs make a right.

No, Mr. President, this is the commencement. The fact is that there are three or four million men wearing the uniform of the United States who will doubtless organize, as other armies have organized, and become a potent force in governing the destinies of the Republic; Democrats and Republicans want to see which can "beat the other to it" and secure the favor of a great organized host of voters.

Let us not undeceive ourselves about it. These species of special legislation, humanitarian in form, are at bottom prompted by a desire of political influence. The Democrats want these votes, the Republicans want these votes, and in the race, of course, there being no overbalancing incentive, the boys vote as they ought to vote, just as they please, and doubtless laugh in their sleeves at our tremendous efforts each to overtake the other through the aid of gifts from the Public Treasury in securing their political favor.

Mr. President, I have no doubt I will be taken seriously to task—I do not mean here, but in other parts of the country—for objecting to legislation of this kind as an evidence of my nonappreciation of the services and the valor of the greatest Army the world ever knew. I can not help it. I believe it is my duty to call attention to it, to the end that, if possible, it may be obviated, else we shall have a flood of similar legislation, because, once begun, the parties emulate each other in carrying it to extremes, and always upon the theory that patriotism and a desire to reward worthy men stand behind them.

Mr. President, one word and I am done. The question was asked yesterday by the Senator from Utah [Mr. KING], What is to be the end of it all? Our bonded debt by the end of this year, in all probability, will be $35,000,000,000. At 4 per cent a year that imposes a standing burden upon the people of one and one-half billion dollars. That is the interest only. Outside of the Post Office appropriations, that is about twice as much as the ordinary expenses of the Government amounted to prior to the war. It is evident that our annual expenditure list from now on, particularly if these huge appropriations are to be made—and once they get upon the statute they reappear in all succeeding bills—will not be under $3,000,000,000, or an annual charge of four and one-half billion dollars.

This must come from the consumer ultimately, with here and there an exception, and from 100,000,000 of people. In other words, in addition to the profits they must make to live, the people in the aggregate must raise and pay, exclusive of local taxation, into the Treasury of the United States between four and five billion dollars per annum, while the principal of the bonded debt suffers no diminution.

On the other hand, as the article which I have read states, production seems to be falling off. Hours of labor are decreasing. Wages, though not rising now, are said to be stationary, and we are warned by the laboring men that under no circumstances will they peaceably consent to a reduction, even though that means resistance to a commercial law of nature.

How long will the taxpayers endure it? I concede that they are more patient and long-suffering than I supposed possible. Suppose they do not resist, how long will they be able to endure it as a matter of fact? In other words, how long will the Government remain solvent? I do not know. Perhaps I ought not to care; I have not very much more time to spend upon this earth, and the problem is one for others rather than for myself.

Nevertheless, Mr. President, it is a subject which gives me the most serious concern. If I read history correctly, revolutions are born and governments are overthrown because of the enormous burdens placed upon people through public extravagance. As the pressure of taxation increases the element of discontent spreads, and justly spreads, until it finds expression somewhere in a local explosion which is the signal for widespread insurrection. We are headed, in my judgment, directly for the rocks of national insolvency, and the Congress of the United States with serene indifference is entertaining bills for appropriations that exceed anything in the past, unmindful of the enormous burdens of the war and apparently indifferent to anything and everything except to satisfy the local demands of their constituents.

Mr. President, the time has come when Congressmen and Senators must be Congressmen and Senators for all the United States instead of Congressmen and Senators from the States and the districts. The time has come when we must perceive our duty in terms of the interest and welfare of this mighty Nation as a whole, subordinating all local and State requirements to those mightier and greater problems upon the solution of which depends the ultimate destiny of the Republic. That is the solemn obligation imposed upon us by our constituents and by the Constitution we have sworn to support. Let us become sensible of it. Let us respond to it. For if we fail there are none others to discharge it and the Nation, disregarded by its representatives, will be rent in twain by its despoilers.

Mr. SMOOT. Mr. President, I do not want the remarks of the Senator to be taken by the people at large as a positive statement that the expenses for the fiscal year ending June 30, 1920, will be only $5,000,000,000. I wish to say to the Senator now that the expenditures of our Government for the fiscal year ending June 30, 1920, that is, the coming fiscal year, will be nothing less than $10,000,000,000. After that I am quite sure the figures that have been mentioned to-day by the Senator will be about right.

Mr. THOMAS. I thought it expedient to give the situation to the country in homeopathic doses.

Mr. WEEKS. Mr. President, I wish to address myself very briefly to the proposition which is before the Senate. Before doing so, however, I want to say that I am not in dissent with what the Senator from Colorado has just said to the Senate. No man of financial responsibility, no legislator, certainly, ought to doubt for a moment the serious financial burden which this country has undertaken. As the Senator has very truly said, not only is there great local pressure for all kinds of expenditures, but that pressure comes from every department of the Government, and there is only one place where the interests of the people who pay the taxes can be protected, and that is in the Halls of Congress.

We are seeing on every hand the attempt of every bureau in the Government to increase the usual expenditures with which we have become familiar, and that is particularly so in connection with our military and naval establishments. The recommendation of the Secretary of the Navy for an increase in the Navy for the next three years is, to my mind, an astounding proposition. I have for 14 years in Congress urged over and over again larger expenditures for the Naval Establishment.

I think I have been a consistent preparedness man, and yet under the conditions that prevail to-day an expenditure anything like what has been recommended by the Secretary of the Navy, and which has been recommended to him, I have no doubt, by his advisers in the Naval Establishment, is an astounding proposition, and one which, in my judgment, should not be imposed upon this country.

I went to the Secretary of the Navy the other day about another matter, and, as an indication of the desire of regular officers of the service to augment the Military Establishment, the Secretary told me that officers of high rank in the Navy had objected to taking a part of the crews from the second and

third class battleships, which are now being used as transports in order to bring our men home from Europe, but desired to keep not only the dreadnaughts and the destroyers and other craft, which were quite up to date, on a war basis, but every ship of the Navy. That means an actual expenditure, without any construction policy, of four or five hundred million dollars a year. Those who are at all familiar with the recommendations to the Military Committee, having the desire to finish the great number of propositions which have been undertaken as war measures, must recognize the desirability of stopping somewhere in making these unusual expenditures.

Mr. KING. Mr. President, will the Senator yield to me?

Mr. WEEKS. Yes; for a question.

Mr. KING. Is it not a fact, I ask the Senator, that the same arguments are being made now by the officers in the Army and Navy for a large Army and for a big Navy that were made in Germany by the military party there, and under which contention militarism ruled Germany and was responsible for this titanic conflict through which we have just passed?

Mr. WEEKS. Mr. President, I do not wish to agree with that proposition. Militarism is a mental disease; it is a disease that had been gradually gotten into the minds of a people; and it is only possible to have militarism in a country where the military caste is higher than that occupied by the average man. There are really only two countries in the world where militarism existed, and one of them was Germany. I do not believe that the people of this country are going to put the Military Establishment in a caste higher than that occupied by the professional and industrial elements in this country, and therefore there is no danger of militarism.

It is the duty, however, of the officers of the Army and of the Navy to recommend what they consider an establishment which may meet every military and naval requirement. It is not their duty to consider the expenditures which may be involved; they should tell Congress and tell the country what they think is a satisfactory estabishment. Then it is the duty of Congress to determine whether or not the finances of the country will warrant the undertakings which they recommend.

But what I wish, Mr. President, to say is a word about the proposition which is now before the Senate. I think that Senators sometimes forget that the appropriations made for the post-office service are supposed to be returned in the receipts of that service. If we had a post-office service that was just exactly what was contemplated, and what it should be, the receipts would exactly offset the expenditures, and we would extend the service wherever it was necessary to give the people better facilities whenever receipts from the service warranted those expenditures. Now, we have come to a new proposition in connection with the postal establishment, that relating to the carrying of mails in the air, and, in my judgment, it is a promising undertaking.

That service was not satisfactory, Mr. President, in the experiment that was made last year. There was a loss somewhat larger than has been quoted on the floor; I am not sure that those carrying on that experiment know exactly what the loss is. I think the returns are to some degree experimental, as is the service. By establishing routes for long distances, it seems to me, it is almost conclusive that at a proper rate charged for the service a return can be made which will benefit the business and professional men of this country. I do not want to stop in this new undertaking until we have given it a thorough investigation. I think that almost everyone will admit that the airplane, which has been a great military accomplishment, may become as great in industrial and other ways. Indeed, if we had been as wise as was the Government of Great Britain, we would months and almost years ago have undertaken experiments relating to this service and relating to every other kind of service which may be used after the war. They appointed, as everyone knows, I think, committees to investigate the conditions surrounding every kind of industry; the airplane service was one of the matters which they, as early as the beginning of 1917, brought to the attention of the Parliament; and that was included in the general scheme to make recommendations for conditions after the war.

I have in my hand the final report made by the committee on the airplane service. There was an interim report, even more voluminous than this. The members of the commission included officers of the army and navy, several men of high rank in the Parliament of Great Britain, and many men who were more or less familiar with the industrial phase of this question. I want to take the time to read an extract from this report, because it will indicate to the Senate what is being done in Great Britain to prepare for what was the inevitable and what has come to pass in regard to such matters as the airplane service. The report states:

1. The terms of reference under which we, the civil aerial transport committee, were appointed are as follows:

To consider and report to the air board with regard to—

1. The steps which should be taken with a view to the development and regulation after the war of aviation for civil and commercial purposes from a domestic and imperial and an international standpoint.

2. The extent to which it will be possible to utilize for the above purpose the trained personnel and the aircraft which the conclusion of peace may leave surplus to the requirements of the naval and military air service of the United Kingdom and overseas dominions.

3. As explained in paragraph 2 of our interim report on international questions, the subjects covered by these terms of reference were of such a wide character and required so much detailed investigation that we thought it advisable to divide them into five headings, which were referred to five special committees. Those headings were broadly as follows:

1. Questions of law and policy.

2. Technical and practical questions as to the possibilities of performance of aircraft and as to the requirements of aerial services.

3. Business questions relating to the position of the aircraft manufacturing industry after the war, the probabilities of the establishment of aerial transport services, and the steps which would be necessary for the maintenance of this industry and for the development of these services.

4. Questions of labor arising in the aircraft manufacturing industry and in aerial transport services.

5. Problems of scientific research and the special education of expert designers, engineers, and pilots. The successive chapters of this report follow the above headings.

That simply indicates, Mr. President, what has been done by those with whom we are going to be brought in rivalry in the conduct of the affairs of the world now and in the immediate future, and I think, as this is the only place where we are making any experiments relating to aircraft service, that we can ill afford to fail to adopt the recommendation by the committee.

It is true that the route from Washington to New York is not quite a satisfactory route. While the Government dispatches a great amount of mail from here, Washington is not a business locality, and the Government would not ordinarily use the additional rates which are required for this service. We would get a much better result as a matter of experiment if we carried this service a longer distance and between two great commercial communities.

It was suggested in the committee that the route to be adopted be from the city of Boston to New York, possibly with a stop at Providence, which is a city of nearly 300,000 people; thence to Philadelphia, Baltimore, Washington, and to Norfolk. That would cover practically the eastern coast or the thickly settled portion of the Atlantic coast, and would be, I think, a route which would more definitely determine the desirability of conducting this service than the route between Washington and New York. It may be concluded to send airplanes by a similar route, omitting Norfolk, to Atlanta, Ga. In any case, however, we are going to get back substantially the amount of money which is appropriated in this item. It is not proposed to appropriate $800,000 or thereabouts, which is going to be charged against the Treasury, for, even if we do no better than we did with the experiment made last year, there will not be a loss of more than $100,000 or $150,000 in conducting the route. Perhaps it may be necessary to increase the charge for carrying the mail in this manner. If it is of sufficient importance to those who are being served by it, they will undoubtedly stand that additional charge in case it becomes necessary to make the service self-supporting.

I hope that Senators will view the subject from that standpoint. In order to get something that I think will be more definite than the report which is before the committee, and which is now before Congress, something more valuable as an indication of what may be expected in the future in connection with this service, a report which will indicate to some degree whether this service can be used in commercial pursuits advisedly and wisely, I think it would be unwise to fail to adopt the committee recommendation.

Mr. JONES of Washington obtained the floor.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the Senator from Washington yield to the Senator from Alabama?

Mr. JONES of Washington. I do.

Mr. BANKHEAD. Mr. President, I wish to call the attention of the Senator from Massachusetts [Mr. WEEKS] to some figures with reference to the statement that the Post Office Department is practically self-sustaining. Last year the Post Office Department collected from stamps and in other ways $332,631,000. In addition to that—and this is the point to which I wish to call the Senator's especial attention—$166,315,000 was paid into the Treasury as the result of the extra 1 cent that was paid upon first-class matter, so that the total amount which was covered into the Treasury was $498,946,000. I thought it might be well to call the Senator's attention to those figures in connection with the statement which he has made.

Mr. JONES of Washington. Mr. President, I did not hear all the remarks of the Senator from Indiana [Mr. NEW] yesterday, but I understand that, as a general proposition, he urged that all of our airplane activities be placed under the control of one central organization. With that idea I am in hearty accord. I think it ought to be done; and I think the sooner it is done the better it will be for the development of aerial service. I think there should be special attention given to the development of this service, not only as a military arm of the Government but also as a commercial or business proposition. The availability of the airplane for these various lines of activity is beyond the experimental stage; there can not now be any question about that. Our activities should be along the line of developing the airplane for special purposes and special uses.

In considering the practicability of using the airplanes of the Military Establishment for the Postal Service I think we should not overlook the fact that our activities and energies during the last two, three, or four years in airplane development have all been directed along war lines. Airplanes have been developed with the special object and purpose of making them available as military machines and military instruments. I can see that this would lead to the development of machines that might not really be very serviceable in connection with the activities the Post Office Department must carry on. So it seems to me that, until we get this central body, this central organization, the Post Office Department should be encouraged and aided in experimenting along the line of developing an airplane, an "airship," as they call it, that will be especially suitable for the carrying of mail rather than for high flights and doing special "stunts," as they are called, in the air, and all that sort of thing. I can see reasons for the construction of a machine in a different way, especially the body of it, for carrying mail than for carrying a man up in the air whose duty and business it is to find somebody else and try to overthrow him. So I am inclined to favor the provision in the bill; and the only reason I asked to have it go over the other day was to have an opportunity to examine its terms and to ascertain whether or not, under the terms of the amendment proposed by the committee, the Post Office Department would have the authority to make some experiments in southeastern Alaska.

I remember last year when the proposal was made to appropriate money for experimental purposes in connection with the development of the airplane service it was said by some of the members of the committee that the purpose was to use this money in developing airplane service in Alaska, and it related largely to the interior of Alaska. I can not see how it could be very well used in the interior of Alaska, especially where the settlements are; but in southeastern Alaska the conditions are such that it does seem to me that we could very profitably use the hydroplane; that is, the airplane that lands on the water. There would be abundance of landing places; they would be available everywhere and anywhere where they were wanted, and all of the towns of southeastern Alaska could be served in this way, it seems to me, very profitably and very well.

The mail service in Alaska now is in a very deplorable condition. It has practically broken down. I have here an editorial from the Pacific Fisherman, which I wish to read to the Senate, describing the condition of the mail service in Alaska. I thought I had the date of it here; I have not, but it is of recent date, and is as follows:

ALASKA'S NEED FOR EFFICIENT POSTAL SERVICE.

Since the termination of the old Alaska mail contracts last summer the postal service of the Territory has suffered a lamentable breakdown, resulting in general complaint in all parts of Alaska.

Note how the mail is carried in Alaska now:

The present system, under which the mail is handled as express or freight in southeastern Alaska, and by a small boat to points to westward along the Alaska Peninsula, is not only unsatisfactory but altogether inadequate, and if continued will greatly hamper and retard the development of the fisheries, as well as of other Alaskan resources.

Mr. KIRBY. Mr. President, I should like to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Arkansas?

Mr. JONES of Washington. I yield.

Mr. KIRBY. About what is the population of the southeastern part of Alaska, that which ought to be served with airplane mail service, according to the Senator?

Mr. JONES of Washington. Mr. President, it is the most thickly settled and the most substantial and permanently located business part of Alaska. I do not know just what the population is. I know that there are several very substantial towns there—Ketchikan, Wrangell, Skagway, Juneau, Sitka, and quite a number of other points.

Mr. KING. Mr. President, the entire population of Alaska, aside from the natives—that is, what we might call the white population—does not exceed 25,000, does it?

Mr. JONES of Washington. The governor of Alaska was before the Appropriations Committee a short while ago, and he testified that the white population of Alaska has been reduced to about 20,000 or 25,000 people. That probably is true.

Mr. KIRBY. The natives would not care so much for the mail facilities.

Mr. JONES of Washington. I know, however, that the reports now are that the people are starting back to Alaska, and that the indications are that the coming year will see a great addition to the white population of Alaska. There are many reasons for the diminution of the population of Alaska that I am not going to go into now. This is one of the reasons for a diminution in the population of Alaska. Their business and mail facilities are simply breaking down, and that discourages a great many; but the points that I mentioned and have in mind are the real, permanent localities in Alaska.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Colorado?

Mr. JONES of Washington. I yield to the Senator.

Mr. THOMAS. Does not the Senator think the national land policy has had a great deal to do with the decrease of population there?

Mr. JONES of Washington. I think that has had a great deal to do with it.

Mr. THOMAS. I may say, while I am on my feet, that I am in hearty sympathy with the Senator's idea. I do not think the small population is so important as the necessity of giving them a proper mail service.

Mr. JONES of Washington. I think that is right.

The result of the present policy in southeastern Alaska has been irregular and infrequent service, long delay in the delivery and distribution of mail at points even a short distance off the main lines of steamer travel, and general inconvenience. With no special obligation as to the handling of the mail, instead of going on a regular schedule it is delivered whenever a boat happens to have sufficient freight to warrant a call. On arrival it is often among the last freight to be discharged, and if landed at night has to wait until the next day before being distributed and forwarded; while outgoing mail from Alaska points, instead of being received up to the time of sailing, must be posted many hours in advance. Many communities on the Alaska coast, open to transportation throughout the year—

And that is true of these points that I have mentioned in southeastern Alaska. They are open to transportation at all seasons of the year—

are now often entirely without mail for weeks at a time, where it was formerly received every few days.

Then the editorial goes on to discuss the matter. I will ask that I may insert in the RECORD the remainder of the editorial without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The remainder of the editorial is as follows:

Freight and passenger service also has suffered greatly on account of the present system. Where formerly regular schedules were maintained in accordance with the mail contracts, steamer service is now dependent on the accumulation of enough freight to pay for the trip. Thus both passenger travel and the shipment of freight to and from many points in Alaska, where calls were formerly made with some regularity, have become exceedingly difficult and uncertain.

The result of these conditions to the communities along the Alaska Peninsula, among the adjacent islands, and in Bering Sea has been far more serious than in southeastern Alaska. The mail steamer was formerly the sole reliance of these communities for freight and passenger service during the winter months; but the boat now handling the mail for this district is without freight or passenger facilities and has been unable even to maintain mail service with regularity through the winter. When this condition arose many communities to westward were short of food and other winter supplies, and while this condition has been partly relieved through private effort, with the cooperation of the Pacific American Fisheries and the Revenue Service, further service is needed to prevent serious hardship in these communities before spring.

This country in former years took just pride in the universal and efficient service rendered by the Post Office Department, which was of incalculable importance in the early development of the West. The carrying of the mails with promptness and regularity was regarded as a vital function, to be fulfilled to the limit of possibility. At the same time the placing of mail contracts often made it possible to furnish regular means of transportation, which otherwise would have been lacking. Such pioneer countries as Alaska are peculiarly dependent upon such facilities, and the only practical way in which they can be provided is through the maintenance of an efficient Postal Service, with a liberal policy on the part of the postal authorities. Mail in a frontier country like Alaska can not be successfully handled on the basis of the lowest possible cost. Service, rather than economy, is the proper aim of the Post Office Department; and the service must be maintained on an efficient basis—without extravagance, indeed, but if necessary even at a cost greater than any immediate return—if the development of Alaska is to continue.

Mr. JONES of Washington. A few days ago I received a communication from the representatives of the Chamber of Commerce of Seattle, who are especially interested in Alaskan

matters, stating that mail is now taken to the boats, thrown down into the hold, where freight is piled on top of it, and then, of course, when it gets to the points where it should be delivered, it can not be delivered, as this editorial says, until the freight has all been taken off. In other words, it is handled as any other freight package is handled. Now, you can not have good mail service in that way.

Mr. REED. Mr. President, may I ask the Senator whether you get it as soon as you get your freight?

Mr. JONES of Washington. They get a good deal of freight sooner than they get the mail.

Mr. REED. Do they get it right after the freight is delivered?

Mr. JONES of Washington. Yes.

Mr. REED. Is not that a better mail service than we have been having between here and France?

Mr. JONES of Washington. I rather think it is. I know that the mail service to which the Senator refers is very deplorable. I receive a good many letters from people of my State, saying that they have sent letters to their boys for the last four, five, or six months, and they have not received any of them; and their boys send mail to them, and they get their letters maybe once every month, or every two months, or every three months; but that has nothing to do with this particular situation.

Mr. President, as I said, there are open waterways connecting with Seattle and all of these southeastern Alaskan points. The hydroplane has been developed to probably as great a state of efficiency as the ordinary airplane. At Seattle, for instance, there is a manufacturing plant that manufactures a great many airplanes for the Navy. These airplanes fly all over that country out there and land anywhere that they desire in Puget Sound. They made a trip a short time ago from Seattle to Tacoma, a distance of 30 or 40 miles, and back in 40 minutes without any stop. With the development that has taken place with reference to these machines, it seems to me there is no reason in the world why an airplane route should not be established from Seattle, touching all of these points in southeastern Alaska, making a round trip at any rate in two days, and furnishing ample mail facilities—for first-class mail at any rate.

Mr. President, if the Post Office Department desires to establish an airplane mail service that will be of real, substantial benefit, it seems to me there is the place to do it. It may be desirable to get mail between Washington City and New York in half the time that the train takes it—five hours. That may be desirable, but there is not very much inconvenience suffered by having a letter delivered from Washington to New York or New York to Washington in five hours instead of two and a half.

Mr. REED. Mr. President, will the Senator yield for a question?

Mr. JONES of Washington. I yield.

Mr. REED. I should like to inquire whether, as a matter of fact, they save any time on the mail carried by airplanes? I mean, now, whether they save any time counting from the time the mail leaves the post office at one destination to the time it reaches the post office at the other?

Mr. JONES of Washington. Mr. President, I have not investigated that particular phase of the matter, but it does seem to me that it looks reasonable that if we can start mail from Washington City, say, at 9 o'clock in the morning, and it gets to New York by 11, it ought to be distributed there a little more promptly and a little bit sooner than mail leaving here at 9 o'clock and getting there in five hours.

Mr. REED. I do not want to interrupt the Senator——

Mr. JONES of Washington. It is no interruption at all.

Mr. REED. But the question that occurs to me is this: At the present time, when the mail goes through the post office, it goes either by direct automobile route or by tube to the station. There is very little loss of time. If that occurs in Washington on outgoing mail, when it gets into the city of New York it is handled with the same machinery, the same dispatch and rapidity. Now, when they undertake to carry it by airplane, the mail has to be carried down to the airplane station, and the machines there have to be trimmed up or cranked up, and they carry it to New York; and the question that occurred to me was whether the loss of time in going to and from the post office with the new method does not fully absorb all the difference between train time and airplane time.

Mr. JONES of Washington. It must absorb considerable of the difference in time.

Mr. REED. I do not believe it will save a minute. It may be all right to work along this line for the purpose of development, and I am not criticizing it, but any claim that up to this date it is a practical thing that has resulted in any saving seems to me absurd.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. JONES of Washington. I will yield to the Senator from South Dakota in just a moment. Referring to the particular point of the suggestion of the Senator from Missouri, I will say that the mail landing place for airplanes at Philadelphia is at what is known as the Bustleton Field, and that is clear outside of the populated area, really, of Philadelphia; and in order to get the mail down, of course, it must be met there at that field, which must be at any rate 3, 4, or 5 miles from the central part of the city, and then taken down to the post office or wherever it is to be distributed.

Mr. BANKHEAD. Mr. President, the landing point in New York is 20 miles from the post office.

Mr. JONES of Washington. I was going to say that I did not know how far it was in New York. I did not inquire as to where they landed there.

Mr. CALDER. Mr. President——

Mr. JONES of Washington. The Senator from South Dakota rose first. I yield to him, and then I will yield to the Senator from New York.

Mr. JOHNSON of South Dakota. I just rose to ask the Senator a question as to the distance from Seattle to the farthest interior point into Alaska that his proposition would involve?

Mr. JONES of Washington. What I have in mind now is especially to serve such points as Ketchikan, Skagway, Haines Mission, Juneau, Sitka, and any other points between—my recollection is that in going to those different points you must retrace your steps along some of the routes—a trip of about 1,100 miles.

Mr. CALDER. Mr. President——

Mr. JONES of Washington. I yield to the Senator from New York.

Mr. CALDER. The inquiry of the Senator from Missouri [Mr. REED] prompts me to suggest to the Senator from Washington that the aerial mail is delivered by special delivery, and in view of that fact sometimes it is delivered quicker. Then, again, our mail service has been so very poor of late that in the case of an ordinary letter going from Washington to New York it takes about 24 hours before it is delivered, and I have observed that in the case of some document mail I have sent out it takes three days to deliver it, so that with aerial mail going over in two hours, and then being distributed by special delivery, I think under existing conditions perhaps it is a little quicker.

Mr. JONES of Washington. Those conditions exist everywhere. My experience in the last few months in Washington City has been that it takes about two days and a half to send mail from one point in Washington City to another. At least, I have had that experience myself; but that does not affect what I am anxious that the Post Office Department shall look into, and I want to have them given the authority if we are going to give them this money to carry on these experiments to see what can be done in sections of the country where hydroplanes can be used, where they will not have to pay anything whatever for landing places, and where there is practically no mail service now.

Mr. SWANSON. Mr. President, will the Senator allow me to interrupt him for just a minute?

Mr. JONES of Washington. Certainly.

Mr. SWANSON. I have here the report of the Postmaster General regarding the expedition of mail from Washington to New York and from New York to Washington, which I should like to read.

Mr. JONES of Washington. Very well; I will yield to the Senator for that purpose.

Mr. SWANSON. The report says:

> The aerial mail route between Washington and New York was inaugurated on May 15, 1918. One round trip daily except Sunday is being made without fail. The trip from Washington to New York is performed in an average of 2 hours and 30 minutes, and from New York to Washington in 2 hours and 50 minutes, the difference in time being due to the resistance offered by the prevailing winds, which are usually from a westerly direction. A stop for the exchange of mail on each trip is made at Philadelphia. An average of 7¾ tons of letter mail is being carried each month. The cost of the operation of the service since it began, including development of new routes, is at the rate of $108,223.41 per year, or 79 cents per mile operated. The cost per ton-mile of mail carried is $5.35. By this service, mail between New York and Washington is advanced from two and one-half to three hours over the train service. In addition to the aeroplane mail carried there is dispatched daily from Washington to New York letter mail from southern connections made up to carrier districts in New York City, which mail is thereby delivered to all parts of New York the same afternoon instead of the following morning.

Mr. JONES of Washington. I want to ask the Senator a question, too, because he has given this matter much more careful study than I have and knows more about it. I want to know whether or not the department is experimenting with any machine specially constructed for carrying mail or whether it is using the ordinary military or naval machine.

Mr. SWANSON. I think they have been equipping machines that they have obtained from the Government. I do not think they have yet constructed any special machines for this purpose. All of the development, as the Senator has well stated, has been in connection with machines for war purposes; and these are being used, as far as they can be, now for mail service.

Mr. JONES of Washington. I do not believe they can fully demonstrate the possibilities of aerial service in mail carrying without having machines that are constructed with a view to that service, and when we talk about carrying on experiments in the mail service we are not carrying on the experiment in the right sort of a way unless we are trying to get and use machines that are adapted to that service and that work, and not machines that are suitable for scout and military operations.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. JONES of Washington. I yield.

Mr. WEEKS. I think probably in the final analysis there is a good deal of truth in what the Senator from Washington has just stated, and yet we have the other machines; they can not be used, all of them, and quite likely they will be out of date within the next two or three years. The Senator must remember, too, that every manufacturer of machines is going to be advancing every conceivable argument why the machines owned by the Government should not be used. We ought to segregate the wheat from the chaff in those arguments and have a care that we are not led into purchasing machines when we have something which may be fairly satisfactory.

Mr. JONES of Washington. I agree entirely with the Senator from Massachusetts; but, nevertheless, if we have machines on hand and if those machines are not suitable for the purpose we want to develop we are not making very much headway by using them for that purpose. I am simply giving my views from what little experience I have had in connection with these matters. I have not talked with any of the manufacturers of these machines, or anything of the kind; but it hardly needs the experience of a manufacturer or of anybody else to know that a machine especially constructed and developed for special war purposes in the air is not likely to be suitable for the purposes of peace, the carrying of mail, and things like that.

Mr. VARDAMAN. Will the Senator allow me to interrupt him right there?

Mr. JONES of Washington. I yield to the Senator.

Mr. VARDAMAN. There was a representative from the Post Office Department who stated before the committee that the engines and everything of that kind were all ready and that all they desire is an additional small amount to be used in reconstructing the machines, suiting them to this particular work, which was entirely feasible and which would be very much cheaper than the purchase of entirely new machines.

Mr. JONES of Washington. I think that is true.

Mr. VARDAMAN. Some of these machines cost $25,000, and it would probably cost $6,000 or $8,000 to repair them and fit them for this service, which he hopes to do. The machines are of no value now; they do not need them for war purposes. It is a very wise economy, I think, on the part of the Post Office Department to utilize them as far as they can, and that is what they are doing. They have the power and all that, and they will serve every purpose just as though the machines were constructed originally for postal service.

Mr. JONES of Washington. I think that is true, and what I was trying to bring out is that I think the Post Office Department ought to experiment along the line of developing the machines as mail carriers rather than as scouting machines. It is true, the engines, and no doubt a great part of the machines, are all right as to the power they need, but the body of the machine will need to be changed in some way.

Mr. VARDAMAN. That was the purpose, the representative of the Post Office Department stated.

Mr. JONES of Washington. That is all right.

Mr. VARDAMAN. That is what they are going to do.

Mr. JONES of Washington. That is all right, and that is one reason why I am in favor of giving them this money, so that they can use it along those lines.

I had the pleasure some time ago of making a trip to New York and back in one of these machines. Of course, in the cockpit, as they call it, in which I rode they could dump a lot of mail sacks if it were necessary, but I could see how the body of that machine could well be modified so as to make it much more suitable for carrying mail than it is now. I hope that experiments and investigations and work along those lines will be carried on under this appropriation.

Mr. President, I am going to ask permission to embody in the RECORD a statement that I myself prepared with reference to that trip in answer to the many questions that were propounded to me in regard to it. I could have asked another Senator, probably, to request permission to put it in the RECORD, but I have no hesitation about asking it myself. I ask the privilege of printing in the RECORD the article I prepared in reference to this matter which appeared in the Star some time ago.

The PRESIDING OFFICER. Without objection, the article will be printed as a part of the Senator's remarks.

The matter referred to is as follows:

[From the Washington Star, Jan. 12, 1919.]

UNITED STATES SENATOR TELLS OF FLIGHT IN AIRPLANE TO NEW YORK AND RETURN—AFRAID BEFORE STARTING, BUT ENJOYED TRIP—EXPECTED TO BE DIZZY AND SEASICK, BUT ESCAPED BOTH—EVEN "STUNTS" IN THE AIR NOT SO TERRIFYING AS EXPECTED—RELIEF, WHEN THE TRIP APPEARED IMPOSSIBLE, SOON SHATTERED—GLOOM OF FRIENDS MADE EXPECTATIONS OF DISASTER SEEM NATURAL.

(By WESLEY L. JONES, United States Senator from Washington.)

"'That man is a fool or crazy!'

"I made that statement a year and a half ago as I looked toward the Washington Monument from a window in the Capitol at a French aviator turning somersaults, flying sidewise, and doing the falling leaf in a flying machine. Had anyone told me that I would be doing the same thing I would have asked him if he thought I was going crazy; and yet I have done it and liked it, and I hope no one thinks I am crazy, if they may think me reckless.

"I watched from day to day the planes soaring through the air over the Capital like great birds. My confidence in their safety and stability became greater as the days went by. I weighed the dangers of the aeroplane with the dangers of the automobile and convinced myself very easily that a good aeroplane in charge of a well-trained driver is not so dangerous as an automobile.

ASKED COL. LEE FOR RIDE.

"When Col. Lee, the Englishman, came from the front to show the people of the Capital what could be done with an aeroplane I decided to ask him for a ride. I called him on the phone. He said he would be glad to take me up at 4 o'clock the next day.

"That rather took away my breath. It was a little sooner than I expected, but it was settled. I was to go up. My mind, however, began to wander from the beauties of the machine soaring through the air to the effect it might have on me. Would I get sick? Would I be dizzy? What would happen if something should go wrong? Would I come safely through? Things looked a little different now that I was to fly. The thought that I ought to arrange my personal affairs for anything that might happen came into my mind. Things took on a different hue. I began to feel as I thought a man might feel who was going to be executed the next day.

"Three o'clock came very quickly. I started to the aviation field. When I reached it I was told that Col. Lee was at Alexandria with his plane, which had been injured in the high wind the night before and therefore could not go up.

"Really, I felt relieved. Things looked brighter. I was glad. I thought I could enjoy seeing the other men fly, so stayed to watch them.

WISH TO FLY COMES BACK.

"As I watched and saw how gracefully they soared through the air and how safely they came back the bug to fly began its work again, and in a few minutes I wanted to go up. I asked Lieut. Dodge, of our Aviation Corps, who was flying, if he could take me up. He said, 'No; not without a permit from Capt. Salmon.' I was sorry, but was told that Capt. Salmon was expected any moment. I waited for an hour, but he did not come, and I went home disappointed.

"The bug was busy, however, and afterwards I went up with Capt. Salmon, Col. Lee, and Capt. Resnati. We turned over, went sidewise, careened toward the earth like a falling leaf, took the nose dive, went through the air like a wave on the face of the sea, and did all the other stunts learned by the men on the battle front. I did not get sick or dizzy. I was not afraid. I liked the sensation. The rides were too short. We came down too soon. I did not care so much for the stunts. I wanted some straightaway flying. I wanted to soar through the air and watch the earth go by and think.

"Some time ago I met Lieut. David Logg. He is an aviator instructor at Bolling Field and a Seattle boy. That in itself is a fine recommendation. He is a bright, vigorous, stalwart young fellow. His very appearance inspires confidence, and I thought this might be my chance to take a trip. I hinted that I would like to ride to New York. He took me up just as quickly as had Col. Lee, and said he would take me at any time I wanted to go. We set the date and the hour for 10 o'clock Saturday, December 28.

FRIENDS NOT ENCOURAGING.

"Again I began to weigh the possibilities of the trip and to think not so much of the beauties of it as about what might happen. I did not get very much encouragement from those with whom I talked. The day before we were to start I asked Mrs. Jones if she would like to go down and see me off.

"'Well, I guess I will go,' she said. 'It may be your last ride.'

"That cooled me off considerably. The next morning the first thing I saw in the paper was the headline, 'Two aviators killed.' I was in no hurry to start. Some zealous friends who were going urged that we start early. They seemed to be afraid I wouldn't make connections. On the way to the field I didn't have much to say. It seemed a long way to New York and I didn't know about landing places. We reached the field a little after 9. Ten o'clock came and Logg hadn't arrived. Half past 10 and he wasn't there. Secretly I was rejoicing—something had happended, maybe he wouldn't come. Eleven o'clock and still he hadn't come. I was sure he had the 'flu.' And then I saw him coming. Down went my spirits, and nothing was said to raise them. When I was fitted out I said to the adjutant, 'I will see you again in a day or two.' 'Well, I hope so,' said he, with peculiar emphasis on the word 'hope.'

FORMALITIES NOT CHEERFUL.

"Everybody insisted on shaking hands and expressing the wish, in a sad sort of way, that we would reach New York all right, but plainly showed they had doubts. To cap the climax I was asked to sign a paper answering certain questions. 'What is your full name?' 'What is your home address?' 'Where do you keep your bank account?' 'Have you made your will?' 'Where is it?' 'Whom do you want notified if anything should happen?'

"I began to look for the question that was asked the old darky when he went to seek employment in one of the munition plants and was asked, 'Where do you want your remains sent?' and thought that if that question was asked I would make about the same answer as he made—I would 'sho' stay with my remains' and let the flying go.

"You can imagine the kind of happy feeling that I had when I got into the cockpit of the Curtiss training plane 56 to start on the journey from which no one really seemed to think I would get back safely. I looked like an Eskimo or deep-sea diver. I had put on over my regular suit a union suit of khaki, lined with plush, and buttoned up tightly about the neck, ankles, and wrists. On my hands I wore a pair of gauntlets, fleece lined. On my head was a leather hood, plush lined, and over that a helmet that I could pull over my face if desired. I wore a pair of heavy goggles to protect my eyes.

OFF ON LONG FLIGHT.

"Everything was ready. The nose of the plane was turned toward the field. The motor was running fine. Logg was in his place. I climbed into the rear cockpit as gracefully as possible. After much grunting and tugging the 4-inch belt was strapped around me, it being just barely long enough by my shrinking up as much as I could. We waved good-by. The plane started running on the ground. When it reached a speed of about 60 miles an hour, and it actually seemed to be going that fast, it left the ground and took the air like a bird. That is the speed that must be attained on the ground before an aeroplane takes the air.

"Within 15 minutes Washington was nearly out of sight and we were 3,000 feet above the earth. We were going 85 or 90 miles an hour, but looking at the earth, the only object by which we could gauge our speed, we did not seem to be moving more than 10 or 12 miles an hour. The earth looked perfectly level. Hills and hollows had disappeared. Forests looked like carpets of green or black. Division lines, roadways, streams, and farmhouses were remarkably distinct and the country looked like a huge map before and below us. The roar and crackling hum of the motor would have been deafening if I had not had the hood and knitted helmet over my ears. As it was, I could hear the crackling of the motor the next day after our ride was ended. To put my head or hand above or outside the windshield was to feel the wind like a hurricane rushing by, and as it was several degrees below freezing I did not do this very often. Those who have been up on a mountain three or four thousand feet high in the middle of the day know that it is not much colder there than on the level, and so it was with us.

GOT FULL BENEFIT OF COLD.

"The thermometer did not indicate it much colder than when we started, but going through the air as we were and with the thin walls of the aeroplane our only protection, we got the full benefit of the cold, and had we not been clad as we were we would soon have been numbed and chilled through. As it was, we did not suffer, but my feet were rather cold at the end of an hour and a half, not having on any overshoes.

"I had no unusual or peculiar sensations; no dizziness or seasickness. It was a surprise to me not to be dizzy. I have never been seasick, but I can not look over the edge of a high building or precipice without getting dizzy and feeling like I want to jump off. I have no such feeling in an aeroplane. I can look over the side of the cockpit at the earth and objects below without any discomfort. Others say that their sensation is the same. We sailed along at an altitude of from 3,000 to 3,800 feet, reaching 4,000 feet as we went over New York Harbor and Brooklyn, preparatory to landing at Hazlehurst Field, near Mineola. In cross-country flying, I am told, they usually fly at an elevation of from 3,000 to 5,000 feet.

"We passed over Camp Meade, half way to Baltimore. The buildings, streets, and drill fields were very distinct, although the men on the ground looked like insects. We passed over the heart of Baltimore. The buildings seemed like toys and all of the same height, except in the business section, where the very high buildings seemed larger toys overtopping the others. The parks looked like a network of paths, by-paths, driveways, small mirrorlike lakes, streams, and Christmas green. We could get some idea of our speed from the fact that it was but a few moments from the time Baltimore came into sight until it was left in the rear.

AIR BUMP OVER BALTIMORE.

"You will hear aviators talk of air bumps. These are very noticeable. The machine will be going along apparently on a perfectly level course, when suddenly there will be a more or less distinct drop or rise. This is called an air bump, and probably is caused by a different air stratification. While passing over Baltimore we felt an unusually hard bump. It really made me jump, and my heart beat faster. When I mentioned it to Logg he said it was probably caused by the extreme wetness of Baltimore.

"Havre de Grace, Wilmington, Chester, and Philadelphia were passed in rapid succession. Time passed quickly. After the novelty wore off the sameness of the scene below palled and I began to take my eyes from the country to look at the machine. I soon noticed the many wires stretched from wooden brace to brace and plane. As I looked the wires seemed to get tinier, the braces smaller, and the planes thinner. I began to speculate as to what might happen if one should break; then on the chances of two wires breaking at once. I thought I would better watch the scenery, and so I dismissed these things from my mind. This is no new way with me. I do it when I am in an automobile. I never go 25 or 30 miles an hour without wondering what would happen if the steering gear should fail to work, a wheel come off, an axle or a brake rod break. I have always been able to figure out better chances with an aeroplane than an automobile, and on this account, I suppose, I have no fear in an aeroplane.

NO SPEED LAWS IN AIR.

"There are no telegraph poles to hit; no embankments to topple over; no cross streets to watch; no speed rules or traffic regulations to be broken by the other fellow and observed by you; no drunken, reckless drivers to shun. Short of a broken plane or tail, the chances of getting down all right are good. The serious problem is a landing place if anything does go wrong, and that is not so serious in a prairie or farming country, and the higher you are when trouble occurs the better. I am not speaking as an expert, but this is what I am told, and it seems to be very reasonable to me from what little experience I have had.

"The Busselton Field, where the post-office planes stop, is just beyond Philadelphia. We had to land there to take on gasoline, our machine carrying only about 14 gallons of gasoline, and making about 8 or 10 miles to the gallon. As we reached the earth I saw a plane on the ground that had turned over and was pretty well smashed. That didn't look so good. When I got out and went into the hangar while our gasoline was put in I saw three or four more machines that seemed to be pretty badly smashed. This did not add much to my peace of mind, but when the fellows said no one had been hurt I felt better.

"We came to Busselton Field with the sun shining. We had hardly landed till the clouds seemed to come from nowhere. Big snowflakes began to fall and toward New York it looked quite squally. I called this to Logg's attention and suggested we might have to go through a snowstorm. 'Yes,' he said, in a thoughtful sort of way, 'and I have never been through a snowstorm,' but he has a way about him that inspires confidence, whether you think he knows what he is doing or not, and I didn't worry.

PLANES LACK SELF-STARTERS.

"We were delayed at Busselton at least a half hour by difficulties in starting. They don't have self-starters on many of the planes, and they seem to get as contrary as a Ford and you can't crank them so easily. The machine is cranked by turning the propeller to a certain point. A man on the ground gives it a jerk, jumps out of the way, and the fellow in the cockpit gives it the gas or something. It seems to start when it gets ready and not before. After a half hour's work the machine started. We got off past the broken machine and up into the clouds.

"I was surprised at how plainly we could see farms, houses, roads, and streams through the clouds. It is when you get above them that you can not see the earth. In a few minutes we sighted Trenton and the Delaware, and we crossed the Delaware much easier than did Washington. One thought that makes my chest swell out when I am flying is that I am doing something that the fathers and heroes of the past did not and could not do.

"We passed through several snowstorms. It looked to me as though we were passing above them. We could see ahead and below us the snowflakes flying almost horizontal, but we could not see any hit the plane or pass right by us. Logg said we went so fast we could not see them when they were close. Maybe he is right. I won't dispute it, but I 'hae me doots.'

"We passed over Princeton, or, rather, to one side of it. The stadium looked like a great dry dock and the campus like a part of fairyland. In a few minutes the waters that we had been hovering over were covered with boats, big and little, going here and there and yonder, and many of them apparently at anchor. We were passing over and up New York Harbor. The Statue of Liberty showed shadowy in the distance as Logg pointed off to the left. Over Brooklyn we were 4,000 feet high. The skyscrapers of New York appeared in the distance like shadowy giants towering over the small houses below.

DOWN LIKE A GREAT BIRD.

"We passed over Brooklyn and came to the farms of Long Island beyond. The motor stopped, and we began to circle downward. I knew we had reached Hazelhurst Field. We came down like a great bird circling to its nesting place. We neared the earth, skimmed along its surface till the rear shock absorber gently touched the ground, bounded up, and then the machine gently settled on the ground, ran rapidly along it, and came to rest in front of a hangar. The 250-mile trip was safely completed in 2¾ hours, at an average speed of 85 miles an hour.

"Monday came bright, clear, and cold. After a hard time cranking the engine we started back at about 2 o'clock. The trip back was not specially eventful. One spark plug was missing as we passed over Brooklyn, although I did not know it, and Logg thought of turning back, but decided to go on to Philadelphia. There we found one spark plug out and three or four loose. In passing over Brooklyn I happened to look off to the left and saw a big machine, a little higher than we, going in the opposite direction. It was a beautiful sight, but I could not enjoy it long, as we were going away from each other at the rate of more than 200 miles an hour. A little farther on we passed a smaller machine. It looked like a beautiful bird, but was going faster than any bird I ever saw fly.

BUCKED A HEAD WIND.

"We were told when we started from Hazelhurst that we would have a head wind, and that it would be pretty strong at an elevation of 3,000 feet and stronger as we went higher. We found this to be true, and it held us back very considerably. We came in sight of Washington about 5.30 o'clock, sailing along at an elevation of 5,000 feet, the highest of the trip. The Dome of the Capitol was lighted, the bright lights of the avenues formed triangles and rectangles, and the semicircle in front of Union Station shone brightly, while the multitude of other lights twinkling in the darkness below made a most beautiful sight.

"When well over the city Logg stopped his motor, and there we floated with our machine quietly resting in space. He turned around, shoved up his goggles, and we had a short conversation as if sitting in a wicker chair on the front porch at home. It was wonderful, sublime, awe inspiring, and a scene and experience never to be forgotten.

"Logg stopped his talk, pulled down his goggles, let out an Indian warwhoop, turned on his motor, and made that machine act like a young colt out of harness at the end of a warming-up drive. It turned over backwards and forwards; circled with its planes vertical; nose-dived up and down like a bark on the waves of the sea; imitated a falling leaf; took a tail spin and twisted and turned until I did not know whether I was head up or down.

LANDING AT BOLLING FIELD.

"Untying itself, the machine started on a long, straight dive. I breathed a sigh of relief. I knew we were going down to Bolling Field. In a minute we came to the level of the lights on the buildings, skimmed along, settled slowy, touched the ground gently and stopped. A man came out and told us to turn and go to another hangar. Logg tried to start his engine. It did not go. 'Gasoline out,' he said. My heart jumped; my hair began to rise. Just imagine what I was thinking.

"The engine started. We turned and came to another hangar. He had used his emergency tank, which I did not know he had. We had finished our 500-mile trip in about six hours' flying time. We were home safe and sound, and I am more than ever sure that air riding is not reckless.

"I do not care to make this trip every day. It would get monotonous. You hear nothing but the hum and roar of the motor, which is so loud that you can not hear yourself shout. I tried it, and my voice seemed to stick in my mouth, and the words of Virgil, 'vox faucibus hæsit,' were literally true to me. You get tired sitting in an unchangeable position on a hard seat for an hour or more, although I did not get nearly so tired coming back as I did going.

FUTURE OF THE AIRPLANE.

"What the future of airplanes may be I can not say. The world's energy has been expended during the last four years in developing the aeroplane for war purposes. That development has been wonderful. If now directed to peaceful pursuits, passenger and commercial machines may be constructed so as to make their use for such purposes very desirable and economical.

"I see by the papers the other morning that machines carrying 30 or 40 people are to be put on regular flights between Munich and Berlin. It looks like the practical German is going to put his war experience to commercial use, and I see no reason why we should not do the same. I understand a machine has been built in this country that will carry 50 passengers. Such a machine could certainly be made comfortable, and ought to be of considerable use in commerce aside from passenger travel.

"About the only exciting experiences on the trip were the races we had with Pennsylvania passenger trains. We would see the smoke of a train in the distance right ahead of us, and it was very interesting to note how we overtook and passed them. The race didn't last long and the result wasn't uncertain."

Mr. JONES of Washington. I wish to suggest to the Senator from Alabama an amendment that I should like to have put in the bill when it is in order. It is in line 14, page 18. It reads now:

The Postmaster General is authorized to expend not exceeding $850,500 for the purchase of aeroplanes and the operation and maintenance of an aeroplane mail service between such points as he may determine.

The first part of the paragraph reads:

For inland transportation by railroad routes and aeroplanes.

That language would probably exclude their use in Alaska, as it stands now. After the word "points" I wish to insert the words "including service to and between points in Alaska, such as he may determine."

Mr. BANKHEAD. I have no objection to that amendment.

Mr. JONES of Washington. I am glad to hear that from the Senator, and I will offer it when I have an opportunity. There is another amendment to the amendment pending now.

The PRESIDING OFFICER. There is now pending an amendment to the amendment, and the amendment of the Senator from Washington can be offered later.

Mr. JONES of Washington. Before I sit down I am going to take the time of the Senate for just a few minutes on another matter that I consider of considerable importance.

I have a letter from one of my constituents about the water-power situation. It is a pointed and rather harsh letter, but has a good deal of real sense in it and, I expect, expresses the views of the average citizen. I am going to read it to the Senate, that we may "see ourselves as others see us." It is as follows:

SKYKOMISH, WASH., *January 21, 1919.*

Hon. Senator JONES,
Washington, D. C.

DEAR SIR: The headlines of an article I read in to-day's Seattle Post-Intelligencer would make a fine subject to write on. It is as follows: "Water-power bill reaches deadlock." For years we have been reading just such rotten stuff. The House says we want it one way; the Senate says it won't do. Now, any blame fool knows that some kind of contract could be made satisfactory to both sides, and it would not take 10 or 15 years to do it, either; but a few hundred of what is supposed to be the smartest and best-posted men of our country can't reach an agreement.

I think likely you fellows just sling a note like this into the waste-basket and declare the writer a crank. I guess we are, but if I had the whole bunch of our Senators and Congressmen out here where they

were on an equal footing with me I would tell them a few things that would make this cranky note look like 30 cents.

Most arguments one hears now for the failure of many kinds of legislation is the political war that's being waged against the administration, which is my opinion all right, but all the people one hears—or nearly all—making those remarks are only stronger for our administration for it.

The majority of the people nowadays are reading for themselves. We know what you fellows are paid for and we know when we get value received, so the time has come that some of this old political fight should be dropped. Three cheers for Wilson.

Yours, respectfully,

A. J. WATKINS.

Mr. President, the suggestions in my friend's letter as to politics and the "Three cheers for Wilson" are rich in unconscious humor to those who know that the only politics played in connection with this subject has been attempted by the administration and that the House and Senate would long ago have settled their differences except for the interference and domination of the President.

Mr. President, the people know the importance of the passage of water-power legislation.

Engineers of high standing estimate that the passage of the water-power bill now in conference would result in the employment of at least 100,000 men in the very near future and that within one year water-power developments would be undertaken in 25 States of the Union to replace steam plants now operated by coal and to furnish cheap power for many new manufacturing purposes. These hydroelectric developments would have an ultimate aggregate capacity of about 2,000,000 horsepower, requiring an investment of $250,000,000. The industrial plants erected to use this vast amount of power would give permanent employment to fully 500,000 operatives.

The passage of the bill would also result in the development of many now-wasting water powers in connection with the electrification of railroads and for the operation of pumping plants to raise water to millions of acres of now barren, arid western land that with water would support a great agricultural population and tend toward the reduction of the cost of living and add greatly to the wealth of the State and Nation.

I call your attention to these Government water-power maps. Map No. 1 shows the location of the 54,000,000 water horsepower contained in the United States and of which 5,000,000 horsepower, or but 10 per cent, has yet been developed. You will note that while great quantities of power exist in the streams of the Eastern and Southern States, yet that 72 per cent of all the water power of the country is contained in the 11 far western States of Washington, Oregon, California, Idaho, Montana, Nevada, Utah, Arizona, New Mexico, Wyoming, and Colorado. You can imagine the profound interest that I as a western man take in the enactment of water-power legislation on behalf of the people of my section of the country.

The water powers of the above-named 11 States are their greatest asset, though at the present time mainly a sleeping and profitless asset, due solely and entirely to the inaction and inertia of Congress in turning a deaf ear to the voice and cry of the West, praying for the passage of laws under which its people can develop the energy contained in our falling waters. I will confess that the voice of the West as to the form of legislation which should be enacted, as expressed through its Senators and Congressmen, has been one of discord, but necessity for action is bringing us closer together, and I believe that the fundamental principles of the water-power bills which have passed both Houses of Congress and which are now in conference can easily be harmonized so that the development of our water power may be brought about with the respective powers of the State and Nation observed and the interests of the people fully conserved.

These bills give to the Federal Government, to the States, and to municipalities the preference right to develop, but also provide fair terms under which private capital may undertake the utilization of the water powers of the country when the privilege is not desired by Government agencies.

If further provision with reference to this important question should be deemed necessary, the subject matter is before the conferees, and they could, it seems to me, unite upon some proposal that would provide ample assurances that if any State or county or municipality desires to utilize these water-power resources it could do so.

Nature has mainly secreted her falling waters in mountain fastnesses, far from civilization and from power markets, where development means pioneer work, means shouldering "the white man's burden," means difficulties in securing capital for construction purposes and in securing a market for the power. Surely men and capital should not be warned away and discouraged if they have the nerve to undertake this great work, which if unsuccessful places all the loss on them and if successful means that while they will enjoy their reasonable and just reward, yet their work will benefit the public a thousand times more than it does themselves.

I rather think the public sometimes overlooks the tremendous benefit that comes to the public itself from the development of these great water-power resources. I know that in my State there are power possibilities which, if developed, might bring a very substantial return to the men who put in their capital, but the benefit to the community and the benefit to the State that would come from this development would be many, many times greater than any possible pecuniary benefit that might come to those who would put in these works.

Mr. SHAFROTH. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. SHAFROTH. Is not the principal defect of the water-power bill that is before the conferees the fact that there is no way provided in the bill by which capital can be raised? We have had the situation as to the Alaskan coal fields, where it was supposed capitalists would eagerly lease coal lands; but when the people who were to advance the money found that there was nothing but a leasehold estate offered they said, "No; we may have all our rights forfeited under many provisions of the lease, and for that reason we will not lend money on such security."

Mr. President, it seems to me that there ought to be an alternative, and I have presented to the conference committee an alternative proposition, stating that when, upon the declaration of the commission itself, they shall determine that water-power sites can not be leased they shall offer them at public auction for sale.

The difficulty is that when you go to build one of these water-power sites you find enormous capital is required, sometimes as high as twenty or thirty or forty million dollars. When you go to New York for the purpose of raising that capital and getting the loan, they ask, "What title have you," and when you confess to them that you have simply a lease and that that lease may be forfeited, they decline and assert that no financial institution is going to lend money upon a title of that kind.

What I am trying to impress upon the conference committee is that, while giving all the power to the water-power commission to lease, yet when the commission discovers that they can not lease the site they ought to be permitted to sell the site to those who will agree to develop it. That resource being unused makes a terrible loss to the people of the Rocky Mountain region.

As the Senator has said, we can hardly comprehend how much a million horsepower is in productive ability in a State to manufacture anything that might be desired. I heard it stated at one time that each horsepower in the United States produces, on the average, $1,150 worth of products. Now, take a million horsepower and multiply it by 1,150 and you will have $1,150,000,000 as the product that comes to the State in the way of manufactured products for the 1,000,000 of horsepower. I have understood that $524 of that $1,150 goes to labor. You can readily see, if that is true, it means a pay roll in the State that has a million horsepower of $524,000,000 a year. That is on the theory that the horsepower for manufacturing goods pays, on the average, the same as those in the other portions of the United States. If that is true, it means an enormous loss each year to the people of the West from failure to develop water power.

Mr. JONES of Washington. I am glad of the interruption of the Senator. He has gone more into detail, emphasizing the importance of the work, than I intended to do.

I think Senators would get a more comprehensive view of the situation if they would just notice these maps [indicating three maps on the wall]. They present the situation with reference to developed power and possibilities very vividly, it seems to me.

On map No. 1 each black spot represents so much horsepower possibility, and you can see how the possibilities in the great western country compare with the possibilities in the eastern country.

Then, the second map shows the actual development of water power, and there you can see the wonderful possibilities, compared to the other sections of the country, of the great eastern industrial section and the small development in the western part, where the first map shows there are great power resources.

Then map No. 3 shows very vividly in one map the water-power resources and the actual resources. The black spot shows the power development in a certain district and the white spot with a black spot in the center indicates the possible development of water-power resources. You will see in the district represented by Washington, Oregon, and California over 20,000,000 horsepower possible of development and not 2,000,000 developed.

Mr. SHAFROTH. I will state to the Senator that in Colorado, according to the estimate of the Geological Survey, we have between one and two million horsepower possible from

flowing water, and the amount that has been developed is less than 5 per cent; it is 4.6 per cent of the amount of the possible water-power development of our State.

Mr. JONES of Washington. Now, on this map Colorado has 4,450,000 total possibility and 1,697,000 developed.

Mr. SHAFROTH. I think the amount developed is much less than is indicated on the map.

Mr. JONES of Washington. That indicates all the power—steam, gas, and water power.

Mr. SHAFROTH. Oh!

Mr. McLEAN. Will the Senator state what is the percentage of water power represented in New England?

Mr. JONES of Washington. No; I did not go into that.

The Senator from Colorado suggests that water power has not been developed because we impose many restrictions on it, and capital will not go into it. That is true, and that seems to be one difficulty in getting legislation, but I think it would not be very difficult to harmonize the two bills that are now in conference and make them so that capital would be ready to invest. But outside of that phase of the question come one or two questions that are largely legal over which Congress has divided and is divided now. That really prevents legislation. I will refer to that later. It would not be difficult, in my judgment, if we would leave out the legal proposition, for the conferees to agree upon a measure under which capital would be available.

A man who has long desired to develop one of the wasting powers of the State of Washington told me the other day that if the development of the water power was all that was to be considered he would not give it 20 minutes consideration, because the business is not primarily attractive, on account of the physical risks, which the Senator has just pointed out, attending the building and operation of water-power plants, and because of the small margin of profit allowed by the public authorities who name the rates that must be charged. This man said he was only interested in developing the water power he has in mind because of the things collateral with it, and out of which a fair return might be expected. He seems to have the desire strong within him to help create something in his day and generation to do his part toward the development of the Northwest, to see our silent valleys fill up with a prosperous agricultural population, to see industrial plants and towns and villages built, and the rivers and railroads teem with freight and traffic.

I know the particular proposition he has in mind. It involves not only the construction of a dam for the development of water power that could be used for great industrial enterprises, but it also means the making available of water to irrigate and reclaim 150,000 acres of desert, sandy, unproductive land that, with water upon it, would be as productive as any upon the face of the earth. He would like to see that desert producing; he would like to see homes built there; he would like to see the cities and towns that would grow up if it were developed. He would like to feel and know that he has had something to do with a work of that kind. I believe he would get far more satisfaction out of doing that and seeing that done than he would out of the pecuniary profit that might come from the development of the water power.

We of the 11 far-Western States have progressed about as far as we can go without the development of our water power. The State of Washington uses 1,190,000 horsepower, but of this 860,000 horsepower is produced from steam through use of coal and but about 330,000 from water power, though the State contains water-power resources of 8,647,000 horsepower. Our supply of coal is limited and fast being mined out, and we daily import trainloads from Canada. The State of California has no coal whatever, and is using up her oil for power purposes. She has available water-power resources of 7,813,000 horsepower, of which less than 10 per cent has thus for been developed.

Given the right to develop their water powers, the Pacific Coast States would go forward with leaps and bounds. It is not too much to say that as a result our population would double within the next 10 years. It would bring us capital as well as population. It would enable us to develop our other manifold resources; and principally it would bring about an agricultural development so great, a production of food so much larger than required to feed the local population, that it would help materially to cheapen the cost of living and thus be of tremendous benefit to the whole country.

Let me call your attention to map No. 2. It represents the location of the use of the 42,000,000 primary horsepower used in the United States, including all power produced from coal, oil, and water power. Of this amount 5,000,000 horsepower is derived from water power and 37,000,000 horsepower from coal and oil. Of the total power in use, 23 per cent is used west of the Mississippi River and 77 per cent east of the Mississippi.

Map No. 3 shows the distribution of hydraulic resources and of primary power of the United States by sections. It will be seen that if all the water power located east of the Mississippi was utilized it would not meet all the power requirements of that part of the country; but with the passage of the water-power bill great hydroelectric developments could be undertaken in the Connecticut and other New England Rivers, in the St. Lawrence, the Delaware, the Susquehanna, and other rivers of the Middle Atlantic States, and in the South in the rivers of Virginia, West Virginia, North and South Carolina, Georgia, Alabama, Tennessee, Kentucky, and Arkansas. Thus it is shown that the development of our water powers is of paramount and vital importance to every section of the United States, and it will be nothing short of criminal to delay longer their utilization.

One of the very first things on the program of after-war activities of France, Italy, Norway, and Sweden is the further development of their water powers. New York financial houses are receiving requests from these countries for American money for water-power development purposes. I am informed that the terms offered are most attractive, based upon long-term franchises and liberal terms. If the water-power bill is not passed at this session, foreign water power will be developed with American capital and great industrial plants, which will employ thousands of operatives, will be built which might have been secured for the United States.

In this connection let me call attention again to a matter I mentioned in the Senate a few days ago. Foreign capital seeks the construction of ships in our shipyards. We will not let them do it, and so the foreign capital that could be used here goes elsewhere, to other countries, and employs their labor and gives activity and energy to their industry. Here is one of our own great resources, and our capital wants to invest in it. We do not provide the way by which it can do it, and our own capital is going to foreign countries, developing their water powers, when it ought to be used in this country. How can our country prosper if we will not let foreign capital that seeks investment here be invested, and if we will not let our own capital that would like to be invested here do its work here, but drive it somewhere else?

Mr. SHAFROTH. Is there any law that prevents American capital from building ships in our own yards?

Mr. JONES of Washington. Oh, no; I said foreign capital is seeking to build ships in our yards and can not do it; it can not get a permit to do it.

Mr. SHAFROTH. Upon what theory is it denied?

Mr. JONES of Washington. I know why it is not done. I got a report a few days ago from the Shipping Board stating that they have been directed by the President not to permit the construction of steel ships in our shipyards for foreign account, and they are prohibited by his order from permitting it to be done. I am glad to say that I hold in my hand a report, authorized by the Commerce Committee of the Senate, directing that hereafter no permit shall be necessary for it. But it is not legislation. We have lost since the armistice was signed practically half a billion dollars in contracts for the construction of steel ships for foreign account in this country by reason of that order.

The speedy development of our water powers is absolutely necessary to our industrial and agricultural development and to enable our manufacturers, through use of cheap hydroelectric energy, to make cheap goods for export and to enable us to secure and to hold our share of the world's trade.

Congress has been considering water-power legislation for many years. Our differences have been very largely over legal questions relating to the respective powers of the State and Nation. We discuss these and differ over them while the water powers are unused, our fuel resources in effect wasted, and great wealth lies undeveloped. The people are getting tired and disgusted at our inaction. They are looking at the big things rather than legal differences or technicalities. They want something done that will conserve our fuel supply, furnish ample and efficient power, develop great industrial enterprises, and give employment to labor, make lands available for the homeless, and add to the wealth of the county, State, and Nation.

The bill passed by the Senate and amended in the House is now in conference. The committee has been appointed, composed of certain Members of the Senate and certain Members of the House, to harmonize the differences between the two Houses. Concessions must be made on both sides and ought to be made in the interest of legislation. I can see no excuse for this not being done at this session. There are only three real differences in controversy, and only one of these goes to the fundamentals. The House favors a commission of three to act on water-power permits. The Senate is opposed to such a commission. This is a mere matter of detail, however important it may be otherwise. The House favors one method of recapture,

the Senate another. This is also a matter of detail that ought not to be difficult to adjust. The House favors giving to the executive or administrative branch unlimited power over charges to be fixed on the power, and the Senate opposes such a provision. This is fundamental and important. I myself do not believe this power should be given to the executive. It is a legislative power. But why can not this be adjusted by giving the executive or administrative branch the power to impose a charge not exceeding a small amount. It seems to me this would be proper, in view of the tremendous benefits to come from legislative action.

Mr. SHAFROTH. Mr. President, is not one of the fundamental differences which have been involved in the fight which has been continually going on as to the water-power bill that an executive department or even the Government of the United States has no power over the flow of water in nonnavigable streams?

Mr. JONES of Washington. That is embraced in this proposal to fix the charge.

Mr. SHAFROTH. Yes. It seems to me there has been a general concurrence of opinion in the position that the State water commissions or the proper authorities of the State, or later the public utilities commissions, should pass upon and determine what rates for hydroelectric power should be charged in the State.

Mr. JONES of Washington. That, Mr. President, I think is largely the view of the Senate; it is the view of a large majority of the Senate, but that apparently is not the view of the entire body, for there has been inserted in a bill which heretofore passed a provision giving to the commission unlimited discretion and power in the matter of fixing charges. That, as I say, has been one of the great differences between the two bodies.

Mr. SHAFROTH. It seems to me that that is very fundamental, for I do not believe that the United States has any more right to regulate the rates for water power on the Mississippi River or to make any grant with respect to the waters of the Mississippi River than have I, and I have no such right whatever. That, as has been declared by the Supreme Court of the United States, belongs to the States, and it is an infringement of State rights when the Government undertakes to regulate such rates. The power possessed by the Federal Government even as to navigable streams is only a negative power to prevent obstruction to navigation. As to nonnavigable streams the Federal Government possesses no power whatever.

Mr. JONES of Washington. If we can ever settle that proposition, in my judgment there will not be very much delay in reaching a conclusion as to legislation. I did not intend to discuss it in detail, but merely pointed out what it is and what I would be in favor of in the interest of getting practical legislation. As I have said, I would be in favor, as a last resort, of the proposal of a provision that would permit the commission to fix a certain charge, not exceeding a definite amount, and that rather nominal.

Mr. McLEAN. Mr. President, I want to call the attention of the Senator from Colorado [Mr. SHAFROTH] to the fact that the view which he holds so strenuously, and which he has just expressed, has prevented affirmative legislation that will permit the development of the water power of the country. So long as he and others in the Senate feel as he does, I do not think that affirmative legislation is possible.

I remember that seven years ago the Committee on Commerce reported in favor of a charter for a water-power plant to be located on the Connecticut River near the city of Hartford, which would have accommodated some 200,000 people within the area of its operation; but the Secretary of War imposed upon that company a small charge to be paid into the Treasury of the United States. The company was perfectly willing to develop the water power subject to that condition, but when the charter came into the Senate the Senator from Colorado and other Senators who agree with him immediately interposed objections and insisted that they never would consent to the granting of a charter that in any way permitted a return from the income of that company to the Treasury of the United States. So that effort was abandoned. Others have been tried in the meantime, but unless the Senators from the Western States are willing that these water powers should be developed under some Federal system it is not the fault of the Eastern States, certainly, that the water powers in the West are not developed.

Mr. SHAFROTH. Mr. President——

Mr. JONES of Washington. Mr. President, I know what this controversy will develop. I did not intend to go into a discussion of the matter. It has been thrashed out in the Senate time and again, but I dislike to refuse to yield to the Senator from Colorado, and I will yield.

Mr. SHAFROTH. I merely want to say a word or two. I shall not occupy more than a few minutes.

The trouble with the position which is taken by the Senator from Connecticut [Mr. McLEAN] is that such legislation proposes to deal with a subject which the Supreme Court of the United States has stated is beyond the power of Congress.

Whenever we take the waters that belong to a State and apply them to such uses and purposes as the Government of the United States may desire, we violate the rights of the States. Besides there is great objection to the proposition, for we know that the administration of these matters 2,000 miles from where the great water powers are located, is going to result in great detriment to the people of those States. So we hope that by a discussion of the matter and the reading of the decisions of the Supreme Court of the United States the people of the East will conclude that they will let the Western States develop their own water power.

Mr. McLEAN. Mr. President——

Mr. JONES of Washington. I yield a moment to the Senator from Connecticut.

Mr. McLEAN. The opinion of the Senator from Colorado is that the Federal Government has no power under the Constitution to interfere with the development of these water powers by the States; but there are other Members of this body who do not agree with him. And when the question comes up, it is because the Senator from Colorado and those who feel as he feels object, as they do, that we can not get any affirmative legislation.

Mr. SHAFROTH. If the Senator from Washington will permit me for a moment, I desire to ask, Does the Senator from Connecticut recognize that the Federal Government has any jurisdiction whatever over the waters of Colorado, which State does not contain a single navigable stream?

Mr. McLEAN. Mr. President, the Senator from Connecticut takes the position that that is a question for the Supreme Court of the United States to have the last guess in answering.

Mr. SHAFROTH. We are very glad to let them guess, and they have guessed.

Mr. McLEAN. My position is that they have not guessed as yet. The Senator from Connecticut is willing to agree to any proposition. He is willing that Congress shall permit the development of these powers, subject to State regulation or Federal regulation. All that the Senator from Connecticut cares for is to have the water wheels turned and to leave the question of regulation to be settled by the Supreme Court of the United States. The Senator from Colorado will not do that; he will not consent to any legislation that permits the Federal Government to exact a charge or exert control over these water powers.

Mr. SHAFROTH. Mr. President——

Mr. JONES of Washington. Mr. President, I think I will resume the floor now. I think the position of both the Senators is very plain, and it merely emphasizes what I said a moment ago, that the real delay and difficulty in the enactment of this legislation is because of legal differences of opinion in Congress. The people of the country do not pay much attention to such things. They are looking to practical results. They want results; they want these water powers developed; and it seems to me that it is the duty of Senators and Representatives to harmonize these differences just as soon as possible so as to get legislation.

The Senator from Connecticut said that we had this proposal a few years ago, and that those who wanted to develop the water power were willing to pay the charge. Of course, they are willing to pay the charge. They do not care particularly what the charge imposed is, because they pass it on to the consumer, and he has to pay it. Yet the people throughout the country seem to overlook that fact in their radical conservation views, that we should invest administrative officers with unlimited discretion. As one of the western Senators, in the interest of practical results, I am willing to put into the law a provision that the Secretary or the commission—if we should finally adopt a commission—may impose a charge. But I propose that it shall be limited in amount and that the discretion shall be limited. Personally, I would rather see no charge at all. I do not see any reason why any charge should be put in; but in the interest of legislation, I would be perfectly willing to provide that the Secretary or the commission, if we agree to one, may have authority to impose a charge on the horsepower developed up to and not exceeding a certain amount—say 25 cents a horsepower. I should like to see not more than that charged. That would cover the expense of administration if it is deemed necessary to have the National Government collect money to do that, but that would be a concession in the interest of legislation that I think is imperatively needed by this country.

Mr. President, when I was interrupted I was pointing out the differences between the House and the Senate and referring to

the proposition to invest the commission or the Secretary with the power to impose a charge.

Mr. President, I have here an editorial from the Rocky Mountain News, of January 22, 1919, which expresses the same sentiment as my correspondent whose letter I read. It expresses it a little bit more diplomatically, probably, than does he, and it expresses, in my judgment, the very strong sentiment that now exists throughout the country. The editorial says:

A NATION IN ATROPHY.

Yesterday's Washington dispatches stated that Congress was in a deadlock over the water-power bill. The truth of the matter is that Congress and the executive departments have ceased to function on all great issues involved in reconstruction. The sooner the country knows the plight it is being placed in through this failure the better it will be for the country in the long run. Congress is rudderless and pilotless. The water-power bill that is deadlocked has been before Congress since the first Wilson administration took office. In every session it has been fought over and deadlocked. The ultraconservationists take one side, the reactionaries another, and the Nation is left to hold the sack. The West is standing still, due to the inability of Congress to pass such measures as the water-power bill and the oil and coal leasing bill. Development of our water powers would put thousands of men at work, but the soldiers who are home and are coming home in greater numbers every week can not, it seems, rely upon Congress to enact legislation to help give them employment. If a bread line comes, it will be a severe reflection upon the lawmaking authorities of the Nation.

The employment of labor at this time makes it vitally important that we should pass water-power legislation at this session. The progress, development, and prosperity of the Nation demand it. Surely Congress will not allow this great piece of constructive legislation to die upon March 4 next.

Mr. President, I did not intend to take nearly so much of the time of the Senate as I have done, and I should not have done so had I not been interrupted; but I want merely to ask a question of the Senator from Alabama [Mr. BANKHEAD], who has charge of the Post Office bill, and who, as I understand, is the ranking member on the conference committee on the water-power legislation; at least, he is the ranking member who is present. I ask the Senator if he will give the Senate such information as he can as to the progress that is being made by the conference committee and the prospect of our getting legislation?

Mr. BANKHEAD. Mr. President, I am very glad to give the Senator from Washington and the Senate the information the Senator desires, so far as I am able to give it.

The Senator from Washington and the Senate understand perfectly well what my attitude is on water-power legislation. I have been an earnest advocate of legislation on that subject for many years. As has been stated by the Senator from Washington, the Senate has passed two different bills in two different Congresses on the question of water-power development. During the present Congress the Senate passed practically, I may say, without an amendment, the original Shields bill, which was passed in a former Congress. That bill was passed without a roll call or a dissenting vote, as I remember, after having been thoroughly discussed in the last Congress. That bill went over to the other House, and in the House they created a water-power commission, composed of members from three different committees in the House, to consider the bill. The Agricultural Committee was represented, the Public Lands Committee was represented, and the Interstate Commerce Committee was represented.

That committee finally reported a substitute for the Shields bill, striking out the whole of the Senate bill that was sent over and substituting a bill prepared by that committee. That substitute for the Shields bill passed the other House, came over here, and a conference was ordered.

The Senator from Tennessee [Mr. SHIELDS] was then in the Senate and was the chairman of that conference committee. Since that time he has been unable to attend the sessions of the Senate on account of the condition of his health. The chairmanship of the conference committee by that process fell to the Senator from Alabama, and the Senator from Florida [Mr. FLETCHER] was substituted on the committee of conference in the place of the Senator from Tennessee. We had two or three conferences. The House conferees came over and practically told us, "If you want any legislation on this subject, you will take the House bill." We were not quite prepared to do that without some discussion, hoping that we might get some concessions and that matters might so shape themselves that we would have a real conference, where differences could be discussed, compromises made, and each side give and take in order that we might reach a conclusion. That situation lasted to the end of the second or third conference. It appeared that the conference was in a hopeless deadlock and that it was impossible to make any progress. So the conference adjourned, with the understanding that the chairman should again call it in session when he thought proper to do so.

I promptly announced that when the House conferees were willing to meet the Senate conferees in a fair spirit and were willing to discuss the differences with us without telling us practically that we would take what they offered or nothing I would call another meeting of the conference. I have been waiting, thinking perhaps that something would develop. This morning I have been advised by the chairman of the House conferees that they are willing and ready—in fact, they are getting anxious—for another conference, in order that we may take up, discuss, and agree upon the differences in the bill. So I am going to call a conference for Monday afternoon at 2 o'clock; and I do not think there is any doubt that we will be able to get an agreement within a very reasonable time. That is the way I feel about it; and I make that statement to the Senate, believing that the conferees will report an agreement after one or two further sessions of the conference.

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). The question is on the amendment offered by the Senator from Indiana [Mr. NEW] to the amendment reported by the committee.

Mr. KING obtained the floor.

Mr. KENYON. Mr. President——

Mr. KING. I yield to the Senator from Iowa.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested by the Senator from Iowa. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, Cal.	Moses	Spencer
Calder	Johnson, S. Dak.	Myers	Sutherland
Chamberlain	Jones, N. Mex.	Nelson	Swanson
Culberson	Jones, Wash.	New	Thomas
Curtis	Kellogg	Nugent	Thompson
Fletcher	Kenyon	Overman	Townsend
France	King	Page	Trammell
Gay	Knox	Ransdell	Underwood
Gore	La Follette	Reed	Vardaman
Gronna	Lenroot	Saulsbury	Wadsworth
Hale	Lewis	Shafroth	Walsh
Hardwick	McKellar	Sheppard	Warren
Henderson	McLean	Smith, Ariz.	Weeks
Hollis	McNary	Smoot	

Mr. MCKELLAR. Mr. President, I desire to announce the absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS], on account of illness.

The PRESIDING OFFICER. Fifty-five Senators have answered to their names. There is a quorum present.

Mr. KING. Mr. President, opposition to appropriation bills in general, as well as to particular items found thereunder, receives but little support either within or outside of Congress, and the opponents of appropriations, whether in the House or in the Senate, seldom succeed in eliminating from proposed appropriation bills any item. It would seem to be a sound proposition upon which to rest legislative enactments carrying appropriations that the condition of the Treasury and the sources of revenue should be considered prior to making the appropriation. There are many projects, enterprises, and programs within the sphere of Federal authority for which under certain circumstances appropriations would be entirely proper; the same appropriations at other times would not only be improper but injurious to the country.

In examining appropriation bills recently reported, and many of the estimates submitted by executive departments for appropriations, I have been astounded at the demands which have been made, and which are daily being made, for Federal appropriations. The necessary demands made upon the Government during the active preparations for war and during the progress of the war were so enormous as to produce at first a feeling of stupefaction and then a strong mental psychosis, the effects of which still linger with the people. We become so habituated to appropriating billions and for so many purposes that the inclination to continue like appropriations and for similar purposes is difficult to overcome. When an appropriation bill is presented, such as the one now being considered, calling for $600,000,000, instinctively we say the amount is small or very moderate because we have enacted so many laws which dealt with billions. It was only a few years ago the expenditures of the Government reached $1,000,000,000 during the Congress, and when that huge sum was announced it provoked Nation-wide criticism and contributed to the defeat of many Senators and Congressmen belonging to the political party which was in power when the appropriation was made. I submit that we should consider, when determining whether an appropriation is meritorious and within the power of the Federal Government, the further question whether the Nation is in a position financially to undertake the same. Now, more than ever in the history of this Nation should we have a budget system. It is imperative that we know the condition of the Public Treasury; the sources of public revenue; and particularly the demands which must be made upon the Government in order that it may avoid financial dis-

honor and bankruptcy. The credit of the Government must at all hazards be maintained. With the surging tides of financial and industrial unrest which sweep around the world, our Nation must stand as a financial Gibraltar. Its credit must not under any circumstances be impaired. It is a source of pride to all true Americans that our Nation has met the staggering financial demands entailed by the war, and has emerged from the conflict as the financial leader of the world.

Wise legislation preceding the war prepared the United States for its premiership among the nations, but the industry, genius, thrift, and patriotism of the American people have been the all-important factors in establishing the splendid and, indeed, unparalleled record made by this Nation. But this marvelous achievement upon the part of our Government has resulted in producing somewhat of a financial indiscretion upon the part of many officials, departments, bureaus, and agencies of the Government, as well as many of the American people. The great burdens borne in such a triumphant and successful manner encourages the people to demand that the Government perform other achievements and undertake other projects calling for billions, the most of which could be postponed to a future day, and the present undertaking of which would involve the Nation in financial disaster. It is time that a halt be called in the appropriations being made by the Government. It is a time for sober, sound, and serious thinking. It is a time when there should be a stock taking; we should reassess our values; ascertain, regardless of the shock which may result or the disappointment which we may encounter, what our liabilities are and what resources are at our command for their discharge. Formerly the prudent business man took stock at the end of each year. Modern and improved business methods enable him to determine his financial condition at the close of each day's business; but many wise and patriotic men do not commend the adoption of such a course by the Government. The important question is to determine whether the request or demand for an appropriation seems meritorious or will be beneficial to some particular section of the country. Local and purely domestic projects are thrust into the national life and the Federal Government called upon to undertake their development and completion. Public buildings, rivers and harbors, roads, education—questions which are purely within the province of the States—all these are laid at the door of the National Legislature and hundreds of millions and billions requested.

The great war has dislocated conditions in all the world—industrial, economic, and social changes have been produced; abnormal conditions abound. To emerge from the clouds and return to normal conditions so far as possible is a task the magnitude of which perhaps none can appreciate. Nevertheless the obligation rests upon those in authority as well as the people everywhere to meet the serious conditions, and with patience and with genuine patriotism strive unitedly to bring the Nation and the world back to sound and enduring conditions. This hour calls for as lofty patriotism as did the days when the blood of brave men flowed freely upon the fields of France. The day of sacrifice and service for our country as well as humanity is not ended. I believe in the intellectual and moral integrity of the American people. I believe that those who live under this flag have that strong moral fiber that will enable them to meet the dangers and the problems of the present and the future and successfully combat whatever dangers menace the security of the Republic and the perpetuity of our national institutions; but we must address ourselves without hysteria, and in a broad, common-sense, and comprehensive way to the mighty problems before us. The financial problem is always one of paramount importance, not only to the individual but to the Nation. It is perhaps the pressing problem in the world to-day. Of course, the industrial and economic problem is so correlated to the financial one as to practically be embraced within it. The nations of Europe need either money or credit, and with either, or both, the industrial and economic situation would quickly be changed and threatening dangers dissipated.

If the people and the municipalities and States within our borders have sufficient money or credit, or both, industries will be developed; the field and farm, the factory and mine will yield their treasures, and peace and prosperity will come to the homes and lives of all. The financial question is not solved, as many affect to believe, by the extension upon the part of the Government of its credit without limit. The Nation, like the individual, has limits to its borrowing or lending capacity. Many nations of Europe have neither credit nor money. Such a situation can not indefinitely be prolonged. Our Nation, as I have stated, must in this great crisis have unimpaired credit. It must be in a position to steady in a legitimate and constitutional way the business structure of our own land, and aid morally or otherwise those nations, at least, with whom we were associated in the mighty war which we are bringing to a close. Extravagance and waste, enormous or, indeed, small appropriations not imperatively needed, must be avoided. There are so many demands which must be made that the appropriations made will still be stupendous. It would be not only unwise but morally wrong to make the appropriation of a single dollar at this time which is not absolutely required. But in periods of this kind all sorts of Utopian schemes are usually presented. The faddist and the reformer and the uplifter, the visionary, the radical, the man who has failed in his own undertakings, these and others of similar intellectual characteristics vehemently and often with a hysteria bordering upon frenzy attack the Treasury and assail the legislative and executive branches of the Government, clamoring and demanding recognition of their schemes and panaceas. It matters not that our Government is one of delegated and limited powers. It is immaterial that this is a Republic and not a radical socialistic organization. It matters not that human experiences show that civilization is a product of slow growth and rests upon individual development and initiative and the growth of the individual character, and that governmental control of matters and enterprises which belong to the field of individual effort results in mental and intellectual stagnation and torpor. And so daily we are besieged by the classes above referred to, who are seeking governmental recognition of their plans and appropriations to aid in their execution.

Unfortunately many faddists and unwise and ill-balanced persons get into some branch of the public service and they attempt to fasten upon the Government as a permanent policy some absurd or visionary scheme which is bound to prove a failure, but not until the Government has expended immense sums in experimenting with the same. I have had occasion heretofore to call attention to the fact that in many executive branches of the Government ingenious and plausible plans and schemes are developed to extend the power, authority, and jurisdiction of officials. It is human nature to desire power and to increase one's authority, and so we are constantly met with appeals to increase the authority of bureaus, agencies, and instrumentalities of the Government, as well as officials in various branches of the public service. A little twig upon the branch seeks to become a branch, and when declared to be a branch by the appropriate authority, we witness a miracle and it becomes a mighty branch, which produces twigs, which in turn become branches, and so on, ad infinitum. This shows one aspect of the rise of bureaucracy.

Let me say in passing that though the war is practically over and it was supposed with the signing of the armistice that thousands of those in the service of the Government other than in the military and naval service would soon be separated from their employment and be returned to private life, the number who have left the service is comparatively small, and it is becoming apparent that there is an effort upon the part of many in the Government service to perpetuate agencies, branches, and bureaus that were created only for war purposes and which were to last only during the war. In my opinion there has not been that earnest cooperation upon the part of many of the officials of the Government to reduce expenses that there should have been; and I venture to say, not in any offensive spirit, that the legislative department of the Government is not cutting to the bone the appropriation bills which are being reported. The demand should be insistent for economy, more economy, and still more and greater economy. If this spirit is not manifested there will be placed in the appropriation bills hundreds and millions of dollars which at this time should not be appropriated and the payment of which will be a grievous burden to the Treasury and to the people.

A year ago the proposition which we are now considering for the appropriation for aerial mail service was before the Senate for consideration. I objected at that time to the appropriation, as I am now opposing the appropriation carried in this bill of nearly a million dollars. I insisted then, as I do now, that it was in the nature of an experiment, and that with the heavy exactions made upon the Government it was impolitic to devote money for such experiments. I stated then, as I believe now, that aircraft has come to stay, and will become of greater importance for many purposes as the years go by. I am not attacking the feasibility of transporting certain portions of mail by means of airplanes. It is quite likely they will be used more and more for such purposes. I am only contending that with the excellent mail service which we now have, and in view of the fact that we have telephones and telegraph systems extending to almost every village and hamlet of the land, we can afford to defer the experiments which some officials of the Post Office Department desire to carry on until pressing financial

burdens have been met and until we have had opportunity to assess the results which the war has produced in connection with the use of airplanes.

When I submitted a few observations a year ago the Senator from Tennessee [Mr. McKELLAR] rather took me to task, contending that I was somewhat provincial, and he compared my attitude to the position taken by Mr. Webster in his opposition to appropriations for the territory lying west of the Missouri River. The Senator from Virginia [Mr. SWANSON] contends that this is a proper time for experimentation, and his position is that the amount called for is so small as to be really unimportant. He only asks for $850,000 for the coming year. My understanding is that this does not include all of the amount that will be required to secure planes for mail service.

Mr. SWANSON. The Senator is mistaken. The Army and Navy have planes. They are not using them. They are stored away. They will be of very little use in four or five years. In fact, they will be of very little use in one year. If you are ever going to experiment to see whether or not aircraft can be successfully used to transport the mails, now is the time. This bill provides that they can buy these planes from the War and Navy Departments and pay for them out of this fund. It is not to be done simply as a matter of bookkeeping, for the Army or Navy would not like to turn them over and have it appear like a loss; so they will have to purchase them, and out of this money it is expected to pay the War and the Navy Departments for these planes. That is provided for here. This $850,000 includes planes, all expenses, places of landing, and everything for whichever one of those routes they shall think they can make profitable.

Mr. KING. I am very glad to hear the explanation of the Senator; but upon reading the various provisions of this bill relating to that subject it is not very clear or certain that the $850,000 appropriation requires that the planes shall be purchased from the War Department.

Mr. SWANSON. It is so plain that I do not see how the Senator can make that mistake. It says:

> Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

Mr. KING. The provision to which the Senator has just called my attention, if that is the only one which bears upon the subject—but I do not think it is—would support the proposition for which he is contending.

Mr. SWANSON (reading)—

> All articles purchased from either of said departments, if the same have not been used, shall be paid for at a reasonable price not to exceed actual cost, and if the same have been used, a reasonable price shall be paid therefor, considering wear and tear and general condition. Said departments are authorized to sell such equipment and supplies to the Post Office Department under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts.

We put in that language about those that had been used and those that had not been used so that we may know exactly what this thing costs. We do not want any guessing about this experiment; and we also require them to keep a separate, detailed account. It is useless to keep on appropriating two hundred thousand or three hundred thousand dollars for an experiment and never have a real experiment, never have the books kept so that you can reach a definite conclusion. We were determined to reach a conclusion next year as to whether aircraft could or could not be used profitably and successfully as a part of the Post Office Department; and we simply gave them, not two routes, not the three routes that they first asked for, but simply one route, and provided that all the expenses of it should be paid out of that appropriation, even to the purchase of the airplanes from the Navy and the Army.

Mr. KING. Mr. President, if what the Senator has read is the only provision in the bill relating to this question, then I think his position is correct. However, under his contention $850,000 is required to further experiment in aerial mail service, and the experiments are to be conducted by the Post Office Department, not by those who have familiarized themselves with aircraft or by a department or agency that has, as a result of the war, gained valuable experience in connection with the use of airplanes. It is insisted by the Second Assistant Postmaster General, who is the chief proponent of this plan of experimentation, that certain persons are urging the establishment of aerial mail service routes. My information is that the manufacturers of planes are strongly urging this plan.

The report of the official referred to, as I understand, calls attention to the fact that in Europe airplanes are used for the carrying of mail. From my understanding of the report, as well as information which I have obtained from other sources, the mail service by airplane is very limited in Europe, indeed, the service, as I understand, was rather of a military character, and in connection with military operations. Of course during the war the airplane was a most important factor. It was used not only for fighting purposes but for carrying messages and orders of a military nature. However, I do not think the argument for an appropriation for experimental purposes here by the Post Office Department finds any strong basis for support in the use of airplanes in Europe for mail purposes. By this statement I do not mean that airplanes may not be successfully employed in transmitting mail, and that the future may not find them extensively utilized for such purpose. I know that many appeals are being made here for large appropriations for aerial mail service. Many of these appeals come from those who would be financially interested in the establishment of aerial mail-service routes. Others come from patriotic and progressive citizens whose wishes and views are entitled to the greatest consideration, and I do not mean to criticize those who would be benefited by the Government establishing aerial mail-service routes and purchase hundreds, if not thousands, of airplanes. The manufacturers of planes have a perfect right to urge their adoption for all proper purposes. I am not opposing this appropriation because manufacturers will be benefited by the purchase of planes by the Government.

My contention is that the condition of the Treasury and the heavy exactions that are made upon it compel the most rigid economy and cry out loudly for retrenchment and reform in the matter of public expenditures. Moreover, it would be far wiser and safer to get from the experiences of the war the strong and the weak points involved in airplane service. The experiences of the various nations in the use of aircraft differ. There is not yet a concord of judgment in regard to planes, their virtues and their imperfections, the character required for mail service, and so forth. Of course, with the termination of the war there will be conferences between those who have had experiences in the use of airplanes, and as the result of experiments, investigations, and the use of airplanes there will be evolved plans for the most suitable kinds of planes for various purposes. My thought is that we should wait to hear these reports, learn the results of the war, and profit by these experiments and experiences of our own and of the allied nations as well as our adversaries. But, I repeat, my principal objection is grounded upon the condition of the Treasury and the necessity for the most rigid economy. Senators can not close their eyes to the difficulties and dangers before us. Unfortunately, authentic reports indicate industrial unrest and stagnation in business. Manufacturers are not receiving orders for their products, and as a result cut down their output and discharge a portion of their employees.

The producers of raw materials find but few purchasers, and those who do purchase obtain limited quantities. There is hesitation and uncertainty in the business world. The producers of copper find no market. The Government has hundreds of millions of pounds of wool on hand, and the domestic producer finds himself confronted with a falling market for this year's clip, which was produced upon the standard of war prices, and also with the enormous quantity which the Government has purchased and holds for sale. He also finds another menace in the fact that Great Britain acquired during the war and now has between two and three billion pounds for sale. The business conditions will greatly reduce the incomes and profits of those engaged therein, and this will have a serious effect upon the taxes for the coming fiscal year. The tax bill which will become a law within a few days, calling for $6,000,000,000, will bear oppressively upon the country. Many who made large profits during the past year expended the same in development and expanding their plants and their business enterprises. The close of the war abruptly halted their production and in many instances left them with plants partially completed, which are of comparatively little value now, or plants which, if completed, are shut down for want of contracts calling for production. The war greatly increased the expenses of the States and municipalities. As a result, the taxes in the various States and for municipal and other purposes have been greatly increased.

I have not been able to learn what the taxes were called for by the Nation and the States and other political subdivisions for the year 1918, but they go far into the billions. The taxes for the calendar year 1919 will likewise be very heavy. The revenue bill which is in conference calls for $4,000,000,000 taxes for the calendar year 1919 for the Federal Government. That amount will meet but a portion of the expenditures of the Federal Government. We will undoubtedly be compelled to issue more bonds, and for from four to six billions of dollars, to meet the expenses

of the fiscal year ending June 30, 1920. Mr. President, in view of these conditions, so imperfectly sketched, it is time, as I stated, to halt every effort made to take money from the Public Treasury. Every project calling for money should be carefully examined, every demand minutely scrutinized, and not one penny appropriated that can possibly be avoided. The departments and bureaus are submitting estimates calling for billions. These various estimates go not to one, but to various committees. These committees, generally speaking, act independently; there is no coordination between them. They do not meet jointly, and each committee is interested only in the estimates and claims presented to it. Each committee prepares its own appropriation bill, regardless of the amounts carried in appropriation bills submitted by other committees. Of course, such a plan or system is unwise, unbusinesslike, and does not result in the highest economy. Moreover, duplications inevitably result. Appropriations are made by one committee for objects and purposes which in part are provided for by some other committee and some other appropriation bill. With the well-known proclivity of bureaus to expand and aggrandize their powers, to extend their operations, it is manifest that there will be duplications of work by different departments. This situation shows the necessity of a budget system or some different plan of preparing appropriation bills.

I have discovered that the executive branches of the Government are not as careful and painstaking in preparing their estimates as they should be. There is not that consideration for the Treasury and for the public weal that should be exhibited. I have thought at times there had been a spirit of rivalry to see which could get the greatest appropriations. I think it a mistake to rely so implicitly upon the bureaus and departments for information employed in framing appropriation bills. This information comes from interested parties, too often from those who are ambitious to extend their authority or desirous of increasing the jurisdiction and power of the organization with which they are identified. This is the exhibition of a human trait of character, and I am not now speaking of it in a critical way. However, I think it is apparent to those who come in contact with the claims and demands made by the various departments, bureaus, agencies, and instrumentalities of the Government that there is, generally speaking, not that fine and nice sense of discrimination and that fine feeling for the country's welfare that should always be found in a public servant. We are now besieged in every direction by thousands and tens of thousands of employees of the Government and by all sorts of influences to increase compensation and salaries. The pressure is great to increase the offices, multiply positions, augment the power of public officials, and add to the authority of departments, bureaus, and governmental agencies. Extensive propagandas are being carried on urging governmental ownership and control of transportation companies, telephone and telegraph lines, the taking over and operation of packing plants, as well as other enterprises which have been built up through the genius and enterprise of individuals. These and many other plans are being presented and affirmative and favorable action demanded.

The question of cost is not always considered, and the theory and spirit of our Government are too often overlooked. Many people seem to forget that this is a Republic, not a paternalistic Nation, not a socialistic Government, not a Prussian Government. I have sometimes said that a mania takes possession of many individuals who enter the executive branch of the public service, and they devise ingenious and plausible schemes calculated to convert this Republic into a bureaucracy. The limitations of their organizations are ignored, they want to soar out into a larger and different world, and to engage in activities wholly beyond the purpose of the agency or department with which they are identified, and, as stated, activities which in many instances are not within the power or province of our Government, and which, if persisted in, would destroy the initiative of the people and convert them into lifeless, nerveless, devitalized organisms depending upon a socialistic or paternalistic government for life, for food, and being.

Mr. President, the Democratic Party has always claimed to be the party of economy in the administration of public affairs. It has insisted that to take one penny from the people under the guise of taxation that was not imperatively required for the public welfare, for the purpose of the Government when it was economically administered, was not only a legal but a moral wrong and a violation of the fundamental law of the land. It has charged the Republican Party with gross extravagances and with the use of public funds for purposes other than governmental. I think, in the main, it was entitled to carry the banner representing the party of economy and of honesty in the administration of public affairs. It can not afford to lower that banner or to have it seized by some other party. By its devotion to economy and good government it has earned the right to uphold that banner.

A Democratic President said that "public office is a public trust." In looking at the estimates coming from public officials, in learning of the demands that are made for appropriations from the Government, in examining the schemes and plans and programs submitted calling for Federal support, and in becoming acquainted with the record of some of the executive departments of the Government, I am led to believe that some public officials have forgotten the significance and the importance of the words just quoted; forgotten they are holding "a public trust" and should be limited by constitutional provisions.

I again ask, Where are we to obtain immense sums required to meet the appropriations for this fiscal year and for the next and for the years immediately following? The Senator having this bill in charge stated yesterday, when I propounded a similar question, "Oh, we will leave to the Committee on Ways and Means the task of providing the funds we appropriate."

It is an easy task to appropriate money, but I submit that we should not vote for an appropriation bill unless we have some clear conception of the source from which the money is to come to meet the appropriation. And even then the appropriation should not be made unless it is absolutely necessary; that it is for a public purpose; that it is within the letter and the spirit of the fundamental law of the Republic; and unless the money required can be obtained without destroying business or undermining the confidence of the people in the Government. The funds of the Treasury should be regarded as a sacred trust. They should be more zealously guarded by every public official than would his own treasures be protected. And in making appropriations the psychology of acting en masse where the responsibility rests en masse should be ignored and destroyed, and the awakened conscience of each public official should direct and guide his vote and conduct to the same extent as if he were acting alone and the entire responsibility for the protection of the fund were with him.

It has been charged that there is too much reciprocity in legislation, particularly legislation relating to appropriations, and in support of this claim so often made by writers and speakers, rivers and harbor bills and those providing for public buildings are referred to.

Mr. President, no one knows exactly the appropriations which we will be called upon to make between now and the 4th of March when this Congress adjourns, but they are so enormous as to stagger those who attempt to comprehend them. The human mind can not grasp what these billions mean; and the demands are daily increasing, and the amounts agreed upon to be appropriated constantly augmented.

The bill under consideration was increased by the Senate committee more than $44,000,000 after it left the House. It carries $400,000,000 by way of appropriations. Many nations of the world, some of them regarded as great nations with large populations, vast business interests, do not have an annual revenue of that amount.

Mr. THOMAS. Mr. President——

Mr. KING. I yield to the Senator from Colorado.

Mr. THOMAS. The Senator says that this bill has been increased $44,000,000. He surely does not overlook the proposed good roads increase of $200,000,000.

Mr. KING. I thank the Senator for inviting my attention to that. I intended to advert to that in a moment, but this is a very appropriate place to add that to the already swelling demand that this bill makes upon the Public Treasury. The bill calls for $600,000,000.

Mr. McKELLAR. Mr. President——

Mr. KING. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator says that there are many European countries whose entire appropriations do not amount to the sum mentioned in this bill. That is true; and there are many European countries that are not like America in any other respect. I am glad that America is different and greater and better than those countries.

Mr. KING. Oh, Mr. President, we get nowhere in such statements as that. I know the disposition of many Americans to be rather boastful and to claim a great superiority over all other peoples of the world. It is a habit with some of us, probably a sort of Fourth of July exotic manifestation, that clings to us from the time we leave high school until we go to the grave. We become a little vain because we are so great a Nation and have so glorious a history that we are tempted to become pharisaical, and thank God because we are bigger and better and grander than any other people in the world.

Mr. McKELLAR. Mr. President, if the Senator will permit me, it is not only a Fourth of July matter, but it is a Chateau-

Thierry matter, an Argonne matter, a successful termination of the present war matter.

Mr. KING. Mr. President, the record of the American soldiers and marines at the places mentioned by the Senator, as well as wherever they have fought in this great struggle, is one which thrills all true Americans and will be an enduring page in the history of our country. But, Mr. President, though we are justified in speaking with pride of the achievements of our great Nation and our gallant sons on land and sea, we can not afford to be ungenerous to the brave and heroic peoples with whom we have been associated. France, with a population of but about 44,000,000 of people, lost more than 1,000,000 men upon the battle fields. Great Britain's losses from death alone exceeded 1,000,000 men. Senators will recall the frightful casualties which Italy sustained; Belgium's losses in proportion to the men engaged in arms were enormous; and Russia, the land of tragedy and sorrows, lost millions in killed and wounded. A short time prior to the termination of the war Great Britain was losing from forty to fifty thousand men each month.

Mr. McKELLAR. Yet they could not win the war without us.

Mr. KING. Mr. President, I submit in all courtesy and gentleness that my friend is indulging in another Americanism.

Mr. McKELLAR. Maybe so; I am delighted to have that kind.

Mr. KING. I do not desire to indulge in any comparisons as to the value of the services rendered in this great war by the United States and her allies. Many persons will agree with the Senator that if the United States had not entered the war the central powers would have triumphed. That position is stoutly denied by many others who have given close attention to the military problems and to the strategy of the war. Some say that we could not have won the war if it had not been for England's ships. Others state that the war would have been lost to the central powers if it had not been for the heroic and invincible courage of the Belgians when the Prussian hordes invaded her consecrated soil in August, 1914. Still others contend that the intrepid and the glorious conduct of the French during all the dark hours from the invasion of her territory until Gen. Foch signed the armistice was the most important factor in accomplishing the defeat of the central powers. There are those who say that the sacrifices, deep and terrible sacrifices—sacrifices not yet fully known to the world—made by the poor Russian peasant was one of the controlling factors in determining the conflict. There are many who speak of bleeding and sorrowing Italy. We have not yet learned all that she did to aid in winning the war. The Italians suffered from privations that we can not comprehend, and in the face of obstacles that seem humanly impossible to surmount they built up a great army and valorously contended against tremendous odds upon many bloody battle fields. Nor can Serbia be forgotten when we attempt to assess the various elements and factors entering into the triumphant conclusion of the war. Her people have passed through a Gethsemane.

No page of history will show greater heroism and more uncomplaining sacrifices than that devoted to Serbia's contribution to this world conflict; and Great Britain and her dominions gave so much to this contest that future ages can not detract from their glory. All Americans are proud to bear tribute to the valor, courage, and devotion of the nations with which our Nation was associated in this great struggle for freedom and civilization. A distinguished Senator said upon the floor this morning that we won the war and that England and France were now engaged in a game of "grab" regarding the colonies formerly possessed by Germany. That is not exactly his language, but it represents the idea which he expressed.

Mr. WEEKS. Mr. President——

Mr. KING. Mr. President, from the little island of England the premier of Great Britain has indicated more than once that Great Britain does not seek one rood of territory as the result of this great contest. He intimated, however, that at least some of her dominions—Canada and Australia and New Zealand—might make claim with respect to territory that had been taken from Germany. I yield to the Senator from Massachusetts.

Mr. WEEKS. I assume the Senator wishes to state the figures accurately and does not wish to depreciate the contention he is making. As a matter of fact, Great Britain was having about twice the number of casualties which the Senator referred to in the statement he just made.

Mr. KING. The Senator is correct. I had in mind when I spoke an earlier period in the war. As I now remember Great Britain's casualties for a considerable period prior to the signing of the armistice were so heavy that if continued for a year at the same rate they would have amounted to perhaps a million and a half.

Mr. SMOOT. They were over 36,000 a week at the time the war closed.

Mr. KING. I have been diverted from the bill which I was discussing, but in view of what was said by the Senator from Tennessee and the other Senator to whom I just referred I desire to refer for a moment to the attitude of France and England as I understand their position concerning the German colonies. England, as I understand the facts, has disclaimed any desire to take over any of the German colonies. Indeed, she requested that the United States accept the trusteeship for some of Germany's lost colonies. However, Australia and Great Britain's South African dominions desired that some of these colonies should pass to them. I am sure that France has indicated no desire to "grab" territory. She doubtless feels entitled to some territory in South Africa formerly held by Germany. I might say in passing that I do not think the United States could be accused of grabbing territory because at the conclusion of its contest with Spain the Philippine Islands and Porto Rico were acquired by it.

It must not be forgotten that France has suffered far more than many comprehend as a result of the war. She is now so weakened in man power that she will have difficulty in building up her industries and carrying on the ordinary pursuits which engaged her people. France is a small country, and possesses limited resources. She is burdened with a debt of more than $30,000,000,000. Her lands have been devastated, cities and towns have been destroyed; rich manufacturing centers have been plundered and most of her people have been left homeless. While at peace, and desiring peace, she was struck by a powerful enemy, and for four years held back the invading forces, not knowing with each passing day what the night or the coming morn would witness. We were 3,000 miles away from that carnage and devastation. When Germany made war upon us our Nation was finally compelled to enter the conflict. We sent our gallant soldiers to do their duty with the English and the French, the Belgians and the Italians, and the brave nations allied with us in humanity's cause; and the American soldier and sailor upheld the traditions of the past and brought unfading glory to themselves and honor to our Nation. Of course, Mr. President, no one will gainsay the greatness of this Republic. While I have just said in a kindly critical way that sometimes we are given a little to vanity in speaking of our Nation, still I rejoice in the fact that this Government is the greatest and the freest that the world has ever seen. From a little fringe upon the Atlantic coast this Republic has developed until it is the colossus of the world. She has become great because of the sturdy manhood, and virtue and courage of the men and the women of our land.

The foundations of a free Republic were deeply laid in the soil of this New World, and upon that foundation has been erected an enduring Government, under which the American people have enjoyed liberty and become great in material wealth and rich in spiritual achievements, great ideals, and noble aspirations. And so to-day we rejoice with the nations with whom we have participated in the struggle against the gross materialism and the military autocracy of the central empires in the victory which crowned the joint efforts of all. We are proud to have been associated with the peoples of all these nations. We pay our tribute of praise and homage for their valor and courage and the steadfast devotion which animated them during all the dark hours through which they passed. We would not detract one iota from the honor and glory to which each and all of our allies are entitled, and in all the ages yet to come this Republic will be acclaimed for its contribution to the success of the cause of liberty and justice. A peaceful, democratic Nation within a few months became transformed into a powerful fighting Nation. Its people were stirred to the depths by a patriotic fervor that led them to gladly and cheerfully make every sacrifice which was involved. Within a few months more than 2,000,000 men crossed the sea, and hundreds of thousands of American soldiers, as brave as the world has ever seen, stood in battle array against the formidable military forces of the enemy. Along the entire battle front, from the British Channel to Switzerland, Americans fought and died. Their blood mingles with the blood of England, and France, and Belgium, and Italy, and other allied nations, and by these sacrifices and upon the graves of these undying heroes will be erected a temple of amity and friendship, peace and fraternity, within which the peoples from all lands may reverently enter and from which they all emerge purified from selfishness and consecrated anew to the cause of liberty and justice throughout the world.

Mr. President, I was discussing, when diverted by the questions of Senators, the question of appropriations, and inquiring where the vast sum was coming from to meet the heavy exactions that are being made upon the Government. I called attention to the precarious situation of business, the heavy taxes

imposed by the Federal Government, the States, and the municipalities. There is a limit to the power of the Government to meet obligations. The Government has only two sources from which to obtain money to meet its expenditures. It may tax or it may borrow. It may not be inappropriate at this time to call attention to the attitude of so many people in our country today. From the petitions forwarded to Congress and the demands made, it is apparent that the belief exists upon the part of some that appropriations by the Federal Government in behalf of and to aid States or limited or sectional areas will not be a burden upon the people of such State or district. They seem to forget that ultimately every dollar taken from the Treasury of the United States must come from the people, not from the people of one State alone but from all classes in all sections of the country. If money is appropriated for roads, it must be taken by taxation from the people of all the States and placed in the Treasury of the United States. It is no advantage to the people in the long run to receive appropriations for roads or bridges or purely local and domestic affairs, because they will be called upon to pay for the same. It is an unwise policy to appropriate money for purely domestic and local matters, matters that the States under our form of government should control. Of course, the policy is vicious and in contravention of our form of government. Moreover, it involves the creation of additional Federal machinery; more bureaus and agencies are created, more Federal employees result, and additional expenses for administration are incurred.

It seems so foolish to take money from the people and transfer it to the Federal Treasury and then by means of appropriation bills filter it back through a thousand bureaus, agencies, instrumentalities, and employees into the States from which it came. The waste resulting from such a policy is enormous and the additional costs are difficult to estimate. Certainly from 10 to 50 per cent of the amount collected is wasted and lost. If the people themselves collected the money and expended it where their own agents and servants could be watched and controlled, the results would be very much better. The evils of the Federal policy are observable in the handling of many matters by the United States which should be handled by the States. It is a long way from Washington to the various parts of the Union. The multiplication of governmental agencies and the enormous increase in the number of employees result from the policy which so many of the people foolishly clamor for, namely, governmental control, agencies, business concerns, activities, and matters purely local and domestic in character, and in many instances solely individual in nature and extent.

Mr. McKELLAR. Will the Senator yield?

Mr. KING. I yield.

Mr. McKELLAR. The Senator referred to the fact that I had taken him severely to task for his position on this matter last year. I hope the Senator does not feel that I have taken him severely to task about anything. In a general way I agree with what the Senator says about appropriations. I think we ought to be exceedingly careful. The Senator knows my view and my vote on such matters of extravagance.

Mr. KING. The Senator is going to vote for this appropriation, is he not?

Mr. McKELLAR. Yes; and assuming that the Senator is entirely correct and was correct last year, if the Senator's amendment to strike out this item last year had prevailed, according to the actual figures the Senator would have saved $15,000 for the Government, because we lost $15,000 by this experimental service.

If we lose in the same proportion for this year, we will lose $45,000, assuming that it is still an experimental service. The fact shows that it is almost out of the realm of experimentation, because it has practically paid for itself. The gentleman who has it in charge believes that when a route is established from Boston to New York and from New York to Chicago it will actually pay for itself. Surely on the facts that have been stated we can reasonably assume that it will pay for itself. So assuming that everything the Senator says on economy is correct, we are wasting time fooling with a loss that can amount to but a few thousand dollars. Let us get at the appropriations that go into millions, matters of contracts involving billions of dollars, where we can save the Government, and do not let us be bothering about small matters when there are large matters that ought to have our attention.

Mr. KING. Mr. President, I was taught when a boy that the little things made the big things, and if you watch the little leaks there need be no concern about the big leaks.

The Senator says approximately $15,000 only was lost in conducting the air service mail experiment for 1918.

Mr. McKELLAR. Less.

Mr. KING. The Senator says less than $15,000. I do not accept his figures. I think the statement of the Senator——

Mr. McKELLAR. I take the statement of the department.

Mr. KING. I think the statement of the Senator is a verbal inexactitude resting upon erroneous conclusions, if not erroneous statements, made by a branch of a department which is anxious to build up more machinery and extend its power and influence in the land.

I notice in the report which was submitted that only 33⅓ per cent were allowed for depreciation in property. It is claimed by many familiar with aeroplanes that they have served their day when they have been in the air approximately 140 hours. They are delicate instrumentalities. They have to be handled with the greatest care, and they last, like the shadows of the morning, but for a fleeting moment. Where in this report is there a proper debit charge that should be made for the loss of aeroplanes?

From my information concerning the use of planes in France I am led to state that the machines used by the Post Office Department in carrying mails are not of much value now; indeed, if they have been operated for more than 140 hours—that is, have been in the air for that period—they have ceased to be of much value.

[At this point Mr. KING yielded the floor for the day.]

Saturday, February 1, 1919.

Mr. KING. Mr. President, I have learned since I have been here two lessons more or less important—one is that a committee rather resents opposition to an appropriation bill reported by it, and the impatience is exhibited if there should be criticism of any of the items carried in the bill. Is it possible that the theory must prevail that it is the duty of Senators to take the bill, good or bad, without criticism, without analysis, and without understanding of its terms?

Another thing that I am learning is that there is not very much of an aisle of separation between the Democrats and the Republicans when an appropriation bill is before the Senate for consideration. Such a bill seems to be a golden bridge that united both sides of the Chamber and over which Senators from both sides freely pass in their beautiful fraternization.

Mr. President, I was calling attention yesterday at the hour of adjournment to the expenditures that were being made, colossal and stupendous in amount, and I propounded a query as to the source from which the revenue was to be obtained in order to meet the growing expenditures. My colleague (Mr. SMOOT) stated this morning that the expenditures for the fiscal year 1920 would be at least $10,000,000,000. In my opinion they will reach and perhaps will exceed that amount. I have before me some estimates for required appropriations for the year 1920. They are very incomplete, and yet they total more than $8,000,000,000. They do not include the $750,000,000 required by the Railroad Administration for the operation of the railroads for that year; nor do they include the two hundred and eighty odd million dollars required by the Navy Department over the original estimates submitted by it. There is still another large item, demanded for the purpose of caring for the wheat crop of the current year. No one knows, Mr. President, what that amount will be. I understand the Agricultural Department asks for $1,000,000,000 for that purpose.

Mr. SMOOT. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. LENROOT in the chair). Does the Senator from Utah yield to his colleague?

Mr. KING. I yield to my colleague.

Mr. SMOOT. Those estimates do not include any judgments that may be entered against the Government for unfulfilled contracts with the Government, nor do they include the amount of goods which it will ultimately develop the Government must purchase because of the fact that contracts covering them could not be canceled.

Mr. KING. Mr. President, I have that included in my item as contingent liabilities, the most of which will probably have to be met. As to what those contingent liabilities are, no one can determine. I think it may be safely said that the contingent liabilities of the Government growing out of contracts and claims for damages—many of them legal, and most of them perhaps equitable—will aggregate from two to three billions of dollars.

Mr. VARDAMAN. Mr. President, if the Senator will pardon me——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. KING. I yield.

Mr. VARDAMAN. May I call the attention of the honorable Senator to another item that should be included in his estimate of the possible expenditures of the Government? It is this: If the Bolshevists and the dissatisfied people of Europe should get hungry again after eating the $100,000,000 worth of food which this Government of the United States has recently

donated to them as a reward for letting us have peace, in order to get a little more food they may raise a revolution, demand another hundred millions or a billion dollars; and if it should be asked for as a peace measure, the probabilities are that it will be voted by the Congress. That matter should not be overlooked in making an estimate of the liabilities of the Government.

Mr. KING. Of course that, as well as many other items that may be conceived of by Senators, is not included in the estimates which I am giving. I am inclined to think that the obligations that will have to be met by the Government during the fiscal year 1920 will be considerably in excess of $10,000,000,000. In times of peace, with such stupendous liabilities as that, it seems to me that Senators should hesitate now with respect to appropriations which are made, and should guard the Treasury with greater care and caution than ever before.

It has been estimated that when we were in prosperous conditions the aggregate earnings of all the people were between thirty-five and forty-five billions of dollars, and that the amount saved and available for investment was only five billions of dollars. Based upon these figures it is obvious that the fiscal year 1920 will not realize five billions of dollars (unless there should be an unexpected business revival) which will be available for investment. From that amount the additional taxes caused by the war would be deducted; therefore, if we assume the same financial and industrial conditions as existed before the war, which yielded five billions of dollars per annum for investment and for savings, there will be considerably less than that amount because of increased taxation. But even if there were five billion dollars available for investment, that amount would be insufficient for the next few years to meet the obligations of the Government. A considerable portion of this sum unquestionably will be invested by the owners and holders of the same in business and in private undertakings. A portion only, therefore, will be available for the purchase of Government securities. The amounts so available will be insufficient, plus the amount derived by taxation, to discharge the obligations of the Government for the next year or two. It means, therefore, national insolvency, unless the most heroic steps are taken to cut down the expenses of the Government.

In view of these conditions, I do not quite comprehend the attitude of so many upon whom responsibility rests; they look complacently upon the situation and give support to appropriations of the most varied kind, and in amounts so great as to be appalling. I do not intend to be critical or to be an alarmist, but I do confess to a feeling of disquietude when I behold the almost reckless manner in which the moneys of the Government are being appropriated and expended. During what might be called the rush period of war there is greater excuse for extravagance, but when the war is over, and there is full opportunity to investigate every appropriation and ascertain the channel into which it goes, improvident appropriations can not be excused.

A friend of mine rebuked me for criticizing legislation, because he stated I was criticizing my own party. Mr. President, by some in my State I have been regarded as partisan. I have denounced the Republican Party because of legislation which I regarded as hurtful to the Republic. I have criticized that party because of its extravagance and have declared that its policies made for a strong central government, which in the end would be destructive of the spirit of democracy, which this Republic was organized to perpetuate and to preserve; but I would as quickly, and I hope with as much severity, condemn extravagance in my own party. There are few occasions in the National Legislature where questions that are strictly partisan arise. I have tried to follow what I conceived to be the proper and just course and treat questions affecting the welfare of my country not as a partisan but as a lover and defender of the Republic and the institutions of our country. I believe that in the consideration of questions and problems affecting the welfare of our Nation all should approach their discussion imbued with the highest spirit of patriotism and permeated by a sincere desire to serve the public weal.

Mr. President, I will detain the Senate but a moment longer, and shall briefly refer to the item in the bill which was under discussion yesterday and which is receiving attention now. The amendment offered by the Senator from Indiana [Mr. NEW] improves the bill and should be adopted, although I am frank to confess that in my opinion it would be wiser to make no appropriation for aerial mail service at this time. The contention is made that the Post Office Department can continue experiments with a view to determining the feasibility of employing airplanes for mail service. In my opinion that department is not equipped in such manner as to enable it to conduct experiments in a satisfactory way. It has nothing to do with the subject of aeronautics. It does not have the necessary buildings, shops, and establishments for the purpose of repairing and handling aircraft. Moreover, it does not have in its employ mechanicians and those who have had experience in the use of airplanes. If Congress acted prudently and wisely in the matter, a commission would be appointed consisting of persons who have had experience in the manufacture and use of aircraft. The war has developed men of experience—those who have made extensive use of aircraft, and their judgment with respect to the subject would be of great value. It seems to me to be an unwise, not to say foolish, thing to have the Post Office Department undertake experiments along these lines, particularly in view of the fact that there are two departments of the Government, namely, the War and Navy Departments, that have for a number of years given a great deal of attention to this important subject and whose information perhaps is greater than that of any other branch of the public service.

The War Department, particularly, has many in its service who are well equipped to handle machines, not only to perform the mechanical work in connection with their construction and repair, but who by reason of experience, are competent to perform the duties of aviators. If the determination is to spend this or any other amount for aerial mail service for the coming year it would be the proper and sensible thing to have the Post Office Department collaborate with that branch of the War Department that has control of the subject of aeronautics. In hastily reading the testimony of the Second Assistant Postmaster General, I noticed that he asked for the appropriation of two and a half millions of dollars for the coming year, and, as I recall, this would provide for 3,000 mechanicians. His plan contemplated but a very limited aerial mail service. If this service was Nation-wide, or of any general extent, upon the basis estimated by the official referred to, many millions of dollars would be required and many thousands of employees needed. Let me add in passing that from the information which we have received concerning the use of machines in France a large number of persons are required to keep each machine in repair. I do not remember the number per machine. The Senator from Indiana [Mr. NEW], who has given considerable attention to the subject, doubtless can fully advise us in regard to that matter. However, the point I am insisting upon is that the Post Office Department does not have sufficient information to enable it to undertake experiments along the line of aerial mail service, and moreover, it is not the proper department to which should be committed the important duty of experimentation. The War and Navy Departments have spent hundreds of millions of dollars in developing aircraft and we should await the results of their investigations and work, before determining whether to adopt airplanes as instrumentalities for the transmission of mail.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. Would the Senator recommend that we take this matter out of the hands of the Post Office Department, with the experiment we have already had, where there was a loss of only $15,000, and put it in the hands of the War Department, with that department's record in airplane service? The Senator is familiar with the record of the War Department on that subject—the fact that it has expended $640,000,000 and that an investigation had to be made about it. Does the Senator want to turn this matter over to the War Department?

Mr. KING. In the first place, Mr. President, I disagree with my distinguished friend from Tennessee as to the department's expenses during the experimental period thus far passed over. I find that they have spent for machines alone more than $118,000.

Mr. McKELLAR. And they have those machines in operation to-day. They own them.

Mr. KING. In the report submitted by Mr. Praeger he states that the expenses were $75,000 and that the receipts were $60,000.

Mr. NEW. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Indiana?

Mr. KING. I yield.

Mr. NEW. If the Senator will permit me just a moment, I will say, in response to what the Senator from Tennessee has just said, that while it is true that an immense amount of money was wasted by the War Department, at the end of it all the War Department has at least something—not enough; even to-day it is not well equipped; but it at least has something. The Post Office Department has absolutely nothing; and while the War Department may be in some degree fitted to supply

machines and to go ahead with these experiments, I do not think the Post Office Department has the first single qualification for it.

Mr. McKELLAR. Mr. President——

Mr. KING. I yield to the Senator from Tennessee.

Mr. McKELLAR. In reply to the Senator from Indiana I will say that the record was that out of the $640,000,000 the War Department had practically no machines to show for it, and that it took another appropriation of probably as much money or more before we got any machines that amounted to anything; whereas the Post Office Department started out with six machines, and they are running those six machines to-day.

Mr. NEW. Yes; but, if the Senator will pardon me just a moment more, I think I am fairly familiar with the record of the War Department's experiments and expenditures.

Mr. McKELLAR. Is the Senator satisfied with it?

Mr. NEW. Not by any manner of means; and I would be no better satisfied at the end of this proposed Post Office experiment than I am with what the War Department has done, either. I am fairly familiar with what was done by the War Department, for I was a member of the subcommittee of the Senate Committee on Military Affairs that went through with that investigation, and one of those who signed the report to the Senate; and I know that an immense amount of money was absolutely wasted. I think the money that is going to be given to the Post Office Department under this proposed appropriation will simply be added to what was sunk by the War Department, and I think money appropriated in this haphazard way for that purpose will all be wasted.

I believe that we should have one centralized department of the Government for the management and conduct of our whole airplane program. Great Britain has it; other foreign nations have it; and they have come to it as the result of experience, much longer experience than ours. This piecemeal investment of half a million dollars here and half a million dollars there is going to result in nothing but the waste of that much money.

For that reason I am opposed to this provision, and I therefore offered yesterday the amendment which is before the Senate.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah further yield to the Senator from Tennessee?

Mr. KING. I yield.

Mr. McKELLAR. With the consent of the Senator, I desire to ask the Senator from Indiana a question. Would the Senator be willing to do away with all of the airplane service, all appropriations of all kinds for the maintenance of such airplane service as we have, until he gets his department of aeronautics?

Mr. NEW. Will the Senator state that question again?

Mr. McKELLAR. Would the Senator be willing just to stop all airplane service and experimentation until he gets his department of aeronautics? The Senator does not really expect to have that enacted into law at this session, does he?

Mr. NEW. Well, yes, Mr. President; I do.

Mr. McKELLAR. I did not understand that to be so. That answers my question.

Mr. NEW. Yes; I do. I am decidedly hopeful that it may be enacted into law at this session. I do not think we have any well-established airplane service in the Post Office Department, if that is what the Senator refers to; and this appropriation certainly has no application whatever to anything that is being done in aeronautics by the War Department or the Navy Department. This applies to what is being done in the Post Office Department; and in proposing this amendment I am certainly not cutting down the amount to be expended by other departments. I am not doing anything that interferes in the slightest degree with what is being done by some of the other departments. I am glad to state, however, that I would be very glad to cut down their appropriations, too, if asked for in the same way, because I do not believe that they are going to get anywhere with them.

Mr. McKELLAR. The Senator has answered my question. I did not know that the Senator expected to get his department of aeronautics bill through at this session. However, if the Senator does not get it through at this session, manifestly this appropriation ought to be made.

Mr. NEW. I suggested in the remarks I made on this subject that at another time and at a more fitting place I would offer a means for the adoption of that plan. So I shall.

Mr. KING. Mr. President, the Senator from Tennessee is in error in stating that the Post Office Department have utilized but six planes. As I read the testimony—and I have perused it very recently—it originally acquired 10 and subsequently obtained 4 from the War Department.

Mr. McKELLAR. Mr. President, if the Senator will permit me, in answer to that and another statement that was made by the Senator on yesterday, I have a memorandum here which I should be delighted to read as this time:

Depreciation on aeroplanes in the mail service is arbitrarily reckoned at 33⅓ per cent. This is based on the experience with planes in the possession of exhibition fliers that after three years are still in serviceable condition and on the long life under conditions of field storage and transportation and care of certain Army planes used during Pershing's campaign in Mexico.

There is no justification for the statement that the life of an aeroplane will average only 140 hours in commercial work. In the aerial mail service six planes have been in operation between 100 and 190 hours in the air. One of these six planes is being now taken down in all its parts for a thorough overhauling. Others of this lot are still operating as effectively as the day they came out of the shops. This relates especially to the type known as Curtis JN4H. The mileage made by these machines will run from 8,000 to better than 13,000 miles. As far as anyone can see, with the care that these planes receive daily, it is just as fair to assume that they will be in service at the end of four years as at the end of three.

The Post Office Department has information from the assistant flight officer of the Department of Military Aeronautics that the life of an aeroplane is 500 hours, having 50 per cent or under repairs and from 250 to 500 hours for machines having over 50 per cent repairs.

A detailed statement for record will be furnished if necessary.

Mr. KING. Mr. President, I do not profess to be an expert on airplanes, but from the many inquiries that I have made my information is that the life of a plane used upon the front during the progress of the war has been approximately 140 hours, and in order to render service for that length of time it was constantly overhauled and repaired. Indeed, whenever a flight was made, no matter of what duration, a number of competent and skillful mechanicians overhauled the plane before it was permitted to go into the air again. That was deemed necessary, in order to preserve the life of those who were engaged in a work regarded as hazardous and dangerous.

The Senator has read a statement. I have no doubt that it was prepared by the Second Assistant Postmaster General, or somebody who is desirous of securing this appropriation. Proponents of a measure usually find arguments, whether founded upon facts or in fiction, in support of their efforts to take money from the Treasury of the United States. I do not believe that the history of the war warrants the statement which has just been read by my distinguished friend. And when Mr. Praeger attempted to convey the idea that there had been only a $15,000 loss in the experiments conducted, the statement was misleading. There has been expended approximately $120,000 for machines; and I submit that the majority of those machines are now valueless, or comparatively so; and there has been expended in addition, for mere operation, $75,000.

I do not know what part of the $60,000 which it is alleged was received from receipts came from mail matter that would have been carried by train between the points mentioned, and what part came by reason of this appropriation for aerial service. Hastily glancing over the testimony, I reached the conclusion that they carried a part of their mail as ballast, and they took mail that would have been carried and was intended to be carried by train by the sender and put that into the airplanes, in order to make some sort of a showing that the public were availing themselves of the airplanes for mail service. Not knowing what part of the $60,000 alleged to have been received from mail carried by airplanes came from the unusual postal charge and what portion came from mail matter that should have been carried by trains, we are utterly at sea in determining the amount that actually would have been received and is properly chargeable as a credit to this service.

Mr. President, the experiment conducted by the Post Office Department has shown, at least under its operations up to the present time, the futility of aerial mail service until we get some better guide and some more experienced and more competent men for the operation of the planes. The plan suggested by the Senator from Indiana [Mr. NEW] is a sensible and rational one. That is one mistake which we make in the Government—the mistake of duplication; one department or bureau reaches out and covers the field in which another department or bureau is operating. There are parallel lines and a duplication of effort in many of the branches of the Government. If we want a proper aerial service, there should be a coordination of the agencies that are engaged in the utilization of airplanes. I suggested the War Department a moment ago as having had great experience, and suggested that the experts in that department and those who have been engaged for years in studying this problem could evolve a plan and suggest it to Congress that would make the use of airplanes practicable for mail service and, perhaps, other governmental functions.

It seems to me, Mr. President, that the amendment of the Senator from Indiana ought to be adopted; but we ought to go further and strike out the entire appropriation now. During the next year those who have been studying this question will have opportunities to compare notes and determine the virtues and successes of the airplane, its weaknesses and its imperfec-

tions. Then, when the next appropriation bill is before us, we will be enabled to determine the wisest course to pursue.

Mr. TOWNSEND. Mr. President, I recognize, of course, the force of the argument made against expending money for any new purpose at this time, but I have become impressed with the fact that the airplane is to be made a great instrument of modern use, and, like all new improvements, it will have to come through experiments. The proposition now is to use the airplane for carrying the mails, not that it is hoped that during the life of this appropriation the result financially will warrant the expenditure, but this is a proposition which looks to the future for its fulfillment, and we would be very unwise, indeed, if we failed to take advantage of the situation as it presents itself to us now.

The fact is that Congress last year made an appropriation to conduct an experiment. That experiment has not been entirely satisfactory, and yet I am inclined to believe it has been worth the investment. It has taught us something that could be learned only through experience. The department has great faith in this project and wants a larger amount of money than the committee saw fit to give. We felt the experiment had not been given a fair trial under conditions which would demonstrate whether it could be used as a practical thing in commerce and in governmental operations hereafter. The experiment has been conducted between the city of Washington and the city of New York. It was started in the midst of the war, when nearly all of the activities of the Government were directed toward war, and now it is proposed to establish an experimental line between sections of the country which will demonstrate the possibilities of this facility in the business interests of the country.

The propositions before the country were to establish three lines that were particularly marked out, one from Albany through the various intervening cities to Detroit, another from New York to Omaha through Chicago, and another from Boston down to Norfolk or possibly to Atlanta. Your committee thought it best to provide for one experimental line at this time. Under no circumstances can it be a total financial loss, and the probabilities are that the insufficient test which was given it during the last year will make those in charge of it better able to operate it successfully in the future than they would be had it not been for the experience of the last year.

Furthermore, it is proposed to use the machines already owned by the Government and also to take advantage of the various experts who have been trained in this war emergency in aeronautics. There is no thought that any other course will be followed. These machines are now in the possession of the Government, and many of them can not be put to any present use nor is there a prospective use for them. It is thought that some of these machines can be altered so as to meet the needs of the mail service with not too great expense, and thus fit them for that service.

I repeat that the aeronauts already in the employ of the Government connected with the War Department will undoubtedly be assigned to operate these machines.

Another thing, Mr. President, that has been clearly demonstrated is that a machine well fitted for fighting purposes in the war is not the best machine possible to use in this mail-carrying service, which is typical of the general civil use to which airplanes may be put in the future. These machines can be altered, it has been stated, at an expense of possibly $5,000 to $10,000 per machine, so as to meet the conditions which have been demonstrated as necessary in the flying mail service. I am no more in favor of going into wild experiments at this time than is any other Senator, but where benefits have been clearly shown, where it is evident to every thoughtful man that these airplanes must be developed for use in civil life, and where the only present means for that development is this mail service, it would be unwise for Congress to neglect the opportunity. We have a practical organization for that purpose now. Some of the landing grounds are already obtained, aeronauts and mechanicians are at the Government's command, and it is thought that $850,000 will establish one complete line and make a demonstration which will satisfy the Government, or the Congress, at the next session, possibly, or within the year, as to the feasibility of continuing the experiment. Whether the airplane shall be used for carrying the mail or whether this experiment shall demonstrate the undeveloped yet altogether probable uses of the airplane in the future I do not care. I simply say we can not drop airplane development now. The airplane service or the development of the airplane for business purposes is one of the greatly possible things which we must recognize, and I repeat that the only present experiment that is possible or that presents itself is in connection with the Postal Service, where already it is in use.

Therefore, Mr. President, I was satisfied to vote for this limited appropriation—unwilling to vote for the larger one to establish three or four long lines, because of the uncertainty of it—and I think it is the least thing that Congress can do in reference to this great facility. The United States must not trail in this development; it must take the lead, and now is the time.

Mr. McKELLAR. Mr. President, I want to indorse all that the junior Senator from Michigan [Mr. TOWNSEND] has so well said. It is a plain common-sense proposition. Last year when this item of appropriation was under consideration it will be recalled that the distinguished Senator from Utah [Mr. KING] took then the same position about the appropriation that he takes now. Since that time, it seems to me, the experiment we have already had is sufficient to show the error of the position of the Senator from Utah. It is no longer an experimentation. A line then was established from Washington to New York, not so much because the business between Washington and New York was great enough to make it a paying proposition—that could not have been, because Washington is not a commercial city—but the iden was to give greater publicity to it, so that legislators could see what was being done with it.

The Post Office Department took that appropriation. I think the service has only been in operation about six months; and they come back with figures showing that in that time the expenses of the plan or operating arrangements of the line have been $75,000 and that the receipts from stamps on the mail carried amount to $60,000. So there has been an actual loss of about $15,000. I say that means not an experiment; or if an experiment, a successful experiment; and that there is no longer any doubt but that rapid airplane service will be the thing of the future. It will in a measure take the place of the telegraph and telephone doing the same thing. I believe if a line was established between New York and Chicago it would pay and pay well. When a line is extended to Boston, or a great commercial city of that kind, it is going to pay, and I make the prediction right now that in one year when we discuss this again and when my good friend from Utah makes a speech against it again he will find that it has been a good business proposition.

Who in this country wants to stop the use of airplanes in mail service? Is there a Senator here who will want to stop it? Practically no one in this country would want to stop it. It is a progressive thing; we know it is coming in the future; we know it is going to be utilized more and more all the time. We are proud of the line that goes from here to New York. We are proud of its success. It has done splendidly. It shows that it is no longer an experiment, and we ought not to stop it, but we ought to increase it sufficiently to make it pay. It is purely a business proposition. All we have to do is to add to the line other commercial cities, and the result will be that it will be a paying proposition and bring the Government in just as much as the Government has to pay out.

There is another thing connected with this matter. The Government has a large number of airplanes on hand. If they are not used for some purpose they will decay and be lost entirely. They are already built. They can not all be used in the Navy or in the Army. What are you going to do with them? Are you just going to let them lie up and decay without doing any good to anyone?

The amendment provides that the appropriation here shall be used in buying those machines and using them on these mail routes. Is not that the sensible thing to do? Is it not the business thing to do? Why should there be a doubt in the mind of anyone about it? The money will be turned over to the department that now owns them. In other words, the Government will be dealing with itself in buying these planes.

Another statement is made to the effect that we have invested a good deal of money in these machines already. So we have; and I was delighted to see the report of Mr. Praeger, which I read a few moments ago, in which he says that practically all the machines that we started out with are still on hand and that only one of them will have to be renovated. I think it is just about to be renovated now.

I say the Post Office Department has made a splendid showing, and we ought to increase this service and defeat the amendment of the Senator from Indiana, which would curtail it.

Mr. BANKHEAD. Mr. President, if I were to speak an hour I could add nothing to the statement of the Senator from Michigan [Mr. TOWNSEND]. I simply want to remind the Senate that only 27 legislative days remain of this session, and up to the present time not a single appropriation bill has been passed, and a number of other very pressing measures are before the Senate. We have consumed practically two days in the discussion of this item. I wish to express the hope that the

Senate will permit us to vote on the pending amendment that has been under discussion.

That is all I have to say.

Mr. KIRBY. Mr. President, I think that the appropriation should be left at $300,000, as was provided by the House. Under the conditions existing in this country now it behooves Congress to find out whether there be a necessity for a thing in the first instance, it seems to me, before provision is made for it or a continuation or expansion of it.

What is the necessity for sending letters or mail by aeroplane? We have the fast trains of the country that carry mail at a speed of 60 miles an hour. You can send a letter all over the country in a day or two days. If you are in a bigger hurry than that, you can telegraph and get an answer to your telegram in an hour from anywhere; and if you get in so great a hurry that you can not put up with that and there is a necessity for faster communication, you can call a man on the telephone clear across the United States and talk to him immediately.

Why should we waste $500,000 additional in experimentation? Three hundred thousand dollars, it seems to me, would be ample. Of course, half a million dollars is nothing as compared with the expenditures of the Government heretofore, but we have got to come sometime to a point where we shall have some regard for business principles in the Government's administration of affairs. We had just as well commence here and now. The mail service on trains is fast; the dissemination of intelligence by telegraph is faster; and you can talk straight over the telephone. All three of these methods are in use and are perfected and effective. It seems to me that certainly this appropriation ought not to go higher than $300,000.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Indiana [Mr. NEW] to the amendment of the committee.

Mr. CURTIS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Moses	Spencer
Calder	Kellogg	Nelson	Sterling
Chamberlain	Kenyon	New	Sutherland
Colt	King	Overman	Swanson
Curtis	Kirby	Page	Thomas
Gay	Knox	Pittman	Thompson
Hale	La Follette	Reed	Townsend
Hardwick	Lenroot	Shafroth	Trammell
Henderson	Lewis	Sheppard	Vardaman
Hitchcock	McKellar	Sherman	Wadsworth
Hollis	McNary	Smith, Ariz.	Weeks
Johnson, Cal.	Martin, Ky.	Smith, S. C.	

The PRESIDING OFFICER. Forty-seven Senators have answered to their names. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. SAULSBURY answered to his name when called.

Mr. SMITH of Georgia, Mr. CULBERSON, and Mr. ASHURST entered the Chamber and answered to their names.

The VICE PRESIDENT. Fifty Senators have answered to the roll call. There is a quorum present. The question is on the amendment of the Senator from Indiana [Mr. NEW] to the amendment of the committee.

On a division, the amendment to the amendment was rejected.

The VICE PRESIDENT. The question is on the committee amendment.

On a division, the amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over will be stated.

The SECRETARY. On page 28, after line 10, the committee reports to strike out lines 11 to 17, in the following words:

For experimental motor-vehicle truck service in such localities of the United States as the Postmaster General may select, the establishment and extension of such service, the purchase, manufacture, exchange, and repair of equipment, supervision and maintenance, and expenses incidental to conveyance and marketing of produce and commodities, $1,000,000.

And to insert:

That to promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer and the delivery to producers of articles necessary in the production of such food products, the Postmaster General is hereby authorized to conduct experiments in the operation of motor-vehicle truck routes, to be selected by him. The Postmaster General is further authorized to conduct experiments in the operation of country motor express routes, which shall be primarily operated as a means of expediting the transportation of fourth-class mail between producing and consuming localities and shall not displace or supplant any existing methods of mail transportation or delivery. These two classes of experiments shall be conducted under such rules and regulations, including modifications in rates of postage and in packing and wrapping requirements, as the Postmaster General may prescribe, and to defray the cost thereof the sum of $300,000 is hereby appropriated:

Provided, That mail other than that of the fourth class shall not be dispatched on experimental motor-vehicle truck routes or on experimental country motor express routes unless the same can be expedited thereby in delivery at destination:

Provided further, That separate accounts shall be kept of the amount of all the mail of all classes carried on such routes. The Postmaster General shall report to Congress the result of such experiments at the beginning of the next regular session.

Mr. HALE. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	Moses	Sterling
Chamberlain	Kellogg	Nelson	Sutherland
Curtis	Kenyon	New	Swanson
Gay	King	Overman	Thomas
Hale	Knox	Page	Thompson
Hardwick	La Follette	Pollock	Underwood
Henderson	Lenroot	Sheppard	Vardaman
Hollis	Lewis	Sherman	Wadsworth
Johnson, Cal.	McKellar	Smith, S. C.	Walsh
Johnson, S. Dak.	McNary	Smoot	Weeks
Jones, N. Mex.	Martin, Ky.	Spencer	

The VICE PRESIDENT. Forty-three Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. TRAMMELL answered to his name when called.

Mr. CALDER and Mr. PITTMAN entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-six Senators have answered to the roll call. There is not a quorum present.

Mr. BANKHEAD. I move that the Sergeant at Arms be directed to request the attendance of absent Senators so that we may have a quorum.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will carry out the instructions of the Senate.

Mr. MARTIN of Virginia, Mr. KIRBY, and Mr. SMITH of Georgia entered the Chamber and answered to their names.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. A quorum is present.

Mr. JONES of Washington. Mr. President, I understand that the amendment which was under discussion a while ago has been adopted. I desire to propose an amendment to that amendment, to which I know the chairman of the committee has no objection.

Mr. BANKHEAD. The amendment to which the Senator from Washington desires to offer an amendment was adopted.

Mr. JONES of Washington. I ask that the vote whereby the amendment was adopted be reconsidered, in order that I may offer an amendment to it.

Mr. BANKHEAD. It was agreed on the floor that the amendment proposed by the Senator from Washington should be inserted.

The VICE PRESIDENT. The vote whereby the amendment was agreed to will be reconsidered, without objection, and the Senator from Washington [Mr. JONES] offers an amendment to the amendment, which will be stated.

The SECRETARY. On page 18, line 14, after the word "points," it is proposed to insert "including service to and between points in Alaska."

The VICE PRESIDENT. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BANKHEAD. Mr. President, I ask the Senate now to vote on the amendment which has been discussed all the afternoon. I think every Senator has had an opportunity to express himself, and has done so. I hope we may now vote.

Mr. WADSWORTH. Mr. President, it is only to-day that I have had an opportunity to examine into the question raised by the pending amendment, and, of necessity, my examination has been all too brief and cursory.

I have here a document entitled "Motor Vehicle Truck Route Service," which includes a letter of the Postmaster General and various statements of Post Office Department officials. In a very hasty glance at some of its contents I find it is one of the most interesting pieces of governmental literature my eye has ever rested upon. It apparently contains statements and reports and comments on this motor-truck service so far as that service has been extended and so far as it has been conducted.

The Senator from Utah [Mr. KING] has referred to the committee of the Post Office Department experts—10, I believe, in number—who made an investigation of the service and reported thereon. It may be of interest to the Senate to know that these 10 experts do not seem to think very much of the service. They certainly do not give the impression in their report that it has large prospect for success. They rather give the impression

that it is all very well to try it a little longer, but they have not much hope for it. On page 9 I find they say:

We are not in this report accepting this motor-truck service as a necessary adjunct of the postal establishment nor wholly opposing it as an experimental innovation not worthy of a trial; we are seeking to correct the deceptive appearance of enormous earnings, revenues, and profits, that the subject may be approached carefully and considered in its true light.

In prior sessions of Congress I have taken the opportunity to comment upon some of the methods of the Post Office Department in conducting investigations and in proving a case to which they had already been committed before the investigation was ordered. I have reference to the famous pneumatic-tube cases, in which investigations were carried out in some of our great cities to show that a motor truck traveling through crowded city streets could carry mail faster and with greater reliability than could a pneumatic tube underground. It appeared in evidence upon those occasions that in order to prove the case they ran motor trucks on Sundays in midsummer when there was no traffic on the streets.

I find that this report shows that the reports of the earnings of these motor trucks have been grossly exaggerated. In some publication, which must have some semiofficial standing, this statement is made in order to encourage the public to believe that this system has a wonderful future. This is a quotation from that publication known as the Postmasters' Advocate, which appeared in September, 1918:

Upon the basis of a monthly net income of $4,000 per route, 1,000 out of a possible 5,000 cars operating on the principal improved highways east of the Mississippi should earn $48,000,000 yearly; 10,000 such routes on the basis thus presented would produce $480,000,000 per annum, or more than the total annual postal revenues at this time.

Apparently that is the suggestion which is offered by means of suitable publicity for the digestion of the American people. But these inspectors found that those estimates were grossly exaggerated, and that the reports sent in from the different routes were absolutely false from top to bottom so far as earnings were concerned.

Let me see if I can find some of these examples. For instance, there is an example on page 10 of the report of these inspectors to which I call attention to illustrate how some bureaucrats—and bureaucrats are multiplying in number faster in proportion than the population of the United States itself—attempt to prove their case in order to get their arms into the Federal Treasury at least to the elbow. They say:

Record of first-class mail carried outward from Baltimore on the truck operating between Baltimore and Gettysburg furnishes further evidence of the same character—

That is as to the padding of the returns—

it shows no first-class mail handled from Baltimore on trips of November 16, 19, 21, 22, 23, 26, 27, and 30; on five days of the month, when entries appear to have been made by the dispatching clerk at Baltimore, recorded weights vary from 14 pounds to 29 pounds. On other days, when record appears to have been made by the driver, it shows 45 pounds first-class matter on the 7th and 15th, 50 pounds on the 13th and 28th, 80 pounds on the 8th, 85 pounds on the 6th, 9th, 11th, 14th, 18th, 20th, 25th, and 29th, respectively.

On dates of inspection—

That is the inspection made by this committee or its agents—

December 13, record made by dispatcher was 20 pounds, which corresponds very well with the amount carried.

An actual count of the postage on first-class matter dispatched, with weights of same, by this route from Baltimore was made on the 9th, 10th, and 11th instant, with the following result:

	Actual weight.	Recorded by driver.
	Lbs. ozs.	*Pounds.*
Jan. 9	10 4	90
Jan. 10	15 11	85
Jan. 11	9 14	90
Total	35 13	265

The figures reported by the driver must have been placed upon the records, of course; and they show that in some instances some one multiplied nine times the weight actually carried. Mr. President, you could prove anything by such a method.

I understand that the highest post-office officials admit that these reports are totally unreliable and that they have attempted by some artificial method to arrive at the truth. I am informed that they have done so by first slashing off 30 per cent of the estimated returns, and then, making up their minds that that was not quite enough, slashing off another 20 or 30 per cent. In the end Congress has no information worthy of being considered reliable. We only know that by some lucky chance some inspector who had the true interests of the country and of the public at heart happened to discover this gross padding of these weights, and the matter comes to the attention of the Congress. This is the character of the experimenting that is being done in the Post Office Department and for which $300,000 more is now asked.

Perhaps it would interest the Senate to hear something about the "mushroom special," which is described on pages 12 and 13 of this report, and which apparently, if I read the report correctly, was rather advertised as a good example of the successful operation of the motor-truck service, particularly in transporting vegetables. The report says:

The very large production of mushrooms at West Chester and Kennett Square, Pa., and shipment of the same to New York City by motor truck, representing new postal business, has been much cited as probably the best example of created revenue. Service between West Chester and New York by ordinary truck is in operation, but to advance the mushroom business a large 5-ton truck is operated as an auxiliary between those points, duplicating travel of the other truck for the entire distance, running both ways at night, doing practically no local business, returning empty from New York to West Chester, and carrying an assistant driver both ways between Doylestown and New York.

An investigation of this "mushroom special" line—

Whose deficits, Mr. President, seem to grow about as fast as the mushrooms—

on December 13, note was made of the business done on 14 trips from November 24 to December 12, during which time 58,297 pounds of fourth-class mail was carried bearing postage amounting to $732.92, or what would amount to $52.35 per day or $1,361.10 a month—26 trips. The cost of operation of this heavy truck is about 0.2726 cents a traveled mile, $75.18 per round trip, $1,052.52 for the above stated 14 days, $1,954.68 for a month of 26 trips—

Showing a deficit of $600—

Deductions are obvious, and it is not apparent wherein the Postal Service or the ultimate consumer of mushrooms reaps any benefit, except that the latter may appreciate improvement in quality and possibly quantity.

Yet that particular service apparently received a good deal of commendation by those who desire to see this system, according to the suggestion of Mr. Blakslee—I understand that to be his name—who said "we do not need and can not use $300,000; give us $8,000,000," spread all over the country.

Mr. KENYON. Mr. President, the Senator does not claim that the $300,000 would not cover the expenses of the "mushroom special," does he?

Mr. WADSWORTH. Well, $300,000 would take care of the "mushroom special," I calculate, roughly estimating it, for 900 days, and then it would have to be abandoned and further experimental operations conducted.

Mr. President, this report is of exceeding interest. I have not had time to look at more than four or five pages of it, and what I have found has been, of course, by accident mostly; but if Senators will look at the latter portion of this volume they will find an appendix, in which these inspectors give more detailed reports on some of these motor-truck lines, and the various postmasters, through whose towns the trucks go rejoicing on their way, report what the patrons think of the service. I have not read them all, but thus far I have not been able to find any postmaster who says "right out loud" that anybody is enthusiastic about them, and most of them say that the patrons of the post office do not pay much attention to them; that they do not care much about them; and that they have not resulted in any increased business.

There is a line that has been running from Portland, Me., apparently to Amesbury, Mass., or perhaps that is one section of the line which, I understand, runs from Portland, Me., to New York City. The postmaster at Saco, Me., says:

This motor service is not being used by the patrons of this office to any extent.

The postmaster at York Village, Me., says:

The patrons of this office say that they think the Government is wasting money to operate motor service over this route.

Not all are as harsh as that, but none are enthusiastic, and many are as harsh as that. I do not know how many evidences of that kind are contained in this volume, but probably a good many.

I sympathize with a great deal that the Senator from Utah [Mr. KING] has said about this proposal. If it were of economic value to the country, it would long since have been attempted by private enterprise. I have never believed that the Government should supply any facility of commerce at a loss. It is a fallacy to believe that you are helping the people of the country when you supply governmental service to them at a loss to the Government. Somebody must pay the deficit; the payment must come out of the Federal Treasury; the money is not going to come from the sky; it is going to come from the pockets of the people who obtain the service.

Mr. HARDWICK rose.

Mr. WADSWORTH. Does the Senator from Georgia desire to ask me a question?

Mr. HARDWICK. Yes.

Mr. WADSWORTH. I yield to the Senator.

Mr. HARDWICK. I wonder if the Senator from New York would undertake to apply that very sound theory generally to all the different branches of the Postal Service.

Mr. WADSWORTH. The Senator evidently has reference to the rates on second-class mail?

Mr. HARDWICK. No; I mean all the branches of the service. The rural routes do not pay their way and second-class mail matter does not pay its way; in fact, there is only one branch of the entire Postal Service that does pay its way, and that is the first-class mail.

Mr. WADSWORTH. I do not suppose that it can be expected that every single detail of operation of a great business such as the Post Office Department shall make money; but certainly the Post Office Department, taken as a whole, should be a little better than self-sustaining, and if some of the rates for the handling of mail matter of the different classes are so low as to prevent the Post Office Department as a whole doing a little better than being self-sustaining I am in favor of raising those rates. It is a fallacy to believe you are serving the people of the United States in an operation of that kind when you run it at a deficit.

It ought to make a little profit, and then, with a self-sustaining service and a little profit to be applied for interest on the investment, we will say, or for depreciation of property, we know that we are doing something approaching a sound piece of business. The trouble is that hardly any Government business is ever run on sound business lines, and from the prospects of this motor-truck service, as displayed thus far, on routes which I assume were selected because they were the more favorably situated, it does not seem to me that there is any chance for the Government ever to conduct that service except at a tremendous loss.

Mr. BANKHEAD. Mr. President, will the Senator from New York permit me to interrupt him?

Mr. WADSWORTH. I yield.

Mr. BANKHEAD. I desire to say that the committee had this report before it and examined it very carefully. They were very much impressed with some of the suggestions. They even had before the committee the inspectors who made this report, and examined them very carefully. We then called Mr. Blakeslee, in order that he might have an opportunity to consider this report and make any reply to it that he cared to make.

The House appropriated $1,000,000 for this purpose, and after a very careful examination by the committee we considered that perhaps it would be wiser if we reduced that appropriation to $300,000, exactly what we gave last year, for this experiment—and it is yet an experiment. In making that appropriation of $300,000 we undertook—and I think we did—to prescribe in the bill exactly how it should be expended and how the account should be kept, and that an itemized statement of the whole transaction should be made.

It seems to me, Mr. President, that we ought to carry on this experiment to the extent of this appropriation. I never have believed in the accuracy of the statements made by the Fourth Assistant Postmaster General as to the great amount of revenue to be derived from it. I think it has been an exaggeration, though perhaps not an intentional one. I do not think it is possible to reach the result suggested by him; but I do think this appropriation ought to be expended under the provisions of the bill, in order that we may know by the time the next Congress meets exactly what is being done and what success is being met by it.

I should like to have the Secretary read the provisions of the amendment to show the restrictions we have put on it. I think that will throw some light upon the subject and will show the Senate how careful the committee was in guarding against any future conduct of this experiment that is not exactly right and proper.

I hope the Senate will listen to the reading of the amendment.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

That to promote the conservation of food products and to facilitate the collection and delivery thereof from producer to consumer and the delivery to producers of articles necessary in the production of such food products, the Postmaster General is hereby authorized to conduct experiments in the operation of motor vehicle truck routes, to be selected by him. The Postmaster General is further authorized to conduct experiments in the operation of country motor express routes, which shall be primarily operated as a means of expediting the transportation of fourth-class mail between producing and consuming localities and shall not displace or supplant any existing methods of mail transportation or delivery. These two classes of experiments shall be conducted under such rules and regulations, including modifications in rates of postage and in packing and wrapping requirements, as the Postmaster General may prescribe, and to defray the cost thereof the sum of $300,000 is hereby appropriated:

Provided, That mail other than that of the fourth class shall not be dispatched on experimental motor vehicle truck routes or on experimental country motor express routes unless the same can be expedited thereby in delivery at destination:

Provided further, That separate accounts shall be kept of the amount of all the mail of all classes carried on such routes. The Postmaster General shall report to Congress the result of such experiments at the beginning of the next regular session.

Mr. WADSWORTH. Mr. President, I am willing to concede that the committee has done its best to get a true report from the Post Office Department as to the expenditure of this money.

Mr. MARTIN of Virginia. Mr. President, will the Senator from New York yield to me for just a moment?

Mr. WADSWORTH. May I ask for what purpose?

Mr. MARTIN of Virginia. I wish to make a report from a committee and to ask that it may be printed so as to be ready for consideration on Monday morning.

Mr. WADSWORTH. I yield for that purpose.

SECOND DEFICIENCY APPROPRIATIONS.

Mr. MARTIN of Virginia. Mr. President, from the Committee on Appropriations, I report back favorably with amendments the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes. This is what is known as the second deficiency appropriation bill. I give notice that on Monday I hope the condition of business will be such as to justify me in asking the Senate to proceed with the consideration of the bill.

Mr. KENYON. Mr. President, I should like to inquire from the chairman of the committee when this bill was considered by the committee?

Mr. MARTIN of Virginia. It was considered several times yesterday and to-day.

Mr. KENYON. By the full committee?

Mr. MARTIN of Virginia. By the full committee to-day.

Mr. KENYON. Was any notice sent to the members of the committee?

Mr. MARTIN of Virginia. I sent up to the floor of the Senate. I tried to notify every member.

Mr. KENYON. I had notice, as a member of that committee, saying that my presence was needed down there for a quorum. That was the first notice that I had had of this bill at all.

Mr. MARTIN of Virginia. If the Senator has any objection, I will let it be recommitted.

Mr. KENYON. Oh, I know what it will be. It is the same old process of bringing in these appropriation bills and having to rush them through at the last minute. I do not think it is fair. Yesterday there was a meeting of the committee to consider another bill while the Senate was in session.

Mr. MARTIN of Virginia. It is useless for the Senator to debate the matter. If he desires the bill recommitted, so that he can have time to consider it further, I will move to recommit it. I have not the slightest desire to rush it through, except that it returns to the Treasury about $15,000,000,000; and I confess to some anxiety to have that brought about.

Mr. KENYON. I am surprised, then, that there should be any rush about it. I should like to ask the Senator if there was a quorum of the committee present when the bill was considered this afternoon?

Mr. MARTIN of Virginia. There was. I will say now that if the Senator desires the bill recommitted, so that he can be present, I will move its recommitment.

Mr. KENYON. No; I simply say that these great appropriation bills are entitled to some consideration by all the members of the committee at a time when the members can be present and not when the Senate is in session.

Mr. MARTIN of Virginia. Mr. President, I do not see the forcefulness of the suggestion. I told the Senator I would move to recommit the bill, and he can have all the time he desires to discuss every feature of the bill if he desires to do it.

Mr. KENYON. I will take that time when the bill comes up here on the floor.

Mr. MARTIN of Virginia. The Senator simply desired to make a complaint, then, and did not desire any redress?

Mr. KENYON. I should like to ask the chairman of the committee if he believes that these great appropriation bills should be permitted to be considered by the Appropriations Committee at a time when other bills are here on the floor that demand the attention of Senators? That is the complaint I make. It is not fair.

Mr. MARTIN of Virginia. If any injustice has been done anybody, it is easy enough to correct it. I have told the Senator that if he felt that any injustice had been done him I would move the recommittal of the bill. We can not do more than give

him all the opportunity he desires to investigate and be heard. I am perfectly willing to do that.

Mr. WEEKS. Mr. President, in view of the fact that the Senator from Iowa has brought this matter to the attention of the Senate, I think I ought to say to the chairman of the committee that I have not been off the floor of the Senate or out of the Capitol, or out of this Chamber practically, since half-past 9 or 10 o'clock this morning, and I had no notice of a committee meeting this afternoon.

Mr. MARTIN of Virginia. I am sorry that it so happened. I will say the same thing to the Senator from Massachusetts. I am perfectly willing to move the recommitment of the bill.

Mr. WEEKS. I do think that members of the committee ought to be notified.

Mr. MARTIN of Virginia. I tried to notify members. I sent my clerk up to the Senate Chamber and asked him to see every member of the committee. If he failed to see the Senator from Massachusetts, I regret it very much. The only redress I can make is to recommit the bill, which I will cheerfully do if he desires it.

Mr. KENYON. If it is a bill to save money, let us not recommit it.

Mr. HARDWICK. Let us not recommit this bill.

Mr. MARTIN of Virginia. That was the only reason I had for hurrying it up. It turns back into the Treasury over $15,000,000,000.

Mr. HARDWICK. Billions?

Mr. MARTIN of Virginia. Billions; yes.

Mr. KENYON. How much does the bill appropriate?

Mr. MARTIN of Virginia. About $290,000,000, to supply deficiencies.

Mr. KENYON. A trivial amount.

Mr. MARTIN of Virginia. A very trivial amount as compared with the $15,000,000,000 turned back into the Treasury. Since the Senators have given expression to their complaints and criticism and desire no redress, I will let my request stand.

Mr. KENYON. I should like to ask one more question of the Senator, if I may. How many Senators were actually present?

Mr. MARTIN of Virginia. I do not know about that.

Mr. KENYON. Were there over four Senators present?

Mr. MARTIN of Virginia. Yes; there were more than four, but I did not keep a list of the Senators who were present. All I can do is to guarantee the Senator that he will have an opportunity to be present by sending the bill back to the committee if he desires. That is all I can do.

Mr. KENYON. It does not do much good to have an opportunity to be present when we have to be here on the floor. I should think the committee could meet at such times that Senators could attend without taking them from their duties here. That is my protest.

Mr. MARTIN of Virginia. I am exceedingly anxious to dispatch as rapidly as possible the business of the Senate, but I am not willing to deprive any Senator of a full opportunity of hearing, and being heard, and giving consideration; and if any Senator feels that he desires to meet those conditions the bill will be recommitted. That is all I can say to him.

The VICE PRESIDENT. The bill will be placed on the calendar.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. WADSWORTH. Mr. President, I will conclude my remarks in just a moment.

I find on page 4 of this same document, in a letter addressed by the Postmaster General to the chairman of the committee, this concluding paragraph. It may be that this is now out of date and that the Postmaster General, or some of his lieutenants, have changed their minds. If so, the Senator from Alabama, of course, can correct me or bring my knowledge up to date.

In referring to the committee of post-office experts whom the Postmaster General apparently had appointed to investigate this service, he says:

> They have just completed their labors and have submitted to me a report in writing. I have carefully read same and feel constrained to concur in the findings they have made and the conclusions they have reached. In view of this fact, I respectfully ask that the original estimate made for the continuance of this experiment of $300,000 be reduced to $70,000. I feel that it is desirable to continue the experiment on certain selected routes in the hope that a beneficial result may be secured which will enable me in my next report to indicate just what features of this service may be retained as a permanent part of the Postal Service.

I will conclude my remarks by addressing this question to the chairman of the committee or to any member of the committee: In view of that paragraph, how did it occur that the Post Office Committee decided to appropriate $300,000 instead of the $70,000 which the Postmaster General recommended?

Mr. BANKHEAD. Mr. President, there is but one answer to that, and that is that the committee did not agree with the conclusions of the Postmaster General.

The committee, as I have stated, gave this matter very thorough and exhaustive investigation. We examined that report. We called in the inspectors who made it. We called in Mr. Blakeslee, against whom the report is directed. After hearing both sides of the question, we felt that perhaps it was wisest and best to continue this experiment under the conditions which are prescribed in the amendment. That is all there is to it.

If the Senate want to discontinue this experiment, now is the opportunity to do it. If they are willing to go on and expend this amount of money, $300,000, which was the amount expended last year, under the conditions which we impose in our amendment, then they can do that. I think the appropriation ought to be made.

Mr. WADSWORTH. I am simply seeking light. I have examined this matter as far as I can. I find that the Postmaster General has no enthusiasm for it; I find that these 10 experts who investigated the whole thing have no enthusiasm whatsoever for it; and I find that the underlings who conducted it have padded the returns. That is all I can find in regard to the whole matter.

The VICE PRESIDENT. The question is on the amendment of the committee. [Putting the question.] The Chair is in doubt.

Mr. KING and Mr. WADSWORTH called for a division.

On a division, the amendment was rejected.

The VICE PRESIDENT. The Secretary will state the next amendment passed over.

Mr. SWANSON. Mr. President, I am sure the Senate did not understand the amendment. We offered an amendment appropriating $300,000 in lieu of $1,000,000.

The VICE PRESIDENT. The bill is being considered now as in Committee of the Whole. The amendment can be offered again, if desired, in the Senate.

Mr. BANKHEAD. Then, I understand, Mr. President, that this amendment goes to conference?

The VICE PRESIDENT. No; the amendment is rejected as in Committee of the Whole. It can be reoffered in the Senate.

Mr. BANKHEAD. Was the appropriation rejected or the entire section?

The VICE PRESIDENT. The whole amendment, of course.

The SECRETARY. The next amendment passed over is on page 36, section 5.

RECESS.

Mr. BANKHEAD. Mr. President, I had no idea that we could complete the bill this afternoon, and I am now satisfied that we can not. I am going to ask the Senate to take a recess now until to-morrow, Sunday, at 11 o'clock, because there are eulogies to be delivered at that time. I make that motion.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until to-morrow, Sunday, February 2, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 1, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, in whom there is no shadow of turning, make us constant in all our righteous undertakings and firm in all our duties, that we may render unto Cæsar the things that are Cæsar's and unto Thee the things that are Thine; that we may dignify ourselves and reflect Thy glory in all that is worthy. In the spirit of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the bill (H. R. 13143) extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge.

The message also announced that the Senate had passed bill of the following title in which the concurrence of the House of Representatives was requested:

S. 5316. An act granting the consent of Congress to the Wenatchee-Beebe Orchard Co. to construct a bridge across the

Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington.

The message also announced that the Senate had passed without amendment bill of the following title:

H.R. 13004. An act extending the time for construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5316. An act granting the consent of Congress to the Wenatchee-Beebe Orchard Co. to construct a bridge across the Columbia River at or within 4 miles northerly from the town of Chelan Falls, in the State of Washington; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 13004. An act extending the time for the construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed; and

H. R. 13143. An act extending the time for the construction of a bridge across the Mississippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge.

GUARANTEED PRICE OF WHEAT FOR 1919.

Mr. STEENERSON. Mr. Speaker, I wish to present a privileged resolution of inquiry to the President of the United States.

The SPEAKER. How does it become privileged?

Mr. STEENERSON. I move to discharge the committee and report the resolution.

The SPEAKER. What committee?

Mr. STEENERSON. The Committee on Agriculture.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 515.

Resolved, That the President of the United States be, and he is hereby, requested, if not incompatible with the public interest, to furnish to the House of Representatives any and all information in his possession or in the possession of the United States Food Administration relative to what action has been taken or begun or planned toward carrying out and putting into effect the guaranteed price of wheat for the crop of 1919, contained and promulgated in the proclamation of the President of the United States dated September 2, 1918.

Mr. LEVER. Mr. Speaker, I make the point of order that that resolution is not privileged, and I make it on the ground that the resolution calls for information from the Secretary of Agriculture and from the Food Administration. The Secretary of Agriculture has absolutely no jurisdiction over the Food Administration. The Food Administration is under the direct command of the President of the United States.

Mr. STEENERSON. Mr. Speaker, I would like to be heard.

Mr. MANN. It does not refer to the Secretary.

Mr. LEVER. I thought it called on the Secretary of Agriculture.

The SPEAKER. The point of order is overruled.

Mr. LEVER. I withdraw the point of order.

The SPEAKER. It is too late. The question is on the resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, I move to lay the resolution on the table.

The SPEAKER. The gentleman from Tennessee moves to lay the resolution on the table.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for a division.

Mr. MANN. This is to get the information; that is all.

Mr. STEENERSON. It is very urgent.

Mr. GARRETT of Tennessee. I do not know what information they could have. It is a matter of legislation to carry it out, of course. If the Government is going to carry out its contract——

Mr. MANN. It is the information that calls for legislation.

Mr. GARRETT of Tennessee. I understand the committee has had hearings on that proposition.

Mr. LEVER. The objection to it is this——

The SPEAKER. These things are not debatable.

Mr. GARRETT of Tennessee. Mr. Speaker, I will not insist on the motion to table.

The SPEAKER. The gentleman from Tennessee withdraws his motion to table. The question is on the motion to discharge the Committee on Agriculture from further consideration of the resolution.

Mr. GARRETT of Tennessee. I ask unanimous consent that the gentleman from South Carolina [Mr. LEVER] may have five minutes.

Mr. LEVER. I will give the gentleman from Minnesota five minutes.

Mr. GARNER. The gentleman from Minnesota has an hour.

The SPEAKER. It is not debatable.

Mr. MANN. No; he has not an hour. I ask unanimous consent that the gentleman from Minnesota [Mr. STEENERSON] have five minutes and the gentleman from South Carolina [Mr. LEVER] five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Minnesota have five minutes and the gentleman from South Carolina have five minutes, and then that the previous question shall be considered as ordered. Is there objection? [After a pause.] The Chair hears none.

Mr. STEENERSON. Mr. Speaker, judging from the letters that I have received and a petition and other communications from my district, the people are getting very nervous and anxious about what is going to become of the presidential guarantee of the price of wheat for the crop of 1919. It seems that nothing has been done so far. Here is the Agricultural appropriation bill, but there is nothing in that. And we have not been favored with any information as to whether any steps are to be taken or what is to be done. There were some newspaper reports, but we have no authentic information from the Food Administration or from the President of the United States, under whom the Food Administration is operating, as to whether or not they have taken any measures or steps or what measures or steps they have planned should be taken to carry out in good faith this guarantee.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. STEENERSON. For a question.

Mr. CARTER of Oklahoma. Does the gentleman want to fix prices?

Mr. STEENERSON. I want the information called for in this resolution from the President and the Food Administration which he controls to enable Congress to take such legislative action as necessary to make that guarantee effectual. We have not been favored with any official information whatever. It may be in possession of the committee, but Congress ought to know, and it ought to be officially communicated to Congress. Here is a proposition that the newspapers say will involve very large sums, but whatever it involves we must face and carry the burden.

Mr. SHERWOOD. I would like to ask the gentleman how much is involved in this?

Mr. STEENERSON. Properly managed, I do not think this guarantee would involve any expense at all; but if it is bungled, if the administration neglects to take steps now, if the Food Administration neglects to provide for it, we will be in the clutches of the speculators and wheat gamblers, and we can not tell how much they will bleed the Government. But if we take proper steps by legislation in connection with the powers that the Food Administration now has, and which will be continued, I believe this guarantee will be carried out without any loss to the Treasury.

Here is an open covenant, openly arrived at, which apparently from neglect or design is to be made a scrap of paper. That there are powerful interests back of this effort at repudiation is indicated by the market letter of Henry Clews & Co., of 35 Wall Street, New York, dated January 25, 1919, an extract from which reads as follows:

Now, that the war is over Congress should repeal the law which guaranteed the farmers $2.26 per bushel for their wheat; at least on the spring wheat crop not yet sown.

No class of people have been so loud and persistent in their denunciations of repudiation of contracts and treaties, whether between individuals or nations, as the financial press, but here is a leading financial authority that openly and avowedly advocates the repudiation of the guaranty of the price of wheat to the farmers, especially the farmers of the Northwest in the spring wheat regions, who have plowed and prepared their ground and their seed for a crop of wheat pursuant to the express guarantee of the President and the urgings of the Department of Agriculture, the Food Administration, and other governmental agencies.

It seems to me unthinkable that such a proposition could have any following whatever in either branch of Congress or among any of the leading lights of either party, and yet we find that this matter of most vital importance is being neglected and delayed for some reason that is not apparent upon the surface. The majority party in Congress seems to have been left without active direction and leadership, and is now floundering away, not knowing what measure to press or what course to pursue. Look at the situation with regard to legislation for reconstruction, for instance. There are almost as many plans as there are Cabinet officers. The Secretary of the Interior demands unlimited discretion and authority over $100,000,000 to spend for this purpose as he may hereafter determine to be wise. The Department of Labor has fathered a law which would do credit to the Bolsheviki of Russia. There are to be communities and colonies. The Government is to reclaim and improve the land and supply buildings and machinery. There is to be an eight-hour day on the farm, and if the crops raised are not sufficient to pay the customary wages for labor, then the Government will pay the deficiency. It is to be Government-owned and Government-operated farms, and the welfare of the farmers is to be looked after in every detail—a more paternalistic plan than has ever been proposed to take care of the aborigines on their reservations. The Treasury Department, through the Farm Loan Board, has given out an entirely different plan, which bankers claim will greatly impair, if not entirely destroy, all chances of selling Government bonds, and so on, through the whole list. Evidently the dominant party needs unity of direction, but their leader is absent. In the meantime the country is facing most serious difficulties.

I warn you that unless expeditious action is taken on the wheat guarantee that it will have more far-reaching effect than is generally supposed. Not only will it undermine the financial and credit systems of the country, but will breed discontent and distrust in the Government itself. We have only a few weeks left of this Congress, and I most earnestly urge speedy action.

Mr. ANTHONY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Minnesota yield to the gentleman from Kansas?

Mr. STEENERSON. Here is an obligation that is as sacred as anything can be, and yet repudiation is threatened.

Mr. ANTHONY. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. STEENERSON. Yes.

Mr. ANTHONY. Does the gentleman think the President ought to guarantee the price of the spring wheat crop that is not yet planted?

Mr. STEENERSON. The President has already guaranteed it. Of course, it must be carried out. I believe Congress will carry it out, but we have got to take early action. We have got to have all the information that exists and study the matter carefully. We can not do it within 24 hours—properly, at least—and therefore I am appealing to you to pass this resolution in order that we, the Members of the House, may have the information that exists.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. LEVER. Mr. Chairman, the gentleman from Minnesota [Mr. STEENERSON], if he had made some little inquiry and had been as diligent about this matter off the floor as he has been on the floor, he would have found that already the Secretary of Agriculture, some two or three weeks ago, had sent up to the Committee on Agriculture a pamphlet of 63 pages going into very great detail as to the wheat situation, and that by the direction of the Committee on Agriculture I had that printed as a committee print, and I did the Members of the House the courtesy of having my clerks mail each a copy of it, marking the envelope "Personal."

Mr. STEENERSON. I received that copy, I will say to the gentleman, and read it most carefully; but we want additional information, and the gentleman should have asked for it.

Mr. LEVER. The gentleman wants an opportunity to abuse the President, because he is over in France trying to save a bad situation. Now, let me say further, so that there will be no misapprehension about this wheat guaranty proposition, that the Committee on Agriculture has been called to meet on Monday to hear the various interests about suggested plans and to hear Mr. Barnes, the head of the Grain Corporation, and we hope by the latter part of next week to be able to present to the Congress such legislation as is necessary to carry out in good faith the Government's guaranty to the wheat farmers of the United States.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. LEVER. And instead of this resolution being of any interest to the House, instead of this resolution being of any service to the country, it simply means that the officials that we ought to have before the Committee on Agriculture giving information will be sitting in their offices digging out information which, after it is presented to Congress, nobody but the gentleman from Minnesota will ever read.

I yield to the gentleman for a question.

Mr. MAPES. In my correspondence I find that the fear on the part of producers and farmers is that the Government is going to go back on its guaranty.

Mr. LEVER. You can give them the absolute assurance that so far as the Committee on Agriculture is concerned, I think there is a unanimous feeling that the guaranty shall be kept. I do not believe that there will be a dissenting voice in the House of Representatives against that proposition.

Mr. MAPES. I am glad to hear the gentleman say that the Committee on Agriculture will be unanimous on that subject. I have answered my correspondents saying that it was inconceivable to me that the Government would go back on its obligation.

Mr. LEVER. It is inconceivable.

Mr. SHERWOOD. Can the gentleman say how much it will cost the Treasury?

Mr. LEVER. There is no one on earth that can answer that question.

Mr. SHERWOOD. Can you give a guess?

Mr. LEVER. No; I could not give a guess.

Mr. ALEXANDER. If the gentleman assures his constituents that the Committee on Agriculture will keep this guaranty, it is a question whether the Congress will do it. The President has made the guaranty, and there is only one body that can be guilty of bad faith, and that is the Congress itself.

Mr. LEVER. I hope, inasmuch as this resolution can not bring any benefit to the House, that we will not hamper the officials that the committee will have before it next week by passing it and calling upon them for the information. I hope this resolution will be voted down.

The SPEAKER. The question is on the motion to discharge the Committee on Agriculture from the further consideration of this resolution.

The question was taken, and the motion was rejected.

THE FOURTEENTH AND SUBSEQUENT DECENNIAL CENSUSES.

Mr. HOUSTON, by direction of the Committee on the Census, submitted for printing under the rule the conference report and accompanying statement on the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, as follows:

CONFERENCE REPORT (NO. 1023).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 24, 27, and 28.

That the House House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following:

"That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the governor of the Canal Zone in accordance with plans prescribed or approved by the Director of the Census."

And the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "$5,000; the chief clerk and three chief statisticians for the divisions of population, manufactures, and agriculture, respectively, $4,000 each; three"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed

to be stricken out, insert the following: "for the divisions of vital statistics and statistics of cities, and the chief statistician provided for in section 3 of this act, $3,600 each"; also on page 4, line 9, of the engrossed bill, strike out the word "and"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "$3,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "subject to the approval of the United States Civil Service Commission, these"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "applicants claim to have"; also, on page 6, line 16, of the engrossed bill, strike out the word "or," where it occurs the first time, and insert the word "of"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"*And provided further*, That in the selection of the additional clerks and employees provided for by section 6 the Director of the Census is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, tenure of home and the encumbrance thereon, and the name and address of each blind or deaf and dumb person.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced; also as to the location and character of irrigation and drainage enterprises, and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31 next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

"Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

"The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census."

And the Senate agree to the same.

W. C. HOUSTON,
J. B. ASWELL,
CHAS. A. NICHOLS,
Managers on the part of the House.

MORRIS SHEPPARD,
HENRY F. ASHURST,
Managers on the part of the Senate.

STATEMENT.

On amendment No. 1: This amendment strikes out all of section 1 as passed by the House and proposes to insert a provision providing for a very much enlarged census covering the additional subjects of education, health, and insurance, to be taken every five years, which would result in more than doubling the cost of the census. Your conferees restored the House provision and added thereto after the word "manufactures," in the first line of this section, the words "forestry and forest products," so as to conform to section 8 of the bill as passed by the House, which directs an inquiry upon this subject.

On amendment No. 2: This amendment related to the quinquennial census directed by Senate amendment No. 1. The Senate recedes and restores the House provision without change.

On amendment No. 3: The House conferees accepted this amendment for the reason that it reduced the number of statistical experts from 15 to 10, thus decreasing the appropriation for this grade of experts $10,000 annually, or $30,000 for the three-year period.

On amendment No. 4: Your conferees recede from this amendment for the reason that the necessity for this legislation has passed in view of the fact that hostilities have ceased and the draft process is no longer in operation.

On amendments Nos. 5, 6, 7, 8, and 9: These amendments all relate to the salaries of the executive and administrative officials of the Census Office. The bill passed by the Senate provided for four chief statisticians at $4,000 each and three other chief statisticians at $3,000 each. The compromise reduced the number of chief statisticians by one, and provides for three at $4,000 and three at $3,600. As amendment No. 3 reduced the number of statistical experts from 15 to 10, there is only a net increase of $1,300 in this section over the bill as passed by the House, and there is a decrease of $2,200 over the bill as passed by the Senate. Your conferees therefore accepted the compromise and receded.

On amendment No. 10: This amendment provides for a graduated scale of salaries beginning at $900 and terminating at $1,800, with a difference of $60 between classes from $900 to $1,440, and $120 between classes from $1,440 to $1,800, so as to provide more frequent promotions. It will also make possible a more equitable adjustment of salary to the varying degrees of merit and efficiency of employees.

The section as passed by the House failed to provide for the employment of clerks at $1,000 and $900 or for an engineer and two photostat operators, which was undoubtedly an oversight.

During the decennial census period, the bureau will undoubtedly occupy one or more buildings outside the Commerce Building, where the permanent force is now housed, so that it will be necessary to have an engineer to look after the heating, lighting, and other equipment of the bureau.

On account of the tremendous increase in the volume of work they will also require the services of two photostat operators. The bureau states that these operators will have their salaries over and over again in making photostat copies of tables, letters, etc., which would otherwise have to be typewritten or copied by hand. The House recedes.

On amendment No. 11: This amendment prohibits the Director of the Census from employing more than 150 clerks at the rate of $1,440 or more per annum, and is made so as to conform to amendment No. 10; hence your conferees recede.

On amendment No. 12: On this amendment the conferees on the part of the Senate will move that the Senate recede from its disagreement to the amendment of the House to the amendment of the Senate and agree to the same, which will adopt the provision submitted by Mr. Van Dyke and passed by the House, which is as follows:

"That hereafter in making appointments to clerical and other positions in the executive departments and in independent gov-

ernmental establishments preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, if they are qualified to hold such positions."

On amendment No. 13: This amendment provides that the examinations for clerical positions prescribed by the Director of the Census shall be subject to the approval of the Civil Service Commission. The House recedes.

On amendment No. 14: This amendment simply provides that the clerical force employed in the Census Office shall be selected by the Director of the Census in the order of rating; hence the House recedes.

On amendment No. 15: This amendment strikes out "Census Office" and inserts "Government service," which change is in conformity with existing law. The House recedes.

On Amendment No. 16: This amendment simply strikes out the word "may" and inserts the word "shall." The House recedes.

On amendment No. 17: This amendment is simply a change of phraseology. The House recedes.

On amendment No. 18: This amendment corrects a grammatical error. The House recedes.

On amendment No. 19: This amendment is simply the insertion of a comma. The House recedes.

On amendments Nos. 20, 21, 22, and 23: These amendments propose to correct grammatical errors by changing the phraseology from singular to plural. The House recedes.

On amendment No. 24: This amendment proposed to strike out a provision of the House that not more than one person shall be appointed to a clerical position from the same family. The Senate recedes.

On amendment No. 25: This amendment provides that, so far as practicable, the director shall use the reemployment registers established by the Civil Service Commission as a result of the Executive order of November 29, 1918. The House recedes with an amendment that the words "of the Census" be added after the word "Director" in line 20 of the bill.

On amendment No. 26: This amendment proposed to strike out all of section 8 as passed by the House and to insert certain provisions that would have been required in case Senate amendment No. 1 had been adopted by your conferees. In conference the House text of section 8 was restored and the words "forestry and forest products" added in the second line of the third and fourth paragraphs of said section in order to conform with the language used in the first paragraph of the bill as passed by the House. In addition thereto the phraseology of the last paragraph relative to the number, form, and subdivision of inquiries, as passed by the House, was changed so as to make it clearer.

On amendment No. 27: Section 9 as passed by the House provided for the appointment of supervisors by the Secretary of Commerce upon the recommendation of the Director of the Census and the Senate amendment proposed that they shall be appointed by the President by and with the advice and consent of the Senate. This amendment also contained certain legislation relating to amendment No. 1, which was not agreed to. The Senate recedes.

On amendment No. 28: This amendment is not necessary, as Senate amendment No. 1 was not adopted by your conferees; hence the Senate receded from this amendment and restored the House text.

On amendments Nos. 29, 30, and 31: These three amendments simply correct typographical errors that were made in the printing of the bill. The House recedes.

On amendment No. 32: This amendment simply changes the phraseology, so the House recedes.

On amendment No. 33: The House bill directed that an enumerator should be an actual resident of the subdivision within which his duties are to be performed, but made an exception in the cases of persons residing in the same city. The amendment simply makes the same rule applicable to persons living in townships and other civil divisions. The House recedes.

On amendment No. 34: This amendment proposes to expedite the enumeration in cities which had a population of 2,500 or more inhabitants at the last census. This means that the work must be completed in two weeks instead of one month. A large number of cities which had more than 2,500 inhabitants and less than 5,000 inhabitants in 1910 now have over 5,000 inhabitants. The House recedes.

On amendments Nos. 35 and 36: These two amendments simply correct grammatical errors. The House recedes.

On amendment No. 37: This amendment conforms to a similar provision in the Thirteenth Census act. The House recedes.

On amendment No. 38: This amendment provides that the Director of the Census is authorized to furnish transcripts of tables and other records upon the payment of the actual cost of such work, with the understanding that in no case shall the information furnished be used to the detriment of the person to whom such information relates. The House recedes.

W. C. HOUSTON.
J. B. ASWELL.
CHAS. A. NICHOLS.

AGRICULTURAL APPROPRIATION BILL.

Mr. STAFFORD. Mr. Speaker, I withdraw the demand I made last evening for the reading of the engrossed copy of the Agricultural appropriation bill.

The SPEAKER. The gentleman from Wisconsin withdraws his demand for the reading of the engrossed copy of the Agricultural appropriation bill.

EXTENSION OF REMARKS.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. HICKS. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of Theodore Roosevelt.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks on the subject of Theodore Roosevelt. Is there objection?

There was no objection.

CHANGES OF REFERENCE.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent for a change of reference of the bill H. R. 8426, a bill introduced by the gentleman from New York [Mr. SIEGEL], with reference to salaries of clerks of courts, the bill having been referred to the Committee on the Judiciary through error instead of to the Committee on Expenditures in the Department of Justice.

The SPEAKER. The gentleman is right about it. Without objection, the change will be made.

There was no objection.

Mr. CRAMTON. Also, Mr. Speaker, I make the same request with respect to these other bills, where the circumstances are the same.

The SPEAKER. The Clerk will report the titles of all of them.

The Clerk read as follows:

A bill (H. R. 1734) to increase the salaries of the United States district attorney and United States marshal for the southern district of Georgia, and for other purposes.

A bill (H. R. 2419) for the relief of Lieut. Commander Jerome E. Morse, United States Navy, retired.

A bill (H. R. 4618) to increase the salaries of the United States district attorney and United States marshal for the southern district of New York, and for other purposes.

A bill (H. R. 7347) providing for an increase in salary of the United States marshal for the western district of Louisiana.

A bill (H. R. 7691) to increase the salary of the clerk of the district attorney for the eastern district of Arkansas.

A bill (H. R. 8426) fixing the salary of the clerks of the United States district courts; prescribing how and when they shall account for the fees collected; providing for the office expenses of such clerks, including salaries of deputy clerks and clerical assistants; and for the travel and subsistence expense of such clerks and their deputies when necessarily absent from their official residences.

A bill (H. R. 11186) providing for an increase of salary of the United States attorney for the western district of Louisiana.

A bill (H. R. 12446) providing for an increase in the salary of the United States marshal for the district of Connecticut.

A bill (S. 2116) to increase the salary of the United States district attorney for the district of Rhode Island.

Mr. GARD. Mr. Speaker, what is the gentleman's request?

The SPEAKER. The request is to take these bills away from the Committee on the Judiciary and send them to the Committee on Expenditures in the Department of Justice.

Mr. GARD. Reserving the right to object, many of these matters have been already determined by subcommittees of the Committee on the Judiciary, and if not reported are ready to be reported, and therefore I object.

Mr. CRAMTON. Mr. Speaker, if the gentleman will withhold his objection for a moment, the rule, paragraph 36 of Rule XI, set forth in section 712 of the Manual, giving the jurisdiction of the committees on expenditures, says:

* * * The examination of the accounts and expenditures of the several departments of the Government and the manner of keeping the same * * * the reduction or increase of the pay of officers shall all be subjects within the jurisdiction of the nine standing committees on the public expenditures in the several departments.

And I have simply endeavored to bring the matter before the House in this way. I hope the gentleman will not insist on his objection.

Mr. GARD. I think the gentleman is entirely wrong in what he imagines to be the construction of that particular section, because I know that these bills and similar bills have been before

the Committee on the Judiciary for many, many years, and in order that they may be seriously and properly considered I object.

Mr. CRAMTON. If the gentleman will withhold his objection further——

Mr. GARD. I thought the gentleman had completed his statement.

Mr. CRAMTON. I am so confident as to the construction of the section and feel so certain that this minor committee ought to have an opportunity to do enough work to deserve its clerk——

The SPEAKER. The gentleman frm Ohio [Mr. GARD] has objected, and that is the end of it. It is not debatable.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Michigan asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. CRAMTON. I am so confident of the construction of the rule that it will take more than consideration on the Unanimous-Consent Calendar to pass one of these measures.

NATIONAL SOLDIERS' HOME.

Mr. SHALLENBERGER. Mr. Speaker, I ask unanimous consent to have laid before the House the joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, with Senate amendments.

The SPEAKER. The Clerk will report it.

The Clerk read the title of the joint resolution.

Mr. SHALLENBERGER. I move to concur in the Senate amendments.

Mr. MANN. Let the amendments be reported.

The SPEAKER. The Chair is going to order that. The Clerk will report the amendments.

The Clerk read as follows:

Amendment numbered 1: Line 3, strike out "M. T. Dwyer" and insert "George S. Wood."

Amendment numbered 2: Line 4, strike out "Henry Hase" and insert "Menander Dennett," and, in line 5, strike out "Wisconsin" and insert "Maine."

Mr. SHALLENBERGER. Mr. Speaker, these amendments restore the bill to the same condition that it was in when reported by the Military Committee to the House. The House struck out the name of the member from Maine, Mr. Dennett, and substituted the name of Mr. Hase, from Wisconsin. The Senate has reinstated the name of the member from Maine and has stricken out the name of the man from Wisconsin. The substitution of the name of Mr. Wood for that of Mr. Dwyer is to restore the name of the man who is at present a member of the Board of Managers. The reason that the name of Mr. Dwyer was offered at the time the resolution was in the House was that Col. Wood had gone into the service of the country, but since the signing of the armistice he has again gone back to his position upon the board, so that the only question at issue is the substitution of the member from Maine for the gentleman from Wisconsin.

I will say that the reason the Military Affairs Committee of the House have unanimously instructed me to move that the House concur in this amendment is that if the member from Maine is dropped out, New England will have no representative whatever upon this board. The Central West, from which Mr. Hase comes, has members from Indiana, Illinois, and Kansas as members of the Board of Managers. It is the opinion of the members of the committee that the State of Maine is entitled to this representative. Now, I want to move the previous question on this motion, but probably the gentleman from Wisconsin [Mr. STAFFORD] would like to present his side, and I will yield to him such time as he desires, say five minutes.

The SPEAKER. The gentleman from Wisconsin is recognized for five minutes.

Mr. STAFFORD. Mr. Speaker, when this resolution was presented originally before the recess, the House after listening to the arguments as to the respective claims of these two parts of the country, on the question whether the State of Maine or the State of Wisconsin should have a representative on the board, had a division vote, and by a considerable majority inserted the name of Mr. Henry J. Hase of my home city. Mr. Hase is a Civil War veteran, has one son who is a colonel in the Regular Army, and has another son who fills a position of responsibility in the public service. The basis for the claim that Wisconsin should have its place reestablished was that some years back this board of managers consisted of a larger number. It happened that the term of the Wisconsin representative on the board at that time expired just when they were reducing the membership. Now, the argument is made that New England should have some representative on this board. The two homes in New England are so small and inconsequential as compared to the Wisconsin branch at Milwaukee that the House decided that it was far better to have a representative on the board to look after the Wisconsin home and leave the representative in the East, Mr. Wadsworth, of New York, to look after the interest of the New England home. Since Wisconsin has not had a local representative on the board officials have been imposed upon the Wisconsin home who have been guilty of embezzlement. We have one of the largest homes in the country, which will be filled up by soldiers returning from abroad, and it was because of that condition that the House, after listening to the merits of the two propositions, decided that Wisconsin should have the representative rather than Maine.

Mr. SHERWOOD. How many inmates are there in the Wisconsin home?

Mr. STAFFORD. Over 2,000.

Mr. GREENE of Vermont. Will the gentleman permit a question?

Mr. STAFFORD. Yes.

Mr. GREENE of Vermont. On the strength of the argument just proposed, that because you did not have a representative on the board there was embezzlement at the home, would it follow that there should be a manager resident in each State in which there is a soldiers' home?

Mr. STAFFORD. That was the policy until some years back when it was decided to reduce the membership of the board. It has not resulted very advantageously in the management of these homes, so far as the Wisconsin branch located in Milwaukee is concerned.

Mr. GREENE of Vermont. Then the gentleman thinks we do not need any watching in Maine, that we would not have any embezzlement, anyway. Very well.

Mr. STAFFORD. Oh, Maine has not suffered the way Wisconsin has suffered, because Maj. Wadsworth has been able to look after the Maine branch. Those delegated to look after the western homes have not been so solicitous of conditions out there. That is what I am contending for. There is no question about the ability of Mr. Hase, a Civil War veteran, whom the House before voted should have this place. I ask the House to reject the Senate amendments and send the bill to conference.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

AGRICULTURAL APPROPRIATION BILL.

The SPEAKER. When we adjourned last night the passage of the Agriculture bill was held up by a demand for the reading of the engrossed copy of the bill. The gentleman from Michigan [Mr. MCLAUGHLIN] withdraws his demand for the reading of the engrossed copy. The Clerk will read the bill the third time.

The bill was read a third time.

Mr. LEVER. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

Mr. MCLAUGHLIN of Michigan. Mr. Speaker, I send up a motion to recommit.

The SPEAKER. Is the gentleman from Michigan opposed to the bill?

Mr. MCLAUGHLIN of Michigan. I am not.

The SPEAKER. If any gentleman in the House is opposed to the bill and desires to make a motion to recommit the Speaker will recognize him, otherwise he will recognize the gentleman from Michigan, a member of the committee. The Clerk will report the motion.

The Clerk read as follows:

Mr. MCLAUGHLIN of Michigan moves to recommit the bill to the Committee on Agriculture, with instructions to report the same forthwith with the following amendment: Page 91, line 4, at the end of line 4 add the following:

"*Provided*, That no part of the money appropriated by this act shall be used to pay the salary or compensation of any official or employee of the Department of Agriculture in excess of the salary or compensation he is now receiving in the office or position in which he is now engaged or for the work he is now doing if he shall be entitled to an increase of salary or compensation or additional allowance of pay under or by virtue of any other act of Congress: *Provided further*, That this limitation shall not apply to persons employed outside the District of Columbia."

Mr. LEVER. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken.

Mr. McLAUGHLIN of Michigan. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll. The question is on the motion to recommit.

The question was taken; and there were—yeas 157, nays 146, answering present 2, not voting 124, as follows:

YEAS—157.

Anderson	Esch	Kraus	Rogers
Anthony	Essen	La Follette	Rose
Ashbrook	Fairchild, B. L.	Lampert	Rowe
Austin	Fairfield	Langley	Sanders, Ind.
Baer	Fess	Little	Sanders, N. Y.
Birch	Focht	Longworth	Sanford
Bland, Ind.	Fordney	Lundeen	Scott, Iowa
Bowers	Foss	McArthur	Scott, Mich.
Browning	Frear	McCormick	Siegel
Buchanan	Freeman	McFadden	Slayden
Burroughs	French	McKenzie	Smith, Idaho
Butler	Fuller, Ill.	McKinley	Smith, Mich.
Byrnes, S. C.	Fuller, Mass.	McLaughlin, Mich.	Snell
Byrns, Tenn.	Gillett	McLaughlin, Pa.	Snyder
Campbell, Kans.	Glynn	Madden	Stafford
Cannon	Good	Magee	Steenerson
Cary	Graham, Ill.	Mann	Stiness
Clark, Pa.	Green, Iowa	Mapes	Strong
Classon	Greene, Mass.	Mason	Sweet
Claypool	Greene, Vt.	Merritt	Temple
Cooper, Ohio	Hadley	Miller, Minn.	Tilson
Cooper, Wis.	Hamilton, Mich.	Miller, Wash.	Timberlake
Crago	Haskell	Mondell	Treadway
Cramton	Haugen	Moore, Pa.	Vestal
Currie, Mich.	Hawley	Moores, Ind.	Voigt
Curry, Cal.	Hayes	Morgan	Volstead
Dale	Hersey	Mott	Ward
Dallinger	Hicks	Nelson, A. P.	Wason
Darrow	Hollingsworth	Nelson, J. M.	Watson, Pa.
Davis	Huddleston	Nichols, Mich.	Wheeler
Dempsey	Hull, Iowa.	Osborne	White, Me.
Denison	Johnson, Wash.	Paige	Williams
Dillon	Juul	Parker, N. J.	Wilson, Ill.
Dowell	Kahn	Parker, N. Y.	Wood, Ind.
Dunn	Kelley, Mich.	Platt	Woods, Iowa
Dyer	Kennedy, Iowa.	Powers	Woodyard
Eagle	Kennedy, R. I.	Purnell	Young, N. Dak.
Edmonds	King	Ramseyer	
Elliott	Kinkaid	Reed	
Ellsworth	Knutson	Rodenberg	

NAYS—146.

Alexander	Fisher	Lesher	Sabath
Almon	Foster	Lever	Sanders, La.
Aswell	Gallagher	Linthicum	Sherley
Ayres	Gandy	Lobeck	Sherwood
Bankhead	Gard	London	Shouse
Barkley	Garner	Lonergan	Sims
Beakes	Garrett, Tenn.	McKeown	Sisson
Bell	Garrett, Tex.	McLemore	Small
Beshlin	Goodwin, Ark.	Mansfield	Smith, C. B.
Black	Gordon	Martin	Smith, T. F.
Blackmon	Gray, Ala.	Mays	Snook
Bland, Va.	Gregg	Montague	Steagall
Blanton	Griffin	Moon	Stedman
Brand	Hamlin	Neely	Stephens, Miss.
Burnett	Hardy	Nolan	Stephens, Nebr.
Campbell, Pa.	Hastings	Oldfield	Sterling
Candler, Miss.	Hayden	Oliver, Ala.	Sumners
Cantrill	Heflin	Oliver, N. Y.	Taylor, Colo.
Carlin	Hensley	O'Shaunessy	Thompson
Carter, Okla.	Hilliard	Overmyer	Tillman
Church	Holland	Overstreet	Venable.
Collier	Hood	Padgett	Vinson
Connally, Tex.	Howard	Phelan	Walton
Connelly, Kans.	Hull, Tenn.	Polk	Watkins
Crisp	Humphreys	Pou	Watson, Va.
Decker	Igoe	Quin	Weaver
Dent	Jacoway	Ragsdale	Webb
Denton	Jones	Rainey, H. T.	Welling
Dickinson	Keating	Rainey, J. W.	Whaley
Dies	Kehoe	Raker	Wilson, La.
Dill	Kettner	Randall	Wilson, Tex.
Dixon	Kincheloe	Rayburn	Wingo
Dominick	Kitchin	Robinson	Wise
Doolittle	Larsen	Romjue	Wright
Evans	Lazaro	Rouse	Young, Tex.
Ferris	Lea, Cal.	Rubey	
Fields	Lee, Ga.	Rucker	

ANSWERED "PRESENT"—2.

Gallivan Littlepage

NOT VOTING—124.

Bacharach	Clark, Fla.	Drane	Gould
Barnhart	Cleary	Drukker	Graham, Pa.
Benson	Coady	Dupré	Gray, N. J.
Booher	Cooper, W. Va.	Eagan	Griest
Borland	Copley	Elston	Hamill
Britten	Costello	Emerson	Hamilton, N. Y.
Brodbeck	Cox	Estopinal	Harrison, Miss.
Browne	Crosser	Fairchild, G. W.	Harrison, Va.
Brumbaugh	Davey	Farr	Heaton
Caldwell	Delaney	Flood	Heintz
Caraway	Dewalt	Flynn	Helm
Carew	Donovan	Francis	Helvering
Carter, Mass.	Dooling	Garland	Houston
Chandler, N. Y.	Doremus	Godwin, N. C.	Husted
Chandler, Okla.	Doughton	Goodall	Hutchinson
Ireland	Maher	Rowland	Switzer
James	Morin	Russell	Tague
Johnson, Ky.	Mudd	Saunders, Va.	Taylor, Ark.
Johnson, S. Dak.	Nicholls, S. C.	Schall	Templeton
Kearns	Norton	Scully	Thomas
Kelly, Pa.	Olney	Sears	Tinkham
Key, Ohio	Park	Sells	Towner
Kiess, Pa.	Peters	Shackleford	Van Dyke
Kreider	Porter	Shallenberger	Vare
LaGuardia	Pratt	Sinnott	Waldow
Lehlbach	Price	Slemp	Walker
Lufkin	Ramsey	Sloan	Walsh
Lunn	Rankin	Steele	Welty
McAndrews	Reavis	Stevenson	White, Ohio
McClintic	Riordan	Sullivan	Winslow
McCulloch	Roberts	Swift	Zihlman

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. TINKHAM (for) with Mr. GALLIVAN (against).

Until further notice:

Mr. SCULLY with Mr. BACHARACH.

Mr. BOOHER with Mr. KEARNS.

Mr. DAVEY with Mr. GRIEST.

Mr. DEWALT with Mr. GRAHAM of Pennsylvania.

Mr. CLARK of Florida with Mr. GOULD.

Mr. SABATH with Mr. PETERS.

Mr. SEARS with Mr. RAMSEY.

Mr. TAYLOR of Arkansas with Mr. SWIFT.

Mr. LITTLEPAGE with Mr. COOPER of West Virginia (commencing Jan. 29, 1919, ending Feb. 3, 1919).

Mr. SAUNDERS of Virginia with Mr. WALSH (except road appropriation).

Mr. DRANE with Mr. HUSTED.

Mr. GODWIN of North Carolina with Mr. KIESS of Pennsylvania.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. SULLIVAN with Mr. LAGUARDIA.

Mr. DOOLING with Mr. PORTER.

Mr. WEBB with Mr. WOODYARD.

Mr. NICHOLLS of South Carolina with Mr. GARLAND.

Mr. DONOVAN with Mr. HAMILTON of New York.

Mr. HAMILL with Mr. LEHLBACH.

Mr. CAREW with Mr. GOODALL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. CARAWAY with Mr. BROWNE.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. BENSON with Mr. ELSTON.

Mr. DOUGHTON with Mr. HUTCHINSON.

Mr. EAGAN with Mr. IRELAND.

Mr. HARRISON of Virginia with Mr. KREIDER.

Mr. HELM with Mr. LUFKIN.

Mr. LUNN with Mr. MCCULLOCH.

Mr. MCCLINTIC with Mr. MUDD.

Mr. MAHER with Mr. VARE.

Mr. OLNEY with Mr. WINSLOW.

Mr. PARK with Mr. ZIHLMAN.

Mr. PRICE with Mr. BRITTEN.

Mr. RIORDAN with Mr. COPLEY.

Mr. STEELE with Mr. MORIN.

Mr. GALLIVAN. Mr. Speaker, on this roll I voted "no." I find that I am paired with my colleague Mr. TINKHAM, who, if present, would have voted "aye." I desire to withdraw my vote and answer "present."

The name of Mr. GALLIVAN was called, and he answered "Present."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present, the Doorkeeper will unlock the doors.

Mr. LEVER. Mr. Speaker, by direction of the Committee on Agriculture, I report back the Agricultural appropriation bill, with the following amendment.

The SPEAKER. The gentleman from South Carolina reports back the Agricultural bill with an amendment, which the Clerk will report.

The Clerk read as follows:

Page 9, at the end of line 4 add the following:

"*Provided*, That no part of the money appropriated by this act shall be used to pay the salary or compensation of any official or employee of the Department of Agriculture in excess of the salary or compensation he is now receiving in the office or position in which he is now engaged or for the work he is now doing if he shall be entitled to an increase of salary or compensation or additional allowance of pay under or by virtue of any other act of Congress: *Provided further*, That this limitation shall not apply to persons employed outside the District of Columbia."

The SPEAKER. The question is on the engrossment and third reading of the amended bill.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

On motion of Mr. LEVER, a motion to reconsider the vote by which the bill was passed was laid on the table.

PENSIONS.

Mr. GALLIVAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15219, the annual pension appropriation bill, and, pending that motion, I ask unanimous consent that general debate be limited to an hour and a half, one half of that time to be controlled by the gentleman from Illinois [Mr. CANNON] and the other half by myself.

The SPEAKER. The gentleman from Massachusetts moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15219, and pending that he asks unanimous consent that general debate be limited to an hour and a half, half of that time to be controlled by himself and half by the gentleman from Illinois [Mr. CANNON]. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to inquire from the majority side of the House whether, after the conclusion of the pension appropriation bill now before the House, it is the intention to call up any other important measure to-day?

The SPEAKER. It is the intention to call up the Military Academy bill as soon as we get through with this one. Is there objection? [After a pause.] The Chair hears none. The question is on going into the Committee of the Whole House on the state of the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15219, the pension appropriation bill, with Mr. HENSLEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15219, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes.

Mr. GALLIVAN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. By unanimous consent debate has been limited to an hour and a half, one half of that time to be controlled by the gentleman from Massachusetts [Mr. GALLIVAN] and the other half by the gentleman from Illinois [Mr. CANNON]. The gentleman from Massachusetts.

Mr. GALLIVAN. Mr. Chairman, this bill comes with the unanimous indorsement of the Committee on Appropriations, and is based on the annual estimates of the Pension Bureau, aggregating $220,050,000. We recommend for the ensuing fiscal year the sum of $215,030,000, a reduction in both the estimates and the current law of $5,020,000.

The amount disbursed for the first six months of this fiscal year, ended December 31, 1918, is $109,000,000. At this rate of disbursement, if it continued for the next six months, there would be a surplus in the current appropriation of $2,000,000. However, the disbursements during the latter half of each fiscal year are somewhat heavier than during the first half, owing to the settlement of a greater number of claims as the year draws to a close and the passage by Congress of a great many private pension bills during the closing hours of the session. For these reasons it is the belief of the committee that the surplus in the current appropriation, if any, will be very small.

The sum carried in the bill now under consideration, $215,030,000, is believed by the committee and the Commissioner of Pensions to be adequate to pay all pensions under existing law. The number of deaths of those receiving pensions will probably be about the same as in recent years, and for that reason the sum of $5,000,000 has been lopped off the estimates. Pensioners die at about the same rate each month. For the last three or four years the number of deaths has been in the neighborhood of 30,000 yearly. For 1914, 1915, and 1916 it was over that amount, but last year it was a little less, because the body of soldiers from which are computed the deaths is constantly growing less, although the percentage is increasing, so that we can pretty fairly judge how much the loss to the roll will be by reason of deaths, and the number of widows is decreasing also.

The principal factor of uncertainty in determining accurately what sum will be needed to pay pensions during the coming years is the net loss of pensioners from the rolls. The number upon the rolls on June 30, 1918, was 646,895, which is a net decrease during the period from July 1, 1917, to June 30, 1918, of 26,216. The loss by deaths during this period was 50,860 persons, of whom 30,466 were Civil War soldiers, 18,412 were widows and other Civil War pensioners, and 1,982 were pensioners of other wars. Losses to the roll by remarriages, minors attaining the age of 16, and other causes aggregated 1,847, so that the gross loss during this period was 52,707. This loss was offset by the addition of 26,491 persons through original allowances and restorations and renewals, so that the net loss to the roll was 26,126.

Mr. Chairman, our report contains several statistical tables which are reproduced from the annual report of the Commissioner of Pensions, and which it is believed will be of value to the membership of the House in connection with the consideration of the acompanying bill:

Amount paid to pensioners, 1790 to 1918, inclusive.

War of the Revolution	$70,000,000.00
War of 1812	46,031,563.82
Indian wars	15,144,212.92
War with Mexico	52,148,138.86
Civil War	5,087,647,618.63
War with Spain and Philippine insurrection	61,333,476.58
Regular Establishment	46,540,408.16
War of 1917	7,243.31
Unclassified	16,508,447.41
Total	5,395,361,109.69

The bill is but 12 pages long. I have made as complete a statement as the committee felt was necessary in opening, and unless some member of the committee desires to ask some question I would now ask that my distinguished colleague from Illinois [Mr. CANNON] use some part of his time.

Mr. CANNON. Mr. Chairman, I yield 15 minutes to the gentleman from Illinois [Mr. MANN].

Mr. GALLIVAN. And I reserve the remainder of my time.

Mr. MANN. Mr. Chairman, during the discussion or consideration of the Agricultural appropriation bill there was more or less said concerning the plant quarantine issued by the Federal Horticultural Board forbidding the importation of most plants after June 1 next. There was inserted in the RECORD a letter from Mr. Marlatt, chairman of the board, addressed to Mr. LEVER, chairman of the Committee on Agriculture; also a letter from Mr. Marlatt to myself; and I ask leave to have inserted in the RECORD another letter from Mr. Marlatt addressed to me upon the subject, in order that people who are interested in the matter may have a chance to dig out of the RECORD the information contained in those letters.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

The letter is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
FEDERAL HORTICULTURAL BOARD,
Washington, D. C. January 31, 1919.

DEAR MR. MANN: Referring to our discussion this morning, and after reading the discussion in the CONGRESSIONAL RECORD of yesterday, it seems perhaps desirable to emphasize the fact that the suggestion of the possibility of amendment of quarantine 37, made in the last paragraph of the memorandum reprinted in the RECORD, was included in this memorandum in answer to the charge which had been made in letters received that the department would not consider any representations of modification or amendment of the quarantine. The object was simply to point out that any quarantine is subject to amendment either to increase or decrease its scope, and not to indicate that the department had any uncertainty as to the wisdom of its action or would change the quarantine on mere pressure without convincing showing of need.

The memorandum points out that the department has taken this action after a very long and thoroughgoing investigation, in which it called to its aid all the plant authorities of the United States and consulted at hearings and individually with the leading plant propagators of this country. After giving practical trial to the possible alternatives of inspection and disinfection the department has been forced to the conclusion that the only possible solution of this problem is in the exclusion of all stock not absolutely essential to the forestry, horticultural, and floricultural needs of the United States; in other words, this quarantine represents the mature judgment of the department and its advisers and is in no sense experimental or tentative. As stated in the memorandum, the main lines of this quarantine are undoubtedly justified, and no minor modification will be made except on showing that is absolutely convincing as to the need and as to the safety thereof.

Yours, very truly,
C. L. MARLATT,
Chairman of Board.

Hon. JAMES R. MANN,
House of Representatives.

Mr. MANN. Mr. Chairman, some time ago I had read, by the consent of the House, a letter from the Secretary of War concerning payment of allotments to soldiers, with a reply which I made to the Secretary. I have a letter from Secretary Baker, replying to my letter, which I ask to have the Clerk read in my time, in order to do full justice to the Secretary.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, January 26, 1919.

Hon. JAMES R. MANN,
House of Representatives.

MY DEAR MR. MANN: Under date of January 9 you replied to my letter of January 6.

You believe me to be in error with regard to two statements contained in my letter of January 6; first, to the effect that allotments payable by the War Department are being promptly paid, and, second, that allotments payable by the War Department are not ordinarily for the benefit of families.

A careful inquiry into the facts shows that allotments payable by the War Department are being paid promptly and are not in any way in arrears. The following table shows the date due and the date of completion of payments from the month of March, 1918, to and including December, 1918:

Month.	Due on.	Payments completed.
March, 1918	Mar. 31, 1918	Apr. 11, 1918
April, 1918	Apr. 30, 1918	May 8, 1918
May, 1918	May 31, 1918	June 7, 1918
June, 1918	June 30, 1918	July 3, 1918
July, 1918	July 31, 1918	Aug. 5, 1918
August, 1918	Aug. 31, 1918	Sept. 9, 1918
September, 1918	Sept. 30, 1918	Oct. 15, 1918
October, 1918	Oct. 31, 1918	Nov. 18, 1918
November, 1918	Nov. 30, 1918	Dec. 19, 1918
December, 1918	Dec. 31, 1918	Jan. 15, 1919

As the dates of payments given above are the dates of completion of payments, it is obvious that the bulk of the allotment checks were in the mails before the dates given.

As to the second of my statements, I call your attention to the fact that a family allowance can be claimed in all cases by a wife or child, and can be claimed by a mother or father, brother or sister, when dependency exists. In all such cases the allotment checks are sent out by the Bureau of War Risk Insurance and not by the War Department. The Army allotment system is, therefore, not usually called upon to send allotment checks in any of the foregoing classes of dependency, since the soldier having such dependents ordinarily elects to pay it through the Bureau of War Risk Insurance and have the additional allotment provided by the Government also paid for the benefit of the dependent.

In your letter you call my attention to the fact that you are receiving many complaints from soldiers that they are not receiving their pay. Undoubtedly such letters as reach you in practically all cases deal with soldiers returning to this country sick or wounded and having due them one or more months' pay by reason of the fact that their separation from their service records has made complete payment on the other side difficult. The orders of the War Department are that the first disbursing officer in this country who is brought into contact with such sick and wounded persons is instructed to pay them in full, accepting the affidavit of the soldier as to the date when he was last paid. These instructions have been sent to every port of arrival and similar instructions have been sent to the commandants of the different hospitals. These instructions and action under them have doubtless relieved the major part of the difficulty, which was due to the fact that when the armistice was signed the opportunity was presented suddenly of returning sick and wounded men to the United States in available transportation, and it was deemed better to return them without waiting for the complete auditing of their pay accounts, thus creating a situation of men returning without money, but not in want of any of the necessaries of life or the comforts which their sick and wounded condition require. I myself discovered this situation on my return trip from Europe and took immediate steps to correct it. From that time the matter has had the prompt and urgent attention of the department.

As an illustration of the character of complaints reaching you you inclose a letter, which I herewith return, from Sergt. John J. McAvoy, as to whom you will be glad to know that he arrived in the United States on November 30, 1918, having been paid in full to include August 31, 1918. In November, while still in a hospital in Savenoy, France, he received a partial payment amounting to $7.50, and on January 13, 1919, an affidavit was taken from the soldier as to his previous payments, and he was paid in full to include December 31, 1918. This action was taken without knowledge on the part of the officer involved of Sergt. McAvoy's letter to you or yours to me.

You call my attention to two other complaints (1) that the War Department is maintaining an expensive system of officers under the Department of Labor to secure employment for discharged soldiers, but that the soldiers who have employment waiting for them find it difficult or impossible to secure discharges, and (2) the refusal of the War Department to obtain information concerning soldiers who are reported wounded and referring them to the Red Cross.

As a matter of fact, the War Department has demobilized to this date something over 850,000 men. From such information as I have been able to secure this is many more than have up to this time been demobilized by either Great Britain or France. We have not, in fact, demobilized men preferentially who had employment waiting for them, and this for the reason that to have done so would have been to detain in the service men equally anxious to be released in order that they might compete for such places of employment as were open. I did not feel and do not feel that it would have been just to release some and detain others who when they are released would find greater difficulty in securing employment by reason of the preferences exercised against them in favor of their associates. This policy of the War Department has been frankly stated and has my unqualified approval, and I believe it to be both just and necessary. It has, however, been modified by authority granted to commanding officers to release preferentially men whose family circumstances contain such elements of distress as to justify exceptions.

As to your last complaint, the War Department has from the beginning persistently and earnestly sought to secure all possible information for the benefit of friends and relatives as to sick and wounded soldiers. The Congress itself has provided a relationship of alliance and cooperation between the American Red Cross and the Army. The Red Cross, by reason of its peculiar activities, has maintained in Europe a very large body of helpful and considerate workers. Their relation to the Army has been such that they have had additional means of securing information and transmitting it to the relatives and friends of soldiers. The War Department has, therefore, urged all inquiring relatives and friends to supplement such information as the War Department could secure for them by utilizing the casualties information section of the Red Cross, and I am happy to be able to say that the American Red Cross has been of great service both to the Army and to the friends and relatives of soldiers in this humane work. There has been no lack of effort on the part of the War Department, however, to use its own facilities to the limit. There have been times when the congestion of urgent public business made only a limited use of the cables possible for personal and individual inquiries. In such cases courier letters have been resorted to. Recently more cable time has been available and a vast number of personal inquiries have been sent and answers received and dispatched to relatives and friends of wounded men.

Very truly, yours,

NEWTON D. BAKER,
Secretary of War.

Mr. MANN. Mr. Chairman, I have not the time to analyze Secretary Baker's letter, much of which contains information as to the policy of the War Department, whether you agree with it or not. But for the benefit of Secretary Baker I am going to call his attention to a few cases that still exist. I have received the following letter:

Corpl. Frank J. Walsh (my brother), Company I, One hundred and thirty-first Infantry, was gassed on October 14, 1918; since that time he has been convalescent in a hospital located at Vichy, France. We have received several letters from him advising us that he received no mail since he was taken out of the lines and that he has not been paid for some five months. I am inclosing herewith an envelope returned to me from France.

Here is an envelope marked on the outside, an envelope addressed to this Army boy, "Gassed 10/14. C. P. O. Tours Directory Section." It is returned to the writer.

Notwithstanding the Secretary's letter—and I admit this information is correct—notwithstanding the Secretary's letter, he has not been paid for five months. And, notwithstanding the Secretary's letter, here is a telegram from a valued constituent of mine, as follows:

JAMES R. MANN, M. C.,
House of Representatives, Washington, D. C.:

My son, Pvt. Chauncey E. Sanders, Company C, Fifth Field Battalion, Signal Corps, Third Division, Regular Army, gassed in action near Chateau Thierry, July 26, taken to Base Hospital 36, was located December 10 at casual evacuation camp, First Depot Division, Army Post Office 727. Has had only one letter since August 10; no pay since May. Government evidently lost record of him at Base Hospital 36, as 21 letters written him by ourselves and friends have been returned from that point marked "No record." Can you secure any action on part of Government to correct this outrageous bungling?

Mr. GARD. Will the gentleman yield?

Mr. MANN. I have not the time or I would be glad to do so. And when I sent this to the War Department they referred me to the Red Cross. They do this, however, in addition to anything they have done heretofore. Heretofore it has only been a reference to the Red Cross, and the Red Cross say they can not get the information for weeks, and maybe for months to come, but in this last communication they say:

Your letter has been referred to the commander abroad for report to us the present whereabouts and condition—

That is, of the soldier—

and you will be advised immediately upon receipt of his reply.

I suppose that my request for information has been transmitted by mail. The boy has not had any mail from home for many months. Twenty-one letters which were addressed to him have been returned. He has had no pay since last May. They hear from him, but the Government can not find out where he is.

Now, Secretary Baker is a fine gentleman, complacent in his style and manner; and when somebody under him tells him that everything is lovely and that the goose hangs high, he believes it, I assume. At least he tells us it is so.

I have any number of communications, both from soldiers themselves and from their relatives, stating they have not been paid and that they can not get their mail. I have no desire to criticize the War Department. I appreciate the great work which the Army has done. But I hope that the Secretary will lose his complacency for a few moments, wake up the men under him, and try to attend to these complaints.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I am sorry I have not more time, but I can not take it.

Mr. GALLIVAN. Mr. Chairman, I yield to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman, I shall take just a moment for a short statement in reference to a matter that is closely connected with what my colleague [Mr. MANN] has just been stating. The letter from Secretary Baker brought the matter very forcibly to my mind. There was a fine young man from my town by the name of Earl Pillow, who was severely wounded

in action on the 12th of October—I think it was—and who was sent to the same hospital as the young man mentioned by my colleague [Mr. MANN]. Afterwards his parents received word from the War Department that he had died from wounds received in action on November 11. Yet they had letters from him written on November 20 and on November 24, or written by his nurse for him, in which he told them of his condition, although the War Department had notified his father that he had died from wounds on November 11.

At the request of his father I took the matter up several times with the Casualty Bureau of the War Department and could get no information at all further than that mentioned, and I took it up finally with the Red Cross, and asked them to send a special cable. They agreed to do so. They sent the cable and said that they would get a reply just as quick as it was possible under the present conditions of the cable service. It was more than a month after they sent the cable to find out whether this young man was dead or alive before they got a reply. They finally received a reply that he had died on November 26 from wounds received in action.

Mr. DYER. Will the gentleman yield?

Mr. DENISON. In just a moment. Now, then, in the last letter the young man wrote to his parents, by the assistance of the nurse in the hospital at Vichy, France, he told them he had sent them all the money he had saved and had taken over with him. He took considerable money along with him when he went abroad. He had sent it to his parents by mail after he received his wounds and when he may have been uncertain of recovering, but they have never heard from it. That was way back in October.

Now, I yield to the gentleman from Missouri.

Mr. DYER. Is the case the gentleman is talking about a transaction which occurred since the armistice was signed or before?

Mr. DENISON. It was just recently.

Mr. DYER. Let me suggest to the gentleman that instead of going to the Red Cross he himself cable direct to Gen. Pershing, and he will get the information he desires.

Mr. DENISON. I asked the War Department about that, and they said I could not do so and get a reply under a month or six weeks.

Mr. DYER. I will say that in extreme cases I cable to Gen. Pershing personally and get a reply promptly.

Mr. HOWARD. Will the gentleman from Illinois yield?

Mr. DENISON. I will.

Mr. HOWARD. I would like to state to the gentleman that I have had the War Department refer me to the Red Cross for further information half a dozen times in the last three weeks.

Mr. DENISON. The Red Cross have invariably treated me with the very highest consideration in my appeals to them. In the case of the young man I am discussing they acted promptly and did the very best they could. The trouble has been that the cable service has been so completely absorbed with the reports of the proceedings of our representatives at the peace conference that there was not left available sufficient service to report the casualties to our soldiers and the condition of our sick and wounded boys.

Mr. HOWARD. I want to say further that I hope the gentleman is not reciting that case as representing an unusual situation, is he?

Mr. DENISON. No. I was just citing it as a case that was in point with the remarks made by my colleague [Mr. MANN].

Mr. HOWARD. It is a common occurrence.

Mr. DENISON. The gentleman from Georgia is right. Now, let me say further that this soldier, Earl Pillow, wrote his father he had not received his pay for five months, and he did not get it up to the time he died on November 26.

Now, his father has never received the money that his son sent him, and he says he does not expect to receive it. The young man did not receive his wages for five months before he died; at least that was the information that his father got, and the War Department gave his parents misinformation as to the time of his death.

Mr. HOWARD. I have a telegram this morning from a gentleman named Wallace, of Atlanta, Ga., who was informed yesterday by the War Department that his son was killed in action on August 31, 1918, and this is the first information that this man has been able to get about his son until yesterday.

Mr. DENISON. It seems to me there has been the grossest mismanagement on the part of somebody when we see that casualties received by our soldiers before the fighting stopped on November 11 are only now being reported, and when the parents of those reported wounded or missing have been absolutely unable to get any further information about them. I hope the whole subject may be investigated and that those responsible for these unfortunate conditions may be ascertained.

Mr. GALLIVAN. Mr. Chairman, this is a bill making appropriations for those now on the pension lists. I believe the last two speeches have a very proper place in this discussion. The bill takes care of the soldiers of the Civil War, of those who come within the provisions of the general pension acts and who are survivors of the Spanish War and of the Indian wars, and of certain classes of widows and invalids and minor children. Just now this country is concerned over the returning soldier, and the returning soldier is concerned over what this country is going to do for the boys who have gone "over there" fighting for humanity.

This bill is the largest pension appropriation bill which has ever passed Congress, with a single exception, that being the bill of last year, and we are glad, I hope, to do what was done last year—pass the bill unanimously—the first time in the history of Congress. But we must not forget the men who are coming back, and both the gentlemen from Illinois remind me of something in connection with what I said on the floor of the House the other day, when I paid my respects to certain members of the high command in France. I have an Illinois case which I dare say my friends are not acquainted with, and just now I want to read a letter which came to me from a good woman in Boston, who read something of what I had to say in the newspapers. Under date of January 16 she writes:

BOSTON, MASS., *January 16, 1919.*

Representative JAMES A. GALLIVAN,
Washington, D. C.

DEAR MR. GALLIVAN: Thank you for your spirited and enlightening speech of January 14 defending the Nationals and Gen. Edwards's manly and brave attitude toward them.

I had a nephew who went in as brigadier general with the Nationals from Illinois. He was deposed and a Regular given his honors just before he lost his life in the Argonne Forest leading his men to a machine-gun nest. When his body was found, he was pierced with seven bullets, any one of which would have been fatal. He was brave and beloved.

Thank you for your defense of such as these.

Very sincerely, ——— ———.

I will not mention the lady's name, but I have her letter, as I have 400 other letters, which have come to me from 29 States in the Union, in my office, and I will be glad to show those letters to any Member of this House who is interested in seeing the originals, provided my correspondents' names are not divulged, so that Congress may realize that what I referred to was not local to New England but was general to the country. I am going to read a few more of them. I have a letter here from a Regular Army officer. Of course, I am not going to use his name. But he writes me from the city of New York as follows:

NEW YORK CITY, *January 15, 1919.*

Hon. JAMES A. GALLIVAN,
United States House of Representatives, Washington, D. C.

DEAR SIR: Being an ex-Regular Army officer, and also having very recently served again a short time as colonel, I see from the inside perhaps better than even you do from the outside, and I want you to know how I sympathize with you in your recent courageous remarks in Congress on the conducting of Army affairs.

But while you were at it, why did you not also bring out the ludicrousness of the Chief of the General Staff's accepting and practically bestowing upon himself, as it were, the badge of distinguished service? Can you beat it? He in a swivel chair in Washington, blunderingly mismanaging affairs and knowing nothing about a modern battle, cheapening this badge by decorating himself with it?

Here are two other letters:

BOSTON, *January 15, 1919.*

Hon. JAMES A. GALLIVAN,
House of Representatives, Washington, D. C.

MY DEAR SIR: I have been very much interested in reading your speech in Congress yesterday regarding the treatment of the Twenty-sixth Division.

I have this minute received a letter from my daughter, who, since last June, has been a Young Woman's Christian Association secretary near the front and who is now within a few miles of the place where the Twenty-sixth Division is stationed. She writes, "December 17," that she has just received a call from two of the boys of the One hundred and third Field Artillery, and, quoting her words, she says:

"The boys were awfully sore over the way the Twenty-sixth was left out of mention in dispatch by Gen. Pershing. It seems the marines advanced into Belleau Woods but could not hold it—not their fault; they were outnumbered—and then the Twenty-sixth relieved them, captured the woods, and held it. They have never been given any credit for it. Another thing that made the boys sore was that Pershing said his only veteran divisions with which to start the drive were the First, Second, and Third, when the Twenty-sixth had been in the front lines continuously since February. I am sorry for some one when these boys get home and into civilian clothes, when they can talk. I do not know even now but what I have said more than I ought, because there are just two things that can not be in letters now—criticism and statement of casualties."

Very truly, yours, ——— ———.

ANNAPOLIS, MD., *January 25, 1919.*

Hon. JAMES A. GALLIVAN, M. C.

DEAR SIR: I write to thank you for your brave and just defense of the National Guards. They were the only purely unselfish, patriotic, and unpaid military organization in the country before the war; yet the Regular Army officers of high rank and the militarists of this country, taking advantage of the exigencies of the time and the loyalty of the American people in great crises, destroyed the guards to further and promote their own personal interests.

Could the true story of the wickedness of the original scheme and the intrigues by which it was carried to its ultimate consequences—the unjust dismissal of many of the officers of the guard of high rank—it would cover numbers of the guilty with the indignation of our fellow citizens, and possibly retrieve some of injuries deliberately and well-nigh criminally done to many of the competent officers of the volunteer service.

Please send me your full speech and keep up your noble vindication of the guard until returning reason restores the militia of the United States to its right place under the Constitution of the country.

I am a Democrat and no Republican complainant.

Very respectfully, yours,

_____.

Now, about every one of these letters mentions the word "courage" or "courageous" in connection with what I had to say, but I can not believe for the shadow of a minute that it needs courage for a man to tell the truth, even in Congress.

I have some other letters, and here, Mr. Chairman, is one from 40 wounded Army officers now in a base hospital in America, and I want your attention while I read this letter hurriedly.

JANUARY 15, 1919.

Hon. JAMES A. GALLIVAN,
United States House of Representatives,
Washington, D. C.

DEAR SIR: We read with joy and thankfulness your speech in the House, in which you discussed the American Expeditionary Forces high command, and are writing this to give you a few hints, that, if you will follow them up, will reveal a state of affairs that no one has dreamed of.

It has been impossible for anyone to criticize. If you did it here, you were pro-German; if you said anything "over there," you were sent home in disgrace. The Czar of Russia in his palmiest days never enjoyed the autocratic power that the staff enjoyed here and abroad.

It can be proven on investigation that medical officers were peremptorily ordered (and dared not disobey) to find unfit officers that it was not desirable, from the staff viewpoint, to send overseas.

Brest was unspeakable as a place to keep soldiers. Prison officials here would have been sent to prison for a term of years that would have dared to keep prisoners in such a hole. Yet we dumped our soldiers there, out of sanitary camps where they were well housed and well fed. Thousands fell ill of diarrhea and dysentery, and hundreds from pneumonia, because of it.

At no time was this remedied, yet at all times we had labor battalions there and Engineers to do the work, but were too busy building France a port of entry that is excelled by none to properly house and care for our soldiers. Pages could be written and then half would not be told you. Some of us were sent home that way and found conditions no better than last May and June. Yet the Secretary of War says it was ideal when he saw it a few months ago. We only wish he had to spend the time there under the conditions we did.

When Gen. Wood visited our front he was treated more like a German spy than an officer of the United States. We have the word of several colonels that knew him well for this. He was hurried through his visit and ordered back home without allowing him to visit the Italian front or returning through England, as he was invited to do by Lloyd George. Gen. Wood was the idol of the Army, officers and men alike, was one of our most efficient officers, yet he was kept in a corner here at home. Who did it?

You are absolutely right as to the high commands. God bless you for it; it is all we can say. The S. O. S. was full of Regulars and the front lines were manned by reserve officers, as far as the fighting units went, and by the National Guard. This also applies to the Regular Medical Corps, Engineers, Infantry—in fact, to any branch of the service.

This became so plain, and the guard and reserves were doing so well, making such a good name for themselves, and the casualty list was showing up so much at home against them that what did they do? They did this: At the first of the war they (the Regulars) were very jealous of the insignia "U. S." and the title "U. S. officer" in distinguishing them from Reserve officers or National Guard officers. But when they saw that all the honor of the war was going to be with the Reserves and Guard they had an order passed making all of us U. S. Do you see it? We did, we assure you. And, as you said, when it was all over but the shouting our officers were replaced by G. H. Q. pets from the Regular service.

We would like to have a count of deaths and wounds. How many men were wounded above the rank of captain? The number is negligible. Above those ranks none of us were allowed to soar, no matter how efficient we were, except in a few instances. It is all very well for them to say that an officer commanding an advance should not be exposed to fire, etc. We will say to you and will prove that hundreds of men were wounded and killed needlessly because the officers ordering the advance or change of position were ignorant of the ground to be traversed or did not know the position of the enemy.

We can also prove to you that scores of men were sacrificed because the officers in command were ambitious for promotion and ordered needless advances, or those that would show up spectacularly in their favor, which were of no material advantage to the general advance and would not have been ordered if they had had to risk their own lives, as they should, with their men and lower officers.

We know of one National Guard colonel relieved of his command after a very successful advance and sent back to the S. O. S. because of jealousy.

We know that in the Medical Reserve Corps in France very few promotions were made among these devoted men, even after a general order was issued to promote them all. It was the general impression among these officers that this order was never intended to be obeyed, but issued to satisfy the pressure back home from these officers' friends. At least no attention was given to the names after they were sent in, except in a few isolated instances.

So these men now are returning to their homes after a year or more service in the Army, wounded more deeply in their pride than those actually wounded in war. This same rule applied to the line officers of the guard and reserve. In all instances a reserve officer is promoted at the will and pleasure of his superior officer. Consequently he is at his mercy, and must please this officer, no matter how efficient he may be, before he can be promoted. The Regulars have us there, too. Their promotion comes to them automatically, for years of service or because they are Regulars. Many good, efficient, hard-working reserve and guard officers were outranked by some young West Point dude, who has been trained for four years to look on the man in the ranks as his "oyster" for no other reason except that he was a Regular and the other man a reserve or National Guard. Those two things above all should be changed in our laws.

In the Regular Army an officer is not judged for his efficiency as an officer, but for his social qualities. We could name several promotions for that alone, and several efficiency ratings based on that item alone.

Our part in the great war was a success, not because of the skill of our high command, but in spite of it. The American doughboy is the best soldier in the world to-day, and in our humble opinion has the poorest general officers.

We have known this all along, but what could we do? We were muzzled as to what we could write home, and it was understood that to report even the grossest inefficiency of a superior officer meant "back home in disgrace for yours." So we have waited, hoping for just such a champion as yourself, that maybe would take the muzzle off and give us a chance to tell what has been done without the chance of a dishonorable discharge staring us in the face. If a full, free, without fear or favor investigation be made, the American people will get off of their knees here worshipping, and maybe make some changes in the Army regulations and laws that will prevent a repetition of this scandal, now so well hidden.

It is true that the "S. O. S." was full of highly paid Regular officers, while in the lines there was great need of them. Medical officers especially were needed, yet in some places great numbers were kept idle, or worse than idle, and could not be assigned to work, or were not, even when asking every day for assignment.

We could tell you many, many other things, but what would be the use? We have burdened you thus far in order to let you know that you have not broken the crust of this thing even, and that the returning Army, reserves and guard, and the enlisted men are with you to a man. We only pray that your arm be made strong, and that you will not be awed by rank.

In our so-called democratic Army there is less freedom of speech or of the individual than in either the British or the French. We did not get our mail, thousands of packages sent us from home of needed articles actually ordered by special permission were stolen from us. Yet we could not say anything. It did no good to complain to general headquarters. No attention was ever paid to anything of that nature. Thousands of us have lost all we had in France—our trunks, our uniforms, bed rolls, etc. And we see no way to be reimbursed for them. To begin with, there was no reason why these things should be lost. And so on, almost without end.

In spite of all the inefficiency and hidebound regular militarism, thank God we had a splendid bunch of men, mostly National Guard and Reserve officers, that cut red tape where they could, disobeyed orders, ignored precedents, etc., sufficiently to get the great job done for which the Regular Army is trying to get all the credit. It is nothing but human that we should object to that.

We are sorry more than we can express that we can not sign our names to this, but being still in the Army we know the penalty of writing to a Member of Congress. We beg that you do not disregard this letter for that reason, but take our suggestions, all of which are true, as a basis from which to work, and do what you can to see that justice be done the guard and the reserves.

To show we are without prejudice we will say that 15 of us are Democrats, 2 Socialists, and 8 Republicans. Eight of us are National Army officers, 4 National Guard, and the rest Reserves.

Again thanking you, and wishing you Godspeed, we are,

FORTY WOUNDED AMERICAN OFFICERS.

That is what Congress must consider, gentlemen. These men are coming back disgruntled. Oh, yes! When they come into New York or Boston or the other ports of debarkation they are glorying in the victory won. They have defeated German autocracy. But I have talked with dozens of them, and they have told me in many, many instances that when they were fighting the Huns in front of them they had to watch for a few Huns behind them; and that is gospel truth, gentlemen of the House.

Mr. POU. What does the gentleman mean by that statement? The statement that they were watching for Huns in the rear of them? I think that the gentleman might well explain that.

Mr. GALLIVAN. If the gentleman insists on an explanation, I think the House grasped what I meant. The very militarism which they have gone abroad to batter down they found in their own ranks behind them, if the gentleman from North Carolina wants an answer. [Applause.]

Mr. GARRETT of Tennessee. Of course, that is an answer in a way, but is it an answer that satisfies the gentleman's own mind?

Mr. GALLIVAN. It does. I am perfectly clear as to what I have in my own mind and I am perfectly clear as to what the boys who have returned from abroad have said to me and what they meant, and right here I want to warn the members of my party who are constantly criticizing us when we endeavor to bring to the attention of the country the needs of these boys who are coming back—I say to them that they are making the mistake of their political lives in rushing to an imaginary defense of the men who have been guilty of cruel wrongs to our soldier boys. [Applause.] It is no party question, and the party that attempts to protect these guilty men will go down to ignominious defeat. I am doing my party a service when I challenge the action of men abroad, and I want to say that the men of New England for whom I spoke the other day and who are coming back only in dribs and drabs are a unit in the criticisms to which I have referred; and once more I beg the men on this side of the House, unless they can answer these attacks, to keep quiet for the present or else go and get an answer, and do not put the Democratic Party in a hole. [Applause.]

Mr. SAUNDERS of Virginia. Will the gentleman yield? I am not interested in putting anybody in a hole, neither am I interested in protecting anybody. If any outrages have been committed, I will join with the gentleman in seeing that the guilty parties are convicted and punished; but when a man writing to the gentleman states that there were a few Huns in the rear of the American Army, that statement conveys a very horrid idea to me. I wish to know what is meant by it. We know who were the Huns in front, and what they stood for. Does the gentleman's correspondent mean to say that in the American Army behind the front there were men, officials, or otherwise, who so far as our boys in France were concerned, stood with reference to them, just as the German enemies in front stood? I want to know specifically what a statement of that sort means. If there is anybody who seeks to be protected, I am not in favor of protecting him, and if there is anyone who ought to be punished, I will join with the gentleman in seeing that he is punished. But at least we ought to have some definite meaning attached to the charge advanced by the gentleman's correspondent.

Mr. GALLIVAN. The gentleman knows that when I quoted the boys who have said to me that they were fighting the Huns behind them, the soldier lads clearly referred to the Hun autocracy which they were there to destroy, but which they saw exemplified in our own ranks in the actions of some of their own officers.

Mr. SAUNDERS of Virginia. They meant to say that that Hun autocracy was exemplified by some officer or officers in the American Army?

Mr. GALLIVAN. Exactly.

Mr. SAUNDERS of Virginia. Very well. I will join with you in trying to weed that out, if it exists. [Applause.]

Mr. GALLIVAN. There is no occasion even to question the statement. It is clear what the boys meant, and any man in this House who will take the time to investigate will be satisfied if he believes that these men, who up until November 11 were "our heroes," are telling the truth. I think they are telling the truth. I said the other day that I had talked with many men, and not one of them was satisfied, not one of them was proud of most of the officers of the high command in France, and I repeat it now. I have hundreds of letters from 29 States in this Union. I have a colonel from the gentleman's own State and a major and a captain from Virginia who wrote me asking me to take up their cases and see what can be done for them.

Mr. FERRIS. Will the gentleman yield for a question, purely for information?

Mr. GALLIVAN. Sure.

Mr. FERRIS. We hear these criticisms. I get some of them in my mail. Some of them I am impressed with and some of them I am not, but as I am able to understand them and fathom them they all reach back to the rivalry and the contest for promotion between the several officers. Do the letters of the gentleman point to that?

Mr. GALLIVAN. The letters which have impressed me do not point to that in any way, shape, or form. I have thrown such letters as the gentleman refers to into the waste basket. I am reading real letters. The letters to which my good friend from Oklahoma alludes did not impress me; and where a man said that he was in line for this commission or that commission and did not get it I have not bothered with his letter. I am reading other letters which do not refer to individual promotions.

Mr. FERRIS. Does the gentleman think that there was absolute venality among the officers, or does he think it is the crime of the system, of too much discipline, too much arrogance, too much authority, or what? I am asking now in perfect good humor and perfect good faith. I hear some of the same troubles that the gentleman does, perhaps not to such an extent, because I live farther from the coast. I would like to ask the gentleman what is the real trouble?

Mr. GALLIVAN. I will try to answer the gentleman, because his question is an honest one. I would prefer to find somebody on the other side of the aisle asking these questions, but my good friends over there are afraid to touch it. There is no glory in what the Republicans of the House have done up to date on this question. I repeat they have not had the courage to tackle the situation.

Mr. HAMILTON of Michigan. Oh, no.

Mr. BUTLER. You tell us how we can touch it, and we will show you whether we are afraid or not.

Mr. GALLIVAN. My friend from Pennsylvania has been here 22 years, and he is asking me to tell him how.

Mr. BUTLER. Because you know better how than I do.

Mr. FREAR. I want to say that we are with you in many cases.

Mr. GALLIVAN. I have a colonel from the gentleman's State who asks me to take up his case.

Mr. BUTLER. From Pennsylvania?

Mr. GALLIVAN. From Wisconsin.

Mr. BUTLER. I will give you the names of several men from our State.

Mr. GALLIVAN. I have the names of several men, generals and colonels, from the gentleman's State.

Mr. BUTLER. I can give the gentleman the names of several men from Pennsylvania who were demoted after they had made successful fights against the Hun.

Mr. GALLIVAN. Yes; I have got 26 general officers above the rank of captain who saw service abroad and were demoted, and in most instances the men who were given their places had not seen combat before.

Mr. HAMILTON of Michigan. What reasons were assigned, if any?

Mr. BUTLER. None.

Mr. GALLIVAN. The gentleman is wrong. Does the gentleman mean what reasons are assigned for relieving the man of his command?

Mr. HAMILTON of Michigan. In demoting the man. I was following the gentleman's statement.

Mr. GALLIVAN. I will refer to a distinguished brigadier general from my city, who had fought longer than any brigadier general in the Infantry line. Listen to this: He was on the front line until November 6, and a division commander, who was appointed to succeed the gallant Gen. Edwards, removed him on the 6th of November. Remember, on the 6th of November. And although he had fought with his brigade from away last February until November the reason assigned was that he was not aggressive enough in attack. He had been attacking and had gained a further advance in the enemy's line than any other brigade commander in Infantry. And in his brigade is the one regiment of the entire American Expeditionary Force which was cited as a regiment and the colors decorated.

Mr. HAMILTON of Michigan. Then that man was the victim of a lie.

Mr. GALLIVAN. He was; but I want to say in fairness that he asked for a court of inquiry, and the news only came to us yesterday that after his court was held and the papers went clear up the line at last, when they got to the commander in chief of the American Expeditionary Forces, Gen. Pershing ordered the man back to his brigade and said he never should have been removed. [Applause.]

Mr. WHITE of Maine. Will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. WHITE of Maine. Did the gentleman undertake to get from the War Department the record of the demoted man?

Mr. GALLIVAN. I have not of late. I was in Boston before the session met in December, and had some correspondence with the Secretary of War about a colonel from my own city who was relieved, and was informed that they had referred it to over the seas. I did learn from a Senator-elect from my State, who comes into the United States Senate on the 4th of March next, the first Democrat elected to the United States Senate since the Civil War from Massachusetts, that he had thrown himself into the action here in the War Department, and that the Secretary of War had assured him that the record of the colonel for whom I was asking fair play was absolutely one of efficiency, so far as they knew in the War Department; that there was not a black mark against it. I will say to the gentleman from Michigan that the colonel who had fought from February until the 1st of November, with only seven days' rest in all that time, was relieved for "inertia." [Laughter.] "Inertia," that is all. This man, who also asked for a court of inquiry, was removed by a division commander who was in command of the division but 24 hours and had never laid eyes on him and never saw him in his life.

Mr. HAMILTON of Michigan. Where does this policy start, and who is responsible for it?

Mr. GALLIVAN. That is what I am going to find out if I get help.

Mr. GRIFFIN. Will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. GRIFFIN. Does not the gentleman think it had its start at West Point?

Mr. GALLIVAN. Not altogether; and while some people got the impression the other day that I was attacking West Point, I was not. There are many good things about West Point, although I heard a distinguished brigadier general in an address at the Harvard Club at Washington the other night advise a change in the curriculum at West Point. He went on to say that it must not, for the shadow of a moment, be believed that the officers or that military science had won this war. He told us what we all want to believe, that it was the spirit of the men—the spirit of the men—and he advised his fellow officers

in the regular line to cultivate the men whom they have met in the commissioned personnel of the National Army in the last year or 15 months. Gen. Ansell, of the Judge Advocate General's office, one of the most brainy men in the whole Army, made that suggestion.

Now, I have a great many letters here——

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. SAUNDERS of Virginia. The gentleman referred to some cases that came from my State, captains, colonels, and others, in respect to which he said they asked him to take up their cases. Does that relate to injustice or demotion and other wrongs they claim were done to them?

Mr. GALLIVAN. It did.

Mr. SAUNDERS of Virginia. Those cases present questions of fact which are to be arrived at by a military inquiry.

Mr. GALLIVAN. I am not reading their letters.

Mr. SAUNDERS of Virginia. What does the gentleman propose to do with these cases?

Mr. GALLIVAN. Well, I talked about that the other day—I do not want the gentleman to use all my time, for I have something interesting to say. [Laughter.]

Mr. DECKER. Does the gentleman think the man to blame for this is Gen. Pershing?

Mr. GALLIVAN. I do not.

Mr. DECKER. He is in command?

Mr. GALLIVAN. He is.

Mr. DECKER. Then the gentleman must think he is to blame.

Mr. GALLIVAN. I want to say parenthetically, and in answer to the gentleman from Missouri, that I was asked to what I attributed it, whether it was to West Point jealousy, and I say no; and also, when my friend from Missouri brings up the name of Gen. Pershing, I say no. I am assured on the highest authority that these unjust and unfair actions are credited to the so-called "Leavenworth clique," and there are men from West Point who are not in the "Leavenworth clique."

Mr. HAMILTON of Michigan. How does the "Leavenworth clique" exert its influence on the War Department? Tell us that—and who is the "Leavenworth clique"?

Mr. GALLIVAN. I suppose my friend, who has been in Congress longer than I, knows that we have certain Army schools at Leavenworth, a sort of post-graduate schools, and these men who come out of Leavenworth have become closely banded together. Whether Gen. Pershing is the head, front, and center of the "Leavenworth clique" I can not say to my friend from Missouri [Mr. DECKER], but it is well known that the controlling influence in his staff were members of the "Leavenworth clique," and I can assure my friend that unless I am being led astray men, even in the regular line, if given proper protection, will, when Congress investigates this entire situation, take the stand and under oath testify to the power and the influence and the unfairness of the "Leavenworth clique."

Mr. GOODWIN of Arkansas. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. GOODWIN of Arkansas. The gentleman has spoken of a great many unmerited demotions. Are those demotions due to any one man over and above any other man, or many men?

Mr. GALLIVAN. I have just answered the gentleman's question. I have discussed for four minutes the "Leavenworth clique." I am advised from excellent sources that they were due to the influence and power of the "Leavenworth clique." In fact, may I say to my friend from New York [Mr. GRIFFIN] that I was advised, when I sought information, to be most careful to separate the West Point system from the Leavenworth system, and once more I repeat that I did not in any words of mine intend to lay up against West Point the injustices that have been perpetrated on American young men who gave up everything to go across the ocean.

Mr. HAMILTON of Michigan. The influence and power of the "Leavenworh clique" with whom?

Mr. GALLIVAN. With the high command.

Mr. MASON. Does the gentleman mean the general stawf? [Laughter.]

Mr. GALLIVAN. With the General Staff in Washington, as well, my good friend; yes.

Mr. MASON. I want to ask the gentleman a question. The question has been asked here on both sides of the Chamber—What can we do? This is one branch of the Congress of the United States. I have had the honor and pleasure of introducing a resolution which would allow the Congress of the United States to send for papers and persons and to sit during the recess. Does the gentleman not think it would be a wise thing for both parties to pass that resolution, so that we can get the facts before the people and before Congress, and then we will know how much is truth and how much is error in all of these letters and charges?

Mr. GALLIVAN. I do; and I have already suggested that. I might say to my friend from Illinois, both parties better get a jump on; both parties.

Mr. WHITE of Maine. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. WHITE of Maine. In that connection I asked the gentleman a moment ago if any requests had been made of the War Department for the records of men which have been refused. I asked that because I had understood—I had been informed—that a Senator of the United States had asked of the War Department the records of certain demoted men, and that all records had been refused, and I wanted to know if the gentleman had any information in respect to it.

Mr. GALLIVAN. I have not had any information along that line; but I think I know the officer to whom my good friend refers. If it is Col. Hume, of the One hundred and third Infantry——

Mr. WHITE of Maine. That is one of the officers.

Mr. GALLIVAN. I have his record here, the official record of Col. Hume, where the man was cited more than once; where, like Col. Logan, of Boston, he had fought almost until the last stroke of the gong, and he was relieved on the 4th of November. He was in the brigade of the general to whom I referred a moment ago, who was recently restored to his command by Gen. Pershing. Do you wonder that we from New England rise in this Chamber and call the attention of Congress to these conditions? Remember that our boys have been over there longer than anyone else, excepting the first small unit that went with Pershing himself, and remember that the Twenty-sixth Division, the Yankee Division, fought until 11 o'clock on November 11. Do you wonder that it would take the heart out of any man in Congress if he was compelled to keep quiet when he knows the truth of these stories? For one I propose to have my say here in Congress.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. TREADWAY. I would like to ask the gentleman if he can give any information as to the probable time of the return of these troops from New England, who have served, as the gentleman says, longer than any others?

Mr. GALLIVAN. Only from the newspapers, to which I was referred by the distinguished Chief of Staff; and the newspapers in Boston say that the division is coming home. I hope that no words of mine spoken on this floor may change the order, but I am watching; I am not afraid.

Mr. TREADWAY. May I not ask if the newspapers in our sections have not carried the stories that the men themselves are writing home that they expect to reach debarkation points in the very near future, but that no confirmation of that fact can be secured from the War Department or the Chief of Staff here?

Mr. GALLIVAN. I was advised by the Secretary of War the day before yesterday that he knows nothing about the departure of the Twenty-sixth Division. [Laughter.]

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GALLIVAN. I thank the committee for its very great interest and attention in these matters. [Prolonged applause.]

I ask unanimous consent to extend, revise, and correct my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts? The Chair hears none.

Mr. GALLIVAN. Mr. Chairman, I now under the privilege extended to me desire to print some more of the letters to which I have referred in my remarks this afternoon, and I ask the Members to read them carefully. They all tell a story similar to each other, and in every instance they came to me with the signatures of the writers attached. I will not print the names of my correspondents, but will gladly show the originals to the Speaker of the House or to the leader of the minority [Mr. MANN], if they should desire to read them.

ILLINOIS, *January 23, 1919.*

HON. JAMES A. GALLIVAN,
House of Representatives, Washington, D. C.

DEAR SIR: As one of the many "jobbed" National Guard officers, permit me to express my thanks to you for your recent severe and manly condemnation of the system employed by the Regular Army clique to discredit and remove from service officers of the National Guard and Reserves.

A congressional investigation such as you have urged will reveal conditions almost unbelievable and compared to which the "embalmed-beef" scandal of 1898 would be insignificant.

Should you desire it, shall be glad to submit some facts for your perusal, and can furnish names and addresses of upward of 100 National Guard officers from many States to substantiate my statements.

I sincerely hope you will persist in demanding a congressional investigation pertaining to dismissal of National Guard officers, the conduct of the brigade and field officers' school at Fort Sam Houston, Tex., and the school for noncommissioned officers of the National Guard at Leon Springs, Tex.

The arrogant, brutal methods employed at these schools alone would shock the Nation.

I am writing my Congressman ———, asking him to support you in your efforts to get justice for many brave officers who have been cruelly wronged.

Sincerely, yours.

—

BOSTON, *January 20, 1919.*

Hon. JAMES A. GALLIVAN,
Congressman from Massachusetts, Washington, D. C.

DEAR CONGRESSMAN: I want to thank you for your very able and forceful effort on the floor of the House to convey to official Washington and the country some of the things that the War Department is either doing or countenancing that are not right as we see it.

My work as ——— keeps me in fairly close touch with conditions abroad, and I have been amazed at the shortcomings of the War Department.

To illustrate, my own son went without his pay for something over 10 months, and I have just succeeded in getting the War Department to settle with him. Many of our boys have not received their pay for months and months; are being landed in this country without a penny in their pockets; have been discharged without any pay since the day they left Framingham; parents have been cut off from allowances and allotments; National Guard officers, we believe, have been discriminated against unfairly; and now, on top of it all, the War Department issues a ruling that no soldier, unless he is with his unit, is entitled to the special YD and other insignia, which is an atrocious ruling, the bad effects of which will be far-reaching.

So I repeat that I was glad to see your bold stand of constructive criticism. I want to be fair, but constructive criticism is fair, and those of us at home who have been active know some of the shortcomings of the War Department.

I can substantiate with facts any of my criticisms.

Very truly, yours.

—

NEW YORK CITY, *January 17, 1919.*

Hon. JAMES GALLIVAN,
House of Representatives, Washington, D. C.

DEAR SIR: Your speech to the House quoted in the Times of the 15th was a step in the right direction. While you are on the subject of the Army, might I be permitted to state the following facts:

If an officer of the National Army or National Guard while in the Federal service is unfit for further duty through physical disability he is discharged and that ends it. This disability, of course, occurred in the line of duty. But—

If the officer disabled is of the Regular Army or the old establishment, he is not discharged, but retired at one advance in grade and allowed a percentage of his new grade's pay. Please note the difference; one is discharged and the other is retired.

Last September I placed these facts and some data before Chairman DENT of the House Military Committee, but up to the present time have heard nothing. I am one of the above discharged National Guard officers.

Yours, truly.

—

BOSTON, MASS., *January 16, 1919.*

The Hon. JAMES A. GALLIVAN,
Washington, D. C.

DEAR SIR: In one of the morning papers I read of your appeal to Congress for our boys of the Twenty-sixth Division. I believe I am voicing the sentiments of every soldier's mother when I say that it is obligatory on the part of our Government that this affair be thoroughly investigated immediately. The delay of the return of this division and the treatment of some of its officers is being discussed everywhere. If there is a question that fair play has not been given these men, it should be settled at once to the satisfaction of all concerned.

If our Army officials are keeping this division in France for mercenary reasons or through personal feelings of spite, authority to do so should be wrested from them. Such proceedings are a violation of Uncle Sam's principles and the very cause for which these brave boys volunteered their services.

The boys of the Twenty-sixth Division should have returned on the first homeward-bound transport from France. These boys volunteered in answer to Uncle Sam's first call to the colors. The majority of them gave up fine positions, with splendid futures ahead of them, to fight for our protection. Not only did they leave their homes for a strange land, but they purchased liberty bonds paid for out of their Army salaries, which they sometimes waited months for.

Ours is a Government by the people, of the people, and for the people. If there is any suspicion of unjust discrimination in sending our troops home, the people should protest and demand an explanation, not only that our boys may receive justice but that those at whom the accusations are directed should be vindicated.

It has been rumored that this division is to be held at a rest camp until their condition is physically improved, when they will be ordered to Germany as part of the army of occupation. Everyone knows what they have done in this war fighting from February until after the signing of the armistice, without one period of rest, untiringly. I could go on endlessly relating the sacrifices they made and their heroism, but we all know the story.

Haven't they done more than enough? Send them home! It is a trivial reward after what they have endured for us.

If they are ordered to Germany, what shall they say to us when they return, broken in health and spirits, to find every available position in the country filled, forgotten by everyone excepting their dear ones?

I hope that Congress as a body will give this matter immediate attention, that the proverbial "red tape" will be swept aside, and that they will not tolerate undue delay in answer to their investigation.

I feel safe in saying you have the esteem of all New England for your efforts thus far. Let us hope, sir, you will see this thing through until success is attained. If the personal signature of mothers and relatives of the boys of this division will facilitate matters, I am willing to do my utmost to place such a list in your hands. I submit this in lieu of having heard the plan suggested.

Sincerely,

——— ———.

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CHICAGO, ILL., *January 15, 1919.*

Hon. JAMES A. GALLIVAN,
Washington, D. C.

MY DEAR SIR: The writer has just received his Washington Evening Star of the 15th instant, and has noted with real interest the account of your criticism of Army pets as set out in that paper.

Inasmuch as the Government had to call upon the people, the State guard, and reserve officers in order to win the war, and inasmuch as the civilian had in many cases to make up for the shortcomings of the Regular Army, and the said Regular Army being a closed corporation, I would suggest that the War Department be the subject of an investigation by Congress, with real investigators, sitting and acting as a court of inquiry, presided over by a civil judge, that the proper examination and cross-examination might take place.

It is a known fact that an Army or War Department investigation is a one-sided affair, the whole intent of the inquiry being to protect the Army view of the situation, and any member of the Army forces who dares to criticize the acts or methods of the combine is at once asked to resign, no matter whether his claims are just or not.

Further, in order to break up the combination of the Regular Army officers and the lead-pipe cinch held by them, and in view of the fact that the National Guard and reserve officers had to come to the front, I suggest that the Army control be divided, one-third going to the National Guard and one-third to the civilian reserve officers, and that proposition be continued and maintained.

An Army officered by such a combination will be a live factor for justice; no packed court-martial can then be pulled off, and I see no better way for the people of this great Nation to show its appreciation to our men who went to the front than to give them some voice in the real management of affairs, and I predict that there will be a business administration therefrom and ever after.

Very truly, yours,

——— ———.

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———, GA., *January 24, 1919.*

Hon. JAMES A. GALLIVAN,
Washington, D. C.:

You are to be congratulated on your speech before the House on January 14. It takes a man of a peculiar class of courage to make the statements you did, although every statement was as true as gospel. Gen. Edwards was not the only officer that was "got" by inferior nincompoops over there. There were hundreds of them, generals and colonels, who were removed without apparent cause, after long and efficient service, solely to give excuse for the appointment of Cavalry officers or those from the Leavenworth clique. Check up any of those relieved and you will not miss a case of rank injustice very far.

Another way of "getting" officers was to order them to a hospital, and the doctors would take care of them after that.

Again, scores of officers who served from three to six months in the front sectors—lines, if you like—with all the hardships and dangers that that service implied, were sent to the rear temporarily worn out—did not have the opportunity to sleep in warm beds or eat three good meals a day—and then railroaded to the States, with the resultant denial of promotion justly won. Men who have seen their juniors jumped over them purely through personal favoritism—selection—and a large number of those thus discriminated against by virtue of this favoritism bear the scars of wounds received in battle. Yet that counts for naught unless you had a "stand-in" with the powers that be—Duncan K. Majors and his like—in other words, were of the "elect"; and if you did your work in an efficient, hustling, painstaking manner and did not make the welkin ring with outbursts of self-laudation of your greatness and importance, you were lost.

The powers that be have the officers of the Army by the throat, and if those who suffer gross injustice at the hands of the favored—those who are bedecked with medals for their gallantry, but who ruled in Chaumont and the States—utter a whimper in protest they are immediately squelched via the court-martial route. There is no possible chance for an officer who has been unjustly treated to secure justice.

You can see every day scores of brigadier generals, colonels, etc., who have never heard a hostile shot. Justice?

A large number of officers—a very large number—hope you will push your request for an investigation, and also put a stop to any future similar acts of favoritism by squelching the clique recommendation for promotion by selection in the proposed Army reorganization bill. It has been very definitely shown by the promotions by selection in the past few months that the personal factor is the greatest element to successful advancement in the Army, and the man who is out doing straight soldiering gets no consideration.

The Army and Navy Journal is filled with a lot of editorial slush with reference to your remarks and the source of your information, but its eyes would be opened could Army officers and men tell the truth without fear of having their means of livelihood summarily stopped.

Discipline is necessary, but gag rule is a curse to any nation.

Sincerely,

—

BOSTON, *January 16, 1919.*

Representative JAMES A. GALLIVAN.

DEAR SIR: Let me introduce myself as the wife of one of those slighted and shamefully treated officers of the Massachusetts National Guard, who you so gallantly defended in your truly wonderful speech of the 14th in Washington.

You have no idea what a wonderful comfort it was to me to read it, and realize you have made it possible for the public to know the real truth in regard to these things. My husband, an officer in the —— Massachusetts—I will call no names—has given 20 years of the best part of his life and time to the work of the National Guard. After many years of hard work he has built up a paying business. When "his country called" he gladly gave up all family ties, business, everything, to go to war; with what result? After fighting, suffering, and great sacrifice, to be turned down from his rightly earned reward and have to see a young West Pointer, a rich man's son, who has never done anything to merit reward, put into his place! It is a disgrace to this administration the way real men have been abused, and it surely will have to pay for it later. As you say, "Wait till the boys get home; they will tell a few things."

Your wonderful speech "blazed the way" to the truth, indeed. It was just splendid and you certainly have the blessings of the wives and mothers of those men you so gallantly defended. The shameful conditions of the mail service in regard to soldiers' letters is so true. I have a relative wounded in a French hospital who has not had a letter from home for three months, and we have written 10 to him. May God give you courage to continue your good work and bring to justice those "powers that be" who persistently refuse to listen to the cries of those in distress who have given "their all" and who also absolutely refuse to "right the wrong."

Thanking you for what you have done in putting the facts before the people and for your splendid speech, I remain,

Most sincerely,

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NEW YORK CITY, *January 15, 1919.*

Hon. JAMES A. GALLIVAN, M. C.,
House of Representatives, Washington, D. C.

DEAR SIR: Every volunteer officer, especially those in the combat units in France and their relatives, will be glad to read of the issue raised by you yesterday in respect to certain Regular Army officers, their safety-first conduct, and their treatment of said volunteer officers who, educated at private expense, volunteered their services and risked their lives for their country in all posts of danger to which they were assigned and told that they would have to earn promotion under fire.

Beginning with applications for admission to officers' training schools and in such training schools in charge of West Pointers, the volunteers were hectored, bullied, and abused in a way remarkable for its smallness and pettiness and told that they were unwelcome and that they did not propose to have them, the volunteers, get commissions that it had taken them four years at West Point to obtain. The fact that such volunteers had had educations, college and other, and business experience which more than equaled the purely academic training of four years at West Point of the West Pointers during their adolescence, was entirely disregarded and considered as of no value by said West Pointers, who assumed that the course at West Point per se (obtained at public expense, for which they evince no gratitude), had given them a profound, superior, and complete knowledge of the past, present, and future tense of everything, and in addition had made them, properly from all walks of life, social superiors of said volunteers, whom they continually flouted and refused to meet on equal terms or accord equal privileges on all occasions.

When France was reached the volunteer officers were assigned to all branches of the service in the combat divisions considered of extrahazardous nature, such as manning scouting machines, aeroplanes, and balloons for observations of artillery fire, commanding machine gun and field-artillery units, even of the regular divisions, trench-mortar batteries. The latter was considered extrahazardous (not borne out) by the English and French Armies; in fact was termed the "Suicide Club," and there was not a West Pointer in command of a single trench mortar battery, even of the Regular divisions of the Army.

The truth of these conclusions is verified by the small list of casualties to West Pointers. The writer hopes that you will obtain and publish a complete statement, showing the number in the service, the number in combat divisions, the nature of their assignments, and number and proportion of casualties sustained. The writer hopes that the matter will be ventilated fully, as well as the method by which the grossly unfair promotions and commissions have been given, and that our public-school aristocracy of West Point will have much-needed and corrective measures applied to it or abolished for the good of the country.

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———, VA., *January 25, 1919.*

Hon. JAS. A. GALLIVAN,
Washington, D. C.

DEAR SIR: I have read with much interest and appreciation your remarks in Congress a few days ago about "Regular Army pets," etc., and I take this means of thanking you for same, as every National Guardsman knows that you have spoken nothing but the truth.

"Get those National Guardsmen" seemed to have been a general order right down the line; whether the means be fair or foul, it was get them.

In the Twenty-ninth Division (the Blue and Gray), to which I went with my command after the border service with much pleasure and pride, not only were the words "persecution" and "discipline" confounded in the conduct of that division, but it was the custom of our distinguished commander—having orders from "higher up," no doubt—to merge three National Guard regiments into one—I cite the Fifth Maryland Infantry as an instance—then to chop, chop, chop away at the commissioned personnel until it was trimmed to suit. On the other hand, as you doubtless know, it was the custom to expand the very inferior Regular outfits into three. The object in merging was to get rid of the officer who had for years been giving his time and efforts free in the hopes that some day he would be of some service to his country. The object in expansion being to give promotion to Regular officers, most of whom had been educated and trained out of funds coming from the taxpayers, among whom are numbered the National Guard officers and men.

As a member of the National Guard who has more than 20 years to his credit, who three times of his own accord left home and loved ones to defend the flag, I again wish to thank you for your efforts and to express my pleasure to find at last a Member of your honorable body who has enough red blood in his veins and courage in his heart to defend the National Guard.

Again thanking you, I am,

Very sincerely, yours, ——— ———.

———

———, MO., *January 15, 1919.*

Hon. Mr. GALLIVAN.

DEAR SIR: Just noticed your report on ousting of National Guard officers in this morning's paper. I am one of those unlucky ones and want to congratulate you and thank you for having backbone enough for your supporters. I was a major in Missouri and had served 17 years in the National Guard, and was relieved for doing what I call my duty. It is too bad our representatives can not take the same stand you have taken. I could tell you more but am out now and it would do no good, but I just could not help thanking you for your speech.

Hoping for your success and pledging you my support if I ever get a chance, I am,

Respectfully, ——— ———.

———, VT., *January 15, 1919.*

Representative JAMES A. GALLIVAN,
Washington, D. C.

MY DEAR SIR: I have just been reading an account of your attack on the War Department and the high Army command in this country and in France for their treatment of the Twenty-sixth Division, and I thank God that there is one man that is not afraid to speak his mind, and now that the ice is broken I hope that there will be something done and that the Twenty-sixth Division (what there is left of it) will be on its way home soon.

We have a son over there in the One hundred and first Ammunition Train and he has been through it all. That you may know what one soldier boy thinks of Gen. Edwards, I will quote a part of his last letter to me dated December 11, 1918:

"If I were you I would not build my hopes too high on our being home for New Years, or three from then, for that matter. The Twenty-sixth Division, for some unknown reason, does not fit any too well with those higher up and never has for that matter. If Gen. Edwards could have his way we would be home in a hurry, and I am sure that he will do everything in his power to get us there as soon as possible. Mother, Gen. Edwards is the best man that ever wore stars and there is not a man in the Twenty-sixth Division who would not fight for him. I sure would like to hear him talk in Boston. If it were not for this fact, that we are not allowed to criticize anything or anybody in our letters, I might write several interesting pages on this subject."

Very truly, yours, ——— ———.

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MELROSE, MASS., *January 15, 1919.*

Hon. JAMES A. GALLIVAN.

DEAR SIR: Permit me to add my feeble words of commendation to those I feel must be pouring in to you from all over the land for your fearless denunciation of the injustice done the officers and men of the Twenty-sixth Division. You have surely earned the thanks of all who believe in justice and fair play, and for one I thank you. Myself an old member of Company A, Ninth Massachusetts Infantry, I have watched with a great deal of pride the splendid record made by our New England boys, especially the One hundred and first Regiment. All the more so as I had a son in Company L of that command, who now lies under the sod of France, having been killed July 20 at Vaux, in the second Battle of the Marne. As yet I have been unable to obtain any definite information in regard to his death and so far have received none of his personal effects, though I have tried in every way to do so. I surely agree with you that there is something wrong and wish you every success in your efforts to have things righted.

I have received from France an official citation for bravery issued to my son upon recommendation by his regimental and brigade commanders and signed by Gen. Edwards. While I shall always cherish that, it does not and never can take the place of my dear boy, who I feel, like many others, was needlessly sacrificed.

With highest regard, I am,

Very respectfully, yours, ——— ———.

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———, N. Y., *January 15, 1919.*

Hon. JAMES GALLIVAN,
House of Representatives, Washington, D. C.

DEAR SIR: I have just read in the New York Times the report of your speech. If there is basis for your charges I hope that you will persist in having these allegations investigated, and, if proven, the guilty ones punished.

I was not aware of the treatment accorded Gen. Edwards; wider publicity should be given it. But I and many like me have been aware of what is, as far as the Army is concerned, the gravest scandal of the whole war. I refer to the treatment accorded Gen. Wood.

Gen. Wood is not known to me personally. I speak as a disinterested person. But I have watched his career and had learned to hold him in the greatest respect, as to character, ability, and certain statesmanlike qualities rarely found in a soldier. The greatest offense of which he has been guilty has been his desire to acquaint the American people with what he considered their almost helpless condition should war suddenly come upon us. I never have heard him accused of any laxness or misconduct as far as his Army career was concerned. He has been humiliated, one might almost say persecuted, by those in authority in Washington for no other reason, that I can learn, than that he chose to fearlessly speak out on an issue that others chose to "pussyfoot" on. The criticism might have hurt the tender sensibilities of some of the most high in Washington, but it was constructive criticism of the best kind. As far as preparatory work goes, I believe that Gen. Wood's outspoken criticism which led finally to the establishment of the numerous officers' training camps all over the country before we were finally engaged in the war was the finest piece of work done by any Army officer.

I hope, sir, that you will do all that you can to open the doors wide, to the end that men of the type of Gen. Edwards and Gen. Wood may receive full justice, and to let the fullest publicity obtain so that the man in the street may read for himself and learn.

Cordially, yours, ——— ———.

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BRIDGTON, ME., *January 15, 1919.*

Mr. GALLIVAN.

DEAR SIR: I have been reading in the Post your talk about the Twenty-sixth Division, and I am glad to see one man that will show these men up in their true light and find out why they have been crowding these boys of the Twenty-sixth the way they have done.

I have a boy in the Twenty-sixth and would like to know why they should be kept over there any longer. They have done their duty, and they should have been sent home long ago.

I certainly hope you will keep up the good work and make it interesting for them until they do do something about it.

Yours, truly, ——— ———.

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BOSTON, MASS., *January 15, 1919.*

MY DEAR MR. GALLIVAN: I know such words as mine can not express such pride and honor which we people of this congressional district owe to such a man as you.

I have read your speech made in Congress to-day, and as I have a brother in the One hundred and first Regiment, I find it nothing but my most important duty to congratulate you on your wonderful under-

taking. My brother was reported killed, wounded twice, and missing. You can imagine for a moment the feeling and sorrow which came to our home during this memorable period. However, he is now safe and sound in France—or at least he so states—and it is my only desire now to see him get a square deal and receive his due justice.

There shall be volumes of books written upon this very subject, but when I finish my college career and am about to write my view of this subject, I shall only write it with contempt and "soreness" for the men to whom you refer in connection with the treatment of the Twenty-sixth Division and the transfer of its officers.

I only hope that you shall continue your fight to a finish, and our prayers shall abide with you to the end.

Yours, forever,

———— ————.

—

WINFIELD, KANS., *January 20, 1919.*

Hon. JAMES GALLIVAN, M. C.,
Washington, D. C.

DEAR SIR: I wish to commend you for your recent criticism of the treatment of the National Guard, both before and since going abroad, and most heartily say amen to every word in your address.

I have the honor to have a boy in the Thirty-fifth Division, and I do not believe there is a father or mother of a National Guardsman who *does not* believe that they have had the worst of it ever since they have been called into the service. Not a breath of complaint has ever come from the boys abroad, but when we hear such reports as Gov. H. J. Allen and others as reliable it causes just a little misinterpretation. We gave our boys freely, and every one of them has been an honor to us who gave them and to their country, and we have a right to expect that both officers and men be accorded the honorable treatment they deserve.

Go on in your fight, and not a father or mother of a National Guardsman in the country but will rise up and call you blessed.

I know not wherein lies the blame, but it should be found out and wrongs be righted before it is too late.

I am, most sincerely,

———— ————.

—

HAVERHILL, MASS., *January 15, 1919.*

Hon. JAMES A. GALLIVAN.

DEAR SIR: Thank God you are a man and that you have backbone enough to say what you did in Congress yesterday.

New England guardsmen were needlessly slaughtered.

Find the man responsible for it and give him a "congressional medal" without whitewash.

Allow me to congratulate you.

Respectfully,

———— ————.

—

LYNN, MASS., *January 14, 1919.*

Hon. JAMES A. GALLIVAN.

DEAR SIR: It is a pleasure, indeed, to see a man who has the insight and "guts" to go after one of the most dangerous evils prevalent in our Army. You're right from A to Z. Go get 'em.

I know. I went through it.

———— ————.

—

STAMFORD, CONN.

Hon. JAMES GALLIVAN,
United States House of Representatives,
Washington, D. C.

MY DEAR SIR: I have read with interest in the New York Times of your efforts to obtain the speedy return home of the Twenty-sixth (New England) Division.

As the mother of a lieutenant in the One hundred and second Infantry, who went to France in September, 1917, has been in the fiercest fighting, and has been twice in the hospital, I want to thank you for your efforts to secure promotions for those brave, unselfish men of the Twenty-sixth Division who have offered their lives for us all.

Surely the brave fighters of the National Guard, many of whom have borne the brunt of many battles, ought to be as readily honored and promoted as the men of the Regular Army.

Thanking you for your efforts on behalf of our own brave division, I am,

Sincerely, yours,

———— ————.

—

MARSHFIELD, VT., *January 16, 1919.*

Representative GALLIVAN,
Washington, D. C.

DEAR SIR: Pardon me for taking up a little of your valuable time. I saw your speech to Congress in regard to the Twenty-sixth Division in yesterday's Boston Post.

I am a farmer in the good old State that has given a good many of her sons to that noble division. I have a son who is a corporal in Company F of the One hundred and first Ammunition Train.

Gen. Edwards reviewed the Vermont troops at Fort Ethan Allen before they were put into the National Army. The boys went wild over the speech he made them. It seems very strange that the Twenty-sixth is being held over there after what they have been through.

There certainly is a "nigger in the woodpile" somewhere, and I am glad there is one man in Washington that has got sand enough to start something.

You have the respect and best wishes of one proud dad in this matter.

All honor to Gen. Edwards and the noble Twenty-sixth Division.

Respectfully,

———— ————.

—

DORCHESTER, MASS.

Congressman JAMES A. GALLIVAN,
Washington, D. C.

DEAR SIR: I am writing to thank you for your eloquent address in the House of Congress. We who gave our sons to go in the One hundred and first Regiment appreciate your speech. It was so fine and so thoroughly true. Here in Dorchester and South Boston you made us all happy—we felt that we were about at the breaking point—when you made that notable speech.

We hope that the Congressmen will act accordingly and, besides bringing the gallant Twenty-sixth home, we hope that they will punish the men who mistreated our National Guard.

Congressman GALLIVAN, we gave our boys to defend the country, not to be mistreated by some of the Regular Army.

I want to thank you for your kindness to fathers and mothers, sisters, wives of the boys of the gallant Twenty-sixth Division by your eloquent speech.

From a father of a boy in the One hundred and first Regiment.

Respectfully,

———— ————.

—

BROOKLYN, N. Y., *January 15, 1919.*

Representative JAMES GALLIVAN,
Washington, D. C.

DEAR SIR: I have read with interest in to-day's New York Times of your speech in the House about Army politics.

My son received his commission as captain November 28, 1916. He was called into service May 8, 1917; served at Fort Snelling, Minn., until December, 1917, when he was ordered to France, where he still is.

Numbers of captains whose commissions date later than his have been promoted to majors, while he is serving the country in France in the rank that was given him over two years ago.

Very truly, yours,

———— ————.

—

MORRISTOWN, N. J., *January 18, 1919.*

Hon. JAMES GALLIVAN.

DEAR SIR: Having read the speech in the New York Times you made in the House of Representatives, in reference to the treatment given Maj. Gen. Edwards, of the Twenty-sixth Division, United States Army, must say I never read anything that appealed to me so.

I wish to tell you that my only son is a member of the Twenty-sixth Division, a private in Company B, One hundred and third Machine Gun Company. He has been in France since July last and has seen hard service to this day. With all the letters we have sent to him, he has not up to December 16 received any; and at this date he was in Base Hospital No. 50. We have letters returned marked "sick" and giving date taken to hospital. But he can receive none. I think it is an outrage that he can not even know if his father or mother is dead in all this time.

I hope all the people whom you represent will appreciate your remarks as I have. I believe all who have anyone in that division and think about justice will appreciate them.

Respectfully,

———— ————.

—

FITCHBURG, MASS., *January 16, 1919.*

DEAR MR. GALLIVAN: I will not take up too much of your time. I simply want to say "thank you" from the bottom of my heart for what you have said regarding the Twenty-sixth Division. I would only like to shake your hand.

My brother is in the One hundred and second Infantry, and thank God, from what we last heard, he is alive and well. We are all waiting anxiously for some word in regard to their departure for home.

Trusting what you have said may in some way hasten their homecoming, I am,

Gratefully yours,

God bless you.

———— ————.

—

NEWTON, MO., *January 16, 1919.*

Hon. JAMES A. GALLIVAN,
Washington, D. C.

DEAR SIR: Saw your declamation in Congress as to action of Regular officers toward the National Guard and State troops. No doubt it is correct. The same thing happened during the Civil War, but the volunteers soon told them where to head in, and they stopped it. Where would we have been without them (volunteers), and where without the National Guards and Reserves? They did the fighting in both instances.

There is and always has been too much "ego" in the Regular Army. The present war has demonstrated that we don't need over half a million men in the Regular Army at the most, but do want a National or State Guard of from one to ten regiments, owing to population, to keep up the spirit of rivalry between the States and for emergencies that may arise. We don't want to Germanize the United States with too much militarism. Stand up for the National Guard.

Respectfully,

———— ————.

—

BOSTON, MASS., *January 15, 1919.*

Hon. JAS. A. GALLIVAN,
Washington, D. C.

SIR: I take the liberty of congratulating you in your efforts in behalf of the Twenty-sixth Division.

My son is a master signal electrician in the One hundred and first Field Battalion, Signal Corps, Twenty-sixth Division. Thinking that the following statistics may be of service to you, I send them to you. They were compiled by Lieut. Byene, of the One hundred and second Field Artillery, a Salem boy, and I am sure are accurate:

The Twenty-sixth Division was the first complete American division on the line.

In the lines the longest of any division.

Out of lines (road marches, movements from one front to another, and rest) just 35 days.

Has never failed to make an objective.

Has never been in a retreat.

Fought and won the first American battle (Seicheprey).

Has been under 17 French generals.

Has never been in a corps or an army without being cited or commended at least once.

In French general headquarters among four divisions ranked as crack (First, Second, Twenty-sixth, and Forty-second) the Twenty-sixth ranks first.

Asked for by name by high command to take hardest sector at Chateau-Thierry and Verdun.

Has taken more territory than any other division.

The One hundred and fourth Infantry of the Twenty-sixth is the only regiment in the American Expeditionary Forces who has the honor of wearing the Croix de Guerre Fongeie.

Hoping that the foregoing facts may be of some service to you, being in concrete form, I am, sir,

Very respectfully, yours,

———— ————.

FLORIDA, *January 25, 1919.*

Hon. JAMES GALLIVAN,
House of Representatives, Washington, D. C.

DEAR SIR: All honor and glory and success to you in your courageous fight for the National Guard, who, although abused, misused, smashed by the "system," went across and made good. Their magnificent work on the other side must have been quite a disappointment to those who have for years tried hard to discredit them, tried in every conceivable way to fill up the public with the idea that they were untrained, inefficient, a nondependable force, and who tried by unjust discrimination to break up a morale that was unbreakable. I use the term "unjust discrimination" justifiably. There are many proofs of it. One of the early War Department bulletins of 1917 proves this. I have not a copy here with me now and can not quote exactly, but among other things it provided that all officers before being sent across would be required to pass an examination as to their physical fitness, National Guard officers found unfit would be discharged, while Regular Army and National Army officers would be retained in the service. If this is not discrimination against the National Guard officer, I don't know the meaning of the word.

I am one of the victims—discharged for physical unfitness, which consisted of a slight tremor in the right hand; in every other way sound as a bullet. The "disability" had not in the slightest manner affected my work. I have been in the field nearly a year with my regiment and had not had a sick day. The vacancy caused by my discharge was filled by an outside man—some one not connected with the regiment. The rank I held was that of regimental commander, which I had gained after 34 years of continuous service. I enlisted at the age of 20 and was not quite 54 at the time of my discharge. Served as a captain of Infantry during the Spanish-American War; but all that did not count. Was it because of a slight tremor in one hand, or was it because I was a National Guard officer?

I feel as though my life has been blasted, and I know that I must spend the rest of it in trying to explain how it is that my country had no use for me after 34 years of military training, 25 of which as a commissioned officer, and there is no redress, no matter what punishment might be meted out for the crimes and mistakes that have been committed. Nothing, I feel, can possibly right the wrong that has been done me and others. It is too late.

I wish we had more men like yourself, with the courage to tell truths; and I shall pray the Almighty that you may be successful in exposing and fixing the blame for the horrible wrongs and injustices that have been committed.

Sincerely and gratefully, yours,

_____.

Mr. Chairman, I have had something to say about the character of the fighting of the Twenty-sixth Division, and I will here insert in the RECORD a story of its wonderful performances which was issued from the statehouse in Boston recently by the governor of my State. I quote from the Boston Post of January 23:

[From the Boston Post, Jan. 23, 1919.]

WHAT THE TWENTY-SIXTH DID—WAR HISTORY OF NEW ENGLAND'S OWN DIVISION ISSUED BY GOV. COOLIDGE TAKEN FROM WAR DEPARTMENT DATA.

Gov. Coolidge yesterday issued a history of the famous Yankee Twenty-sixth Division told in statistical form, which, diverted of all sentimental and patriotic words, constituted a story which will convince the present and future generations that this division of New England heroes, led by Maj. Gen. Clarence R. Edwards, "went through" in a way to make the entire Nation proud of it.

The governor's statement, taken from data supplied Adjt. Gen. Stevens by the War Department, gives in detail those facts which no power on earth could have gotten by the censor prior to November 11, the date the armistice was signed. It shows that the division arrived at Neufchateau in the Vosges department of France on October 11, 1917, and gives the dates of its movements to other departments.

The division struck the front lines at Chemin-des-Dames February 6, and after several months of comparative "quiet" saw active service at Chateau-Thierry, beginning July 25, which continued up to the date of the signing of the armistice.

TOOK 3,148 PRISONERS.

That the division did its "bit" at St. Mihiel is demonstrated by the fact that it captured 48 officers and 2,520 men, or a total of 2,568 enemy. The total number captured by the division in all sectors was 3,148 officers and men.

The capture of 3 heavy artillery guns, 13 light artillery guns, 15 trench mortars, 132 machine guns, and 42 rifles was also included in the division's achievements.

Out of approximately 30,000 men attached to the division, 11,955 were listed among the casualties, including 1,730 killed, 3,624 wounded severely, 2,819 wounded slightly, 3,363 gassed, 283 missing, and 136 prisoners.

From the time the division became "active" on July 18 until the armistice stopped it from improving upon its record it had gained 37 kilometers of ground against the Hun and was going fast at the finish.

The principal battles in which the division participated were: Bois Brule or Apremont, Seicheprey, Flivrey, Xivray-Marvoisin, Chateau-Thierry, St. Mihiel, and north of Verdun.

The data relative to the division were secured by the adjutant general at the request of the governor. The governor's announcement is as follows:

DIVISION'S MOVEMENTS.

Gov. Coolidge has obtained through his adjutant general's office the following information, which is of general interest, concerning the Twenty-sixth Division:

(a) Date of arrival of division headquarters, Twenty-sixth Division, in zone and successive locations:

Location:	Date of arrival.
Neufchateau	Oct. 31, 1917
Couvrelles	Feb. 8, 1918
Bar-sur-Aube	Mar. 18, 1918
Joinville	Mar. 25, 1918
Neynel	Mar. 27, 1918
Boucq	Mar. 31, 1918
Trondes	June 20, 1918
Toul	June 8, 1918
Ranteuil-les-Beaux	June 29, 1918
Chemigny	July 9, 1918
Genevrois Farm	July 10, 1918
Mery-sur-Marne	July 15, 1918
Genevrois Farm	July 20, 1918
Lucy-le-Bocage	July 21, 1918
Grand Ru Farm	July 21, 1918
Mery-sur-Marne	July 30, 1918
Russy-sur-Seine	Aug. 16, 1918
Bar-le-Duc	Aug. 29, 1918
Sommedieue	Aug. 30, 1918
Rupt-en-Woevre	Sept. 6, 1918
Trayon-sur-Meuse	Sept. 16, 1918
Verdun	Oct. 8, 1918
Bras	Oct. 18, 1918
Pierrefitte	Nov. 14, 1918
Benoite-Vaux	Nov. 15, 1918
Frobecourt	Nov. 19, 1918
Montigny-le-Roi	Nov. 23, 1918

IN THE FRONT LINES.

(b) Successive periods in front lines of Twenty-sixth Division:

The date of entry, place and sector, active or quiet, and date of withdrawal follows:

February 6, 1918, north of Soissons (brigaded with French). Chemin des Dames, quiet, March 21, 1918.

April 3, 1918, north of Toul, La Reine, and Boucq, quiet, June 28, 1918.

July 10, 1918, northwest of Chateau-Thierry, Pas Fini, active, July 25, 1918.

September 8, 1918, north of St. Mihiel, Rupt, and Tryon, active, October 8, 1918.

October 18, 1918, north of Verdun, Neptune, active, November 14, 1918.

(c) Fifty-first Field Artillery Brigade operated with Twenty-sixth Division during all activities.

(d) Prisoners captured by Twenty-sixth Division:

Location.	Officers.	Men.	Total.
North of Toul	6	43	49
Northwest of Chateau-Thierry	2	244	246
North of St. Mihiel	48	2,520	2,568
North of Verdun	5	280	285
Aggregate	61	3,087	3,148

(e) Material captured by the Twenty-sixth Division:

	July 18–25 (Chateau-Thierry).	Sept. 12–13 (St. Mihiel).	Total.
Heavy Artillery	1	2	3
Light Artillery	3	10	13
Trench mortars	7	8	15
Machine guns	23	109	132
Rifles	.....	42	42

NUMBER OF CASUALTIES.

(f) Total casualties of Twenty-sixth Division since arrival in France:

	Officers.	Men.	Total.
Killed	78	1,652	1,730
Wounded severely	100	3,524	3,624
Wounded slightly	111	2,706	2,819
Gassed	113	3,250	3,363
Missing	10	273	283
Prisoners	9	127	136
Total	421	11,534	11,955

(g) Total depth of advance, in kilometers, in principal offensives:

Chateau-Thierry, July 18–25	17.5
St. Mihiel salient, Sept. 12–13	14.0
Verdun area, Oct. 18–Nov. 11	5.5
Total	37.0

They occupied the following sectors:

Sector.	1918.
Chemin-des-Dames	Feb. 6–Mar. 21.
La Beine and Boucq	Apr. 3–June 28.
Pas Fini	July 10–25.
Rupt and Troyon	Sept. 2–Oct. 8.
Neptune	Oct. 10–Nov. 14.

The principal battles in which the division was engaged are:

Sector.	1918.
Bois Brule, or Apremont	April 10–13.
Seicheprey	April 20–21.
Flirey	May 20.
Xivray-Marvoisin	June 15.
Chateau-Thierry (second Battle of Marne)	July 10–25.
St. Mihiel	Sept. 12–13.
North of Verdun	Oct. 10–Nov. 14.

I am in possession of the citations and honorable mentions which this famous fighting division received from March 15, 1918, up to November 18, 1918, and I will ask my colleagues to read the wonderful record of the stout-hearted lads from

New England as it is glorified in these general orders and commendations:

[11th Army Corps, Staff, 1st Bureau, No. 9114 B/1, S. C. No. 4817.]

H. Q., *March 15, 1918.*

[General Order No. 7.]

We regret that our comrades of the 26th Division should leave us in order to fulfill their task elsewhere.

We have been able to appreciate their bravery, their sense of duty and discipline; also their frank comradeship; they carry away our unanimous regrets.

General Edwards has been pleased to consider the 11th Corps as godfather to the 26th Division; the 11th Corps feels proud of the awarded honor, being sure that, wherever he may be sent, the godson shall do credit to the godfather.

Le General DE MAUD'HUY,
Commandant le 11me Corps d'Armee.

[32d Army Corps, Staff, G–1.]

H. Q., *April 26, 1918.*

[General Order No. 737/A.]

General Passaga, in command of the 32d Army Corps, mentions in the Army corps dispatches.

104th Infantry Regiment, U. S. A., under command of Colonel G. H. Shelton:

"For greatest fighting spirit and self-sacrifice during action of April 10th, 12th, and 13th, 1918. Suffering from very heavy bombardments and attacked by very strong German forces, succeeded in preventing their dangerous advance and with greatest energy reconquered at the point of the bayonet the few ruined trenches which had to be abandoned at the first onset, at the same time making prisoners."

General PASSAGA,
C. O. 32d Army Corps.

[VIIIth Army, Staff, 3d Bureau, No. 5310.]

ARMY H. Q., *June 8, 1918.*

Service memorandum.

The commanding general of the VIIIth Army is happy to pronounce the success of the raid on the Camp du Moulin, carried out during the night of May 30–31, 1918, by the 101st Regiment of American Infantry.

He requests the commanding general of the 32d Army Corps to forward his congratulations for this operation, as well planned as it was energetically conducted, to the commanding general of the 26th American Division.

(Signed) General GERARD.

[32d Army Corps, Staff, 3d Bureau, No. 2918 B/3.]

True copy sent to: The commanding general of the 26th American Division.

The commanding general of the 32d Army Corps is happy to forward the congratulations of the commanding general of the VIIIth Army to the commanding general of the 26th American Division.

H. Q., June 9, 1918.

By order of the Chief of Staff.

(Signed) E. MANGIN.

[VIIIth Army, Staff, 3d Bureau, No. 5492.]

Secret-service memorandum.

ARMY H. Q., *June 17, 1918.*

In the course of a powerful raid carried out on June 16, about 3 o'clock, against the sector of the 26th American Division, the Germans penetrated the village of Xivray which was evacuated by our combat group; everywhere else they were thrown back by the determined defense of the occupants, who stuck to their positions.

Shortly afterwards a counterattack, vigorously carried out by elements from two American battallons, drove the Germans out of Xivray, leaving in our hands several prisoners, including an officer.

The commanding general of the VIIIth Army is happy to acknowledge the fine conduct of the American units in the course of this action; the spirit of initiative and general grasp of the situation shown by the decisions of the commanders; the stubbornness in defending and sharpness in attacking shown by the participants.

The commanding general of the 32d Army Corps will be so good as to forward the compliments of the commanding general of the Army to the commanding general of the 26th American Division, requesting the latter to congratulate, in the name of the commanding general of the Army, the officers and men who took part in the action for the fine soldierly qualities of which they have given proof.

General GERARD.

[32d Army Corps Staff—3d Bureau. No. 3103/3.]

True copy sent to the commanding general of the 26th American Division.

In forwarding the above service memorandum from the commanding general of the VIIIth Army, the commanding general of the 32d Army Corps is happy to add his personal congratulations, which, moreover, are the subject of General Order No. 131, forwarded to all the troops under his command

H. Q. June 18, 1918.

By order of the Chief of Staff.

(Signed) E. MANGIN.

[VIIIth Army. 32d Army Corps Staff—3d Bureau. No. 3,094 A 1. I.]

H. Q., *June 18, 1918.*

[General Order No. 131.]

On June 16 a strong detachment of 600 Germans, previously selected, reinforced by units from an assault battalion, attacked at daylight the front line of the 26th American Division at Xivray and Seicheprey. The enemy was everywhere thrown back by immediate counterattacks, leaving numerous dead on the terrain and 10 prisoners, including 1 officer.

This brilliant action does the greatest honor to the 26th Division, and particularly to the 103d Regiment, Col. Hume commanding.

This operation shows the unquestionable superiority of the American soldier over the German soldier. It also gives an idea of all that may be expected of these magnificent troops when the entente, in its turn, takes the offensive.

General Passaga, commanding the 32d Army Corps.

(Sgd.) PASSAGA.

Official:

The Chief of Staff:

Agd. MANGIN.

To be read to companies.

[14790–A–106 (PF)]

GENERAL HEADQUARTERS A. E. F.,
OFFICE OF THE CHIEF OF STAFF,
June 20, 1918.

From: Commander in Chief.
To: Commanding General, 26th Div.
Subject: 103d Regiment.

1. I am directed by the commander in chief to inform you that he has noted with sincere appreciation the excellent work of the 103d Regiment of your division, which inflicted severe losses in killed, wounded, and prisoners in repelling the strong raid attempted by the enemy on the morning of June 16, 1918, on the Xivray sector.

J. W. MCANDREW, *Chief of Staff.*

[VIIIth Army, 32d Army Corps Staff, 3d Office.]

HEADQUARTERS,
June 27, 1918.

[General Order No. 133.]

At the moment when the 26th Division of Infantry of the U. S. is leaving the 32d French Corps, I salute its colors and thank it for the splendid services it has rendered here to the common cause.

Under the distinguished command of their chief, General Edwards, the high-spirited soldiers of the "Yankee Division" have taught the enemy some bitter lessons at Bois Brule, at Seicheprey, at Xivray-Marvoisin; they have taught him to realize the staunch vigor of the sons of the Great Republic fighting for the world's freedom.

My heartiest good wishes will accompany the "Yankee Division" always in its future combats.

General Passaga commanding the 32d Army Corps.

(Signed) PASSAGA.

HEADQUARTERS TWENTY-SIXTH DIVISION, A. E. F.,
France, July 11, 1918.

[General Order No. 60.]

1. At the moment that the Twenty-sixth Division takes up its position on its third sector in three months it is fitting and proper that the division commander should take this opportunity to thank and congratulate the officers and men of the Yankee Division on the record that they have achieved since the division actively took its place in the fighting lines of the allies for the common cause.

2. You have been taken from a sector where in three battles you have shown that the blood of New England has not attenuated, and that the same spirit and traditions which your forefathers made glorious at Lexington and at Bunker Hill still survive in the generation which at Bois Brule, Seicheprey, Humbert Plantation, and Xivray have met and defeated the picked troops of the enemy. His four years of experience in active warfare and the ferocity of his methods have not daunted you, and on every occasion where you have been called upon to face him you have distinguished yourself with notable valor and brought credit upon your division and upon the people of New England from which you have come to engage in this righteous conflict.

3. A great honor has been conferred upon the whole division in that the French and American high command has at this time picked your division to come into this critical sector. That you have been so hurried to this sector is the evidence to you all of the opinion of the high command of the mettle of which this division is constituted.

4. The past months in battle have brought men and officers into that close union of confidence and affection which have resulted in the growing morale of this division. Looking back on the past four months, with its spotless record and known achievements, which have been recognized by both France and America, it is with unqualified faith in the future and pride of the past that I see the Twenty-sixth Division go into a new sector, certain in my conviction that the men of New England will prove once more that they are capable of every effort and every sacrifice which the future may demand of them.

C. R. EDWARDS,
Major General, Commanding.

[Clipping from the Chicago Tribune, July 28, 1918.]

HEADQUARTERS TWENTY-SIXTH DIVISION, A. E. F.,
France, July 28, 1918.

Germans in retreat from the Marne. Highest praise is given United States division by Gen. Degoutte. "Could not have done better with my best troops." Hard to restrain them. Were so anxious to fight they wished to go too fast.

The following marginal comment on the communiques has been issued: If one wants to judge the offensive spirit which animates the Americans and their tactical methods, one has only to follow in detail the operations of a division since the beginning of our counterattack between Chateau-Thierry and Soissons.

It was on the 18th, at 4 a. m., that the order to take the first line of German positions was received. The American division whose movements we will relate was at that time northwest of Chateau-Thierry, in the Bois de Belleau, at the pivot of the Degoutte army. This division was made up of New England troops and had taken the place of a division which took part in the operations of Belleau and Bouresches, and it wanted to distinguish itself as well as these clite troops. But the divisions placed at the pivot have to advance slowly, according to the progress made by the wings.

On the very first day it was necessary to moderate the ardor of the Americans, who would willingly have gone farther than the first objectives. Indeed, at the signal of the attack, the American troops went with perfect discipline, in rear of the artillery barrage to the Torcy-Belleau-Givry line and the railroad line up to the Bouresches station. They reached this line in one sweep, almost without meeting any resistance, and, excited by their success, they wanted to go farther.

However, it was necessary before continuing the general advance to take Monthiers and the Petret Wood, still strongly occupied by the Ger-

mans. There was hard fighting on the part of the French troops on the left to annihilate the resistance of the enemy.

In order to relieve them the Americans, on the evening of the 20th, made an enveloping maneuver which was crowned with success. With splendid valiance they went in one sweep as far as Etrepilly height, the Gonetrie farm, and Halmardiere. It was a model surprise attack, and it was a revelation of American audacity. Notwithstanding the machine-gun barrage and the enemy's islands of resistance they advanced for 2 kilometers, capturing three guns, a big minenwerfer, and numerous machine guns. Moreover, 200 prisoners were taken by the Americans.

"I could not have done better in a similar occasion with my best troops," commented General Degoutte upon learning of this first American success.

The Germans then found themselves in such a disfavorable position in Monthieres that they had to begin a retreat.

On the 21st the whole German line was in retreat and the Chateau-Thierry-Soissons highway was reached. The Americans were cleaning the ground and vigorously pursuing the enemy's rear guard.

On the 22d a battalion of Americans occupied Epieds. There was hard fighting in the village and the enemy opened a violent barrage fire.

The fight was in open country, and on that day it was not possible to take the village entirely. Rather than to sustain heavy losses, the commander of the American division preferred to take his troops to the rear. It was necessary, if the difficulty was to be overcome, to start the surrounding movement again, and on the 23d the Americans sought to enter the Trugny Wood south of Epieds. The Germans strongly opposed this attempt and counterattacked with energy, but they learned at their expense what American tenacity is. Stopped once in the maneuver, the Americans occupied the fringe of the wood on the 24th, entered it deliberately, took a whole company of German pioneers, and continued their advance with such fury that about 3 p. m. they were at the fringes of the Fere Woods and on the same evening had reached the road from Fere-en-Tardenois to Jaulgonne.

This American division has, therefore, realized in three days an advance of as much as 17 kilometers at certain points, fighting continuously night and day, and displaying the finest military qualities. All the liaison services worked perfectly, both at the right and at the left wings and between the units of the division. A discipline which caused the Germans to wonder and admire animated the attacking troops. They were marching with their officers at the head of the column and their bodyguards on the flanks, as the French troops.

The German prisoners were astonished. "We do not see often those who command us," they declare to their captors; "you're lucky; like the French, you are led to the fight by your officers." The French and American high commands work during the action in as close a harmony as the troops.

The general commanding the division in question is a leader of men, broad-minded, precise in his orders, of practical mind, who from the first moment dealt with the problems raised by the operations under way with a mastery which cost dear to the enemy.

These days from the 18th to the 25th give a new and emphatic proof of what the alliance of France and the United States can do on a battlefield.

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[General Orders, No. 67.]

HEADQUARTERS TWENTY-SIXTH DIVISION A. E. F.,
France, August 2, 1918.

To the officers and men of the Twenty-sixth Division:

On July 18 you entered, as part of the allied drive against the enemy, upon the offensive, and continued the offensive combat until the major portion of the command was relieved on July 25.

On the assumption of the offensive your position in the line demanded an important and difficult maneuver. Your success in this was immediate and great, and the way in which you executed it elicited high praise from the French Army commander. The eight days from July 18 to 25, marking the first great advance against the enemy, in which American troops bore proportionately a considerable share are sure of historical setting. Your part therein can never be forgotten. In those eight days you carried your line as far as any part of the advance was carried. Torcy, Belleau, Givry, the Bouresches Woods, Rochet Woods, Hill 190 overlooking Chateau Thierry, Etrepilly, Epieds, Trugny, and finally La Fere Woods and the objective, the Jaulgonne-fere-en-Tardenois Road, belong to your arms. You are the recipient of praise, thanks, and congratulations of our Commander in Chief. You went unafraid into the face of the enemy's fire; you forced him to withdraw before you, or to accept the alternative of hand to hand combat, in which you proved yourselves morally and physically his superior; you gave freely and gave much of your strength, and of your blood and your lives, until pushed beyond mere physical endurance, fighting night and day, you still forced yourselves forward, sustained almost by spirit alone.

These things are now part of your own consciousness. Nothing can detract from them. Nothing that I can say can add to them. But I can testify in this way to my pride in commanding such troops, so capable of achieving success in every undertaking; and this testimony I give to each of you gladly and with deep gratitude.

C. R. EDWARDS,
Major General, Commanding.

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[General Orders, No. 68.]

HEADQUARTERS 26TH DIV., A. E. F.,
France, August 3, 1918.

1. The division commander publishes for the information of all concerned two memoranda and an official letter from the commanding general, VIth Army, which are self-explanatory.

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[VIth Army Staff—3d Bureau, No. 2283/3.]

P. C., *July 26, 1918.*

Memorandum.

The President of the Republic, during a visit to the VIth Army expressed his satisfaction over the results obtained as well as the proofs of valor and endurance shown by all the units of the Army.

The commanding general of the VIth Army takes pleasure in communicating to the troops of his army the congratulations of the President of the Republic.

GENERAL DEGOUTTE.

[VIth Army Staff—3d Bureau, No. 2284/3.]

P. C., *July 26, 1918.*

Memorandum.

The commanding general of the VIth Army brings to the attention of the troops of the Army the following address received from the mayors of the arrondissement of Meaux, in meeting assembled, on the 20th of July, 1918:

"The mayors of the arrondissement of Meaux, in meeting assembled, on the 20th of July, 1918, are happy to acknowledge the great victory of the VIth Army, which, at the time of the Battle of the Marne, had just saved their commune from the invasion which was threatening them.

"Send to the valiant troops of the VIth Army the most earnest expression of their gratitude and admiration."

THE PRESIDENT OF THE CONGRESS OF MAYORS,
G. HUGEL, *Mayor of Meaux,*
Deputy from the Dept. of Seine and Marne.

The commanding general of the VIth Army takes pleasure in transmitting these congratulations to the troops of his army.

GENERAL DEGOUTTE,
Army, July 29, 1918.

[VIth Army No. 2353/3.]

From: General Degoutte, commanding the VIth Army.
To: General Edwards, commanding the 26th American Division.

The operations carried out by the 26th American Division from July 18 to July 24 demonstrated the fine soldierly qualities of this unit and the worth of its leader, General Edwards.

Cooperating in the attack north of the Marne, the 26th Division fought brilliantly on the line Torcy-Belleau, at Monthiers, Epieds, and Trugy, and in the forest of Fere, advancing more than 15 kilometers in depth in spite of the desperate resistance of the enemy.

I take great pleasure in communicating to General Edwards and his valiant division this expresison of my great esteem together with my heartiest congratulations for the manner in which they have served the common cause.

DEGOUTTE.

By command of Major General Edwards:

W. S. BOWEN,
Lieut. Colonel, G. S., Acting Chief of Staff.

Official:
C. A. STEVENS,
Adj. Gen. Adjutant.

—

[VIth Army.]

P. C., *August 9, 1918.*

General Order.

Before the great offensive of July 18, 1918, the American troops forming a part of the VIth French Army distinguished themselves by taking from the enemy the Bois de la Brigade de Marine and the village of Vaux, stopping his offensive on the Marne and at Fossoy.

Since then they have taken a most glorious part in the second Battle of the Marne, rivaling the French troops in ardor and gallantry. In 20 days of incessant fighting they liberated numerous French villages and made, over difficult terrain, an advance of 40 kilometers, which carried them beyond the Vesle.

Their glorious advance is marked by names which, in the future, will make illustrious the military history of the United States: Torcy, Belleau, Plateau of Etrepilly, Epieds, le Charmel the Ourcq, Seringes-et-Nesles, Sergy, the Vesle, and Fismes.

The new divisions, under fire for the first time, showed themselves worthy of the old fighting traditions of the Regular Army. They had the same ardent desire to whip the Boche and that discipline which always insures the carrying out of orders of their commander, whatever be the difficulties to be overcome or the sacrifice to be made.

The magnificent results obtained are due to the energy and skillfulness of their commanders and to the bravery of the soldiers. I am proud to have commanded such troops.

The commanding general of the VIth Army. DEGOUTTE.

—

[General Orders, No. 143.]

G. H. Q., A. E. F., *France, August 28, 1918.*

It fills me with pride to record in General Orders a tribute to the service and achievements of the First and Third Corps, comprising the 1st, 2d, 3d, 4th, 26th, 32d, and 42d Divisions of the A. E. F.

You came to the battle field at the crucial hour of the allied cause. For almost four years the most formidable army the world had as yet seen had pressed its invasion of France and stood threatening its capital. At no time had that army been more powerful or menacing than when, on July 15th, it struck again to destroy in one great battle the brave men opposed to it and to enforce its brutal will upon the world and civilization.

Three days later, in conjunction with our allies, you counterattacked. The allied armies gained a brilliant victory that marks the turning point of the war. You did more than give your brave allies the support to which as a nation our faith was pledged. You proved that our altruism, our pacific spirit, our sense of justice have not blunted our virility or our courage. You have shown that American initiative and energy are as fit for the test of war as for the pursuits of peace. You have justly won the unstinted praise of our allies and the eternal gratitude of our countrymen.

We have paid for our success in the lives of many of our brave comrades. We shall cherish their memory always, and claim for our history and literature their bravery, achievements, and sacrifice.

This order will be read to all organizations at the first assembly formation after its receipt.

JOHN J. PERSHING,
General, Commander in Chief.

Official:
ROBERT C. DAVIS,
Adjt. Genl.

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[General Orders, No. 77.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, Sept. 15, 1918.

1. The following letter is published for the information of all those concerned:

RUPT-EN-WOEVRE, *September 13, 1918.*

SIR: Your gallant 26th American Division has just set us free. Since Sept. 1914, the barbarians have held the Heights of the Meuse, have

foully murdered three hostages from Mouilly, have shelled Rupt, and on July 23, 1915, forced its inhabitants to scatter to the four corners of France.

I, who remain at my little listening post upon the advice of my bishop, feel certain, sir, that I do but speak for Monseigneur Ginistry, lord bishop of Verdun; my parishioners of Rupt, Mouilly, and Geincourt, and the people of this vicinity in conveying to you and your associates the heartfelt and unforgettable gratitude of all.

Several of your comrades lie at rest in our truly Christian and French soil.

Their ashes shall be cared for as if they were our men. We shall cover their graves with flowers and shall kneel by them as their own families would do, with a prayer to God to reward them with eternal glory, these heroes fallen on the field of honor, and to bless the 26th Division and generous America.

Be pleased, sir, to accept the expression of my profound respect.

A. LECLERC,
Curé of Rupt-en-Woevre.

By command of Major General Edwards:

DUNCAN K. MAJOR, Jr.,
Chief of Staff.

Official:
C. A. STEVENS,
Adjt. Genl.

[General Orders, No. 79.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
Sept. 18, 1918.

1. The following telegrams from the President of the United States, the commander in chief of the allied armies, and the commander in chief of the American Expeditionary Forces are published to the command:

WASHINGTON, *Sept. 14, 1918.*

General JOHN J. PERSHING,
A. E. F., France:

Accept my warmest congratulations on the brilliant achievements of the Army under your command. The boys have done what we expected of them, and done it in the way we most desire. We are deeply proud of them and of their chief. Please convey to all concerned my grateful and affectionate thanks.

(Signed) WOODROW WILSON.
SEPTEMBER 14, 1918.

COMMANDING GENERAL FIRST ARMY.

MY DEAR GENERAL: The First American Army under your command on this day has won a magnificent victory by a maneuvre as skillfully prepared as it was brilliantly executed. I extend to you, as well as to the officers and to the troops under your command, my warmest congratulations.

(Signed) MARSHAL FOCH.
SEPTEMBER 15, 1918.

COMMANDING GENERAL FIFTH CORPS:

Please extend to the officers and men of the Fifth Corps my sincere congratulations for the part they have taken in the first battle of the American Army. Our successes have thrilled our countrymen and evoked the enthusiasm of all allies. Will you convey to the command my cordial appreciation of their work? I am proud of the accomplishment.

(Signed) PERSHING.

By command of Major General Edwards.

[General Orders, No. 82.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, September 28, 1918.

To the Twenty-sixth Division:

1. It again becomes my duty and pleasure to congratulate this division on the important part it played in the battle of the St. Mihiel salient September 12 to 14, 1918. Our task was to attack on the historic and hitherto impregnable ground near Les Eparges, where in the past so many thousands of French lives have been sacrificed.

In front of us the fortifications were manned by Germans, with a no man's land on difficult slopes, churned and pitted by four years of shelling and with a mass of wire and other obstacles from trench to trench.

The three Infantry regiments in line—the 101st, the 103, and the 104th, with the brigade machine-gun units—met a determined resistance. The enemy machine-gun fire was intense. The artillery, without daylight registration, did well, during that part of the night allowed for preparation, in cutting breaches through this mass of wire, which were completed by the Infantry before and during the attack.

The determined and effective methods of the Infantry in the attack on the machine-gun nests, the deliberate locating of these nests, and the subsequent infiltration process used in overcoming these nests; the bold dashes wherever opportunity offered, in one case resulting in the 2d Battalion of the 103d Infantry rushing and capturing a hostile battalion of greater strength before the enemy could raise his head; the fine liaison and cooperation of the artillery; the expedition with which follow-up roads were constructed by the engineers; the enterprise of the medical, supply, and other auxiliary units—all combined to prove that its wide service and experience have made this a veteran division.

I was pleased with all elements of the division.

2. By dark on the 12th the principal resistance of the enemy had been overcome. Then came the order to close the gap between our forces on the north and our troops advancing from the south in order to prevent the escape of the enemy from St. Mihiel. Our mission then was to reach Vigneulles before daylight and there establish contact with troops of our Fourth Corps.

The 102d Infantry, in the division reserves, which had followed the advance closely throughout the battle in readiness for any such emergency, was ordered to spare neither energy nor blood to accomplish this mission. The whole division was pushed forward through the night, the rest of the 51st Infantry Brigade following the dash of the 102d Infantry, and the 52d Infantry Brigade moving out on the left rear of the 102d Infantry, with the towns on the plain in the northwest of Hattonchatel, to include St. Maurice, as objectives.

In less than one-half hour after the receipt of this order the 102d Infantry and the 102d Machine Gun Battalion were on the march, led and inspired by the regimental and battalion commanders in person. They marched over 9 kilometers on the only existing road, through a dense forest, in an unknown and hostile country infested with the enemy, losing for the time being liaison both to the right and left. The leading elements, passing through Hattonchatel, reached Vigneulles before 2 o'clock in the morning, took complete possession of these two towns by 3 o'clock, and, pushing out, occupied Creue and Heudicourt and blocked the roads leading from the southwest, while sending patrols farther into the plain to gain contact with the American forces coming from the south.

This advance force captured many prisoners, much ammunition, stores of all kinds, and released many captive civilians from St. Mihiel that the enemy in his hasty retreat was forced by the 102d Infantry to abandon.

With this advance force were the entire 102d Infantry, 3 companies of the 102d Machine Gun Battalion, and part of the 101st Machine Gun Battalion from the division reserve. This last part, abandoning its motors, marched 14 kilometers carrying its guns by hand the entire way.

By the morning the whole command had taken possession of all the towns in the sector of its advance and was impatient to pursue the enemy across the Hindenburg line.

4. The towns of St. Remy, Dommartin, Thillot, St. Maurice, Billy-sous-les-Cotes, Vieville-sous-les-Cotes, Hattonchatel, Hannonville, Vigneulles, Creue, Heudicourt, Deuxnouds, Wadonville, Avillers, and Butgneville, as well as the entire length of the Grande Tranchee de Calone, with a gain of 14 kilometers, belong to your arms.

The division captured about 2,400 prisoners, large stores of supplies and ammunition, horses and motor transportation, and about 50 guns.

I am proud of you. You are a shock division.

C. R. EDWARDS,
Major General, Commanding.

[General Order No. 85.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, October 10, 1918.

1. The following letters are published to the command:

[2nd Colonial Corps Staff No. 29.329.]

Hq., *October 3, 1918.*

From: General Blondlat, commanding 2nd Colonial Corps.
To: The Commander in Chief (thru channels, general commanding 2nd army).
Subject: Proposition for citation in army orders in favor of the 1st Battalion, 102nd Regiment of Infantry, U. S.

I have the honor to send you the report which I had the general commanding the 26th U. S. Division to make on the very hard and glorious combat which this division engaged September 26, 1918.

The 2nd Colonial Corps had received orders to carry out extensive raids to attract and fix the attention of the enemy: "General Order No. 20, Sept. 20, 1918, of the general commanding the First U. S. Army. The 2nd Colonial Corps will hold the front of Bois le Chauffour inclusive to Mesnil exclusive.

"The 2nd Colonial Corps will make a demonstration along its front, launching artillery bombardment as well as making extensive raids at H house."

The dimensions and duration of the raid executed by the 26th U. S. Division certainly deceived the enemy as to our intentions; the losses suffered by the troops taking part in this operation were fairly severe, but there is no doubt that those suffered by the Germans were much more severe.

The spirit of sacrifice and magnificent courage displayed by the troops of the 26th U. S. Division on this occasion were certainly not in vain; they seem to me worthy of recompense and praise; therefore, I direct the general commanding this division to address propositions to me on this subject.

I earnestly request that the 1st Battalion of the 102nd Infantry be cited in army orders on the following grounds:

"Picked troops who, trained by Colonel Hiram J. Bearss, who led the attack in the first line, carried out brilliantly and with splendid energy a particularly delicate operation; engaged battle with a superb dash; won a victory after a violent combat over an enemy who was both stubborn and superior in numbers, entrenched in concreted shelters, strongly supported by numerous machine guns and powerful artillery, and who made use of in the course of the action infamous methods of warfare; heriocally carried out their mission in capturing in heavy fighting a village where they maintained themselves all day in spite of four enemy counterattacks and thus furnished the finest example of courage, abnegation, and self-sacrifice."

I request further that the officers and men mentioned in General Edward's report receive each and severally the rewards suggested for them by name.

(Signed) BLONDLAT.

[2nd Colonial Army Corps Staff No. 29431/A.]

H. Q., *October 7, 1918.*

From: General Blondlat, commanding the 2nd Colonial Army Corps.
To: The commanding general, 26th Division (American).

At this time, when the 26th Division is leaving the zone of the 2nd Colonial Army Corps, I wish to forward to General Edwards and to his gallant division the expression of my complete satisfaction, my best wishes for its successes to come, and my hearty thanks for the brilliant services in the attack on the St. Mihiel salient.

Although the 26th Division was only under my orders for a short time, I discovered on the part of all, both officers and men, those qualities of discipline, ardor, and esprit de corps which characterize picked troops.

I thought it buf my duty to call to the attention of the French high command the fine conduct under fire of your men in the glorious battle of September 26; they demonstrated once again their high qualities of energy and spirit of sacrifice. I have requested that citations be bestowed upon the brave men whose conduct has been specially reported to me.

(Signed) BLONDLAT.

By command of Major General Edwards:

DUNCAN K. MAJOR, JR.,
Chief of Staff.

Official:
C. A. STEVENS, *Adjutant General, Adjutant.*

[General Orders, No. 92.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, October 23, 1918.

1. The division commander extends to the commanding officer 51st Infantry Brigade and the officers and men of the following organizations his hearty congratulations on their great success in the opera-

tions of this date for the capture of the Heights of the Meuse in the region of Le Houppy Bois and Belleau Bois:

51st Infantry Brigade.
101st Infantry.
102d Infantry.
101st Machine Gun Battalion.
102d Machine Gun Battalion.
Detachment, 101st Field Signal Battalion.
Detachment, 101st Sanitary Train.
281st Aero Squadron (French).
Balloon No. 25 (French).
51st Artillery Brigade.
1st Battalion, 211th Field Artillery (French).

2. The attack, as planned, was difficult of execution and only to be attempted by trained troops. You carried it out like the veterans you are and with a dash and valor worthy of the best traditions of the 26th Division.

(Signed) C. R. EDWARDS,
Major General, Commanding.

[General Orders, No. 93.]

HEADQUARTERS 26TH DIV., A. E. F.,
France, October 24, 1918.

Extract.

1. To the artillery of the 26th Division is due my expression of admiration for its efficiency and aggressive fighting qualities and for its indefatigable support of our fine infantry. Artillery can desire no higher tribute than the conscious fact that it has gained the confidence, reliance, and thanks of the Infantry.

2. During more than 8 months of fighting service the spirit of loyalty displayed by every officer and man of the 51st Artillery Brigade toward his duty, toward the Yankee division, and toward the division commander, has been fine.

3. The record of the 51st Artillery Brigade in the 2d Battle of the Marne is glorious. It went with, supported, and protected the Infantry in its advance of 18½ kilometers by Chateau-Thierry, and afterwards in succession two other divisions in the advance from the Marne to the Vesle for a period of 18 days, between July 18 and August 4, with a gain of over 40 kilometers. It is a record of which the entire division and our country justly may be proud.

I congratulate and thank the Art. Brig. of the Yankee Div.

C. R. EDWARDS,
Maj. Gen., Commanding.

[General Orders, No. 93.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, October 24, 1918.

Extract.

II. The following tribute to the division is published for the information of all concerned:

[17th Army Corps Staff, 1st Bureau.]

HEADQUARTERS, *24 Oct., 1918.*

General Claudel, commanding the 17th Army Corps.
To the Commanding General 26th Division.

GENERAL: The reputation of your division preceded it here far ahead.

To all its titles of glory gained in fierce struggles, and only recently at the signal of Hattonchatel, it has added on the 23d of October a page which perhaps is more modest, but still does it great honor.

In a few hours, as at a maneuver, it has gained all the objectives assigned to it in the difficult sector of the Woods of Houppy, Etrayes, and Belleau.

This operation is evidence, indeed, of superior instruction, mobility, and will.

I do not know how to thank you sufficiently for your assistance, dear General, and it is my great desire to express to you all our grateful admiration for your splendid division which thus has added its name to all of those who have fought to hurl the enemy back from the outskirts of Verdun.

H. CLAUDEL.

C. R. EDWARDS,
Major General, Commanding.

[General Orders, No. 93.]

HEADQUARTERS 26TH DIV., A. E. F.,
France, October 24, 1918.

Extract.

III. The following tribute is published for the information of all concerned:

[3d Bureau.]

17 OCTOBER, 1918.

General Andlauer, commanding the 18th Division of Infantry.
To the Commanding General 26th Division.

GENERAL: At the moment that the 18th Division of Infantry is relieved in its sector by the 26th D. I. U. S., I wish to send you my heartiest thanks for the support given to its comrades of the 77th Regiment by the 104th Infantry, which, since its arrival in the sector, attacked with tanks and succeeded, thanks to a stubborn battle, in forcing the evacuation of half of the edge of the Bois d'Haumont by the enemy.

ANDLAUER.

C. R. EDWARDS.

[General Orders, No. 83.]

HEADQUARTERS 26TH DIVISION,
AMERICAN EXPEDITIONARY FORCES,
France, October 24, 1918.

Extract.

IV. 1. In compliance with paragraph 48, Special Orders, No. 293, G. H. Q., A. E. F., the undersigned relinquishes command of the 26th Division.

2. He thanks the division for its loyalty to him and for what it has accomplished in the common cause. He bespeaks for its successor in command the same loyalty and devotion, and he leaves the division in full confidence that its same fine work will continue to the end.

C. R. EDWARDS,
Major General, Commanding.

[General Orders, No. 103.]

HEADQUARTERS 26TH DIVISION, A. E. F.,
France, November 17, 1918.

1. The following letter from the commanding general Second Colonial Army Corps (French) is published to the command for the information of all concerned:

[1st American Army, 2d Colonial Army Corps, Staff, No. 1012/c.]

HEADQUARTERS, *November 14, 1918.*

From: General Claudel, commanding general 2nd Colonial Army Corps.
To: General Bamford, commanding general 26th American Division.

MY DEAR GENERAL: At this time, when the 26th American Division is leaving the sector of the 2nd Colonial Army Corps (formerly the 17th French Army Corps), I especially desire to express to you the complete satisfaction it has given me since October 15th last.

The 26th Division has made its entry into line by attacking in the difficult and long since fortified region of the Bois d'Haumont and of the Bois d'Ormont. In each case this division showed the fine qualities of vigor and dash which are characteristic of it.

Later it was engaged in the most severe fighting for the capture of the henceforth famous woods of Etrayes, Belleau, and Ormont, without ever considering its hardships or its losses.

At the same time it made a remarkable and successful effort for the improvement of the road system, so vital for the conduct of the operations.

The conditions under which the fighting took place, the weather, and the communications were most often very poor, while the enemy, determined to hold positions which were to him indispensable, did not spare his shells of all caliber or his gas shells.

The 26th Division finally received the well-deserved reward of throwing the enemy back into the plain at the moment when the final victory was won.

In the name of the 2d Colonial Army Corps and their French comrades, I desire you to extend for me to your fine troops and to the various staffs and services my thanks for the generous and devoted cooperation which they have never ceased to render.

I shall not forget, my deal general, our so very cordial relations, and I ask you to believe in the expression of my sincere and grateful feelings.

(Signed) CLAUDEL.

2. Pursuant to telegraphic instructions from general headquarters dated November 17, 1918, General Orders, No. 100, these headquarters, dated November 14, 1918, directing that candidates be sent to the Army-candidate schools so as to report on November 25, 1918, is revoked.

By command of Brigadier General Bamford:

DUNCAN K. MAJOR, Jr.,
Chief of Staff.

Official:
C. A. STEVENS,
Adjt. Gen. Adjt.

[General Orders, No. 104.]

HEADQUARTERS 26TH DIVISION,
AMERICAN EXPEDITIONARY FORCES,
France, November 18, 1918.

I. 1. Officers and enlisted men of the 26th Division, I congratulate you upon your success in the war which has just been brought to a victorious end.

2. From your entry into the battle line on February 7, 1918, at Chemin des Dames as a division of recruits until the cessation of hostilities on November 11, 1918, when you laid down your arms fighting in the front line as a veteran division, you have shown yourselves worthy sons of the country that gave you birth.

3. Bois Brule, Seicheprey, Xivray-Marvoisin, Torcy, Belleau, Givry, Bourseches, Hill 190, Epieds, Trugny, St. Mihiel Salient, Bois d'Haumont, Bois Belleau, Bois d'Ormont, Bois de Ville are indelibly written on your banners.

(Signed) F. E. BAMFORD,
Brigadier General, Commanding.

Mr. Chairman, when I addressed the House a few weeks ago I referred to the fact that the commander of this division, Maj. Gen. Clarence R. Edwards, after participating in combat with his men and assisting them in achieving the wonderful results which are mentioned in the foregoing orders, had been sent back to the States in October, 1918, and that no good reason had been assigned for his being relieved. Recently in a Boston newspaper Gen. Edwards told of his pride in his organization and reviewed the methods he had adopted in bringing the Twenty-sixth Division to the heights it reached in its many campaigns in France. Listen to the splendid story of a brave American soldier. Gen. Edwards says:

In, I hope, the pardonable pride that I took in the organization and the record of the Yankee Division I have never consciously made invidious comparison as to any other division. In my various speeches I always say that the Yankee Division is typical of other American divisions; that I knew personally about the Yankee Division and therefore could speak especially of it.

I do claim that it had an esprit, a capitalization of tradition, which developed into a soul which took the place, and splendidly took the place, of the lack of time in which to give it the training that all Regular officers heretofore have always thought necessary.

It was the first division under the American flag in the new organization entirely organized, and therefore the first completely filled up and organized division to arrive in France.

NEVER FAILED IN THE TEST.

No division was put to a higher test, and it never failed.

It is the only division which sailed as a whole and whose first concentration was in France.

All of its units did not arrive until November, and a few batteries of Artillery much later. It went into line in the first part of February.

There were few work troops in France, and during its training period large drafts from its battalions necessarily had to be detailed for unloading cars, digging sewers, building hospitals, and all the other things that were necessary at the time. It had very little transportation, it underwent unusual conditions and handicaps that could not be foreseen or could not be avoided.

In the short training period of from two to three and one-half months, with all these handicaps, it did not complain. Its fighting record is known throughout France and is commencing to be known in the United States.

NOT NATIONAL GUARD DIVISION.

It is not a National Guard division, so called, and ceased to be a National Guard division before the above excellent order was issued. It was, and now is, a division of the Army of the United States, and its officers are officers of the Army of the United States.

I never allowed the words "National Guard," "Regular," or "National Army" to be used in my division.

Battles and war service in the face of the enemy, the supreme test of war, were what selected, so far as lay in my power, its lieutenants, its captains, its majors, and its colonels. One or two battles picked out these officers, and there was not question as to their selection. The controlling element was leadership, the greatest factor in choice for command, and frequently the factor that is given the least credit in military schools and colleges.

It is wonderful and informing what can be done in six months with 30,000 men if politics, prejudice, and favoritism are eliminated and the only thought is patriotism and service.

Mr. MANN. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I would like very much to supplement the remarks made by my colleague from Massachusetts [Mr. GALLIVAN] in reference to the officers and the men of the Twenty-sixth Division. He has stated the case with great accuracy and expresses the opinion of the people of New England relative to both the officers and the men.

I asked for time to call attention to another matter worthy of the attention of this House which appears to me to be an abuse of the franking privilege on the part of the Comptroller of the Currency, when he sends out to every bank in the United States a circular of notification that he has had some sort of trouble with a newspaper correspondent and in which circular he supports his claim for reappointment and reconfirmation upon the part of the Senate.

This statement reached me this morning from an official of a bank in my district. It had a number on the envelope showing that it was the general mailing list of the Comptroller of the Currency, and I only have time to read one or two very brief sentences showing that the franking privilege is used for the personal support of the gentleman himself. It seems to me a very improper action on the part of a Treasury official. It is headed "John Skelton Williams, the Comptroller of the Treasury, to-day gave to the press the following statement." And in that statement he refers to the fact that he had called to his office a newspaper correspondent whom, he says, has written matter for the press asking that he should not be confirmed. He says that—

A memorandum had been addressed with a view of conducting a campaign to oppose the confirmation of the Comptroller of the Treasury in the event of his renomination. He (the newspaper correspondent) declined to affirm or deny his authorship of the memorandum.

Has not a representative of the press a right to send to his paper such matter as he may see fit, and does the Comptroller of the Currency have the right to call that man to his office to explain such correspondence and then send under the official frank of the Treasury Department such a letter as this of personal support of himself to every bank in the United States? The gentleman from Illinois a few moments ago called attention to the clogging of the mails from the soldiers. But if the use of the frank of the Comptroller of the Currency clogs the mails in any way for his personal aggrandizement, can not he stop it and give our soldier boys a chance to hear from the folks at home? [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I yield three minutes to the gentleman from Missouri [Mr. DYER].

Mr. DYER. Mr. Chairman, I desire to supplement also the statement of the gentleman from Massachusetts by calling the attention of the committee to another crime of the present administration of the Democratic Party. In my State, in southwest Missouri, we have a great industry down there, the zinc industry. Democratic tariff laws have seriously affected that industry, and there is pending now in this Congress a bill presented by myself to levy a tax of 2 cents per pound upon the content of all zinc ores. I am in receipt this morning of a telegram from the House of Representatives of the State of Missouri in reference to this serious condition, which I ask to have the Clerk read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

JEFFERSON CITY, MO., *January 31, 1919.*

Hon. L. C. DYER,
House of Representatives, Washington, D. C.:

Am instructed by the Missouri House of Representatives to inform you that there has been offered into and adopted by the house the following resolutions:

Whereas the zinc-mining industry of southwest Missouri is the greatest metal-mining industry in the entire State; and

Whereas that industry is now crippled to the extent of the closing down of 95 per cent of all the mines in said district, said closing down of the mines being occasioned by the vast importations of zinc ore into the United States from foreign countries, amounting in the last four years ending June 30, 1918, to 825,000 tons, being approximately three times the normal prewar production of the entire Joplin district, including Kansas, Oklahoma, and Missouri; and

Whereas there are now approximately 350,000 tons of zinc ore on the docks in Australia awaiting shipment; and

Whereas Mexico has a potential power of production of at least 150,000 tons annually, which must find its market in the United States; and

Whereas zinc-ore concentrates have also been imported into the United States in the last three or four years from 15 different countries, representing every continent and grand division of the world: Now, therefore, be it

Resolved by the House of Representatives of the State of Missouri, That we believe it to be the patriotic duty of the Legislature of the State of Missouri to memorialize the Congress of the United States by special resolution asking that there be at once incorporated into the pending revenue bill a provision providing for a protective tariff of 2 cents per pound on the metallic contents of zinc ore, in order to keep out further importations of zinc ore, and allow the zinc-mining industry of the United States to live and be again built up to its normal condition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DYER. I ask unanimous consent that the Clerk may finish the reading of it; it is only a line or two.

Mr. MANN. The time for general debate was fixed in the House by unanimous consent. Extend your remarks.

Mr. FOSTER. The time was fixed in the House.

Mr. DYER. But it will only take a half minute; it is only a line or two. Mr. Chairman, I make the point of order there is no quorum present. If Democratic Members see fit to stop the reading when there is only a line to read——

Mr. MANN. I will say to the gentleman that the time can not be extended, it being fixed in the House.

Mr. FOSTER. Mr. Chairman, I object. Let the gentleman make the point of order that there is no quorum.

Mr. DYER. I make it.

Mr. FOSTER. Make it; nobody cares.

The CHAIRMAN. The gentleman from Missouri makes the point of order that there is no quorum present. The Chair will count. [After counting.] Eighty Members are present, not a quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anderson	Drukker	Johnson, Ky.	Russell
Bacharach	Dupré	Johnson, S. Dak.	Schall
Barnhart	Eagle	Johnson, Wash.	Scott, Mich.
Benson	Edmonds	Kearns	Scully
Black	Elston	Kelly, Pa.	Sears
Bland, Ind.	Emerson	Kennedy, R. I.	Sells
Booher	Estopinal	Key, Ohio	Shackleford
Borland	Fairchild, G. W.	Kiess, Pa.	Sherley
Britten	Farr	Kreider	Shouse
Brodbeck	Ferris	La Follette	Sims
Browne	Flood	LaGuardia	Sinnott
Browning	Flynn	Larsen	Smith, C. B.
Brumbaugh	Fordney	Lehlbach	Smith, T. F.
Burroughs	Francis	Lesher	Snook
Caldwell	Freeman	Linthicum	Snyder
Cannon	Fuller, Mass.	Longworth	Steele
Cantrill	Garland	Lufkin	Sullivan
Caraway	Godwin, N. C.	Lunn	Sumners
Carew	Good	McAndrews	Swift
Carter, Mass.	Goodall	McCulloch	Switzer
Chandler, N. Y.	Gould	Maher	Tague
Church	Graham, Pa.	Martin	Taylor, Ark.
Cleary	Gray, Ala.	Miller, Minn.	Taylor, Colo.
Coady	Gray, N. J.	Morin	Templeton
Connelly, Kans.	Griest	Mott	Thomas
Cooper, Ohio	Hamill	Mudd	Thompson
Cooper, W. Va.	Hamilton, N. Y.	Nicholls, S. C.	Tinkham
Copley	Hamlin	Norton	Towner
Costello	Harrison, Miss.	Oliver, N. Y.	Van Dyke
Cox	Harrison, Va.	Osborne	Vare
Crosser	Hawley	O'Shaunessy	Waldow
Dallinger	Hayes	Park	Walker
Davey	Heaton	Powers	Walsh
Delaney	Heintz	Pratt	Webb
Dempsey	Helm	Price	Welty
Dent	Helvering	Ramsey	White, Ohio
Dewalt	Howard	Rankin	Winslow
Dill	Humphreys	Reavis	Wise
Donovan	Husted	Riordan	Woods, Iowa
Dooling	Hutchinson	Roberts	Wright.
Doughton	Ireland	Robinson	Zihlman
Drane	James	Rowland	

Thereupon the committee rose; and the Speaker having resumed the chair, Mr. HENSLEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, finding itself without a quorum, he had caused the roll to be called, and that 263 Members answered to their names—a quorum—and presented therewith a list of the absentees for insertion in the Journal and RECORD.

The SPEAKER. The committee will resume its sitting.

The committee resumed its session, with Mr. HENSLEY in the chair.

Mr. MANN. Mr. Chairman, I yield nine minutes to the gentleman from Illinois [Mr. MASON].

Mr. MASON. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. MASON. Mr. Chairman, upon the question that has been discussed for a few minutes so eloquently and well by the distinguished gentleman from Massachusetts [Mr. GALLIVAN], and when he asked the question what could be done, I think I suggested a complete answer. We have not the time to repeat the outrages that are being perpetrated upon the young men of this country who, under the law and under the rules, are entitled to discharge. The Democratic Party now has it in its power to pass a resolution. I have not any pride of opinion about it. They can pass their own resolution, and, when you adjourn sine die at the close of this Congress, a nonpartisan committee can sit here, so that we can go home and can telegraph to some civil branch of the Government to get some sort of remedy for the boys we represent. If that is done, there will be no question about your ability to pass your bills and adjourn. If it is not, there may be some question raised, for, so far as I am concerned, I regard the treatment of these boys as one of the most important things before the present Congress.

I have not time now to recite the letters that have come to me within the last 24 hours, but I will insert in the RECORD word that comes from constituents of mine, very much like the last one that I put in the RECORD, protesting against their boy being sent to Siberia. Now, Mr. Chairman, we have in Siberia 15,000 American boys. In one place we have 221 United States officers, 10,042 enlisted men, consisting of Infantry, Signal Corps, Medical, Ordnance, and Quartermaster troops, and in western Russia, at Archangel, there is a total of 5,419 officers and men, or more than 15,000 men in all. What are they fighting for?

My resolution, which I have introduced, calls upon the Congress of the United States to exercise its constitutional power. For two long years you have sat here—and I say it with no feeling of disrespect—as rubber stamps. You have not dared to exercise any of your constitutional powers. You have not used them. The General Staff has run all the questions of military power. Everything they have asked you have given them. Most of us have consented to it. But here now, in the hour of peace, with 15,000 American boys dying and fighting in Russia, 500 miles from where we have a pound of scrap iron, with the pretense that they were sent there to defend American goods and American property, we have lost 50 men and 5 officers within the past week. They were not defending American property. They were more than 500 miles from Archangel, where that battle occurred; and they are fighting and dying in the snow.

And the Constitution you swore you would uphold and defend provides that the Congress of the United States shall make rules and regulations governing the Army and the Navy of the United States. [Applause.] And I want to know which one of you will stand up here now on either side of this Chamber and say that you approve of our men fighting and dying, when you know as well as I do that the war is over? There is no German menace in Russia. The Bolsheviki menace is no worse than the menace of the Czar. Which side are you fighting on?

Mr. OVERMYER. Will the gentleman yield?

Mr. MASON. I have but little time.

Mr. OVERMYER. I thought the gentleman challenged this side to ask questions.

Mr. MASON. Make it short.

Mr. OVERMYER. I was going to inquire whether the gentleman was opposed also to sending our troops to France in the first place?

Mr. MASON. I was not opposed to sending the troops to France; but I was in favor, if you want to take up ancient history, of sending volunteers, and we have sent more volunteers than drafted men and they have made the best soldiers, too. They have all made good soldiers. But even if I was opposed, and even if I was wrong, have you the courage to exercise your power as a Member of Congress in making rules and regulations for the Army and Navy and not say by your silence that you are in favor of slaughtering American boys in the snows of Russia and Siberia? And for what? No man answers for this administration.

My constituents have a right to ask me questions. I have received a letter this morning, signed by the father and mother of a soldier. It is as follows:

CHICAGO, ILL., *January 20, 1919.*

To the Hon. WM. E. MASON,
Congressman at Large.

DEAR SIR: We have a son who was conscripted supposedly to fight the German menace. My son was a Christian, home-loving, God-fearing, obeying the command to honor father and mother, the greatest comfort to us in the evening of life. Congressman MASON, we beg of you tell us why should he be sent to Siberia? What was the great need; we want to know? We are patriotic, so is he. Willing to do every duty required by the United States for the United States. But what is so important in Siberia that my son and hundreds of other United States boys must be exiled to fight for what? We can not understand. We ask you, who represent us, why was he sent there? When will he be sent home? We ask you in the name of justice will you use the great influence you possess to have them speedily sent home?

Most respectfully, yours,

JOHN JOHNSON,
EMMA JOHNSON,
Parents.

There is no more reason for American boys to sacrifice their lives in the snows of Siberia to-day, 500 miles away from where we have any American property, than there is for us to get into a fight here upon this floor, not a bit. [Applause.] There is no justification of law for it. And you must pass on this, gentlemen. You are Members of Congress. The Democratic Party is waiting for some signal from somewhere as to what to do. They are waiting for signals, perhaps, from Paris, as to what action to take or whether to take any or not. But are the Republican Members and the Republican Party to be silent on this subject? Have you constituents there? Have you a son there, fighting 500 miles from Archangel, without knowing what they are fighting for? What are the two contesting factions in Russia to-day? They are the royal party, that wants to put royalty back on the throne, and, on the other side, the wicked, as we say, Bolsheviki, who has not a real, genuine rule for government. We furnished these men and this money to help Kerensky. And now I am going to tell you what I think.

I do not know whether you will like it or not, for I have not the proof, but I am going to get the truth if I can. I charge as to the money that we have furnished to help win this war that a large share of it, running into millions of dollars, instead of being sent to feed the starving Russians, to-day is held by the Russian minister in the United States and is being used to pay the interest upon the bonds held by Morgan & Co. to their clients before America went into this war. I believe that. I have not the proof, but I expect to get it if you will give me a chance to examine the men who are handling the money in this country.

Then you are put to the question of your boys fighting and dying over there—50 killed last week—for the reason——

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MASON. I would like to have three minutes more.

Mr. MANN. Mr. Chairman, I yield three minutes more to the gentleman.

The CHAIRMAN. The gentleman from Illinois is recognized for three minutes more.

Mr. MASON. But assuming that I may be mistaken about that, why not pass this resolution, bringing them home? There is no war in Russia between the United States and Russia. The war was between Germany and the United States. There is not a German within a thousand miles of any of our troops who are there. I tell you that our boys are being used to carry out the dreams and the theories of politicians in that country, and, so far as I am concerned, I see no difference between the Bolsheviki and the Czar. The Bolsheviki can not make a worse government than they had under the Czar. [Applause.] And, so far as I am concerned, I will never consent that a drop of blood of any boy in America shall be shed to help the politicians over there. [Applause.]

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MASON. Yes.

Mr. HAMILTON of Michigan. Michigan has a large number of soldiers in the vicinity of Archangel. Many of those men came from my district. I want to know if the gentleman has been able to ascertain who is responsible for sending our boys over there?

Mr. MASON. Only what I have seen in the reports of the newspapers and the statements that the State Department sent out, that they were sent there to protect American property from the Germans, with whom we were at war. We are not at war with them now. They have been under the command of Japanese and British generals, and Lloyd George has withdrawn the English troops and notified the English people that no more English soldiers shall be sent there. I say either give a million men to defend those 15,000 or else, if we are wrong, let us be

manly enough to come out of there and let the politicians of Russia settle their own game of politics without the shedding of any more American blood. [Applause.]

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. MASON. Yes.

Mr. LANGLEY. Will the gentleman permit me to interrupt him to say that there are several boys from my district and State there. I have received many letters of complaint and protest from their families similar to those referred to by my friend from Illinois. I have permission to put some of these in the RECORD, and I shall shortly do so. I congratulate the gentleman upon his forceful statement of the situation. I agree with every word he says about this shameful proceeding and thank him for uttering them. [Applause.]

Mr. MASON. I thank the gentlemen. My time is about expired. You, gentlemen, can make war. You are the only power that can make war under the Constitution that we have sworn to support. You can order the troops out of Russia. Nobody likes to see the American flag retreat, but the American flag is just as beautiful moving one way as another. When it came down in Cuba I thought it was the handsomest flag in the world. Although it was coming down, it was keeping the promise of a great people. You have sent 15,000 boys into what may be a shambles, a slaughter pen, amid the snows of Russia, and you have no excuse for keeping them there except that party leaders intend to fight those who stand by the soviet, to fight against the Bolsheviki, and are in favor of establishing a Czar of all the Russias. [Applause.]

The following to-day:

PARIS, *January 31.*

Whatever forces may be sent to Turkey for garrisoning purposes, there will be no American troops among them, it developed to-day. It is pointed out that their use for this purpose would be inappropriate, as the United States has never been at war with Turkey.

Are we at war with Russia? You know we are not. If we are, let us command our own forces and send 2,000,000 men to uphold our flag, and not leave a handful of brave boys to be slaughtered in the bloody politics of the Bolsheviki and the Czar.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MASON. I append, Mr. Chairman, the resolution I have introduced:

Whereas the Constitution of the United States provides that the Congress of the United States shall have exclusive power to declare war, and also provides that the Congress shall have power "to make rules for the Government for the regulation of the land and naval forces"; and

Whereas there is now in the Siberian expedition 221 United States officers and 10,042 enlisted men, consisting of Infantry, Signal Corps, Medical, Ordnance, and Quartermaster troops, and in western Russia (Archangel) there are a total of 5,419 officers and men, comprising Infantry, Engineer, and Medical troops; and

Whereas the sending of United States troops to Russia by the Commander in Chief would be without authority of law except to protect American lives and property, and any intervention on the part of the United States to assist any political party in the formation of a government would be a usurpation of power on the part of the Executive; and

Whereas the war between the United States and Germany has ceased under the terms of the armistice and there can be no possible need of protecting American supplies in Russia; and

Whereas there is a great state of unrest and anxiety in the minds of the American people whose sons have been sent to Russia and a great state of anxiety in the minds of the people whose sons are overseas for fear their sons will be ordered into the political fight in Russia: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Commander in Chief of the Army and Navy of the United States is hereby directed to order forthwith all troops of the United States out of Russia, and in the meantime, while the troops are being removed from Russia, the Commander in Chief is directed to cease and desist from taking any part in the controversies of political factions now seeking political supremacy in Russia.

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. ROSE].

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes.

Mr. ROSE. Mr. Chairman and gentlemen of the House, a great deal has been said upon the subject of allotments, and one criticism after another has been hurled at the several departments of the Government. I am in receipt of a great many letters upon all kinds of subjects relating to the war, most of them abounding in complaints which are worthy of immediate attention and adjustment. I am now in receipt of a letter that is somewhat different in its nature from many that have come to my notice and touches upon subjects that up to this time have not been brought to my attention; and I have thought best to read the letter for the information of the Members of the House, and in the hope that relief may soon be granted to the anxious parents who are directly interested:

ALTOONA, PA., *January 17, 1919.*

Hon. JOHN M. ROSE,
Washington, D. C.

MY DEAR SIR: My son, Corpl. Henry U. Brandt, Company G, One hundred and Tenth Infantry, was killed in action July 30, 1918, at Courmont, France. Before he died he had made an allotment to me for $25 a month. Since his death I have been receiving this allotment every month, and up to the present time I have checks amounting to $125. I did not have any of these checks cashed for the reason that I do not think I am entitled to this allotment, since he is dead.

These checks are coming to me from the Quartermaster General's Department, and the volume number of the checks is 1240747. I wrote three letters to the Quartermaster Department calling its attention to this. In reply to these letters they stated that they have no record that there is an allotment by this soldier made in my favor, and that if he is dead I am no longer entitled to the allotment. They further said they could not give me any direction as to what to do with the checks since they have no record of this allotment. They also directed me to write to the Bureau of War Risk Insurance, Treasury Department, Allotment and Allowance Division, Stopped Payment Section.

I wrote to this address, called their attention to the matter, and asked what I am to do with the checks; but from this department thus far I have received no reply, but the checks are still coming, I having received one again yesterday. As I do not feel I am entitled to this allotment, and as I know there is a severe penalty for receiving money of this kind illegally, and as the War Department does not seem to make any effort to correct it, I thought I would write to you and kindly ask you to look into this matter and try to have it adjusted in some way.

Also, thus far, I have not received my son's back pay. I sent in my application blanks about the middle of September. I received a reply that the same were received, but thus far the matter has not been adjusted. I also wish you would look into this.

Again, I have not received my son's personal effects, although he is dead nearly six months. Immediately after I received word of my son's death, at the direction of the War Department, I wrote to the Personal Effects Depot, France, directing them where to send those effects, but thus far I have not received them nor have they written me a single line about it. I am in a quandary to know how this matter stands. I wish you would likewise look into this matter and see whether you can bring about a satisfactory adjustment.

Affairs must be in a terrible chaotic state at Washington, otherwise such things would not occur. It is certainly exasperating and humiliating for the families that have given their sons to make the supreme sacrifice on the altar of the country and then to get such treatment as this from those in authority. It is surely no wonder the people are dissatisfied.

Trusting that you can adjust this matter for me, and thanking you in advance for your favor, with kindest regards, I am,

Yours, sincerely.

CHARLES H. BRANDT.

I have been thinking, gentlemen, that unless something is done to correct these glaring errors the people might do with some of us as was done with ex-President Taft, according to the story told the other evening in an able address delivered by him on the league of nations. I was very much impressed with what he said, and I may say that it was my first opportunity to listen to the distinguished ex-President. In the course of an able argument defending the league of nations he said that during his term as President he was often interested in bills presented to the Senate of the United States, and that when many of them would be returned to him for his signature he was unable to recognize the bill and that he doubted very much whether the Senators themselves recognized it. That frequently he would throw the bill on the shelf and allow it to become covered with dust and hoping all the time that the Senators might change their minds or that the people would change the Senators, but instead the people changed the President. [Laughter.].

Now, I have an idea that is exactly what will happen to some of us if we permit these various complaints to go unheeded and do not provide for an investigation such as has been frequently advocated upon the floor of this House.

I want to remind you that the people of this country will rise up in their might and place men in the Congress who will have investigations made and have justice meted out to the soldiers of our country, and to the fathers and mothers who were willing to make the supreme sacrifice in order that we may have a democracy, such a democracy for which our boys so valiantly fought. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ROSE. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MANN. Mr. Chairman, I believe seven minutes remain of general debate. I yield that time to the gentleman from Illinois [Mr. GRAHAM].

The CHAIRMAN. The gentleman from Illinois is recognized for seven minutes.

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, the mails of every Member of Congress are so full nowadays of complaints relative to various things that have occurred during this war that one expects an ordinary amount of that sort of thing. But the mail that I received one day

recently was so full of examples of carelessness, of stupidity, of ignorance that I thought it was justifiable and perhaps advisable to call attention to some of them.

As everyone knows, there has been great trouble in the distribution of our soldiers' mail overseas. This particular thing has been called to the attention of this committee before, but in this one day's mail are three letters that show a practice that is being pursued by somebody in the War Department somewhere that seems to me to be the very superlative of ignorance or stupidity. I am told in one of these letters that a soldier was in the Fourth Division overseas. He has received no mail from his wife since the 1st of August, although she has written him during that time four or five letters a week. He has been sick in the hospital since the 16th of last October. On the 15th of January there came back to his wife, who lives down in my country and who knew about his sickness, 15 letters that were marked across the back of them by some one who described himself as a censor, "Wounded and in base hospital." Since that time many other letters have been returned to his wife, who is down there grieving her heart out and trying to find through me and through the War Department and through the Red Cross whether her husband is alive or dead, and back comes this burden of sorrow to her, these letters marked "Wounded and in base hospital." The girl's father writes to me a very pertinent suggestion. He says, "This week she got 14 letters from France returned, all marked by the censor, 'Wounded and in base hospital.'"

He is a plain man down in the country, and his language, perhaps, is not parliamentary, but it seems to me rather in point. He says to me: "Now, W. J., don't it occur to you if that censor knew he was in a hospital the nut could have sent the letters to him easier than he could have sent them back to Floy?" That is the name of the wife. And does not it occur to you that way, gentlemen? What reason can there be, what plan is there in the War Department or among the people who are running this mail service across the seas which causes them to pursue such a cruel and unnecessary treatment of our soldiers overseas? If there is anything in God's world they want over there, it is to get their mail. I had the pleasure or displeasure, whichever it may have been, during the month of October, while this war was hottest and when the allied line was everywhere advancing, to meet many of these men in the hospitals overseas, and I talked with hundreds of them. And whether they were drafted men or whether they were volunteers, I found them all the same cheerful, brave, fearless, carefree lads; and not a complaint did I hear from any of them except the inquiry, "Why can't we get our mail from home?"

Mr. MASON. That censor that the gentleman refers to did not even tell them where the base hospital was?

Mr. GRAHAM of Illinois. No.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. GRAHAM of Illinois. Yes.

Mr. LITTLE. Can you find out who the censor was and see if arrangements can not be made by the War Department to discharge him from the service and give him some job to which his mentality will be adapted?

Mr. GRAHAM of Illinois. I do not know about that. I have only a little time, and I want to pursue this further.

Mr. LITTLE. I offer that as a practical suggestion.

Mr. GRAHAM of Illinois. That was the only complaint our boys over there had. In spite of their wounds and misfortunes they were all cheerful. There they were in the hospitals, where some of them would lie for months having their wounds treated, making no complaint, except this one thing, and the failure to get their mail was doing more to shatter the morale of the soldiers across the sea and it has done more to shatter the morale of our people than any other thing that has happened.

Mr. GREGG. Will the gentleman yield?

Mr. GRAHAM of Illinois. No; I have not the time.

The CHAIRMAN. The gentleman declines to yield.

Mr. GRAHAM of Illinois. My colleague from Illinois [Mr. MASON], who just had the floor, said that in his opinion the volunteer soldiers were better soldiers than those who were taken by the draft. My friends, I do not agree with him. I found that wherever there was a soldier overseas, no matter where he came from, whatever class he came from, he was ready to do all and to bear all for the flag of his country, irrespective of how he got into the service. [Applause.] There were no best soldiers overseas, because they were all good soldiers, the best soldiers that ever followed a flag into battle anywhere in God's world. They were American soldiers. [Applause.]

Now, this sort of thing ought to stop, gentlemen. It is going on to-day. The same method is being pursued.

Mr. BLACKMON. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Alabama?

Mr. GRAHAM of Illinois. No; I do not have time to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. GRAHAM of Illinois. In the same day's mail I have another letter about a soldier in the Thirty-third Division, which contains most of the Illinois National Guard troops. His people have not heard from him since August 18, when he was in the hospital. Twenty letters came back the other day to his old mother. He was in the hospital on the 18th day of August, and she writes me heartbrokenly and wants to know why, in God's name, she can not find out about her boy. And why can she not? The War Department does not know. The Secretary of War does not know. The Red Cross can not find out. The cables under the sea are filled to repletion with fullsome accounts that are being written about somebody and somebody's plans over there for regenerating the world, but the wounded soldiers can not get their letters, and these letters are being returned in heaps to the dead-letter office, and then being sent back to the mothers and wives over this country.

I have another letter, in the same day's mail, which tells of a man who went over in August. On December 29 he wrote his wife and told her he had not received any letters since he had been there, although letters and packages had gone to him two or three times a week since he went over there in August. Not a thing had been received by him. Now, I want to say to you that that sort of thing affects seriously the morale of any country and injuriously affects public opinion. [Applause.]

The practice that I have mentioned is a general one. The leading Democratic paper in my district, the Rock Island Daily Argus, recently commented quite pointedly on this practice, as follows:

> It is hard to understand, however, why there have been so many cases in which the thread lost in a hospital or at some point where a transfer was made was not picked up later. The department might at least have taken a census of the various units after the armistice was signed and secured new records that would have made delivery in most cases possible, even if long delayed. That would have been better than giving it up and passing the job over to the dead-letter office. The military authorities can scarcely plead too much business during the last two months to give the subject of soldiers' mail the attention it deserves.

In that judgment so expressed I most thoroughly and completely concur.

The CHAIRMAN. The time of the gentleman from Illinois has expired. The Clerk will read the bill.

The Clerk read the bill under the five-minute rule.

Mr. GALLIVAN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HASTINGS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, and had directed him to report the same back without amendment with the recommendation that the bill do pass.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. THOMPSON. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from Oklahoma makes the point that no quorum is present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 246, nays 2, answered "present" 3, not voting 178, as follows:

YEAS—246.

Alexander	Beshlin	Campbell, Kans.	Curry, Cal.
Anderson	Birch	Campbell, Pa.	Dale
Anthony	Blackmon	Cannon	Dallinger
Ashbrook	Bland, Ind.	Cantrill	Darrow
Aswell	Bland, Va.	Chandler, Okla.	Davis
Austin	Bowers	Clark, Pa.	Decker
Ayres	Brand	Claypool	Dempsey
Baer	Buchanan	Connally, Tex.	Denison
Bankhead	Burnett	Cooper, Wis.	Dent
Barkley	Butler	Crago	Dickinson
Beakes	Byrnes, S. C.	Crisp	Dill
Bell	Byrns, Tenn.	Currie, Mich.	Dillon

Dominick	Hensley	Mason	Sherwood
Doolittle	Hersey	Mays	Shouse
Doremus	Hicks	Merritt	Siegel
Dowell	Hilliard	Miller, Wash.	Sinnott
Dunn	Hollingsworth	Moon	Slemp
Dyer	Hood	Moores, Ind.	Sloan
Eagan	Howard	Morgan	Small
Eagle	Huddleston	Mott	Smith, Idaho
Elliott	Hull, Iowa	Nelson, A. P.	Smith, Mich.
Ellsworth	Hull, Tenn.	Nichols, Mich.	Snell
Elston	Humphreys	Nolan	Stafford
Esch	Igoe	Oldfield	Steagall
Essen	James	Olney	Stedman
Evans	Juul	O'Shaunessy	Steenerson
Fairfield	Kahn	Overmyer	Sterling
Ferris	Kehoe	Overstreet	Stevenson
Fess	Kelley, Mich.	Padgett	Stiness
Fields	Kelly, Pa.	Paige	Strong
Fisher	Kennedy, R. I.	Parker, N. J.	Sweet
Foss	Kettner	Parker, N. Y.	Taylor, Colo.
Foster	Kincheloe	Peters	Temple
French	King	Phelan	Thompson
Fuller, Ill.	Kinkaid	Platt	Tillman
Gallagher	Knutson	Polk	Tilson
Gallivan	Kraus	Pou	Treadway
Gandy	La Follette	Powers	Venable
Gard	Lampert	Purnell	Vestal
Garner	Langley	Ragsdale	Vinson
Garrett, Tenn.	Lazaro	Rainey, H. T.	Voigt
Gillett	Lee, Ga.	Rainey, J. W.	Volstead
Glynn	Lever	Ramseyer	Walton
Goodwin, Ark.	Little	Randall	Ward
Gordon	Lobeck	Rayburn	Wason
Graham, Ill.	London	Reed	Watkins
Green, Iowa	Lonergan	Robinson	Watson, Pa.
Greene, Mass.	Lundeen	Rogers	Weaver
Greene, Vt.	McArthur	Romjue	Welling
Gregg	McClintic	Rose	Whaley
Griffin	McCormick	Rouse	Wheeler
Hadley	McFadden	Rowe	White, Me.
Hamilton, Mich.	McKenzie	Rubey	Williams
Hamlin	McKeown	Rucker	Wilson, Ill.
Hardy	McKinley	Sabath	Wilson, Tex.
Harrison, Va.	McLaughlin, Mich	Sanders, Ind.	Wood, Ind.
Haskell	McLemore	Sanders, La.	Woodyard
Hastings	Madden	Sanders, N. Y.	Wright
Haugen	Magee	Sanford	Young, N. Dak.
Hawley	Mann	Scott, Iowa	Young, Tex.
Hayden	Mansfield	Scott, Mich.	
Heflin	Mapes	Shallenberger	

NAYS—2.

Blanton	Quin

ANSWERED "PRESENT"—3.

Frear	Jacoway	Littlepage

NOT VOTING—178.

Almon	Drane	Kennedy, Iowa	Saunders, Va.
Bacharach	Drukker	Key, Ohio	Schall
Barnhart	Dupré	Kiess, Pa.	Scully
Benson	Edmonds	Kitchin	Sears
Black	Emerson	Kreider	Sells
Booher	Estopinal	LaGuardia	Shackleford
Borland	Fairchild, B. L.	Larsen	Sherley
Britten	Fairchild, G. W.	Lea, Cal.	Sims
Brodbeck	Farr	Lehlbach	Sisson
Browne	Flood	Lesher	Slayden
Browning	Flynn	Linthicum	Smith, C. B.
Brumbaugh	Focht	Longworth	Smith, T. F.
Burroughs	Fordney	Lufkin	Snook
Caldwell	Francis	Lunn	Snyder
Candler, Miss.	Freeman	McAndrews	Steele
Caraway	Fuller, Mass.	McCulloch	Stephens, Miss.
Carew	Garland	McLaughlin, Pa.	Stephens, Nebr.
Carlin	Garrett, Tex.	Maher	Sullivan
Carter, Mass.	Godwin, N. C.	Martin	Sumners
Carter, Okla.	Good	Miller, Minn.	Swift
Cary	Goodall	Mondell	Switzer
Chandler, N. Y.	Gould	Montague	Tague
Church	Graham, Pa.	Moore, Pa.	Taylor, Ark.
Clark, Fla.	Gray, Ala.	Morin	Templeton
Classon	Gray, N. J.	Mudd	Thomas
Cleary	Griest	Neely	Timberlake
Coady	Hamill	Nelson, J. M.	Tinkham
Collier	Hamilton, N. Y.	Nicholls, S. C.	Towner
Connelly, Kans.	Harrison, Miss.	Norton	Van Dyke
Cooper, Ohio.	Hayes	Oliver, Ala.	Vare
Cooper, W. Va.	Heaton	Oliver, N. Y.	Waldow
Copley	Heintz	Osborne	Walker
Costello	Helm	Park	Walsh
Cox	Helvering	Porter	Watson, Va.
Cramton	Holland	Pratt	Webb
Crosser	Houston	Price	Welty
Davey	Husted	Raker	White, Ohio
Delaney	Hutchinson	Ramsey	Wilson, La.
Denton	Ireland	Rankin	Wingo
Dewalt	Johnson, Ky.	Reavis	Winslow
Dies	Johnson, S. Dak.	Riordan	Wise
Dixon	Johnson, Wash.	Roberts	Woods, Iowa
Donovan	Jones	Rodenberg	Zihlman
Dooling	Kearns	Rowland	
Doughton	Keating	Russell	

So the bill was passed.

The following additional pairs were announced:

Until further notice:

Mr. CLEARY with Mr. EDMONDS.

Mr. WATSON of Virginia with Mr. HOLLAND.

Mr. JACOWAY with Mr. FREAR.

Mr. CALDWELL with Mr. BROWNING.

Mr. CANDLER of Mississippi with Mr. BURROUGHS.

Mr. CARLIN with Mr. BENJAMIN L. FAIRCHILD.

Mr. COADY with Mr. GEORGE W. FAIRCHILD.

Mr. DUPRÉ with Mr. FREEMAN.

Mr. HOUSTON with Mr. FULLER of Massachusetts.

Mr. LEA of California with Mr. KREIDER.

Mr. LESHER with Mr. IRELAND.

Mr. LINTHICUM with Mr. JOHNSON of South Dakota.

Mr. MCANDREWS with Mr. MUDD.

Mr. MARTIN with Mr. RODENBERG.

Mr. MONTAGUE with Mr. SNYDER.

Mr. NEELY with Mr. SWITZER.

Mr. OLIVER of New York with Mr. TEMPLETON.

Mr. SIMS with Mr. TIMBERLAKE.

Mr. SLAYDEN with Mr. TOWNER.

Mr. THOMAS F. SMITH with Mr. SELLS.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

On motion of Mr. GALLIVAN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. GALLIVAN, by unanimous consent, was given leave to extend and revise his remarks.

NAVAL APPROPRIATION BILL.

Mr. PADGETT, chairman of the Committee on Naval Affairs, by direction of that committee, reported the bill (H. R. 15539; H. Rept. No. 1024) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes, which was read a first and second time, and, with the accompanying papers, ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. BUTLER reserved all points of order.

MILITARY ACADEMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes. Pending that motion, I would say that I have had no requests for time upon this side of the House, and I ask unanimous consent that general debate upon the bill be dispensed with, if that is agreeable to the gentleman from California [Mr. KAHN].

Mr. KAHN. Mr. Speaker, I have had one request for 15 minutes from the gentleman from Kansas [Mr. LITTLE].

Mr. DENT. Then I ask unanimous consent that general debate be closed at the expiration of 15 minutes.

The SPEAKER. The gentleman from Alabama asks unanimous consent that general debate upon the bill close in 15 minutes. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Alabama that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the Military Academy appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the Military Academy appropriation bill, with Mr. SABATH in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KAHN. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, this bill appropriates $2,900,000 to be used in the next year by one school. I find that it gets so little attention from the House that nobody has any information or desires any information, such, at least, that leads him to want to discuss it, except perhaps myself. That shows a lack of interest in a very important feature of legislation which I greatly deplore.

I read in the newspapers the other day that the management now in control, which wants $2,900,000 for the next year, is preparing to put in force the old system of hazing at that school. Under that system a new boy who comes there from the country is at the mercy of the older and the bigger boys, upon the theory that that makes a nicer man of him, when, as a matter of fact, it makes of him a little coward and a snob unless he is a boy of considerable character. He gets a little older and in a higher class and then he wants to overawe somebody else.

Mr. FIELDS. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. FIELDS. The gentleman is aware of the fact that there is a statute against hazing?

Mr. LITTLE. Then, would the gentleman account to me for the fact that the newspapers gave us the information that the superintendent is going to resume hazing; and does not the gentleman know that hazing has been in force ever since he has been on the Military Committee?

Mr. FIELDS. I am advised by the superintendent that it has not been, and that is all I know about it. In 1911 one cadet was dismissed for hazing.

Mr. LITTLE. If I had been on the Military Committee as long as the gentleman and did not know any more about the hazing system than he does, I certainly would get out and look it up, at least.

Mr. FIELDS. I get my information from the superintendent of the establishment, while the gentleman gets his from the newspapers.

Mr. LITTLE. I get mine from young men who have been hazed, and, what is more, the system is in vogue in every school of that kind in the United States, and they all do it because West Point does. What is the result? It makes a snob of every man that goes out of the school who allows himself to be governed by the principles that it teaches. The theory is that an older boy is better than a younger boy, and instead of reaching out a helping hand and assisting him to grow up as a gentleman, they teach him there is somebody better than he is, who can run over him and mistreat him and do anything to him, and if he undertakes to whip the boy a couple of classes above him he has got to lick the whole class to get away with it.

And that is the way you spend $2,900,000, and one of your committee gets up and tells me that the superintendent tells him that they do not haze there, and there is not another man in the House who does not know that they do, and that is the kind of information that your committee brings to you on which to warrant an expenditure of $2,900,000. I am speaking as a friend of education and of military education. My own boy is in a military school, and has been for two years, and I appreciate the value of it when at its real best, and I know its faults, and I am merely saying here that when you discuss such an appropriation for a military school you ought to know what you are doing, instead of starting off by such theories as that is.

Mr. McKENZIE. Mr. Chairman, the gentleman is aware of the fact that students have been dismissed from West Point for hazing, and that bills have been introduced and have been referred to our committee in attempts to get those men reinstated, and it could not be done.

Mr. LITTLE. The gentleman from Kentucky [Mr. FIELDS] informs me that one was dismissed in 1911. The gentleman from Illinois says "students." He means "student," does not he—a cadet, not cadets?

Mr. STEVENSON. The gentleman referred a moment ago to the rule that the older classes dominate the lower ones. Is not that merely the rule of seniority, which prevails here and everywhere else? [Laughter.]

Mr. LITTLE. The gentleman is trying to get me away from the subject I was discussing. We will take that up a little later on. Of course, we all know that every time a new boy goes to another town he always has to lick every boy in the town before he can get along; but the truth is that at West Point they have adopted the cowardly custom of combining every upper class against the low class man, and, as I said before, if you beat one of the seniors you have to beat the whole class. Some gentleman here says that he does not believe that that is true. I would like to get him into West Point once.

Mr. YOUNG of North Dakota. I suggest that if the boy can lick two of them, he can lick them all.

Mr. LITTLE. Gentlemen, we all know that this bill should not go a step without some recommendation from the committee that this hazing must stop.

As I undertook to say to you when questioned by gentlemen whose information runs back too far to be useful [laughter], this makes snobs of the boys. What is the matter with the West Point boys? Why, they go into a community and they feel that they are of a different class because the minute they go to West Point they are taught that the other fellows in the upper classes are better than they are, and when they come out they think they are better than everybody else, and that is the reason in this war we are continually agitating in this House the question why we have dismissed from the Army of the United States brave and gallant officers simply because they were in the militia of the country. The Regular officers have grown weary of being eclipsed by Volunteers and are endeavoring to seize the laurels from those who deserve them in many instances.

Mr. GORDON. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. GORDON. How long has it been since the gentleman heard of a case of hazing at West Point?

Mr. LITTLE. Since this war the newspapers say they have discontinued it, but they are going to put it back now.

Mr. GORDON. Oh, no; there has not been any hazing there for five years.

Mr. LITTLE. You see, you can not talk to these gentlemen. The gentleman should talk with some people who have met some of the cadets from West Point and talked to them within the last 5 or 10 years. You go down there on an announced inspection, and, of course, everything is fixed for an approving report.

Mr. MADDEN. Did the gentleman say he would prefer to talk with some one who had met some West Pointer?

Mr. LITTLE. Some student who has been through the business there.

Mr. GORDON. If the gentleman will yield——

Mr. LITTLE. I must make this speech myself and I do not want the rest of the House to consume all the time. I can not yield any further. The gentleman could have gotten 15 minutes if he wanted the time. There is not anybody in this House who asked for time on this bill except myself until I succeeded in getting 15 minutes and began to talk on the subject, and they hop on me and want to talk all through my time. This is an important bill and you should investigate it.

Mr. HASTINGS. Is not that the rule of seniority?

Mr. LITTLE. There goes another.

Mr. SCOTT of Michigan. I want to corroborate the gentleman.

Mr. LITTLE. I thank you.

Mr. SCOTT of Michigan. And I want to dispute the statement made by the gentleman from Ohio that there has not been any hazing at West Point for five years, because I talked with a boy dismissed from West Point for hazing since this war started. They say it is not in vogue there, but this fellow was actually dismissed last year; so that is not a matter of past history.

Mr. LITTLE. Of course, gentlemen, we all know, except gentlemen who inspect in committees, that there is hazing at West Point, and I do not want to waste time on such ideas. The reason they do not get along with volunteers in any war, the reason they are sending out better men in the militia, is simply because they are not from the West Point clique, because they have retained their Americanism and go into the Army to fight, not as a profession. Now, gentlemen, I do not mean all of them are. There are some splendid young Americans from there, and they are in a majority, I presume, and there is nothing the matter with them when they come out except West Point; but many of them are tarred with that brush, otherwise splendid young fellows. We have known man after man, scores of splendid soldiers, put out of the Army because they did not belong to the clique during this war. What is the reason for that? What is the matter with West Point?

Gentlemen, in the Spanish War, in the Philippine War, in the Chinese War, not one single, solitary general officer who achieved distinction or commanded in any action of importance ever attended a military school. Miles, Lawton, Shafter, Otis, MacArthur, Wheaton, Wood, Miller, Funston, Chaffee——

Mr. SLOAN. And Col. Little.

Mr. LITTLE. Not one of them ever went to a military school, and you can not name any man from West Point who achieved distinction as a general officer in the Spanish War, in the Philippines, or the Boxer War; not one. Every one volunteered without military education. Occasionally a West Pointer succeeded by simply getting out of the Regular Army and getting into the Volunteers, like Frank Bell. Now, there is some reason for that, and that is the reason why we should be examining this bill closer than we are doing. They tell us about the Civil War, that they were all West Pointers.

There was a West Point before the Civil War, but it was nothing but a little high school, except they taught them higher mathematics. That did not come to be compared with the West Point of these days. If that West Point made all these great soldiers, West Point to-day is useless, as there are 50 better military schools in this country now than there was at West Point before the Civil War. The great soldiers of the Civil War were all in the Mexican War—Grant, Lee, all of them; every one of them.

A MEMBER. They were from West Point.

Mr. LITTLE. The gentleman says they were from West Point. They came from the West Point High School, but they did not become great soldiers in the Civil War because they had been at West Point and studied a few simple things, but because their experience on the battle fields in Mexico made

them great soldiers. That is what made great soldiers out of them, and I do not——

Mr. McKENZIE. Something was said this morning about the Leavenworth clique. I would like to hear the gentleman on that clique.

Mr. LITTLE. They have a fine school at Leavenworth for these boys to go to after they are out of college and become officers. Many old Army friends and comrades of mine go there. I have no quarrel with them. They are organized there just like a college secret society and all stand together.

Is it not enough for the gentleman from Illinois [Mr. McKENZIE] that I venture to challenge the infallibility and perhaps the serious utility of West Point without being involved with the Leavenworth clique too? What is he trying to do to me? Does he wish to involve me in ruin, absolute ruin? When "Wild Bill" Hickok was marshal at Hays City, Kans., a half dozen soldiers from Gen. George A. Custer's famous Seventh Cavalry at Fort Hays came to town, took a few drinks, and celebrated. Wild Bill beat them up a bit and put them in the calaboose. Their captain, Tom Custer, regarding that as lese majeste, turned out the whole troop and they started for town to kill Wild Bill on sight. Bill drove to the next station and left for Kansas City till the storm was over. He said, "I'm perfectly willing to fight a reasonable number, but I am not going to try to lick the whole United States Army." The gentleman from Illinois must understand my list is full now, without taking on any "Leavenworth clique."

The best men at Fort Leavenworth, the best teachers there, have not been from West Point. Many of them are from the Philippine service—the very best of them. The fact of the business is, gentleman, that this military business is not a profession. It is a business and must be learned in the field, like other business.

Mr. McKENZIE. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. McKENZIE. I would like to ask the gentleman from Kansas whether he would be in favor of abolishing West Point or not?

Mr. LITTLE. Well, you think from what I say that it ought to be abolished. If I can prove that no officer from West Point achieved distinction of the first importance in the Spanish-American War, would you think it ought to be abolished?

Mr. McKENZIE. If you ask me that question, I will say very frankly to you that I think West Point, from all I have been able to learn, is the greatest military school not only in this country but in the world.

Mr. GORDON. And has been for a hundred years.

Mr. LITTLE. As to my own views, the fact that my own boy has been in a military school for two years shows what I think of a military school and its possibilities. I am not saying, nor have I intimated, that West Point should be abolished, though possibly we would be better if, like Switzerland, we had no professional officers; but the gentleman jumps as if he had been stuck the minute I discuss its foibles. If it is so bad that when I lay my finger on the sore spot he jumps, something ought to be done. The minute I suggest these facts you think it ought to be abolished. I send my boy to a military school, and I think they are useful institutions. I would like to see West Point improved until its boys can rank with volunteer officers, until they furnish a share of the generals like Miles, Wood, Funston, Chaffee, McArthur, Wheaton, and Lawton.

Mr. OLNEY. Did not Lee and Stonewall Jackson and Grant graduate at West Point?

Mr. LITTLE. I discussed that. You must have been out. Every one of them got his military education in the Mexican War, and everything that was of any use to him he got there. It is shown that this school could be greatly improved, and it would be improved if more people would take an interest in it instead of letting it go by the board in this way. That is no reason why it should not be subjected to careful analysis and criticism when we are asked to spend millions on it.

Mr. RAMSEYER. How do you come to a conclusion that it has not turned out any soldiers for any of the past wars? [Applause.]

Mr. LITTLE. The attitude of the advocates of this institution can be exhibited by that question and that applause. I did not say it had not turned out any good soldiers. I simply said the fellows who did not go to school were better soldiers. That is all. [Laughter.] They do the best they can with the handicap of the snobbery they get there. All the brilliant leaders of the Cuban, Philippine, and Chinese wars were civilian volunteers.

Now, I am going to close. The friends of West Point, the minute you put your fingers on their sores, begin to protest.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. HUDDLESTON. I wanted to ask the gentleman if he does not think that the worst thing about West Point is that it is responsible for the caste sentiment that exists in our Army to-day?

Mr. LITTLE. And a snobbery that forced so many splendid militiamen out of the Army in the last war.

Mr. McKENZIE. I would simply like to ask the gentleman what he does when a young man asks him for an appointment to West Point. Do you name him, or do you advise him that it will be his ruin if he goes to West Point? [Laughter.]

Mr. LITTLE. What has that got to do with it? [Laughter.] If he is a friend of mine, I advise him to do something else. If he insists on it, I appoint him. [Laughter.] Perhaps we will get somebody in who will be as good as John A. Logan or Forrest. I can give you the key to this situation from a general officer of the Confederacy, who, I presume, graduated from West Point. He was the son of a President of the United States. I refer to Gen. Dick Taylor, a great officer. He said this, and it is the final word that I want to say: "You take the ordinary boy and send him to West Point and keep him there four years in that artificial environment, and put him two years on the frontier at some little fort with a few men, and then send him down to the department to sit around and unwind red tape for two years, and you have the finest example of arrested mental development the world ever saw." [Laughter and applause.]

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the fiscal year ending June 30, 1920:

Mr. GORDON and Mr. WOOD of Indiana rose.

The CHAIRMAN. The gentleman from Ohio, a member of the committee, is recognized.

Mr. GORDON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have just been regaled by an address from a gallant volunteer officer here, in which he said some things that I approve and some things to which I dissent. I had the honor to head a committee which made the annual inspection of West Point four years ago, and I made some inquiries into the matters and things which he has discussed here. I have been on this committee for nearly six years now and have given reasonable attention to the Military Academy as we appropriated for it annually. West Point is the finest military school in the world, and has been for over 100 years.

Mr. LITTLE. Will the gentleman yield?

Mr. GORDON. No. I have only five minutes under the rule. When James Monroe, who was one of the greatest military men who ever occupied the office of President, was Acting Secretary of War he sent a message to Congress in which he discussed West Point at length. That was about in 1820. In that message he said that West Point was then the finest military school in the world. And there is no doubt that it has been such for a hundred years.

Now, the question of hazing there is a question that has not come within the cognizance of the committee since I have been a member of it, for the simple reason that it has been punishable by dismissal for the last five years, and that is what I now say. The gentleman from Michigan undertook to controvert that by saying that a fellow whom he appointed there did some hazing and was dismissed. As to that, I undertake to say——

Mr. SCOTT of Michigan. I did not say exactly that.

Mr. GORDON. Well, he said he took part in a hazing enterprise and was expelled. You can not hold the military authorities up there responsible for hazing if they visit condign punishment upon those guilty of that offense, so that, practically speaking, hazing has been abolished, just as larceny and other crimes are considered abolished by being made penalized. I have not known of any hazing since I have been on this committee.

The argument against educating and training officers is just like the argument sometimes made against college education. You often hear men say that because some of our great men had not an opportunity to obtain a college education therefore that proves that a college education is of no account. Of course, there is nothing in that argument. The best man that ever lived intellectually would have been the better if he had had the advantage of college training. [Applause.] I think everybody will admit that if he will use judgment and common sense.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. GORDON. Yes.

Mr. LITTLE. Would it have improved Shakespeare? Is it not a fact that Bob Ingersoll said that "A college education polishes the pebble and dims the diamond"?

Mr. GORDON. Yes; but if Bob Ingersoll said that, I beg to disagree with him on that as well as some other things that he said. [Laughter.]

West Point is a very expensive institution to the Government. It is located in a beautiful place, which is, however, not adapted to its expansion. They have plenty of land there, but the trouble is that it is located upon the side of a hill, and the hill is of solid stone, and construction work is exceedingly expensive; and as the gradual increase of the attendance at the Military Academy has come on from year to year, the cadets recently having been authorized to be doubled, of course they are cramped for room. That is one of the serious questions which the committee has had under consideration, and which will probably confront the coming Congress peremptorily.

Now, I do not consider it necessary to answer some of the observations that the gentleman from Kansas [Mr. LITTLE] has made here, because they are all covered in the general statement that our military officers are better from having been educated in military subjects than they would be without that education. Originally West Point was an engineering school exclusively, but since then the course has been enlarged, and it is now a very comprehensive one and covers perhaps more subjects than are vitally necessary. But it certainly does equip young men and prepare them to be officers of the Army better than any other school in existence anywhere on earth.

Mr. MADDEN. Mr. Chairman, will the gentleman yield for a question?

Mr. GORDON. Yes.

Mr. MADDEN. Does not the gentleman think there ought to be some training in commercial work, business training, connected with the military training in West Point? That seems to have been avoided altogether.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MADDEN. I ask unanimous consent, Mr. Chairman, that the gentleman may have his time extended five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from Ohio may be extended five minutes. Is there objection?

There was no objection.

Mr. MADDEN. I asked the question of the gentleman from Ohio because I believe that if there is a weakness in the training of a military officer it is in the lack of business knowledge.

Mr. GORDON. The gentleman is exactly right about that, and, as I just observed, we are teaching too many things that are not vitally necessary to the Military Establishment just now. If I were to solve the problem, I would separate the business part of the Army from the Army itself, as they have done in France. I would have at the head of the Quartermaster's Department a business man. I would not have an Army officer at all, and that would furnish a complete solution of the real weakness in our military organization, to which the gentleman has called attention. The real weakness of the average Army officer is that he has no conception of the value of money and no knowledge of practical business.

Mr. MADDEN. If I may be permitted, if I had the power, I would allow the man who has technical knowledge to write the prescription, as I would allow the Army officer to outline the policy, but I would employ a man who understood how to spend money to fill the prescription.

Mr. GORDON. The gentleman is exactly right about that. That is what ought to be done in the Army. The Quartermaster General ought to be a business man. The Army officers are not qualified to act as business men. That has been demonstrated in the last few years by useless expenditures for millions and millions of dollars' worth of stuff that we did not need. Under the stress of military necessity, our civil officers immediately laid down, and if an Army officer wanted to order, for instance, $100,000,000 worth of matches, he would order them, and they have just piled up things that they will never need or use in a hundred years, and, of course, there has been enormous waste.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. GORDON. Yes.

Mr. LITTLE. I will just make this suggestion to the gentleman and leave it to him as to whether I am right. Does not the gentleman think the best thing that could happen to the West Pointer would be to be made to go out and work for two years and hustle for a living?

Mr. GORDON. No.

Mr. LITTLE. I think a practical education would make a better man and a better soldier of him. If he did that, he would make a better officer in the Army.

Mr. GORDON. No. I think the officers educated at West Point are the finest officers and the best equipped, physically and mentally, in the world. You might as well look at the question just as it is.

Mr. LITTLE. Did the gentleman say the best in the world?

Mr. GORDON. Yes. Because Col. LITTLE made a fine officer without a military education he assumes that no education is necessary. I think he makes the same mistake that I referred to in my opening remarks in regard to a college education. Education does not hurt anybody, and to say that an officer can be overeducated in military matters, it seems to me, is absurd.

Mr. HAMLIN. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. HAMLIN. I think perhaps the gentleman can give me some information. The usual course at West Point is four years?

Mr. GORDON. Yes.

Mr. HAMLIN. But after the war came on it was shortened to three years, and then to two, and then to one.

Mr. GORDON. Yes; they started in a system of rushing and cramming the boys up there and graduating them ahead of their time.

Mr. HAMLIN. Now, what I want to know, and this is purely for information, can the gentleman tell us whether the four-year course will be resumed shortly?

Mr. GORDON. That is a matter which is now under consideration, and we have just received a copy of a report from the academic board, which report is now under consideration by the Chief of Staff and the Secretary of War, but no report has been made upon it. That is a matter which is now the subject of discussion, but it is not involved in this bill at all.

Mr. HAMLIN. I will ask another question which perhaps the gentleman is not prepared to answer, but I want him to think about it. Will the young men who have been graduated prematurely, as compared to the old system, be permitted to reenter?

Mr. GORDON. They are going to send them back. They have sent back one class already, and I think it is the intention to return them all to finish their education.

Mr. HAMLIN. I did not know how that was.

Mr. MANN. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. MANN. Is there no law fixing the length of service at West Point?

Mr. GORDON. There is not. That is my understanding about it. It is a matter of regulation.

Mr. MANN. Purely a matter of regulation?

Mr. GORDON. Yes.

Mr. RAMSEYER. Who regulates that?

Mr. GORDON. The Secretary of War.

Mr. MANN. There was a law as to Annapolis.

Mr. HARRISON of Virginia. Will the gentleman yield?

Mr. GORDON. Yes. If I am in error about what I have just stated, I should like to be corrected.

Mr. HARRISON of Virginia. The gentleman is not in error as to the fact at present, but the change is a recent one, and I will submit an amendment presently to cover that very situation. The academic board were requested by Gen. March to make a report on whether or not the course could be shortened.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HARRISON of Virginia. Gen. March asked the academic board to make a report as to whether or not the curriculum could be shortened. This academic board is made up of the various professors and instructors of that institution, including the superintendent. That board unanimously reported against any change in the four-year course. They reported that the four years could not be shortened by placing any part of the instruction in the remaining three years, because the time of the boys was fully taken up now, and they would not have any time to include any more studies, and that the only way in which the course could be shortened would be by cutting off either the last year's course or the first year's course. If they cut off the last year's course the student would be deprived of all military instruction, because in that last year is included the principal military instruction received by the boys at that institution. If they cut off the first year's course they would raise the standard so high that only college graduates could be permitted to enter the institution, and the high-school graduates and boys whom we have been accustomed to appoint would be excluded.

Mr. MANN. Will the gentleman permit a question?

Mr. HARRISON of Virginia. Yes.

Mr. MANN. Before the war was the length of the course a matter of regulation?

Mr. HARRISON of Virginia. Until very recently it was fixed by law at a four-year course, but recently it has been changed, and is now a matter of regulation.

Mr. SHALLENBERGER. When was the change made?

Mr. HARRISON of Virginia. I can not recall, but it is a recent change. The result has been that the Chief of Staff is taking steps, without the permission of Congress, to alter the course at the Military Academy, or he is making inquiries along that line, and I am going to ask this body to adopt an amendment fixing the course at four years.

Mr. MANN. I was under the impression that we had authorized the graduation of classes before the regular time.

Mr. HARRISON of Virginia. You can do that in time of war.

Mr. MANN. We have done it.

Mr. GORDON. I thank the gentleman. I will say, in further answer to the inquiry of the gentleman from Illinois, that another plan has been suggested, and that is to convert West Point back into an engineering school, building another institution to deal with other subjects. Upon the question of shortening the course at West Point, it seems to me that their plan is well worthy of consideration by Congress. My impression was that the length of the course at West Point was a matter purely of regulation and had been ever since I have been in Congress. If I am in error about that I shall be glad to be corrected.

Mr. HARRISON of Virginia. Does not the gentleman think the change ought to be left to Congress and not to the Chief of Staff?

Mr. GORDON. No; I do not think so. I think that if the Congress has any comprehensive plan it is satisfied to adopt it ought to go ahead and do it, but unless it has it ought to be a matter of regulation on the theory that military training requires a matter of expert knowledge.

Mr. DENISON. The greatest complaint I have heard against the institution is that there is there taught, or there grows up there, a spirit of snobbery or military caste which makes the man that comes out have contempt for other men who go into the military service. Has the gentleman any suggestion by which Congress or the department could take some action that would democratize the institution and get rid of that tyranny?

Mr. GORDON. I do not think there is any legislation that would cure the difficulty. The real truth about it is, the thing which the gentleman complains of is incident to the Military Establishment, and especially the Military Establishment of the United States. Our military system was organized by Baron von Steuben, who had been a Prussian officer on the staff of Frederick the Great. He came to the United States early in the Revolutionary War and cast his lot with us, gave his services to us, spent the remainder of his life in this country, and died here. He was a very distinguished officer and, of course, he gave us the Prussian system. He was the first Inspector General of the United States Army, and naturally the system which he planted here has continued in the same lines in the Regular Army.

Mr. LITTLE. Will the gentleman yield?

Mr. GORDON. Yes.

Mr. LITTLE. Does the gentleman think, in view of the results that have been accomplished in the last four years by the Prussian system, that we should adhere to it?

Mr. GORDON. I will tell you that if you want a first-class military system you can not find a better one than the Prussian system. That has been demonstrated in this war. Of course, I want you to understand that I am opposed to it. [Laughter and applause.]

Mr. LITTLE. But they got licked, did they not?

Mr. GORDON. Finally, but it was some job. [Laughter.]

Mr. WOOD of Indiana. Mr. Chairman, I move to strike out the last two words. Mr. Chairman and gentlemen, I wish to make a few remarks about a subject which I expect every Member present is more or less familiar with, and that is order No. 77, promulgated some time ago by the War Department, whereby is was supposed that the boys in the military service might be relieved by making a proper showing. Every Congressman who represents an agricultural district is being besieged by his constituents asking why it is that after they have complied with the requirements of this order they can not get action, let alone favorable action, on their petitions. We were led to believe by the order that if a farmer made application for the relief of his son, who was wanted on the farm, and filed with it the proper affidavits of disinterested people as to the facts set forth in the application that he was needed on the farm, unless there was great reason why he should not be relieved he would be permitted to go home and do work on the farm. Thousands and thousands of farmers have filed these applications. They have been absolutely ignored in most cases. I do not know who is at fault, but there ought to be some remedy applied.

Mr. MANN. Will the gentleman yield?

Mr. WOOD of Indiana. Certainly.

Mr. MANN. I had a letter this morning from the Secretary of War, stating that it was not the policy of the War Department to discharge a man because he had a position awaiting him at home.

Mr. WOOD of Indiana. Then they have misled every Member of this House. I have been misled by this order 77. I want to call the attention of the House to a case, and I dare say I am but reiterating your own experience. I have a case where there is a position awaiting a young man at $150 a month. He is supposed to be occupying a position of clerk in the Army, but as a matter of fact he makes the beds and washes windows, and they say they can get nobody to take his place. I asked for a report on this from The Adjutant General's office the 8th of last month. The Adjutant General informs me—and I have no reason to doubt he is telling the truth—that he has called again and again for a report in reference to the case, but down to this good hour the officer in command of that company does not deign to give him an answer.

I have another case where a widow living in Benton County, Ind., whose husband died since her boy entered the Army, filed an application with the necessary supporting affidavit that her son was her sole reliance and that she could not get along on the farm without his help; that she needed him for the purpose of farming 160 acres of land. The captain receiving the application acknowledged the receipt of the same and expressed some delight at the sufficiency of it. But he said that "while it is true the armistice is signed, it does not necessarily follow that peace will be declared, and your son is a member of the Thirty-fourth Field Artillery, a combat unit, and to discharge him or any other member of this unit would have a depressing effect on the peace congress now being held in Paris." [Laughter.]

I took the letter from that captain to The Adjutant General of the United States more than three weeks ago and asked that it be investigated, and I suggested that a captain who had no more sense than to write a letter of that kind was not fit to command pigs, let alone men. [Laughter.]

Mr. STEVENSON. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. STEVENSON. Has the gentleman any idea that this captain is one of those that we have been hearing about who wants to keep the company in order that he may keep his captaincy?

Mr. WOOD of Indiana. I do not know; but I do know this——

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. WOOD of Indiana. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOOD of Indiana. I do know this, that in one of these camps there is a captain who was a sergeant in the Regular Army before we got into this war. He was getting $44 a month as a sergeant. He was made a captain. He gets $200 a month as a captain and he gets $44 for commutation of quarters and another small sum for commutation of light. Then he gets his fogies, which, by reason of his service in the United States Army, amount to $60, so that in all he is getting $320 a month as captain. The very minute that he loses his position as captain he goes back into the Regular Establishment at $44 a month. That gentlemen has made the remark that he proposes to hold on to what he has as long as he can.

There is another thing to which I desire to direct your attention, and if gentlemen do not know that what I am telling is true they can find out by inquiry, for it is prevalent in almost every camp in the United States. There are companies with five and six and seven captains, with five and six and seven first lieutenants, and with five and six and seven second lieutenants. Perhaps they may have a dozen privates. What are they doing there? Yet you can absolutely get no relief either by addressing a telegram or a letter to these commanding officers, and you can get no relief by going to The Adjutant General of the United States. He seems to be absolutely impotent to give any satisfactory reply to any inquiry involving this want of consideration on the part of these petty officers.

Mr. HAMILTON of Michigan. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. HAMILTON of Michigan. Would it not be possible for this House to obtain some information in respect to this inter-

esting situation by requesting these gentlemen on the Military Affairs Committee to report to us in relation to it? What are they here for?

Mr. WOOD of Indiana. That may be, but the time is soon coming when the Congress of the United States will be held responsible by constituents for this condition of affairs, for, after all, these gentlemen are not monarchs of all they survey. They are answerable to the Congress of the United States, and it strikes me that in the interest of the farmer, in the interest of the business man of this country, who are alike interested in seeing some order come out of this chaos, the Congress of the United States ought to take some action requiring the Secretary of War to inaugurate some scheme whereby Members of this Congress will be treated at least with respect, and where at least The Adjutant General of the Army will be treated with some respect, and some provision made that these men answer his inquiries.

Mr. FESS. Mr. Chairman, reverting to the fact of so many captains to the same company, a matter which can be easily established, has the gentleman any possible explanation of why it is?

Mr. WOOD of Indiana. The only explanation that I have heard from even those who are attempting to defend this thing is that they are being held there until some place can be assigned to them where they may be of real service. They are being held in these places where there are five and six and seven captains and five and six and seven first lieutenants and five and six and seven second lieutenants for the purpose of drawing their salaries, and nothing more.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. McKENZIE. These companies of which the gentleman speaks, where there are so many captains and first and second lieutenants, the gentleman does not mean to say are Infantry or Artillery companies, does he? Surely he is referring perhaps to the Motor Transport Corps.

Mr. WOOD of Indiana. They are not all in the Motor Transport Corps by a long measure. They are very much diversified, and I dare say that you will find there is no branch that is entirely guiltless when it comes to this thing. The Congress of the United States, in the last analysis, is responsible for the conduct of the Army, for we are the ones that provide the regulations that are supposed to control it, and our constituencies will be looking to those who are responsible for its control to furnish them the relief that has been promised by the Secretary of War and which is being denied, and because of which so much hardship is resulting.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. DENT. Has the gentleman any concrete idea that he would like to suggest? If so, the Military Committee would like to have it.

Mr. WOOD of Indiana. I think it would be a good idea for the Committee on Military Affairs to adopt some plan whereby soldiers who are needed in civil life can be released for the purpose of entering civil pursuits where they are needed, and whereby their requests would not be dependent upon the whim or caprice of these petty officers. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. WOOD of Indiana. Mr. Chairman, I ask for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOOD of Indiana. Mr. Chairman, I desire to call attention to one other concrete case which came to my attention today. This is the case of a young man from Jasper County, Ind., who is wanted at home for the purpose of managing 1,500 acres of land. His mother is a widow and joint owner with a brother who is incapacitated by illness. I have asked repeatedly for the discharge of this boy, furnishing all of the required proofs and affidavits, and get this character of answer: The commanding officer says that while it is most commendable that this man should want to go home and help supply food for the country in the conduct of 1,500 acres of land, it is likewise commendable that he stay there where he is a valuable man in the discharge of his services as a clerk, thus showing that these commanding officers do not intend that their convenience shall not be interfered with, no matter how important the case presented for a discharge may be.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. TILSON. Mr. Chairman, the Members of this House know that I am not prone to bring in mere kicks or to deal in matters connected with "sore toes," "sore heads," or anything of that kind. The matter just referred to, however, by the gentleman from Indiana [Mr. WOOD] has been a real abuse. Either the War Department has tried to put something over on the soldiers and their families in this country or the orders issued by the War Department, apparently in good faith, have not been carried out.

Mr. LONDON. Will the gentleman yield?

Mr. TILSON. Just for a question. I desire to finish in the five minutes.

Mr. LONDON. Is not the real complaint that heads of the Army seem to have no plan in reference to demobilization?

Mr. TILSON. That may be.

Mr. LONDON. Is not that the real trouble?

Mr. TILSON. I am not sure. Here are the facts. I always try to deal in facts. Instead of criticizing anybody I like to present the facts, and if those facts hit anybody on the head, all right. I am not responsible for the facts, except to bring them before you. The War Department, on the 21st of November, issued Circular 77, which says that—

> Department commanders within the United States, commanders of ports of embarkation, and commanders of camps not under the jurisdiction of department commanders or of chiefs of bureaus of the War Department are authorized to discharge enlisted men upon their own application when there is sickness or other distress in the soldier's family or when he is needed to resume employment in an industry or occupation in which there is urgent need of his service.

Circular No. 77 was not lived up to fully by all commanding officers, so on January 6 Circular No. 6 was issued by the department. It says:

> Applications for immediate discharge under the provisions of Circular No. 77, War Department, 1918, will be acted upon as expeditiously as possible, and the applicants will be informed without unnecessary delay of the action taken. Deserving cases should be investigated, and where the applicants have not correctly or fully stated their reasons for asking immediate discharge, officers should render such assistance as may be necessary to correct them so that the application may be properly presented and acted upon.

These circulars, fairly construed, indicate an honest intention on the part of the War Department to release the men therein described.

If there were good reasons why no men whatsoever should be demobilized or good reasons why the entire Army should be demobilized by units, and the War Department had so announced, then there would not have been the same ground for complaint. The gist of my complaint is that either these orders were not issued in good faith or that they have not been lived up to in good faith.

Mr. GARNER. Will the gentleman yield?

Mr. TILSON. I will.

Mr. GARNER. The gentleman is on the Committee on Military Affairs and probably knows more about the policy of the War Department in respect to demobilization in this country than the ordinary Member of Congress.

Mr. TILSON. I try to know something about the subject, but have not succeeded very well.

Mr. GARNER. What is the policy of the War Department in reference to demobilization of the Army on the American Continent? I saw a statement in the newspapers that Gen. March said that within 30 days they will be all demobilized. I wanted to know if the gentleman knows——

Mr. TILSON. I do not.

Mr. GARNER (continuing). What the policy is and whether they are going to demobilize all of them in 30 days or not.

Mr. TILSON. I know only what is vouchsafed to us through the public press in regard to demobilization. Through the official orders issued by the War Department I try to get information——

Mr. GARNER. I understand you have been having hearings before the Committee on Military Affairs?

Mr. TILSON. On the appropriation bill.

Mr. GARNER. It does seem to me that the gentleman could have gotten from some man in authority what is to be the policy in reference to demobilization of the Army in this country.

Mr. MANN. The gentleman from Kentucky [Mr. SHERLEY] in charge of the deficiency bill, which covers the earth, stated the other day in response to a question which I put to him that the Army officials before the Committee on Appropriations, the proper officials, stated that all of the troops in this country would be demobilized within 30 days' time. Of course, I do not believe——

Mr. GARNER. That word "all" means a great deal.

Mr. MANN. The statement was made. It did not mean everybody in the Army, because the Committee on Military Affairs has not yet reported the bill providing for any Regular Army or enlistments in a regular way.

Mr. GARNER. If all troops are to be demobilized in 30 days, of course these complaints will cease at that time, but I do not understand that they will demobilize all, because they would have to keep sufficient troops to take care of the different camps, and so forth.

Mr. TILSON. Even if what the gentleman suggests takes place that does not take care of the real grievance which these men have.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILSON. Can I have three minutes more?

The CHAIRMAN. The gentleman from Connecticut asks unanimous consent to proceed for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SHALLENBERGER. I want to call the gentleman's attention to the fact that the Secretary of War did appear before the committee, and this particular question was asked him. His direct testimony was that they could dismiss these men faster by units than they could in an attempt to investigate the individual cases. The Chief of Staff has stated, as the gentleman from Texas has called to our attention, that inside of 30 days all the units in this country would be dismissed, except those necessary for the preservation of the different camps, and that a different policy has been declared.

Mr. TILSON. Here is one of the many reasons why the instructions of the War Department have not been carried out. Circular No. 77, signed by the Chief of Staff, was dated November 21. I hold in my hand an order issued by a company commander on December 16, 1918, nearly a month after the order of the Chief of Staff had been in full effect. It reads as follows:

OFFICE MOTOR TRANSPORT COMPANY No. 377,
Camp Bragg, N. C., December 16, 1918.

No further action will be taken in regard to discharges. Commanding officer will not discuss the matter with anyone until definite information as to possibility of securing same can be obtained from higher authority.

This is signed by W. S. Patteson, first lieutenant, Motor Transport Company, at Camp Bragg, N. C. I have in my possession evidence to the effect that a number of applications were filed, coming clearly within the terms of Circular No. 77, giving indisputable cases of dependence, cases that would have exempted men under the selective-draft law if they had been presented, and yet this high and mighty first lieutenant refuses even to accept the applications and posts an order over his own signature to the effect that no further action will be taken in regard to discharges. As I have the official order with the signature of this mighty warrior, I shall insert it as a part of my remarks if permitted to do so.

Mr. DENT. Will the gentleman yield?

Mr. TILSON. I yield.

Mr. DENT. I understood the gentleman to make the statement a moment ago that the regulations had not been properly carried out by those in authority.

Mr. TILSON. That is my belief.

Mr. DENT. I am sure the gentleman does not mean to say that the General Staff and the Secretary of War did not issue the order in good faith?

Mr. TILSON. I did not mean to say that at all. I say it has not been carried out; but I am of the opinion that it might have been carried out better if authority higher up had informed subordinate commanders that full compliance with the letter and spirit of these orders would be insisted upon.

Mr. DENT. Now, I want to ask the gentleman, inasmuch as he is a very valuable member of the Military Affairs Committee of the House——

Mr. TILSON. Thank you.

Mr. DENT. In this individual case did he call that to the attention of the War Department? I have had similar cases, and I found when I called them to the attention of the War Department they were straightened out.

Mr. MANN. But the gentleman is chairman of the Committee on Military Affairs.

Mr. GARNER. I know a number of cases similar to the one the gentleman refers to, and they have sent them to the War Department and can not get a reply from them.

Mr. TILSON. I have had cases both ways. In some cases I have gotten relief; others I have not. However, the attitude of the War Department has been a surprise to me in this, that its efforts to hold subordinates to a strict compliance with orders have taken the form of a mild request, as if to implore these lieutenants to please discharge these men from the service.

Mr. GARNER. In reference to the good faith of Order No. 77, undoubtedly we must assume that it was issued in good faith; but I want to call the gentleman's attention to one fact, that I have not heard up to date where a lieutenant, a captain, or a major, or anybody else, has been reprimanded or otherwise punished for his failure to carry out that order.

Mr. TILSON. The gentleman has stated the crux of this whole matter. That is the place where the War Department lays itself open to a charge of lack of good faith, namely, in not seeing to it that these officers are called to account for their failure to live up to the spirit and letter of the orders publicly promulgated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TILSON. Mr. Chairman, I ask unanimous consent to extend my remarks by inserting the order which I read to the House and a letter accompanying it.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The following is the order and the letter referred to:

OFFICE MOTOR TRANSPORT COMPANY No. 377,
CAMP BRAGG, N. C., *December 16, 1918.*

No further action will be taken in regard to discharges. Commanding officer will not discuss the matter with anyone until definite information as to possibility of securing same can be obtained from higher authority.

W. S. PATTESON,
First Lieut. M. T. C., Acting Motor Transport Officer.

1. As per letter January 3, the following is submitted on the above subject:

A. Keeping up morale at Camp Bragg.

Great difficulty is experienced in maintaining morale among voluntary enlisted men who have been in service for periods ranging from 16 to 10 months when so many draftees are obtaining discharges. This difficulty is increased by publication in newspapers of irresponsible and incorrect statements, such as speech of Representative TILSON, of Connecticut, in House of Representatives, January 15. This same speech has caused discontent and unrest at this station, where conditions absolutely require personnel to be kept in service.

In order to combat this influence soldiers are being given as much freedom as is possible, and efforts are being made to provide social entertainments. It being found that civilians in near-by town of Fayetteville charged admission prices for dances far beyond the means of men in uniform, "a soldier-boys club" has been organized by personnel of Motor Transport Company No. 377 and Companies A and B, of Forty-sixth Infantry, stationed here as guards, which provides dances at reasonable rates in cooperation with certain people in Fayetteville having the welfare of the soldiers at heart. The first dance given by this club was held Wednesday, January 15, and has been pronounced as the most enjoyable social function that has taken place in that town for some time. It is contemplated to have a masquerade in the near future. It is also contemplated that this organization will put on a minstrel show or some other form of entertainment in the near future.

W. S. PATTESON, *Motor Transport Officer.*

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JANUARY 22, 1919.

Representative JOHN Q. TILSON,
House of Representatives, Washington, D. C.

DEAR SIR: I trust you will pardon the liberty I am taking in addressing this letter to you, but I have been requested by one of the men still in service to present the following facts to your attention:

Your speech as reported in a recent issue of the New York World, in which you stated that some officers in the Army were not carrying out their instructions in regard to discharging men of their commands, as they wish to retain their present positions, was absolutely correct and "hits the nail square on the head."

I would like to call your attention to the following facts concerning Motor Transport Corps 377, now stationed at Camp Bragg, Fayetteville, N. C. This corps was formed with enlisted men 16 or 18 months ago, with the distinct promise to all the men who enlisted therein that they would see immediate overseas service. This promise was never fulfilled, and up to a month ago they were permanently attached to Camp Merritt, N. J., where they did all the construction work as well as troop movement, this being the port of embarkation. The "boys" did not complain, although they were very anxious to get across, as they realized that somebody had to do the work on this side. They worked hard and "did their bit" cheerfully, and their work brought forth words of praise from the commanding officers of the camp.

Last December they were ordered to report to Camp Bragg, N. C., and left Camp Merritt on the 3d of that month driving their two-ton Pierce-Arrow trucks over the road. They arrived at Camp Bragg December 12.

The commanding officer of this company is First Lieut. William S. Patteson, whose home is in Penn Yan, N. Y. Before Lieut. Patteson entered the Army he was holding down a position in his father's lumber mill at a salary of not more than $15 or $20 a week. Several of the men in his command come from his home town and knew him intimately for many years before he entered the Army. They will vouch for the truth of the above statement. Lieut. Patteson has many times expressed the wish that he did not want to get out of the Army before being commissioned a captain, and in that case he would remain in the Army for several years yet. He realizes that if his command is demobilized he will lose his present job, and consequently has done everything in his power to prevent the discharging of his men. He absolutely refuses even to discuss the matter of discharges with his men and has told several of them who have insisted on trying to take this very important matter up with him that he would see to it that they would be the last to be discharged, as they refused to follow the order he had posted on the bulletin board and which I am inclosing. This order speaks for itself.

He also will not issue any of the forms for applying for discharges, as he says they would not get any further than his hands. Before the company left Camp Merritt the questionnaires for discharges were filled out by all the members of the company, but that is all that ever happened to them. They are still locked up in the company safe.

Camp Bragg, as you no doubt know, is still being constructed, and except for two guard companies and M. T. C. 377 there are no other enlisted organizations on the reservation. The camp has not been turned over to the Government and will not be for a long time yet, as

the building process is very slow. The contractors are in charge, and the men feel that they are in the same position as a gang of convicts hired out by a State government to a contracting company. They are doing absolutely nothing that is conducive to maintaining the troops still on the other side or helping in any way the return of those troops. If such was the case there would not be a word of complaint. As it is they are absolutely wasting their time, and as most of the men have families who are dependent on them for their support, this delay in being discharged is working a real hardship on them.

Since the company has arrived in Camp Bragg not one of the Government Pierce-Arrow trucks has turned a wheel, as it is utterly impossible for them to be operated on account of the heavy sand and impassable roads in and around the camp. They have just stood out in the rain and are deteriorating from the effects of the elements. This in itself is a big loss to the Government, as the large sum of money that is represented by these 30 trucks is not paying a single dollar on the investment. The only work the company is now doing is to drive civilian foremen of the constructing company and a few officers around in Fords.

There was a report from Camp Jesup, Atlanta, Ga., that they would not send any extra parts to keep the Fords running, as they understood that the camp was to be demobilized. Whether this is true or not, I can not say at the present moment. Lieut. Patteson has gone down there, and if he follows out his usual policy he will no doubt do everything in his power to have this order canceled, if it is true.

Lieut. Patteson is woefully lacking in knowledge concerning motor trucks and automobiles. After being in command of a truck company as long as he has one would think that he would at least know something concerning the working of a motor, but such does not seem to be the case. The other day he displayed this ignorance by asking in all seriousness if a Ford motor had valves in it. He is absolutely incompetent to command a company, and it has always been a mystery to his men how he ever managed to receive a commission.

I am also inclosing a true copy of the weekly letter sent to headquarters at Camp Jesup. I think that also speaks for itself. I might add that Lieut. Patteson had absolutely nothing to do with getting up the dance he mentions, as the boys did it themselves on their own initiative. As for the "Soldier Boys' Club," they have never heard of it.

Trusting that you may be good enough to look into this matter and see if something can not be done, so that the boys may soon be returned to their families, I have taken the liberty of writing you. All the boys ask for is a square deal, and they do not feel that they are getting it under the existing conditions. They have gladly done their bit and worked hard, with no hope of the glory and praise that falls to the lot of the men who were lucky enough to be sent over. What they are complaining about is the fact that they are now nothing but "meal tickets" for Lieut. Patteson.

Very truly, yours,

ONE WHO IS DEPENDENT ON ONE OF THESE BOYS.

Mr. CRAGO. Mr. Chairman, returning to the Academy bill, for the purpose of the information of the House, I wanted to submit a report of the academic board on the subject of a course of study at the United States Military Academy at West Point, for the purpose of having the same inserted in the RECORD.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The following is the extension referred to:

REPORT OF ACADEMIC BOARD.

From: The general committee.
To: The Superintendent United States Military Academy.
Subject: Course of study at the United States Military Academy.

1. In compliance with the third and fourth paragraphs, War Department letter of November 16, 1918 (File No. 351.1 West Point), the general committee submits the following report covering the suggestions therein relative to a revision of the course of study at the Military Academy.

2. In its deliberations upon the proposed revision of the curriculum the general committee has been guided by its conception of the functions of the Military Academy. The functions are to graduate young men capable of at once performing the duties of junior officers and with the fundamental moral and mental training which will insure them the ability to use their rational faculties to the fullest advantage under the varied conditions of the service, such ability being the most useful result of education, and which with after years of development will enable them competently to fill positions of leadership and high responsibility. In the military profession the graduates of the Military Academy should set the standard of the Army. Upon this standard depends the ability of the country to organize and employ without undue wastage its military resources.

3. With these functions of the Military Academy constantly in mind, the general committee is unanimous in the opinion that the quality of the graduates is of far greater importance than the number. Even should Congress in its reorganization of the Army largely increase the peace establishment, the committee believes that it would be a mistake to allow the need for a large number of junior officers to force a general lowering of the Military Academy standards. Such a demand should be met by the establishment of other academies.

It has never been the policy of the Government to draw its officers exclusively from the Military Academy. Indeed, it is doubtful whether such a policy would be desirable. The opportunity offered to enlisted men and to graduates of other institutions to gain commissions has been an inspiration to many and has resulted in the addition of a large number of efficient officers to the Army. By the existing policy, however, in which the Military Academy graduates form only a part of the officers, the necessity for the high quality of its graduates is accentuated, as it should be their province to set the standards of professional training and character for the whole Army. Any plan, then, which would result in lowering the standards of the Military Academy graduates would react injuriously on the Army as a whole.

4. The importance of this emphasis upon quality is revealed by the experience of the war which has just ceased. The enormous expansion of the Army, involving complicated duties of organized equipment, transportation, supply, training, and leadership, required a large number of general officers of ability. For the supply of such officers the Government naturally and rightly looked first to the graduates of the Military Academy. From such graduates of 30 or more years of service the Government selected most of its general officers.

5. In support of the statement just made, the following statistics are given from the best information available:

Class.	Number in active service.	General officers.	Percentage.
1880	13	9	69.2
1881	19	13	68.4
1882	11	10	90.9
1883	22	16	72.7
1884	20	15	75.0
1885	13	11	84.6
1886	36	25	69.4
1887	36	26	72.2
1888	26	23	88.5
1889	28	14	50.0
1890	35	22	62.9
1891	40	17	42.5
1892	43	12	27.9

The average percentage appointed general officers from the classes of 1880 to 1888, inclusive, is 76.8.

6. From the facts cited in paragraphs 4 and 5, it is evident that in attempting to fulfill its immediate functions, the Military Academy is also training the material for future general officers in times of crisis and capable in the meanwhile of maintaining a high standard of professional efficiency in the Regular Army. If the graduation requirements are lowered to a point where the fundamental education and training are an insufficient foundation upon which to build, then the graduates of the Military Academy will no longer be able to qualify themselves for the positions they must fill in peace and war. The emphasis in the past upon quality rather than quantity, and the present urgent recommendation of the committee that this emphasis be maintained in the future are thus justified.

7. The course of study at the Military Academy has been mathematical and scientific, and it should continue so. The military profession is scientific and technical in character, far more so than formerly and certainly to become increasingly so in the future. The committee thinks that the profession of an officer in our Army is more likely to demand men of character and logical power than simply men of information and knowledge; the committee is convinced that the power and habit of clear, exact, and logical thought engendered by the proper study of mathematics and in the application of mathematical principles and processes to mechanics, engineering, electricity, ordnance, and other practical sciences are the best assets that can be provided our graduates, and the academy should supply them. The work of the graduates in this war, as in our past wars, has proved that the character of the course of study is essentially sound. The system has been adequately tested, and it has stood the tests. Graduates from all parts of the classes have shown their ability to develop the professional knowledge required, even though such development after graduation from the academy has been allowed to be largely individual and voluntary. No radical change in the system at the Military Academy should be made. Preserving the present character, the course should be developed and improved in every way possible. Such development and improvement the various heads of the departments are continually striving to introduce.

8. The criticism that a course of mathematical and scientific character contains subject matter not apparently of direct application in this or that branch of the service is answered by the fact that the Military Academy is not training or educating officers for only a particular branch of the service, nor does it claim to prepare a finished product in any branch of the service. It is giving a sound basis of education, which by proper effort upon the part of a young officer can be readily expanded to meet any other minor scientific activities of the service; of such activities there always have been and must continue to be a large number in the hands of line officers. This basic education is also the foundation upon which any officer may safely build in preparing himself for the duties and responsibilities of higher command. The value of the Military Academy to the country is being judged to-day in large part by the work of its graduates of thirty or more years ago; not upon what was actually taught them as cadets but upon the adequacy of their mental training and character, as a foundation for their later development.

9. If the character of the course of study is to remain essentially mathematical, and the course itself is to remain essentially scientific and technical, as the committee believes they should, then no material change should be made in the relative times devoted to the scientific and to cultural subjects. The course is now all that the average cadet can carry, and any increase in one subject can only be accomplished by a corresponding decrease in some other. The mathematical and scientific subjects constitute a logical and continuous development, of which no step can be omitted. Any increase of the cultural subjects would necessitate the omission of some of the scientific subjects, a change which, in the opinion of the committee, would do a great deal more harm than good.

10. If the course of study at the Military Academy is to be shortened to three years it can be done in one of three ways:

(a) By a complete change in the whole character of the course.
(b) By cutting off a year at the end of the present course.
(c) By cutting off a year at the beginning of the present course.

11. If plan (a) is advocated, it must be with a view to the substitution, in a shortened course, of some cultural subjects for the mathematical and scientific subjects. In considering this plan it should be remembered that the military profession is more closely akin to the various branches of the engineering profession than to any other. For many years the Military Academy was the leading technological and scientific school of the country, graduating men who led in all the engineering activities of our country at the same time that it was sending forth such soldiers as Grant and Lee, Sherman and Joseph E. Johnston, George H. Thomas and Stonewall Jackson, and others. The important and technical nature of the duties of our Engineer officers is well known, but the great variety of minor engineering activities that are often required of line officers is not generally known.

The duties of line officers in our Army are more varied and more comprehensive than in any other military service in the world; these are constantly detailed to duties requiring technical knowledge. The quartermasters of our service are, very many of them, line officers detailed to that duty; they build posts, quarters, and all the various utilities which pertain to posts, with all their mechanical accessories, and keep

the same in constant repair. Then, too, owing to the smallness of our Engineer Corps and the fact of the great amount of civil work imposed upon it, line officers frequently have to perform the duties of engineers.

In field operations in time of war with our small Engineer Corps it is increasingly essential that many line officers should be capable of performing the duties of field engineers and be able to construct various forms of emergency bridges, field works, build roads, repair railways and telegraphs, erect temporary structures—in short, to meet the requirements of temporary exigency. In addition to this it is of the first importance that line officers should be able to conduct military topographical surveys and reconnoissances and prepare field maps. It is a matter of record that our line officers in recent years, as well as formerly, have performed every variety of scientific duty above enumerated and others not mentioned.

In this connection it is deemed hardly necessary to mention, but it should not be forgotten that the technical nature of all the material appliances of war is far greater than ever before, and this applies to means of transport as well as to all weapons of combat, on land and in the air; if our officers are to be more than skilled craftsmen in the technical duties of the service, their mathematical and scientific attainments can not possibly be diminished.

The committee is convinced that for the purely practical purpose of being able to perform intelligently the duties likely to devolve upon graduates, as well as for the reasons given in paragraph 7, the course at the academy must be scientific rather than cultural. No engineering school would think of substituting cultural for necessary scientific studies.

Were this school being inaugurated for the first time some of the issues here presented would lack the test of experience, but West Point has been tested by the varied exigencies of a century of national growth. From the beginning of the last century to the close of the present war in every important activity of the Nation's life the influence of its graduates has been felt and universally recognized, at critical times often directing and exerting a decisive influence. A full discussion of this subject can not be here undertaken, but the overwhelming evidence as to the efficiency of the academy's work shows that it is not the result of accident or chance; the worth of its individuality has been proven beyond a doubt. The committee is convinced that any experiment would be unwise which would disintegrate or materially modify the influences which result from the character and scope of its curriculum, its discipline, its traditions, and its admirable system of instruction, upon all of which depend the results of the academy's work.

12. If plan (b) is to be followed the subjects covered during the last year of the present four-year course, including law, Spanish, ordnance and gunnery, and civil and military engineering (covering fortifications, army organization, and military history) will have to be omitted. These subjects can not be added to those taught in the earlier years of the course, for the work of those years is already as heavy as the average cadet can bear. Certain of these subjects, too, as ordnance and gunnery and civil engineering, rest upon the previous courses of study and can not be properly taught until the completion of those courses. All of these subjects except Spanish are essentially military, and their entire omission in the education of an officer would be inconceivable.

13. It may be suggested by some that these subjects of the last year of the Military Academy course can be taught in the service schools. The committee fails to see any advantage in such a system. The necessary plant is already available at the Military Academy; the students are under full control; their pay is that of cadets; the training and teaching staffs are already organized and efficient. The change of system would require the organization of new departments in the service schools, entailing a waste of effort by duplication; the supply of considerable equipment at large expense; and the payment of the students on the status of officers instead of that of cadets.

14. Under plan (c), the Military Academy course would be shortened to three years by increasing the entrance requirements to cover one year's work. The entrance requirements would then include algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginners' French. Inasmuch as successful mastery of the advanced courses in the academy depends upon the thoroughness of instruction in the fundamental branches, the only proper test for entrance to such three-year course would be by examination. The only way by which qualified candidates can be secured in the various sections of the country for such a course is by State-wide competitive examinations.

Under the conditions thus set forth, namely, admission by State-wide competitive examinations, covering algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginners' French, the general committee could and would approve a three-year course, and believes that the academy could continue to graduate men well qualified for later development. These conditions are the only conditions upon which the general committee believes that it would be justified in recommending that a three-year course be established.

15. If the three-year course under the conditions indicated in paragraph 14 be considered desirable, certain practical difficulties must be faced and solved before attempting to put it into effect. If these difficulties do not permit of solution, the committee believes that the attempt to introduce a three-year course should be abandoned. These difficulties are as follows:

(a) Enlisted men would be no longer able to qualify. Even with the present requirements, very few enlisted men qualify; with increased requirements, probably none could do so without extensive furloughs for special preparation.

(b) The entrance requirements would lose touch with the public free-school system, for few public schools cover thoroughly all the subjects in the proposed entrance requirements.

(c) Few of the most desirable class of young men would present themselves for examination. The class of young men who by their college work would be considered most desirable would normally have progressed so far toward completing their education for business or profession that they would not care to exchange their college for the Military Academy. Experience has shown that even under peace conditions few young men leave college to enter the Military Academy; in the absence of compulsory military service no greater number is to be expected as a result of increased entrance requirements.

16. The question of the length of the course of study is thus seen to be dependent upon the question of whether there is any widespread desire on the part of young men of good scholastic ability to come to the Military Academy. The evidence presented by the many failures on the present entrance examinations and by the general character of the certificate now submitted for admission indicates that there is not. It seems probable that a substantial increase in the entrance requirements would bar much of the material now seeking admission, and the committee sees no reason to believe that any higher class of material would present itself if the requirements were raised.

The general committee believes that the difficulties mentioned in paragraph 15 are insurmountable.

17. If the War Department agrees with the committee in believing the difficulties involved in increasing the entrance requirements to be insurmountable, the committee is thoroughly convinced that the existing four-year course of a scientific and technical character should be followed in its essentials in the future. This present system is very desirable. The full period of the collegiate education is covered here, so that thoroughness can be required at all stages. It places the cadet under full control before he has developed beyond the impressionable stage in the majority of cases, so that the military discipline, physical training, and moral influences of the academy have their maximum effect.

18. In determining the length of the course at the Military Academy little weight should be given to any arguments based upon the lengths of the courses at foreign military schools. Compulsory military service enables entrance standards to be set at discretion and the material to be chosen with care. The Military Academy must continue to offer a collegiate education and be satisfied with the character of material attracted.

19. The committee does not feel justified in submitting at this time any recommendation based upon the relation of the Military Academy to the post-graduate schools. All of these schools are now closed, so far as their regular work is concerned, and the committee assumes that modifications of the former courses will be desirable as a result of the experience in this war. The committee believes that there should be thorough coordination of the work of the post-graduate schools with that of the Military Academy and to that end recommends that, as soon as conditions clear up enough to give some definite idea of what the future is to be, a board be appointed, on which the Military Academy and all branches of the service shall be represented, to formulate a general plan for the educational system of the Army. The members of this board should be officers of rank and experience. The system of education, while taking care of the immediate needs of each branch of the service, should also provide for the broader development of officers with a view to their general usefulness in high command. The committee hopes that in the system adopted, which must primarily take into account the needs of the multitude of officers who are nongraduates, a way may be found to provide for the continuous development of the graduates of the Military Academy.

20. In conclusion the general committee desires to call attention to the fact that continual modifications in the curriculum are being made as the necessity of adjusting the course to changed conditions becomes evident. The committee has at no time regarded the course as fixed and rigid. As examples of such modifications in very recent years the following may be mentioned: (a) Establishment of the department of military hygiene; (b) formation of the department of English and history; (c) development of practical shop work in ordnance and gunnery; (d) reorganization of the instruction in drawing and military sketching; (e) changes in the department of chemistry, involving the omission of mineralogy and geology, the expansion of the work in electricity, and the preparation of a course in the principles of internal-combustion engines; (f) changes in the department of philosophy, involving the curtailment of work in astronomy, the introduction of fundamental instruction in physics, and the further development of the course in mechanics, including the mechanics of flight; (g) the temporary omission of Spanish and substitution of a longer course in French to meet the war emergency; (h) introduction of a supplementary course in minor tactics. The general committee earnestly desires that it should be recognized that the departments at the Military Academy are endeavoring constantly to adapt their work to the best interests of the service and the country.

[First indorsement.]

HEADQUARTERS UNITED STATES MILITARY ACADEMY,
West Point, N. Y., December 13, 1918.

To THE ADJUTANT GENERAL OF THE ARMY,
War Department, Washington, D. C.:

1. This report is approved by the academic board and fully concurred in by the superintendent in reference to letter from The Adjutant General of the Army, November 16, 1918. (351.1.)

(Signed) S. E. TILLMAN,
Colonel, United States Army, Superintendent.

Mr. SAUNDERS of Virginia. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Virginia is recognized for five minutes.

Mr. SAUNDERS of Virginia. Mr. Chairman and gentlemen of the committee, what are we to gather from the remarks to which we have listened to-day in criticism of the War Department? What lesson do they teach us? What do they mean? What do the gentlemen have in mind when they project into this body a series of assaults of the character that have been made upon our military system, and upon the high command, charged with the conduct of the war? Are we to gather that our whole military system is imbecile, unjust, and inefficient? Is that the lesson intended to be taught? Are we to understand that the Chief of Staff, the General Staff, Gen. Pershing, and everyone connected in a military way with the responsible management of our military affairs have been absolutely incapable, and wholly unjust, and unfair, in their dealings with inferior officers, and in the administration of the system over which they presided? If there is any responsibility for the alleged grievous wrongs, and acts of flagrant misconduct that have been recounted in our hearing, to whom is the responsibility for that long catalogue of injustice and misdoing intended to be imputed?

Let us look the facts of the situation squarely in the face. We sent Gen. Pershing to France with plenary power. I undertake to say that no military commander was ever put into the field with larger authority than was lodged in him with the

willing assent of this House. We gave him everything for which he asked. We were lavish both with respect to affording the means of warfare, and with respect to the authority for its conduct. If as suggested there has been absolute failure and breakdown of the military machine in France, who is the responsible man, or men, to be visited with our reprehension?

If these attacks are well founded, then some responsible head must be sought for this functional failure. One gentleman in the course of his remarks to-day, referred to some mysterious Leavenworth clique. Who and what is the Leavenworth clique, that is apparently superior to the commander in chief in charge of operations in France?

Are we prepared to believe, as Members of this House, that the Military Establishment in France teems with injustice, that capable men are demoted through military prejudice, and in utter disregard of the merits of their claims, that officers of confessed ability are unable to secure a fair hearing, that injustice runs rampant and triumphant? Supposedly we have had a commander in chief in France who has been popularly regarded as conducting a successful campaign to the entire satisfaction of the American people, and in conformity with the requirements of military propriety, as well as of military discipline. Where was the commander in chief, what had become of his authority, and headship, when this Leavenworth clique, whoever they may be, were perpetrating the wrongs that have been recited in our hearing? Were they able to do these things, without the knowledge of the man in supreme command, or did they perpetrate them in defiance of his authority? I repeat that if these wrongs were flagrant, and widespread, as intimated, upon whose shoulders is responsibility for the existence, and continuance of these misdeeds intended to be placed? Who is making the charge, who is demanding an inquiry? Where is the point upon which we may put our finger and say, "Here is where the responsibility rests"?

I am not here as the champion of any individual and certainly do not condone any act of injustice, or any collective acts of injustice; but an ex parte statement does not establish a case. If we accept at their full value the charges and complaints that have been made in the course of this legislative day, then they indicate one unescapable conclusion, and that is that the entire Military Establishment is incapable, imbecile, and flagrantly capricious and unjust. Is this House ready to accept that conclusion? I believe not. I believe that it will reserve judgment until it hears from the men who have been attacked either directly, or by necessary implication.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. CANNON. It seems to me, without knowledge—and I am not criticizing—that the responsibility resides in the Commander in Chief of the Army and Navy.

Mr. SAUNDERS of Virginia. Very well. Then that means that these attacks are upon Gen. Pershing.

SEVERAL MEMBERS. Oh, no!

Mr. WOOD of Indiana. He is not commander in chief.

Mr. SAUNDERS of Virginia. Oh, you mean that the President is responsible? Very well. I will accept that proposition. He is undoubtedly ultimately responsible, but the more immediate responsibility must rest upon some one below him. Has it been shown in any wise in this body that the President has interfered in any way in France with respect to the exercise of authority by Gen. Pershing? Has it been shown in this body, or suggested, that as the result of mischievous interference by a civilian—for the President is but a civilian—the commander in chief in France has been in any wise hampered, or hindered in the enforcement of proper military discipline in the Army under his charge? If injustice has been done in France to individuals, or groups of individuals, if merit has been disregarded, if carping jealousies have prevailed, where a generous appreciation of duty well done, should have been manifested, is it suggested that it can be traced to some reprehensible interference by the President, with the supreme authority of the commander in charge of operations at the front? If so, those acts of hampering interference should be indicated, so that just responsibility may be placed.

Mr. CANNON. Mr. Chairman, will the gentleman yield further?

Mr. SAUNDERS of Virginia. Yes.

Mr. CANNON. I do not know who is responsible, and I do not know what the abuses are; but the Commander in Chief of the Army and Navy constitutes his Cabinet, his Secretary of War, his Chief of Staff, his——

Mr. SAUNDERS of Virginia. Who was the supreme military potentate in France? Gen. Pershing. During the progress of the war, this body has been asked from day to day, and from time to time, to stand by the high command in France, and we have never failed to give the support asked at our hands. I do not for a moment undertake to say that I believe that these assaults are just, but if they are well founded, then some one is responsible. If it is not intended to intimate that responsibility attaches to the commander in chief in France, to the supreme head of the military machine, in that area, then to what person or persons in authority, is responsibility supposed to attach? If an organization does not function properly, the man at the head is supposed to be at fault. Certainly in case of success, credit for that success is ascribed to the responsible head.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. TEMPLE. Is the gentleman aware that Circular No. 77 does not apply at all to the troops under Gen. Pershing's command, but applies only to the troops in the United States?

Mr. SAUNDERS of Virginia. I am not talking about troops in the United States, but about operations in France, where the Leavenworth clique has been supposed to be doing, or to have done its mischievous work.

Mr. TEMPLE. And the criticisms have been directed largely to proceedings in the States.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. Mr. Chairman, may I proceed for five minutes more?

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. SAUNDERS of Virginia. The criticisms of the proceedings at home, are only a part of the general body of criticism. I am perfectly willing to take up the discussion of the cases at home. If there is some one in this country other than the military heads, the Chief of Staff, or the General Staff, who is responsible for any of these alleged wrongs, and doubtless some mistakes have been made, and some injustice has been committed, why may not the Committee on Military Affairs of this body investigate these cases, and fix responsibility on the appropriate parties? [Applause.]

Mr. BAER. You are right.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. TILSON. The gentleman would not desire to cover up anybody further down the line than the head?

Mr. SAUNDERS of Virginia. I do not want to cover up anyone. On the contrary I want to uncover everybody, from the President down to the privates. I wish to fix responsibility where it belongs. As it is, the whole Army is being besmirched. A few months ago we were proud of our Army in France, men and officers. Keep up this continual inuendo, and imputation of systematic wrongdoing, and the public will not know what to think, or where credit should be given.

Mr. TILSON. Not the privates, but somebody down about to the grade of company or regimental commanders. Suppose they are not living up in good faith to the orders issued by the War Department itself. Does the gentleman think it is unjust criticism for us to suggest investigations, as we have to determine the facts in the case?

Mr. SAUNDERS of Virginia. No.

Mr. TILSON. And to point out that they have failed to carry out the orders they have received?

Mr. SAUNDERS of Virginia. No. That is not the question, though.

Mr. TILSON. It has been suggested here to-day that it is unjust to do that.

Mr. SAUNDERS of Virginia. I have not done so. Not a bit of it. I am upholding your hands. I ask you, a member of the Committee on Military Affairs, what have you done to investigate these cases, and establish responsibility? [Applause.]

Mr. TILSON. I have at least 500 letters——

Mr. SAUNDERS of Virginia. I have as many, possibly.

Mr. TILSON. I have gone through them all, and from them I have selected a few and have presented them here to the House by way of extension of my remarks.

Mr. SAUNDERS of Virginia. That is just what I am protesting against. Why are you loading up the records of this House with matters which appropriately belong to your committee for investigation? [Applause.] Bring before your committee the men whom you think are responsible for this injustice, and when you deal with them you will find that this body, Democrats and Republicans alike, will uphold your committee. [Applause.] I wish to see specific action taken looking to the ascertainment of the merits of these complaints, and the fixation of responsibility.

Mr. TILSON. The gentleman knows that members of the Military Affairs Committee on his own side of the House have opposed such action.

Mr. DENT. Name some of them.

Mr. SAUNDERS of Virginia. Have you made any effort along this line? Have you undertaken to have any action taken by the Military Affairs Committee?

Mr. TILSON. I have suggested to the House of Representatives some of the facts I have found.

Mr. SAUNDERS of Virginia. Why not take specific action along the line I have indicated?

Mr. DENT. What is the specific action that the gentleman suggests?

Mr. SAUNDERS of Virginia. I will tell you what is the specific action that I favor.

Mr. HAMILTON of Michigan. May I interrupt the gentleman?

Mr. SAUNDERS of Virginia. Certainly.

Mr. HAMILTON of Michigan. There is a specific statement made by the gentleman from Connecticut that a first lieutenant——

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Michigan?

Mr. SAUNDERS of Virginia. I yield to the gentleman. I wish to get at the facts in this matter.

Mr. DENT. I thought the gentleman yielded to me?

Mr. SAUNDERS of Virginia. If the gentleman from Alabama had not finished, certainly I yield to him.

Mr. DENT. I ask the gentleman if he has any concrete plan that the Military Affairs Committee could adopt that would correct the various individual cases? Unquestionably some of these individual cases are not getting just treatment.

In an organized Army of nearly 4,000,000 men it is impossible that there should not be such cases. Now, I want to know what the Military Affairs Committee of the House could do by resolution or by inquiry that would correct this situation?

Mr. SAUNDERS of Virginia. I think I have in mind something that could be done.

Mr. DENT. I would like to have it. I want a practical suggestion.

Mr. SAUNDERS of Virginia. I will give you one for what it is worth, as a practical proposition. The gentleman from Connecticut [Mr. TILSON] has presented the facts of a specific case, which indicates that gross injustice has been done. Let him bring these facts to the attention of your committee and ask for an inquiry. I think your committee possesses the authority, or can readily secure the authority to deal with that, or any other case, and secure the facts.

Mr. DENT. And then do what?

Mr. SAUNDERS of Virginia. Why, when you have investigated the facts, bring back a report to this body, and I have no doubt that we will take further and appropriate action. First let us get the facts by appropriate inquiry.

Mr. FIELDS. Let the gentleman introduce his resolution.

Mr. LONDON. Will the gentleman yield?

Mr. HAMILTON of Michigan. Now, will the gentleman yield to me?

Mr. SAUNDERS of Virginia. I think by yielding I will lose all of my time, but I will yield to the gentleman from Michigan.

Mr. HAMILTON of Michigan. The gentleman a while ago said it would be advisable to have special instances called attention to. I was about to call attention to the specific instance mentioned by the gentleman from Connecticut, where a first lieutenant undertook to override the general orders. It seemed to me that that might well come within the jurisdiction of the Military Committee.

Mr. SAUNDERS of Virginia. I think so. It seems to me that the Committee on Military Affairs might well take up the case of a first lieutenant who attempted to override the orders of his superior officer, and bring before them not only the lieutenant, but the superior officer, and ask the latter why he has allowed proper military authority to be set at defiance by a subordinate.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. LONDON. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I will yield.

Mr. LONDON. The gentleman from Massachusetts [Mr. GALLIVAN] made a very serious charge in reference to the conduct of Army officers in France.

Mr. SAUNDERS of Virginia. Yes.

Mr. LONDON. That a number of military enterprises and a number of assaults were ordered on unknown ground solely for spectacular purposes. If there is any truth in that charge, it is a very serious indictment, and I believe that that particular accusation ought to be looked into.

Mr. SAUNDERS of Virginia. If it is made as an accusation——

Mr. LONDON. The most serious charge that I ever heard.

Mr. SAUNDERS of Virginia. If there is a foundation of sufficient fact for that charge, what conclusion do you deduce from it? Evidently that there has been a great failure somewhere in the high command in France. Are you prepared to believe that?

Mr. LONDON. The charge was made——

Mr. SAUNDERS of Virginia. I understand perfectly well what the charge was. We had fondly believed that in France we presented an illustration of the most successful and perfect scheme of military operations ever conducted in any country. But if the charge made is true, that a series of acts evincing gross incapacity, and egregious favoritism, has marked the military management of affairs in that country, then we may well hang our heads in shame. We ought to take some action to ascertain if the charge is true and not leave the whole Army machine under suspicion.

Mr. GARNER. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GARNER. I have heard it said that Gen. Pershing was responsible for the conduct of the war in France. I do not know how you could get the information, but the chairman of the Military Affairs Committee is here, and he ought to have more information on that subject than anybody else.

Mr. SAUNDERS of Virginia. Will the gentleman ask his question? I have but little time, hence have but little to yield.

Mr. GARNER. I will ask the question, Who is responsible?

Mr. SAUNDERS of Virginia. I have the same knowledge that the gentleman has and no more. We sent Gen. Pershing overseas and in substance said, "Go to it. We will furnish you all the men, money, and authority that you need." This we have done.

Mr. GARNER. That is the statement; but is there any record of it?

Mr. SAUNDERS of Virginia. I do not know any more about the facts than the gentleman does. I have only the knowledge common to every Member of this body.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. GREENE of Vermont. I think we are all in sympathy with proceeding in an orderly way, so, following up the gentleman's suggestion, how could any committee of the House, or how could Congress, interfere in a matter involving discipline in the Army which, under the provisions of the Constitution, is under the supervision of the Commander in Chief?

Mr. SAUNDERS of Virginia. Then, if we can not do anything, why discuss these alleged wrongs and injustices? I am not one of those who believe that we are powerless in this matter, and believe that we can correct this, or any other evil in the Army, the Navy, or the body politic, once we are agreed on action.

Mr. GREENE of Vermont. The gentleman knows——

Mr. SAUNDERS of Virginia. I am rather short of time——

Mr. GREENE of Vermont. The gentleman knows that I am speaking in good faith, and my high opinion of the gentleman's knowledge of the law is that he knows himself——

Mr. SAUNDERS of Virginia. Will the gentleman put his question?

Mr. GREENE of Vermont. This is a serious question, and there is no doubt that there have been abuses, some of which ought to be cured, and perhaps some have gone beyond it, and I ask the gentleman as a lawyer trained in such matters, How can the committee correct a breach of discipline in the Army?

Mr. SAUNDERS of Virginia. The rules of discipline in the Army are not established by the Constitution.

Mr. GREENE of Vermont. The enforcement of them are; the responsibility of command and obedience.

Mr. SAUNDERS of Virginia. The regulations of discipline in the Army, are regulations established under authority afforded by the legislative body, a civilian body.

Mr. GREENE of Vermont. The enforcement of discipline in the Army is distinctly a function of the Commander in Chief, constitutionally.

Mr. SAUNDERS of Virginia. Of course, once the rules have been established.

Mr. GREENE of Vermont. That is exactly it.

Mr. SAUNDERS of Virginia. That brings us back——

Mr. GREENE of Vermont. How are we going to correct an individual infraction of those rules?

Mr. SAUNDERS of Virginia. Let us come back to the immediate matter I have been discussing, namely, the administra-

tion of military law by the military authorities in France. If the charges that have been projected into this body, rest upon a solid foundation of fact, then there has been a very gross abuse of administration by those authorities. Now who is responsible for that abuse? First establish the facts, then fix the responsibility, then apply the remedy. But do not treat these ex parte charges, as establishing a case against Gen. Pershing and the other military heads in France. At least we ought to reserve judgment until a counter-statement is made.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. DENT. I think there is no question in the mind of anybody that when Gen. Pershing was put in control of the Army in France he was given carte blanche. The Secretary made that statement to me. I am not stating that he ought to be criticized.

Mr. SAUNDERS of Virginia. Neither am I stating that he ought to be criticized. I am asking the Members of this body, and the public to reserve judgment. In the meantime I maintain that the continued presentation of these ex parte complaints, and unsigned criticisms, as they are played up by the newspapers, serve no useful purpose whatever. They merely operate to besmirch the whole military organization, to sap and undermine public confidence both in its integrity and capacity. When we sent Gen. Pershing to France, you will recall that he was told to use the pruning knife, to cut out all of the dead timber, to remove all of the inefficient officers, and to leave only those in charge of the fighting men who were intellectually, morally, and physically fit for the job. Did you not know at the time that if Gen. Pershing executed the authority afforded, relentlessly, and inexorably in the spirit in which it was intended, that grievious complaints would follow? Have you ever seen a man removed from office in civil life, on the ground of incapacity, who recognized the justice of his decapitation?

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SHALLENBERGER. Mr. Chairman, I ask unanimous consent that he be permitted to continue for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SAUNDERS of Virginia. I shall try to complete what I have to say, in the time given. Was it not inevitable that in this great war some acts of injustice might be done, and grievous complaints would be made in other cases, where the action taken was entirely proper?

It was inevitable that these incidents would attend the development of our gigantic military machine. But to accept as true in advance of inquiry every ex parte complaint, is to give judgment before we hear the facts. It is one thing to believe that in the functioning of a great military machine, occasional acts of injustice may be done. It is quite another to accept offhand charges that, if fully sustained, reveal a military machine fundamentally incapable of doing justice, since the just authority of the Commander in Chief has been replaced by the lawless and mysterious power of a self-constituted clique, which apparently has superseded the Commander in Chief, since it is not alleged that these acts of wrongdoing, have been done with his acquiescence, or by his direction. But in a peculiar sense, the head of an army is responsible for the practices that prevail in its military administration. If these imputed practices have prevailed, then some military head is responsible. Somewhere in the military organization, in the President, the Chief of Staff, the General Staff, the commander in France, this responsibility must be found, if the practices alleged have been allowed to continue, if they have permeated the military system. If they were manifested in an acute form in France, then, the investigations should be conducted in that quarter to ascertain whether they were done with the acquiescence of the supreme authority, or conformably to his directions.

Mr. SMITH of Michigan. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. SMITH of Michigan. I am a good deal concerned about the American troops having been sent to Archangel, and I would like to inquire——

Mr. SAUNDERS of Virginia. Suppose we confine our attention for the time being, to France, and the abuses of authority alleged to have occurred there. I am not undertaking to give information about Archangel, or Siberia, or other remote portions of the earth.

Mr. SMITH of Michigan. That is a similar charge, and one that is grave, to my mind.

Mr. SAUNDERS of Virginia. I will ask the gentleman, was the Leavenworth clique operating in Archangel?

Mr. SMITH of Michigan. I have never heard anything about that.

Mr. SAUNDERS of Virginia. Then evidently the gentleman was not here this morning when the gentleman from Massachusetts [Mr. GALLIVAN] addressed the House.

Mr. SMITH of Michigan. I was here when he presented the pension bill and until he yielded the floor, and I did not hear——

Mr. SAUNDERS of Virginia. The gentleman did not hear him say anything about the Leavenworth clique?

Mr. SMITH of Michigan. Not during the time that he was presenting that bill.

Mr. SAUNDERS of Virginia. Then the gentleman must have been asleep.

Mr. SMITH of Michigan. No; not asleep.

Mr. MANN. Mr. GALLIVAN, the gentleman from Massachusetts, took the floor a second time.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. McKENZIE. Does the gentleman from Virginia hold that in view of the charges made by the gentleman from Massachusetts [Mr. GALLIVAN], which were brought about, as he said, by the Leavenworth clique, that that is any evidence of the Army being incapable or inefficient?

Mr. SAUNDERS of Virginia. Certainly, abundant evidence, if the charges can be sustained.

Mr. McKENZIE. Might not they be very capable and very efficient and yet these abuses carried on within the military organization over which, in my judgment, this Congress has no power?

Mr. LITTLE. Mr. Chairman, if the gentleman will permit me to say, the gentleman has asked for something that the Military Committee could do, and he has asked if there is any clique that runs through the Army that is stronger, perhaps, than the commanding general, and I am going to offer the gentleman what I think to be an answer and a suggestion. I am going to say I have every reason to believe—and it has been suggested that some of this is all a vicious assault upon the United States soldier—in my judgment I can demonstrate that on the morning after the battle of the Argonne, when a division came out of battle—that was one of the hardest fought that the world ever saw—a member of this clique from general headquarters came down the day after the battle, as they came out, with all the confusion of battle and with all the tired feeling that a soldier in that shape would have, and wrote in a report the most disgraceful, villianous, villification of the American soldier that was ever made in the history of the world, and I demand now that the Committee on Military Affairs discover—if they can not find, I think I can—the report of Lieut. Col. Peck—that is his name, I think—which was made on the 2d of October, about the division Gen. Traub commanded, the day after the battle. I think if the record warrants it that he ought to be court-martialed and discharged from the Army if his report seems to indicate that he should be. Now, take that.

Mr. SAUNDERS of Virginia. I do not think the gentleman has suggested a plan.

Mr. LITTLE. Maybe I have overlooked something. My suggestion is that the Committee on Military Affairs look for the report of Lieut. Col. Peck of October 2 about the Traub Division, the Twenty-seventh, I think, and if they find that it is a disgraceful insult to the volunteer soldiers of the Republic they should request the War Department to dismiss the man promptly from the Army. There will be a lot——

Mr. McKENZIE. The gentleman does not mean the Twenty-seventh Division, does he?

Mr. LITTLE. Coming from Fort Sill, I may have the number wrong. It is the one commanded by Gen. Traub.

Mr. SAUNDERS of Virginia. I was going to say——

The CHAIRMAN. The time of the gentleman has expired.

Mr. SAUNDERS of Virginia. I will ask for two more minutes and then I will positively yield the floor. Much of my time has been consumed by interruptions to which I will say however I have cheerfully yielded.

The CHAIRMAN. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object—and I shall not object—but how long does the gentleman from Alabama intend to keep the committee here to-night in the consideration of this bill?

Mr. FIELDS. The gentleman from Alabama is off the floor just now, but he intends to try to get through as quickly as possible.

Mr. MANN. Intentions are a good deal like the military policy.

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. I have but two minutes more and I am committed to finishing what I have to say in that time.

I desire to say in conclusion, that I have no doubt that there have been some acts of injustice and some abuse of authority, but with respect to these acts if anyone will offer a resolution looking to an investigation of the same, either of an individual case, or of an aggregate of cases, and the fixation of responsibility, whether in the result that responsibility will attach to the President of the United States, or to some subordinate official, it matters not to me whence that resolution comes, I will vote for it. [Applause.] This is the proper course to be pursued. Unless some specific action is asked, we should not fill the RECORD, and encumber our proceedings with extraneous matter which in the form in which it reaches the public inevitably tends to create the universal impression that the military authorities in France have rewarded demerit, demoted merit, mismanaged military operations, and by incompetence in the field wasted precious American lives. This body should be careful to do nothing, and say nothing which will dim the glory of the American soldiers, and the American officers who reflected undying luster upon their country by their recent achievements upon the historic battle fields of France.

The Clerk read as follows:

Pay of Military Academy: Permanent establishment: For pay of seven professors, $26,500.

Mr. LITTLE. The gentleman has not read the first part of the bill. I want to move to amend on page 1——

The CHAIRMAN. The gentleman from Kansas will be obliged to secure unanimous consent to return to the first paragraph.

Mr. LITTLE. I do not think so. I was on my feet in plenty of time. I ask unanimous consent——

The CHAIRMAN. The gentleman from Kansas asks unanimous consent——

Mr. FIELDS. Mr. Chairman, I make the point of order that that part of the bill has been passed.

The CHAIRMAN. The Chair has just so ruled.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to proceed for five minutes and to return to page 1 for an amendment.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to return to the first paragraph. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 1, line 6, after the words "nineteen hundred and twenty," strike out the colon, insert a comma, and the following: "but none of this money shall be expended until the custom of hazing lower-class students by upper-class students has been abolished at the West Point Academy."

Mr. GORDON. Mr. Chairman, I make the point of order that is not in order.

Mr. LITTLE. That is a limitation. Of course it is in order.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. LITTLE. It is a limitation on this money. It says, "the following sum shall be hereby appropriated out of any money in the Treasury not otherwise appropriated."

Mr. GORDON. Mr. Chairman, I reserve the point of order.

Mr. LITTLE. Mr. Chairman, an hour and a half ago I took the liberty of reserving 15 minutes' time to discuss this West Point bill, it being announced there would be no debate thereon. It seems that I have precipitated a discussion of an hour and a half on it; and, after all, there was something in that discussion. I am glad the Committee of the Whole takes an interest in the military bill. I think the first thing you have got to do to rid the American Army of some of this criticism is to stop hazing at West Point. The most trifling feature of hazing is its purely physical development of beating and overawing the younger and weaker men by gangs of cowards and roughnecks from an upper class who would not dare tackle the smaller boys alone. If the superintendent of the academy would apply a paddle to the posterior of each of these desperate devils, who are only desperate when they run in herds and catch freshmen out alone, the whole system would disappear in 20 days. The absolute menace of hazing is the social system at West Point, which Prussianizes young Americans by teaching them that somebody else is better than they are and that they are better than somebody else, establishing a military caste just as dangerous to our Republic as the Bolsheviks.

On a Nile dahbeah a man from Devon and a man from Kansas joshed about the social etiquette of their respective countries. Calling attention to the lofty position of a British duke in England's social order, the Englishman inquired what attitude the American would have toward such a social dignitary. The Kansan said, "Oh, I wouldn't look down on him particularly. In America every citizen is a sovereign, wielding the sovereign power. In England there is only one sovereign, and every Englishman inferior to him socially is necessarily inferior to every American sovereign. But no gentleman would emphasize that to the embarrassment of a nice man." Every American boy should be trained to know that he is the equal of every man alive. This West Point system tends to destroy that natural independence and to make a herd of snobs, Rajputs, and Prussians. We should eliminate snobbery from West Point before we spend another dollar on that academy.

The gentleman from Alabama, chairman of the Military Committee, has suggested that I offer something tangible. One of the worst results of this system of snobbery produced by hazing and its social corollary at West Point is the report of Lieut. Col. Peck on the Thirty-fifth Division, where he saw those men come out of the six days' battle, under all the troubles and difficulties that they would have after such fighting.

He did not know anything about such a fight, because, from all I could learn, he was never in one. If he has been a real soldier he should be more loyal to his comrades than to try to ruin their fame and glory. Lieut. Col. Peck, so far as I can learn, was never in any fight. In spotless attire, rolling on the scene in a limousine, he had the gall to offer his puny and presumptuous criticism of those whose shoestrings he was unworthy to unloose. His report is made. That report is an attempt to break down the militia of this country and to destroy the character of the volunteer soldier. It springs from hazing and its consequent snobbery, effective in after life. It springs from this so-called "Leavenworth clique" and its effort to eliminate the National Guard. It is a combination of all the infamous outrages of this war that have been discussed, where professional soldiers have attempted to insult and overreach and drive out of the Army volunteer soldiers. If the committee will take this report and examine it they will find that it is a vicious insult to our soldiers, the flower of the Republic; and if they find it so, then they will see that he has not behaved like an officer and a gentleman; and if he has not he is subject to court-martial. And if this committee wants to do something to purify the Army from these charges—some true and some not—they have an opportunity to do it. This man made a report on the Kansas and Missouri boys—the Thirty-fifth Division—after he inspected them as they came out of the six-day battle in the Argonne, which, Mr. Chairman, I ask unanimous consent to insert in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

HEADQUARTERS THIRTY-FIFTH DIVISION,
AMERICAN EXPEDITIONARY FORCES,
October 16, 1918.

Memorandum for: C. G., Sixty-ninth Infantry Brigade; C. G., Seventieth Infantry Brigade; C. G., Sixtieth Field Artillery Brigade; and to their respective regimental commanders.

1. The division commander directs that the attached copy of report of Lieut. Col. R. G. Peck, inspector general, corps inspector, be furnished you, together with copy of his reply.

2. The reflection on the discipline makes the division commander's cheeks burn, and he counts on his brigade and regimental commanders to eradicate the cause of these disparaging remarks.

3. Each regimental commander will immediately investigate, report upon, and make recommendations concerning the loss of Stokes mortars, Chauchat rifles, pistols, and rifles in each organization.

H. S. HAWKINS,
Colonel, General Staff, Chief of Staff.

HEADQUARTERS FIRST ARMY CORPS,
AMERICAN EXPEDITIONARY FORCES,
Headquarters First Army Corps, October 12, 1918.

From: Lieut. Col. R. G. Peck, I. G., corps inspector.
To: Commanding general, Thirty-fifth Division, American Expeditionary Forces.
Subject: Irregularities and deficiencies noted at recent inspection.

1. Under the provisions of Army Regulations, 692, the following statement of irregularities and deficiencies observed during the inspection of your command October 2–9, 1918, is furnished you:

(a) March discipline: The march discipline of the division observed during the three days' marching was poor, and the following faults were noted:

All parts of units failed to move at the appointed hour, which caused several columns to meet and try to move on the same road.

There was no attempt to maintain distance between battalions, regiments, or even brigades. On October 2 practically the entire division, less the artillery, with combined field and combat trains marched in a solid column without any interval between units or gaps in the transportation.

There was little or no supervision on the march on the part of the officers. Enlisted men throughout the division fell out of ranks at will and rejoined the column as best they could or became stragglers. There was, however, very little real straggling noticed. There was no evidence of officers or anybody in authority being detailed to march in rear of organizations with a view of insuring proper march discipline.

At rest halts there was no apparent effort made to have foot troops clear the road. At times traffic was blocked by men sitting and lying in the road.

Many unauthorized men were observed riding on wagons. Sick men had been ordered to ride on wagons instead of being placed in ambulance by proper authority.

Mounted men failed to dismount at halts.

Wagons were poorly loaded and overloaded. In many instances wagons were loaded with rations, ammunition, baggage, etc. There was

no evidence that an attempt had been made to load the various classes of supplies in separate wagons.

The march discipline of the Field Artillery brigade, which marched separately, was good. It was noticeable that at each halt the mounted men immediately dismounted and looked over their animals, officers supervising.

(b) Camps and billets: Camps and billets were in fair condition, except those pertaining to the One hundred and thirty-eighth Infantry, although kitchen areas in practically all units were dirty and showed lack of inspection on the part of officers concerned. The One hundred and thirty-eighth Infantry was inspected 18 hours after arrival at its permanent location. At 9.30 a. m., the hour of inspection, the shelter-tent camp at the two battalions was in a disgraceful condition. A few straddle trenches had been dug, but apparently not used * * * The enlisted men were very dirty, and most of them had made no attempt to wash that morning, although water was close by and available. Arms and equipment were strewn about the camp. Nearly every rifle inspected was covered with rust and dirt and no attempt had been made to clean them. The animals of the supply company had not been groomed.

Except in the One hundred and fortieth Infantry, whose billets were in very good condition, there was a very apparent lack of inspection on the part of battalion and company officers. No orders had been given for a neat and orderly arrangement of blankets and equipment.

(c) Animals: The animals of all units, except the Artillery and One hundred and tenth Ammunition Train, were in fair condition, considering the hard work they had performed during the recent operations; that is, long hauls, long hours under harness, and short rations. There is practically no disease among them, and all they need is rest, good grooming, and sufficient food for a week or 10 days to put them in good shape.

The animals in the Artillery brigade and the One hundred and tenth Ammunition Train are in very weak and run-down condition. They have been overworked and underfed, and, in my opinion, it will be several weeks before they are in good condition.

Animals on hand in the division:	
Sept. 25	5,370
Oct. 6	4,152
Loss by casualties and evacuation	1,218
Shortage Oct. 10	3,000

The shortage in the Artillery brigade and One hundred and tenth Ammunition Train is so great that until replacements are received these units are practically immobile.

Animals on hand and shortage in above units.

	On hand.	Shortage.
One hundred and twenty-eighth Field Artillery	333	641
One hundred and twenty-ninth Field Artillery	375	799
One hundred and thirtieth Field Artillery	461	977
One hundred and tenth Ammunition Train	328	296

(d) Clothing: The division needs practically an entire reissue of clothing. There has been no issue of clothing in this division since it left the Vosges sector about September 1. Most of the units were without dubbin, and the majority of the men inspected had never used any on the shoes they were wearing.

(e) Equipment: The division was well equipped, with the exception of transportation, just prior to the recent operations, commencing September 26. Nearly all organizations are now short considerable personal ordnance equipment. Accurate figures could not be obtained, but the division ordnance officer reported that he believed there was a 15 to 20 per cent loss of mess kits, knives, forks, pack carriers, etc. The following shortages of other ordnance equipment now exists: Forty-four machine guns, 5 Stokes mortars, 304 Chauchat rifles, 1,876 pistols, and 2,600 rifles.

It will be noted that this shortage is for present strength, and indicates considerable loss on the battle field. Two hundred and ninety-nine men of the One hundred and thirty-seventh Infantry were noticed marching in ranks without rifles who were supposed to have them. The regimental commander reported that these men did not have rifles. A considerable number of men rejoined the division between October 1 and 9 from hospitals without equipment, which accounts for part of this shortage. The One hundred and thirtieth Machine Gun Battalion lost 22 machine guns, put out of action or abandoned. Company D of this battalion lost 11. The battalion commander stated that the company became disorganized September 29 in the Montrebeau Woods and fell back without their machine guns.

There is practically no gun oil in the division. All units reported that they had been without it for some time. There is also a great shortage of saddle soap and oil for harness and other equipment.

(f) Quartermaster supplies: A number of rolling kitchens are missing and many others are in an unserviceable condition. In the One hundred and thirty-eighth Infantry there is a great shortage of kitchen utensils throughout the regiment. Several companies in this regiment had practically no equipment to prepare food and were improvising and borrowing as best they could; other shortages of quartermaster supplies are small.

(g) Ambulances: The division has only 12 mule ambulances, 8 motor ambulances, G. M. C., and 3 motor ambulances, Ford.

(h) Discipline: The division as a whole has none of the outward signs of a well-disciplined organization. Saluting throughout is very poor. Individuals and groups of men pay no attention to passing officers, and in many cases fail to get up when spoken to. It was very noticeable that the junior officers made no attempt to enforce discipline. Hundreds of men were noticed out of billets on the streets in improper uniform and with blouses unbottoned and no attempt made to be neat or orderly. Passing officers paid no attention to them and made no effort to correct these irregularities.

Most of the organizations inspected showed all the earmarks of National Guard units, which they are. Captains and lieutenants were continually noticed on most familiar terms with enlisted men. Most of the orders that I heard given were in a more or less apologetic and familiar tone, and the results were what could be expected. The regimental commanders and field officers accompanying me practically asked the enlisted men to stand at attention and salute the inspector.

R. G. PECK.

Mr. LITTLE. When their country called, the boys of Kansas and Missouri marched off to victory or death on the plains of Europe. The tramp of their marching feet shook the hills of the Argonne. The thunder of their "hell-roaring howitzers" scorched the skies. They charged the nests of machine guns that held the poilu at bay for four long years and drove the boches across the Rhine. As they came out of the frightful combat and glorious triumph, worn, weary, battle stained, but with magnificent victory perching upon the banners of these civilian soldiers, they were met by this lily-fingered inspector, Lieut. Col. Peck, forsooth a West Point expert:

> Neat, trimly dressed,
> Fresh as a bridegroom; and his chin new reap'd
> Showed like a stubble land at harvest home;
> Perfumed like a milliner.
> And as the soldiers bore dead bodies by
> He called them untaught knaves, unmannerly,
> To bring a slovenly, unhandsome corse
> Betwixt the wind and his nobility.
> With many holiday and lady terms
> He questioned me;
> For he made me mad,
> To see him shine so brisk and smell so sweet.
> And talk so like a waiting gentlewoman
> Of guns and drums and wounds. God save the mark!
> And that it was great pity, so it was,
> This villainous salt petre should be digged
> Out of the bowels of the harmless earth.
> And but for these vile guns
> He would himself have been a soldier.

Inspector Peck forgot to tell Shakespeare's Hotspur, "they showed all the earmarks of a National Guard unit, which they are." Shakespeare forgot to say that "captains and enlisted men from Kansas and Missouri in the Thirty-fifth Division came out of the gates of hell at the Argonne 'on most familiar terms' and 'gave their orders in a more or less apologetic and familiar tone.'"

Harry Hotspur's inspector overlooked the fact that "saluting was very poor" as Kansas and Missouri units of the National Guard came off the field where they had beaten the German disciplined, professional army to death, after everybody else had failed in the task. Hotspur doesn't mention the fact that they came out of battle "with blouses unbuttoned," "which passing officers paid no attention to." One line of Inspector Lily-fingered Peck's opinion of the heroes of the Argonne is so much better fitted for disinfection than for perusal, compels its omission. "Wagons were poorly loaded or overloaded" as they came out of the Argonne. Where was the expert Peck and his comrades in expertness when they loaded the wagons in the Argonne? Where was he at 4.30 in the morning, when the big guns began to roar the first day of the battle? Where were Peck and his like when the lads from Kansas and Missouri National Guard went over the top? Where was Peck when they charged in the teeth of machine guns that swept the earth like hailstones? Where was Peck when the Thirty-fifth Division outmarched its artillery and did not wait for the divisions to the right and the left, but fought its way through the German fortifications and shattered the concrete fortifications that "these military men," these experts had declared impregnable? Where was Peck, the educated and trained expert, when civilian soldiers fought and died for their country? Where was Peck when 827 soldiers of the Thirty-fifth Division died in battle in six days for the country that educated him at West Point and stands between his family and starvation every day in the year? Why, he was back at headquarters, perfuming for the fray that he would start when they straggled back in glory and honor, in mud and rust, in disorder and triumph, but, thank God, in familiar love and affection between officers and men who in six days' fighting at the Argonne had forgotten that the principal duty of a soldier was to salute a lily-fingered inspector and march in such gilded and orderly array as would please his corseted soldierdom and his belladonnaed eyes of criticism.

On the indorsement of Peck's report, I read, signed by H. S. Hawkins, colonel, general staff, chief of staff:

> The reflection on the discipline makes the division commander's cheeks burn, and he counts on his brigade and regimental commanders to eradicate the cause of these disparaging remarks.

You can see that the Thirty-fifth Division had a faithful comrade in the chief of staff who sent them into action. Not a line has he to say in protest against this villainous assault upon the men he sent into battle, not a word to tell of their valor, of their courage, or their heroism, and of the skill with which they beat the best-disciplined army in the world into the bowels of the earth among its wrecked concrete. The Thirty-fifth Division should have marched without salute, in disorderly array and on familiar terms, by Hawkins and Peck and spat on them till the current carried them downstream into the depths of

oblivion, followed by the everlasting curse of every gallant soldier who ever risked his life for his country.

Then it's Tommy this, an' Tommy that, an' "Tommy, 'ow's yer soul?"
But it's "Thin red line of 'eroes" when the drums begin to roll,
The drums begin to roll, my boys, the drums begin to roll;
Oh, it's "Thin red line of 'eroes" when the drums begin to roll.

While it's Tommy this, an' Tommy that, an' "Tommy, fall be'ind,"
But it's "Please to walk in front, sir," when there's trouble in the wind.
There's trouble in the wind, my boys, there's trouble in the wind;
Oh, it's "Please to walk in front, sir," when there's trouble in the wind.

For it's Tommy this, an' Tommy that, an' "Chuck him out, the brute!"
But it's "Savior of 'is country" when the guns begin to shoot;
An' it's Tommy this, an' Tommy that, an' anything you please;
But Tommy ain't a bloomin' fool—you bet that Tommy sees!

If this report is an insult to the heroes of the Argonne he is liable to court-martial for not being an officer and a gentleman. If this committee will investigate it and determine that he is not, and will ask for his court-martial, you will have brought the whole thing to a head, and you will secure the reform in the Army we need.

Gen. Pershing is not to blame for that report. No fighting man is. The men who make such reports never go to battle, but are what are called "experts" in the Army. They have failed in all their expertness. Their claim to efficiency has been exploded and yet they undertake to destroy the reputation of volunteer fighting men by such a report as this. And if you take that fellow and court-martial him and discharge him from the Army you will bring the whole thing to a head, and you will do more good to stop hazing and snobbery and its vicious outcome than you can do in any other way.

Mr. DENT. Will the gentleman yield?

Mr. LITTLE. I can not yield just yet. This man Peck picked out a division of heroes coming from one of the world's greatest victories. The man probably never participated in any action at all and had no comprehension of the conditions natural and inevitable among such troops at such a time. Any soldier could have explained it to him, but he was a military man, and he wished to destroy the standing of civilian soldiers in order to increase the reputation of professionally trained and educated military men. He showed the cloven foot and divulged their whole scheme to wreck the National Guard. Less than 40 per cent of the Regular Army and its West Pointers went to France, and a very small percentage, I am told, of those in action leading troops were educated professionals. This man should be court-martialed and his name should be placed in an eternal pillory that he who runs may read that the American boy who enters the Army to fight is the man who wins all our battles from Concord to Guiguinto.

Now, that is the suggestion I make; and I want to say in conclusion, gentlemen, that all the upshot of this is—and the gentleman from Virginia [Mr. SAUNDERS] wants to know the upshot—that the alleged "military experts" have fallen down practically every time during this war, and the tide of battle in this war was turned at Chateau-Thierry by raw soldiers, some of whom had been in the Army only 16 weeks. And if the battles of this country are won, as at Chateau-Thierry, by volunteers and drafted men, and not by the military experts, for that reason it is not proper that they should be subjected to the criticism they have received from such men as this. If the committee will do what I have suggested with Col. Peck, it will do a lot of good to the whole American Army for centuries to come.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. OLNEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. OLNEY. Mr. Chairman, I desire to take exception to the statement that snobbishness exists in our Military and Naval Academies to-day, as discussed by the gentleman from Kansas. I think most of us Congressmen, and Senators, too, conduct examinations under the Civil Service Commission when selecting men for nominations to these academies, and thereby we get men of all classes, kinds, and conditions. In my own experience I know that the 10 or a dozen young men whom I have appointed to Annapolis or West Point in the past four years have been young men in humble circumstances. One boy's letter especially appealed to me. He says:

Mr. OLNEY, I have been playing tennis here at Annapolis. I thought this was a rich man's game.

I have appointed boys to West Point and Annapolis who sold papers and periodicals as a livelihood before entrance into the academies, or who were engaged in other useful occupations, and I find that such boys make good, rank high in their studies, and exert a good moral influence at West Point and Annapolis. I want to repeat that I take exception to the criticism that there is snobbishness prevalent to any extent in our military and naval academies.

Now, Mr. Chairman, may I divert for a moment from the discussion of West Point Academy by reciting some experiences during a visit I paid this afternoon to St. Elizabeths Hospital in the District of Columbia. I shall attempt to prove that the criticisms directed against the management of the institution are unfair, unjust, and without foundation. I thought to myself, as perhaps many of you did, that it was an improper place as a hospital for the insane to send soldiers and sailors convalescing from overseas and from our camps and cantonments in the United States to recover.

I found registered there to-day 3,782 patients, of which 2,425 were white men, and 420 colored men. There were about 1,200 soldiers and sailors there.

The gentleman from Illinois may have seen fit very justly to criticize the War Department for sending to St. Elizabeths 300 men detached from the hospital surgeon's office to take care of the patients, but it was absolutely necessary on account of the existing shortage of labor especially in the class of hospital attendants. I went out to the institution unannounced and Dr. White, manager of the hospital, accompanied me through various buildings. I am impressed with his humane treatment of patients, and am thoroughly convinced that the institution is conducted in an efficient manner, and that the inmates are not subject to cruel and abusive treatment. I confirm the statement made in the House a few days ago by the gentleman from Wyoming [Mr. MONDELL] in effect that St. Elizabeths should be stamped with a clean bill of health.

I talked with several patients, and from observation I can say to you that none are sent to this institution unless they have been under careful medical observation in other hospitals throughout the country for various kinds of diseases; and if they are pronounced partially insane or entirely insane they are sent to St. Elizabeths Hospital, where they can be watched carefully and can be treated by eminent specialists in diseases of the mind. Mind you, no soldiers or sailors are sent to St. Elizabeths except those who are suffering from partial insanity, depressed condition of the mind, and whose mental condition would be benefited by treatment there.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. OLNEY. Certainly.

Mr. LITTLE. Just what has this insane asylum to do with West Point?

Mr. OLNEY. Nothing at all; but I asked the patience of the House for departing from the subject of the bill to a subject not quite germane to the Military Academy. But I thought, as a member of the committee, I might correct an impression which many Members of Congress may share, that things are not perhaps properly conducted at St. Elizabeths Hospital. There are 1,200 soldiers there in various stages of convalescence, and the only particular criticism I had to direct to Dr. White, the superintendent, was that certain patients who had convalesced and who had become greatly improved as to their mental condition should not be allowed to associate in those wards where there were almost violently insane patients; and he answered that such cases were being corrected as rapidly as possible.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. OLNEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent to modify my amendment, and I will ask the Clerk to read it as modified.

The CHAIRMAN. Does the gentleman insist on his point of order?

Mr. LITTLE. Will the gentleman withhold his point of order?

Mr. GORDON. Yes; I will reserve it.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to modify his amendment. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. LITTLE: Page 1, line 6, after the figures "1920," strike out the colon and insert a comma and the following: "but none of this money shall be expended until the superintendent has certified to the Secretary of War that the custom of hazing of lower classmen by upper-class students has been abolished at the West Point Academy."

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. If this amendment is adopted, will it permit the hazing of the upper classmen by the lower classmen? [Laughter.]

The CHAIRMAN. The Chair does not regard that as a parliamentary inquiry. Does the gentleman from Ohio make his point of order?

Mr. GORDON. I do not see any objection to the amendment now in its modified form, unless the chairman wants to make a point of order.

Mr. DENT. I make the point of order.

The CHAIRMAN. The point of order is overruled. The question is on the amendment offered by the gentleman from Kansas.

The question being taken, on a division (demanded by Mr. LITTLE) there were—ayes 7, noes 27.

Accordingly the amendment was rejected.

Mr. HARRISON of Virginia. Mr. Chairman, I offer an amendment, which I ask the Clerk to report.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HARRISON of Virginia: At the bottom of page 1 insert the following: "*And provided*, That the course of instruction at the United States Military Academy shall continue to be the present regular four-year course until Congress by appropriate legislation shall provide otherwise."

Mr. STAFFORD. I reserve a point of order on that.

Mr. LITTLE. Mr. Chairman, I reserve all points of order on that.

Mr. HARRISON of Virginia. Mr. Chairman, the object of this amendment is simply to keep the course of instruction at West Point just as it now is, four years, until Congress shall by appropriate legislation determine what shall be the policy at that institution. It seems to me that is a matter that ought to be determined by legislation and not by an Executive order or the Chief of Staff.

Mr. STAFFORD. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. STAFFORD. In a parallel case, as, for instance, the curriculum and courses of study in our State universities, does the gentleman believe that the State legislature should determine the course of study or that it should be left to the regents of the respective institutions?

Mr. HARRISON of Virginia. I think the State legislatures generally determine those matters.

Mr. STAFFORD. They do not in the State of Wisconsin or the State of Michigan.

Mr. HARRISON of Virginia. When they appropriate the money they determine what character of institution they propose to have.

Mr. STAFFORD. They do not prescribe the length of the course of study to be pursued by the students who attend the university, either the professional schools or the academic.

Mr. HARRISON of Virginia. They may not determine what studies shall be pursued, but they certainly determine the character of the institution.

Mr. SLOAN. Will the gentleman yield right there?

Mr. HARRISON of Virginia. Yes.

Mr. SLOAN. Is it not the practice of most legislatures of the States to say that before a degree shall be granted to a student, whether of medicine or of law, or a doctor of philosophy or a bachelor of arts, that so many years of study, or their equivalent elsewhere, shall be passed in the institution which the State conducts?

Mr. HARRISON of Virginia. That has been my understanding, of course.

Mr. STAFFORD. Oh, no.

Mr. HARRISON of Virginia. I do not understand that the State undertakes to prescribe just what textbooks shall be used or what particular subject shall be treated at any institution, but that it does determine the character of the institution.

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. GREENE of Vermont. Of course, the gentleman is quite aware, as we all are, that this debate now is proceeding on the merits of the amendment rather than on the point of order.

Mr. HARRISON of Virginia. Yes.

Mr. SLOAN. The point of order is not made, but reserved.

Mr. GREENE of Vermont. I understand that. Having that in mind, I should like to ask the gentleman a question. I am more or less in sympathy with the idea that there ought to be some revision of the length and character of the course of study at West Point, but I think the gentleman, as well as many others of us who have given some attention to the subject, are persuaded that this is not a good time to put ourselves on record in one direction or another with regard to finalities on that question.

Mr. HARRISON of Virginia. This does not.

Mr. GREENE of Vermont. It is my fear that, while it is intended not to do that, the effect of for the first time writing into our statute law a limitation as to the course of study at West Point, a thing we have not done in this generation, will be taken as a precedent and a basis upon which argument in the next Congress will be so firmly attached that we will never be able to dislodge it.

Mr. HARRISON of Virginia. That is not my information. My information is that until recently the course has been prescribed as a four-year course by law.

Mr. GORDON. When was that?

Mr. HARRISON of Virginia. I do not know. That is what I was informed at the Military Academy—that until recently it was a matter prescribed by law.

Mr. GREENE of Vermont. Even at that, it is not now prescribed by law, we are informed. Ought we to go to the point of writing into law this unnecessary thing, which may act to prejudice against writing into the law hereafter just what we may want?

Mr. HARRISON of Virginia. My object is to write this into the law now to prevent the Chief of Staff changing the course until Congress has an opportunity to say whether it shall be changed. In other words, if the provision is not incorporated in this act, it is my belief that an Executive order will change the whole course of instruction in that institution. It is for that reason that I desire to obtain a statutory provision to keep the West Point of to-day until Congress can say whether we shall have a West Point of another character and kind to-morrow.

Mr. GREENE of Vermont. I sympathize with the gentleman's intention most heartily, and I think such interchange of personal opinion that we have had heretofore accords with that, but it seems to me, from a parliamentary viewpoint, this is the wrong way to go about it, and I shall have to object.

Mr. LITTLE. Mr. Chairman, reserving the point of order, I want to ask the gentleman, this is new legislation, is it not? There is no legislation of that kind now on the statute books?

Mr. HARRISON of Virginia. No, sir.

Mr. LITTLE. What is there on the books anywhere in the way of legislation that would authorize this appropriation?

Mr. HARRISON of Virginia. My understanding has been that until recently the statute prescribed the course at West Point that it should be four years, and it has been continued as a four years' course until recently. What I am afraid of is that by Executive order, or military order, the whole course at the institution will be changed.

Mr. LITTLE. Is not this new legislation, and if it is not, what is the old legislation?

Mr. HARRISON of Virginia. I will admit that perhaps it is new legislation.

Mr. LITTLE. Then, Mr. Chairman, I withdraw the point of order. It is as easy for us to make points of order as it is for the committee.

Mr. PLATT. Will the gentleman yield?

Mr. HARRISON of Virginia. Yes.

Mr. PLATT. I notice by the hearings that Col. Tillman says that the class that entered last June will go out in 1920. What does the gentleman understand by that?

Mr. HARRISON of Virginia. The gentleman will understand that during the war we needed officers, and they graduated two classes in advance of the regular time of graduation, and then they had an appointment of two cadets by each Congressman to take the place of those that graduated. The intention was if the war had continued to graduate them at the end of one year. Now they are trying to get back to the four-year course.

Mr. PLATT. They could not immediately get back to it, and would not the gentleman's amendment prevent it?

Mr. HARRISON of Virginia. No; my amendment is to keep the institution as it now is until Congress can adopt a plan for the institution. It is going to mean a great deal for every Member of this body if by Executive order the character of that institution should be changed. As a Member said a few minutes ago, we have been accustomed to go out among our young boys, taking them from the high schools and from all walks of life, and sending them to this institution to be there trained and developed. If the character of that institution is changed none of those boys can get into that institution, because the standard will be so high that nobody but a college graduate can enter. In other words, the report of the academic board, which the gentleman from Pennsylvania has made a part of the RECORD, which is a report made in response to the request of Gen. March

that the course be adapted to a three-year course, goes fully into the question. It shows that it is absolutely necessary to cut off one year either at the end of the course or one year at the beginning of the course. It can not be done at the end of the course, because that is when the cadets receive their military instruction, and the boy would have to receive that instruction, if he did not receive it at West Point, at some other military institution. Therefore, it would be necessary to cut out the first year's course, and in doing that the high-school boy, the plain, simple country boy, would be denied admission to the institution.

Congress, in 1916, increased the number of cadets to twice the number theretofore authorized, and it seems to me plainly indicated the high popular regard in which the institution is held.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. TILSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing selections from certain letters that I have received in regard to a matter discussed this afternoon on the floor of the House.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I make the point of order against the amendment offered by the gentleman from Virginia, upon the ground that it is new legislation.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. PLATT. Mr. Chairman, I will ask the gentleman to withhold that for a few minutes.

Mr. STAFFORD. I shall withhold the point of order for the accommodation of the gentleman from New York.

Mr. PLATT. Mr. Chairman, I rise to oppose the amendment. It seems to me very clear that the course at West Point could well be and ought to be cut down to three years. I have read the report of the general committee of the academic board on this subject, and it is obvious there is but one way to do it, and that is to cut one year off the beginning of the course. They say in order to do that they will have to require algebra (complete), plane and solid geometry, plane trigonometry, English grammar, English composition and literature, history, geography, and beginning French. Nearly every college in the country requires about that for entrance.

The Military Academy at West Point is below the average college in requirement, and, strange as it may seem, that is one reason why boys fail to pass West Point examinations. At the average age for entrance to West Point the average boy preparing for college has progressed in his school work way beyond West Point requirements, and in order to pass the examination has to go to a fitting school and cram up on stuff which he studied five years ago and which he has partly forgotten. If you raise the West Point requirements to the average college requirements, and require a modern language, algebra (complete), and plane and solid geometry, and plane trigonometry, which can be studied in every high school, there will be less trouble for boys to get into West Point than now. They will then enter a year later, and the course can just as well be cut down to three years as not. It is merely necessary to make the West Point requirements conform to the requirements of the college entrance board. I taught for two years in a military school and I used to prepare boys for West Point. Furthermore, West Point is in my district and I have long been interested in its work and have tried to keep somewhat in touch with it.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Not at present. I have discussed the matter with instructors at West Point; some are for it and some are aganist it. I have read this report with a good deal of interest, and I think their conclusions are more or less ridiculous. There is no word of recognition in the report of the fact that college entrance requirements are above West Point requirements. The average requirement for all of the great eastern colleges—Harvard, Yale, Princeton, Cornell—are all higher than for West Point, and I have no doubt the same is true in respect to most of the western colleges. Practically every high school gives these studies which the academic board says "few public schools cover thoroughly," and where there may be now and then one high school that does not, a little extra study would prepare any bright boy to enter West Point on the requirements they say are necessary to cut a year off the course.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. FESS. Reverting to the requirements for entrance in colleges, what is true of the eastern universities is true throughout the country.

Mr. PLATT. That is what I believe.

Mr. FESS. Each State has a college association. Membership in that college association is determined by the standard of entrance in it, which is 15 units. Then there are the general college associations, taking in colleges of the various States, so that the gentleman is correct as to the requirements of the college being higher than the requirements mentioned here.

Mr. PLATT. I thank the gentleman from Ohio for his statement. The gentleman was until recently a college president and is an authority on the subject.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. GREENE of Vermont. Is it not true also that one of the reasons why the standard for entrance is kept low is the fact that West Point still continues to teach an academic or high-school course of a general character before it begins to specialize on military science and kindred sciences?

Mr. PLATT. It does. Its first year is practically a high-school year, with, of course, rather more intensive work than that in most high schools.

Mr. GREENE of Vermont. Yes; and the result is that, founded years ago when secondary schools were not common, they thought they had to give, as they did have to give, an academic education as well as a military education to a young candidate for a commission.

Mr. PLATT. I think that is largely true.

Mr. GREENE of Vermont. That is not true of the social, economic, and educational conditions of this generation.

Mr. PLATT. Certainly not. The high schools practically all afford an opportunity to prepare boys for college to-day and therefore the requirements ought to be brought up to the average college requirements. There will be no trouble; it will not hurt anybody, and I believe the raising of the requirements will make it easier for a great many boys to get to West Point than it is at present. We have the cases of boys from 19 to 20 years of age who have gone through all these simple subjects four or five years before in the high school. It seems to me that the conclusions of the committee of the academic board in paragraphs 15 and 16 of their report are almost wholly unwarranted. The entrance requirements would not lose touch with the public-school system. More, rather than fewer, of the most desirable class of young men would present themselves for examination. In order to make sure that I was not wrong about my comparison of college entrance requirements with West Point requirements—for my own teaching days were a good while ago—I talked the matter over very recently with a couple of preparatory school mathematics teachers in Baltimore, and they agreed with me fully. I was a little in doubt about what the academic board meant by algebra (complete), but they assured me that this does not include what is known as higher algebra, but is what they are teaching every day in preparing boys for college. Even if algebra (complete), solid geometry, plane trigonometry, and French were added to the present West Point requirements they would not be equal to the entrance requirements of the leading eastern colleges. Some of them require Latin and Greek, or an equivalent, besides.

Mr. STAFFORD. Mr. Chairman, I make the point of order that this is new legislation.

The CHAIRMAN. Does the gentleman reserve the point of order?

Mr. STAFFORD. I make the point of order that it is legislation on an appropriation bill. The amendment seeks to take away discretion that now lodges in an executive department to determine the curriculum, the course of study at the Military Academy at West Point. In the debate this afternoon on this institution it was admitted, as I recall, that there was no law existing as to the length of the course of study at West Point. Certainly if there is such a law it was violated during the present war, when the course of instruction was reduced from four years to one year. The fact that the course of instruction was reduced without any direct authorization by law rather confirms the position that the length of the term is a matter of regulation rather than of legislation. Accordingly, Mr. Chairman, if the course of instruction is determined by regulation, therefore this amendment would interfere with the discretion now lodged in the executive officers. There are plenty of decisions that hold that even an amendment in the form of a limitation that limits the discretion of an executive officer in the performance of his duty necessarily is legislation. I think I have said sufficient to show the Chair that this is legislation and is not in order on this appropriation bill.

The CHAIRMAN. Does the gentleman from Virginia desire to be heard on the point of order?

Mr. HARRISON of Virginia. I do not.

The CHAIRMAN. The Chair would like to ask the gentleman from Virginia if he concedes this is legislation?

Mr. HARRISON of Virginia. I think it is.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For pay of cadets, $960,000: *Provided*, That the pay of cadets shall be fixed at $780 per annum and one ration per day, or commutation therefor, such commutation to be 67 per cent over and above the cost of the Army ration, to be paid from the appropriation for the subsistence of the Army: *Provided*, That the provisions of the item above shall be operative from and after July 1, 1918.

Mr. STAFFORD. Mr. Chairman, I make the point of order on the paragraph. There is on the calendar a bill that embodies the same provision as incorporated in this paragraph, which seeks to increase the allowance to cadets from $600 to $780 per annum and increases the commutation of rations 67 per cent over that which they now receive. I make the point of order.

Mr. DENT. The point of order, of course, is well taken.

The CHAIRMAN. The Chair sustains the point of order.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. Having made the point of order to the entire paragraph, does the gentleman from Alabama wish to make any amendment for pay of cadets?

Mr. DENT. I will have to reduce the amount.

The CHAIRMAN. Does the gentleman from Alabama desire to ask unanimous consent to return?

Mr. DENT. Not at this time—until I have the figures.

The Clerk read as follows:

For extra pay of officers of the Army on detached service at the Military Academy: For pay of one superintendent, United States Military Academy (brigadier general), in addition to his regular pay, $1,000: *Provided*, That the provisions of the above item shall be operative so long as Col. S. E. Tillman continues as superintendent of the West Point Military Academy.

Mr. STAFFORD. Mr. Chairman, I make the point of order on that part of the paragraph after the word "Academy" in line 13.

The CHAIRMAN. Does the gentleman from Alabama desire to concede the point of order?

Mr. DENT. I think the point of order is well taken.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

For pay of one commandant of cadets (lieutenant colonel) in addition to pay as captain or major, $1,100.

Mr. SLOAN. Mr. Chairman, I move to strike out the last word. Perhaps this place is not as opportune as was some other paragraph upon which to base my remarks. I take this opportunity to make an observation as to the discharge of soldiers now in this country not because of any definite knowledge of my own, but quoting some that is going out to the country and which I assume is correct. Gov. McKelvie, of our State, was importuned by the farmers of the State to do what he could to obtain the release of boys for the 1st of March farm work. He came to Washington and interviewed the Secretary of War.

The governor before leaving said that he was assured by the Secretary of War that the soldiers would be demobilized by the 1st of March. I thought it would be proper to have it understood here as to what word is going out to the country.

But what I particularly desire to talk about is the matter of Army and West Point snobbery suggested to-day by Col. LITTLE, and on the 28th of last month by the gentleman from Alabama [Mr. HUDDLESTON]. If, as a matter of fact, the institution at West Point does teach the snobbery that we find some officers later practicing in the Army under certain circumstances, I would not be in favor of voting one dollar for its support. As to the snobbery at West Point I do not affirm or deny.

I desire to read in your hearing that which went into the RECORD on the 28th of last month as a part of the remarks of the gentleman from Alabama [Mr. HUDDLESTON], which is embodied in an order issued by Gen. Buck, who is in command of Camp MacArthur. It is as follows:

OFFICERS ADVISED SOCIALLY—CAN'T MINGLE WITH ENLISTED MEN—BY COMMAND OF GEN. BUCK ORDER POSTED REGARDING ENTERTAINMENTS.

The following order has been posted at Camp MacArthur:

Headquarters, Camp MacArthur, Waco, Tex., January 6, 1919, General Orders, No. 1.

1. The attention of officers of this command is called to the impropriety of attending social affairs at which enlisted men, or persons in the uniform of enlisted men, are present.

Any institution in this country, supported by public money, that teaches a doctrine of that kind should be wiped off our political and economic map. [Applause.] More than that:

Hereafter any officer of this command who finds enlisted men present with proper authority, i. e., duly invited or permitted to pay their way in, at any social affair at which the officer is a guest, such officer will at once depart from such social affair, and if he finds persons in the uniform of enlisted men permitted to be present he will take the same action.

I know across the water that "person" is the word that indicates "inferiority or degradation." They say, not "this man," not "this soldier," but "this person."

When an officer finds enlisted men present at any social affair without proper authority, he will take such steps as the occasion may warrant to cause them to leave, and will report any violation of regulations which may occur.

By command of Maj. Gen. Buck.

W. H. WOOLWORTH,
Major, Infantry, United States Army, Acting Executive Officer.

Official:

E. E. LAMBERT,
Major, Adjutant General's Department, Adjutant.

Mr. LITTLE. Will the gentleman yield there for a moment?

Mr. SLOAN. I will.

Mr. LITTLE. I suggest to the Committee on Military Affairs, that wanted suggestions, that an officer who issued an order like that in time of war about American soldiers is not an officer and a gentleman, and under the articles of war is subject to court-martial. If the committee wants to do one thing more than anything else to improve the Army, it will call the attention of the department to that and advise that this fellow be court-martialed.

Mr. SLOAN. Now, to invite or to force any boy into the ranks from the homes of America and give him to understand that he is not as good without shoulder straps as he is with them is un-American. I should like to see some good, manly, young enlisted man, when insulted as he would be by the observance of that order, send out his good right arm and send his insulter to mother earth. [Applause.]

Mr. HUDDLESTON. May I interrupt the gentleman in order to call his attention to the article of war which says that if an enlisted man as much as lifts his hand as though to strike a commissioned officer he will be punished by death?

Mr. SLOAN. And he could not sell his life at a better price than that, to raise the question in America as to whether there are to be these obnoxious social distinctions in the American service. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent that the gentleman be given another five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Vermont. Will the gentleman from Nebraska yield?

Mr. SLOAN. I will.

Mr. GREENE of Vermont. Just following up that last statement that the gentleman from Nebraska has made, that he believes the soldier ought to take the law into his own hands, now, the gentleman is himself a lawyer and a peaceful, law-abiding citizen; and does he recommend to our young men under military discipline that, disapproving of any order, they should, without any judicial inquiry whatever, knock down an officer that issued the order?

Mr. SLOAN. No man, with shoulder straps or without, has a right to insult a fellow American.

Mr. GREENE of Vermont. I said the gentleman is a lawyer, but he need not prove it by any evasion.

Mr. SLOAN. I am glad you say I am a lawyer in the open, with all these witnesses about. [Laughter.]

Mr. GREENE of Vermont. I want you to give me an answer to my question. Are we to understand you to say that without any judicial investigation or trial of the facts in the case, a young soldier's opinion as to whether that order was insulting or not would be to him a full warrant, or sufficient warrant, for violence on his part?

Mr. SLOAN. No intelligent, red-blooded American would have any doubt that the enforcement of that order is an insult to an American soldier.

Mr. LITTLE. Mr. Chairman, will the gentleman yield right there?

Mr. SLOAN. Yes.

Mr. LITTLE. This matter has been settled by the courts-martial of this country, and the question that the gentleman from Vermont asked has been answered. During the Civil War, Gen. Nelson, a volunteer, a very able man from Kentucky, who probably saved that State to the Union, was assembling and marshaling the forces, when Col. Jefferson C. Davis, a West Pointer, a little fellow, went in to see Nelson. Gen. Nelson, a big man, said to the little regular, "How many men have you in your regiment?" Davis said, "About 800." Nelson turned on him, and to those about him said, "That is a correct answer, is it, for a colonel of the Regular Army to make? Blank blank you, go out and find how many men you have got." Jefferson C. Davis went out and got a pistol and came back and shot him dead. That is the answer that the Regular Army makes when it takes the law into its own hands. I think that answers the gentleman.

Mr. GREENE of Vermont. I am appealing to another authority,

Mr. LITTLE. I think a client ought to be satisfied with the dictum of his court.

Mr. GREENE of Vermont. I am satisfied if the gentleman from Kansas is satisfied.

Mr. SLOAN. I enjoy the ingenuity of the gentleman's interrogations.

Mr. GREENE of Vermont. I would rather be treated to facts than be smothered in a bed of roses. [Laughter.]

Mr. SLOAN. Then why does not my friend get some facts? I have a great store for him.

Mr. GREENE of Vermont. I am asking you for them now. Do you recommend as an established doctrine for the discipline of the Army at any time that every soldier, feeling himself aggrieved by the text of an order, should himself be empowered to construe its intent or effect and determine whether it was proper or improper, whether it was insulting or what not, and, having made such a consideration of it in his own mind, take the law into his own hands and punish by physical violence the officer who issued that order?

Mr. SLOAN. The gentleman has taken into his question entirely too much territory. My statement was made with reference to and within the scope of the obnoxious order quoted and its enforcement. The order being discussed does not relate to rank or obedience while in the ranks, in battle, or anywhere else where military discipline is involved. The soldier owes obedience to his superior officer in things military. But he should not admit inferiority or degradation socially, morally, religiously, or politically.

Mr. GREENE of Vermont. That is the statement the gentleman made in substance.

Mr. SLOAN. When an order is made that where a soldier is invited to his father's house, or to his friend's house, and finds an officer there, and the officer drives him forth, or, with much ostentation, leaves himself, so that the insult is palpable, I think the argument ad hominum, delivered in the manly American way, in accordance with the American art of offense and defense, is the only proper treatment. It is the only argument that some men, vain coxcombs and mere martinets, under many circumstances are ever able to understand. It is the only way that brings them to a realization of what they ought to do. I know that a Green Mountain boy, such as my friend GREENE was in the Philippine War times, would not put up with an insult without visiting condign punishment, such as a man has the right to visit upon a soothless insulter, whether he ranks him in the Army or out of it. [Applause.]

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. DENT. Mr. Chairman, I ask unanimous consent to return to the item on page 2, for pay of cadets, where I wish to offer an amendment, in view of the fact that the proviso was held to be subject to a point of order. I ask unanimous consent to return to page 2, line 5, for that purpose.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to return to page 2, line 5, for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 2, line 5, insert:
"For pay of cadets, $600,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DENT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SABATH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15462) making appropriations for the support of the Military Academy for the year ending June 30, 1920, and for other purposes, and had come to no resolution thereon.

HOUR OF MEETING ON MONDAY.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock a. m. on Monday.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 a. m. on Monday. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the gentleman from North Carolina what he plans to take up on Monday out of the ordinary?

Mr. KITCHIN. I shall ask unanimous consent that the House dispense with the business on the Unanimous Consent Calendar for the purpose of concluding the Military Academy bill, and that after the Military Academy bill is disposed of we go back to the Unanimous Consent Calendar.

The SPEAKER. The gentleman asks unanimous consent that on Monday the business on the Unanimous Consent Calendar be dispensed with pro tanto; that is, until the Military Academy bill is finished, and then that the House take up the Unanimous Consent Calendar. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, there are quite a number of bills on the Unanimous Consent Calendar that Members are anxious to dispose of. These bills are quite important. No one knows how long it will take to dispose of the Military Academy bill if we take it up on Monday morning. It may take a very large part of the day, in which event the unanimous-consent business would not be considered. It seems to me that it would be just as well to take up the unanimous-consent business at 11 o'clock in the morning, dispose of it, and then take up the Military Academy bill.

Mr. KITCHIN. I suggest that it would be impossible to dispose of the Unanimous Consent Calendar, for the reason that Members want to move to suspend the rules on so many bills.

Mr. MONDELL. I think it is true that there are a number of requests for suspension of the rules, which the Speaker expects to take care of, but that is an additional reason why we should have a large part of the day Monday for that business.

Mr. STAFFORD. Can we come to this understanding, if the gentleman from Wyoming will permit, that we shall proceed on Monday for an hour and a half in the consideration of the Military Academy bill? Many of us expect it will be concluded in that time. Then, if it is not concluded, we can go ahead with the Unanimous Consent Calendar.

Mr. DENT. I suggest to the gentleman that he make it two hours for the Military Academy bill. The bill itself will not take that time, but the outside discussion which developed here to-day is what takes up the time.

Mr. STAFFORD. I think unquestionably we can finish the bill in two hours.

Mr. DENT. We can without any doubt if the discussion is confined to the bill.

Mr. STAFFORD. Would that meet the objection of the gentleman from Wyoming?

Mr. KITCHIN. Let us make it two hours, and I will modify my request and ask that, if at the end of two hours the Military Academy bill is not finished, the committee shall rise and go back into the House, when the House shall take up the Unanimous Consent Calendar.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the House meet at 11 o'clock a. m. on Monday, when not more than two hours shall be devoted to the consideration of the Military Academy bill; that if the Military Academy bill is finished before the end of the two hours, or if it is not, then at the end of two hours the House shall take up the Unanimous Consent Calendar. Is there objection?

There was no objection.

LEAVE TO SIT DURING SESSIONS OF THE HOUSE.

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs be permitted to sit during the sessions of the House.

Mr. STAFFORD. Reserving the right to object, are we to understand that the Committee on Military Affairs during the past two months of this session has not had authority to sit during the sessions of the House?

Mr. FIELDS. We thought we had, and think so now, but there was some question raised in the committee.

Mr. GORDON. You have been in almost continuous session?

Mr. FIELDS. We have been in almost continuous session.

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the Military Affairs Committee be permitted to sit during the sessions of the House. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 2 minutes p. m.) the House adjourned until Sunday, February 2, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the East Washington Heights Traction Railroad Co., transmitting report of the East Washing-

ton Heights Traction Railroad Co. for the year ending December 31, 1918 (H. Doc. No. 1748); to the Committee on the District of Columbia and ordered to be printed.

2. A letter from the president of the Washington Gas Light Co., transmitting detailed statement of the business of the Washington Gas Light Co., with a list of its stockholders, for the year ending December 31, 1918 (H. Doc. No. 1749); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the president of the Georgetown Gas Light Co., transmitting a detailed statement of the business of the Georgetown Gas Light Co., together with a list of stockholders, for the year ended December 31, 1918 (H. Doc. No. 1750); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. GANDY, from the Committee on the Public Lands, to which was referred the bill (H. R. 12589) to amend section 4 of the act entitled "An act to provide for stock-raising homesteads, and for other purposes," approved December 29, 1916, reported the same without amendment, accompanied by a report (No. 1025), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. PRICE, from the Committee on Claims, to which was referred the bill (H. R. 13588) for the relief of the Baltimore Dry Docks and Ship Building Co., owner of a dry dock at Baltimore, Md., reported the same without amendment, accompanied by a report (No. 1021), which said bill and report were referred to the Private Calendar.

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 11833) for the relief of Seth J. Harris, reported the same with amendment, accompanied by a report (No. 1022), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. FAIRFIELD: A bill (H. R. 15506) authorizing the Secretary of War to donate to the city of Howe, county of Lagrange, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15507) authorizing the Secretary of War to donate to the Howe Military School, in the city of Howe, county of Lagrange, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15508) authorizing the Secretary of War to donate to what is known as Presidents Corners, in the county of Allen, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MANSFIELD: A bill (H. R. 15509) authorizing the acquisition of a site for a public building at El Campo, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. STRONG: A bill (H. R. 15510) authorizing the Secretary of War to donate to the town of Reynoldsville, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. GOODWIN of Arkansas: A bill (H. R. 15511) for the purchase of a site and the erection of a public building at Warren, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. MAYS: A bill (H. R. 15512) increasing the limit of cost for a Federal building at Spanish Fork, Utah; to the Committee on Public Buildings and Grounds.

By Mr. BESHLIN: A bill (H. R. 15513) authorizing the Secretary of War to donate to the town of Mercer, Pa., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15514) authorizing the Secretary of War to donate to the town of Warren, Pa., six German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15515) authorizing the Secretary of War to donate to the town of Oil City, Pa., five German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15516) authorizing the Secretary of War to donate to the town of Franklin, Pa., four German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15517) authorizing the Secretary of War to donate to the town of St. Marys, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. HOOD: A bill (H. R. 15518) authorizing the Secretary of War to donate to the city of Newbern, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SISSON: A bill (H. R. 15519) for the erection of a public building at Okolona, Miss.; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 15520) to provide for the purchase of a site and the erection of a building thereon at Astoria, in the State of Oregon; to the Committee on Public Buildings and Grounds.

By Mr. RUCKER: A bill (H. R. 15521) authorizing the acquisition of a site for a public building at Paris, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15522) authorizing the acquisition of a site for a public building at Milan, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15523) authorizing the acquisition of a site for a public building at Salisbury, Mo.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15524) to provide for the erection of a post-office building at Trenton, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. HOOD: A bill (H. R. 15525) authorizing the Secretary of War to donate to the city of Goldsboro, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15526) authorizing the Secretary of War to donate to the town of Trenton, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15527) authorizing the Secretary of War to donate to the town of Jacksonville, in the State of North Caroline, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15528) authorizing the Secretary of War to donate to the town of Clinton, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15529) authorizing the Secretary of War to donate to the town of Bayboro, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15530) authorizing the Secretary of War to donate to the town of Burgaw, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15531) authorizing the Secretary of War to donate to the town of Kenansville, in the State of North Caroline, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15532) authorizing the Secretary of War to donate to the town of Beaufort, in the State of North Carolina, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SLAYDEN: A bill (H. R. 15533) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.; to the Committee on the Library.

By Mr. GOODALL: A bill (H. R. 15534) for the purchase of a site and erection thereon of a public building at Brunswick, Me.; to the Committee on Public Buildings and Grounds.

By Mr. AYRES: A bill (H. R. 15535) authorizing the Secretary of War to donate to the city parks of Wichita, Kans., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 15536) to provide for the building of certain roads in the State of Kentucky; to the Committee on Roads.

By Mr. GANDY: A bill (H. R. 15537) providing that Indians and other persons on Indian reservations and superintendencies shall be subject to certain State or Territorial laws, and for other purposes; to the Committee on Indian Affairs.

By Mr. RANDALL: A bill (H. R. 15538) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required or who may resign from their positions; to the Committee on Appropriations.

By Mr. PADGETT: A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. WOOD of Indiana: A bill (H. R. 15540) donating a captured German cannon or field gun and carriage to the city of Monticello, Ind.; to the Committee on Military Affairs.

Also, a bill (H. R. 15541) donating a captured German cannon or field gun and carriage to the city of Crown Point, Ind.; to the Committee on Military Affairs.

Also, a bill (H. R. 15542) donating a captured German cannon or field gun and carriage to the city of Battle Ground, Ind.; to the Committee on Military Affairs.

By Mr. WEAVER: A bill (H. R. 15543) for the purchase of a site for and the erection of a post-office building at Tryon, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15544) for the extension, alteration, and repair of the United States Government building at Asheville, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. DIXON: A bill (H. R. 15545) increasing the limit of cost for a Federal building at North Vernon, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. THOMPSON: A bill (H. R. 15546) for the purchase of a site and for the erection of a post-office building at Pauls Valley, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. CONNALLY of Texas: A bill (H. R. 15547) authorizing the Secretary of War to donate to the city of Temple, Tex., one German fieldpiece or piece of artillery; to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 15548) authorizing the Secretary of War to donate to the city of Pell City, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15549) authorizing the Secretary of War to donate to the city of Ashville, Ala., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MONDELL: A bill (H. R. 15550) making an appropriation for the reclamation of lands to furnish employment and farm homes for discharged soldiers and sailors; to the Committee on Appropriations.

By Mr. SIMS: A bill (H. R. 15551) to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McCLINTIC: A bill (H. R. 15552) authorizing the Secretary of War to donate to the county of Dewey, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15553) authorizing the Secretary of War to donate to the county of Greer, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15554) authorizing the Secretary of War to donate to the county of Ellis, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15555) authorizing the Secretary of War to donate to the county of Kiowa, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15556) authorizing the Secretary of War to donate to the county of Washita, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15557) authorizing the Secretary of War to donate to the county of Roger Mills, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15558) authorizing the Secretary of War to donate to the county of Harmon, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15559) authorizing the Secretary of War to donate to the county of Jackson, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15560) authorizing the Secretary of War to donate to the county of Tillman, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15561) authorizing the Secretary of War to donate to the county of Custer, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15562) authorizing the Secretary of War to donate to the county of Beckham, Okla., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CHURCH: A bill (H. R. 15563) for the erection of a public building at Modesto, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15564) authorizing the acquisition of a site for a public building at Hallettsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. JONES: A bill (H. R. 15571) to regulate the sale of stock, lots, contracts, or securities of private corporations in States or Territories other than those in which such corporations are incorporated; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 15572) authorizing the Secretary of War to donate one German cannon or fieldpiece to certain towns in the State of Texas; to the Committee on Military Affairs.

Also, a bill (H. R. 15573) to erect a public building in the city of Childress, the county seat of Childress County, State of Texas, and appropriating money therefor; to the Committee on Public Buildings and Grounds.

By Mr. ANTHONY: Joint resolution (H. J. Res. 402) to express the opinion of the Congress of the United States in reference to continued expenditures of public money heretofore appropriated for the construction of military camps and cantonments during time of war; to the Committee on Military Affairs.

By Mr. MASON: Concurrent resolution (H. Con. Res. 66) to withdraw United States troops from Russia; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial of the Legislature of the State of California, relative to the retirement on annuities of men and women in the employment of the United States who are over the age of 68 years; to the Committee on Reform in the Civil Service.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWELL: A bill (H. R. 15565) granting an increase of pension to John A. Vermeulen; to the Committee on Invalid Pensions.

By Mr. HERSEY: A bill (H. R. 15566) granting an increase of pension to Frank Ross; to the Committee on Invalid Pensions.

By Mr. SMITH of Michigan: A bill (H. R. 15567) granting an increase of pension to Reuben Drinkwater; to the Committee on Invalid Pensions.

By Mr. TIMBERLAKE: A bill (H. R. 15568) for the relief of the estate of Jarib L. Sanderson, deceased; to the Committee on Claims.

By Mr. STRONG: A bill (H. R. 15569) granting a pension to Carson Rummel; to the Committee on Pensions.

By Mr. WATSON of Pennsylvania: A bill (H. R. 15570) granting an increase of pension to Henry C. Livezey; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of the Joint Conference on Retirement for Civil Service of the United States, indorsing Keating retirement bill, House bill 12352; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS: Petition of members of South St. Paul Live Stock Exchange, protesting against the adoption of Sims bill (H. R. 13324) to give President power to purchase and operate the large stockyards, adopted by the shippers of Minnesota and Wisconsin; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of faculty of the Western Illinois State Normal School, favoring House bill 4987, to create a Federal department of education; to the Committee on Education.

By Mr. HOLLINGSWORTH: Petition of Ohio mine workers in convention at Columbus, Ohio, January 14–18, 1919, against militarism and any form of physical training or mental education tending to inculcate same, and favoring a return of prewar status of our Army and Navy; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Resolutions of Division No. 16, Ancient Order of Hibernians, and Division No. 4, Ladies' Auxiliary of the Ancient Order of Hibernians, Pascoag, R. I., urging self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. KRAUS: Petition of sundry citizens of Huntington, Ind., on Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. McKEOWN: Petition of Creek County National Farm Loan Association, of Creek County, Okla., relating to the removal of restrictions and sale of restricted Indian lands; to the Committee on Indian Affairs.

By Mr. MOORE of Pennsylvania: Petition of Rotary Club of Philadelphia, Pa., urging that the name of Panama Canal be changed to Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of Philadelphia Board of Trade, relating to railroad control; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHALL: Petition of Northern White Cedar Association, favoring the early return of the railroads to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of sundry citizens of Minneapolis, Minn., asking for repeal of postal zone rates; to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Petition of J. J. Leavy and 41 citizens of Albion, Mich., favoring six months' additional salary for soldiers and sailors; to the Committee on Military Affairs.

By Mr. SNOOK: Petition of T. L. Andre and 30 others requesting an early discharge from the Army of all soldiers who were engaged in agricultural work at the time they were inducted into the service; to the Committee on Military Affairs.

By Mr. TAGUE: Telegrams from certain business men of Boston, Mass., regarding proposed taxes in the 1920 revenue bill; to the Committee on Ways and Means.

By Mr. VARE: Petition of Philadelphia Board of Trade, Philadelphia, Pa., opposing Government ownership of public utilities; to the Committee on Interstate and Foreign Commerce.

By Mr. WOODYARD: Petition of Huntington Lodge, No. 104, International Association of Machinists, favoring House bill 10550, relating to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

SENATE.

SUNDAY, *February 2, 1919.*

(*Legislative day of Friday, January 31, 1919.*)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

[The proceedings of the Senate will be found in the Appendix to the CONGRESSIONAL RECORD.]

The Senate (at 3 o'clock and 35 minutes p. m.) adjourned until to-morrow, Monday, February 3, 1919, at 12 o'clock noon.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 2, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, Author of the Universe, Father of all souls, in the midst of the impenetrable mysteries which surround us, we come with profound faith, eternal hope, that in Thy wisdom, power, and goodness we shall be exalted, ennobled, glorified, in Thine own good time.

Let Thy richest blessings descend upon us now as we gather here to give expression to the worth of the men who were dignified by the people and made Members of the Congress of the United States. What they did to glorify a Nation of freemen will live and be a blessing to future generations.

Let Thy loving arms be about their dear ones to comfort and sustain them in this hour of trial. Give them a vision of the larger life and help them to look forward to a reunion with their dear ones in a realm where mysteries shall be dissolved and the brightest hopes realized in the dispensation of Thy Providence. Through Him who died, that we might live. Amen.

THE JOURNAL.

The SPEAKER. The Clerk will read the Journal.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that the reading of the Journal may be dispensed with until to-morrow.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the reading of the Journal be dispensed with until to-morrow. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the special order for to-day.

THE LATE SENATOR WILLIAM J. STONE.

The Clerk read as follows:

On motion of Mr. RUCKER, by unanimous consent,

Ordered, That Sunday, February 2, 1919, be set apart for addresses upon the life, character, and public services of Hon. WILLIAM J. STONE, late a Senator from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House, from the State of Missouri.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolutions which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution 543.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of Hon. WILLIAM J. STONE, late a Senator of the United States from the State of Missouri, and the Hon. JACOB E. MEEKER, late a Member of this House from the State of Missouri.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of their distinguished public careers, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the families of the deceased.

The resolutions were unanimously agreed to.

Mr. IGOE took the chair.

Mr. CLARK of Missouri. Mr. Speaker, when Gov. Benjamin Gratz Brown, one of the most brilliant of all Missouri statesmen, on a historic occasion said: "Missouri is a grand State and deserves to be grandly governed," he uttered an immortal truth. He might have added, with equal veracity, "She deserves to be grandly represented in the Congress of the United States," and she has been in the main, particularly in the Senate, where paucity of members and length of tenure more surely fix a man in the public eye than service in the House.

First and last, Missouri has commissioned 26 different men to represent her at the other end of the Capitol, in the less numerous branch of the National Legislature, in the Chamber of the Conscript Fathers, in "the Upper House of Congress," improperly so called, or, as Senator Morgan, of Alabama, would have it, "ambassadors of a sovereign State" to the Federal Government. Beginning with David Barton and Thomas Hart Benton, her pioneer Senators, who at once attracted general attention and challenged universal admiration by reason of their commanding talents, down to this very hour, when, in the persons of JAMES A. REED and SELDEN P. SPENCER, she holds high position in that conspicuous arena, Missouri has taken second place to none of her sister States.

These 26 Senators naturally divide themselves into two classes—the Barton line and the Benton line, 18 in the former and only 8 in the latter.

In the Barton line are Barton himself, Alexander Buckner, Lewis F. Linn, David R. Atchison, James S. Green, Waldo P. Johnson, Robert Wilson, Benjamin Gratz Brown, Charles D. Drake, Daniel T. Jewett, Francis P. Blair, Lewis V. Bogy, David H. Armstrong, James Shields, George G. Vest, William Joel Stone, Xenophen P. Wilfley, and SELDON P. SPENCER.

In the Benton line are Benton himself, Henry S. Geyer, Trusten Polk, John B. Henderson, Carl Schurz, Francis Marion Cockrell, William Warner, and JAMES A. REED.

Lucky the man who gets into Barton's seat; luckier, far luckier, the man who secures that of Thomas H. Benton, as the precedents indicate a longer public life for him.

An examination of the dates at which Missourians entered and left the Senate will disclose two curious facts in Missouri history. She is the first State that ever elected two men for five full consecutive terms to the Senate of the United States—"six Roman lustrums," as Benton was wont to boast in his pompous way. These were Benton and Cockrell. The only other State to do that is Maine, Missouri's political twin. Missouri was the first State that had only one Senator for any considerable length of time through failure to elect another. By reason of the unrelenting warfare between the Bentonites and the anti-Bentonites the legislature chosen in 1854 never could and never did elect a Senator, as it was in duty bound to do, so that for two entire years Henry S. Geyer was Missouri's only Senator.

What is more, the governor did not appoint or attempt to appoint anyone to fill the vacancy, nobody then dreaming that the governor had such power. But in these later days several States have followed Missouri's example in failing to elect Senators, and, strange to say, divers governors have insisted on the right to fill vacancies by appointment under similar circumstances, until finally the Senate, after lengthy and ponderous debate, solemnly vindicated the wisdom and knowledge of constitutional law possessed by the governor of Missouri in 1855 and 1856, Sterling Price, by declaring that a governor has no right to make such ad interim appointment under such circumstances.

Of Missouri's 26 Senators there were 18 Democrats, 1 Whig, and 8 Republicans. Of 156 years of senatorial representation to which she has been entitled, 2 were not used, 6 fell to Whigs, 28 to Republicans, and 160 to Democrats.

This roster of Missouri Senators is an array of names of which the Nation, no less than the State, may well be proud. There are many great men—scarcely a small one—in the list.

Missouri is proud of her immeasurable physical resources, which will one day make her facile princeps among her sisters; but there is something else of which she is prouder still, and that is her splendid citizenship, consisting at this day of nearly 4,000,000 industrious, intelligent, patriotic, progressive, law-abiding, God-fearing people.

When questioned as to her riches she could with propriety imitate the example and quote the words of Cornelia, the mother of the heroic Gracchi, and, pointing to her children, say truthfully and pridefully, "These are my jewels."

The foregoing remarks, with a few figures changed to bring the facts up to date, constitute the opening paragraphs in my speech presenting the statue of Gen. Frank P. Blair. They must still be of interest to Missourians, at least.

Of these Senators, WILLIAM JOEL STONE was one of the most eminent and forceful. Like so many other men who have achieved high position in imperial Missouri, he was born in Kentucky. Good Bishop Berkely was both a philosopher and a prophet when he wrote the familiar line:

Westward the Star of Empire takes its way.

It has been so always. Asia peopled Europe; Europe peopled America; and now we are engaged in peopling the Philippines—thus belting the globe, reaching out to the cradle of the human race. Before the railroads deflected travel from its natural course, it is interesting to note how closely immigration hugged parallels of latitude. Until the cataclysm of the Civil War dislocated things, the base of population in Missouri was composed of Virginians, Kentuckians, North Carolinians, and Tennesseeans, together with a sprinkling of the elite from every State in the Union and from every civilized nation in the world.

It will interest Kentuckians and Missourians to refresh their memories with the fact that James B. McCreary, soldier, governor, and both Representative and Senator in Congress; David Rowland Francis, mayor, governor, cabinet minister, and ambassador; and WILLIAM JOEL STONE, governor and both Representative and Senator in Congress, were all three born in Madison County, Ky. It is interesting to try to guess what would have happened and who would have come out on top if all three had remained in their native county. Judging from their careers, and knowing that all three were ambitious all their days, and that they fought their way to place and power, it is absolutely safe to say that much friction and much resulting heat would have been engendered in the historic old county of Madison.

The members of that distinguished trio were unlike in appearance and endowments in most respects, but were alike in being men of undoubted ability and of soaring ambition. Each in his own particular way was a skillful political artist. STONE and Francis prove what a bright Kentuckian may come to in the rich soil of Missouri if transplanted young enough.

I had an interesting and amusing experience growing out of the fact that STONE, Francis, and myself were all Kentuckians by birth. Most of you may not know it but it is true that Ambassador Francis pulls off a Fourth of July celebration of his own when he is at home in St. Louis. As president of the "Louisiana Purchase Exposition," he erected a magnificent memorial building to Thomas Jefferson, and it is in that building he and his friends celebrate the birthday of the Republic. In 1915 the Fourth fell on Sunday, Senator STONE and I speaking in different places in St. Louis. Ambassador Francis had his celebration that year on Monday, the 5th. Learning that both the Senator and myself were in the city, he drafted us and took us out to the Jefferson Memorial Building, where all three of us made speeches. The chairman of the meeting seemed to think it out of the ordinary that all three were Kentuckians by birth and Missourians by adoption. When he introduced Senator STONE, who spoke first, he enlarged on what appeared to him to be a remarkable coincidence. He repeated that formula when he introduced Gov. Francis, who came second. He rolled it as a sweet morsel under his tongue when he presented me. I began by saying: "It is true, as the chairman has stated thrice, that Senator STONE, Gov. Francis, and myself were all born in Kentucky for better or for worse, and I am reasonably certain that I could name certain Missourians who wish that all three of us had remained in 'The Dark and Bloody Ground.'"

Col. Benton served in House and Senate, and to this day holds the Missouri record for congressional service—32 years; 30 in the Senate and 2 in the House—but the governorship was denied him. Trusten Polk was governor and Senator, but never in the House. James S. Green and Gen. Frank P. Blair served in both Houses of Congress, but were never governor. Blair's brilliant cousin, Benjamin Gratz Brown, reversing the usual order, was first United States Senator and then governor, but never in the House. Gen. John Miller, who served longer as governor of Missouri than any other man, served in the House, but not in the Senate. Gen. Stirling Price, John C. Edwards, Willard P. Hall, Joseph W. McClurg, Thomas T. Crittenden, and Alexander Monroe Dockery were all both governor and Representative in Congress, but never in the Senate. Trusten Polk and WILLIAM J. STONE were the only two Missourians to go from the gubernatorial chair to the Senate, and in STONE's case there was a period of six years between ending as governor and beginning as Senator. He is the only Missourian to serve as both Representative and Senator in Congress and as governor of his State.

WILLIAM J. STONE was a great Representative, a great governor, and a great Senator. He was one of the most skillful and successful political leaders the State ever had. After a long and stormy career he had attained a sort of suzerainty over the Missouri Democrats. He did not accomplish that difficult feat by brass-band methods or by using a meat ax. He did it by persuasion, by diplomacy, by consultation, and, above all, by being an exceptionally good listener. When he was in St. Louis, Kansas City, Jefferson, St. Jo, or any other city or town in Missouri, the most prominent Democrats called on him in his rooms and consulted with him. That was his favorite method of ascertaining public opinion—his favorite plan of campaign—to converse with small groups of men and out of their various views to determine the best course to pursue. He preferred that way of doing things to large and boisterous crowds; and because he did pursue that wise and successful procedure, his enemies—and he possessed a large and enthusiastic assortment of them—fastened upon him the sobriquet of "Gum Shoe Bill," which his friends and admirers, who composed a mighty host, took up and converted into a term of affection.

He was a political strategist of high degree. Two instances will suffice. When he was a candidate for the gubernatorial nomination in a fierce and close contest and Col. Richard Dalton unexpectedly carried St. Louis, STONE immediately appealed to the rural districts and won, after a contest which roused the State to white heat from Des Moines River to Arkansas and from the Mississippi to the mouth of the raging Kaw.

In subsequent bitter contests—and considering what a polite, mild-mannered man he was it is surprising how many bitter contests he had—when the Metropolitan press unanimously assailed him with ferocity, he boldly and savagely assailed the Metropolitan press, skillfully rallied the rural press to his support and invariably came out victor. I am inclined to believe that he enjoyed the contests more than he did holding the offices, which assumption, if true, sheds some light on the never-settled old question which we debated when we were boys, whether there is more pleasure in pursuit than in possession. He was elected to the House three times, to the governorship once, and to the Senate three times. Notwithstanding the awful storm of vituperation which broke upon him in the later months of his life, I have no sort of doubt that he would have remained in the Senate for 15 years more had he lived so long. Even before his death the storm was receding, and when the great Senator died the love of the generous people of the mighty State which had so often crowned him with her choicest honors, and which he had served so long with pride and approved capacity, returned to him in undiminished measure and augmented intensity. Since the mighty Benton was laid to rest in "The Great City of the Iron Crown" no such splendid funeral pageant did the people of Missouri arrange for any other of her illustrious sons as for Senator STONE.

What manner of man was he? In his prime he was physically the typical Kentuckian—tall, slender, sinewy, lean of flank, high of head. He always reminded me of a Kentucky race horse in his best estate, needing neither whip nor spur to urge him on.

Intellectually he was of a high order. His parents were neither rich nor extremely poor. They were what we in common parlance designate "good livers," and good living in the Blue Grass region of Kentucky is a status to which most folks never attain. In case of his father and mother Agur's prayer seems to have been answered: "Give me neither poverty nor riches." They were, however, able to give their son a university education. During his entire busy life he was a lover of good books and delighted to associate with learned people. He was familiar with the poets, but the books which he studied most were the best of all books—men and women. As a public speaker he stood high, being dowered with logic, wit, humor, sarcasm, and eloquence when he thought eloquence was appropriate to the theme, the occasion, and the place. Some of his speeches were gems, blending in artistic proportions the ingredients aforementioned. He was one of the most deliberate speakers I ever heard, and when in fine fettle it was a delight to listen to him analyze a subject or excoriate an op-

ponent. The dramatic quality he possessed in large degree. His facial mobility was almost equal to Tom Corwin's. His long black forelock, which was forever tumbling into his eyes, was one of his principal properties in public speeches. His deft manipulation of that raven forelock was a joy to his friends and an irritation to his enemies. He loathed utterly a double-dealer, a hypocrite, a mountebank, or a liar. He never pretended to be better than he was; he loved his friends, who fully returned his love; and after being the stormy petrel of Missouri for a generation grew ever gentler with increasing years, and forgave all his enemies except a very few, who had treated him so outrageously and slandered him so maliciously that they had forfeited any claim to forgiveness.

Here is an incident which illustrates his character, his method, and his energy:

It will be remembered that in the early spring of 1911 newspapers began to mention me for the Democratic presidential nomination. The mentioning grew in volume and frequency until by November it was universally discussed in the public press and in private conversation. Senator STONE and I had never been enemies but we had not been intimate friends. It will also be remembered that the public press was also mentioning Gov. Joseph W. Folk very frequently. A more or less active argument was in progress between my supporters and his as to which of us should have the Missouri delegation. In the meantime Senator STONE spoke no word, gave no sign as to which of us he favored, if either. It happened that in the last part of November Dr. Bartoldt's friends gave him a banquet at the Southern Hotel, which he deserved and which he was anxious I should attend—which I did. That afternoon I was out at the home of Judge Virgil Rule, one of my old pupils, three or four miles from the business center of St. Louis. The Judge had invited about a dozen of my friends to be present to consult about starting my campaign. Unexpectedly Senator STONE walked in. The other gentlemen, taking it for granted that he had come to see me, after shaking hands with him adjourned to another room.

So soon as they disappeared this brief dialogue ensued: Senator STONE said, "Mr. Speaker, I came out to ask you just one question for my own guidance, are you a candidate for President"? I replied, "Senator, men do not announce for President as they do for constable." He answered: "Tell that to the Marines. I want to know. I have seen it in the papers. I have seen men who assert that you are a candidate but I I never saw any man who said you had told him. I desire to know definitely." I said: "Yes, Senator, I am a candidate." Without another word, he picked up his hat, cane, gloves, and overcoat and went down town. Immediately headquarters were engaged and the fight was on.

From that hour until the announcement was made that Governor Woodrow Wilson was nominated, Senator STONE could not have worked harder for me if he had been my father, brother, and son rolled into one.

He was a delicate-looking man in those days; but the amount of work he did was amazing. I formed a deep affection for the man which will abide with me so long as life lasts. To speak of him is to me a labor of love.

Mr. Speaker, it is rare that any State memorializes two congressional sons at one time. Such, however, is Missouri's sad case this day. I have spoken somewhat elaborately touching the life and character of Senator STONE. Now I pay a brief tribute to our fellow Representative, Dr. JACOB E. MEEKER. Stone was a veteran statesman, of long and conspicuous service, verging close on the psalmist's allotment of three score and ten, while Dr. MEEKER was a comparatively new Member, in the last half of his second term in the House. The chances are that had he lived he would have had a long and conspicuous career. That district kept his immediate predecessor in the House, Dr. Richard Bartholdt, here for nearly a quarter of a century, and probably would have done equally well by Dr. MEEKER, as he appeared to have a strong hold on the confidence and affection of his constituents. Senator STONE had been for years in delicate health, while Dr. MEEKER was an exceedingly robust man in the very prime of life. He was a strong, energetic, capable, courageous man, of splendid mentality and fine scholarship. He was a forceful speaker, his first efforts in that regard being in the pulpit. He was a ready debater, and was rapidly fighting his way into the front rank. I have no sort of doubt that had his life been spared and had his service here been extended, he would have attained eminence in this body. His death was a surprise to all who knew him, as he had not attained his meridian and seemed destined for length of days.

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. FERRIS. Mr. Speaker, I knew United States Senator WILLIAM JOEL STONE all my life. I lived in southern Missouri and knew him during his public days there. During the early part of it I was a young chap, but I knew him as Congressman, as governor, as Senator, and as man. He played a full part in each rôle. Death always comes too soon, and this is only emphasized as it comes home to us with our families and our friends. The adage is emphasized when it comes home to the life of a man who has spent his entire life in usefulness and activity, and such was the life of Senator STONE. I shall not in the few words I utter here to-day try to place Senator STONE on any unnatural pedestal. If he were in the flesh here this day, it would not be his desire. He spent no time, Mr. Speaker, in eulogistic appeals to his Creator "that he was not as other men," but he preferred to be one of them, to think and act as other men. He was one of men.

It is quite the custom when men are called to that last rest to picture them in some unnatural pose. That would not be Senator STONE's desire. I know of no tribute more beautiful to pay to the memory of a man than to say that he preferred to be as other men and preferred to be one of men, as distinguished from constantly drawing his skirts about him and saying, "I thank God I am not as other men." When I see life ebbing away I am always impressed with the certainty of death and the shortness of the time we may spend here. The thought that is ever uppermost in my mind is that every moment here ought to be spent in some useful endeavor. It ought to increase the ambition to emphasize that thought in the minds of all of us. Senator STONE as Congresman, as governor, and as Senator of the State of my birth honored Missouri as Missouri has ever honored him. He honored the Nation and the Nation honored him. He was loved and respected by his friends as no other man in Missouri has been loved and respected. Hated by some, I prefer to believe at this moment that the hatred that resides in the heart of any Missourian against Senator STONE was because they had either collided with his ambition in some way or that they did not know him.

I have many tender ties for Missouri and Missourians. I was born there, married there, educated there, and cast my first vote there. I have felt it was only proper to say these few words, due to my own acquaintance with Senator STONE, due to my residence in Missouri and my birthplace there. I have been happy in being honored by an invitation to pay this short tribute to his memory and in loving remembrance of him as a friend, as a man, and as a statesman. He was true to every trust; he was a man; he was a Missourian; he was an American.

Mr. DICKINSON. Mr. Speaker, the life of Senator WILLIAM JOEL STONE was an eventful one, filled with distinguished public service. He was born in Madison County, Ky., on May 7, 1848. He came to Missouri in his early youth, first to Boone County, and attended the University of Missouri, at Columbia, from which institution of learning he was a graduate, and later there was conferred on him by the university the degree of doctor of laws.

In his early manhood he moved to Vernon County, in southwest Missouri, and was admitted to the bar in 1869. He practiced law at Nevada, Mo., and attained high rank in an active practice, winning success by his untiring industry and his marked ability as a lawyer and as a gifted public speaker. He served one term as prosecuting attorney of his county, and afterwards served with conspicuous ability his great district in the Forty-ninth, Fiftieth, and Fifty-first Congresses.

My first acquaintance with WILLIAM J. STONE was in 1878, at the congressional convention in Carthage, Mo., when he was a candidate for Congress. There were six candidates in that contest. It was a great convention, lasting several days—the field against Charles H. Morgan, the popular sitting Member—resulting in the nomination of Maj. Waddell, of Greene County. Over that convention presided M. E. Benton, a parliamentarian of ability, who afterwards served in Congress for 10 years with distinction.

Several times did STONE contest for a seat in Congress from his district before he was successful. He battled for congressional honors with such men as Morgan, of Barton; Waddell, of Greene; Ferguson, of St. Clair; Bassett, of Bates; Salmon, of Henry; De Armond, of Dade, and finally winning in 1882 in a close contest in which the other candidates in the convention were Morgan, Abernathy, and De Armond—all strong men and worthy. Later the gifted De Armond was elected to Congress for 10 consecutive terms and made a great record and a national reputation.

After serving in Congress for three terms WILLIAM J. STONE voluntarily retired and returned to the practice of the law in his home city of Nevada, Mo. Within two years after leaving Congress STONE was nominated, in a notable contest with Richard Dalton as his principal opponent, running as Farmer Dalton, for governor of Missouri. Dalton carried the big cities of Missouri with the support of the labor vote, except Kansas City, which had a candidate of its own in the person of Judge James Gibson. WILLIAM J. STONE had more farmer delegates in the nominating State convention at Jefferson City than all the other candidates combined, and was nominated by reason of that support. He bade defiance to the corporation-controlled vote of the great cities and won by reason of his popular strength in the country. He won his election in November by a great majority over Maj. William Warner as his opponent, the popular idol of the Republican Party in Missouri, afterwards United States Senator from Missouri. Maj. William Warner opened his campaign at Sedalia, Mo., in a speech widely published and circulated, the text of which, as I recall, was "Stand up for Missouri." The Republican organ of Missouri, the St. Louis Globe-Democrat, had rung the changes on "Poor old Missouri" by reason of Democratic rule, and in the shadow of this attack Maj. Warner had taken his text "Stand up for Missouri," charging a need of change of administration by reason of Democratic rule, and putting his seal of approval upon the Republican cry of "Poor old Missouri." WILLIAM J. STONE opened his campaign in the city of St. Louis in a speech, the most notable ever made in his public career, and answered every attack of the Republican organ—the Globe-Democrat—and the charges made by his Republican opponent—Maj. Warner—against Democratic rule.

This great speech when made and circulated as a campaign document throughout the State made unnecessary any further campaign, though the usual speaking campaign was conducted to a successful end, using Stone's speech as a text. That speech was a sufficient answer to every attack made upon the State under Democratic administration, as compared with Republican misrule in the days following the Civil War. It was the most masterful address and appeal ever made, in my judgment, to the electorate of the State, and resulted in the triumphant election of this great Missourian, who served his State as governor for four years with conspicuous ability, when he again retired to private life and entered again upon the practice of his profession in the city of St. Louis.

After a brief while he became a candidate for the United States Senate and succeeded the gifted George G. Vest, who had retired after serving his State for four terms with great and distinguished ability—a colleague of Gen. Francis Marion Cockrell, who served as Senator for five terms, or 30 years, with like great ability—a great Democrat of wonderful personal popularity, loved and respected for his great worth and popular service.

Senator STONE was first elected Senator by the legislature of Missouri in January, 1903, and reelected in 1909, and in 1914, by popular vote, for the term which would have ended on March 4, 1921. In my judgment, if Senator STONE had lived and retained his health he would have continued to serve his great State in the Senate of the United States by a reelection at the end of this term, in the middle of which he passed into the great beyond.

He was a worthy successor of Benton and Blair, of Vest and Cockrell, of James S. Green and Waldo P. Johnson, of B. Gratz Brown and Carl Schurz and John B. Henderson, and the others who filled with honor and distinction that office of high trust—a galaxy of men of merit.

No public man in Missouri ever had a greater personal following of ardent and loyal friends than Senator WILLIAM J. STONE, and they were found in every section of the State, ready to help and sustain him in every contest. He had filled every position of trust with singular ability and with an honesty of purpose that made successful his great public career. He was a successful lawyer, a worthy Representative in Congress, a great governor, the only governor of Missouri since the Civil War elected again to high position. He was a fearless champion of the rights of the people against the domination of selfish corporate interests. He won success against the bitter opposition of corporate power and the attacks of the great press in the great cities. He had no great paper to champion his cause. He knew the people and knew how to arouse them in support of his efforts to win, regardless of the organized opposition that continued to combat him in his great public career. The country press was his organ.

Senator STONE had a great heart. He not only loved his friends and the great State that honored him so often, but his heart beat in sympathy with the masses of the people, whom he loved and trusted and in whom he believed. He loved fair play, he hated hypocrisy, and was incapable of a mean or a small act. He led an honest and courageous life and left an honored name as a rich legacy to his relatives and friends.

Senator STONE was a man of strong convictions, of great courage, and dared to follow the dictates of his own conscience regardless of the consequences that might follow. No one doubted his honesty of purpose or the courage of his convictions. He followed the dictates of his own conscience with a courage unsurpassed in the political life of Missouri politics.

I knew Senator STONE well. For nearly 40 years I had been his personal and political friend. I had tried to help him in his struggles for political preferment, for Congress, governor, and Senator. His life was a continual battle. Our relations were close and intimate. He loved his friends and they loved and honored him. They believed in him. He knew men, their strength and their weaknesses. He knew the motives that prompted men to action. He knew the right and dared do it. He feared no man or political interests. He was a leader in his party, State, and Nation, and high in its councils. He helped to make its nominations and its platforms. He wrote its great declarations upon which it went to battle with its political opponents. He believed in the Democratic Party and loved its organization, and believed its success was best for the whole country. He loved his country as ardently as any man, and his great heart almost broke when he saw it involved in a great world war into which he had hoped it would not be drawn. However his friends may have differed with him on any great question, no man ever doubted his honesty or his patriotism.

He was a national character of great ability and power at all times, and his great character and distinguished patriotic services won him the respect and admiration of all who knew him. He was a leader among men. He has passed into the great eternity, mourned by the thousands who knew him and loved him and honored him. Thousands came from far and near to see him laid away in his last resting place in the beautiful cemetery in his much-loved city of Nevada, where he had lived, where his multitude of friends had helped him in his ambition to rise to high place in the service of his country. Peace to his ashes. God bless the memory of the much-loved WILLIAM JOEL STONE.

The SPEAKER pro tempore. The gentleman from Missouri [Mr. DYER] is recognized.

Mr. DYER. Mr. Speaker, Missouri lost a great citizen, a great public servant, in the death of Senator STONE. The great Speaker of our House [Mr. CLARK], my colleague from Missouri, paid a deserved and a fitting tribute in his address to the life and public service of the distinguished Senator.

Senator STONE was very close to the people of Missouri; that was demonstrated by many incidents in his long and great career. Like other men in public life who take a determined position upon public questions, he had, of course, his opponents in his own party and in the other party; but, as the Speaker has said, Senator STONE was a man who was not afraid to meet his enemies in the open and who would fight for what he believed to be right.

Probably that came from the fact, alluded to by the Speaker, that the distinguished Senator whose death we mourn to-day, and to whom we pay tribute, came from the great State of Kentucky. Kentucky furnished to Missouri some of our most splendid citizens, men who have rendered great service. It is true, as the Speaker has said, that Missouri in its early days was made up largely of men and women who came to it from States like Kentucky, Virginia, and Tennessee. I am proud myself of those men and women who came to Missouri when it needed men and women of strong character and determination and who helped shape its destiny, I believe, more than anything else has helped to make it the great State that it now is.

I feel some little personal pride in that myself, from the fact that I am a descendant of some of that stock. My father was born in Virginia and my mother in Kentucky, and I know, from their lives and from the things that they stood for and did, that they believed in everything that was for the best in public and in private life.

So to-day, in paying tribute to those men and those women who came from those States to help make Missouri what it is, I can join not only in paying tribute to the life and public service of our great Senator, but also in paying tribute to the other splendid men and women who did so much for our State and to testify anew to my love and affection for my good father and mother, who were a part of that great citizenship.

Senator STONE gave the greater part of his life to the service of the people of Missouri and the people of the Nation. He rendered conspicuous, able, and brilliant service, and, although of a different political party from his, I say most truthfully and candidly that I think Senator STONE was one of the greatest public servants that Missouri has ever had. I feel that we have lost a great public servant, and feel privileged to enter in the RECORD my judgment, as one of the Representatives of Missouri, as to the great public service of Senator WILLIAM JOEL STONE.

Mr. Speaker, as has been said by my colleague, we meet to-day not only to pay tribute to the life and public service of our deceased Senator but we meet also under an order of this House to pay tribute to one of our colleagues from Missouri in this House, the late JACOB E. MEEKER.

JACOB E. MEEKER was born on a farm in Fountain County, Ind., October 7, 1878. He was the second son of T. M. and Julia McKnight Meeker. He graduated from the public schools in 1894 and entered the academy at the Union Christian College, at Merom, Ind., the same year. After completing the preparatory course in the academy he entered the college, graduating from that institution in 1900. He was married on the day of his graduation, and was the father of four children.

He entered Oberlin Theological Seminary in 1900 and did one year's work. He returned to the farm in Indiana in 1901, and for the next year farmed and preached in country churches. In 1902 he returned to Oberlin, and graduated from the Oberlin Theological Seminary with the class of 1904. In western Indiana he was known as the boy preacher, having had a regular pastorate before he was of age.

Following his graduation he located at Eldon, Mo., under the appointment of the Congregational Home Missionary Society. He remained at Eldon for two years, organizing Sunday schools and developing Congregational Church work in that section. In 1906 he came to St. Louis to take charge of the Compton Hill Congregational Church. He remained there as pastor until 1912, when he resigned to complete his law studies. He was admitted to the bar January 6, 1914. He had been active in politics since boyhood, his father having been one of the leading Republicans of Indiana for many years. In 1914 he became a candidate for Congress, and was elected to the Sixty-fourth and reelected to the Sixty-fifth, winning in the second contest by a majority of more than 20,000. He was nominated by a large majority in the August primaries to the Sixty-sixth Congress, but passed away before the election.

During all the years of his ministry he was a live participant in the political and sociological affairs of his community. Instead of holding the old-fashioned "revival" meetings, he conducted in his church and elsewhere series of popular Bible studies. He maintained his church study in a down-town office building and was daily found in the hospitals, the juvenile and police courts, and the eleemosynary institutions. He established a national reputation for himself because of two things he has done. He has fought prohibition with all of his might, and he has opposed the entrance of the church into politics. While in the pulpit he steadfastly refused to convert his church into a political club or to air his partisan views on political questions, and in the field of politics he has consistently refused to be swayed by religious or sect prejudice.

Mr. MEEKER, like Senator STONE, whom I alluded to a moment ago, was a man of forceful ideas, and, by reason of the strong position that he took upon public positions, had his intense enemies in public life. It was my privilege to first know JACOB E. MEEKER about 11 years ago or so, when he came to make his home in the city of St. Louis. He located in that section of the city where I had my home. He was a neighbor of mine, and he came there to take charge of a church located in my neighborhood. That was in about the year 1906. He became the pastor of a church there, and not only the members of the congregation of that church but the citizens generally of that neighborhood—I was one of them, not being one of those who worshipped with that congregation—had their attention directed to the fact that they had in that church a young man of energy and a young man of intellect.

Many of us from time to time went to that church to hear this new preacher. We all liked him. He began immediately to take an interest in affairs in the neighborhood. He helped to organize in his church a civic organization of that neighborhood of which I was a member. It had for its purpose and its object the betterment of conditions of the people generally in that section of the city.

He was forceful, keen of intellect, a splendid man, and a splendid pastor of his church. His church grew in influence, grew in power, and grew in good. He was a man who, as I have said, would not, because of his peculiar make-up and energy, allow himself to be confined wholly in the work to which he was specially called. He felt that he should get out and take an interest in things that affected the people generally, and from time to time he became active in those matters, and out of his active interest in those matters grew his entrance into politics. People felt and believed that he could render especially good service in public office. They began to talk of him for public office while he was pastor of the church.

Mr. MEEKER resigned the pastorate of his church and returned to his home in Indiana, whence he had come. When he went to Indiana it was my belief and understanding that he had gone there to make that his home.

I do not believe that he had any idea or thought of running for public office, but a situation grew up in the city of St. Louis, in the tenth congressional district, where the gentleman who had been representing that district here for so long, Hon. Richard Bartholdt, had issued a statement in which he said he would not be a candidate for renomination and reelection. As it is in all districts when the older Member retires, several new men aspired to this office, and factions of the party in control often have candidates. One of the factions of the party in this district urgently sent for and wrote letters to Mr. MEEKER, urging him to come back and become a candidate for Congress in this district. Mr. MEEKER returned and became a candidate, was nominated and elected, was again renominated and elected, was again renominated, and, had not death called him, would have been again reelected by the usual majority in that district of some 24,000 or 25,000. We mourn his going, because he had given evidence of his efficiency as a public servant; he had given evidence of his ability to represent the people in this House. He was a young man, only some 40 years of age, when death claimed him. A great opportunity laid before him, and I, as his friend for many years and his acquaintance and well-wisher since he came to our city in 1906, sincerely regret his going. The people of St. Louis, a large part of whom he represented here, mourn his loss. He was a good and efficient public servant, and we will miss him sadly.

Mr. HAMLIN. Mr. Speaker, I desire to announce that one of the closest personal and political friends of the late Senator STONE is prevented from being present to-day on account of sickness; in fact, he is not in the city. I refer to our colleague (Mr. BOOHER), and I ask unanimous consent that he may have the privilege of extending his remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? (After a pause.) The Chair hears none.

Mr. RUCKER. Mr. Speaker, in order to avoid confusion, I ask unanimous consent now that each of the Missouri delegation, several of whom can not be here to-day, being kept away on account of sickness, be permitted to extend their remarks in the RECORD, as well as other Members who desired to be here, but can not be here to-day, be also permitted to extend their remarks in the RECORD, and also that the same may apply to all gentlemen who speak.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri? (After a pause.) The Chair hears none.

Mr. BOOHER. Mr. Speaker, this occasion arouses within me a renewed sorrow for the loss of a cherished personal friend who permitted none of the many distinctions of a long-honored life of public service to mar or stem the warm current of the trust and affection he gave me. I wish to record here somewhat of my sincere estimate that in his taking away the State and Nation he served have themselves lost no truer friend than in WILLIAM J. STONE dead who, living, had no deeper delight and held no higher purpose than to serve them for their happiest advancement and noblest elevation. His experience, his learning, his accomplishments, and his generous heart equipped him for the most eminent trust of our representative manner of government.

Naturally, thinking of him now, my heart turns first to the place and the scenes that form the picture of our friendship's beginning. I came here February 24, 1889, to serve the unexpired term of a deceased Representative, the Hon. James N. Burnes. Here I met the late Senator. Here began the forming of ties which the passing of more than twenty-five years have only enriched and strengthened, such ties of mutual esteem and consideration that now, in these moments of regretful reflection that an ending of all pulsing, responsive friendships is inevitable, I am fain to seek somehow the consolation that recollection affords of the man I loved and who generously gave me the affection I may no longer enjoy. Thus only memory's alchemy may turn the gloom of mourning into golden light.

WILLIAM JOEL STONE, born 70 years ago in Madison County, Ky., began his career as a statesman—destined to became known and honored among America's highest and best—more

than 35 years ago. It was with the first year of the first Cleveland administration that he started a service of three terms in this House. In its six years he was brought into contact and relation with the most famous representatives of our times. His talents for public service, his gifts and graces of speech and bearing, were such as suffered no depreciation of contract with the qualities of the great men about him. John G. Carlisle was the Speaker of the House, and during Mr. STONE'S years there were in this great arena for national heart-expression such men as Samuel J. Randall, Sunset Cox, Roger Q. Mills, William R. Morrison, Pig Iron Kelley, John W. Daniel, William P. Hepburn, Charles R. Crisp, David B. Culberson, long gone from the place they illuminated with their fine and lustrous personalities, and with only two scarcely less distinguised happily yet among living American statesmen still in the public service, KNUTE NELSON of Minnesota and JOSEPH G. CANNON of Illinois. These great men represented every part of this Nation. Ardently devoted to their several constituencies, they were scarcely less fervent in their loyalty to the all-embracing Federal institution and the first creature of the Constitution, the House of Representatives. But in the expression of these endowments of faith and accomplishments of intellectual enterprise none excelled WILLIAM J. STONE.

In his fertile mentality grew a remarkable variety of capacities for public service and enlightening public instruction. His speeches and conversations on the floor of the House and in the committee conferences were illuminating, persuasive, and so entertaining as always to recall with pleasure. To me, it was ever a recollection that made me proud that he was my friend and fellow Missourian. He did honor to the name of his State wherever he went, whether in the public service or as a trusted councilor in political party service. He was a Democrat of Democrats in the most Democratic of States. For his expression of himself as such, he was especially popular and honored in Missouri. In his participation in the affairs of representative government for all the States of the Union he was no less sincerely and constantly and courageously a Democrat. I do not believe a man has lived since the day of the Father of American Democracy, Thomas Jefferson, the greatest apostle of representative government the world has ever known, whose mind and heart were truer to the rights of humanity than the mind and heart of WILLIAM J. STONE. Like Jefferson, to him the greatest of all liberties was the liberty of mind and conscience to achieve for the individual unrestrained by government the best things possible. In this was he one of the greatest of American Democrats. With all the ardor of a virile, sympathetic nature, he was at all times partisan to the principles that exalt the name of Jefferson and which even now shine with new glory in the triumph of the American and allied armies over the implacable foes of democracy.

In the Senate, where he began his service 15 years ago, being at his death in the middle of his third term, the superior scope for intellectual energy afforded by that great body afforded him fit opportunity for the exercise of his conspicuous abilities. His speeches and even his most casual contributions to its adventurous debates are among the most finished ornaments of the Senate's literary record. He touched no subject he did not embellish with the attractive suggestions of a lively imagination bodied forth in the comely raiment of excellent phrase. In the slash of differing views, he will be remembered with admiration by his friends and recalled with respect by his adversaries in contention. Partisan as he was, always expectantly looked to as a Democratic leader, his loyalty to party at no time of his long public and political career marred his friendships, which were numerous and widely extended. No intellectual divergence of view from his convictions altered the cordiality of his relations with men in any position. Incapable of submerging himself in the presence of political opposition and before the assaults of word and act upon principles be cherished, Senator STONE, like all eminent and forceful Americans, was not without his share of enemies. He was at times the target of bitter criticisms. He rarely gave evidence that they disturbed him except when they brought into question the integrity of his motives. He either bore himself silently erect and serene in the little storms of party weather or countered the blows of condemnation and ridicule with thrusts of wit and ironical allusion that effectually weakened opposition. No one can say that he was ever worsted in debate or his resourceful capacity depreciated in any controversy.

Senator STONE'S main activities in the Senate were as member of two of its most important committees, Finance and Foreign Relations. As chairman of the Foreign Relations Committee he held a parliamentary post for which he was peculiarly and preeminently fitted. It had of all committees the most vital relations with the great question of the world-war. When the history of that war in its domestic aspect here and its political incidents and effects shall have been truly told it will be seen, I have not the slightest doubt, that in the haste of excited judgments of the war period, Senator STONE was sometimes unjustly assailed for what was incorrectly represented as his attitude. He truly represented that large body of sane Americans who are averse to war and would endure much within honor to avoid quarrels that mean death and crippling to countless numbers of human beings. But I shall not attempt to go any further into the story of Senator STONE'S share in the final determination of the United States to enter the war. Being in, he cast his entire lot of mind and heart into the issue. The most impartial historian will do him due justice. He will be found, I am confident, to have been far more consistent and intellectually righteous than many who held high places and agreed with him in his reluctance to join the war who afterwards became the foremost zealots in its prosecution. He turned all the rare gifts of his nature to the support of his country's cause, ever with the constant prayer for victory breathing with his presence in all company.

I have said that Senator STONE in his congressional service touched no subject he did not embellish. It is a truth that will stand forth freshly with every examination of the part he bore in public discussions. His contributions more than adorned debate. They had a practical strength and an aptness of suggestion which were invaluable aids to constructive legislation. I cite a single instance of this rare equipment for the most exalted public service as afforded in the Senate. It occurred but a little while before his death. A man of comparatively frail physical structure, he was more constantly energetic and punctual at the post of duty than very many stronger men. The Senate was discussing the final shaping of the railway administration bill. Then there arose through Senator STONE'S quick apprehension of a demand of public interest sure to come with the future, and which we observe has already come in the present conjectures as to the disposition of the railroads. He interpolated an exhaustive speech on the bill by Senator POMERENE of Ohio with a question as to the interpretation of one of the concluding clauses of the bill—section 24. This was its language:

> That this article is expressly declared to be emergency legislation enacted to meet conditions growing out of war; and nothing herein is to be construed as expressing or prejudicing the future policy of the Federal Government concerning the ownership, control, or regulation of carriers or the method or basis of the capitalization thereof.

As he put the question, Senator STONE said:

> I have an apprehension that when we come out of it we will be faced with one or two alternatives, namely, the taking over of the railroads into absolute Government ownership, or a capitalization of the railroads in order to protect the vast interests involved, and in order that these great transportation lines may be conducted with the greatest possible efficiency in the public interest.

The apt question elicited from the distinguished Ohio Senator an important response. Observing the presence in the committee handling the bill a variety of views, Mr. POMERENE said:

> The bill as presented originally provided that Government control should continue during the war and until otherwise directed. That of itself, in the judgment of some of the members of the committee, had a suggestion of continued future Government ownership. It is perfectly clear by the enactment of this law the Congress would not be committing itself to any of these policies which might have been in the minds of Senators.

And, finally, Mr. Speaker, I would not close this inadequate tribute to the worth of my great friend in his great public service without giving another instance of his lofty regard for duty. That, too, was but a short time before his voice was no longer to be heard among men. I refer to that occasion as of profound historic significance and one whose meaning is more strikingly evident at this time than at any period within our history since the founding of our Republic. It was last year, February 21. Reference having been had to the method of procedure in the Senate on the next day, with the customary reading of Washington's Farewell Address, Senator STONE objected to any other course than adjournment immediately after the reading of the address. Another Senator remarked that it was the rule for the Senate on such occasions to proceed with ordinary business after such reading.

The Missouri Senator solemnly advised the Senate that it was indulging a "poor compliment" to the greatest of all Americans, that then of all times the address should be read and pondered anew in all the matchless wisdom of its admonitions. Plainly, obviously, he referred to that part of Washington's Farewell Address in which he warned his fellow countrymen for all time against "the insidious wiles of foreign influence," advising them to keep the faith of present engagements but to enter upon no entangling alliance which would

commit us to participation in the settlement of Europe's quarrels.

I believe that when the historic occasion recurs in the two Houses this month on the birthday of him who gave to his people that immortal counsel millions and millions of American people as they note the reading of his words again in Congress will stand where Senator STONE stood last year, revering Washington and still first in the hearts of his countrymen. That reminder by the Missouri Senator was a noble climax to a highly honorable and long honored career.

Mr. ESSEN. Mr. Speaker, on an occasion like this, when we come to speak a tribute to the memory of a distinguished friend such as the one in whose honor we meet to-day, words are too weak to give adequate meaning to our feelings of appreciation. The suddenness in which the earthly life of our friend was ended, the large place he had filled in the councils of the Nation, the great opportunity in public life afforded to one of his ability, all combined, make his death a distinct national loss. The people of the tenth congressional district, whom he loved to honor and to whose best interests he was so greatly devoted, showed this appreciation of his ability and public service by the splendid vote of confidence given him whenever they had a chance to show it. The people of the sovereign State of Missouri found in him a courage and capacity well calculated at times like these to defend the rights of her people, boldly and without apology, regardless of the taunts of foes or the applause of friends.

The Nation saw in him one of the defenders of her honor, whose voice was heard in unmistakable tones, as upon the floor of the Chamber of the House of Representatives he hurled defiance at German autocracy, the arch enemy of mankind, and called upon the Nation to resent the insults to her honor and fight for the preservation of her life.

Mr. MEEKER was one of the men who stood out boldly demanding the defense of our national honor at all times. It will be remembered how, when Mexican outlaws were crossing our borders and burning our property and murdering our citizens, he demanded a decisive policy. In clarion tones he denounced these insults to our sovereignty and called upon the Congress to authorize the President to employ the necessary force to compel a recognition of our honor. Those of his colleagues who sat with him in this Chamber well remember his denunciations of what appeared to be a noncommittal policy which seemed spineless at times. His powerful attacks against allowing Mexico to purchase munitions which were afterwards employed against our own people will not be forgotten.

When Germany began the submarine warfare and attacked, by torpedo, the *Cushing*, the *Gulflight*, and finally committed the open murder in the sinking of the *Lusitania*, Mr. MEEKER was one of the Members of Congress who openly declared it to be our duty to immediately put the Nation in order to defend itself. He persisted in the assertion that a decisive policy on the part of our Government would bring Germany to her senses. He deplored the seeming effort on the part of many which tended to convince Germany that we could not be made to fight. On the other hand, he persisted in his belief and assertion that decisive action would either prevent war or, in case it did not, the war must have been much shorter and much less destructive of life and property.

When at last the war resolution was before the Congress his was the voice that rang out in clarion notes that sounded the sense of national duty. After the declaration of war and the plan for building an army was before the country he was one of the first to espouse the selective draft as the rational method in a democratic country.

Although a strict party man and partisan in a pronounced sense, he never allowed a partisan spirit to interfere with his duty to the country. Differing widely from the President and the leaders of the majority on party policies, yet in the matters of war he was among the ranks of Republicans who pushed to the very front all war measures designed to speed up the war program. His criticism was constructive and justified by his readiness to both suggest remedies and accept them when suggested by others.

In this great war Congress, whose duties and responsibilities were greater than any Congress since the days of the great Civil War, he occupied a high rank. So far as I know he stood for every constructive measure proposed.

Mr. MEEKER did not agree with the majority of the Members upon some nonpartisan domestic questions. Whatever disagreements were experienced he always displayed a fearlessness in his attack and in his advocacy. He was found voting with the majority of the Members on many questions, but he was never afraid to be counted with the minority vote. At times when the public seemed swept off its feet with waves of enthusiasm, when it would be easy to go with the majority, he has stood like adamant for what he believed to be the correct position, though it provoked opposition and at times derision from those opposed to him.

He never believed that popularity of an issue was of itself a conclusive argument of its wisdom.

Mr. Speaker, Mr. MEEKER, my predecessor in this body, had what might be called a stormy life. He had his staunch friends and some enemies. But who has not both? He who has no friends is helpless and he who has no enemies is hopeless.

To-day we pause to note his contribution to the service of his country. It is but little we can here do, and what we say may soon be forgotten; but I wish to pay this slight tribute to his memory in the name of the people of the tenth Missouri congressional district, which he so notably represented and which I now have the honor to represent.

Could I in my stay here be as effective on the part of my legislative duty as he endeavored to be I would feel quite content.

Mr. HAMLIN. Mr. Speaker, Senator STONE was considerably my senior in years, but it was my privilege to know him well for about 25 years. I greatly admired his splendid ability and his many admirable qualities of mind and heart. I believe that he was as nearly unselfish as any man whom I have known and who was so long in public position.

During his active, busy life he held public office about 26 years, each commission being issued to him as the result of the will of his people expressed through the ballot.

He was prosecuting attorney of his county, Representative in Congress from his district, governor of his State, and United States Senator from Missouri, and which position he held at the time of his death.

He was politically a militant, but he always fought fairly. He never conducted a political trench or submarine warfare. He went forth to battle in the open, panoplied in what he believed was a just cause, and it was always a fight to a finish. He neither asked for nor gave quarter.

Like all such characters he had the most loyal friends and the bitterest possible enemies. He bore many scars received in battle for the principles of Democracy, to which he was thoroughly wedded. His contests were numerous, but it may be said of him that he never lost a battle. In other words, he stood as the candidate of his party many times before the people who knew him and went to his death without a single defeat. I have heard him praised and I have heard him condemned, but I never heard any man question either his courage, his loyalty to a friend, or his integrity.

He followed faithfully and unerringly the star of Democracy which Thomas Jefferson hung in the political firmament. He never apologized for his position or hesitated to announce his creed upon all proper occasions. A few years ago a friend of mine and an ardent admirer of the late Senator told me an exceedingly interesting story which illustrates the manner of man that he was:

All Missourians remember distinctly that just before the close of the Civil War all persons who were even suspected of sympathizing with the southern cause were disfranchised, and I might say, in the minds of the ultra-Unionist, to be a southern sympathizer was equivalent to being a Democrat, and under radical rule in Missouri all such were disfranchised, but about the year of 1872, in a limited way, the restrictions were removed and they were permitted to again participate in politics in Missouri. A friend told me at that time down in southwest Missouri where the feeling was extraordinarily bitter that in a county which had theretofore been Democratic he and others concluded to try to reorganize their party for the coming campaign. They conceived the idea of having an old-fashioned barbecue and announced that it was for the purpose of getting all Democrats together and have some prominent man of that political faith address them. They made the announcement but were immediately notified by the opposition that such a meeting could not be pulled off in that county. That no man could come there and make a Democratic speech and get away alive. However, the committee went on with their arrangements. I remember distinctly that he told me that they wrote Gov. Phelps, who for 18 years represented a district in Congress and resigned his seat here to take charge of a regiment in the Civil War on the side of the Union, but who, nevertheless, was an ardent Democrat at all times, and was afterwards one of Missouri's great governors, but for some reason he declined to come. They then extended an invitation to another very prominent citizen of Springfield, also

a gallant Union soldier and Democrat, Capt. McAfee, but he, too, declined the invitation.

The time for their barbecue was drawing near and they had promised to have somebody there to make a speech and they felt they must make good their promise, and in their dilemma some one made the following suggestion: "I understand there is a young lawyer over here at Nevada by the name of STONE, who is a Democrat and who, I am told, makes a splendid speech. Let us invite him." It was Hobson's choice—there was nothing else to be done, so that was agreed to and the invitation was accordingly sent. There were no telephones or telegraph lines or railroads for that matter through that section of the country at that time, but they sent an invitation by mail and received a prompt reply, accepting it. The committee immediately announced that WILLIAM JOEL STONE, of Nevada, would be present and make a speech on the occasion of the barbecue. Very promptly they were waited upon by a delegation, self-appointed, perhaps, who served notice upon them that neither this man or no other man, for that matter, could make a Democratic speech on that occasion and get away alive. He told me that it was the prevailing custom at that time for men to go armed continually in that county. Human life was regarded as almost worthless. The committee finally became convinced that these "rough necks" meant just what they said, but they did not reach that conclusion until it was too late to notify this young lawyer not to come.

None of them had ever seen STONE. But they knew he would have to come across the country in a buggy. And I may say here that the place at which he was to speak was some 30 or 40 miles from where Senator STONE lived. They knew the road he would come in on, and they concluded to watch for him and meet him at the edge of the town and notify him that it would be worth his life to try to make a speech there on that day, and explain to him that he could drive in through and around the town and could reach again the road over which he had come and go back to Nevada, and that then they would announce at the proper time that the speaker for some reason did not show up. They watched for him and met him when he came to town and explained fully the situation to him. This crowd of rough necks were there, armed to the teeth and "tanked up" on native liquor, and swearing that no man could make a Democratic speech on that occasion and live. My friend said that when they explained the matter to STONE and told him that they were sorry not to have been able to get him notice not to come, but how he could get on through town and back home, inasmuch as nobody knew him, none would suspect he had ever come; but he said STONE looked at them for a moment and said, "Did you not invite me over here to make a speech to-day?" "Yes." "Well," he said, "I am here." "But," they said, "we can not afford to let you speak. These fellows swear they will kill you, and they will." He said, "Gentlemen, I was invited to come here to-day to make a Democratic speech, and," with an adjective that he usually used under such provocation, said, "I am here, and I am going to make that speech." "But," they said, "You can not afford to make it; it is too dangerous. But if you are determined to make a speech here to-day talk about something else—other than politics." He said, "I will make my own speech."

This man told me that at the proper time STONE went upon the platform and that this crowd that had said he should not speak, and who were drunk and armed to the teeth, rushed up menacingly in front of him. STONE stood and looked at them for a moment, and then proceeded to denounce them as arrant cowards; told them what he had been informed they had threatened to do, and defied them to do their worst. He said: "You have not the courage to do what you said you would. I am here to make a Democratic speech and, by the eternal, I am going to make it."

My friend told me that he had heard STONE many times since make many bitter Democratic speeches, but that he had never heard him make one quite so bitter as the one he made on this occasion. Those fellows who had said that he should not speak and live gradually slunk away, one at a time, until every one of them had gone, and when STONE had finished there was not one of them in sight.

I speak of this to show the courage of the man. He was not afraid of anything.

He grew to be wise beyond his day and generation. From the time that I first began to take an interest in politics he was my political mentor.

Shortly after he was nominated for governor of his State it was my privilege, as a young Democrat, to be one of the speakers at a banquet given in his honor in my city. From that time on, especially, I knew him well. I met him in court as opposing counsel after he retired as governor. I entered this House for the first time as a Member on the same day that he entered the Senate for the first time.

Innumerable times during these years I have gone to him for counsel and advice and I never came away empty handed. I did not at all times agree with him on all public questions, but I always greatly respected his opinions. In his death I lost a friend, our party a great leader, and his country an aggressive patriot. May his ashes rest in peace.

Mr. PURNELL. Mr. Speaker, death is a strange and mysterious thing. I have often wondered why the great unseen power that is responsible for life itself could not stay the terrible sting of death and spare the heartaches that follow in its wake. It is rarely a welcome guest—I have seen it pass, unnoticing, the house of an afflicted soul tossing upon a bed of pain praying for the relief that only death can bring. I have seen it reach its long tentacled fingers into a newly made home and take from the breast of a loving mother the joy and hope of her life. I have seen it rob the home of him to whom innocent and helpless children have looked for food, leaving them destitute and in want. I have seen it take the mother whose unselfish devotion and watchful care would have been the guiding star through life of a son and turn him into the street to fight an unequal battle with life only to lose in the end because of her loss. I have seen it take from the seats of the mighty those who could have shaped the destiny of a nation. I have seen the old, the helpless, the neglected, the life-weary pray for it and it would not come.

The death of our friend and colleague affords a most striking example of the uncertainty of life. If any one of us had scanned the roster of this House venturing to name he who would be the next to answer the final summons, I dare say the name of JACOB E. MEEKER, strong in vigorous manhood and standing at the very threshold of life, would have entered none of our minds.

To me his death was a great personal loss. When I came to Congress two years ago as a Member of this body he neglected his own duties in an endeavor to familiarize me with the innumerable details of the routine which every new Member must necessarily learn. In doing this JACOB E. MEEKER was prompted in no small degree by the recollection of our early boyhood associations, having grown up in the same county with me and within a few miles of each other. His home was my home, his country my country, his people my people, and though he went away when he grew to manhood he always regarded Fountain County, Ind., as his home. The old farm upon which he was reared, and the father and mother whose pride he was, were always there to welcome him. It was very fitting, and I am quite sure in keeping with his wishes, that he was laid to rest in the quiet country churchyard that lies within sight of his boyhood home.

JACOB MEEKER came from one of the old and honored families of our county. His father was numbered among the most influential and highly respected citizens of our Commonwealth, His dear old mother, who lives to mourn his loss, is all that the word "mother" implies. Whatever success he attained was due in a large measure to her strong impress upon him. It was not alone that we grew up together and came from the same county that he put himself out for me. It was characteristic of the man. No bigger-hearted man ever sat in this Chamber than JACOB MEEKER. He was true to his friends and loyal to every trust. He was firm in his convictions, and dared to fight for that in which he believed, even though it entailed a bitter encounter with his dearest friend. It is but fair to his memory to say, however, that the bitterness ended with the debate.

I did not always agree with him, but I never failed to admire his courage and ability. This House has lost a valuable Member, his constituents one whose constant desire was to serve them, and the country a servant who was always jealous of its honor.

The SPEAKER. The gentleman from Missouri [Mr. HENSLEY] is recognized.

Mr. HENSLEY. Mr. Speaker, we have met here to-day to bear our humble tribute to the many excellencies of character possessed and service rendered his country by the late Senator WILLIAM JOEL STONE during his life.

The history of Senator STONE and the facts concerning his life have been detailed by others more beautifully than I can hope to give them. As has been recited, he was born in Kentucky and reared in Missouri. He was educated in the University of Missouri, graduating from that institution, after which time he located in Nevada, Vernon County, Mo., for the practice of his profession, that of law. I desire here to say that with the great

ability possessed by Senator STONE, had he continued in his profession practicing law with the same energy and continuous effort that he put forth in serving the people in public office, he would have soon been one of the very leading attorneys at the bar in his State and Nation, and he would have acquired a goodly share of this world's goods. But he chose public office instead, and he early in life was elected to the Congress of the United States. After serving here in this historic body for six years he retired voluntarily. Soon after his retirement from Congress he was nominated and elected governor of Missouri, after a very spirited fight both for the nomination and the election. As governor he never hesitated to take his stand with the people and against those desiring special favors at the hands of his administration. Assailed many times, yet undaunted, he stood as a mountain among small hills, like a great oak in the forest, giving no heed to the abuse of those who maligned him. The poisoned shafts of the slanderer fell broken at his feet. He gave the people of the State a fair and honest administration. Going out of the governor's office he resumed the practice of law, but he soon reentered public life and was elected to represent the grand and glorious State of Missouri in the Senate of the United States, in which body he was serving his third term when stricken unto death. For many years he was one of the foremost Democrats and statesmen in our country, and in every station in life to which he was called he graced it with great ability, courage, and manhood. His career was a most brilliant one.

I am glad to say that I counted Senator STONE as my friend; in fact, he was the friend of every worthy individual wherever he happened to be, as well as the friend of every worthy enterprise. He was in deed and in truth the friend of humanity, for his every act testified to the feeling that he bore toward the great body of our people. In my judgment, there never lived a man more thoroughly in love with his country and his kind than Senator STONE. Patriotic and courageous, a partisan in politics in the sense that he believed that parties were necessary for the perpetuity of our Government and our institutions, he was ready and willing at all times, if necessary, to sacrifice his very political life for his convictions. I very well recall, a good many years ago, how he took his political life in his hands when he assailed with all the vigor he possessed certain corporate interests of Missouri, because he thought they were insidiously seeking to get control of his party.

True manly courage can not exist without honor and integrity; in fact, courage is a child of honor. One can not exist without the other. There never was any inquiry as to whether he would stand by his convictions on any question, however momentous and however perilous to him. We need more of such men. That is the stuff out of which martyrs are made. Any person can go with the current, but for one to battle against the current, to go amidst the frowning, hissing, and jeering crowd who are drifting the other way it takes courage and manhood.

I recall very distinctly one occasion when I was in his office, only a few months before he was stricken down. We were discussing the course being pursued by another person in public life, and I said, "Senator, he is rendering a great service to the people, but he will never get any credit for it, because the people will not understand it." He replied, with emphasis, "My boy, it makes little difference whether the people give you credit or not; be true and render service, though they may never appreciate it. My only thought now, during this hour of my country's crisis, is to do my whole duty by my people without regard to its effect upon me." So I say, Mr. Speaker, that the people who go to make up the body of our great and glorious country lost a true and noble friend in the death of Senator STONE. They lost a friend who did not count the cost when it came to serving them. The shells of slander and abuse when bursting all around him affected his course none whatsoever. He preferred to be right to anything else. He never bid for the applause of the truculent hirelings of the special interests of the country; and if his true worth could be portrayed, his diligent efforts in behalf of the people understood, even up to the time that he was stricken while riding on a street car here in Washington, there would be erected in the minds and hearts of the great masses throughout our country a monument that would endure as long as courage, as manhood, and as patriotism is prized by man.

Senator STONE will be missed in Missouri; he will be missed in the Nation. The country sustained a loss in his death, an irreparable loss. He was one of the most human men I ever met, full of humanity, sympathy, and love. He was never so busy that he could not give one a patient hearing, and he was always ready to render helpful service to the needy one. We all lost a friend when Senator STONE died, and his family lost a patient, kind, and loving parent and companion.

The SPEAKER. The gentleman from Missouri [Mr. RUBEY] is recognized.

Mr. RUBEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Missouri [Mr. IGOE] is recognized.

Mr. IGOE. Mr. Speaker, I ask unanimous consent, first, to extend my remarks in the RECORD on the death of Senator STONE and Mr. MEEKER, and at the moment I simply desire to say a few words.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks on the death of both Senator STONE and Mr. MEEKER. Is there objection?

There was no objection.

Mr. KNUTSON. Mr. Speaker, soon after coming to Congress in the Sixty-fifth Congress I had the privilege of meeting the late Congressman JACOB E. MEEKER, of Missouri. He was a member of the important Committee on Immigration and Naturalization, and as I was assigned to that body the opportunity to become acquainted with him was offered me. I early became impressed with his vigor, his honesty, and his integrity. He was in many ways a wonderful man. His outstanding characteristics were mental honesty and fearlessness. He never tried to deceive himself, and his absolute fearlessness and honesty were proverbial. I was attracted to him by his sound reasoning power and his industry, and it is no exaggeration to say that he was easily one of the strong men of that important committee. I did not always agree with Mr. MEEKER's views—in fact, we often disagreed—but never for a moment did I doubt his honesty and sincerity. He used force and logic rather than diplomacy and intrigue in achieving his end. When he spoke he always had a message well worth hearing, and therefore always commanded attention when he rose to address the House. A Hoosier by birth, it was natural that he should go into politics. Born on the "banks of the Wabash," he came of good, honest stock. While in attendance at his funeral, which was held at Attica, Ind., it was my proud privilege to meet his dear old mother, and after having met her I could readily understand that he had inherited from her many of his strong characteristics. She is one of that splendid type of American womanhood who stood shoulder to shoulder with their pioneer husbands and did their full share in transforming a vast empire from a wilderness into a Garden of Eden. Mr. MEEKER was a worthy son of a splendid American mother.

We miss Mr. MEEKER on the floor of this House. In his death the country lost one whom we would have looked to to help pilot the ship of state through the perilous waters we are now navigating. His wise counsel would have been of great value in these troublous times. The need for strong men with positive convictions is greater to-day than ever before in the history of the Republic. He sleeps peacefully on the "banks of the Wabash"; for him life's fitful fever is o'er, but his memory lingers. Peace to his ashes!

The SPEAKER. The gentleman from Alabama (Mr. BURNETT) is recognized.

Mr. BURNETT. Mr. Speaker, I rise to add my feeble tribute of respect and appreciation and friendship to the memory of Hon. JACOB E. MEEKER.

When Mr. MEEKER first entered this House he was assigned to the Committee on Immigration and Naturalization, of which I have the honor of being chairman. It had been the policy of both parties, without any politics entering into the personnel of that committee, to have the committee as nearly divided as possible on the question of the restriction of immigration in proportion to what had developed by different votes in the House of Representatives on that question. Mr. MEEKER no doubt was placed by his party on that committee with the belief that he reflected and represented the same views on that subject as his distinguished predecessor, Dr. Bartholdt, who had opposed the legislation which had been pending for several years for the restriction of immigration.

Mr. MEEKER entered upon the performance of his duties on that committee, and we had long and continuous hearings. At the very outset of the discussions and hearings he no doubt felt inclined, as his predecessor had been, to oppose restriction by the illiteracy test that had been pending and discussed for sev-

eral years; but he announced to the committee—I remember it well—at one of its first meetings that he entered on the consideration with an open mind, desirous of arriving at what he thought would be a righteous and just conclusion, and that he would go into the investigation of the question without fear or favor, intent on reaching a conclusion that he thought would be just and fair and right.

We had many, many days of hearings. That man had an eagerness and an avidity for work that was unexcelled by any Member with whom I have been intimately associated. He listened to the statements, he listened to the testimony, he listened to the discussions; none of us knew, and he did not know, where he was finally going to land upon that question or upon which side he would cast his decision. He entered into it honestly and earnestly, desiring to reach a conclusion that would meet the approval of an honest conscience and an honest heart.

At the conclusion of those long discussions and of those long hearings before the committee, Mr. MEEKER lined up with the same views that a majority of the committee had maintained for some time. He showed in that investigation and in those discussions a courage worthy of the man. As I said, his immediate predecessor had been strenuously and earnestly opposed to the propositions involved, and had upon every occasion and at every turn of the wheel opposed and sought by honest effort to defeat the views that many of us held. I have no doubt but that at least a great number, if not a majority, of his constituency were in accord with the views that had been held by his immediate predecessor, and that very fact showed the honesty of that brave man. He went out to meet those constituents. He gave them his reasons for the faith that was in him, and he was returned to the House, I believe, twice after he had voted with the majority on that question.

I merely desired, Mr. Speaker, briefly to call attention to that as one of the numerous occasions upon which it was my privilege and pleasure to witness the courage, intellectual and moral, of that strong man. We miss his counsels on the committee now. There were many questions that we desired investigated that the full committee did not have the time to attend to, and when questions of that kind arose there was no man to whom I could more cheerfully refer for investigation and report than to our distinguished colleague who is gone. And, Mr. Speaker, when I heard of his death, cut off in the very prime of manhood, I felt that an intellectual giant had been taken from this body and from the committee of which he was a member. He fell as he had lived, discharging what he believed to be his duty. It is said that when one of Napoleon's great marshals fell on the field of duty he said to the officer whose business it was to call the roll, "Do not strike that great name from the roll, but every time when the roll call is made let an officer step two paces to the front and answer 'He fell on the field of duty.'" And so it may be said of our colleague, he fell in the discharge of what he believed to be his duty. Mr. Speaker, I thought of asking merely to extend my remarks in the RECORD, but my friendship and affection for Mr. MEEKER was so great that I felt I would not deny myself the honor and the privilege in this brief moment to add my personal tribute to the memory of a good friend and a great legislator. He was not of my political faith. I differed from some of his views very earnestly, but I always recognized that when I was opposed to the views of Mr. MEEKER that he was as honest in those views as I dared claim to be in mine. He was a foeman worthy of the steel of any man, no matter how great might be his opponent.

Mr. ROMJUE. Mr. Speaker and gentlemen, there has been so much said this afternoon in memory of Senator STONE of Missouri, and it has been so well said that I feel impelled not to speak at length.

When we consider the life and character of Senator WILLIAM JOEL STONE of Missouri we find ourselves attracted to those elements within him which marked him as a man, a citizen, and a statesman of unusual proportions.

In what I shall say to you this afternoon in his memory will not be said with any pretense or claim to his perfection, for he, like you and I and all of us, was human.

But on the 14th day of April last, when the last spark of life, so far as this world is concerned, expired or took its flight from his bosom, there was stilled forever upon the stage of wordly affairs a heart, a brain, a body which had throbbed and thought and worked for his fellow man.

I shall never forget the time when I first saw and heard Senator STONE. It was during his campaign for governor of Missouri. I was a boy in my teens.

A big political meeting was held in the county seat of my home county of Macon. The day was designated as the three governors' day. Gov. Horace Boies, the then Democratic governor of Iowa, was there; Hon. David R. Francis, then governor of Missouri, was there; and Senator STONE, then an aspirant for the governorship of Missouri, was in attendance.

It was a clear, bright day. The political contest between Senator STONE and Maj. William Warner was getting at fever heat.

This campaign took place at a time when partisanship ran higher than it does to-day in political contests.

It was a time when the Democrats and Republicans of Missouri followed with intense enthusiasm the leadership of their party candidates. The people were intensely interested in the issue of the campaign and in the success of their chosen party leader.

In the early forenoon thousands of people, coming for many miles, had assembled. It was unquestionably the greatest political gathering that had ever been held before or after that day in that county.

Political badgering often took place in campaigns of that time.

Senator STONE had just reached the climax in a masterful speech, enunciating and defending the principles and issues upon which his party was waging the campaign, which issues from his party's standpoint had just shortly prior in this community been assailed by his political opponent, Maj. Warner.

The meeting of the issue by Senator STONE was received with such unanimous and generous approval of the audience that it rankled in the breast of one listener, who was almost alone of his kind.

This man arose in the midst of the audience and began to announce his faith in the political party to which Senator STONE was opposed. It was apparent at once that the fellow was intoxicated for which no one was responsible except the man himself and those who had manufactured and sold the beverage to him. Addressing Senator STONE he said: "I recall from the Good Book that it is written that at a very important time and a very important place a celestial rolled 'The stone away.' On election day I propose to help Maj. Warner roll 'A Stone away.'"

Senator STONE quickly seized the situation and said: "My good friend, you will have to take more of 'Warner's Safe Cure' before you will be able to roll this Stone away." Of course the retort as might be expected under the circumstances was received by the vast audience quite naturally.

I desire to say this of Senator STONE. In his prime, when he was at that period of life when his body was much stronger than it was in the latter days of his life, I do not hesitate to say that for political vision and foresight he was not excelled anywhere throughout the entire United States. Senator STONE had a combination of combativeness and a tact for conciliation rarely found in any man. It has been told to you this afternoon how fearless Senator STONE was. Such is true, yet he was always ready to conciliate, always ready to lend his influence for the purpose of bringing factions in his party together. He was always ready to do any conciliatory act that he could do which would not abrogate principle. That he would not do. Senator STONE was more viciously fought, perhaps, than any other man in political life in Missouri within my memory.

From what you have heard of him this afternoon you will observe that Senator STONE was fearless, that he would fight, that he was courageous, that he would stand first for those things which he believed to be right, and by reason of his great political foresight he soon became what you might term the party leader in our State. Democrats from all over the State would flock to him to seek his counsel. It became apparent to the opposition party that in order that they might overcome the influence of the success of the Democratic Party in our State it was necessary to destroy Senator STONE, who in the earlier days, of course, had been our governor, and all of the metropolitan press of that State which were interested in the party which was opposed to Senator STONE began at once to turn their vituperation and attacks toward him. These were constantly directed toward him.

Senator STONE, as I have detailed, was always ready to accept the gauge of battle, and he met the issue fairly and squarely. He would not be controlled by the metropolitan press of his own party when he believed them wrong. He refused to be dictated to by them. This called upon him opposition from some of the leading papers even of his own party, but Senator STONE had that determination and that vision which is not often found in many men of public life; that is, he was not willing to subordinate his future prospects to the power of any metropolitan press

in his State when they disagreed and he felt he was right. So he went out and openly defied the press of his State when they wrongly attacked him, and the people came to his rescue and the country press throughout the State came to his rescue, and they were never able to accomplish his political destruction. I was one of those who were in the funeral party, and I shall never forget when we arrived at Nevada, Mo., Senator STONE'S old home town. We stepped off the train very shortly after daylight and the people were at that time beginning to come into the town.

As I walked a few yards away from the car in which our delegation was located I observed an old gentleman, perhaps about 6 feet tall. He was dressed very plainly. He was tall and erect, and in his face you could see there was sorrow. I said to a member of the Missouri delegation who was with me, "Do you see that gentleman? Thinking of him here at this early hour in the day, would you give me an analysis of that man as you read him?" He looked at him for a moment, and he said, "I have no doubt he is one of Senator STONE'S most faithful friends. He has doubtless come many miles in order that he might be here to pay his last respects to the memory of his friend." I said to my colleague, "Let's go to him and meet him."

We did, and introduced ourselves. I asked him if he lived in that town or nearby. He said, "I live on a farm 15 miles away." I asked, "Did you come in this morning?" He said, "I did. I rose at 4 o'clock, in order that I might get in here as early as possible." "I presume," said I, "that you are a friend of Senator STONE?" He said, "I am. I voted for him the first time he ever ran for prosecuting attorney. I knew him. He lived among us. I supported him in every political campaign from that day down to his death, and had he lived to become a candidate again, I would have been found standing as loyally and faithfully by him as I ever had in the past. We people feel that we have lost our best friend. We have lost a man whom, although we might sometimes and on some matters differ with him, we have always found sincere, honest, and true to his friends."

I am sure, gentlemen, that those who were in that funeral party on that day, and who had the opportunity of seeing the vast crowd of people assembled to witness the last sad rites over the remains of Senator STONE, could reach no other conclusion than that he still lives in the hearts of Missourians and in the hearts of his friends.

Mr. KNUTSON. Mr. Speaker, it was not my privilege to know the late Senator STONE intimately, but for years I had been an admirer of his strong and fearless personality, having read much of him in the press and in congressional proceedings, and anyone who had followed the career of that strong and forceful man can not but feel that in his death the whole Nation, as well as the State of Missouri, had lost a public servant who could be ill spared at this time. Rugged and honest, he was a type of man that is all too uncommon in these trying times. I do not believe that he ever stopped to think of personal consequences when he took up cudgels for a cause which he believed to be right. With the light of battle in his eyes he would go into the fray without hesitation and without fear, thoroughly armed with facts which were in the main uncontrovertible. I have seen him stand as a lion at bay in the Senate of the United States hurling defiance at his opponents, striking right and left without regard to anything but the cause of truth and justice. Big hearted and loyal to his friends, it was inevitable that they should be legion, and his enemies not a few. In the heat of battle he would throw aside the garb of partisanship and stand erect in the forensic arena dealing blows that struck home. He despised cant and hypocrisy; he detested falsehood and deceit. During the last few years of his life he shone with exceptional luster. He often disagreed with the lines of policy laid down by the titular head of his party, and we all recognize that it takes courage of the highest order to disagree politically with those who hold the destinies of others in the hollow of their hand. When he died the great and silent people of this country lost a stanch friend and a faithful servant.

Missouri has been singularly fortunate in her representation in the Congress of the United States. Thomas H. Benton, CHAMP CLARK and many, many others living and dead whom I might mention. All have served her faithfully and well—none more so than WILLIAM J. STONE, patriot, statesman, and friend and champion of the common people.

Mr. ALEXANDER. Mr. Speaker, Senator STONE'S death occasioned the members of the Missouri delegation in Congress genuine sorrow. He was recognized as a wise counselor and sagacious leader, and was often consulted by his Democratic colleagues on questions affecting the interests of the party, of which he was one of the recognized leaders, and of the great State whose welfare and prosperity always had a large part in his thought and gave him deep concern.

In conference he was always considerate of the opinion of others and most courteous and sympathetic. He was painstaking in his efforts to get the viewpoint of his colleagues, and with rare skill composed differences of opinion and secured unity of action. He was easy of approach, truly democratic in his manners, and I believe I may say of him that he enjoyed the affectionate regard of every member in the delegation, Democrats and Republicans alike. We one and all deeply deplore his death.

Senator STONE was born in Madison County, Ky., May 7, 1848. His father, William Stone, and his mother, Mildred Phelps, were members of old Kentucky families. The Stone family lived in Virginia prior to moving to Kentucky. Senator STONE'S grandfather was one of the pioneers of Kentucky, and it is said of him that he served as the first surveyor of Madison County, and that Thomas Stone, an ancestor of the family, was a signer of the Declaration of Independence and a member of a well-known Virginia family.

Madison County, Ky., furnished Missouri two of her most distinguished governors, WILLIAM JOEL STONE and David Roland Francis, and many of Missouri's good citizens in all walks of life were born in Madison County, Ky., or are descendants of Madison County stock. In his early youth Senator STONE attended the common schools in his native State. At the age of 15 he moved to Columbia, Mo., and entered the State university. He studied law in the office of his brother-in-law, Col. S. Turner, then and for many years after one of the leading lawyers of central Missouri. He was admitted to the bar in 1869. Shortly thereafter he moved to Bedford, Ind., where he formed a partnership with one A. B. Carleton, but remained there only a few months, returning to Missouri in 1870 and locating at Nevada, the county seat of Vernon County. He rose rapidly in the affairs of the county and soon became one of the leading members of his community. He was prosecuting attorney of Vernon County for one term (1873–1875) and was a presidential elector on the Tilden and Hendricks ticket in 1876. That was one of the most memorable presidential campaigns following the Civil War, and many a young and spirited lawyer in Missouri got his first baptism in politics in that campaign.

Senator STONE was a Member of the Forty-ninth, Fiftieth, and Fifty-first Congresses (March 4, 1885–March 3, 1891); declining to make the race for renomination, he announced that he would be a candidate for the governorship to succeed Gov. David R. Francis.

Senator STONE'S race for governor brought him into great prominence throughout the State. He won the nomination after a memorable contest, in which Hon. Richard Dalton, of Ralls County, was his chief opponent. Much bitterness was engendered in the campaign, and the Republicans regarded the time opportune to come back into popular favor in Missouri.

The Republicans nominated Maj. William Warner, of Kansas City, as their candidate for governor. Maj. Warner was a veteran of the Civil War and a member of one of the leading law firms of Kansas City, and was regarded a fine lawyer and a public speaker of rare skill and eloquence. He had been a leader of his party in the State for many years, and had enjoyed many a political honor. He also held high rank in the Grand Army of the Republic. He was very popular with the Union veterans of the Civil War. The Republicans regarded Maj. Warner as the very strongest candidate they could name to contest with Senator STONE for the governorship of the State. Maj. Warner adopted as his slogan, "Stand up for Missouri"; this slogan was quickly taken up by the Republican leaders over the State and passed on to the rank and file, and coupled with it was the cry, "Poor old Missouri." This cry undertook to picture the plight of the State under the administrations of such distinguished Democratic governors as Silas Woodson, Charles Hardin, John S. Phelps, Thomas P. Crittenden, John S. Marmeduke, Albert Moorehouse, and David R. Francis, than whom no State in the Union ever had more able and efficient chief executives. STONE accepted the issue tendered by the Republicans and contrasted the administrations from Woodson to Francis with the Republican administrations of Governors McClurg and Fletcher. His speech in opening the campaign was a masterpiece of sarcasm and eloquence, and reviewed with cruel incisiveness the record of McClurg's and Fletcher's administrations. His speech was quickly given wide publicity throughout the State. It was a great speech. The Republicans had planned an aggressive campaign, but soon found themselves on the defensive, and continued so throughout

the campaign. It is needless to say Senator STONE was triumphantly elected, along with all his associates on the State ticket.

My only purpose in calling attention to this campaign and Senator STONE's part in it is to emphasize my conviction that that was the turning point in his career. If he had proven himself commonplace or had failed in his ability to measure up to the high duties that devolved upon him as the standard bearer of the Democratic Party in that campaign, his career in all probability would have closed with his term as governor. I actively supported Senator STONE for the nomination for governor, and our acquaintance, which ripened into friendship, began in that campaign.

It is interesting to recall that a little more than a decade later Senator STONE and Maj. Warner served as colleagues in the United States Senate, Senator STONE succeeding Missouri's little giant, Senator George G. Vest, in 1903, and Maj. Warner succeeding Missouri's grand old Confederate veteran and statesman, Senator Francis M. Cockrell, in 1905. Whatever asperities the campaign of 1892 engendered when they were pitted against each other for governor had long since been forgotten. They were both chivalrous and lovable men.

Senator STONE was a leader of men. He had a great and devoted following in the State of Missouri. He held a high place in the leadership of the Democratic Party in the Nation. No man ever gave more generously of his time and money and talents to his party than did Senator STONE. The success of his party was ever a matter of the deepest concern to him. He did not seek place and power to enrich himself financially, but as an opportunity for larger service to his party and country. He believed in the principles of the Democratic Party with all the intensity of his nature and that the happiness and prosperity of the people could be best vouchsafed under a Democratic administration. He was a man of great courage. He was an honorable antagonist. He counted among his closest personal friends men with whom he differed widely in politics.

Just before the entrance of the United States into the war with Germany Senator STONE opposed the armed-neutrality bill. He was charged with filibustering to defeat it. This he denied. The criticism of his action became so bitter that the General Assembly of Missouri, the majority in both branches being Senator STONE's personal and political friends, adopted a resolution demanding support of the President. While Senator STONE was not mentioned in the resolutions by name, it was well understood at the time that they reflected the sentiments of the Democracy of Missouri and what they regarded his duty in the crisis then impending.

Senator STONE's opposition to the declaration of the war with Germany was open and fearless. Although chairman of the Committee on Foreign Relations in the Senate, he declined to take charge of the war resolution as was expected of him by the administration. He transferred his leadership to Senator HITCHCOCK, of Nebraska, next ranking Democratic member on the committee. His attitude on those two resolutions was typical of his attitude toward the world war. He believed that America's participation in the war should be avoided if possible, but when the die was cast for war he accepted the decision without further question, and took his place with the supporters of the war measures and consistently maintained that attitude until death closed his eventful career.

When we reflect that under the Constitution the power to declare war is vested in the Congress of the United States and not in the Chief Executive, and the responsibility is personal to each Senator and Member of the House of Representatives, we can well understand how any Senator or Representative clothed with such a tremendous responsibility might hesitate to come to a decision involving his country in a war with all its dire consequences. If Senator STONE had lived and had been a candidate for Senator in 1920 and the people of Missouri had had more time and larger opportunity to analyze his motives and understand the tremendous responsibility from which he shrank, they would have regarded his conduct in a more kindly light, and he might again have won popular favor.

The St. Louis Republic, in an editorial following the death of Senator STONE, said:

> STONE was a master of politics. No one of his generation in this State showed such consummate ability to handle men or mold opinion. He never refused a fight when he thought it necessary, and his victories were for the most part hard won in open contest. He was true to his friends, and to this fact, coupled with an uncanny knack of sizing up a situation and acting vigorously, boldly at the chosen moment, may be attributed his great success as a leader.

Senator STONE's was a long and distinguished career. He held many offices of trust and honor. His life work is ended. He will ever be classed as one of Missouri's most distinguished citizens.

Senator STONE was married to Sarah Louise Winston, April 2, 1874, and his wife and three children—Mrs. John G. Parkinson, of St. Joseph; United States Circuit Judge Kimbrough Stone, of Kansas City; and Miss Mabel Stone—survive him. His domestic life was ideal. He was loved with the deepest affection by his wife and children. To them his death is an irreparable loss.

Eloquent testimony of the high esteem in which Senator STONE was held by the people of Missouri was shown when his remains lay in state at the State capitol at Jefferson City. Rich and poor alike, among whom he had made his home for many years, and leading citizens, in official and unofficial life, from every section of the State assembled to pay an attribute of respect to his memory. His last resting place was in the cemetery at the city of Nevada, where he first entered upon the career in which he was destined to become distinguished in after years. Surrounded and mourned by the friends of his early manhood, who had watched his career with affectionate interest and pride, the mortal remains of Senator STONE were given a last resting place in Deepwood Cemetery.

The name and brilliant public career of WILLIAM JOEL STONE will adorn one of the brightest and most interesting chapters in the history of the State of Missouri.

THE LATE REPRESENTATIVE MARTIN.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

> On motion of Mr. JOHN W. RAINEY, by unanimous consent,
> *Ordered*, That Sunday, February 2, 1919, be set apart for addresses on the life, character, and public services of Hon. CHARLES MARTIN, late a Representative from the State of Illinois.

Mr. JOHN W. RAINEY. Mr. Speaker, I offer the following resolutions:

The SPEAKER. The gentleman from Illinois [Mr. JOHN W. RAINEY] offers the following resolutions, which the Clerk will report.

The Clerk read as follows:

House resolution 544.

> *Resolved*, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. CHARLES MARTIN, late a Member of this House from the State of Illinois.
> *Resolved*, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.
> *Resolved*, That the Clerk communicate these resolutions to the Senate.
> *Resolved*, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. HENRY T. RAINEY took the chair as Speaker pro tempore.

Mr. JOHN W. RAINEY. Mr. Speaker, many Members from Illinois who were anxious to be present and offer tributes to the late Congressman MARTIN are unavoidably absent from the city; and I ask unanimous consent that all who desire to do so may have leave to revise and extend their remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JOHN W. RAINEY. Mr. Speaker, in accordance with a time-honored custom, we have come together to-day, gentlemen, to commemorate the memory of a Member of the House, who, it is true, was not known to many of you, but very well known to and most kindly remembered by the gentlemen of Illinois, especially those from the Chicago congressional districts.

On a farm near Ogdensburg, St. Lawrence County, N. Y., on the 20th day of May, 1857, was born to Ellen and Martin Martin, a son, named Charles, being the ninth of a family of 11 children. In April, 1866, his parents rented their farm and moved to Chicago, where Charles lived the rest of his life.

Unfortunately, the health of former Congressman CHARLES MARTIN, of whose career I am permitted to speak, had been failing during the last few years preceding his election to Congress and the strain connected with such a campaign sapped what strength was left in his once hardy body, so that he succumbed shortly after his inauguration in the House as Congressman from the Fourth congressional district of Illinois—the district I now have the distinguished honor to represent.

Congressman CHARLES MARTIN, as some of the members know, was a unique figure in the public life of Chicago. A man whose situation in early life did not permit the attainment of vast stores of book knowledge, yet he gained great heights in the political affairs of his State and was esteemed by all who knew him, and those who did not esteem him, feared him. He belonged to that old school, which very often falls into disfavor with those groups of people who may well be called "the dilettanti" in public reforms. He was one of that large class of self-made

men, naturally talented and gifted, who bettered his natural abilities by every occasion that practical life gave him. He was educated in the greatest school of all the world—the American Democracy.

In the homely language of his constituency, CHARLES MARTIN was a two-fisted man—a man through and through. Had he been favored with opportunities for college instruction and professional knowledge, he would have taken his place beside the great lawyers, physicians, scientists, or statesmen of America, because he was a man of wonderful natural ability. But the fact that a person does not reach that zenith of public glory does not prove him less a man. Fame and national regard often come to a man not because of his interior, intimate self, but because of opportunities and occasions arising by the chance of birth or of fortune, for which he is in no way responsible; and, generally, such fame comes because of accomplishments which come through what I may be permitted to call forced instruction and education, and not because of any inherent superiority to one's fellowmen. CHARLES MARTIN'S fortitude in overcoming obstacles, his courage in adversity, his patience in reverses are matters of history in Chicago. He was made of that spirit and flesh that but yesterday shed their glory on the soldiers of the United States in the battle fields of France and in our preparations at home.

War, like death, might be called the great leveler, and under the mailed fist of Mars all must bow alike to the primal conditions. Rich and poor, great and small, must face the common enemy, undergo the same trials, tribulations, sufferings, and privations. Whether a man is well versed in the arts and sciences, or whether he is illiterate and mentally uninstructed, the manly virtues, if they are there, will crop out in the face of war; and the manly virtues make the reliable soldiers, the kind of men that Uncle Sam needs to keep his colors high on the flagpole or hoisted to the topmast. And every Member here who knew him will agree with me when I say that CHARLES MARTIN was a man through and through; a man who was not fearful of facing his enemy, nay, who rather sought him out; a man whose hand clasp made you feel the soul behind it and needed not the flattery of words to say, "I am your friend." And CHARLES MARTIN'S friendship was something to be coveted.

Therefore, having known him since my very boyhood's days, having seen him age from the stalwart leader of the fifth ward of Chicago to the mature master in local politics; having at one time fought him bitterly in campaigns wherein spirit ran high; having witnessed his many acts of kindness to his fellowmen; having associated with him, politically and otherwise, I deem it a pleasure and an honor to have this opportunity of writing in the annals of this House an expression of esteem, honor, gratitude, and respect to my departed predecessor and to the memory of my friend, Congressman CHARLES MARTIN.

Having labored faithfully for the public; having given prodigally of his time and money for the betterment of his neighbor; having passed a lifetime in the service of the people (and one must recall in this respect that he hailed from a laboring class and district of people, who when unemployed seek their first aid in the alderman), it is only fit, right, and just that his memory should be preserved in the chronicles of the Nation, and I rejoice that fate spared him until he had achieved a position to make this possible.

We all have ideals; but as a general principle lofty and inspiring ideals and devotion to those ideals generally spring from deep thought, exhaustive study, and early training. But ideals in themselves serve no purpose to humanity unless they become realized through some suitable channel. Ideals move the world, it is true; but there is in life something more demonstrative of a man's worth and love of humanity than the mere espousal of lofty thoughts of idealism. Some idealists of the past, as revealed in their works, have not lived up to their ideas in their own practical lives. Such is the inconsistency of life that even some of the foremost thinkers and intellectual giants of the past lived the life unprintable. The man who through his noble actions and good deeds, his generosity and charity, passes along life's road sowing seeds of happiness, contentment, and comfort among his fellow men, is a man whose existence is more serviceable and more beneficial to society than the idealistic theorist, blatantly proclaiming his ideas of life, and at the same time spurning the beggar by the wayside. The orator vouching for and insisting upon patriotism from the platform is not half as patriotic as the boy in khaki. In a word, the doer of goodness is better than the mere professor of goodness.

Applying this test to the man whose memory we commemorate, let me say, that CHARLES MARTIN may have been exteriorly rough and gruff, but his heart was plastic to the delicate fingers of want and need; his manners may not have been overdelicate, but neither his words nor acts ever purposely hurt a friend; he fought an opponent, politically and financially, unrelentlessly and without mercy, but he greeted him always as a man. His idealism in life was the attainment of power, but it was the power to do good; his desire was not to secure a job or obtain a position, but to so situate himself as to be able to distribute jobs, positions, and give assistance to others.

Had I the time, I would with pleasure, recite many an anecdote exemplifying and describing the sort of soul which gave light and life to those steel gray eyes which in argumentation cut like the proverbial sword. But time in its march has swept him along toward the shores of eternity, and to-day his friends at home mourn his loss, his enemies acknowledge his sterling manly qualities, his acts of goodness go on bearing fruit, and I am sure that in the great hereafter, if he sees his country in its present strife, his soul would wish to take a hand in this greatest of all fights for liberty, for we must pay him this tribute that he was 100 per cent American.

True like all those of the old school he disfavored any attempt at changing the present order of things and conditions; true the first outcrop of woman suffrage did not appeal to him, but in due time, having become convinced of the betterment of mankind derivable from such innovations, he gladly embraced them. Whenever the American people and American life were to be bettered he never was recalcitrant.

In conclusion, let me say, that I believe we should keep in mind the old adage, "If we had no defects ourselves we should not take so much pleasure in observing the failings of others." I have observed that there is sufficient good in any one of us to speak about, and I believe that we should try to avoid calling attention to whatever may be objectionable or reproachable in one's fellow man, unless we have a duty to perform in this respect. I am saying this, not because there is anything in the life of Congressman CHARLES MARTIN to be hidden, but because he was the victim of base calumny. Everyone here knows and realizes that our political contests sometimes go too far, and opponents flay and excoriate each other in ways that oftentimes leave wounds, never to be healed. So it was with CHARLES MARTIN—his political enemies spared him in no way. His name, life, family, and reputation were all the objects of attack; the press abused him and ridiculed him. But on occasions of this kind, we all say, believe, and know, that a man's political opponents do not present a fair estimate of his character and real worth as a man. And indeed, such was the case with our friend, and the words of Pope can very well be applied in reference to many an aspersion on CHARLES MARTIN'S character.

Envy will virtue like a shadow pursue
But only to prove the substance true.

We all know he was devoted to his home and to its duties and to its privileges. His wife, who survives him, was Nellie McCarthy, of Chicago, whom he married in 1877. His loved ones who mourn his death have full right and reason to be proud of his career and of his name. His funeral was attended by men from all over our State of Illinois. We were all sincere mourners at his grave. His memory will live with those who knew him as an honorable, true, and brave man, who loved his country, his family, and his fellow men.

And as I scan over his life from childhood to mature age, his public, social, and private life, as I knew him as he truly was, what his personal qualities were, and his personal abilities realized, there comes to my mind a suggestion which embodies the secret of this man's race in life:

He was a man who tried to make the best of himself; who served his country, his fellow man, and God; bold, free, and resolute in spirit; self-made in the best meaning of that much-abused expression; generous, open-hearted, and ready to make any sacrifices for his friends.

Mr. CANDLER of Mississippi. Mr. Speaker, I did not have the pleasure of extended personal acquaintance with Congressman CHARLES MARTIN, which was enjoyed by my distinguished friend who has just preceded me, and that was enjoyed by some other Members of the House who will deliver addresses upon this occasion.

As has been stated by his colleague and my friend, Hon. JOHN W. RAINEY, Mr. MARTIN was born upon a farm. He was raised amid surroundings which contributed to the development of the sterling qualities of American manhood. He was fortunate in beginning life among the beauties of nature, where he was brought in close contact with those things which bring to mind not only present surroundings but possibilities for the future, and contribute to the development of those characteristics which through all the years to come serve to inspire in us the best for humanity and cause us in our lives to glorify God.

Leaving these surroundings when but a boy, his father carried him with other members of his family to the great city of the West, Chicago, where he finished what education he was permitted to obtain and entered upon the realities of life in the hustling, bustling metropolis, which gave him an opportunity to show those sterling qualities which had been imbued in his nature from the earliest moments of his life up to that good hour.

Evidently the people of Chicago realized these qualities in this good man and took cognizance of the ability which he possessed and the qualifications which they might use for their welfare and for the development of the interests of that great community and for the benefit of the people who lived there. Therefore they called him to public service comparatively early in his life, and he enjoyed their confidence and their esteem, as was evidenced by the fact that they continued him in one position or another practically all through his life, finally elevating him to a seat in the Congress of the United States of America.

Unfortunately, at the time he was elected to the Congress his health was impaired, and while he performed as best he could during the remaining days of his life, subsequent to his election, the duties that devolved upon him, and came to the city of Washington at the organization of Congress to participate in the organization by casting his vote along with the other members of his party in seeing that the organization was maintained in the House which in his judgment he believed would be for the welfare of the country, yet because of failure of health he had to return soon to his home, and did not have the opportunity to come back to Washington subsequent to that time.

In the organization of the House he was assigned to the great Committee on Agriculture, of which I have the honor myself to be a member. This was a fit recognition of his qualifications and of the ability which he had exhibited in the past. In his services on that committee as well as in the House, if his health had permitted, he would have been a power in the accomplishment of great good, I am sure, in securing legislation along lines which would have been for the welfare not only of the people of his own district but of his great city and State and also of this marvelous Republic.

He served in the city of Chicago for 16 years in the city council, being elected to his first term in 1894. He was a member of the executive committee of the county central committee for 6 years. He served as ward committeeman from the fifth ward for 12 years. His selection to these positions in which his people showed him recognition demonstrated the fact that they had absolute and unbounded confidence in him, and as he met in full measure the requirements of each position to which he was called they elevated and promoted him from time to time, until, as I said, at last, just prior to his death, in recognition of the great services which he had rendered, they elected him to membership in the House of Representatives of the United States.

These facts demonstrate that he was a man of strong character and determination; that when he took a position and made up his mind with reference to any question, either local or in a larger field, he stood for it with that unfailing determination that marked him, in deed and in truth, as has been stated by the Hon. JOHN W. RAINEY in the address he has delivered, as a man through and through, upon whom you could depend, not only when the sun was shining, but when the lightnings flashed and the thunders rolled and the darkness came. He stood like a beacon light for the principles he loved and which in his heart he believed were for the welfare of the people. He was ready to listen to suggestions and to arguments, and if convinced that he was wrong he had the manhood and the courage to acknowledge his error and correct his position.

Another chief characteristic, as I have been informed by those who knew him best, was fidelity to his friends. He was your friend, when he once became your friend, in deed and in truth, and you could depend upon him. There is nothing in all life to me more beautiful than a devoted friendship that is pure and true and tried, and which you never have any occasion to doubt or question. Among the sweetest memories of my life, going back to my boyhood days, are the recollections of the bright and beautiful friendships which I have enjoyed. It has given me great joy to have close friends; friends I love, and who love me, and of whose friendship I have an appreciation which language fails me to fully express or describe. Friendships of that kind are the bright and beacon lights along the pathway of life that help us and encourage us as we travel along through this old world, seeking as best we can to do good and to benefit our fellow men. They strengthen our faith in the sincerity of our fellows and thus give us courage and help us to be true.

I have understood that that was one of the distinctive characteristics of Congressman MARTIN. When he once gave a man his friendship and affection and vouchsafed to him his word, he stood with the strength of the mountain itself, unshakable in the realization on his part that it was right, and having announced the right, he fixed it in his affection and friendship and stood without wavering, and never gave any cause of question or doubt.

Not only have I understood that this was one of the distinctive characteristics of Mr. MARTIN, but I understand that his well-known charity was another strong characteristic. Friendship is beautiful indeed, but charity, unselfish in its nature, absolutely shines forth in the character of any man as the most beautiful gem of all.

In the community where Mr. MARTIN lived, as was suggested by the speaker who preceded me, there were a great many laboring people. Many of them had difficulties which were presented to them on frequent occasions, when they needed counsel and advice, and oftentimes needed the more substantial things of life—needed the real help that could come from a friend who was not only willing but might be able to assist them. And it is my information that there never was a time when people in distress or in need in Mr. MARTIN'S community and neighborhood and city appealed to him in vain in deserving cases, but in each and every instance his great heart welled up in responsive fervor as he granted to them the requests which they made, when within reason and within the scope of his abilities, never turning a deaf ear to any that deserved his real consideration.

This most beautiful of the characteristics of human life is but the exemplification of the life of the only perfect man who ever walked the earth, and He said that the greatest service that we might render in all the world was to respond to those that were in need. The greatest service that might be rendered is to give to those who are in need of help, and who are unable to help themselves and are unable to return to you the services which you might render them, or the benefits which you might bestow upon them; in other words, unselfish service and favors from a pure motive with no hope of return or personal reward.

In his service in his city Mr. MARTIN bestowed great benefits not only upon the city itself, but upon individual citizens; and just as people appealed to him in private life as a private citizen, he as their public official and representative was always accessible to them, and they did not hesitate at any time to apply to him when they felt like going to him, because they knew he would give them a ready and a willing response.

During his service in the city council, as I have been informed, at one time there was a very dangerous crossing at a railroad, where the street cars crossed it. It became a menace. The people had appealed in vain for relief, but had not been able to secure it.

This was in the time of the old horse cars and it was nothing unusual for a car to be struck by a railroad train once or twice a month, thereby injuring a number of people. The people appealed to CHARLES MARTIN, and his great heart responded. He took this up in the city council, and insisted that the stockyards people be compelled to elevate these tracks at a cost of $250,000 for the purpose of letting the people pass safely. This was done after a year of fighting with the stock-yard people and the railroad companies. He was the father of the track-elevation ordinance, which he succeeded in having passed in the city council after four years of strenuous fighting. He was also father of the "wheel-tax ordinance," which brought to the city nearly $900,000, and which now yields nearly $1,000,000 annually. There was a reduction plant situated in his ward, which was being run by some financiers, who were making on an average of $300,000 yearly. This reduction plant was a detriment to the people for many miles around. Mr. MARTIN, along with a number of others in that particular ward and district, got up in arms against this plant, and after two and one-half years of strenuous fighting succeeded in driving them out, and demanded that if this plant was to be maintained that it be maintained as a clean and sanitary plant and not a detriment to the people.

When these matters were brought to his attention, even though Mr. MARTIN realized that he was going against great political interests and wealth, still the welfare of the plain people appealed to him who were unable to help themselves and that was sufficient to engage his earnest attention and his best efforts and he went to work in the council and had these matters all corrected and secured lasting and permanent benefits for the people. I might mention other instances of this kind,

but I presume others that are more familiar than I with local conditions and with the great services which he rendered in the development of that marvelous city will bring them to your attention.

Therefore, in conclusion, let me say I desire to pay this tribute because of the fact I believe Congressman MARTIN deserves it by reason of the fact that he stood close at all times to the people and was in deed and in truth a true Representative of those who entrusted him with their commission. He was a good citizen in life; he was a true friend; he was a faithful public official; he was a patriot, and a devoted husband and father, and therefore, in the end of his life these characteristics all combine to make a consummation of a life which is an honor to him, which is a heritage to his loved ones and to his family, which is a gratification to his friends, which is a fond remembrance to the citizens of his great city and of the community in which he lived, and which being now made of record in the annals of this House will be in days to come a fitting memorial of a true American citizen, and when it is said of a man that he is a true American citizen it is saying of him that he represents the great principles for which this marvelous Republic stands, and no greater compliment or honor can be paid. May God bless and comfort his loved ones and help them to look forward to the coming of the perfect day when we shall meet those who have gone before and await us in the city beautiful.

Mr. JOHN W. RAINEY took the chair.

Mr. HENRY T. RAINEY. Mr. Speaker, during the busy and active years of his career on this earth, Congressman CHARLES MARTIN participated in stirring events. He was born amid delightful surroundings in rural New York, and a man who is born upon a farm starts out in life with marked advantages of birth. In his boyhood years he was brought by his parents to the city of Chicago and he spent there all the years of his career on this earth which followed. When he reached the city of Chicago that great city had a population of less than 250,000 people, but already long parallel lines of steel connected it with the great West, and as the West grew Chicago grew. Across meridians of longitude from the East came millions of people and quickly settled up the valleys of our great, lonely, western rivers, and the West was bound always by bands of steel to the great city of the lakes.

Five years after his arrival in Chicago the greatest fire in the history of the world's cities swept out of existence 17,500 buildings. But the development of Chicago continued and in two years a miracle had happened. Every vestige of the fire had disappeared. This happened as CHARLES MARTIN advanced in years from boyhood to youth; and through all the years which followed his career was inseparably connected with the development of the great city of Chicago. He saw it grow from a city of less than 250,000 to one of the world's greatest cities, embracing within its boundaries at the time of his death 2,500,000 people. When he was elected to the city council the city had developed until it had within its boundaries over a million people. He served as a member of this important body—one of the world's most important municipal governing organizations—for the long period of sixteen years—an important service. It is an honor to belong to this great body, and it is a marked distinction indeed to have served for 16 years as a member of the Chicago city council—an honor and a distinction which comes to few men. When he died there had been added to the population of Chicago another million and a half. He helped build and develop the great city. In all of our cities and on every countryside there are men who lift and there are men who merely lean while others do the work, but in the great city of Chicago, from the years of his full manhood to the year of his death, CHARLES MARTIN was among those who helped lift, who helped do the great things that great city has accomplished.

After the fire Chicago was quickly rebuilt and in the early 80's they rebuilt the city of Chicago again. Buildings sprang into existence of a new type with broad foundations and when Congressman MARTIN's career commenced as a member of the city council the city of Chicago was engaged in a third process of rebuilding. Buildings which were erected after the fire rapidly disappeared from the downtown section of the city and buildings with foundations reaching to bed rock and rising twenty stories in the blue azure of the sky had replaced them.

Miracle after miracle in city building occurred in the city of Chicago during the active years of CHARLES MARTIN'S connection with it. While he was a member of the city council he promoted these civic improvements which made it possible for great avenues to extend for miles from the blue waters of the lakes out into the prairies of Illinois and along those avenues magnificient residences were built. He was active in his efforts to raise the railways in Chicago above the grade of the streets in order to protect the lives of the citizens of Chicago. He was bound closely by ties of love and sympathy with thousands and thousands of his fellow men. Rough, generous, kindly, brave, he will be remembered through the years to come by those who have survived him as few men are remembered.

There is no death here. The flowers which wither and die with the dying year, as the cold blasts of winter come, merely sleep through the months of cold and fog and snow until the warm breath of May brings them back to life again. The rocks, as they decay, simply sustain the mosses that grow upon them. The sun, as it sets in the western sky, merely rises to shine in splendor on other seas and on other shores. The stars, as they move in brilliant procession across the skies during the night hours and disappear beyond the western horizon, simply rise again to shine in all their beauty upon other scenes. And so, upon occasions like this, there is always left to the friends of him who has departed the consolation and the faith that what we call on this earth death is merely the passing through the portal to a world we do not understand, but to a world which we are sure is more splendid, more magnificent, than this, to a career which is longer than this, and there is left the hope that this life has been but a mere period of preparation for a newer and a fuller and a larger life which lies beyond the grave.

Mr. GALLAGHER. Mr. Speaker, in the death of Representative CHARLES MARTIN Congress lost an experienced and painstaking legislator and the Democratic Party one of its most faithful and loyal supporters. He was a tireless worker and it was through his own efforts that he raised himself from humble circumstances to a seat in this body.

I knew Mr. MARTIN for many years. I first met him as a member of the city council of the city of Chicago when I was a member of that body. He was elected to represent the fifth ward, and was at that time in the employ of Swift & Co. at the Union Stock Yards as one of the reliable assistants of that firm. Having been a wage earner himself, he was at all times anxious to stand for the rights of laboring men and to work for their advancement whenever possible. His life was never an easy life; he was always doing something for his people.

As a member of the city council he was a fearless and courageous representative, never afraid to express his opinion or to say what he thought regarding matters of public interest; nor did he hesitate to vote on any question in which the general welfare of the city was concerned, or in a way which he believed would prove of benefit to his constituents. If he made up his mind as to what was right, he would act regardless of what might be said about him. He was never a "trimmer"; you could always tell where he stood. No citizen could be prouder of the progress, improvement, and growth of our city or the prosperity of its people.

He was first elected a member of the city council of Chicago in 1894 and served continuously for three terms, retiring in 1902. He was reelected in 1905 and served one term, and was again sent back to the council in 1910. He retired in 1914, but came back in 1915, and served continuously from that date until he resigned, after his election to the National House of Representatives.

During all the years of his service in the city council of Chicago he was conspicuous for his constant attendance at the meetings and for the faithful discharge of his duties to his constituents.

During the time I was a member of the board of education I never knew an alderman who worked harder to obtain convenient and suitable school accommodations for the youth of his ward. He liked children and was anxious that they receive a good education; he wanted the very best that could be provided, and he generally got what he went after; nothing else would satisfy him.

He was a man of plain and somewhat rugged exterior, but he possessed a warm, generous nature, a kindly heart, and a ready hand to help his fellow men whenever the call came to him. There was no citizen of the ward who did not feel free to call upon him at any time, day or night. He would gladly render any service he could to those who sought his help, and willingly perform a kindly and generous act for friend or foe. He made many and lasting friends throughout the city during his public service, but to him there were no friends like the old friends in the fifth ward.

Mr. MARTIN was the possessor of a native wit that made him popular among his colleagues and he enlivened many a debate among the city fathers. He made a study of municipal affairs and was a conscientious worker for the welfare of the city.

While he was a lifelong and uncompromising Democrat, he never allowed politics to supersede the interests of all the people. He was a patriot in the truest sense of the word and his ambition was to do something for his country's benefit during his life; he was influenced by no other consideration in seeking the honor of election to this honorable body. Having been reared among the people whom he so long and so faithfully served as their representative in the legislative body of the great municipality of which he was a typical son, these people respected and had confidence in him, and those who knew him well loved him best. They took delight in honoring him, as his political record amply proves, and when he asked the last and greatest honor at their hands, a membership to this great Legislative Assembly, they cheerfully gave it to him.

When we were called into special session in April, 1917, I had the pleasure of riding with him from Chicago to Washington. It was his first trip to the National Capital as a Member of Congress. I noticed then he was not in the best of health; he had not been for some time previous. In fact, he was a sick man when he ran for the office, but he felt that he was able to and he seemed confident that he would regain his health sufficiently to serve his constituency during the term for which he was elected. It was quite apparent at the time that we could not keep out of the great and terrible war in Europe much longer; in fact, it was understood then that we were called to Washington to receive a message from the President declaring war upon Germany. Mr. MARTIN said he was determined, if such was the case, to stand by the President and our Government at all hazard. He voted for the declaration of war, but was not able to remain in Washington long after because of his failing health. He hated to leave here while his country was at war, but was compelled to return home, never to come back again.

The membership of this House had no opportunity to learn of his worth as a legislator or a man. CHARLIE MARTIN was a good citizen, an uncompromising Democrat, a loyal American, and he will be missed by the people of his district, especially by those of his ward, whom he so long and faithfully served as their alderman. His name will, for many years, be associated with those whose work in the city council contributed to the fame, prosperity, and commercial greatness of Chicago. To his widow and family and those nearest and dearest to him we extend our heartfelt sympathy. In the stockyards district, where he was one of the great plain people, and always generous and benevolent to those in need of assistance, many a tear was brought to the eyes of the poor when he passed to the great beyond. They delighted to honor him as far as was in their power, and they long will mourn his loss and always keep his name in pleasant memory.

Mr. CARY. Mr. Speaker, in accordance with a time-honored custom we are met to-day to pay the last tribute of respect to one of our colleagues who has joined "the innumerable caravan that moved toward the realms of death."

It is most appropriate that the House of Representatives should perpetuate this custom, for in this era public men are subjected to so much criticism and so much that is evil is attributed to their every act that it is eminently fitting for those who served by their side in public life to testify to the good they have done and to place a wreath of honorable memory upon the name of one who is no longer here to speak for himself.

CHARLES MARTIN was only a Member of this House for a very short time before the grim reaper, Death, called him from the activities of this life to that "bourne from whence no traveler returns," but in the short time he was with us, those who had the opportunity to meet and know him found a genial and kindly personality, united to a strong and forceful character, and had he lived but a few years more he would have undoubtedly left an impressive reputation as a legislator and statesman, for he had a wide grasp of all public questions and a clear discernment of the duties and obligations of his office such as few men show in their first term.

But it was not to be, and we are reminded again that in the midst of life we should be prepared for the summons that has been prepared for all of us and that may be served at any moment.

Fortunately, as we stand beside the bier of a loved one who has gone before, we hear the gentle voice that reaches us through the centuries and bids us recall His promise in those words of never-failing cheer: "I am the Resurrection and the Life."

It is this reflection that comforts us when we contemplate the many who have left us to go to that land of shadows and find through the Valley of the Shadow of Death the way to the Realms of Everlasting Peace.

It is then, as we recall the losses we have suffered in the past, that we may say with the poet:

Life's shores are shifting
Every year,
And we are seaward drifting
Every year,
Old places, changing, fret us;
The living more forget us;
There are fewer to regret us
Every year;
But the truer life grows nigher
Every year;
Earth's hold on us grows slighter
And the heavy burden lighter
And the dawn immortal brighter,
Every year.

Mr. SABATH. Mr. Speaker, like my colleagues I am here to-day to pay tribute to the memory of our departed colleague, CHARLES MARTIN, whom I have known intimately and well for over 30 years.

CHARLES MARTIN was a plain, blunt, fearless, and courageous man. I served with him for many years on the county central committee, as well as on the executive committee of the Democratic Party of Cook County, Ill., and I at all times admired and appreciated his earnest determination to aid and be of service to the party which he at all times designated the party of the people.

As has been so well stated by my colleagues, Messrs. GALLAGHER and RAINEY, he was a strong and courageous man, never hesitating to do what he believed was right. He was a strong speaker and debater, and was known to express his views in a manner that could never be misunderstood by anyone. He was indeed a born fighter for the cause of democracy and those things which he advocated and believed in. He was a unique man; he had his peculiarities, and, being human and the same as we, suffered with some imperfections. Who does not?

During his many years of service, due to his fighting proclivities, he brought upon himself many political contests. He had a large personal following and many warm friends who at all times stood loyally by him, which made it possible for him to combat strong opposition and thus show his ability to come back again and again into public life. He did a great deal for Chicago, especially in the interest of the people of his district and his ward. After many years of service in the common council it was his aim to be elected from his district as Representative in Congress, in which he was successful in 1916 in a bitter primary fight, being elected by a tremendous majority on election day. Soon after the election he was stricken by illness, from which he never recovered. Notwithstanding his serious illness, when the Sixty-fifth Congress convened, believing that his presence was necessary to bring about the reelection of a Democrat as Speaker and the organization of the House, he disregarded the advice of his physician and family, left a sanitarium, and came to the Capitol to assume his congressional duties. Here I had still better opportunity during the short space of time which it was his good fortune to serve to learn to admire his determination and his immense loyalty and love for his country, and it is to be regretted that he was not spared so that he could have demonstrated to his district and his many friends in Chicago that he was not only a capable councilman, but that he was a capable, faithful, and loyal legislator. Realizing and recognizing his physical condition, I advised, together with other colleagues, that he should not remain much longer without proper care and attention, and though he himself realized his serious condition he insisted on remaining and did remain nearly to the last, so that he could vote on some of the measures which he believed required his vote, remarking in his usual unique way, "There is not much more that I can do, so will stay as long as I can." But, notwithstanding his will power and determination, he was obliged to leave Washington shortly after his congressional duties began, never again to return. Within a few short days he departed whence no traveler returns.

ADJOURNMENT.

Then, in accordance with the resolution heretofore adopted, the House (at 3 o'clock and 35 minutes p. m.) adjourned until Monday, February 3, 1919, at 11 o'clock a. m.

SENATE.

MONDAY, *February 3, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, the God of our fathers, we worship Thee. We seek Thy guidance and blessing as we attempt the duties of this day. As Thou hast led us in times past, so we trust Thee to lead us on. By meditation upon Thy name we gain the vision of the things to be done, the balance of right and justice, the high ideals, the principles upon which we are to build our national life. Let us have Thy presence and blessing this day in the discharge of every duty. We ask it for Christ's sake. Amen.

The Secretary proceeeded to read the Journal of the proceedings of the legislative day of Friday, January 31, 1919, when, on request of Mr. KING and by unanimous consent, the further reading was dispensed with, and the Journal was approved.

DISPOSITION OF USELESS PAPERS (H. DOC. NO. 1754).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of the Interior transmitting, pursuant to law, schedules of useless papers and documents on file in the Department of the Interior having no historical value, and requesting action looking to their disposition. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Massachusetts [Mr. WEEKS] and the Senator from New Hampshire [Mr. HOLLIS] the committee on the part of the Senate. The Secretary will notify the House thereof.

POSTAGE TO POSTAL UNION COUNTRIES (S. DOC. NO. 366).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting a letter from the Secretary of War submitting a supplemental estimate of appropriation in the sum of $250 required by the War Department for postage to postal union countries for the fiscal year 1919, which, with the accompanying papers, was referred to the Committee on Military Affairs and ordered to be printed.

FEDERAL BUILDINGS (H. DOC. NO. 1746).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury transmitting a list of 156 buildings and 7 extensions of Federal buildings which have been authorized by Congress but have not so far been constructed, which was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate communications from the Secretary of War (S. Doc. No. 368), the Secretary of the Navy (S. Doc. No. 373), the Secretary of Agriculture (S. Doc. No. 370), the Postmaster General (S. Doc. No. 367), the Attorney General (S. Doc. No. 371), the Chairman of the War Trade Board (S. Doc. No. 369), and the Chairman of the United States Shipping Board (S. Doc. No. 372), transmitting, in response to a resolution of December 23, 1918, a list showing the number of civilian employees in their respective departments of January 28 and the number discharged during the previous two weeks, which, with the accompanying papers, were ordered to lie on the table and be printed.

WASHINGTON GAS LIGHT CO. (H. DOC. NO. 1749).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Gas Light Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

GEORGETOWN GAS LIGHT CO. (H. DOC. NO. 1750).

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown Gas Light Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

POTOMAC ELECTRIC POWER CO.

The VICE PRESIDENT laid before the Senate the annual report of the Potomac Electric Power Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

CAPITAL TRACTION CO. (H. DOC. NO. 1747).

The VICE PRESIDENT laid before the Senate the annual report of the Capital Traction Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

WASHINGTON HEIGHTS TRACTION CO. (H. DOC. NO. 1748).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Heights Traction Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

WASHINGTON RAILWAY & ELECTRIC CO. (H. DOC. NO. 1751).

The VICE PRESIDENT laid before the Senate the annual report of the Washington Railway & Electric Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

CITY & SUBURBAN RAILWAY CO.

The VICE PRESIDENT laid before the Senate the annual report of the City & Suburban Railway Co. of Washington for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

GEORGETOWN & TENNALLYTOWN RAILWAY.

The VICE PRESIDENT laid before the Senate the annual report of the Georgetown & Tennallytown Railway Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

WASHINGTON INTERURBAN RAILROAD.

The VICE PRESIDENT laid before the Senate the annual report of the Washington Interurban Railroad Co. for the year 1918, which was referred to the Committee on the District of Columbia and ordered to be printed.

NATIONAL PROHIBITION.

The VICE PRESIDENT presented a resolution adopted by the Legislature of the State of Missouri, ratifying the proposed prohibition amendment to the Constitution of the United States, which was ordered to be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 15018. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920; and

H. R. 15219. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Management of the National Home for Disabled Volunteer Soldiers.

The message further transmitted to the Senate resolutions on the life, character, and public services of Hon. WILLIAM J. STONE, late a Senator from the State of Missouri.

The message also transmitted to the Senate resolutions on the life, character, and public services of Hon. CHARLES MARTIN, late a Representative from the State of Illinois.

The message further transmitted to the Senate resolutions on the life, character, and public services of Hon. JACOB E. MEEKER, late a Representative from the State of Missouri.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 13004. An act extending the time for the construction of a bridge and for the maintenance of a pontoon and pile bridge by the Chicago, Milwaukee & St. Paul Railway Co. across the Missouri River at or near Chamberlain, S. Dak., and providing additional requirements for the bridge to be constructed; and

H. R. 13143. An act extending the time for the construction of a bridge across the Missssippi River near and above the city of New Orleans, La., or for the construction of a tunnel or tunnels under said river in lieu of said bridge.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a resolution adopted by the Legislature of the State of Illinois, petitioning Congress to pay at least six months' salary to every soldier, sailor, and marine upon his return to civil life, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Legislature of the State of Illinois, petitioning Congress to pass the woman suffrage amendment to the Constitution of the United States, which was ordered to lie on the table.

Mr. TOWNSEND presented a petition of sundry citizens of Port Huron, Mich., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. LODGE presented a petition of the Father Mathew Total Abstinence Society, of Salem, Mass., praying for the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented a petition of the congregations of the Protestant churches of Melrose, Mass., and a petition of the congregation of the Trinitarian Congregational Church, of Northfield, Mass., praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

Mr. CALDER. I present a resolution adopted at a meeting of the New York Produce Exchange with reference to the cost of food. I ask that it be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

At a special meeting of the board of managers of the New York Produce Exchange, held January 30, 1919, the following preamble and resolution were adopted:

"Whereas it is evident that a readjustment from war conditions is inevitable, and is in fact now proceeding in industry and commerce; and

"Whereas we believe that a material reduction in cost of living is absolutely essential to the successful reorganization and adjustment of the country's economic and social life; and

"Whereas it is evident that a reduction in price of the great food staples is the first and most vital factor in bringing about lower living costs, which must take place to meet a probable reduction in wages in the manufacturing and industrial life of the country: Therefore be it

"*Resolved*, That the policy of this exchange is against any further Government price fixing or control of foodstuffs beyond the point of a just and equitable adjustment of existing Government obligations, in which consideration should be given to the rights of all classes, both producers and consumers, and that the exchange hereby empowers its officers or other authorized representatives to assist in any necessary constructive work, legal or otherwise, to hasten the return of business to its normal channels."

Mr. MOSES. I present a resolution passed by the Chamber of Commerce of Manchester, N. H., in relation to the Government control of the telephone and telegraph systems, which I ask to have printed in the RECORD.

There being no objection, the resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

Resolution passed by the Manchester Chamber of Commerce, Manchester, N. H., January 31, 1919:

Whereas the remarkably difficult problems resulting from the war and the coming period of business readjustment render it exceedingly difficult, if not wholly impossible, for the owners of the great telephone and telegraph systems now under Federal control to successfully resume the operation of the same without remedial legislation and the provision of some reasonable period in which to allow for the necessary preparation and readjustment; and

Whereas to properly consider these problems in all their intricacies will require much more time than is available in the present short session of Congress, and unless some action is taken at this time the properties will be returned to the companies owning them upon the proclamation by the President of the ratification of peace treaties without any advance notice being given and without any period for proper and necessary readjustment, and since such a period of readjustment is of exceedingly vital importance to the business interests of the Nation: Therefore, be it

Resolved, That this organization go on record as favoring the enactment by Congress of some law which will continue the control and operation of such utilities by the Government until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed; be it further

Resolved, That a copy of this resolution be sent to the Senators of this State and to the Representative in Congress of this district.

I certify that the foregoing is a true copy of the resolution as passed.

C. W. PATMAN,
Secretary Manchester Chamber of Commerce.

Mr. NELSON. I present a resolution adopted by the House of Representatives of the State of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES, MINNESOTA LEGISLATURE,
1919 SESSION.

Mr. Dilley offers the following resolution:

Whereas now that the military forces of this country and its allies are victorious retention of the Voluntary Army seems unnecessary and action should be taken to demobilize it without delay so that its soldiers and sailors may be returned to their peaceful vocations and that there be substituted a Regular Army so increased as to properly protect our interests abroad in accordance with the plans of the President and military board: And be it further

Resolved, That the chief clerk of the house of representatives is hereby instructed to send to the President, Secretary of War, Secretary of the Navy, and to each of the Senators and Representatives in Congress from the State of Minnesota a copy of this resolution.

W. I. NOLAN, *Speaker.*

Adopted January 27, 1918.
Attest:

OSCAR ARNESON, *Chief Clerk.*

Mr. NELSON. I present a resolution adopted by the House of Representatives of the State of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES, MINNESOTA LEGISLATURE,
1919 SESSION.

A concurrent resolution memorializing the Congress of the United States to grant a gratuity of three months' pay to honorably discharged soldiers, sailors, and marines.

Whereas since the signing of the armistice the soldiers, sailors, and marines, who rendered such valiant service at home and abroad for their country in its hour of trial in the great war from which this country has emerged gloriously, are now being demobilized and discharged with greater rapidity than admits of their assimilation into the industries of civil life; and

Whereas all these valiant boys have been serving at rates of pay sufficient only for their needs from day to day, making no provision for the immediate future or for tiding them over the weeks and months of idleness which in most cases must follow the release of millions of men in a Nation whose industries are now stagnant and awaiting the readjustment from a war to a peace basis; and

Whereas unless relief is granted by appropriate legislation these boys, the pride of our country, the savior of our liberties, and the protectors of our homes and free institutions, must be called upon or allowed to suffer privations which would warrant them in reaching the conclusion that, after all, the statement is true that "Republics are ungrateful" and that protection for those valiant heroes was forthcoming so long only as their service on the firing line was needed to protect those at home in person and property: Therefore be it

Resolved, That we urgently request and earnestly urge that the Congress of the United States provide at this time by suitable enactment into law that all heretofore and hereafter honorably discharged soldiers, sailors, and marines of the United States in the great world war be granted and paid a gratuity equal to three months' pay after the date of their respective discharges at the same rate applicable to each such soldier, sailor, and marine at the date of his discharge, the same to be paid monthly through such channels as Congress may direct.

Resolved further, That this resolution, the senate concurring, be duly recorded in the records of this session, and that copies thereof be forthwith forwarded to each of the Senators in Congress from Minnesota and to each Member of the National House of Representatives from Minnesota, to the President and Vice President of the United States, to the Secretaries of War and Navy of the United States.

W. I. NOLAN, *Speaker.*

Adopted January 29, 1919.
Attest:

OSCAR ARNESON, *Chief Clerk.*

Mr. NELSON. I present a resolution adopted by the House of Representatives of the State of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Pensions.

There being no objection, the resolution was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES, MINNESOTA LEGISLATURE,
1919 SESSION.

Messrs. John Frisch and O. E. Hammer offer the following resolution:

Whereas a bill to increase the pensions of those who have lost limbs or have been totally disabled in the same in the military service of the United States, known as Senate bill 2130, introduced by Senator KNUTE NELSON, is now pending in our National Congress; and

Whereas we believe that the provisions of said bill will, if made a law, in a measure relieve the financial stress of those who have received permanent injuries in the wars in which this country has been engaged: Be it therefore

Resolved, That the House of Representatives of the Legislature of the State of Minnesota hereby gives its indorsement to the provisions of said bill and urges all our Senators and Representatives in Congress to do all in their power to gain the enactment of the same into law.

W. I. NOLAN, *Speaker.*

Adopted January 27, 1919.
Attest:

OSCAR ARNESON, *Chief Clerk.*

Mr. NELSON. I present a telegram embodying a resolution adopted by the Legislature of Minnesota, which I ask to have printed in the RECORD and lie on the table.

There being no objection, the telegram was ordered to lie on the table and to be printed in RECORD, as follows:

MINNEAPOLIS, MINN., *February 1, 1919.*

Hon. KNUTE NELSON,
United States Senate, Washington, D. C.:

The following resolution was passed by Minnesota House and Senate and signed by the governor and should have gone to the United States Senate January 23, but we have message saying that it is not yet received. May we ask you to have it read into the CONGRESSIONAL RECORD at once? Resolution follows:

"*To the United States Senate:*

"Whereas nearly a half century ago the progressive spirit of American democracy decreed in the Federal Constitution that the rights of citizens of the United States to vote should not be denied by any State on account of race or color; and

"Whereas more than half of the citizens of voting age of more than two-thirds of the States of our Nation are denied the right to vote solely because they are women: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Minnesota (the Senate concurring)*, That we earnestly and urgently petition your honorable body to join with the House of Representatives in its action in proposing an amendment to the Constitution providing that the right of any woman to vote shall not be denied by any State solely because she is a woman.

"That a copy of this resolution with the names of those who vote for the same be forwarded to the President of the Senate and to each Senator and Representative from Minnesota."

Mrs. ANDREUS UELAND.

Mr. NELSON presented a telegram in the nature of a petition from Joseph Wilde, of Duluth, Minn., and a telegram in the nature of a petition from Charles Jones, of Duluth, Minn., praying that special clerks in the Postal Service be included in the salary increase, which were ordered to lie on the table.

He also presented a telegram in the nature of a petition from the Board of Trade of Duluth, Minn., praying for the return to private ownership of the telegraph and telephone systems of the country, which was referred to the Committee on Post Offices and Post Roads.

He also presented a resolution adopted by Local Council No. 397, Knights of Columbus, of St. Paul, Minn., favoring freedom for Ireland, which was referred to the Committee on Foreign Relations.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Education and Labor.

There being no objection, the memorial was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Senate joint memorial 4.

Whereas there is now pending before Congress a measure known as the educational bill, S. 4987, which is the most comprehensive and important educational bill that has ever been considered by that body; and

Whereas this bill has for its purpose the removal of illiteracy, the Americanization of immigrants, the promoting of physical and health education, the improving of facilities for the preparation of teachers, and the creation of a national department of education; and

Whereas Oregon's share of the Federal appropriation provided in this bill for the public schools amounts to $857,587.67 annually: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be memorialized and urged to use all honorable means to secure the enactment of the educational bill, S. 4987.

Adopted by the house January 28, 1919.

SEYMOUR JONES,
Speaker of the House.

Adopted by the senate January 21, 1919.

W. T. VINTON,
President of the Senate.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 5.

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the House of Representatives of the State of Oregon (the Senate concurring), respectfully represent this: That—

Whereas Congressman SINNOTT, of the third congressional district of the State of Oregon, has introduced a bill which is now pending in the Congress of the United States having for its purpose, among other things, the appropriating of $1,000,000,000 for reclamation and drainage of lands in the western portion of the United States; and

Whereas passage of the bill would insure Federal aid for the development of the Dechutes project, comprising an area of approximately 300,000 acres in the State of Oregon, and other projects within the State; and

Whereas any such construction and development would provide work and employment for thousands of returning soldiers and sailors: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That the Representative Assembly of the State of Oregon favor the passage by Congress of the said Sinnott bill, and to that end the Senators and Representatives in Congress of the United States from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the secretary of state of the State of Oregon be directed to transmit by mail a copy of this memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the senate, January 22, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 20, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that house joint memorial No. 5 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Irrigation and Reclamation of Arid Lands.

There being no objection, the memorial was referred to the Committee on Irrigation and Reclamation of Arid Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 4.

Whereas the Umatilla River Irrigation League has presented plans to the United States Reclamation Service for the development of arid lands in the lower Umatilla River Basin; and

Whereas the Director of the Reclamation Service ordered a survey and investigation of said proposed irrigation project, which has been made and the plan for reclaiming said lands has been pronounced feasible, and the cost of reclamation, quality of soil, uniform topography, climatic conditions, facilities for transportation and marketing have been found highly desirable for the easy establishment of farms for soldiers; and

Whereas all that now delays construction on said project is want of Federal funds: Now, therefore, be it

Resolved, That our Senators and Representatives in Congress be memorialized to use their influence in Congress to secure the necessary appropriation; and be it further

Resolved, That our Senators and Representatives in Congress urge upon Congress the immediate importance of passing the Sinnott bill calling for $1,000,000,000 for reconstruction work, which has been indorsed by Secretary of the Interior Franklin K. Lane, and that a copy of this memorial be transmitted to our Senators and Representatives in Congress and to the Director of the Reclamation Service and to the Secretary of the Interior.

Adopted by the senate January 23, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 21, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that the foregoing house joint memorial No. 4 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Public Lands.

There being no objection, the memorial was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

House joint memorial 6.

To the honorable Senate and the House of Representatives of the United States of American in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas Crater Lake National Park, in southern Oregon, is becoming one of the great tourist attractions of the world, with a rapidly increasing list of visitors each succeeding season; and

Whereas the natural topography of the country adjacent to said park is of such nature that this park, to serve its purpose as a great natural scenic attraction and outdoor playground, should be extended to include additional territory, as provided in Senate bill No. 4283, now before Congress; and

Whereas the country so to be included within said park under the provisions of said bill is not of particular value as grazing land, timberland, or for any purposes other than the natural and proper rounding out of the said national park: Now, therefore, be it

Resolved by the House of Representatives of the State of Oregon (the Senate concurring), That the Legislative Assembly of the State of Oregon heartily favor the enactment by Congress of Senate bill No. 4283, and to that end the Senators and Representatives in Congress from the State of Oregon are hereby urged to use their influence in behalf of the passage of said bill; and be it further

Resolved, That the chief clerk of the House of Representatives of the Oregon Legislative Assembly be, and hereby is, directed to transmit by mail a copy of this memorial to the President of tht Senate and the Speaker of the House of the Congress of the United States and to each of the Senators and the Representatives from the State of Oregon.

Adopted by the senate January 27, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 21, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that the foregoing house joint memorial No. 6 is a true copy as passed by the house and senate as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. CHAMBERLAIN. I present a memorial of the Legislature of the State of Oregon, which I ask to have printed in the RECORD and referred to the Committee on Immigration.

There being no objection, the memorial was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

House joint memorial 8.

To the honorable the Senate and the House of Representatives of the United States of America in Congress assembled:

Your memorialists, the Legislative Assembly of the State of Oregon, respectfully represent that—

Whereas there is now pending in the Congress of the United States Senate bill 5001, introduced on October 21, 1918, by Hon. WILLIAM H. KING, which provides for the establishing in the Department of Labor of a bureau of citizenship and Americanization, for the Americanization of naturalized citizens, and for the amendment of the act of Congress approved June 29, 1906, entitled "An act to establish a Bureau of Immigration and Naturalization, and to provide a uniform rule for the naturalization of aliens throughout the United States," and which bill was referred to the Committee on Immigration; and

Whereas said Senate bill 5001 provides for the issuance of a distinctive certificate of United States citizenship to wives and children of naturalized citizens, which certificates are to be issued only after the candidates for such certificates have passed such preliminary examinations as will evidence their attachment to the principles of the

Constitution of the United States and have appeared in open court and taken the oath of allegiance required by the naturalization law; and

Whereas the enactment and carrying out of the provisions of said Senate bill No. 5001 will result in arousing a higher regard and attachment to our institutions of Government, and in a stronger loyalty being shown to the United States on the part of all permanent resident foreigners, candidates for naturalization, and citizens, and will insure the maintenance of that high standard of admission to the privileges and responsibilities of American citizenship so essential to the perpetuation of our democratic form of government; and

Whereas the State of Oregon, having given to women the right to the franchise, it concerns the welfare of the State to provide intelligent exercise of that right and instruction in the rights and duties of citizens: Therefore be it

Resolved by the house, the senate concurring, That our Senators and Representatives in Congress, and the entire Congress of the United States, be, and are hereby, memorialized and requested to immediately take up and pass said Senate bill 5001.

Resolved further, That the chief clerk of the house is hereby directed to transmit certified copies of this memorial to the President of the United States Senate and Speaker of the House of Representatives of the United States and to each of the Senators and Representatives from the State of Oregon in Congress.

Adopted by the senate January 28, 1919.

W. T. VINTON,
President of the Senate.

Adopted by the house January 23, 1919.

SEYMOUR JONES,
Speaker of the House.

I hereby certify that house joint memorial 8 is a true copy as passed by the house and senate, as above indicated.

W. F. DRAGER,
Chief Clerk of the House.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., praying that the return to private ownership of telephone and telegraph lines be deferred until Congress shall have studied the question and determined upon the proper and safe procedure to be thereafter followed, which was referred to the Committee on Post Offices and Post Roads.

Mr. LEWIS. I present a resolution adopted by the Legislature of the State of Illinois, asking that the woman-suffrage resolution before this body be immediately acted upon—that is, the constitutional amendment—which I ask to have appropriately referred.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

Certificate No. 3226.

STATE OF ILLINOIS,
OFFICE OF THE SECRETARY OF STATE.

To all to whom these presents shall come, greeting:

I, Louis L. Emmerson, secretary of state of the State of Illinois, do hereby certify that the following and hereto attached is a true copy of senate joint resolution No. 7 of the Fifty-first General Assembly of the State of Illinois, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of the State of Illinois. Done at the city of Springfield this 31st day of January, A. D. 1919.

[SEAL.]

LOUIS L. EMMERSON,
Secretary of State.

FIFTY-FIRST GENERAL ASSEMBLY.

Senate joint resolution 7.

Whereas the proposed woman-suffrage amendment to the Federal Constitution has been for 40 years before the Congress of the United States and has during this session of Congress received a two-thirds vote in the House of Representatives but has been delayed in the United States Senate; and

Whereas the character and achievements of the women of the United States merit the same honorable suffrage recognition received by women in many other countries: Therefore be it

Resolved by the Senate of the State of Illinois (the House of Representatives concurring therein), That we urge the United States Senate to immediately pass the Federal woman-suffrage amendment, so that it may be ratified by the legislatures of the 36 States, as provided by article 5 of the United States Constitution.

Adopted by the senate January 28, 1919.

JOHN G. OGLESBY,
President of Senate.
J. H. PADDOCK,
Secretary of Senate.

Concurred in by the house of representatives January 29, 1919.

DAVID E. SHANAHAN,
Speaker of the House of Representatives.
B. H. MCCANN,
Clerk of the House of Representatives.

Filed January 31, 1919.

LOUIS L. EMMERSON,
Secretary of State.

Mr. LEWIS. I also present a resolution adopted by the Legislature of the State of Illinois as to the matter of six months' pay for soldiers, sailors, and marines, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Certificate No. 3215.

STATE OF ILLINOIS,
OFFICE OF THE SECRETARY OF STATE.

To all to whom these presents shall come, greeting:

I, Louis L. Emmerson, secretary of state of the State of Illinois, do hereby certify that the following and hereto attached is a true copy of senate joint resolution No. 6 of the Fifty-first General Assembly of the State of Illinois, the original of which is now on file and a matter of record in this office.

In testimony whereof I hereto set my hand and cause to be affixed the great seal of the State of Illinois. Done at the city of Springfield this 31st day of January, A. D. 1919.

[SEAL.]

LOUIS L. EMMERSON,
Secretary of State.

FIFTY-FIRST GENERAL ASSEMBLY.

Senate joint resolution 6.

Whereas the most important problem of reconstruction is the individual readjustment in the lives of the men who willingly went forth to heroically serve our Nation and our allies in the time when free institutions and the rights of free men everywhere were threatened; and

Whereas no adequate provision is being made by the Federal Government for these returning soldiers, sailors, and marines who have made tremendous sacrifices for our country; and

Whereas there is a movement to secure national legislation guaranteeing to every soldier, sailor, and marine his pay for some sufficient period after his return to civil life, until he can obtain remunerative employment; and

Whereas other countries which have suffered more and which have expended far greater sums of money than has the United States of America, are making more ample and more just provisions for their soldiers: Be it

Resolved by the Senate of the State of Illinois (the House of Representatives concurring therein), That a memorial be sent to Congress requesting the Federal Government to pay at least six months' salary to every soldier, sailor, and marine upon his return to civil life; and be it

Resolved, That the secretary of state be, and hereby is, directed to transmit copies of this resolution to the United States Senate and to the House of Representatives and to the several Members of both bodies representing the State of Illinois, and to Hon. Newton D. Baker, Secretary of War, and to Hon. Josephus Daniels, Secretary of the Navy.

Adopted by the senate January 28, 1919.

JOHN G. OGLESBY,
President of Senate.
J. H. PADDOCK,
Secretary of Senate.

Concurred in by the house of representatives January 29, 1919.

DAVID E. SHANAHAN,
Speaker of the House of Representatives.
B. H. MCCANN,
Clerk of the House of Representatives.

Filed January 31, 1919

LOUIS L. EMMERSON,
Secretary of State.

Mr. BANKHEAD. I present a resolution adopted by the Legislature of the State of New York, touching the pending water-power bill. It is short and I ask that it be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the resolution was referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK, IN SENATE,
Albany, January 27, 1919.

By Mr. Mackrell:

Whereas a bill entitled "An act to amend an act entitled 'An act to regulate the construction of the dams across navigable waters,' approved June 21, 1906, as amended by the act approved June 23, 1910," and to provide for the improvement and development of waterways for the uses of the interstate and foreign commerce, passed the Senate December 14, 1917, and the House of Representatives September 5, 1918; and

Whereas Hon. JOHN K. SHIELDS, Hon. JOHN H. BANKHEAD, Hon. HENRY L. MYERS, Hon. KEY PITTMAN, Hon. KNUTE NELSON, and Hon. REED SMOOT, from the Senate, and Hon. THETUS W. SIMS, Hon. SCOTT FERRIS, Hon. ASBURY F. LEVER, Hon. JOHN J. ESCH, Hon. WILLIAM L. LA FOLLETTE, and Hon. GILBERT N. HAUGEN, from the House of Representatives, have been appointed to confer and agree upon the terms of said bill; and

Whereas the water powers of the State are urgently needed for the promotion of industry:

Resolved (if the assembly concur), That the Legislature of the State of New York earnestly request our Representatives in Congress and the conferees named to do all in their power to stimulate action on said bill to the end that it may be acted upon favorably: *Providing, however*, That the same does not in any way diminish or impair the rights of the State of New York in the ownership and control of such navigable waters.

Resolved, That certified copies of this resolution be forthwith transmitted to the President of the Senate, the Speaker of the House of Representatives, our Representatives in Senate and in the House, as well as the conferees named above.

By order of the senate.

ERNEST A. FAY, *Clerk.*

IN ASSEMBLY, *January 30, 1919.*

Concurred in without amendment.

By order of the assembly.

FRED W. HAMMOND, *Clerk.*

Endorsed: Filed January 30, 1919.

FRANCIS M. HUGO,
Secretary of State.

STATE OF NEW YORK,
Office of the Secretary of State, ss:

I have compared the preceding copy of resolution relative to regulating the construction of the dams across navigable waters and to provide for the improvement and development of waterways for the use of the interstate and foreign commerce with the original resolution on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole thereof.

Given under my hand and the seal of office of the secretary of state, at the city of Albany, this 30th day of January, 1919.

[SEAL.]

C. W. TAFT,
Second Deputy Secretary of State.

Mr. LA FOLLETTE. I desire to have printed in the RECORD a resolution from the president of the Wisconsin Woman Suffrage

Association, reporting the action of the legislature upon a resolution regarding the enactment of the constitutional amendment now pending in the Senate. I have not yet received the resolution from the legislature, but I presume it will be forthcoming.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

MILWAUKEE, WIS., *February 1, 1919.*

Senator ROBERT LA FOLLETTE,
The Senate, Washington, D. C.:

Resolution passed by Wisconsin Legislature January 16—senate, 24 for, 4 against; assembly, 75 for, 14 against:

"*Resolved by the assembly (the senate concurring)*, That we indorse woman suffrage, following the platforms of the political parties of this State and favor that the Senate of the United States adopt the legislation now pending before it providing for submitting to the several States an amendment to the Federal Constitution establishing national woman suffrage. Be it further

"*Resolved*, That this resolution, properly signed and attested by the officers of this legislature, be forwarded to the United States Senate and a copy thereof to each United States Senator."

THEODORA W. YOUNANS,
President Wisconsin Woman Suffrage Association.

Mr. KNOX presented a petition of the Rotary Club, of Wilkes-Barre, Pa., praying for the change of the name of the Panama Canal to Roosevelt Canal, which was referred to the Committee on Interoceanic Canals.

He also presented a petition of the Chartiers Grange of Farmers, of Canonsburg, Pa., praying for an adequate construction of national highways, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Board of Trade of Philadelphia, of the Board of Trade of Monnesen, of the Chamber of Commerce of Lebanon, of the Rotary Club of Wilkes-Barre, of the Board of Trade of Lansdale, of the Rotary Club of Allentown, of the Kiwanis Club of Scranton, and of the Business Men's Association of Charleroi, all in the State of Pennsylvania, praying that the return to private ownership of telegraph and telephone lines be deferred until Congress shall have studied the question and determined upon the proper and safe procedure to be thereafter followed, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of Local Union No. 138, United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, of York; of Local Lodge No. 632, International Association of Machinists, of Reading; of Local Lodge No. 922, Brotherhood of Railway Conductors of America, of Sunbury; and of sundry members of the American Federation of Railroad Workers of the Philadelphia & Reading Railroad Co., of Pottsville, all in the State of Pennsylvania, praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a resolution adopted by Local Division No. 16, Ancient Order of Hibernians, of Scranton, Pa., favoring freedom for Ireland, which was referred to the Committee on Foreign Relations.

Mr. SHERMAN presented a resolution adopted by the Legislature of the State of Illinois, petitioning Congress to pass the woman-suffrage amendment to the Constitution of the United States, which was ordered to lie on the table.

He also presented a resolution adopted by the Legislature of the State of Illinois, petitioning Congress to pay at least six months' salary to every soldier, sailor, and marine upon his return to civil life, which was referred to the Committee on Military Affairs.

BUREAU OF WAR RISK INSURANCE.

Mr. THOMAS, from the Committee on Finance, to which was referred the bill (H. R. 13273) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917, reported it without amendment.

CONSTRUCTION OF SHIPS.

Mr. JONES of Washington. From the Committee on Commerce I desire to present a report and I ask that it may be considered. It is the unanimous report of the committee, and it is a short bill. I think it is a matter which expresses the views of the Senate. I report back favorably without amendment from the Committee on Commerce the bill (S. 5292) making it unnecessary to secure permits from the United States Shipping Board for the construction of ships in American shipyards for foreign account, and I submit a report (No. 680) thereon.

The VICE PRESIDENT. The bill will be read.

The Secretary read the bill.

Mr. RANSDELL. I understand the chairman of the committee wishes to have the bill go to the calendar. I have no objection to it; I voted for it in committee and would like to have it passed, but in the absence of the chairman of the committee I ask that it may go to the calendar.

Mr. JONES of Washington. I did not know that the chairman might desire to have it go to the calendar.

Mr. RANSDELL. It may be that he will withdraw his objection. I do not want to be considered as opposing it; I am in favor of it personally, I will state to the Senator; but I think the chairman wanted to have it go to the calendar.

Mr. JONES of Washington. Very well; I will just present the report and let the bill go to the calendar.

The VICE PRESIDENT. The bill will be placed on the calendar.

PUBLIC HEALTH SERVICE.

Mr. RANSDELL. From the Committee on Public Health and National Quarantine I report back favorably without amendment the bill (S. 1597) to provide a division of tuberculosis in and an advisory council for the United States Public Health Service, and I submit a report (No. 681) thereon. I should like very much to have the bill taken up at once, if there be no objection.

Mr. SMOOT. I should like to have the bill go to the calendar in regular order.

Mr. RANSDELL. All right.

The VICE PRESIDENT. The bill will be placed on the calendar.

HOSPITALS FOR DISCHARGED SOLDIERS AND SAILORS.

Mr. RANSDELL. Mr. President, on the 28th of last month the bill (H. R. 13026) to authorize the Secretary of the Treasury to provide hospital and sanitarium facilities for discharged sick and disabled soldiers, sailors, and marines, after passing the House, was referred to the Committee on Appropriations of the Senate. On the 15th of December last a bill almost identical in terms was introduced in the Senate and referred to the Committee on Public Health and National Quarantine. On the 11th of December last a bill, H. R. 12917, after passing the House, was referred to the Committee on Public Health and National Quarantine. It related to the same subject as Senate bill 5202, just mentioned, and House bill 13026, just mentioned.

So there are two committees now which have the same matter before them. In addition thereto the Committee on Public Buildings and Grounds of the Senate, under a resolution passed some time ago, has for several weeks been investigating the question of hospital facilities. That measure is now being carefully investigated by the committee.

I will state, as chairman of the Committee on Public Health and National Quarantine, that I have discussed this rather troublesome problem with the chairman of the Committee on Public Buildings and Grounds, the chairman of the Committee on Appropriations, and with several members of my committee, and the consensus of opinion of them, in which I concur, is that these bills which are now before the Appropriations Committee and the Public Health Committee should be referred to the Committee on Public Buildings and Grounds, so that after making a careful investigation they can determine whether or not additional hospital facilities are needed.

I ask that House bill 12917, referred to the Committee on Public Health and National Quarantine, Senate bill 5202, referred to the Committee on Public Health and National Quarantine, and House bill 13026, referred to the Committee on Appropriations, be sent to the Committee on Public Buildings and Grounds. I will state that the chairman of the Committee on Appropriations believes that this is a wise course, and I also believe so, after a thorough investigation.

Mr. SMOOT. Can the Senator tell the Senate what committee in the House of Representatives had the bill?

Mr. RANSDELL. The Committee on Public Buildings and Grounds has been handling it over there, and the Committee on Public Buildings and Grounds of the Senate has been making rather an elaborate investigation. I have concluded that it is best to have them go ahead with it and determine whether or not these additional hospital facilities are needed.

The VICE PRESIDENT. It will be so ordered.

Mr. KING. I was about to ask the Senator if these bills ought not to go to the Committee on Military Affairs.

Mr. RANSDELL. There is no military question involved. I will state that it is for soldiers and sailors who have been discharged from the military and naval service, and there is a question as to whether or not they can be taken care of in the military hospitals under proper provision or whether we must provide additional hospital facilities to take care of them after they are discharged from the Army or the Navy.

Mr. HITCHCOCK. I should like to know whether the Committee on Public Buildings and Grounds ordinarily has jurisdiction over the hospitals and the sanitariums of the country?

Mr. RANSDELL. I can not state what is the ordinary rule. I would naturally assume that the Public Health Committee would have that jurisdiction, but I will say to the Senator that in the House of Representatives the jurisdiction was assumed by the Committee on Public Buildings and Grounds, and these bills have gone through there without any objection. Careful investigations were made as to both these bills, and both passed the House on the initiative of the Committee on Public Buildings and Grounds of that body. Contemporaneous with that, I will say that a resolution was introduced into this body instructing our Committee on Public Buildings and Grounds to make an investigation, which is absolutely essential, to determine whether or not additional hospitals are needed, and they are now making that investigation.

Mr. HITCHCOCK. That is the reason why I am asking the Senator whether this committee has had jurisdiction over hospitals and sanitoriums in the past. I have the impression that that is not the case, that the hospitals have not been under the jurisdiction of the Committee on Public Buildings and Grounds. The action of the House is not necessarily a guide, because the jurisdiction of the committees of the Senate does not concur with the jurisdiction of the committees of the House.

Mr. RANSDELL. I can not answer the question of the Senator. I will state that one of these bills, the bill carrying an appropriation of $10,500,000 for additional hospitals, after passing the House on the 27th of last month, when it reached this body, was referred to the Committee on Appropriations and not to the Committee on Public Health and National Quarantine.

Mr. HITCHCOCK. Will the Senator state what that appropriation was for?

Mr. RANSDELL. It was to construct hospitals for discharged soldiers and sailors and to place those hospitals in charge of the Public Health Service.

Mr. HITCHCOCK. It seems to me rather strange that the Committee on Public Buildings and Grounds should have jurisdiction over a matter which ought to belong to the Committee on Military Affairs or to the committee having charge of Public Health and National Quarantine.

Mr. RANSDELL. It is hardly a matter that belongs to the Committee on Military Affairs, I will say, because this is to take care of men who have been discharged from the Army or the Navy. As long as they remain in the Army or the Navy they are cared for by the military or naval hospitals. It is for the discharged men, I will say, that we are trying to provide. They come in under the war-risk insurance.

Mr. HITCHCOCK. Let me call the Senator's attention to the fact that we already have in this country, and have had for a great many years, hospitals in which discharged men are accepted as patients. Under whose jurisdiction are those hospitals?

Mr. RANSDELL. They are under the jurisdiction of the Public Health Service, but whether the law governing the buildings was provided by the Public Health Committee or provided by the Public Buildings Committee I can not say. I know as a general rule in the 20 years since I have been in Congress public buildings have been provided for by the Public Buildings Committees of the two Houses. This is simply a question whether we need additional buildings, and I rather think the bills ought to go to that committee.

I will say to the Senator that I try to stand up for my committee whenever I think I am right, and I would insist upon that course if I believed the bills belonged properly to the Public Health Committee, but after carefully investigating it rather seems to me, and several members of the committee concur with me in that view, as it is merely a question of buildings, that the bills should go to the Public Buildings Committee.

Mr. SWANSON. The present chairman of the Committee on Public Buildings and Grounds, the Senator from Missouri [Mr. REED], is not present. However, I am still a member of that committee. I should like to state in this connection that the reason why I presume this matter was referred to the Committee on Public Buildings and Grounds was because of the fact that there are temporary buildings being constructed, and that committee, I understand, is making an investigation to see if the present buildings that have been constructed during the war period can not be utilized for this purpose. As that committee has jurisdiction over public buildings generally and the necessity for them, it seems to me a wise and sensible course to pursue to have an investigation, to see if the temporary buildings constructed during the war can not be used temporarily for hospital purposes, and not go to the great expense of constructing additional buildings.

I understand that the Committee on Public Buildings and Grounds is now investigating the temporary buildings constructed both here and elsewhere to ascertain if those buildings can not be utilized for hospital purposes to take care of soldiers and sailors at present. It seems to me it would be a waste of money to proceed to the construction of new buildings before we ascertain whether these temporary buildings can be so used. For that purpose the question was referred to the Committee on Public Buildings and Grounds, to ascertain the number of buildings already constructed and what use can be made of them, and to what extent they can be used for hospital purposes to take care of discharged soldiers and sailors. I understand that the committee is now making a thorough investigation, and when they have made that investigation and furnished the Senate with the information it can act intelligently with a view to the public interest.

Mr. RANSDELL. Mr. President, if they find, as a result of their investigation, that these additional buildings for hospitals are needed, the whole question will then be before them; the three bills will be before them, so that they can act intelligently, and we may get the needed legislation at this session of Congress; whereas, if we stand upon the rights of the respective committees here, a great deal of delay may result and the soldiers and sailors may suffer. I think it will expedite legislation to have this done, and I hope it will be done.

Mr. SMOOT. Mr. President, I notice in reading the bill that it not only proposes to appropriate $10,500,000 for the building of new hospitals or sanitariums, but there is an authorization in the bill giving power to the Secretary of the Treasury "to contract with any existing hospital or sanatorium, by lease or otherwise, for the immediate use, in whole or in part, of their present facilities."

The bill goes on and states that they can transfer whatever equipment or material is in the present hospitals and sanatoriums to wherever they decide to erect this building.

It seems to me, Mr. President, that this is rather an unusual provision; and I desire to ask the Senator from Louisiana if, after the discussion that took place in the House, he has formed any opinion as to what is back of this legislation; where the hospital is to be located and what is the program?

Mr. RANSDELL. To what bill does the Senator from Utah refer—to the bill proposing to appropriate $10,500,000?

Mr. SMOOT. Yes; I refer to that bill.

Mr. RANSDELL. I do not know what is back of it, except that the hearings before the Public Health Committee indicated that there was a genuine need for additional hospitals; that a great many tuberculous patients had developed among the boys who had been sent to training camps; a great many of them, after being temporarily accepted, were discharged because of having tuberculosis, and there has been a very great increase of tuberculosis among the boys in the Army. The Public Health Service, having to take care of these men under the provisions of the war-risk insurance act, finds itself without sufficient hospitals, and they are asking that they be given additional hospitals so as to provide amply for these men. That is all I know about it.

Mr. SMOOT. Mr. President, if I remember correctly—and I am only quoting from memory, for I have not looked the matter up lately—out of the first one million one hundred thousand and some odd soldiers who were either drafted or entered voluntarily into the Army, there were 145,000 affected by tuberculosis. Of course, they were not allowed to enter the Army. It is true that since the Army has been organized many cases of tuberculosis have developed during the service of the soldiers. I have not seen any of the figures stating how many or what the percentage is.

Mr. RANSDELL. About 22,000, I would say, were the figures given the Committee on Public Health. The men of the character of which the Senator speaks are entitled to be cared for under the provisions of their contract with the War Risk Insurance Bureau.

Mr. SMOOT. I had thought about that. Mr. President, of course, I am not going into a discussion of this subject at this time, but I had been led to believe, from some statements of Members of the other House, who had made an investigation into this matter, that there is a program on foot to locate somewhere in the United States a great sanatorium, and to abolish the others which are now in existence. I am also informed that the space in existing hospitals and sanatoriums is a great deal more, and can take care of a greater number of soldiers and sailors than will the proposed new hospital, but that it is intended to abandon these hospitals and sanatoriums and to concentrate them in one place.

Mr. RANSDELL. I will state to the Senator that his information is incorrect in that respect. It is not intended to spend all of this money in one hospital; in fact, the Public Health Service is opposed to having very large hospitals. They say that such patients can be better treated in a number of

smaller hospitals. They have, as I understand, now some 1,500 beds scattered around in several hospitals throughout the country. They propose in some instances to enlarge some of the hospital facilities that now exist, merely increasing the size and number of the beds, and to establish some new hospitals. They are obliged under the present law to take care of the men of the merchant marine, and they anticipate a very great increase in the merchant marine, so that perhaps, in the near future, they will have a good many more men of that kind to take care of.

Now, as to the hospital of which the Senator from Utah speaks, I will state that in one of these bills, when it was introduced in the other House, there was, I believe, a special provision to construct a hospital at Dawson Springs, Ky.; but that was in the bill carrying an appropriation for, as I recall it, about $1,500,000. That was entirely stricken out of the bill, and, as it passed the House, there is nothing of that kind in it. Probably the Public Health Service would construct a hospital at that place if it were found the best place for it. The larger bill, carrying $10,500,000, I will say, has absolutely no connection with the bill I have just mentioned, and that is the bill which the Public Health Service is so very solicitous about.

Mr. NELSON and Mr. VARDAMAN addressed the Chair.

The VICE PRESIDENT. Does the Senator from Louisiana yield further; and if so, to whom?

Mr. RANSDELL. I will yield first to the Senator from Minnesota when the Senator from Utah has finished his question, and then I will yield to the Senator from Mississippi.

Mr. SMOOT. I have finished.

Mr. NELSON. I want to ask this question: Is there not a pretty fair hospital arrangement at each of the cantonments we already have, and can not the hospitals in those cantonments be utilized to meet the necessities of the Government without incurring any great additional expense?

Mr. RANSDELL. That is the very question, I will state to the Senator from Minnesota, which is now being very carefully investigated by the Committee on Public Buildings and Grounds; and it is for that purpose that I am so willing to have the jurisdiction of the matter referred to that committee, as it has the whole subject before it, and I believe is disposed to do absolutely what is right and proper in the premises.

Mr. VARDAMAN. Mr. President——

Mr. RANSDELL. I now yield to the Senator from Mississippi.

Mr. VARDAMAN. May I ask the Senator from Louisiana if he does not think it would be better, in fact if it is not necessary, to locate the hospitals where tubucular patients are to be treated at some particular place where the atmosphere and climate is peculiarly favorable to the treatment of tuberculosis? It was a theory long entertained by the physicians that the climate of New Mexico, Colorado, Texas, and other sections of greater altitude was better. I apprehend that a hospital situated in the low malarious regions would not be quite so well suited to the treatment of tubercular patients as at the places just mentioned.

Mr. RANSDELL. Responding to the question of the Senator from Mississippi, I will say that the best opinion in the medical world now is that tuberculosis can be treated about as well in one section of the country as it can be in another, and physicians do not any longer think that they are obliged to send such patients out to high altitudes in the far West, as they once used to do. I do not think that it is contemplated constructing these hospitals very far away from the centers of population.

Mr. VARDAMAN. Do they keep tubercular patients in the same hospital with those who have other diseases?

Mr. RANSDELL. I understand that they try to segregate them as well as they can in the wards of the hospitals; but they do not contemplate the erection of hospitals particularly for the treatment of tuberculosis.

Mr. VARDAMAN. I think, Mr. President—though, of course, I am not a doctor——

Mr. RANSDELL. Nor am I.

Mr. VARDAMAN. But it seems to me that the treatment of tuberculosis is so different from the treatment of other diseases that it would be very much better if the tuberculosis hospital should be situated and constructed with a view especially to the treatment of that particular disease. I know that the modern treatment of tuberculosis is open air, nutritious diet, and moderate exercise. The open-air treatment is observed in influenza and many other diseases, but it is peculiarly so in tuberculosis; but it seems to me that the tubercular patients ought to be segregated and the hospitals designed and constructed with a view of so separating the patients from others, if possible, as to avoid the possibility of contagion.

Mr. FLETCHER. Mr. President, may I suggest to the Senator that it might be well to call attention to the obligations upon the Public Health Service? Under the law as it stands now the Public Health Service is obliged to treat the following cases:

(1) Merchant seamen.
(2) The Mississippi River Commission.
(3) The United States Coast Guard Service.
(4) The United States Lighthouse Service.
(5) The Engineer Corps of the United States Army.
(6) The United States Coast and Geodetic Survey.
(7) Civilian employees injured under the workman's compensation act.
(8) Civilian employees injured on Army transports.
(9) Cases of discharged soldiers and sailors under the war-risk insurance act of October 6, 1917.

That is quite an extensive service. The report of the House committee shows that to meet these requirements the Public Health Service has the following facilities:

Twenty-two hospitals and one sanatorium, with a total capacity of 1,556 beds. This total will be increased by 744 additional beds authorized by a provision in the urgent deficiency act approved March 28, 1918. But even when these additional beds are ready they will be inadequate to meet the needs of the Public Health Service, exclusive of the requirements of the War Risk Insurance Bureau. At the present time the Public Health Service is obliged to find accommodations for some of its charges at private hospitals.

I also quote the following from the House committee report to show the burdens and responsibilities the Public Health Service is called upon to meet:

With these inadequate facilities it is called upon to meet the following burdens and responsibilities:

War-risk insurance beneficiaries now actually under treatment	1,539
Soldiers, sailors, and marines discharged up to Nov. 1, 1918, because of tuberculosis who are entitled to treatment under the act of Oct. 6, 1917	23,000
Cases of epilepsy reported up to Dec. 1, 1918	5,220
Cases of psychoneurosis reported up to Nov. 1, 1918 (all of whom are practically recommended for discharge)	14,747
Total	42,967

Making a grand total of actual and potential beneficiaries of the War Risk Insurance Bureau of 42,967. When it is considered that this does not include the beneficiaries of the merchant marine, the United States Coast Guard Service, the Army Transport Service, and the civilian employees of the workman's compensation act, all of whom must also look for care and treatment to the Public Health Service, the need for these facilities provided by this bill must be apparent.

I think that probably it is not fully understood just what are the demands on the Public Health Service. The statement by the House committee in its report shows a need for increased facilities. The merchant marine hospitals, for instance, scattered along up and down the coast, need to be enlarged in some respects, for that service, as the Senator has suggested, has grown extensively. It would seem that unquestionably there is a great need for additional facilities for the Public Health Service.

Now, as to the Army hospitals, I think the War Department is supplied with ample hospital accommodations; but this is entirely outside of the Army. It is a matter that needs immediate attention because we can not fail to take proper care of these cases.

Mr. RANSDELL. Mr. President, I thank the Senator from Florida for reading from that report. It is very interesting and indicates the gravity of the situation. There is no doubt that we have got to provide facilities in some way. Whether we will build new hospitals or utilize hospitals in the cantonments or utilize some public buildings is a matter which ought to be determined by the Public Buildings and Grounds Committee. I hope it will determine the question speedily and report upon these bills, because we undoubtedly need this legislation.

Mr. FRELINGHUYSEN. Mr. President——

Mr. RANSDELL. I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. Mr. President, I happen to be a member of both committees, and I voted to report this bill because I believe that it is necessary that something be done immediately to take care of the wounded and the maimed soldiers who have become or will become public charges. The Army, through the cantonments and the rehabilitation hospitals, is taking care of the soldiers who are still in the Army; but when they are discharged from the Army, if they are maimed, if they are incapacitated, it is necessary, through the War Risk Insurance, that as civilians they be taken care of by another department. Therefore they become charges of the Public Health Service.

These men are not only tubercular patients, but they are the poor wrecks of humanity who have been sent over here maimed and incapacitated for life. Only on Saturday I heard from one of the hospital attendants, a Red Cross nurse in New York, of the case of a man who was landed in this country without his arms and legs, and they had to carry him to the hospital in a clothes basket. Turning to the woman who was helping carry

that basket, he asked, "Are you from the South?" She replied, "Yes; how did you know?" He said, "By your voice; for I can not see." There is a ward in the Greenhut Hospital in New York that is closed to visitors because the men there are so maimed and wounded that they are kept from the sight of visitors. It is those men for whom we must provide.

Possibly there may be facilities in the cantonments, but the method of arriving at a proper settlement of that question is to ask the Surgeon General what hospital facilities he has that he can turn over to the Treasury Department. If the bill is referred to that committee I shall recommend that plan as a method whereby we can use the hospital facilities which we now have; but if we have no hospital facilities, if there is nothing available, we should appropriate all the money that is necessary to take care of these poor unfortunates, and there are many of them.

Mr. LEWIS. Mr. President, with the permission of the Senator from Louisiana, may I have the attention of the Senator from New Jersey? It may interest him for me to tell him of what was an interesting revelation to me. In company with a committee I went to the Surgeon General's office to make inquiry respecting hospital accommodations, and was pleased and equally surprised to hear him say that at Fort Myer there is such space of accommodations, to use his words, that they have many beds bidding for occupants, but for some reason or other there has not been enough demand for the use of those beds to occupy them to their capacity. If conditions be as the able Senator from New Jersey indicates they must be, it seems to me remarkable that the Surgeon General's Office here should be informed that there were not enough applicants needing hospital attention to fill the beds, which he informed me and also informed the committee are to-day vacant. Something is evidently irregular in the method of transferring information to the Surgeon General's office in connection with such matters as the Senator from New Jersey has brought to the attention of the Senate this morning.

Mr. FRELINGHUYSEN. Mr. President, there may be a hospital at Fort Myer that at the present time has facilities for these wounded men, but it is a question of transportation, a question of the special attention that can be afforded. I know that at the present time the Greenhut Hospital in New York is almost overcrowded with these maimed, broken-down men.

The whole question resolves itself into a question of cooperation between these two departments—the Treasury Department and the Surgeon General's Office. Perhaps the Senator from Illinois can suggest some method whereby they can be coordinated. The Public Health Service and the Surgeon General's Office are working along parallel lines, yet they are separate departments with separate appropriations and separate organizations. The Surgeon General's department has been intrusted with the supervision of the sanitary conditions in the camps, but at the boundary line of the camp their jurisdiction stops, and the sanitary conditions in the zone outside of the camp come under the jurisdiction of the Treasury Department—a duplication which I have always considered was not only expensive but entirely unnecessary.

Mr. LEWIS. I can assure the Senator, if I may be pardoned for just a second, that the Surgeon General assured me, and assured the committee of which I was a member, that every effort is being made by the department for the very cooperation to which the Senator refers, and every attention possible that our Government can give is being given to remedy just such instances as the Senator has pointed out.

Mr. SWANSON and Mr. REED addressed the Chair.

The VICE PRESIDENT. The Senator from Louisiana will have to take charge of the floor.

Mr. RANSDELL. I yield to the Senator from Virginia.

Mr. SWANSON. Mr. President, I will say to the Senator that the purpose of this reference is to let the Committee on Public Buildings and Grounds ascertain from the authorities of the Soldiers' Home, of the Army and Navy hospitals, and of the public buildings that are now being constructed what buildings are immediately available for hospital purposes. This inquiry can be made more quickly and more effectively now than if it is delayed. It seems to me that the only committee for this bill to be referred to is to the Committee on Public Buildings and Grounds, which could report it back in a few days. I want to say that the Senator from Missouri [Mr. REED], the chairman of that committee, is one of the most active and energetic Members of this body. The purpose of this reference is for that committee to investigate what buildings at present constructed and in course of construction can be availed of for that purpose, to make a report, and to have them turned over to the Public Health Service by legislation, so that the buildings can be utilized for this purpose. That is the only purpose of the reference. Buildings at present constructed that can be utilized for that purpose will give more speedy relief than the construction of new buildings.

Mr. MARTIN of Virginia. Mr. President, will the Senator yield to me for just one sentence?

Mr. RANSDELL. I yield to the Senator from Virginia.

Mr. MARTIN of Virginia. I note that my colleague says that some legislation may be needed. In that connection I desire to say that the Appropriations Committee has inserted in the pending legislative, executive, and judicial appropriation bill a provision creating a commission to assign space in public buildings to all of the activities of the Government, so that when this matter goes to the Committee on Public Buildings and Grounds they can call in this commission, if the provision to which I refer is adopted—and it is so worthy that I can not see how it can fail—and this commission on public buildings and grounds can assign space. If there be any space in any public building that can be utilized for hospital purposes it need not call for legislation, but the commission on public buildings and grounds can assign to these hospital purposes such space as the Government has that is suitable for the purpose.

Mr. FRELINGHUYSEN. Mr. President——

Mr. RANSDELL. I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. I will say to the Senator from Virginia that I am not opposing the reference of this bill to the Committee on Public Buildings and Grounds, because I believe it would be a good thing; but, if it is practical, I think that not only the Public Health Committee but also the Public Buildings and Grounds Committee should meet jointly and take up the question. Otherwise there will be apt to be conflicts.

Mr. RANSDELL. Mr. President, if the Committee on Public Buildings and Grounds want the assistance of the Public Health Committee, we shall be very glad to meet with them. We have gone more or less into the merits of the general proposition, which I do not think we ought to discuss here. Everybody seems to agree that the reference should be made to the Public Buildings and Grounds Committee, and I hope that order will be made.

The VICE PRESIDENT. That is what was done a while ago.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5510) to provide for the construction of a public building at Duluth, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. CHAMBERLAIN:

A bill (S. 5511) for the relief of the estate of the late Capt. Belvedere Brooks; to the Committee on Claims.

By Mr. HOLLIS:

A bill (S. 5512) to amend the Federal farm-loan act, approved July 17, 1916; to the Committee on Banking and Currency.

By Mr. WEEKS:

A bill (S. 5513) authorizing the Secretary of War to donate to the town of Framingham, Mass., one German cannon or fieldpiece; and

A bill (S. 5514) authorizing the Secretary of War to donate to the city of Waltham, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. JONES of New Mexico:

A bill (S. 5515) providing for an additional judge for the district of New Mexico; to the Committee on the Judiciary.

A bill (S. 5516) to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes"; to the Committee on Public Buildings and Grounds.

By Mr. SIMMONS:

A bill (S. 5517) to amend the war-risk insurance act; to the Committee on Finance.

By Mr. GORE:

A bill (S. 5518) to provide that the United States shall cooperate with the States in promoting the health of the rural population of the United States, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. POMERENE:

A bill (S. 5519) granting an increase of pension to Daniel C. Darlington; and

A bill (S. 5520) granting a pension to Mary A. Lake; to the Committee on Pensions.

By Mr. McKELLAR (for Mr. SHIELDS):

A bill (S. 5521) granting a pension to Jane Roberts; and

A bill (S. 5522) granting an increase of pension to C. F. Boyer (with accompanying papers); to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. JONES of Washington submitted an amendment proposing to appropriate $100,000 to enable the Secretary of the Interior to combat the influenza in Alaska and to afford relief to the indigent natives, etc., intended to be proposed by him to the general deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $100,000 for beginning the construction of the Toppenish and Simcoe Creeks irrigation project, Yakima Indian Reservation, Wash., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

ABROGATION OF TREATIES.

Mr. JONES of Washington. Mr. President, nearly two months ago—in fact, on December 5—the Senate adopted a resolution calling on the Secretary of State for information as to what countries had notified this country of the abrogation of treaties that they may have with the United States, and also countries with which the United States has treaties that would interfere with our passing certain legislation with reference to discriminating duties. It does not seem to me that it ought to take two months to gather the information called for by that resolution; but it has been two months since the Senate adopted the resolution and no response has been received. I submit a further resolution on the subject and ask for its adoption.

The VICE PRESIDENT. The Secretary will read the resolution.

The resolution (S. Res. 436) was read, as follows:

Resolved, That the Secretary of State be, and he is hereby, directed to furnish the information called for by the Senate resolution of December 5, 1918, or inform the Senate why it can not be furnished.

Mr. THOMAS. Mr. President, I wish to inquire of the Senator whether that resolution should not be directed to the President instead of to the Secretary of State?

Mr. JONES of Washington. I suppose the Secretary of State is the custodian of all these treaties.

Mr. THOMAS. Yes. Of course the Senator knows, however, that the Department of State is organized under a law that is entirely different from that under which any other department is organized. The President is the head of it, and I think it is for him to pass upon these matters.

Mr. JONES of Washington. Of course the Secretary can report and state why he can not furnish this information.

Mr. THOMAS. I do not object to it.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

THE MERCHANT MARINE.

Mr. CALDER submitted the following resolution (S. Res. 435), which was read, considered by unanimous consent, and agreed to:

Whereas a United States merchant marine is of prime importance to this country, not only because of the commercial value in itself of the shipping industry, with shipbuilding and other dependent industries and pursuits, but also because of its influence on our foreign trade and the power of foreign shipping to discriminate against the same, if we are dependent on such shipping, and because of the immediate necessity for a merchant marine in time of national emergency, which it may not be possible to supply in time to avert grave disaster; and

Whereas the Government, as a war measure, has greatly enlarged the shipbuilding facilities and embarked on a shipbuilding program at enormous expense, and this expense should be discontinued and measures taken to make such salvage as is reasonably practicable, unless it is possible to establish a merchant marine on a sound basis which can ultimately absorb the same; and

Whereas, in the final analysis, our ability to maintain a merchant marine in foreign trade upon a sound basis depends on the difference in cost of operation in favor of foreign ships and whether such difference can be obviated or offset: Now, therefore, be it

Resolved, That the Committee on Commerce be, and hereby is, directed to investigate the difference in cost of operation of vessels of the United States in foreign trade as compared with those of the other principal maritime nations, as now prevailing and as likely to prevail in normal times, with the causes thereof, and to report the results to the Senate.

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. Mr. President, I desire to announce that, by authorization of the Committee on Woman Suffrage, on next Monday I shall move to take up for consideration the woman-suffrage amendment to the Constitution.

THE CENSUS.

Mr. SHEPPARD. I submit the conference report on the census bill, and ask that it be printed in the RECORD. I shall call the report up for consideration the first opportunity.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 24, 27, and 28.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 4, 5, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 29, 30, 31, 32, 33, 34, 35, 36, 37, and 38, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"That a census of the population, agriculture, manufactures, forestry and forest products, and mines and quarries of the United States shall be taken by the Director of the Census in the year 1920 and every 10 years thereafter. The census herein provided for shall include each State, the District of Columbia, Alaska, Hawaii, and Porto Rico. A census of Guam and Samoa shall be taken in the same year by the respective governors of said islands and a census of the Panama Canal Zone by the Governor of the Canal Zone, in accordance with plans prescribed or approved by the Director of the Census."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following: "$5,000; the chief clerk and three chief statisticians for the divisions of population, manufactures, and agriculture, respectively, $4,000 each; three"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert the following: "for the divisions of vital statistics and statistics of cities, and the chief statistician provided for in section 3 of this act, $3,600 each"; also, on page 4, line 9, of the engrossed bill, strike out the word "and"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "$3,000"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "subject to the approval of the United States Civil Service Commission, these"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following: "applicants claim to have"; also, on page 6, line 16, of the engrossed bill strike out the word "or" where it occurs the first time and insert the word "of"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate, insert the following:

"*And provided further*, That in the selection of the additional clerks and employees provided for by section 6 the Director of the Census is authorized to use, so far as practicable, the reemployment registers established by Executive order of November 29, 1918, so far as the same applies to permanent appointments by competition."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate insert the following:

"SEC. 8. That the Fourteenth Census shall be restricted to inquiries relating to population, to agriculture, to manufactures, to forestry and forest products, and to mines and quarries. The schedules relating to population shall include for each inhabitant the name, place of abode, relationship to head of family, color, sex, age, conjugal condition, place of birth, place of birth of parents, nationality or mother tongue of all persons born in

foreign countries, nationality or mother tongue of parents of foreign birth, number of years in the United States, citizenship, occupation, whether or not employer or employee, whether or not engaged in agriculture, school attendance, literacy, tenure of home and the encumbrance thereon, and the name and address of each blind or deaf and dumb person.

"The schedules relating to agriculture shall include name, color, sex, and country of birth of occupant of each farm, tenure, acreage of farm, acreage of woodland, value of farm and improvements, and the encumbrance thereon, value of farm implements, number of live stock on farms, ranges, and elsewhere, and the acreage of crops and the quantities of crops and other farm products for the year ending December 31 next preceding the enumeration. Inquiries shall be made as to the quantity of land reclaimed by irrigation and drainage and the crops produced, also as to the location and character of irrigation and drainage enterprises and the capital invested in such enterprises.

"The schedules of inquiries relating to manufactures, to forestry and forest products, and to mines and quarries shall include the name and location of each establishment; character of organization, whether individual, corporate, or other form; character of business or kind of goods manufactured; amount of capital actually invested; number of proprietors, firm members, copartners and officers, and the amount of their salaries; number of employees and the amount of their wages; quantity and cost of materials used in manufactures; principal miscellaneous expenses; quantity and value of products; time in operation during the year; character and quantity of power used; and character and number of machines employed.

"The census of manufactures, of forestry and forest products, and of mines and quarries shall relate to the year ending December 31, next preceding the enumeration of population, and shall be confined to manufacturing establishments and mines and quarries which were in active operation during all or a portion of that year. The census of manufactures shall furthermore be confined to manufacturing establishments conducted under what is known as the factory system, exclusive of the so-called neighborhood, household, and hand industries.

"Whenever he shall deem it expedient, the Director of the Census may charge the collection of these statistics upon special agents or upon detailed employees, to be employed without respect to locality.

"The number, form, and subdivision of inquiries provided for in section 8 shall be determined by the Director of the Census."

And the Senate agree to the same.

MORRIS SHEPPARD,
H. F. ASHURST,
Managers on the part of the Senate.

W. C. HOUSTON,
J. B. ASWELL,
CHARLES A. NICHOLS,
Managers on the part of the House.

HOUSE BILLS REFERRED.

H. R. 15018. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1920, was read twice by its title and referred to the Committee on Agriculture and Forestry.

H. R. 15219. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Pensions.

LEGISLATIVE, ETC., APPROPRIATIONS.

Mr. UNDERWOOD. Mr. President, is the morning business closed?

The VICE PRESIDENT. Not yet. Is there any further morning business? [A pause.] The morning business is closed. The calendar, under Rule VIII, is in order.

Mr. UNDERWOOD. Mr. President, I know it is subject to a point of order to interfere with the calendar; but the legislative, executive, and judicial appropriation bill is on the calendar, and I think it will take a very short time to pass it. There are not many amendments. It is of great importance that it should be disposed of at an early hour; and I ask unanimous consent for the immediate consideration of the legislative bill.

Mr. SWANSON. Mr. President, I should like to ask the Senator if he purposes to let it interfere with the Post Office bill?

Mr. UNDERWOOD. No; not unless the chairman will consent when it comes up. I think the legislative bill can be finished before 2 o'clock.

Mr. SWANSON. At 2 o'clock the Senator does not purpose to request that the consideration of the legislative bill be continued?

Mr. UNDERWOOD. If we are within a few minutes of finishing it, I will ask the chairman's permission to complete it.

Mr. SWANSON. Oh, I shall not object to that; but the Senator will not interfere seriously with the Post Office appropriation bill?

Mr. UNDERWOOD. No; I will not interfere seriously.

Mr. SHEPPARD. Mr. President, I had intended to object, as I have heretofore announced, to any interference with Calendar Monday, but on account of the very great importance of this particular bill, I shall make no objection.

Mr. UNDERWOOD. I thank the Senator.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Alabama?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. UNDERWOOD. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with and that the Secretary may read the bill for amendments, the committee amendments to be first considered.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. POMERENE. Mr. President, out of deference to the wishes expressed by certain members of the Appropriations Committee, I have consented to having this matter taken up. I had intended to call up the Michigan election resolution this morning. I will not do that now, but it will be my purpose to call it up to-morrow morning at the close of morning business.

Mr. UNDERWOOD. I thank the Senator.

Mr. KING. Mr. President, does the Senator's request contemplate that there shall be no reading of the bill at all?

Mr. UNDERWOOD. No; the bill will be read, but the formal reading of the bill will be dispensed with, which is usually done with appropriation bills; and then the bill will be read for amendment. I ask, however, that the committee amendments be given prior consideration.

The VICE PRESIDENT. The Secretary wil read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head "Legislative," subhead "Senate," on page 2, line 15, before the word "minute," to strike out "financial clerk"; in line 16, after "$3,600," strike out "executive clerk, and assistant financial clerk, at $2,750 each" and insert "financial clerk, $3,600; assistant financial clerk and printing clerk, at $3,000 each; executive clerk, $2,750"; in line 20, before the word "assistant," to insert "and"; in the same line, after the word "clerk," to strike out "and printing clerk"; and on page 3, line 4, after the words "in all," to strike out "$94,410" and insert "$95,760," so as to make the clause read:

Office of Secretary: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, $6,500; assistant secretary, Henry M. Rose, $5,000; chief clerk, $3,250; minute and Journal clerk, principal clerk, and enrolling clerk, at $3,000 each; reading clerk, $3,600; financial clerk, $3,600; assistant financial clerk and printing clerk, at $3,000 each; executive clerk, $2,750; librarian, file clerk, chief bookkeeper, and assistant Journal clerk, at $2,500 each; first assistant librarian, and keeper of stationery, at $2,400 each; assistant librarian, $1,800; skilled laborer, $1,200; clerks—3 at $2,500 each, 4 at $2,220 each, 2 at $2,100 each, 1 $1,800, 2 at $1,600 each, 1 $1,440; assistant keeper of stationery, $2,000; assistant in stationery room, $1,200; messenger, $1,440; assistant messenger, $1,200; laborers—3 at $840 each, 3 at $720 each, 1 in stationery room, $720; in all $95,760.

The amendment was agreed to.

The next amendment was, on page 3, line 9, after the word "Committees," to strike out:

Additional accommodations for the Library of Congress—clerk $2,220, assistant clerk $1,440, messenger $1,200; Agriculture and Forestry—clerk $2,500, assistant clerk $1,800, messenger $1,440; Appropriations—clerk $4,000, two assistant clerks at $2,500 each, two assistant clerks at $1,440 each, messenger $1,440, laborer $720; To Audit and Control the Contingent Expenses of the Senate—clerk $2,500, assistant clerk $1,440, messenger $1,200; Banking and Currency—clerk $3,000, assistant clerk $1,800, assistant clerk $1,440, messenger $1,200; Canadian Relations—clerk $2,220, assistant clerk $1,440, messenger $1,200; Census—clerk $2,220, assistant clerk $1,440, messenger $1,200; Civil Service and Retrenchment—clerk $2,220, assistant clerk $1,440, messenger $1,200; Claims—clerk $2,500, assistant clerk $2,000, assistant clerk $1,440, messenger $1,440; Coast and Insular Survey—clerk $2,220, assistant clerk $1,440, messenger $1,200; Coast Defenses—clerk $2,220, assistant clerk $1,440, messenger $1,200; Commerce—clerk $2,500, assistant clerk $2,220, assistant clerk $1,800, messenger $1,440; conference minority of the Senate—clerk $2,220, assistant clerk $1,800, two messengers at $1,200 each; Conservation of National Resources—clerk $2,220, assistant clerk $1,440, messenger $1,200; Corporations Organized in the District of Columbia—clerk $2,200, assistant clerk $1,440, messenger $1,200; Cuban Relations—clerk $2,220, assistant clerk $1,440, messenger $1,200; Disposition of Useless Papers in the Executive Departments—clerk $2,220, assistant clerk $1,440, messenger $1,200; District of Columbia—clerk $2,500, assistant clerk $1,800, messenger $1,440; Education and Labor—clerk $2,220, assistant clerk $1,800, messenger $1,440; Engrossed Bills—clerk $2,220, assistant clerk $1,800,

messenger $1,200; Enrolled Bills—clerk $2,220, assistant clerk $1,440, messenger $1,200; to Examine the Several Branches of the Civil Service—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Department of Agriculture—clerk $2,200, assistant clerk $1,440, messenger $1,200; Expenditures in the Department of Commerce—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Interior Department—clerk $2,220, assistant clerk $1,800, messenger $1,200; Expenditures in the Department of Justice—clerk $2,220, assistant clerk $1,440, messenger $1,440; Expenditures in the Department of Labor—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Navy Department—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Post Office Department—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Department of State—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the Treasury Department—clerk $2,220, assistant clerk $1,440, messenger $1,200; Expenditures in the War Department—clerk $2,220, assistant clerk $1,440, messenger $1,200; Finance—clerk $3,000, assistant clerk $2,220, assistant clerk $1,600, assistant clerk $1,440, messenger $1,440, two experts (one for the majority and one for the minority) at $2,000 each; Fisheries—clerk $2,220, assistant clerk $1,440, messenger $1,440; Five Civilized Tribes of Indians—clerk $2,220, assistant clerk $1,440, messenger $1,200; Foreign Relations—clerk $3,000, assistant clerk $2,220, messenger $1,440; Forest Reservations and the Protection of Game—clerk $2,220, assistant clerk $1,440, messenger $1,200; Geological Survey—clerk $2,220, assistant clerk $1,440, messenger $1,200; Immigration—clerk $2,220, assistant clerk $1,800, messenger $1,440; Indian Affairs—clerk $2,500, assistant clerk $1,440, messenger $1,440; Indian Depredations—clerk $2,220, assistant clerk $1,440, messenger $1,200; Industrial Expositions—clerk $2,220, assistant clerk $1,440, messenger $1,200; Interoceanic Canals—clerk $2,500, assistant clerk $1,800, messenger $1,200; Interstate Commerce—clerk $2,500, two assistant clerks at $1,800 each, messenger $1,440; to Investigate Trespassers Upon Indian Lands—clerk $2,220, assistant clerk $1,440, messenger $1,200; Irrigation and Reclamation of Arid Lands—clerk $2,220, assistant clerk $1,440, messenger $1,200; Judiciary—clerk $2,500, assistant clerk $2,220, two assistant clerks at $1,800 each, messenger $1,440; Joint Committee on the Library—clerk $2,500, assistant clerk $1,440, messenger $1,200; Manufactures—clerk $2,500, assistant clerk $1,440, messenger $1,440; Military Affairs—clerk $2,500, assistant clerk $2,220, assistant clerk $1,440, messenger $1,200; Mines and Mining—clerk $2,220, assistant clerk $1,440, messenger $1,200; Mississippi River and Its Tributaries—clerk $2,220, assistant clerk $1,440, messenger $1,200; National Banks—clerk $2,220, assistant clerk $1,440, messenger $1,200; Naval Affairs—clerk $2,500, assistant clerk $2,220, assistant clerk $1,440, messenger $1,440; Pacific Islands and Porto Rico—clerk $2,220, assistant clerk $1,800, messenger $1,440; Pacific Railroads—clerk $2,220, assistant clerk $1,440, messenger $1,200; Patents—clerk $2,220, assistant clerk $1,440, messenger $1,200; Pensions—clerk $2,500, assistant clerk $1,800, three assistant clerks at $1,440 each, messenger $1,440; Philippines—clerk $2,220, assistant clerk $1,800, messenger $1,440; Post Offices and Post Roads—clerk $2,500, assistant clerk $2,000, two assistant clerks at $1,440 each, messenger $1,440; Printing—clerk $2,220, assistant clerk $1,800, messenger $1,440; Private Land Claims—clerk $2,220, assistant clerk $1,800, messenger $1,200; Privileges and Elections—clerk $2,220, assistant clerk $1,440, messenger $1,440; Public Buildings and Grounds—clerk $2,500, assistant clerk $1,440, messenger $1,440; Public Health and National Quarantine—clerk $2,220, assistant clerk $1,440, messenger $1,200; Public Lands—clerk $2,500, assistant clerk $1,800, assistant clerk $1,440, messenger $1,200; Railroads—clerk $2,220, assistant clerk $1,440, messenger $1,200; Revolutionary Claims—clerk $2,220, assistant clerk $1,440, messenger $1,200; Rules—clerk $2,720 (to include full compensation for the preparation biennially of the Senate Manual, under the direction of the Committee on Rules), assistant clerk $1,800, messenger $1,440; Standards, Weights and Measures—clerk $2,220, assistant clerk $1,440, messenger $1,200; Territories—clerk $2,220, assistant clerk $1,440, messenger $1,440; Transportation and Sale of Meat Products—clerk $2,220, assistant clerk $1,440, messenger $1,200; Transportation Routes to the Seaboard—clerk $2,220, assistant clerk $1,440, messenger $1,200; University of the United States—clerk $2,220, assistant clerk $1,440, messenger $1,200; Woman Suffrage—clerk $2,220, assistant clerk $1,440, messenger $1,200; in all, $428,800.

And to insert——

Mr. KENYON. Mr. President, I should like to ask the Senator having charge of this bill about some of these provisions as to clerks and assistant clerks.

All of the assistant clerks to the committees enumerated on pages 8 and 9 seem to draw a salary of $1,800, except in the case of four committees. These four are Indian Affairs, Manufactures, Privileges and Elections, and Public Buildings and Grounds. Those assistant clerks draw salaries of $1,500 a year.

I observe, for instance, the Committee on Pacific Islands and Porto Rico. The assistant clerk there draws a salary of $1,800 a year. I suppose that committee has not had a meeting for years. In the case of the Committee on Privileges and Elections, which is a very busy committee, and will be busy during the next session, the assistant clerk draws a salary of $1,500 a year. In the case of the Indian Affairs Committee, which is always a busy committee, the assistant clerk draws $1,440 a year; and, as I have said, the assistant clerk of the Committee on Pacific Islands and Porto Rico draws $1,800. Now, where is the fairness of that?

Mr. POINDEXTER. Mr. President, I have not considered the matter of the discrepancy in the salary of the different clerks, to which the Senator has referred, and I do not care to go into that; but I should like to correct his remark in regard to the Committee on Pacific Islands and Porto Rico itself. I am not the chairman of the committee, and I notice that the chairman is not here. I am a member of the committee, however; and I will say to the Senator that it has frequent meetings and considers a number of very important measures.

Mr. KENYON. I am glad to be advised of that, and I will withdraw my statement about it. I had understood that it had not had a meeting for some time. The Committee on Privileges and Elections, the Committee on Indian Affairs, and the Committee on Manufactures certainly have had as many meetings, if not more, than the Committee on Pacific Islands and Porto Rico. The assistant clerk of the Committee on Interoceanic Canals receives $1,800. I am simply calling attention to this for the purpose of emphasizing the fact that it is not fair that the assistant clerk doing the same amount of work for one committee as the assistant clerk of some other committee shall be paid a less salary. I do not think that can be justified.

Mr. UNDERWOOD. I may say to the Senator that this amendment is what is known as the Jones amendment. It was offered by the Senator from Washington [Mr. JONES] some years ago, and at various times has been considered by the Appropriations Committee.

I will state the purpose of the amendment, as I understand it. I am not the originator of it, but the purpose is, as far as possible, to equalize these salaries, except as to the big committees, like Appropriations, Finance, Naval Affairs, and Military Affairs, where it was necessary to have higher salaries and more men. But in accomplishing that result the proponent of the amendment did not make an effort to change any of the higher committees, but he attempted to put the clerks of all the smaller committees and the clerks of Senators who had no committees on the same basis.

I think if the Senator will examine the record he will find the cases he referred to carry, under the existing law, as it is written to-day, the same discrimination. As to why that discrimination should be there I do not know, because it was put in long years ago in the Senate before I came in contact with the situation.

Mr. KENYON. That is hardly an argument, however, in its favor.

Mr. UNDERWOOD. No; the only argument for offering any change was that the committee are trying to work out a reform that would give the opportunity hereafter for the Rules Committee because we did not have jurisdiction. It was to give the Rules Committee an opportunity to dispense with a lot of committees that really do not function and at the same time to provide a sufficient clerical force for each Senator to do business. This amendment is intended in the main to relate to the minor committees and the clerks of Senators who have no committees. It was not the purpose to disturb the main committees in the bill, and with a few exceptions they have not been disturbed. The discrimination the Senator spoke of was not made by the proponents of the measure or by the committee; it was already in the law.

Mr. KENYON. I call the Senator's attention to the Philippines Committee. There the assistant clerk gets $1,800 and that committee has not had a meeting for two or three years at least unless to pass on certain nominations. Its work has not been equal to that of the Committee on Privileges and Elections and will not be.

Mr. POMERENE. Mr. President——

Mr. KENYON. All these salaries ought either to be put at $1,800 or reduced to $1,500.

Mr. UNDERWOOD. Of course, I would not say that all through the bill they ought to be made that way, because some of the larger committees must have additional clerks.

Mr. KENYON. But as to committees of similar power and rank.

Mr. UNDERWOOD. I will state to the Senator the reason why the committee did not change it. It was not as he has said that there is any logic or reason for it, except we ran up against an existing condition and we did not change it. If the Senator wishes to make a change I have no desire to oppose it.

Mr. POMERENE. On line 18, page 9, I move to strike out the numeral "$1,500" and insert in lieu thereof "$1,800." That relates to the assistant clerk of the Committee on Privileges and Elections.

If I may say just a word with regard to this matter, I know something of the work that committee has had to do in the past and something of the work it will have to do in the future. It is my experience, and I have no doubt it is the experience of other Senators, that these clerks in their offices work longer hours and work harder than do the clerks generally in the various departments, and I think it is no more than just that this salary should be increased.

Mr. UNDERWOOD. I ask the Secretary to read the amendment before we consider amendments to it.

Mr. NELSON. Will the Senator from Alabama yield to me?

Mr. UNDERWOOD. I will.

Mr. NELSON. I wish to call the Senator's attention to the fact that in this amendatory list you utterly omitted, as far as I can see, the Committee on Private Land Claims.

Mr. UNDERWOOD. On the face of it we have, but as a matter of fact we have not, because we have changed no committees or scrapped no committees, but we have provided that outside of the committees named in the bill in the case of every other committee that is now provided for by the rules of the Senate the clerk of the committee shall get $2,500, the assistant clerk $1,500, and the messenger $1,200. So that committee is provided for in general terms, although not named in the bill.

Mr. SMOOT. If the Senator from Minnesota will look at the top of page 10 he will find that there are 79 clerks, at $2,500 each; 79 assistant clerks, at $1,500 each; and 79 messengers, at $1,200 each, provided for. That covers all the committees not enumerated in the committee amendment, and an additional 10 committees. Those 10 committees are added to take care of the committees of Senators whose terms will expire on the 4th day of March and who will have to continue work until the reorganization of committees takes place in the next Congress. I think that 10 will cover that number and take care of it. In case all the committees not enumerated in the Senate committee amendment the clerks get $2,500, the assistant clerks $1,500, and the messengers $1,200.

The VICE PRESIDENT. The Secretary will read the amendment of the committee.

Mr. SHEPPARD. I desire to ask the Senator in charge of the bill why the Census Committee was omitted from the enumeration?

Mr. UNDERWOOD. The clerk and assistant clerk of the Census Committee get, under the terms of the bill, more than they got under the old law.

Mr. SHEPPARD. I understand; but why was the omission made by the committee?

Mr. UNDERWOOD. Because we mentioned only certain specific committees in the salary list that did not come within the general rule. The general rule provides that all clerks of committees not mentioned on this page shall get $2,500, the assistant clerks $1,500, and the messengers $1,200. At the present time the Census Committee clerk gets $2,220, and the assistant clerk $1,440, and the messenger $1,200. Under the terms of this bill the clerk will get $2,500, the assistant clerk $1,500, and the messenger, $1,200. So the Census Committee is better taken care of by this amendment than it was under the old law. It is simply not mentioned in specific terms; that is all.

The Secretary proceeded to read the amendment of the committee, and was interrupted by,

Mr. ASHURST. In reference to the committee amendment on line 23 for the Committee on Indian Affairs, the amendment provides that the clerk shall receive $2,500, the assistant clerk $1,440, and the messenger $1,440. Of course, my official duty as chairman of the Committee on Indian Affairs will go into the basket on the 4th of March; I will be decapitated; and the clerk who has been employed under my suggestion will not benefit from this raise, but it is a most glaring inequality.

Mr. SMOOT. I will say to the Senator that that was an oversight on the part of the committee.

Mr. ASHURST. I beg the Senator's pardon.

Mr. SMOOT. The only reason why it was put in so was because the salary of the messenger of that committee was $1,440, instead of $1,200, as provided for the other committees, for if it had not been it would have fallen in the 79.

Mr. UNDERWOOD. I will say to the Senator from Arizona that there were three mistakes that we made in drawing the amendment, and when the Secretary gets through with reading it I shall offer them, and then this matter will come up.

Mr. ASHURST. I will wait then.

Mr. UNDERWOOD. Really, I intended to offer the amendment the Senator suggested, making the salary of the assistant clerk $1,500, because it was a mistake. Then there was left out the assistant clerk of the Committee on Military Affairs. That was left out by inadvertance, and also a change that the House made in reference to the Committee on Naval Affairs was not called to the committee's attention.

Mr. SMOOT. Those were paid from the contingent fund of the Senate and not directly appropriated for by the House last year.

Mr. UNDERWOOD. The clerk informs me that they were appropriated for in the bill.

Mr. ASHURST. I merely wish to emphasize the importance of the work of the assistant clerk. As I said, I will no longer be chairman of the Committee on Indian Affairs after the 4th of March. Some other Senator now in the minority will be chairman. It is not fair to pay the assistant clerk of the Committee on Indian Affairs $1,440 or $1,500 a year, because that committee has only three employees whereas the Committee on Public Lands has four employees. I do not wish to make any invidious distinction, but the Committee on Indian Affairs gets out an appropriation bill each year which carries eleven or twelve million dollars, and it has to do with $2,000,000,000 worth of property, embracing one hundred and fifty-odd reservations. I feet that a compensation of $1,800 for an assistant clerk of that committee is by no means too large.

The Committee on Education and Labor, presided over so well by the distinguished Senator from Georgia [Mr. SMITH], has an assistant clerk who gets $1,800, and I am sure that the work of the Committee on Indian Affairs is five times the volume of that before the Committee on Education and Labor. Yet I do not think that the assistant clerk of the Committee on Education and Labor is overpaid. In fact, he is a very competent and reliable man and earns $1,800 a year. I appeal to Senators now, though it can not affect the man whom I employed, to make the salary of the assistant clerk of the Committee on Indian Affairs $1,800 a year.

Mr. UNDERWOOD. I will say to the Senator, speaking for the committee, we will raise it to $1,500, where it belongs; but we can not do it until the Secretary concludes the reading of the amendment.

Mr. ASHURST. I am premature then, and I will sit down.

The SECRETARY. In lieu of the words stricken out, the Committee on Appropriations report to insert, beginning at line 4, page 8:

Agriculture and Forestry—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Appropriations—clerk, $5,000; 2 assistant clerks, at $2,500 each; 2 assistant clerks, at $1,440 each; messenger, $1,440; laborer, $720. Banking and Currency—clerk, $3,000; assistant clerk, $1,800; assistant clerk, $1,440; messenger, $1,200. Claims—clerk, $2,500; assistant clerk, $2,000; assistant clerk, $1,440; messenger, $1,440. Commerce—clerk, $2,500; assistant clerk, $2,220; assistant clerk, $1,800; messenger, $1,440. Conference Minority of the Senate—clerk, $3,000; assistant clerk, $1,800; 2 messengers, at $1,200 each. District of Columbia—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Education and Labor—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Finance—clerk, $3,000; assistant clerk, $2,220; assistant clerk, $1,600; assistant clerk, $1,440; messenger, $1,440; 2 experts (1 for the majority and 1 for the minority), at $2,000 each. Foreign Relations—clerk, $3,000; assistant clerk, $2,220; messenger, $1,440. Immigration—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Indian Affairs—clerk, $2,500; assistant clerk, $1,440; messenger, $1,440. Interoceanic Canals—clerk, $2,500; assistant clerk, $1,800; messenger, $1,200. Interstate Commerce—clerk, $2,500; 2 assistant clerks, at $1,800 each; messenger, $1,440. Judiciary—clerk, $2,500; assistant clerk, $2,220; 2 assistant clerks, at $1,800 each; messenger, $1,440. Manufactures—clerk, $2,500; assistant clerk, $1,500; messenger, $1,440. Military Affairs—clerk, $2,500; assistant clerk, $2,220; assistant clerk, $1,440; messenger, $1,200. Naval Affairs—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,440. Pacific Islands and Porto Rico—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Pensions—clerk, $2,500; assistant clerk, $1,800; 3 assistant clerks, at $1,440 each; messenger, $1,440. Philippines—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Post Offices and Post Roads—clerk, $2,500; assistant clerk, $2,000; 2 assistant clerks, at $1,440 each; messenger, $1,440. Printing—clerk, $2,500; assistant clerk, $1,800; messenger, $1,440. Privileges and Elections—clerk, $2,500; assistant clerk, $1,500; messenger, $1,440. Public Buildings and Grounds—clerk, $2,500, assistant clerk, $1,500; messenger, $1,440. Public Lands—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,440; messenger, $1,200. Rules—clerk, $2,720, to include full compensation for the preparation biennially of the Senate Manual, under the direction of the Committee on Rules; assistant clerk, $1,800; messenger, $1,440; in all, $194,940.

Mr. SMITH of Georgia. I wish to ask the Senator in charge if he does not think it would be better, instead of saying 79 messengers, to say 79 assistant clerks? Scarcely a Senator uses a messenger; frequently it is a lady stenographer; and I really think that the title of assistant clerk is more appropriate than that of messenger.

Mr. UNDERWOOD. I will say to the Senator the committee did not wish to change the order of things where it did not affect the situation. I recognize the force of what the Senator says, but we have messengers, and we did not want to change it. If the Senator desires to offer the suggestion by way of an amendment, I have no objection.

Mr. SMITH of Georgia. I will do so because really they are not messengers; they are clerks. There is scarcely a Senator who uses one as a messenger, and I know the employees would rather be called clerks, because they are doing clerical work.

Mr. UNDERWOOD. I ask the Senator to allow me to offer several amendments first.

Mr. SMITH of Georgia. Certainly.

Mr. UNDERWOOD. I wish first to ask unanimous consent that the Clerk be authorized to adjust all totals in the bill.

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Without objection, it is so ordered.

Mr. UNDERWOOD. On page 8, line 24, I move that the salary of the assistant clerk to the Committee on Indian Affairs be made $1,500 instead of $1,440. I offer this amendment to the amendment to correct a mistake.

The amendment to the amendment was agreed to.

Mr. UNDERWOOD. The committee overlooked another point. At present an assistant clerk during the period of the war, at $1,440, is provided for the Committee on Military Affairs. We were looking at the general legislation and not at the recent enactment and therefore we overlooked it. At the end of line 7, page 9, I move to insert "assistant clerk during the period of the war, $1,440."

The amendment to the amendment was agreed to.

Mr. UNDERWOOD. We also, in the same way, overlooked two other amendments. The present law provides for an assistant clerk to the Committee on Naval Affairs, at $2,220, and an additional messenger, at $1,440. On page 9, line 9, I move to strike out "$1,800" and insert "$2,220," and after "$1,440," on line 9, I move to insert a semicolon and the words "messenger, at $1,440."

The amendment to the amendment was agreed to.

Mr. UNDERWOOD. That is the end of the committee amendments to this amendment. If the Senator from Georgia desires to offer his amendment, he can do so now.

Mr. CURTIS. Do I understand that the Senator from Arizona is going to offer an amendment in line 24, page 8, to make the salary of the assistant clerk of the Committee on Indian Affairs $1,800?

Mr. ASHURST. Will the Senator in charge of the bill let me answer the question?

Mr. UNDERWOOD. I will.

Mr. ASHURST. As I stated when the Senator from Kansas was out of the Chamber, the assistant clerk of the Committee on Indian Affairs has been paid at the rate of $1,440 per annum, with the 10 per cent increase which all employees received for that period. It is my judgment, and I feel entirely unembarrassed in making this statement, because I will soon no longer be chairman, that if that clerk were paid $2,000 a year he would not be overpaid. In fact, $1,800 a year for that clerk is a modest salary and is not high.

I make no invidious comparison, but I wish to say that assistant clerks of other committees, which I do not think do the same amount of work, receive $1,800 a year, which is proper. Moreover, every other committee which handles an appropriation bill has an assistant clerk, who is paid $1,800. I think the record will bear me out in that statement.

I do not mean to exaggerate the importance of the committee over which I happen temporarily to be chairman, but I repeat, it handles an $11,000,000 appropriation bill every year; it has to do with $2,000,000,000 worth of property under its jurisdiction on Indian reservations; it has 153 Indian reservations, scattered in 27 or 28 States, and its volume of work is enormous, as Senators who are members of the committee will testify.

I respectfully submit that the assistant clerk of the committee ought to get $1,800 a year. I do not know who is going to get it, and I do not care, but whoever does get it, in my judgment, will earn it.

Mr. UNDERWOOD. I will say to the Senator that I think, now that we have adopted $1,500 as the salary in these cases, he will find that the salary of the assistant clerk of that committee is on a basis with the salary fixed at $1,500 in the bill as to a good many other committees of like importance.

Mr. ASHURST. Will the Senator from Alabama kindly tell me what other committee of "like importance" reports an appropriation bill providing for an expenditure of ten, eleven, or twelve million dollars; which has to deal with trust funds and with trust property which amount to two thousand million dollars; which has to do with questions of policy, and with very large questions of policy? I should like to know of another committee which has that much work and that much important work to do whose second man, whose assistant clerk, is only paid $1,500 per annum.

Let me repeat, here is the Committee on Public Lands, which is a very important committee, but which does not do any more work, and, in my judgment, does not do as much work, as does the Committee on Indian Affairs, and yet it has four—and it should have four—clerks, and the second clerk receives $1,800 a year. As to the Committee on Education and Labor, which is so well presided over by the Senator from Georgia [Mr. SMITH], their assistant clerk——

Mr. UNDERWOOD. If the Senator from Arizona will allow me to interrupt him, I desire to say that on a reexamination of the bill—the amendment was prepared by the Senator from Washington [Mr. JONES], and we were not attempting to equalize the salaries of any of these main clerks—I think the Senator is correct in stating that there is no committee having an appropriation bill in charge where its second clerk gets less than $1,800 a year.

Mr. SMOOT. I will say to the Senator that the second clerk of the Committee on Public Buildings and Grounds gets $1,500 a year.

Mr. UNDERWOOD. But among the bills reported by that committee there is no appropriation bill.

Mr. SMOOT. Quite often that committee does report appropriations.

Mr. UNDERWOOD. No; it is merely an authorization for appropriations.

Mr. ASHURST. I will venture the assertion that that committee does not meet once in three months; I will venture the assertion that it does not meet once in six months; and yet its second clerk gets $1,800 a year, and he should get it.

Mr. UNDERWOOD. I will say that I am not authorized by the committee to accept this amendment, and therefore I can not do it; but I am willing for the Senate to vote on it; and I am willing to admit that, outside of the Committee on Public Buildings and Grounds, which does not report general appropriation bills, the second clerks on committees reporting general appropriation bills do receive salaries not less than $1,800. So with that statement I will let the Senate decide the question.

Mr. ASHURST. Then, Mr. President, if in order at this time I will move an amendment——

The PRESIDING OFFICER. Before the Senator can do that he will have to move that the vote whereby the committee amendment was agreed to be reconsidered.

Mr. ASHURST. I make that motion.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ASHURST. Now, if in order, I move, on line 24, page 8, after the words "assistant clerk," to strike out the numerals "$1,440" and to insert "$1,800."

The PRESIDING OFFICER. The amendment proposed by the Senator from Arizona will be stated.

The SECRETARY. On page 8, line 24, after the words "assistant clerk," it is proposed to strike out "$1,440" and to insert "$1,800."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arizona to the amendment of the committee.

Mr. JONES of Washington. It has been stated that I prepared this amendment. It is true that it is known as my amendment, and yet in preparing the amendment I did not endeavor to correct all of the inequalities with reference to the clerks of committees. I tried that a few years ago and found that I could not get very far. So in the preparation of this amendment I tried to correct the inequalities in so far as I thought there was a chance to do it. I did not endeavor to correct any inequalities in the matter of the compensation of the clerks where, according to law, we have been carrying appropriations for them more than would be given by the amendment which I finally proposed.

There was a mistake, in my judgment, with reference to the assistant clerk of the Committee on Indian Affairs. I intended to make that salary $1,500, as I had done as to the others, but it has been carried all along in the laws heretofore at $1,440.

I think the Senator from Arizona is right with reference to the duties and responsibilities of the employees of the Indian Affairs Committee. While I am not a member of that committee, I have had a good deal to do with it and have been brought in contact with the work of that committee. I know that it is one of the hardest worked committees of the Senate, and I know its employees are worked all the time. So I think the amendment proposed by the Senator from Arizona is very fair and will correct one of the inequalities which I did not try to correct, except to place the assistant clerk on the same basis as the other assistant clerks by my amendment.

There may be other inequalities existing with reference to the clerks named in this amendment, but they are inequalities not created by my action at all, but created by the action of the Congress in heretofore providing larger compensation for the assistant clerk of one committee than for the assistant clerk of another of probably equal responsibility and equal duties.

I felt that I really ought to say this in justice to myself. As I have stated, I have not tried by my amendment now to correct all of these inequalities, as I tried that once and did not get anywhere. I found out that by trying to correct inequalities of a class I would get somewhere. I am also glad to see that the probabilities are that I will get further than I really expected to get, and that we shall on the floor of the Senate correct some more of these very glaring inequalities. I really think the amendment of the Senator from Arizona ought to be adopted.

The PRESIDING OFFICER. The question is on the adoption of the amendment of the Senator from Arizona to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. POMERENE. Mr. President, I now renew my former motion.

The PRESIDING OFFICER. The amendment proposed by the Senator from Ohio will be stated.

The SECRETARY. On page 9, line 18, after the words "assistant clerk," it is proposed to strike out "$1,500" and to insert "$1,800."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Ohio to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. KENYON. Mr. President, I desire to offer an amendment. It seems to me that other inequalities in this bill ought to be corrected. Therefore, on page 9, line 7, after the words "assistant clerk," I move to strike out "$1,500" and to insert "$1,800."

The PRESIDING OFFICER. The question is on the amendment to the amendment proposed by the Senator from Iowa.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 10, to insert:

Clerical and other assistance to Senators: For clerical and other assistance to Senators who are not chairmen of the committees specifically provided for herein: Seventy-nine clerks at $2,500 each; 79 assistant clerks at $1,500 each; 79 messengers at $1,200 each; in all, $410,800: *Provided*, That such clerks, assistant clerks, and messengers shall be ex officio clerks, assistant clerks, and messengers of any committee of which their Senator is chairman.

Mr. SMITH of Georgia. Mr. President, I desire, in line 5, to move that the word "messengers" be stricken out. I take it for granted that I will not be the chairman of a committee in a short time, and I know I will not need a messenger, but I will need a stenographer. I need a clerk, an assistant clerk, and a stenographer. If I offer the place to some capable young man or lady, I know the designation "stenographer" would be more agreeable than that of "messenger." It tells at least what the employee does. We have messengers in the Senate; we have our messengers at the post office; we can call messengers from the Sergeant at Arms office to do our messenger work. The force provided for in this part of the bill is really to do our office work, and there should be provided a stenographer, not a messenger. I therefore move, in line 5, to strike out the word "messengers" and insert the word "stenographers."

Mr. SMOOT. Mr. President, I will ask the Senator not to insist upon the word "stenographers," but that he change it to "assistant clerks."

Mr. SMITH of Georgia. I would rather have it "assistant clerks."

Mr. SMOOT. That is the proper designation, because I know, as it developed in a discussion that we had when this matter was previously before the Senate, that there are only a few committees where the messenger is not a stenographer. We can simply strike out the word "messengers" and insert "assistant clerks."

Mr. SMITH of Georgia. I prefer the designation "assistant clerk," because that assistant clerk can be a stenographer and can do other work if necessary, such as that of a filing clerk. In my office I have employed, outside of the help allowed me, an assistant clerk who does filing and work of a similar character. I think the designation "assistant clerk" is a great deal better. The Senator from Washington [Mr. JONES] suggested that I make it "stenographers" instead of "messengers," but "assistant clerks" covers it, and I really think it a better designation. I therefore move that the word "messengers" be stricken out and the words "assistant clerks" be inserted.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia to the amendment reported by the committee will be stated.

The SECRETARY. On page 10, line 5, it is proposed to strike out the word "messengers" and insert in lieu thereof the words "assistant clerks."

Mr. LODGE. Mr. President, I hope that that change will be made. We have gone on now for years with this old designation of "messenger." I do not know why it was preferred, but perhaps it was thought to be less unpopular than the other designation. However, we might as well describe these employees correctly. I think they ought to be described correctly all through these provisions of the bill. We have made provision for messengers on many committees, where they ought to be assistant clerks. That is what they are; none of them are messengers, and they ought to be described properly throughout. I do not know how they are designated in other provisions, but I think they are described wrongfully everywhere.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. SMITH of Georgia. In line 7, on page 10, the word "messengers" should be stricken out and the words "assistant clerks" inserted.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. On page 10, at the beginning of line 7, it is proposed to strike out the word "messengers" and insert the words "assistant clerks."

Mr. KIRBY. Mr. President, I should like to direct the Senator's attention to the fact that unless we say "second assistant clerks" we are going to have the appropriation of very doubtful and confused meaning.

Mr. UNDERWOOD. I do not think it is necessary to insert the word "second." We very frequently in appropriation bills provide for more than one assistant clerk.

Mr. KIRBY. Unless the amendment is changed, it would read "assistant clerks, and assistant clerks."

Mr. SMITH of Georgia. They are both assistant clerks, but at different salaries.

Mr. UNDERWOOD. Yes; one would have one salary and another a different salary.

Mr. SMOOT. If the Senator will read the bill, he will find three or four places where the words are used in the same way.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The SECRETARY. On page 10, at the beginning of line 7, it is proposed to strike out the word "messengers," so as to read:

Provided, That such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which their Senator is chairman.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

Mr. JONES of Washington. Mr. President, before the amendment is agreed to I wish to say a word.

The PRESIDING OFFICER. Does the Senator from Washington object to the amendment?

Mr. JONES of Washington. No; but I want to say a word before it is adopted.

Mr. LODGE. The Senator from Washington is merely struggling to obtain recognition; that is all.

The PRESIDING OFFICER. The Chair will hear the Senator.

Mr. JONES of Washington. I merely wish to discuss the amendment for a moment. I have no objection to it.

The PRESIDING OFFICER. Without objection, the vote whereby the amendment to the amendment was agreed to will be reconsidered in order that the Senator from Washington may have an opportunity to be heard.

Mr. JONES of Washington. Mr. President, as I have said, I have no objection to the amendment to the amendment. I think it ought to be adopted. I would have put some provision of that kind in my suggested amendment, but I was afraid I might run counter to one of the hoary customs of the Senate or of Congress and have more difficulty than would otherwise be experienced. I think in the first amendment on this subject that I proposed a few years ago I eliminated messengers. As the Senator from Massachusetts [Mr. LODGE] has said, the messengers provided for the committees—most of them, at any rate—as a matter of fact are not messengers at all; they are not used as messengers, but they are used as clerks and stenographers; and the same thing is true with reference to the clerical force of Senators who are not chairmen of committees. So that I welcome the change made. The designation "assistant clerk" is entirely satisfactory to me. It corrects another one of the inequalities that I was afraid we might not be able to have corrected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Georgia to the amendment of the committee.

Mr. POMERENE and Mr. STERLING addressed the Chair.

Mr. POMERENE. I was trying to offer another amendment; but if the Senator from South Dakota desires to discuss the pending matter, I will yield to him.

Mr. STERLING. I should like to know how the provision will read, beginning in line 9. It will read, as I understand, "such clerks, assistant clerks, and assistant clerks."

The PRESIDING OFFICER. The Secretary will state the amendment of the committee as proposed to be amended.

The SECRETARY. As proposed to be amended, the paragraph will read:

Clerical and other assistance to Senators: For clerical and other assistance to Senators who are not chairmen of the committees specifically provided for herein: 79 clerks at $2,500 each, 79 assistant clerks at $1,500 each, 79 assistant clerks at $1,200 each; in all, $410,800: *Provided*, That such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which their Senator is chairman.

Mr. STERLING. That is satisfactory.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Georgia to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. POMERENE. Mr. President——

Mr. SHEPPARD. Mr. President, will the Senator from Ohio allow me?

Mr. POMERENE. If the Senator is going to address himself to the pending amendment I yield to him. I was going to offer another amendment.

Mr. SHEPPARD. I desire to move to strike out the figures "$1,200," in line 5, and insert in lieu thereof "$1,440."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas to the committee amendment.

Mr. POMERENE. I was going to offer the same kind of an amendment, except I was going to make the amount $1,500.

Mr. SHEPPARD. Then I withdraw my amendment.

Mr. LODGE. At what point does the amendment come in?

Mr. POMERENE. I offer my amendment to come in on page 10, line 5.

The PRESIDING OFFICER. The amendment of the Senator from Ohio to the amendment of the committee will be stated.

The SECRETARY. On page 10, line 5, it is proposed to strike out "$1,200" and to insert "$1,500," so that it will read:

Seventy-nine assistant clerks at $1,500 each; 79 assistant clerks at $1,500 each.

Mr. POMERENE. Mr. President, I think I know something of the work which these employees have to perform. I know that in the case of a Senator from a State such as my own it is utterly impossible to do the necessary work with the limited help that is given here, and any man or woman who is capable of being a stenographer in a Senator's office earns $1,500. I do not think there should be any distinction at all as between the salaries of assistant clerks and stenographers, and I hope that the amendment will be adopted.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio to the amendment reported by the committee.

Mr. SMOOT. Mr. President, if the amendment is going to be adopted, of course the other portion of the amendment should be changed. Instead of "79" it ought to read "158 assistant clerks at $1,500 each" and the remainder of the clause stricken from the bill.

Mr. POMERENE. I have no objection to the amendment suggested by the Senator from Utah.

Mr. LODGE. That will put it in proper form.

Mr. SMOOT. Mr. President, I wish to say that I doubt the wisdom of giving both classes of assistant clerks exactly the same salary. There has always been a difference. So far as I am concerned, I will say to the Senator that the assistant clerk I have always used has been a man whom I employ for work in the departments. My messenger has always been a stenographer, and generally a lady stenographer, who never has to go outside of the room. When conditions require I use her for a filing clerk as well. There is quite a difference between the two employees, but under this provision they would receive the same salary, and there would be a great deal of dissatisfaction. I believe if we are going to make this change and make the salary of the second assistant clerk $1,500 then the first assistant clerk ought to receive more than $1,500, because there is an additional responsibility upon him, and he would be called upon to do more work than the other would have to do.

Mr. POMERENE. Mr. President, I recognize that there is some force in what the Senator says, but each Senator has it in his power to so classify the work of his office as to equalize the duties being performed according to the salary received. Now, I know a little about the Senator's office and the amount of work he does, and I dare say that with the $1,500 salary every clerk he has in his office will earn every dollar he or she gets. That is the way I feel about it in my office. Whether I am chairman of a committee or not is neither here nor there. I want to see these clerks reasonably well paid, and I think Senators ought to blush with shame because of the fact that they have been underpaid during the last several years.

Mr. SMOOT. All that I wanted to impress upon the Senator was that if we are going to have a $1,500 clerk instead of a $1,200 messenger, then by all means let us change the salary of $1,500 for the first one to $1,600 and have at least that much difference.

Mr. POMERENE. The Senator means, make the salary of the first one $1,600?

Mr. SMOOT. The first $1,600 and the second $1,500.

Mr. POMERENE. I will accept that amendment.

Mr. SMOOT. That is what ought to be done.

Mr. SMITH of Georgia. I think that is right.

The PRESIDING OFFICER. The Secretary will state the amendment of the Senator from Ohio, as modified, to the amendment of the committee.

The SECRETARY. On lines 4 and 5 of page 10 it is proposed to change the numerals so that it will read: "79 assistant clerks at $1,600 each," striking out "$1,500" and inserting "$1,600"; "79 assistant clerks at $1,500 each," striking out "$1,200" and inserting "$1,500."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. SMITH of Georgia. That carried both amendments—$1,600 and $1,500—did it not?

Mr. POMERENE. Yes.

The PRESIDING OFFICER. The question now is upon the amendment of the committee as amended.

The amendment as amended was agreed to.

Mr. SMOOT. Mr. President, before we leave this matter I think we ought to ask unanimous consent to reconsider the action on the former amendment, for that will have to be changed from beginning to end, not only as to the question of messengers but in many respects as to the clerks and the assistant clerks.

Mr. SUTHERLAND. Mr. President, I call the Senator's attention to the fact, too, that the gross amount there should be changed.

Mr. SMOOT. That has already been done by a motion of the chairman. I ask unanimous consent, Mr. President, that the vote whereby the Senate agreed to the amendment to which I have just referred may be reconsidered.

The PRESIDING OFFICER. Is there objection to the reconsideration?

Mr. UNDERWOOD. Mr. President, before we open that matter I should like to have the Senator present his amendment. I think we can agree by unanimous consent to what he wants without opening the whole thing again. I ask the Senator to let us go ahead with the bill, with the understanding that we will come back and take up this matter before we close. Then if he will make his suggestion I understand what he is after.

Mr. SMOOT. With that understanding, Mr. President, I will not press the matter at this time.

Mr. FERNALD. Mr. President, I move to increase the salary of the assistant clerk of the Committee on Public Buildings and Grounds from $1,500 to $1,800, the same as the other assistant clerks of committees.

Mr. UNDERWOOD. That provision has been disposed of for the present, but as it requires some other amendments that are not ready I ask that the section may go over until we finish the bill, and we will take it up then.

The PRESIDING OFFICER. Without objection, that will be done.

Mr. FERNALD. I should like to have the action on the amendment reconsidered, because I shall be out of the city at the time, and I am afraid it will get by.

Mr. UNDERWOOD. On account of the amendment to the salaries of assistant clerks the whole section will have to be changed, and when we reach it, which will be in a few hours anyway, we will make the changes to conform all along the line.

Mr. SMOOT. Mr. President, so that all of the Senators may understand the situation, and the Senator from Maine [Mr. FERNALD] in particular, I will state that the amendment on pages 8 and 9 has been agreed to, but it is understood that later in the consideration of the bill we will revert to it and make the changes that are absolutely necessary on account of the amendments that have already been adopted on page 10.

Mr. UNDERWOOD. That is, so as to make the changes necessary to make it conform to what we have already done; not opening it up generally.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 12, after line 4, to strike out:

For assistance to Senators who are not chairmen of committees, as follows: Thirty clerks, at $2,000 each; 30 assistant clerks, at $1,200 each; 30 messengers, at $1,200 each; in all, $132,000.

The amendment was agreed to.

The next amendment was, on page 13, line 8, after the word "labor," to strike out "$50,000" and insert "$100,000," so as to make the clause read:

For miscellaneous items, exclusive of labor, $100,000.

Mr. KING. Mr. President, I should like to ask the Senator what are the miscellaneous items for which the $100,000 is sought?

Mr. UNDERWOOD. I will say to the Senator that that increase is largely due to the number of funerals we have had in the Senate in the past year, and employees taken care of in the same way. There are other things involved, however.

Mr. KING. While I am on my feet, I should like to ask the Senator what provision has been made in lieu of the matter found in lines 5, 6, 7, and 8, page 12, which the committee has stricken out?

Mr. UNDERWOOD. It is taken care of in the other amendments back on pages 8, 9, and 10.

Mr. KING. I was out of the Chamber for the moment.

Mr. UNDERWOOD. On page 10 that proposition is taken care of; so that we struck out the usual provision with reference to assistant clerks to Senators, and put it back here with the general committee clerks. That is taken care of on page 10.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was continued to line 12, on page 21.

POST OFFICE APPROPRIATION.

The PRESIDING OFFICER (Mr. KING in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. I ask that the bill be temporarily laid aside, and thus an opportunity will be given to continue the consideration of the legislative appropriation bill. I am compelled to attend a conference on the water-power bill at 2 o'clock, and therefore I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. The Senator from Alabama asks unanimous consent that the unfinished business be temporarily laid aside. Is there any objection?

Mr. LODGE. That is for the purpose of continuing the legislative appropriation bill?

Mr. UNDERWOOD. Yes, sir.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. UNDERWOOD. I understand that the legislative appropriation bill is before the Senate.

The PRESIDING OFFICER. It is before the Senate.

PEACE POLICIES.

Mr. HALE. I recall, Mr. President, that at the beginning of the war a great wave of patriotism swept over this country. Much as we dreaded war, it was felt by many of us that this patriotic spirit would do great things for our country; that made up, as we are, of a citizenship drawn from most of the other countries of the world, this spirit of patriotism brought on by the war would weld these peoples together and make good Americans of them all. To my mind this was one of the priceless advantages which I expected to see come to this country from our going into the war. Is this all to be lost?

Horace tells us.

Dulce et decorum est pro patria mori.
(It is sweet and glorious to die for one's country.)

What an odd sound that has in these days. Fifty-odd thousand American men have lost their lives in the great war—have lost their lives, we are now told, for humanity, for civilization, for the cause of the smaller nations, for world democracy—and not one, we are told, for his country. Patriotism as a virtue is relegated to the scrap heap. This, if I am not mistaken, is the message the President carries to an admiring world. The American soldier fought for no selfish purpose, for no national cause, but for abstract ideals of justice and of right for the world. For these ideals he fought, and for these ideals he died. The war is won, and the ideals for which we fought are to be realized. We alone of the nations fought for something greater and finer than for our country, and it is ours to dictate the peace terms to the world and the basis on which the world shall be run after the treaty of peace shall have been signed. True, as was shown in the debate recently, our losses in the war were less than one-twentieth of the losses of France or of Great Britain, but our aims were so much higher than the aims of the other nations that to us must it be given to be the arbitrators of the destiny of the world. And fearlessly and confidently and, I believe, in all sincerity the President goes about the mighty task.

And as in the war we fought for no selfish purpose, to avenge no wrongs done to us, to insure no special benefit to ourselves, so in the peace which is to follow the war we must have no selfish aim, must exact no special indemnity, must sacrifice any particular advantages that we as a Nation may have for the benefit of humanity in general. We have put our hands to the plow. There must be no turning back.

And yet, Mr. President, I recall that some of us in this Chamber voted to declare that a state of war existed with the Imperial German Government under the impression that the safety of this country was directly menaced by the German Empire. We believed that a victorious Germany, or even an unwhipped Germany, meant a future conflict for us, or, if not an actual conflict, at least it meant the turning of our country into an armed camp, to protect ourselves against the German menace. For no higher reason than this, I say, some of us voted for war. It seemed to us, if war with Germany was bound to come, that we were choosing a particularly opportune time to enter, when we had most of the civilized world fighting on our side, when Germany was to a considerable extent exhausted after more than two and a half years of bitter fighting with the allies. And the allies really had fought hard and well before we came into the war, even though they were fighting for no higher purpose than to preserve their own existence as nations. Later on, when we had to raise immense sums of money by taxation and by loan, some of us still clung to the same old beliefs about the purposes of the war. When we voted for the draft we felt that we were justified in forcing the young men of the country into the service because of the dire need of our country. We felt that we had the right to call on these men to sacrifice their lives for the United States of America, and for the United States of America alone. I know that I personally should not have felt justified in voting to draft these men into the Army to fight for humanity in general or for world democracy, or for any other purpose than the saving of our own country.

Mr. President, there is another class of men in this country who look at this war as some of us in the Senate have looked at it. I refer to the men in the Army and the Navy of the United States. I have talked with many officers and enlisted men who have served in this country and overseas, wounded men, men who have been crippled in their country's cause. I have yet to find one single man who claims that he was in the war to fight for any other cause than the cause of his country and to defeat the Hun. I have found no crusader spirit amongst any of the men with whom I have talked. On the contrary, I have found a strenuous objection on the part of these men to being considered crusaders. They are not the talkers. They are the men who have done the job, the men who have made possible the defeat of the central powers. All of the glory that comes to us through this war comes through their work, and their work alone. They knew for what they were fighting. They fought and they are entitled to be heard.

The issue comes squarely down to the question whether or not the people of this country went into this war and carried it through for the purposes proclaimed by the President. If the President is right, then let us make a peace that is in conformity with such humanitarian purposes, and in the future let us govern our actions toward the rest of the world in the spirit of sacrifice that these high and extremely unselfish purposes demand; but let us count the cost when we are doing so. We may have to surrender our sovereignty as a Nation; we may have to maintain armies in all parts of the world; we may have to finance and set upon their feet and sustain the less fortunate nations of the world. What does it matter? It is all in the program, and if that is what we fought for, we should be making but a poor showing as a Nation if we balked at any of these things. But is it what we fought for? On the other hand, if we fought primarily for this country and only incidentally for the rest of the world, now that we have practically accomplished our task in crushing the German menace, are we not justified in extricating ourselves in so far as it may be possible and as soon as it may be possible from the present international mix-up with the greatest possible advantage to ourselves as a Nation that is compatible with dignity and justice and a proper regard for the rights of others?

Mr. President, I do not wish to decry the work of the President of the United States. I have already given him credit for sincerity in his motives, but I believe that his ideals are not the ideals of the vast majority of the people of the United States. These ideals, it is fair to state, were expressed to the country during the progress of the war, and because they were not publicly turned down by the American people or by their Representatives in Congress the President considers that the American people are pledged to their fulfillment. Mr. President, the American people never understood the meaning or con-

sequence of the ideals and policies of President Wilson. They were given out at a time when as Commander in Chief of the Armies of the country it was held universally to be an unpardonable sin to criticize the President of the United States. The wonderful catchwords and phrases of the President caught the ear of the people, but did not catch their understanding. That they were binding themselves to an irrevocable policy as a Nation, I venture to say, never occurred to any but the President's closest advisers. That the American people are bound by any of these statements of ideals or policy is to me inconceivable. They certainly never were bound by the vastly different declarations of the President during the weary months before we went into the war. But enough has been said about that already and far better said that I can say it. I speak of the period of the war and the period now following the war. The men now in the saddle and doing the talking in this country are not the fighting men. Fighting men are not given to much talk. It is very significant that in France, where the Army is near the seat of government, there is little theoretical talk and little time wasted over the development of impracticable ideals.

Men who have seen the realities of war get to be very practical. Nor are the men from whom we are hearing so much in this country the men who carried the country along during the war. The theorists, the idealists—the people especially who never would have had us go into the war—are now in the front line of trenches and loudly and vociferously are they contending for the millennium. But underneath all this the great still mass of the American people are awaiting their time. They are a patriotic people. They never would have consented to go to war had they not believed their country to be in danger. Once in the war, nothing could stop them from keeping on until the war was won, and by their steadfast insistence on winning the war they forced the officials of this Government, you and me and all other officials, to speed up and speed up until the work was done. This great onrushing tide was not led by us. We were carried along ahead of it. And now that the job is done and the war is won, I believe that the American people want peace, and they want it without further delay. They want their boys back in this country and they want to get back to the work that they were doing before the war. They want and they expect their representatives at the peace conference to close matters up just as quickly as can be done, and they insist that these representatives shall look after the material interests of the United States just as the material interests of the rest of the allies are being looked after by their representatives. They feel that we have fought a good fight, and they are intensely proud of the men who have done the fighting; that we should take no unfair advantage of any other nation, and that neither should we sacrifice any advantage that fairly belongs to us. Least of all do they want to give up any more than is absolutely necessary of the great natural advantages that our geographical position gives us in relation to the rest of the world. That the result of the war is a benefit to civilization they are glad and to take reasonable steps to make future wars improbable they are willing, but to have the responsibility and burden of carrying out these steps placed on their shoulders they will never stand, nor will they stand for any plan that in any way affects their sovereignty as a nation or commits them to any policy of internationalism. When all is said and done, Mr. President, the American people are for America first, and they have no desire nor intention to wander very far from the faith and teachings of their fathers.

Mr. MOSES. Mr. President, the deductions the Senator from Maine [Mr. HALE] has made with reference to the utterances preliminary to the peace conference now taking place at Versailles have led him into a vein of pessimism regarding the future of this country and the attitude which the United States would be compelled to take toward great international problems which I think is unwarranted in view of the parallels which may be found in the record of the last great peace conference which decided the fate of the world, the boundaries of contesting nationalities, and the rights of striving peoples.

I think, Mr. President, that the parallel between the preliminaries which preceded the congress at Vienna and those which preceded the congress now sitting at Versailles run both close and far. Following the downfall of Napoleon, the coalition which had brought about that happy event were loud in their declaration that they had not made war upon the French people, that they had warred only upon Napoleon and his system, just as we have been hearing that we have had no controversy and no quarrel with the German people, but that our fight was with the Hohenzollern and with autocracy.

Indeed, Mr. President, one who follows diplomatic history and who has noted the lofty declarations which were uttered during the latter period of the controversy with Napoleon will be struck by the similarity of language which is to be found between the declarations, let us say, of Alexander I of Russia, who was the proponent then of a league of nations, and the declarations of some of the proponents of a league of nations now.

For example, we find Alexander described by his closest companion, Czartoryski, who, as near as I can make out, was the Col. House of that era, as one of the group who had brought over into the nineteenth century the illusions of the eighteenth, who felt that in their own particular formula they possessed the remedy for all the ills from which mankind may suffer, that their particular panacea was a touchstone to cure all the ills of humanity, and that—to use the striking phrase of Czartoryski—a few sacramental phrases were all that were necessary to solve any problem growing out of the relations of peoples. We find that very closely paralleled here.

We find the description of Alexander paralleled further when Czartoryski said, as I recall, that the Czar was willing that everyone should be free, provided that everyone should do as he wished.

So they went to the council at Vienna in the same spirit of declaration which the Senator from Maine has described as obtaining to-day, and the sacramental phrases were even more resonant than any that have been uttered of late.

Yet, Mr. President, we find when that conference had ended there was no confederation of Europe by which the sovereignty of any peoples had been surrendered. There were no guaranties of the doctrine of nationality which worked evil to any of the nations who sat about the conference table. There was no outcome of the deliberations which tended in any way toward a condition such as the Senator from Maine seems to fear.

I do not think, Mr. President, that we need to bother ourselves greatly about the outcome of the deliberations at Versailles. It is true that Alexander had to go back to Paris in the effort to complete his work. So we learn that some of the great plenipotentiaries of to-day purpose to go back to Paris to complete their work.

It is also true, Mr. President, that Alexander had to attend five other conferences before the futility of the plan was at length made clear. I hope that no such number of conferences will attend in the train of the conference now sitting at Versailles, but I have no doubt that the outcome of the deliberations now taking place in the Hall of Mirrors will be no different in their great and ultimate result from those which took place a century ago, and when they are over, through the interposition of some agency, probably that of widespread human nature, which extends to the ruling powers as well as to the humblest of mankind, we will find, through the application of that motive power, that Versailles has saddled upon us no unusual problem and given to us no undue burden.

Mr. SHERMAN. Mr. President, before the Senator from New Hampshire entirely leaves the territory, he very happily alluded to one who might represent Alexander I at the Congress of Vienna. Will the Senator inform this body who would represent Prince Clemens Metternich and who would represent Talleyrand? Are there such characters present at this conference?

Mr. MOSES. I would be glad indeed to translate the dramatis personæ of the congress at Vienna into the terms of the conference at Versailles, but I do not think any Senator here present—certainly I do not think that the acute mind of the Senator from Illinois—requires any enlightenment from me in that regard. I think he is as quick to perceive a parallel as any Senator on the floor.

Mr. SHERMAN. Mr. President, I may say by the time the congress of Vienna really began—it occupied much time in palaver and formalities—but by the time they really began Napoleon grew restless at Elba and left the place that was assigned to him and landed on the coast of France and started a hundred-day whirlwind that dispersed the congress of Vienna. The Kaiser is in Holland in friendly surroundings; Hindenburg is at the head of the German Army. Is there any similarity between that period of the congress at Vienna and the present time? I think there is.

Mr. President, I wish to give notice—like the Senator from California [Mr. JOHNSON], I do not think it entirely necessary—that to-morrow, if there should be a morning hour, immediately after the conclusion of that morning hour, or at such time to-morrow as I may be able to procure the floor, I will submit some remarks on superman government and self-government.

LEGISLATIVE, ETC., APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Gov-

ernment for the fiscal year ending June 30, 1920, and for other purposes.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Johnson, Cal.	Moses	Spencer
Beckham	Johnson, S. Dak.	New	Sterling
Chamberlain	Jones, N. Mex.	Nugent	Sutherland
Colt	Kellogg	Overman	Swanson
Culberson	Kenyon	Page	Thomas
Cummins	King	Pittman	Townsend
Dillingham	Kirby	Poindexter	Trammell
Fernald	La Follette	Pomerene	Underwood
Fletcher	Lenroot	Ransdell	Vardaman
France	Lewis	Shafroth	Walsh
Gay	McKellar	Sheppard	Weeks
Harding	McNary	Sherman	Wolcott
Henderson	Martin, Ky.	Smith, S. C.	
Hollis	Martin, Va.	Smoot	

Mr. SMOOT. I wish to announce that the Senator from Kansas [Mr. CURTIS] is detained on official business.

Mr. McKELLAR. I wish to state that the senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan] on account of illness.

The PRESIDING OFFICER. Fifty-four Senators have answered to their names. A quorum is present.

Mr. WEEKS. Mr. President, before the reading of the bill is resumed I ask unanimous consent, out of order, to propose an amendment. I make this request because it will be necessary for me to leave the Chamber very shortly for the remainder of the afternoon, and I am afraid the bill may not go over until to-morrow. If the Senator in charge of the bill has no objection, I will offer the amendment now.

Mr. UNDERWOOD. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and the amendment proposed by him will be stated.

The SECRETARY. On page 10, line 15, it is proposed to strike out "$3,000" and to insert in lieu thereof "$3,600"; and on the same page, line 16, to strike out "$3,000" and to insert in lieu thereof "$3,600."

Mr. WEEKS. Mr. President, that amendment applies to two well-known employees of the Senate, both of whom are selective—Mr. Kellar and Mr. Loeffler. Mr. Kellar has been an employee of the Senate for 39 years and Mr. Loeffler for 29 years. It is not necessary for me to say to Senators how extremely useful they are in this body. As far back as 30 years ago the salary of the Assistant Doorkeeper was practically $3,000, and by special enactment the holder of the office of Assistant Doorkeeper had an additional appropriation of $500; so that, practically speaking, the salary will only be substantially what was the salary of the position 30 years ago. The same pay should, of course, be given to the acting assistant doorkeeper. I hope the amendment may be given favorable consideration.

The PRESIDING OFFICER. Does the Senator from Massachusetts move the adoption of the amendment now?

Mr. WEEKS. I move the adoption of the amendment now.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Massachusetts.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 26, line 11, after the word "thereof," to strike out "$30,000" and to insert "$35,000," so as to read:

Legislative reference: To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress and committees and Members thereof, $35,000.

Mr. LENROOT. I move to amend the amendment of the committee, on page 26, line 12, by striking out the numerals "$35,000" and inserting "$45,000."

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Wisconsin to the amendment of the committee.

Mr. LENROOT. Mr. President, I should like to explain the amendment.

Mr. UNDERWOOD. I merely want to call the Senator's attention to the fact that I am in accord with the idea; that this is a very useful function of the Government and a very useful practice; but they themselves asked for but $40,000.

Mr. LENROOT. I was about to explain the particular purpose for which I move the amendment. It is true that they asked for only $40,000 for general purposes. The Senator from Maine [Mr. HALE] and I, in a conference had with them some time ago, inquired as to the feasibility of furnishing to each Senator and Member of the House a daily digest of bills reported by the various committees to the respective Houses. They stated that they could do that, and would be glad to do it, under the authority now existing, for an additional sum of $10,000 per year. It is true it was not estimated for or recommended, although they will be very glad to do this work if Congress desires it to be done.

The situation now is in both Houses, and it always has been so, that a very few industrious Members in either House make their own digest of bills and are prepared, as to the minor bills especially, as they come up, to intelligently discuss them. There are very few who do so in the Senate. There is especially the Senator from Utah [Mr. SMOOT], who does that kind of work, performing a most valuable service for the country, and there are a few Members in the other House, as the Senator from Alabama well knows, who do likewise. But each Member of either House ought to be able to get information in the way of a digest of bills that are reported, that are upon the calendar, and that will come up for consideration. It ought not to be necessary for 96 Members of the Senate and 433 Members of the other House independently to do this work when it could be done for all of them. If this appropriation is increased by $10,000, we are assured by the Reference Bureau that they will undertake this work and furnish each Senator and each Member of the other House a digest of the bills reported by the various committees of the Senate and of the House. It would be extremely valuable, and it would save to the country, in my judgment, many times its cost. Each Member could have that information, for, as the situation now is, busy as Senators are, they can not undertake to go through all of these bills and make the digest that is necessary to be made if they are to have the memoranda ready for reference when the bills come up for consideration.

It is a small appropriation, but it will bring in value many times what it will cost, and will enable every Member of both the House and the Senate to make a very much more intelligent consideration of bills that come before the two Houses. I sincerely hope the amendment will be adopted.

Mr. KING. The Senator from Wisconsin forgets the fact that the work, if pursued, however, would involve a very large expenditure for printing each day the reports which are to be submitted.

Mr. LENROOT. No; it would involve a very small expenditure; in fact, they discussed as to whether or not they might not make mimeographic copies. At most it would only require 400 or 500 copies a day; and the number of bills reported each day would be comparatively small. It would be merely a digest. I have some sample digests here, covering one sheet of a very long bill. It will enable a Member at a glance to understand what was intended by the bill and how it proposed to change existing law, while now, under the present system, one has to wade through long reports; and, even then, it is sometimes very difficult to understand exactly what is proposed to be accomplished by the bill. Here we should have experts to do the work. The cost for printing would be a very small matter. I have an estimate of the detailed cost here of doing the work, and it can be done for $10,000 per year.

Mr. KING. Will the Senator from Wisconsin yield to me?

Mr. LENROOT. Yes.

Mr. KING. Of course, if the bills upon which they submit reports were to be taken up and considered on the day on which the reports were submitted, then I can see that the suggestion of the Senator would be perhaps quite important and that the work would be of considerable benefit to the Senate; but bills after they are reported may not be reached for consideration for weeks and possibly months. As the Senator knows, the daily reports by these experts when a bill was reached would not be available, but would be lost or misplaced. If Senators were interested at all in bills they would not be satisfied with the description of the bill or the analysis of the bill made by somebody else. If they have enough interest in a bill to be present and listen to the debate and participate in it, of necessity they will themselves be compelled to make an examination and analysis of the bills.

Mr. LENROOT. The Senator from Utah is not quite correct in saying this work would be of no value. I know it had been my own practice in the other House for a great many years, and it is my practice now, to myself prepare a digest of the bills as to which I think I shall want to participate in the discussion of; I have one on my desk now, and I have no doubt that other Senators pursue the same practice. It involves a tremendous amount of work upon the part of a Senator, which ought to be accomplished by one man for all of us, and it could be. It would not be lost. Every Senator would have his file of digests

of bills ready in his desk to turn to on the moment. Very many of these bills do come up upon a moment's notice, where one's recollection is gone unless a digest is prepared. A Senator could in a moment turn to that digest and know what that bill sought to accomplish.

Mr. KENYON. Will the Senator explain precisely by what amount his amendment proposes to increase the appropriation?

Mr. LENROOT. My amendment proposes to increase the appropriation by $10,000. If this increase is made, the Legislative Reference Bureau agrees that, under the authority which now exists, they will furnish each Member of the House and Senate a daily digest and analysis of bills that have been reported and placed on the calendar in both Houses. That would enable a Senator to keep that daily digest here in his desk and turn to it in a moment whenever a bill came up.

Mr. LA FOLLETTE. Mr. President, I merely want to make a suggestion that it would be a very easy matter to have the file preserved here on our desks by the Senate force just exactly as the files of reports and bills are now preserved for us.

Mr. LENROOT. That would be very easy.

Mr. LA FOLLETTE. And it would be right at hand for us whenever the bills came up. I think it is a very important provision which the junior Senator from Wisconsin has suggested.

Mr. SMOOT. Mr. President, I have had quite an experience personally with this kind of work for the last 12 years, at least. There is not a bill introduced in the Senate or in the House that is not placed upon my desk the following morning, and there is hardly an evening when Congress is in session that I do not scan those bills. Of course 90 per cent of them take no time at all, because one who is familiar with the work of Congress readily recognizes the earmarks on them and they are brushed aside. But what the Senator has said applies to the other 10 per cent of the bills introduced. It takes a very great deal of time to prepare a digest of all those bills; in fact, Mr. President, of late I have waited until a bill was reported and went to the calendar before preparing a digest of it. I have been compelled to do that on account of lack of time. But as soon as a bill reaches the calendar, then I think that every Senator ought to know just exactly what the bill is; and the only way he can know is by making a digest, examining it, and ascertaining its scope, object, and purposes. If this work could be accomplished without being made too voluminous—in other words, if judgment is used by those who will prepare the digest, so that only such matters will be brought to the attention of Senators as are likely to be acted upon—I think it would be an immense advantage to every Senator; but I hope, and I simply say now by way of caution, that if this work is undertaken, those who carry it on will not make it so cumbersome and so voluminous that a great deal of its value will be lost. I am positive, however, that if the work is done properly it will be a wonderful advantage to every Senator.

Mr. LENROOT. I will say that I have had the Legislative Reference Bureau make me a number of sample digests, and they have boiled the matter down to the very limit, so that it is not voluminous. Furthermore, I am very sure that on the suggestion of individual Senators at any time, if the bureau does exceed what is thought to be a proper limit, the digest can very easily be brought within a proper scope.

I wish to say in explanation to the Senator from Alabama who is in charge of the bill, that the Senator from Maine and I expected to bring this matter before the committee, and the Senator from Maine did speak to the Senator from Virginia with reference to it; but we did not know the bill was going to be reported so soon, and so we did not bring it before the committee, although we fully intended doing so before the bill was reported.

It is a small increase, but one that I feel very sure will be one of the best expenditures in the interest of the saving of time of Senators and economy to the Government that we could make.

Mr. UNDERWOOD. Mr. President, I am not prepared to accept the amendment, because I have not the authority of the committee. I will say personally that I believe the Legislative Reference Bureau is doing an excellent work. I think any work that brings information to Senators and Members of the House is useful if it has been properly digested and prepared. So I do not propose to resist the amendment. We may have some difficulty in getting it adopted in conference; but, of course, I will represent the Senate's viewpoint. I repeat that I have no personal objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. LENROOT. I ask to have inserted in the RECORD a letter from the law librarian, together with an estimate of the cost of the proposed digest.

The VICE PRESIDENT. Without objection, it is so ordered.

The letter referred to is as follows:

LIBRARY OF CONGRESS,
LEGISLATIVE REFERENCE SERVICE,
Washington, January 18, 1919.

DEAR SENATOR: Referring to the matter of a daily digest of bills reported from committees, which you and Senator LENROOT suggested that the Legislative Reference Service should undertake:

I have made a careful estimate of the work which would be involved and the additional appropriation which would be required to enable us to employ the additional help necessary to turn out this digest promptly each day throughout the session. I have regarded the last month of the short session of the Sixty-fourth Congress as representing the amount of work which we should have to be prepared to handle. The inclosed table gives statistics of the public bills and resolutions (general and local) reported during that period.

Detailed estimates of the additional legislative reference appropriation required are given on a separate sheet. In explanation I may note—

1. That the supervision of the work will add materially to the responsibilities of our chief indexer, Mr. McClenon, who is in charge of the American Law Section, and this should be recognized by the provision of additional compensation.

2. That the digesting should be done by persons who have had a legal education and who are familiar with the work of indexing and digesting. While a great many of the bills are quite simple, there are others that require very careful study by a lawyer to determine just what the legal effect of their provisions is likely to be.

3. If the law clerks are to work efficiently and get out the material promptly they must be properly supported by stenographic assistance.

4. A messenger will be required to procure the bills from the Printing Office in advance of the regular distribution and advance copies from the committees, and also to deliver to the printer the copy and proofs of the digests prepared. (The ordinary methods of distribution do not bring the bills to us at the present time until two or three days after report.)

We have prepared sample digests (also inclosed) for the few bills that were reported on January 15 and 16, 1919, to try out the work and elicit from you any suggestions for improvement, either as to form or substance. I may note that we have not duplicated information which is presented in good form in the report on the bill.

Very truly, yours,

J. DAVID THOMPSON,
Law Librarian.

Hon. FREDERICK HALE,
125 Senate Office Building, Washington, D. C.

Statistics of bills reported Feb. 1 to Mar. 4, 1917 (64th Cong., 2d sess.).

Date.	General bills.		Local bills.		Total.	
	Number reported.	Pages.	Number reported.	Pages.	Number reported.	Pages.
Feb. 1	6	117	1	2	7	119
2	3	131			3	131
3	1	1	2	4	3	5
5	11	30	5	16	16	46
6	7	96	1	2	8	98
7	1	2			1	2
8	18	64	3	5	21	69
9	1	38	1	2	2	40
10	5	125	1	2	6	127
12	4	37	8	17	12	54
13	2	31	4	7	6	38
14	2	5	2	4	4	9
15	2	6			2	6
16	5	42	2	4	7	46
17	2	11	1	2	3	13
19	3	201	2	4	5	205
20	3	12	6	17	9	29
21	4	55	3	7	7	92
22	7	34	2	13	9	47
23	3	36	3	6	6	42
24	1	24			1	24
26	2	3	2	5	4	8
27	6	47	5	10	11	57
28	8	173	1	1	9	174
Mar. 1	3	268	3	5	6	273
2	2	5	4	6	6	11
3	1	29	1	1	2	30
4			1	2	1	2
28 days	113	1,653	64	144	177	1,797

Estimate of additional appropriation needed for preparing a daily digest of bills reported from committees.

Chief indexer, increase of compensation (from $2,400 to $3,000)	$600
One law clerk, at $2,000	2,000
Two law clerks, at $1,600	3,200
Two stenographers, at $1,200	2,400
One typist, at $960	960
One messenger, at $840	840
Total	10,000

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 29, after line 10, to insert:

For temporary services of additional employees when found necessary, at the discretion of the superintendent, in the operations of the Library Building and Grounds, $500.

The amendment was agreed to.

The reading of the bill was continued to the top of page 30.

Mr. KIRBY. I move to amend line 2, on page 30, by striking out the figures "$2,250" and inserting "$3,000." I will say, Mr. President, that the Superintendent of the Botanic Garden——

The VICE PRESIDENT. There is an agreement to conclude committee amendments first, and the amendment of the Senator from Arkansas will not be in order until after the committee amendments have been disposed of.

Mr. KIRBY. Very well.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "Bureau of Efficiency," in the item of appropriation to enable the Bureau of Efficiency, authorized by the urgent deficiency appropriation act approved February 28, 1917, to establish and maintain a system of efficiency ratings, etc., on page 32, line 10, before the word "persons," to strike out "nine" and insert "eighteen," so as to make the proviso read:

Provided, That not more than 18 persons shall be employed hereunder at a rate of compensation in excess of $3,000 per annum.

The amendment was agreed to.

The next amendment was, under the head of "Department of State," on page 34, line 15, after the word "each," to insert "ten at $3,500 each," so as to read:

officers to aid in important drafting work—5 at $4,500 each, 10 at $3,500 each, etc.

Mr. KING. Mr. President, I should like to ask the Senator having this bill in charge what are the duties of the employees referred to in lines 14, 15, and 16, page 34—

Officers to aid in important drafting work—5 at $4,500 each, 10 at $3,500 each, 14 at $3,000 each, 17 at $2,500 each, to be appointed by the Secretary.

Mr. UNDERWOOD. Mr. President, the Acting Secretary of State appeared before the committee. He said that these men were compelled to draft papers, all kinds of papers that come before the State Department for consideration relative to our Diplomatic and Consular Service, and coming in contact with men in the chancelleries of Europe of long experience and high pay, men trained for that purpose; and he insisted that he could not get competent men to handle this branch of the service for less pay. Although he urgently requested an additional force to that which we have granted, we finally came to the conclusion that they were entitled to 10 men, especially under existing circumstances. Although the war is over and direct war expenditures are being cut down, the Senator must bear in mind that with the conclusion of the war, the organization of new nations, the thousand and one questions that must arise between our allies and the countries with which we have been at war during the past few years, the labors of the State Department have enormously increased.

I can not go into all the details in reference to that, because they have not been given to me, but it is apparent that that condition exists. These additional clerks, the only change we have made there, have been estimated for, and the department has estimated for a considerably increased force more than that; so I think that under existing circumstances their request should be allowed.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 35, line 8, after the words "Under Secretary," to strike out "$2,000" and insert "$2,500"; and in line 17, after the words "in all," to strike out "$529,840" and insert "$565,340," so as to read:

private secretary to the Under Secretary, $2,500; clerk to the Secretary, $1,800; clerks—27 of class 4, 30 of class 3, 40 of class 2, 63 of class 1 (3 of whom shall be telegraph operators), 40 at $1,000 each, 10 at $900 each; lithographer, $1,400; chief messenger, $1,000; 8 messengers; 27 assistant messengers; 4 messenger boys at $420 each; packer, $720; 7 laborers; 4 telephone switchboard operators; chauffeur, $1,080; 10 charwomen; in all, $565,340.

The amendment was agreed to.

The next amendment was, on page 35, line 19, after the words "Department of State," to strike out "$125,000" and insert "$200,000"; in line 21, after the word "That," to strike out "no part of any appropriation herein shall be used unless"; and in line 26, after the word "positions," to strike out "appropriated for herein," so as to make the clause read:

For temporary employees in the Department of State, $200,000: *Provided*, That not more than eight persons shall be employed hereunder at a rate of compensation exceeding $1,800 per annum: *Provided*, That all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions if they have received an honorable discharge and are qualified to perform the duties of the position.

Mr. KING. Mr. President, I want to ask the Senator if there ought not to be a limitation as to the maximum amount which may be paid to any employee out of the $200,000 additional appropriation provided for in the paragraph now under consideration?

Mr. UNDERWOOD. I was interrupted, Mr. President, and did not catch the paragraph to which the Senator refers. I shall be glad if he will call my attention to it.

Mr. KING. On page 35, lines 19, 20, and 21, there is a provision that—

not more than eight persons shall be employed hereunder at a rate of compensation exceeding $1,800 per annum.

Is there any limitation upon the amount which may be paid those eight persons? Could they not be paid $10,000 each?

Mr. UNDERWOOD. Yes; I think they could; but I think it is proposed to pay these men somewhere in the neighborhood of $5,000. It is impossible, however, to put a maximum limitation on it; and, of course, the limitation in the paragraph is in the total expenditure. To accomplish the result referred to, if the State Department went out and deliberately paid $10,000 each to eight men, it would so consume the bulk of the appropriation that it could not function very well.

Mr. KING. Obviously, that is true; but I thought perhaps the department had in mind the character of the work which was to be performed and the personnel that would be employed under this provision.

Mr. UNDERWOOD. They have, and they had a hearing before the committee; and my recollection is that they stated that they expected to get these men at salaries ranging from four to five thousand dollars.

Mr. KING. Will the Senator advise us what the duties of these positions are that call for salaries which are in excess of that allowed; for instance, the Assistant Secretary of the Interior and many of the very important officials of the Government?

Mr. UNDERWOOD. They would not be in excess of that. I do not remember about the Interior Department, but my recollection is that the Assistant Secretary of State gets $7,500.

Mr. KING. I had reference to some other departments, where the assistant secretaries receive very small compensation. For instance, the Assistant to the Secretary of the Interior receives only $2,750.

Mr. UNDERWOOD. The position of assistant sometimes is a very important position and sometimes it is merely a clerical position. These temporary employees of the State Department have been working out—the work was organized before the war, but it has largely increased since the war—definite information in regard to our trade and contact in a commercial way with the foreign nations. They have a very complete bureau organized; and my recollection is that the testimony showed that the President, out of the fund provided to him for emergencies, largely increased the appropriation last year for this specific work, because of the urgent need of the information coming to the department. It was for that reason that after consideration we increased the appropriation, not to the full extent the department asked, but we gave them an increase of $75,000.

Mr. KING. There is an appropriation of $200,000.

Mr. UNDERWOOD. But this is not in excess of what they had last year. The House held the appropriation down to $125,000. The Senate increased it $75,000, but after going into it carefully and after a full hearing on the subject.

Mr. KING. I should like to ask the Senator whether or not there is any duplication between the work contemplated to be performed by the employees provided for in the paragraph under discussion, and that performed by employees of the Commerce Department?

Mr. UNDERWOOD. My recollection is that the State Department claims that there is not; but my own judgment is that there must of necessity be some duplication, though it is not direct duplication.

Mr. KING. I want to say to the Senator, if he will pardon me, that complaints have been made to me that there has been, and still is, a great deal of duplication between work performed by men operating under the control of the State Department and those who are operating under the Department of Commerce.

Mr. UNDERWOOD. Of course, as long as we keep the Consular Service in the State Department and then try to have the Department of Commerce function along commercial lines, I do not see how you are going to prevent certain classes of duplication, because both are working along the same line. I want to say further, however, that probably in the past the commerce of our country has suffered—I do not mean in the immediate

past, but before some organization was created, both in the State Department and in the Department of Commerce, looking to the expansion of our foreign trade, and to obtaining information for the great business interests of the country that are looking to foreign trade. I do not think there was any condition in the whole governmental machinery that needed readjustment more than this does. We sat down and complained that our neighbors, foreign nations, advanced their foreign trade to a far greater extent than American trade; and in the end we find that so far as our Government was concerned, except in the recent past, along certain lines there were no facilities granted to our citizens for the expansion of trade.

It is true that we had a Consular Service; but until recently the Consular Service was not expected to function along these lines or to keep in constant contact with foreign trade. I know that there were some consular offices that furnished very remarkable reports in the past. On the other hand, many of them accomplished nothing more than drawing their salaries. It has only been within the last decade that any real effort has been made to establish American banks in foreign countries; it has only been within the last decade that any effort has been made to increase our merchant marine; and I can practically say the same thing in reference to the work of our Consular and Diplomatic Service along the line of investigating the fields of commerce in foreign countries and advising the American producer and the American manufacturer as to his opportunities to do business abroad.

We may not be developing along any one of these three lines as rapidly as we ought to; but unless we can have banks in foreign countries, unless we can have a merchant marine that is commanded by ourselves and not by our trade adversaries, and unless we can have men trained in commercial lines, men of ability, men of experience, who can investigate the foreign trade field and report back to the manufacturer and producer in America as to what opportunities he may find abroad and assist him in finding them, our foreign commerce will not expand; and along certain lines it must expand, or we will have idle factories and idle furnaces in the near future.

Take the iron and steel industry. Everyone knows that the expansion of the iron and steel industry in America has far exceeded the American demand. Take the cotton industry. The cotton industry must find foreign fields, or it will have surplus cotton upon its hands that it can not dispose of in America. The appropriation of which the Senator speaks, and other appropriations along that line, are for the purpose of helping a development in that foreign field. As to how far it is accomplishing the result, I can not say. I know it has done some good. As to whether it has produced all the good and efficient results that should be produced in order to warrant the expenditure of the money, I can not say; but I think it would be very unwise for the Congress to cut down the effort in that direction to expand our foreign commerce.

Mr. KING. Mr. President, I hope the Senator does not misapprehend the inquiry which I made, or at least the object and purpose of it. I agree most heartily with what the Senator has said; and while perhaps I may be regarded as a good deal of a crank upon appropriations and my appeals here for economy may have produced some irritation, I do plead guilty to a desire to be liberal and generous with appropriations for the purpose of extending our foreign trade and commerce.

What I inquired of the Senator about was this: In the investigations which I have made I have discovered that there has been considerable duplication; that the Commerce Department and the State Department have been running along, in some instances, on parallel lines; and frequently those lines would merge together and confusion would result. I think there ought to be more coordination. I do not venture an opinion as to whether or not the appropriations for the extension of our foreign trade, for obtaining information necessary to enable us to extend our trade and commerce, ought to be under the State Department or under the Department of Commerce; but certainly it is manifest to anyone who thinks for a moment that it is unwise to have a duplication of work, to have two departments that are running along parallel lines. There ought to be coordination; and the complaints that have been made to me, and the investigations which I have made, confirm the view that there has been too much of duplication between the two departments.

It is obvious, in view of the efforts which are being made by Germany, or will be made by Germany, and which are now being made by Great Britain and France and other nations, that there will be great rivalry for the trade of the world. If the American people do not exert themselves, and, indeed, assert themselves, they are going to lose much of the trade that they have had in the past, and they will fail to gain much that they might obtain in the future. We ought to take lessons from the work of Germany in the past in the extension of her trade and commerce; and I would be willing to have very liberal appropriations made in order to develop our trade and commerce, and to bring us into contact with those nations of the world that will need the products of mine and field and farm in this country.

Mr. SMOOT. Mr. President, last year there was an appropriation of $200,000 for temporary employees in the Department of State. This year there was an estimate sent in for $500,000. The House granted $125,000. The Senate amended that by striking out $125,000 and inserting $200,000. These are not all the temporary employees that the State Department wants, by any manner of means, nor do I think these employees will be used for the purpose stated by the Senator from Alabama.

Mr. UNDERWOOD. Mr. President, I will say to the Senator that I had a confidential paper that I showed to the Senator which was sent to us, and that part of them will be used along the line I indicated, as shown in that paper.

Mr. SMOOT. I have the number, and I can state to the Senator just the number, if necessary; but not many of them will be paid from this fund. I am safe in saying, however, that if this amount of $200,000 is not sufficient, the State Department will go this year to the same fund to which they went last year, and secure money in order to hire the number of employees they want.

I think the Senate ought to know that the different departments of our Government made certain representations to Congress last year for appropriations, and Congress refused to give what was asked; but it develops now that where a refusal was made they went to the President of the United States, and asked him to give them money out of the fund that was given him as a confidential fund, and secured appropriations for the purpose of running the different departments of the Government. I know that that has happened, not only in the State Department, but in the Department of Justice, in the Department of Commerce, in the Bureau of Naturalization, and in the Department of Labor. I requested the other day that there be sent to the committee a list of all of the appropriations made from the fund of the President, showing to what departments it had been given, and the amount. Up to the present time it has been passed on from one to another, and I have come to the conclusion that we are not going to get the information. I do not know that it would do any good if we had the information; but I wanted to know how much further this thing could be carried on, and how much there was left in the fund, so that we could arrange our appropriations accordingly.

I do not think that is the proper thing to do. I think all the money that is appropriated for the departments of this Government ought to be appropriated in the regular appropriation bills, and I think the Congress ought to know the amount that is appropriated. They are responsible for the maintenance of the departments as far as appropriations are concerned, and I believe that whenever a representation is made by the head of a department, and then Congress refuses to make an appropriation for it, there ought to be no other place where they could go and secure the money to carry on what they thought they ought to have.

Mr. President, I believe that this item of $200,000 is really necessary. I voted for this increase, and I simply wanted to say what I have said so that Congress may know what has taken place in the past. I can not say how much it has been. I know that the testimony showed that in the Department of Commerce, in one particular instance, there was $100,000, and in the Bureau of Naturalization there was $100,000, and in some of the other departments there was even more, and even in the Child Labor Bureau—although this fund of $100,000,000 was given for war purposes—there has been an increase; I do not know how much. I have been unable to learn. In the home gardening there was also an appropriation.

Mr. KING. Mr. President, will the Senator yield?

Mr. SMOOT. I yield to my colleague.

Mr. KING. I will ask the Senator whether it would not be a very wise and prudent thing to offer an amendment to this bill that no amount whatever shall be received or expended by the department other than that which is appropriated in this bill? And would it not be a wise idea to pass a Federal statute making it an offense or prohibiting the reception of money from some other fund not contemplated when the appropriation was made and expending it in a department or in a bureau for which an appropriation was made after due consideration by Congress?

Mr. SMOOT. I will say to my colleague that there is a statute already preventing any department of our Government from creating a deficit, and yet there is not a department of the Government but that does it every year, and sometimes the

deficit is greater than the original appropriation; and as long as Congress recognizes this violation of the statute and pays no particular attention to it, it is going on. It will never cease.

Mr. CUMMINS. Mr. President, I rose merely to ask a question of the Senator from Utah, but I will ask it of the Senator from Alabama. In response to a question put by the Senator from Utah [Mr. KING], I think the Senator from Alabama stated that the $200,000 for which there is no specification was to be used for the expansion of our foreign trade.

Mr. UNDERWOOD. In part.

Mr. CUMMINS. I do not know for what else it may be used, but that seems to be its chief purpose. The Department of State has its consular agents. They may be effective; they may be ineffective; but two or three years ago we adopted the policy of doing through the Department of Commerce this work that was not fully done through the consular agents. That was our policy, deliberately adopted.

I find, turning to the appropriations made for the Department of Commerce, that the appropriations for the identical purpose amounted in the aggregate to $690,000. I find that there is a lump appropriation of $325,000, which may be expended for any purpose in connection with the promotion of the commercial interest of the United States. Then, there is an appropriation of $100,000, made with the especial object of increasing our trade with South and Central America; an appropriation of $100,000 for the development of our commerce in the Orient; and an appropriation of $165,000, which is again entirely indefinite, and may be applied, I presume, to the whole field.

Is there any showing before the Committee on Appropriations that we need more than $690,000 for the maintenance in these various portions of the earth of a sufficient force to keep us well advised with regard to commerce and the opportunities which may exist for American business men to enlarge or increase their trade abroad? I can not, for the life of me, understand how they could spend more than $690,000 for such a purpose, and spend it economically and wisely. I am inclined to think that $200,000 is just thrown away and will serve no useful purpose if it is intended simply to get reports with regard to our foreign commerce.

Mr. UNDERWOOD. I do not care to go into the matter fully, Mr. President, but I have no doubt that, with the information the Senator from Iowa has, he is perfectly sincere in making his statement, and yet I do not believe that we could get along without a reasonable amount of this work being done. I will say that right at this hour I am not fully informed as to the individual work these agents in the Commerce Department have been doing, but that they have been doing a vast deal of work in investigating foreign trade, in publishing documents, which were brought to the attention of American manufacturers, indicating where the opportunities were for future development to take place, is undoubtedly true. On the other hand, I wish to say that our great foreign competitors in industrial lines are spending a great deal more money than we are along this line of development as a Government.

In reference to this particular $200,000 the attention of the State Department last year was called to the strategic position of raw material as it affected war conditions, as to where raw material in various lines of industry relating to war and its work could be had, as to the channels of trade in which they were ordinarily moving, and as to the opportunities and necessities for diverting that raw material from our enemies. Having been called to the attention of our Government, it was necessary for them to make a very thorough investigation, which they did. That investigation has not fully been completed. So far as its functioning on the war side of the problem that probably is unnecessary, but so far as the peace aspect of that investigation is concerned it is just as important to-day as it was a year ago when it was begun.

I am sure it is not necessary for me to extend my remarks by amplifying the importance of our Government, and through our Government our business fabric, being informed as to where the raw materials of industry lie and in what channels of the trade they move. That is one of the things being worked out by this appropriation.

There is another proposition of great importance that was before the State Department, and that is the collective buying for foreign nations. Most of the principal European nations have arranged for collective action by their buyers or importers, each individual line of trade to supersede the competitive purchasing formerly practiced. This puts the American exporter at a fatal disadvantage. I am sure the Senator can realize that. In France a special system of consorting has been built up during the war, and in each line of trade a French comptoir purchases all goods imported into France, seriously affecting certain lines of American trade. The foreign trade adviser's office have been forced to study the facts with regard to lines of trade involved in relation to efforts upon the national interests which would result from the making of forcible diplomatic representations to France along these lines. Actual trade figures are procured from the Department of Commerce, but they must be analyzed painstakingly by the same officers who have the current diplomatic situation in mind, namely, the officers of the Department of State.

Collective selling on the part of our foreign competitors is requiring organization in this country to meet conditions we have to meet in the competitive markets of the earth, and that can only be done through the diplomatic channel, with this specific information with reference to trade conditions brought to their attention.

I will state another question which the State Department has studied, and I am not going into details with reference to it, although I have the papers in my hand; but for certain reasons it may not be well to put them in the RECORD. It is the question of foreign governmental monopoly that is seriously affecting our trade, and is not merely a matter of commerce, to be treated along commercial lines; but as it is a governmental monopoly it must of necessity be treated through diplomatic channels. Those questions are being investigated. Part of this money has to be spent for that purpose. It is of great importance to our business interests that these questions should be understood and that our citizens should be advised how to meet them.

There is another question wherein this money has been spent in the past, and to some extent may be expended in the future. Growing out of the war it was necessary for our South American neighbors to make certain great foreign loans. The European trade markets were closed. The banking circles of Europe which had been supplying them with loans in the past were no longer able to do it, growing out of war conditions. They had to appeal to our country. It was a new line of business for our banking public. They required certain detailed information, and they had to acquire it through diplomatic channels. Part of this money was used in that line. I am not sure that it will be required in the future, but probably some of it will in the immediate future.

The international cable situation is another problem that has to be studied by the State Department. Part of the money in the past has been used for that purpose, and a reasonable amount of money provided in this bill will be used to study out the problems of the American control of the cable system. American-owned cable systems are at present vitally deficient from the standpoint of giving us independent communication with other countries. The Central and South American Telegraph Co. has asked the department's assistance with regard to extending its cable connections from Buenos Aires northward to Rio de Janeiro. Certain other interests are asking aid in the establishment of a system linking Cuba and Porto Rico to Key West. The Western Union Telegraph Co. is requesting aid to install a cable direct from New York to Rio de Janeiro.

In connection with these requests it now develops that no armored or deep-sea cable is manufactured in the United States and that we are dependent upon England for every foot of cable we may wish to lay. England has very naturally refused at this time to permit the sale of any of this cable to American interests. It is necessary to make certain investigations looking to the question of either securing the cable that we need to lay in the interest of our commerce or to advise American manufacturers upon what terms and conditions they can go into the manufacture of cables themselves.

These are some of the questions. There are a number of others I might go into. The committee has not ill-advisedly or without thought or consideration asked for this increased appropriation. I am thoroughly satisfied that if we have erred at all we have erred upon the side of economy, and that every dollar we have increased this appropriation should remain in the bill.

Mr. SMOOT. Mr. President, I think the Senator is a little in error wherein he says that out of this $200,000 those investigations shall be made. The investigations are to be made by the 10 employees, at $2,500, for whom we have provided in the bill.

Mr. UNDERWOOD. The Senator is mistaken about that. I took this matter up personally with these gentlemen, besides doing so in the committee, and I can assure the Senator of the purpose. Of course, the work of these 10 employees may be along that line to some extent, but along this particular line the 10 employees could not cover it. I call the Senator's attention to this fact. He simply has not carefully looked at the papers in his hand. In this organization they have had, and

expect to continue, a divisional organization. Among others, there is Latin America, with a chief of division; a South American section with an assistant, and another assistant to cover the countries of Argentina, Paraguay, Brazil, and Uruguay; and a second assistant to cover Chile, Bolivia, and Ecuador. Then there is another division for the Caribbean section with an assistant, Colombia, Panama, Venezuela, Guiana, and Costa Rica are to have an assistant, with a second assistant under that division to Nicaragua, Guatemala, Salvador, and Honduras. Then there is another assistant to cover Cuba, the Dominican Republic, Haiti, and the West Indies. There is another section, the Mexican section, with three assistants. Then there is the same kind of an organization for western Europe, with equally as large a number of employees; one for the Near East, another for the Far East; one for Russia; certain assistants in the foreign intelligence office, and certain other assistants for passport control, trade adviser, research and diplomatic lines. I will not take up the time of the Senate to read them all, but that is the line of organizations to carry out this work.

Mr. SMOOT. That organization is taken care of through appropriations for the Diplomatic and Consular Service, I will say to the Senator, and of this $200,000 that is here for temporary employees of the State Department some may be used, of course, for this purpose, but the reason given why they wanted the 10 employees extra above what the House allowed them was that these were the special employees who were desired to make an investigation of the radio system.

Mr. UNDERWOOD. I do not like to dispute the question with the Senator, but the Senator is misinformed. I know what I am talking about. The papers that I hold in my hand were brought to my desk by the gentlemen interested in this request for an increased appropriation, and I know; I am not guessing at it; I am not misinformed about it. I have made the statement, based upon information that was furnished me by the men at the head of this proposition. Their work was largely done on an appropriation given them by the President from his special fund last year, and when they asked for this increase and asked for more than we had given them they brought these papers to me that I hold in my hand, from which I made the statement, for the purpose of obtaining this specific appropriation. So there is no doubt about it.

Mr. CUMMINS. I accept implicitly the statement made by the Senator from Alabama; I think it is correct; but the argument founded upon it, so far as this appropriation is concerned, is very fallacious. I am not speaking about what the State Department ought to have to carry on its diplomatic affairs. I assume that the real function of the State Department is to deal with foreign Governments in some way or other.

If our appropriation for the office of the State Department is not sufficient to enable it to employ the proper number and kind of persons to carry on its correspondence and its intercourse with foreign countries, I, for one, am very willing to increase that number; but we are in very great danger of injuring rather than assisting our foreign trade, in a proper sense of that word, by the complications which may arise between the State Department and the Department of Commerce with regard to business.

I will say, as I said before, in my opinion the State Department ought to have nothing to do with business except as it merges itself into our relations with foreign Governments. The Senator from Alabama says that we ought to have some way of meeting foreign competition, as in collective buying and collective selling.

Mr. UNDERWOOD. I said to get the information by which we could know what we are doing. That is the purpose of it.

Mr. CUMMINS. The Congress of the United States has acted upon that matter. It has passed a law which has for its especial purpose the consolidation and combination which in the judgment of Congress was thought necessary to enable that competition to be met in a successful way. The administration, so far as it is to be administered, of that law, is committed to the Federal Trade Commission, not to the Department of State.

Mr. UNDERWOOD. If the Senator will allow me to interrupt him, I think he is making a mistake in that proposition. It was before I came to the Senate and when I was a Representative in another body that the matter came to my attention. There was an effort made by the House within my recollection to cut out of the State Department this entire organization in reference to foreign commerce, limiting it to the functions of the Department of Commerce. My recollection is that under that House amendment the opposition to it came from the Senate. I recall now having talked the matter over with one or two distinguished Senators at that time whose names I do not care to call, and the two organizations were kept in the bill due to the opposition in the Senate. They have been there all the time.

Of course, I am free to say that growing out of the war conditions the functions of this bureau in the State Department were vastly increased; but the germ was there, and as long as it is the policy of the Government and the law that we shall maintain these organizations in both departments, the committee carrying appropriations for the supply of sufficient money to function on is not here to determine what shall be the policy of the Government when you fixed that by statutory law. Of course, we may have some limitation in determining how far they shall function and how far they shall draw in by either extending or limiting their appropriation, but the policy has already been fixed by the Government and it is a governmental policy now.

Mr. CUMMINS. The policy has never been established except through appropriations, and it is to be continued through appropriations. This is the time and this is the place to change the policy if we desire to have it changed.

Mr. UNDERWOOD. If the Senator will allow me, I agree with him that usually the extent of the functions, and to some extent the functions themselves, have been established by appropriation bills. But the Senator calls my attention to the fact, and it is a fact, that the Congress itself by a statutory law established this bureau in the Department of Commerce in relation to our foreign-trade matters, not by an appropriation bill but by law itself, in establishing that bureau, a brand new bureau, within the last decade.

Mr. CUMMINS. Precisely.

Mr. UNDERWOOD. Up to that time these functions had been entirely occupied by the Department of State. When Congress performed that legislative act it did not cut off those functions, it left them to survive, and they are right at the present time performing a most valuable and a most necessary function for the benefit of American business.

Mr. CUMMINS. So far as its value in time of war, I express no opinion, for I am not familiar with what it has done during the war, and I am very willing, indeed I would be anxious, to continue every appropriate intervention on the part of our Government, not in private business but so far as private business required us to deal with a foreign government. But beyond that I do not think the State Department ought to go. That is a view which I have held for a long time, and I have tried to express it whenever the opportunity or occasion presents itself.

I know the futility of opposing this appropriation, and I am simply recording my own opinion with regard to it, that in so far as this appropriation is used to expand our business, to secure for the people of this country more foreign trade, it will be either a purely duplicated service or it will be of no value whatsoever. That is not saying that the suggestions of the Senator from Alabama are not well founded with regard to those cases in which we must deal as a Nation with foreign powers. I want that power fully sustained, and I want it amply sustained, but I have had rather a close observation of the workings of the Department of Commerce with regard to our foreign trade. I think the work of that department has been exceedingly valuable. I think it has covered the whole field. It does not confine itself to work in the United States, to the translation of foreign documents that may give information about trade. The employeees of the Department of Commerce travel all over the world making a personal investigation at every point at which it is possible or thought possible that commerce may be enlarged. I do not know that all the reports are published, but they are very generally published, and they contain information of the most valuable character. They maintain just such a bureau of information as was suggested by the Senator from Alabama, namely, when they see an opportunity in some foreign country for an American business man to sell goods or engage there in business of his own they promptly make it known and get in correspondence with those who are likely to embrace an opportunity of that kind.

I do not disparage that kind of work. I think it is exceedingly helpful and ought to be continued, but I think that when we try to duplicate it in so far as it is duplicated—I have no expert knowledge upon that subject and I do not know what the State Department is doing——

Mr. UNDERWOOD. I said to the Senator candidly that I thought there was duplication there, although it is claimed there is not; but I am not prepared to say how far it is duplicated.

Mr. CUMMINS. What I would like to do, and I hope it may be done, because I do not expect to defeat this appropriation, is to call the attention of the Senate and the country and espe-

cially of the Committee on Appropriations to this view, that in the future the work of the State Department ought to be limited, no matter how much it costs, to our diplomatic intercourse with foreign nations and our ordinary Consular Service which is of a commercial character, but it is not particularly intended to extend or increase our foreign commerce.

Mr. KING. Will the Senator yield?

Mr. CUMMINS. I yield.

Mr. KING. I do not quite understand just where the line should be drawn as to the activities of the consular and diplomatic representatives. If a consular agent is in a section of the world where there is business and where there is an opportunity for the expansion of American trade and commerce, and if he is charged with the responsibility of obtaining figures as to the trade and commerce of that particular section, I can not just see why he ought not to aid in a legitimate way American manufacturers who seek to vend their wares in the district in which he is located.

Mr. CUMMINS. Undoubtedly such a consular agent should do that, and unquestionably many of them do that, but that is not the primary purpose of appointing consular agents; it is secondary. Many of them are skillful in that direction and make valuable reports, of which the business men of the United States have sought to take advantage, and do take advantage, but in so far as the consular agent can perform this work it ought to be continued by the consular agent, and there is ample appropriation in the bill far the continuance of the consular agent and for his work. I am only speaking of that special, that extraordinary work, which seems in a sense to be a direct subsidy to private business that is performed by the Department of Commerce and that is to be performed again under this appropriation by the Department of State by an investigator who goes all over the world, who studies the subject, and who reaches a conclusion with regard to what can be done by American men of business and how they must go about doing it.

There was a time when that was not considered a part of the public business, and a good many of us were rather reluctant to see the Government go into the subsidizing policy; but we have gone into it so largely and so generously that I am perfectly willing to see it continued, for I really think it can accomplish some good. The Government of the United States is doing for a great many people precisely what our great corporations do for themselves. There is no department of the Government, either in the office of the Secretary of State or in the office of the Secretary of Commerce, that approaches in point of ability, in point of comprehensiveness, the efficiency attained by the United States Steel Corporation and its various organizations, which maintains a bureau of this kind, and its agents are in every part of the world for the sole purpose of helping the sale of steel products abroad.

I was formerly of the opinion that that kind of work could be well left to the individual initiative and enterprise of business men, but the gradual drift toward governmental function has led me at least to tolerate the assumption of that work upon the part of the Government. I am very frank in saying that I believe the present Department of Commerce has done wonderfully well in exploiting our opportunities abroad. It was under the influence of that department that Congress passed the law which to some extent mitigated the rigidity or the severity of the antitrust law, and permits, under certain circumstances, combinations among our business men for foreign trade.

What I am objecting to is that we are spending all the money that can be profitably spent through the Department of Commerce in uncovering the opportunities which may exist and in tendering to our business men the suggestions which may arise from investigation. What the State Department spends in that particular of the $200,000 here appropriated, in my judgment, is just so much absolutely wasted. That is not saying that in these matters concerning ocean cables and other things that require diplomatic intervention between two governments the State Department is sufficiently equipped; but if it is not it ought to come frankly forward and secure appropriations for the maintenance of employees who are to do that work. It ought not to come and secure an appropriation the expenditure of which is not in any way directed by Congress, leaving the chairman of the Committee on Appropriations to explain how it will be spent, but without binding in any way the State Department to expend the money for that purpose or in that way. It is precisely like all these lump-sum appropriations.

The great scandal of the work of Congress is the lump-sum appropriation, where we give general authority to withdraw money from the Treasury without indicating by whom it shall be spent or for what it shall be spent or even what shall be accomplished by the expenditure. We shall never resume—I will not say "resume," for I do not know that we have ever occupied the right position with regard to that matter—but we shall never even approach our much-desired economy in public affairs until Congress does direct the purposes for which money shall be spent.

Mr. OVERMAN. Mr. President, will the Senator from Iowa yield to me?

Mr. CUMMINS. I yield.

Mr. OVERMAN. I am very glad to hear the Senator make those remarks. I wish more Senators would study this question and make similar remarks about this matter. We had before the war came on about gotten rid of lump-sum appropriations. The Senator from Utah [Mr. SMOOT] and I have been fighting lump-sum appropriations for years and years. We hoped to get rid of them, and we had about done so when the war came on, and now we have them galore. The object is to get rid of them, and I am glad to hear stated the position taken by the Senator from Iowa upon that question.

Mr. CUMMINS. I have always taken that position, and I hope I may always be consistent enough to maintain it.

I should like to see an appropriation bill that would enable the Members of the Senate and the Members of the other House to exercise their own judgment with regard to the purpose for which money should be expended and with regard to the amount that should be expended for such a purpose.

Mr. UNDERWOOD. I desire to call the Senator's attention to the fact that this bill itself is trying to remedy that evil. It is practically impossible for an appropriation committee, when it has before it a bill embracing a large field of expenditure which requires the organization of bureaus and divisions of the Government, to sit down at the time of the organization and work out how many chiefs of bureaus or divisions or clerks are needed. But we have provided in this bill for a commission, to be composed of Members of the two Houses of Congress, to work out a reclassification of all salaries. That is the only way it can be done. It is impossible to do it on an appropriation bill. A reorganization may grow out of the work of this commission that will accomplish the result to which the Senator from Iowa points, but it is the only way it can be done. If the Appropriations Committee had to sit down and study every detail in connection with every new bureau that is created under a lump-sum provision—how many clerks there should be of class 1 and class 2 and class 3, and how many chiefs of divisions there should be—we should never be able to report the appropriation bills within the long session, and certainly not within the short session of Congress.

Mr. CUMMINS. But, Mr. President, it would be possible even now in this appropriation bill to point out the purposes for which the money is to be expended, even if it could not be declared how many employees should be in a new bureau or what salaries they should receive.

Mr. UNDERWOOD. I spent about 20 minutes endeavoring to point out the purposes for which the appropriation was intended, and I am sorry the Senator from Iowa did not understand me.

Mr. CUMMINS. I understood perfectly; the Senator from Alabama was exceedingly clear about that, but what the Senator has said does not bind the State Department in any particular.

Mr. UNDERWOOD. Of course not, but nothing else would bind the State Department except the direct organization of these bureaus. As I say, it is impossible for us to do it in this way, but if the amendment to which I have referred in the last part of the bill is adopted we are going to give Congress a chance to appoint a commission to work out that very reform.

BOLSHEVIST PROPAGANDA IN WASHINGTON.

Mr. THOMAS. Mr. President, I feel it my duty to call the attention of the Senate to an occurrence of yesterday, a comparatively full report of which appears in this morning's Washington Post, beginning on page 3, and continued on page 10. The headlines are:

Urge "red" America—Bolshevik speakers stir huge audience at Poli's Theater—City's radicals in throngs—Representative MASON charges plot to keep Slav funds in United States—Speaks from box after Albert Rhys Williams and others laud soviets and tell of spreading propaganda in United States—"Suff" pickets take up collections—Adopt Johnson resolution now in Senate.

From this article, Mr. President, it appears that under the shadow of the Capitol and in the center of the Nation's activities a meeting largely attended was yesterday held which applauded propaganda hostile to the Constitution and institutions of the United States and addresses advocating the overthrow of both.

I am not permitted under the rules of the Senate to more than refer to the fact that a Member of the House figured conspicuously in this remarkable gathering. I may emphasize the

fact, however, that five of the suffragette pickets were in that audience, and one of them, Mrs. Ida M. Waters, assisted in taking up a collection to pay for the rent of the theater. Their presence was not surprising, for they seek notoriety wherever possible, and always clamoring for their rights under a Constitution they despise when corrected for their indiscretions.

Mr. President, for one I protest against assemblages which, under the guise of free speech, advocate what is virtually treason to the Nation. If I occupy a street corner and counsel my auditors to go to the White House and murder the President, or to the Willard Hotel and kill the proprietor, or to the Capital and murder a Senator or a Representative, the police very properly interfere, I am apprehended, and subjected to punishment; but if I counsel a campaign of universal murder and destruction, including the overthrow of the Government, I can rely upon my constitutional right to free speech and go unscathed.

I contend, Mr. President, that one is just as criminal as the other; and unless the people of this country—the plain, law-abiding, middle-class people—realize, and realize very soon, the fact that there is a conspiracy, usually secret, but frequently open, working for the overthrow of the Government of the United States and to erect upon its ruins a so-called government of murderers, anarchists, thieves, and criminals, with here and there some honest but deluded individual among them, the avalanche may be upon them in the near future. This is a serious situation. The people by and large should realize it and take the proper steps to protect themselves and their Government from sinister consequences.

I do not wish to indulge in undue forebodings; but when I realize that there is an organization in this country, as well as in others, comprised in small part, as all such organizations are, of good men and of good women and of good-meaning men and good-meaning women, but officered and controlled by criminals at heart and traitors in fact as well as in law, and that the movement of death and destruction which they preach and advocate is spreading, I want to be able to say hereafter that I did not remain silent when Bolshevist meetings are held within hailing distance of the Capitol.

I think it is safe to say that every murderer, every criminal, every man who hopes or expects to prosper or to benefit politically or materially, or both, by the overthrow of the social state by violence and massacre, by the ravishing of women and the destruction of property, by robbery, arson, and all the other social crimes known to the calendar, are enthusiastic members of this so-called organization. And now in the capital of the country this movement raises its voice, utters its treasons, counsels the overthrow of the Government, and lauds to the skies the substitution of social and political aggregations, the experiments in which in unhappy Russia have simply been appalling.

LEGISLATIVE, ETC., APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 14078) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1920, and for other purposes.

Mr. SMOOT. Mr. President, I do not wish to take more than a moment of the time of the Senate in relation to this increase from $125,000 to $200,000 and the purposes for which it was granted.

I have here a statement—I do not know whether or not it is the same statement referred to by the Senator from Alabama, but it is a confidential statement from the State Department. I have no right whatever to put it in the RECORD, nor do I believe that it would be a proper thing to do, for it has specific reference to certain work that would be undertaken in case the full $500,000 were appropriated. Perhaps I may refer to some of the objects of investigation intended to be made by the representatives of the State Department in case the full appropriation asked for is made. I will call the attention of the Senate to a few of them, as follows: Foreign governmental monopolies; loans to Latin America; British trade aggression; foreign customs; difficulties of American exporters; Chinese railway and other loans; Japanese questions; and other loans to various countries. These questions were to be fully gone into by employees to be paid out of the appropriation under discussion. I think I am well within bounds when I state that the particular question referred to, namely, radio communication between North America and South America, requires special men to undertake the investigation, and we allowed 10 experts at $3,500 each to assist in this work.

They asked for an increased number of drafting officers to aid in important drafting work and to act as chiefs of divisions or upon work connected with foreign relations. They asked for 16 drafting officers at $4,500, 25 at $4,000, 32 at $3,500, 20 at $3,000, 15 at $2,500. Of assistant solicitors they asked for 3 at $3,500, 3 at $3,000, 2 at $2,500, and of law clerks they asked for 1 at $2,500, 2 at $2,250, and 3 at $2,200. The House granted, of the drafting officers, 36 out of the 108 asked for; it granted 7 of the assistant solicitors, and 6 of the law clerks. Then they asked, Mr. President, for $500,000 for temporary employees outside of those I have just mentioned.

Mr. KING. Mr. President, will the Senator tell us how many of those have been perpetuated in the bill or at least indorsed by the Senate committee?

Mr. SMOOT. Thirty-six of the drafting officers, 7 of the assistant solicitors, and 6 law clerks have been provided by the Senate committee; but the request was for 108 drafting officers, 8 assistant solicitors, and 6 law clerks, all of whom are to be located here in the District of Columbia. Every one wants our foreign commerce to increase and appropriates money for the purpose of assisting our manufacturers. Our manufacturers in this country may send samples of goods made for the American market and quote prices that perhaps would compete with the prices of other countries, but we are never going to sell goods in foreign lands to any extent until the goods are put up in the way the foreign countries want them. We can not convert them to our way of thinking as to the size of the packages or the manner in which they are to be distributed. They decide that question for themselves.

The reason Germany was so successful in the past in controlling the trade of South America and other countries of the world her commercial attachés went to the different countries, visited the merchants of those countries, and asked, "How do you want your goods put up? We will put them up in any way that you desire; we will place upon them any marks that you desire, or furnish you any colors your people wish." That done, it was easy for the German commercial attachés to secure orders from those countries. On the other hand, in the past we have gone to the foreign merchant, and said, "This is the way we make the goods, and this the way we pack them in the United States; they are to be shipped as we direct and the terms are as we dictate, and if you want to buy them on those terms and conditions well and good." All that has got to be changed before our commerce with foreign countries increases to any great extent, as we all hope it will.

Mr. KING. Mr. President, I should like to have passed over the provision that we are now considering. I desire to submit at least one, and possibly two amendments to it. I have not had opportunity to formulate them. The discussion has revealed to me a condition which I think calls for an amendment.

Mr. KENYON. Mr. President, does not the Senator think we ought to have more Senators present when a matter of this importance is being considered? There are only a few Senators in the Chamber, and I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Calder	Jones, Wash.	Moses	Smith, S. C.
Chamberlain	Kellogg	New	Smoot
Colt	Kenyon	Nugent	Spencer
Curtis	King	Overman	Sterling
Dillingham	Kirby	Page	Swanson
Fernald	La Follette	Penrose	Thomas
Fletcher	Lenroot	Poindexter	Thompson
Hale	Lewis	Pollock	Trammell
Harding	Lodge	Pomerene	Underwood
Henderson	McKellar	Ransdell	Wadsworth
Hollis	McNary	Shafroth	Warren
Johnson, Cal.	Martin, Ky.	Sheppard	Wolcott
Jones, N. Mex.	Martin, Va.	Sherman	

Mr. McKELLAR. I announce the absence of the senior Senator from Tennessee [Mr. SHIELDS] on account of illness.

Mr. CHAMBERLAIN. I desire to announce the absence of the junior Senator from Pennsylvania [Mr. KNOX] on official business.

Mr. MARTIN of Virginia. I announce that the senior Senator from Maryland [Mr. SMITH] is necessarily detained by illness.

Mr. LENROOT. I wish to announce the absence of the Senator from Georgia [Mr. HARDWICK] and the Senator from Maryland [Mr. FRANCE] on official business.

Mr. SHAFROTH. I desire to announce the unavoidable absence of the Senator from Mississippi [Mr. VARDAMAN] on account of official business.

The VICE PRESIDENT. Fifty-one Senators have answered to the roll call. There is a quorum present.

Mr. SMOOT. Mr. President, this morning, after the Senate had agreed to certain amendments to the provision as to clerical and other assistants to Senators—the provision which is found at the top of page 10 of the bill—it became necessary to change the amendment preceding that, found on pages 8 and 9 of the

bill, referring to the different committees named in that amendment. It was passed over, with the understanding that as soon as that amendment was finally perfected to conform to the amendment on page 10 a reconsideration of that amendment would be had.

I now move that the vote by which the amendment on pages 8 and 9 of the bill was adopted may be reconsidered.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah.

The motion to reconsider was agreed to.

Mr. SMOOT. Now, as a substitute for the committee amendment, I offer the amendment which I send to the desk, and ask for its adoption.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to substitute for the language proposed to be inserted by the committee the following:

Agriculture and Forestry—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Appropriations—clerk, $5,000; 2 assistant clerks, at $2,500 each; three assistant clerks, at $1,500 each; laborer, $720. Banking and Currency—clerk, $3,000; assistant clerk, $1,800; two assistant clerks, at $1,500 each. Claims—clerk, $2,500; assistant clerk, $2,000; 2 assistant clerks, at $1,500 each. Commerce—clerk $2,500; assistant clerk, $2,220; assistant clerk, $1,800; assistant clerk, $1,500. Conference minority of the Senate—clerk, $3,000; assistant clerk, $1,800; 2 assistant clerks, at $1,500. District of Columbia—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Education and Labor—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Finance—clerk, $3,000; assistant clerk, $2,220; assistant clerk, $1,600; 2 assistant clerks, at $1,500 each; 2 experts (1 for the majority and 1 for the minority), at $2,000 each. Foreign Relations—clerk, $3,000; assistant clerk, $2,220; assistant clerk, $1,500. Immigration—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Indian Affairs—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Interoceanic Canals—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Interstate Commerce—clerk, $2,500; 2 assistant clerks, at $1,800 each; assistant clerk, $1,500. Judiciary—clerk, $2,500; assistant clerk, $2,220; 2 assistant clerks, at $1,800 each; assistant clerk, $1,500. Manufactures—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Military Affairs—clerk, $2,500; assistant clerk, $2,220; 2 assistant clerks, at $1,500 each; assistant clerk during the period of the war, $1,500. Naval Affairs—clerk, $2,500; assistant clerk, $2,220; 2 assistant clerks, at $1,500 each. Pacific Islands and Porto Rico—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Pensions—clerk, $2,500; assistant clerk, $1,800; 4 assistant clerks, at $1,500 each. Philippines—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Post Offices and Post Roads—clerk, $2,500; assistant clerk, $2,000; 3 assistant clerks, at $1,500 each. Printing—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Privileges and Elections—clerk, $2,500; assistant clerk, $1,800; assistant clerk, $1,500. Public Buildings and Grounds—clerk, $2,500; assistant clerk, $1,600; assistant clerk, $1,500. Public Lands—clerk, $2,500; assistant clerk, $1,800; 2 assistant clerks, at $1,500 each. Rules—clerk, $2,720, to include full compensation for the preparation biennially of the Senate Manual, under the direction of the Committee on Rules; assistant clerk, $1,800; assistant clerk, $1,500; in all, $203,260.

Mr. SMOOT. Mr. President, that simply conforms to the action taken by the Senate in the case of the clerical and other assistants to Senators not holding chairmanships of other committees not enumerated in this bill; also to Senators who, when in the minority, are not entitled to a committee chairmanship, but are entitled to two clerks.

I think myself that the Senators are going to be criticized for these increases. I have already heard some rumblings of it in the hallways; but that is what was decided by the Senate, and as long as it has been decided, of course, this amendment ought to be agreed to, in order to conform to the action of the Senate shortly after 12 o'clock to-day.

The PRESIDING OFFICER (Mr. POMERENE in the chair). The Chair understands that this is offered as a substitute for the committee amendment.

Mr. SMOOT. As a substitute for the committee amendment.

The PRESIDING OFFICER. The question is on the substitute offered by the Senator from Utah for the committee amendment.

The amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The question now is on the adoption of the substitute in lieu of the House provision.

The amendment as amended was agreed to.

Mr. UNDERWOOD. Mr. President, I desire to move an amendment to make the Vice President's force conform to what has been done in reference to that of Senators. I ask consent to take up page 2, and move this amendment: On page 2, line 8, strike out the words "messenger, $1,440," and make it read "clerk, $1,600."

The amendment was agreed to.

Mr. UNDERWOOD. Also, strike out the word "telegraph," before the word "page," in line 9.

The amendment was agreed to.

Mr. SMOOT. Mr. President, as I understand, there was a request made by the junior Senator from Utah [Mr. KING], my colleague, to pass over the amendment on line 19, page 35.

Mr. KING. No, Mr. President. I did make such a request that it be passed over, and the acting chairman of the committee has assented to the request.

The PRESIDING OFFICER. Let the Chair understand: Was the order that the entire paragraph be passed over?

Mr. KING. It is the entire paragraph for the reason that I want to submit two amendments to the paragraph.

Mr. LODGE. Mr. President——

Mr. UNDERWOOD. Does the Senator desire to delay the adoption of this portion of the paragraph that relates to drafted men taking back their positions in the Government employ?

Mr. KING. Oh, no.

Mr. UNDERWOOD. Then the Senator's request relates to the amendment in line 19?

Mr. KING. Yes; and then I shall offer a further amendment prohibiting the use by this department of money from any other source than that carried in the bill.

Mr. SMOOT. That can be done at any time.

Mr. UNDERWOOD. But the request of the Senator relates only to the amendment on line 19?

Mr. KING. Yes.

The PRESIDING OFFICER. The Chair understands that that has been declared, by a previous occupant of the chair, agreed to.

Mr. KING. If that was done, it was prematurely done.

Mr. UNDERWOOD. I will say to the Senator from Utah that if it has been agreed to, of course he will have an opportunity to ask for a vote in the Senate; but I will not raise an objection to it if he desires to call it up.

Mr. KING. That will be satisfactory.

Mr. UNDERWOOD. But I should like the amendment to the other section of the paragraph to be passed over.

Mr LODGE. Mr. President, I do not understand that the next amendment has been disposed of, at lines 21 and 22.

The PRESIDING OFFICER. The Chair is advised that it was declared agreed to.

Mr. LODGE. I was about to leave the Senate Chamber, and I asked that that might be passed over until I returned.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Massachusetts?

Mr. UNDERWOOD. The Senator is here now.

Mr. LODGE. I am perfectly willing to go on now; I only wanted to be heard in regard to it.

Mr. UNDERWOOD. I have no objection to its being taken up again.

Mr. LODGE. I was not aware that we had gone beyond the amendment in line 19.

Mr. UNDERWOOD. I will state to the Senator, in reference to that amendment, that the situation is this: The House inserted a proviso that came from the floor of the House, I understand, as follows:

Provided, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of the position.

As the House provision stood, it limited that paragraph entirely to cases within this bill; and the very next bill that came to the Appropriations Committee had a similar provision. The committee did not see any reason why we should take this matter in detail and attempt to legislate in reference to each separate bill; but we thought it was wiser and better to make the provision apply to all of the employees of the Government who have left positions in the Government employ and gone to the front as soldiers, whether volunteers or drafted men, providing that the positions should be open to them when they came back. So, in order to accomplish that, we struck out certain words of the House provision and left it so that it will read as follows:

Provided, That all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions if they have received an honorable discharge and are qualified to perform the duties of the position.

In other words, when they went to war, the statement was made to these young men by the heads of various executive bureaus that if they volunteered and went into the war their places would be kept open for them. It seems that there may have been one or two instances where some difficulties have arisen. So far as I am concerned, I think the Government should keep its pledge; that it owes it to these men who have left governmental positions, now that the war is over, when they come out of the Army to reinstate them. That is all that this provision carries. That is the purpose of it, and that is all there is to it.

Mr. LODGE. I am in sympathy with the provision, and I think that pledge ought to be kept; but striking out those words leaves it——

Mr. UNDERWOOD. It makes it universal, instead of limiting it to this bill.

Mr. LODGE. I thought it was limited even more narrowly.

Mr. UNDERWOOD. Oh, no. The purpose of striking out these words is to make this clause universal and make it apply to the entire Federal service; and that is what ought to be done.

Mr. LODGE. Yes.

Mr. UNDERWOOD. If you leave in those words you limit it merely to the clerks who are employed under the legislative bill. If you strike them out the provision will be applicable to all the clerks that are employed under the legisative bill, the sundry civil bill, the deficiency bill, and every other function of the Government.

Mr. LODGE. I think it is wise to make it universal in its application. My point is a slightly different one, and that is that under the House language the departments are compelled to take these soldiers back. If you leave that out, it seems to me to be left very much at the discretion of the department.

Mr. JONES of Washington. Mr. President——

Mr. UNDERWOOD. This language is not changed in any way except the limitation that was put in here, probably on the part of whoever offered it in the House, to make the provision in order. The House provision was a limitation on the appropriation, on the expenditure of the money.

Mr. LODGE. Certainly.

Mr. UNDERWOOD. And unless it was done by unanimous consent, the proponent of the measure in the House could not have put it in this bill except by offering it in that form.

Mr. LODGE. No; I understand that.

Mr. UNDERWOOD. The committee, though, makes it a universal law. I think that is all that is necessary. If the Senator desires to put more teeth in it, he can add a provision that any head of a department or other governmental officer who refuses to comply shall be guilty of a misdemeanor and punished; but I do not think that will be necessary.

Mr. JONES of Washington. Mr. President——

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. LODGE. Certainly; I yield.

Mr. JONES of Washington. I just want to suggest that if the language were left as the House put it, none of this money could be expended until they are sure that every soldier who will be discharged will be reinstated.

Mr. LODGE. Of course, that is very undesirable.

Mr. JONES of Washington. Yes; as the Senator says, that would be undesirable.

Mr. LODGE. Of course, the language of the bill as the Senate has it is mandatory, and that ought to be sufficient.

Mr. UNDERWOOD. I think it will be, and therefore the committee did not propose any punitive features to it.

Mr. LODGE. I agree with the Senator about its universal application. I think that ought to be. I only wanted to make sure that it would be carried out, and if the Senator thinks mandatory terms are sufficient I have no objection to the amendment.

Mr. UNDERWOOD. I really do not think there will be much trouble in the executive departments anywhere; but a case might arise where, by reason of some employee being in, they would attempt to put the soldier somewhere else. With this provision in the bill, however, it is mandatory, and the Government head of a bureau or of a division or of a department can not refuse to reinstate the soldier if he is in such condition that he can do the work.

Mr. SMOOT. Mr. President, the only fear I had in regard to this provision was that being a proviso it might apply only to the appropriation of the $200,000. I think it would be very much safer to strike out the word "*Provided*" and make a new section of the wording as the committee reported it, and then there would be no question at all about it.

Mr. UNDERWOOD. I have no objection to that being done.

Mr. LODGE. In that connection I want to say that when I read it first it seemed to me to apply only to the $200,000.

Mr. SMOOT. That is the fear I have had all the time.

Mr. LODGE. And I think there is a possibility of doubt about that. I think it would be well if it could be placed somewhere else in the bill, so that it will be clearly applicable to all cases.

Mr. UNDERWOOD. I ask that the word "*Provided*" be stricken out, and that a new paragraph be inserted at that point.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to strike out the colon and insert a period, and strike out the word "*Provided*" and the comma following and begin a new paragraph with the word "That."

The amendment was agreed to.

The PRESIDING OFFICER. The Chair understands that the amendment on lines 21 and 22 was agreed to.

Mr. UNDERWOOD. Yes.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 36, line 3, after the word "act," to insert "except the act making appropriations for the Diplomatic and Consular Service," so as to make the clause read:

No money appropriated by any other act, except the act making appropriations for the Diplomatic and Consular Service, shall be used during the fiscal year 1920 for employment and payment of personal service in the Department of State in the District of Columbia.

The amendment was agreed to.

The reading of the bill was continued to line 10, on page 40, the last paragraph read being as follows:

Arlington Building and annex, Vermont Avenue and H Street: For the following employees for the operation of the buildings: Assistant superintendent, $2,000; chief engineer, $1,400; 2 assistant engineers, at $1,200 each; 6 firemen; 13 elevator conductors, at $720 each; 2 oilers at $900 each; electrician, $1,400; 2 wiremen at $1,200 each; plumber, $1,200; plumbers' helper, $1,000; painter, $1,200; 2 carpenters, at $1,200 each; janitor, $1,200; assistant janitor, $1,000; 25 male laborers, at $660 each (4 to attend toilets and 2 to relieve elevator conductors when required); 3 female laborers, at $660 each; captain of the watch, $1,400; 3 lieutenants of the watch, at $900 each; 26 watchmen; head of char force, $840; 3 assistant heads of char force, at $720 each; 190 charwomen; in all, $122,980: *Provided*, That this appropriation shall be used for the care, maintenance, and protection of the Arlington Building and annex only for housing the Bureau of War Risk Insurance: *Provided further*, That any space in said building and annex not needed for the Bureau of War Risk Insurance may be assigned by the Secretary of the Treasury for the use of other offices of the Treasury Department.

Mr. SMOOT. I had not noticed that provision before, but if we adopt the amendment providing for a commission to look into the rent of the different buildings for the Government, will not this conflict with the authority provided for in that amendment?

Mr. UNDERWOOD. As far as I am concerned, though I can not speak for the committee, I am willing to have it go out. I think there is logic in what the Senator says in connection with it, and I am willing to have it go out.

Mr. SMOOT. And then go into conference?

Mr. UNDERWOOD. And let it go to conference.

Mr. SMOOT. It does seem to me if the amendment found in the bill is passed it certainly will conflict with this provision.

Mr. UNDERWOOD. As I understand the Senator, we have a specific provision here for a legislative commission to assign space and room, and there is no reason why we should legislate on this subject if we are going to turn it over to the commission. I ask unanimous consent that the proviso be stricken out.

Mr. SMOOT. As long as it is going into conference, the best way would be to strike out both provisos after the numerals "$122,980."

Mr. UNDERWOOD. Yes.

Mr. SMOOT. Because the first proviso states that this appropriation shall be used for the care, maintenance, and protection of the Arlington annex building only for housing the Bureau of War Risk Insurance. The commission may decide to put that bureau in an entirely different building.

Mr. UNDERWOOD. I think both provisos had best go out.

The PRESIDING OFFICER. The question is on the amendment to strike out the two provisos, beginning on page 40, line 3, down to and including line 10.

The amendment was agreed to.

Mr. CUMMINS. I desire to ask a question of the Senator from Alabama. I understand that the bill provides for an increase for the general employees of $240 a year and for the War Risk Insurance Bureau employees of $120. My question is, In what part of the bill is that provision?

Mr. UNDERWOOD. In the very last part of the bill.

Mr. CUMMINS. So that the question, whatever merit there may be in it, may be considered when we reach the last part of the bill?

Mr. UNDERWOOD. Oh, yes. I will not stop now to explain it, but I shall be very glad, when we reach the proposition, to explain on what the action of the committee was founded.

The reading of the bill was resumed.

The next amendment was, under the head of "Treasury Department," at the top of page 42, to strike out:

To enable the Secretary of the Treasury to enforce the provisions of the act of March 23, 1910 (36 Stats., p. 241), when instituting inquiry into the solvency of bonding companies doing business with the Government, $5,000; the expense of each examination to be reimbursed by the bonding company examined.

The amendment was agreed to.

The reading of the bill was continued to page 44, line 6, the last clause read being as follows:

Bureau of War Risk Insurance: For expenses of the Bureau of War Risk Insurance, as authorized by law: For salaries of the director and commissioners, and of such deputies, assistants, accountants, experts, clerks, and other employees in the District of Columbia, as the Secretary of the Treasury may deem necessary, $9,509,630.

Mr. LODGE. I should like to ask why that is left a lump appropriation of over $9,000,000. Why is it left to the Secretary of the Treasury to establish all those salaries?

Mr. UNDERWOOD. I will say to the Senator, when the War Risk Insurance Bureau was organized it was organized practically overnight. It was a very large organization that brought into its policyholders some two million men almost instantly—that is, within a few days—and there was no opportunity at that time, and has not been since that time, to work out a detailed organization. As a matter of fact we could not do it now, but we have in the bill a provision providing for a commission to investigate all the bureaus, divisions, and departments and fix a basis of salary and employment. It was perfectly impossible for the Committee on Appropriations to stop to do the work, but realizing the importance of what the Senator from Massachusetts suggests, not only in reference to the War Risk Bureau but in reference to a number of new bureaus that have been created under a lump-sum appropriation, and in reference to a number of old bureaus and departments that have lump-sum appropriations and where the statutory rolls are a misfit at this time, the committee has reported in the last pages of this bill a provision for the creation of a commission—three Senators to be appointed by the Vice President, three Representatives to be appointed by the Speaker of the House—who shall take up the matter and endeavor to work out an entire reorganization of the departments.

Of course, that is not fully an answer to the Senator's question why it has not been done in this instance, but so far as the Senate Committee on Appropriations is concerned, if we had attempted to take the 11,000 clerks and work out a complete organization for them between now and the 4th of March—we got this bill about a week ago—and put them all on a statutory salary we would have had to scrap everything else we were doing practically, because it would have taken our entire time.

Mr. LODGE. I understand that, Mr. President. I desired to call attention to it because I think this lump-sum system is a very bad one. I think it is all wrong. I believe we ought to have the system that was pursued for many, many years in all the departments. This does not settle even, I think, the salary of the commissioner. There is over $9,000,000 appropriated to be spent and allotted as the Secretary of the Treasury sees fit, and another million dollars that the Senator from Wyoming [Mr. WARREN] calls my attention to. I do not think that is a sound or economical way of appropriating money. I am glad the Senator has a scheme for dealing with all these lump-sum appropriations. I have not read the amendment yet, but I hope some provision has been made for immediate action on it; I mean immediate on the part of the commission.

Mr. UNDERWOOD. It provides for the commission to go to work at once. It is to be composed of Members of the Senate and the House. We could hardly put in a provision requiring it, but we must assume that the men appointed from this body and the House of Representatives will take immediate action.

Mr. LODGE. I hope they will before we come around to any more appropriation bills, for I think appropriating nine or ten million dollars to be spent in this very loose way is wrong in principle. I believe it is a very bad system.

Mr. UNDERWOOD. I desire to call the attention of the Senator to the hearings by the subcommittee upon this bill, on page 152. He will find a complete statement in the record as to the number of employees in the War Risk Bureau, the exact salaries that have been paid, and all the information in reference to them at this time. Of course, it can be changed by Executive order. I ask, in connection with what I have said, that this schedule be printed in the RECORD for the information of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

SUMMARY SHEET.

Average salary, Bureau of War Risk Insurance	$1,102.25
Average salary, Treasury Department (exclusive Bureau War Risk Insurance and Bureau of Engraving and Printing)	1,134.66
Average salary, Treasury Department, including $120 bonus (exclusive Bureau War Risk Insurance and Bureau Engraving and Printing)	1,236.03

Number of regular employees, by salary grades and divisions, Jan. 15, 1919.

Salary grade.	Division.														Total.	Yearly salary account.
	Administrative.	Allotment and allowance.	Claims and compensation.	Mails and files.	Stenographic.	Legal.	Investigation.	Marine.	Seamen's.	Audits and records.	Disbursing.	Insurance.	Actuarial.	Medical.		
$5,000	1					1									2	$10,000
$4,000	2														2	8,000
$3,600	1														1	3,600
$3,500	2		1			2		1			1		1		8	28,000
$3,000	2	1	1			2	5					1		1	13	39,000
$2,750			1												1	2,750
$2,500	3	5		1		8	5	1		2	1	2	1		29	72,500
$2,400		1				1				1	1			1	5	12,000
$2,250	3		1				1			2	2				9	20,250
$2,200	2														2	4,400
$2,100	1														1	2,100
$2,000	6	5	12	1	1	8	6	1	1	2	2	4	1	3	53	106,000
$1,920										1					1	1,920
$1,890		1													1	1,890
$1,800	14	43	62	1		9	33			6	8	6	2	1	185	333,000
$1,740		7	5			1									13	22,620
$1,700							2		1			2			5	8,500
$1,680		1								2	1	1	2		7	11,760
$1,620	2	15	3							7	3	1			31	50,220
$1,600	1	13	8			4	13			1	2			1	43	68,800
$1,560	1	2	1			1				1		3			9	14,040
$1,500	7	36	10			5	38			5	1	10	3	1	116	174,000
$1,470						1	1	1	1						4	5,880
$1,440	1	63	8			5				30	5	4	1		117	168,480
$1,400	14	30	2		1	6	12	2		2	3	7	2	1	82	114,800
$1,380		18	1			5				6	4	3			37	51,060
$1,360												1			1	1,360
$1,320	12	97	91	3		8	2	2		109	19	34	6	1	381	503,880
$1,300	8	23	3	1	2	3	6	1	3	1	2	16			69	89,700
$1,260	2	289	4			1		7		107	2	9			421	530,460
$1,200	59	417	100	28	58	53	100	4	10	142	85	388	54	9	1,507	1,808,400
$1,140		266	23	2		2	3			264	92	6	35		693	790,020
$1,120	3	2											1		6	6,720
$1,100	96	1,456	362	68	12	233	347	9	12	818	206	1,591	105	20	5,335	5,868,500
$1,080	1	1	1				1			8	3		4		19	20,520
$1,020	3	2	1							8	123	2	4		143	145,860
$1,000	5	35	24	2		18	12			55	44	18	15		228	228,000
$990												1			1	990
$980											1				1	980
$960	8	7	2	2		2	1			8	9	1	5		45	43,200
$900	3	28	5	2	1	5	7			74	261	36	34		456	410,400
$840	157	23	18	5		5	8	1	1	17	15	42	1	2	295	247,800
$800	1														1	800

Number of regular employees, by salary grades and divisions, Jan. 15, 1919—Continued.

Salary grade.	Division.														Total.	Yearly salary account.
	Administrative.	Allotment and allowance.	Claims and compensation.	Mails and files.	Stenographic.	Legal.	Investigation.	Marine.	Seamen's.	Audits and records.	Disbursing.	Insurance.	Actuarial.	Medical.		
$792			1							1		2			4	$3,168
$780	9										5		1		15	11,700
$760												1			1	760
$720	6	5	3	1	1		1			2	3	5	8		35	25,200
$660		1				1	1			1	203				207	136,620
$600	4	1	1			4	1		1	2	1				15	9,000
$480	38	75	16	1	1	2	5	1		21	45	13	4	1	223	107,040
$360										1					1	360
$312	226														226	70,512
Total	704	2,969	771	118	77	396	611	31	30	1,707	1,153	2,210	290	42	11,109	12,244,920

NOTE.—Average yearly salary, $1,102.25.

Mr. SMOOT. I wish to state to the Senator from Massachusetts that this lump sum is not abused like other lump-sum appropriations found in this and other bills. There are 5,335 employees of the War Risk Bureau whose salary grade is $1,100. It costs the Government for that one grade of clerks alone $5,868,500. That is a great part of the lump sum of $9,000,000 appropriated.

All that the Senator from Massachusetts has said about lump-sum appropriations I fully indorse. I not only think it is a bad practice, but I think it is a wicked and extravagant practice. Before the war we had most of the lump-sum appropriations eliminated from our appropriation bills; but I am afraid it is going to take quite a number of years to get rid of them again. However, I do believe the commission which will be appointed if the House agrees to the Senate provision ought to begin immediately upon the work and force every bureau and every division and every department of the Government to inform the Committees on Appropriations of the House and Senate just how many clerks they want and just what salaries they are going to pay them.

Mr. LODGE. I am glad the Senator feels that way. It seems to me that it ought to be attended to and attended to at once, that they all ought to be eliminated from the law, and that wherever possible it ought to be done now.

Mr. CALDER. Mr. President, I wish to occupy the time of the Senate for just a moment. It will be impossible to complete this bill to-night.

I have had called to my attention a matter dealing with a bureau of the Treasury Department, the War Risk Bureau, that I wish to bring to the attention of the Senate now because it may perhaps lead to a remedy of a situation existing there.

I have a letter from a soldier, or a man who was recently a soldier, living in New York City, who was discharged from the Army August 28. At the time of his enlistment he allotted $15 of his pay to his wife. He had a minor child, and his wife's allotment therefore was $40. It appears that regardless of the fact that he has been discharged from the Army his wife is still receiving the $40 allotment. I have here the checks for September, October, November, December, and January, and I shall at the request of the soldier's family return the checks to the Treasury Department and urge that hereafter greater care be taken in paying these allotments months after a soldier has actually left the Army.

Differing from this situation, I have a letter here from a citizen of the city of New York. This lady writes me:

Hon. WILLIAM M. CALDER,
United States Senate, Washington, D. C.

DEAR SIR: I am the mother of Arthur Sweetbaum, a private in Company G, Fourth United States Infantry. He was wounded in action on October 7, 1918, and was treated in various hospitals in France until he finally arrived in Convalescent Hospital No. 5.

On December 10, 1918, he was sent to St. Nazaire, preparatory to shipment home. This morning we received a letter from him, stating that the records in his case have either been lost or mislaid, and that he has no idea when he will get home, in spite of the fact that he is still suffering from the wound he received in his arm. This is not an isolated case, as you will find upon investigation that there are about 2,000 similar cases at St. Nazaire—that is, of cases where no records can be located.

He has not been paid any money by the Government for services abroad for the past seven months—

Mr. President, in one case we find a wounded soldier without pay for seven months, and in another we find the wife of a soldier who has been out of the Army for five months receiving her allotment of $40 every month, despite the fact that her husband is not now in the service—

He had collected some souvenirs while at the front, and he was compelled to dispose of them in order to secure a few cents for himself. The Christmas package and numerous other packages and letters sent to him have never reached him. Why, even a United States money order did not reach him. We are having returned to us letters that we sent to him in September, 1918, with the indorsement that he was wounded. In this morning's letter he states, "For God's sake, don't send me anything here, as I don't receive a thing."

I emphasize the above, as I have just received (at 6.30 p. m.) another letter sent to my son by a friend of his, and dated September 30, 1918, and also indorsed "Wounded 5/11/18 C. P. O. Tours."

The thorough incompetence of some officials in the War Department is enough to drive one insane. It appears that once a man is wounded he loses all rights; he is left to shift for himself; he is hemmed in with a lot of red tape, and no attempt is made to get him his salary or mail.

In the name of a native-born American, wounded in action in defense of his country's honor, I appeal to you to help me get my son back to the United States.

I assure you that I will greatly appreciate anything you will do for me. Thanking you in advance, I am,

Yours, truly, (Mrs.) GUSSIE SWEETBAUM.

Mr. President, it is not my custom to bring matters of this kind to the attention of the Senate; I usually take them up with the War Department in an effort to have them straightened out there; but the fact that such gross neglect can exist, that the families of some soldiers receive their allotments after the soldiers have left the service, while in other cases soldiers wounded in action can not be sent home because their papers have been mislaid and can not get their pay for seven months warrants me in bringing up the subject here, in the hope that men will not be paid after they have left the service and that men will be paid who have been wounded in action.

EXECUTIVE SESSION.

Mr. UNDERWOOD. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. UNDERWOOD. I move that the Senate take a recess until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 27 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, February 4, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 3, 1919.

ASSISTANT SECRETARY OF THE TREASURY.

Jouett Shouse, of Kinsley, Kans., to be Assistant Secretary of the Treasury.

COMPTROLLER OF THE CURRENCY.

John Skelton Williams, of Richmond, Va., to be Comptroller of the Currency. (Reappointment.)

REGISTER OF LAND OFFICE.

Frederick M. Hedger, of Washington, to be register of the land office at Walla Walla, Wash., his present term expiring December 30, 1918. (Reappointment.)

APPOINTMENTS BY TRANSFER IN THE ARMY.

CAVALRY.

Second Lieut. James Coachman Cullens, jr., Infantry, to be second lieutenant of Cavalry from November 1, 1918.

INFANTRY.

Second Lieut. Vincent John Conrad, Cavalry, to be second lieutenant of Infantry from November 1, 1918.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 3, 1919.

POSTMASTERS.

MINNESOTA.

Clarence D. Maxey, Backus.
Milton P. Mann, Worthington.

NORTH CAROLINA.

Sarah A. Lunceford, Smithfield.

PENNSYLVANIA.

James A. Cooper, Brockwayville.
Blair Rorabaugh, Clymer.
William D. First, Conneaut Lake.
Thomas F. McHale, Olyphant.

UTAH.

Charlotte H. Nelson, Castlegate.
Thomas Brimley, Farmington.
Clyde Panter, Magna.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 3, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Oh Thou, who art from everlasting to everlasting, the same yesterday, to-day, and forever, help us to subject ourselves to Thy will, since Thy laws are inexorable. It is writ: Whatsoever a man soweth, that shall he also reap.

For he that soweth to his flesh, shall of the flesh reap corruption; but he that soweth to the Spirit, shall of the Spirit reap life everlasting.

May we sow good seeds, that our harvest may be abundant in the Spirit. For Thine is the kingdom and the power and the glory forever. Amen.

The Journals of the proceedings of Saturday, February 1, and Sunday, February 2, were read and approved.

THE IMMIGRATION BILL.

Mr. BURNETT. Mr. Speaker, I ask unanimous consent that my colleagues, Mr. KNUTSON and Mr. POWERS, of the Committee on Immigration, be allowed to file minority views during to-day on the bill H. R. 15302 in the nature of a dissent from the four-year proposition.

The SPEAKER. The gentleman from Alabama asks unanimous consent that his colleagues, Mr. KNUTSON and Mr. POWERS, be allowed to file minority views during the day on the bill H. R. 15302, the immigration bill. Is there objection?

There was no objection.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5279. An act to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes; to the Committee on Military Affairs.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. OLLIE M. JAMES, late a Senator from the State of Kentucky, in pursuance of an order heretofore made, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Kentucky.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

Also:

Resolved, That the Senate assembles as a mark of respect to the memory of Hon. WILLIAM JOEL STONE, late a Senator from the State of Missouri, in pursuance of an order heretofore made, to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Senate again expresses its profound sorrow at the death of the late Senator from Missouri.

Resolved, That the Secretary transmit a copy of these resolutions to the House of Representatives and to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 8828. An act increasing the limit of cost for the acquisition of a public-building site at Yonkers, N. Y.

EDITORIAL IN WASHINGTON POST.

Mr. SIEGEL. Mr. Speaker, I ask unanimous consent that an editorial which appeared in the Washington Post this morning be read by the Clerk.

The SPEAKER. The gentleman from New York asks to have read an editorial in this morning's Post. Is there objection?

Mr. FOSTER and Mr. WALSH objected.

Mr. SIEGEL. I make the point of order that no quorum is present.

The SPEAKER. The gentleman from New York makes the point that no quorum is present, and the Chair will count.

Mr. SIEGEL. Mr. Speaker, at the request of a number of gentlemen on both sides of the House, I withdraw the point.

The SPEAKER. That is what the Chair was waiting for. [Laughter.]

MILITARY ACADEMY BILL.

Mr. DENT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15462, the Military Academy bill.

The motion was agreed to.

The SPEAKER. The Chair will remind the House that two hours is set aside to-day for the consideration of the Military Academy bill.

Mr. GARNER. From this moment?

Mr. MANN. No; from the meeting of the House.

Mr. GARNER. From the time that we go into Committee of the Whole.

The SPEAKER. The Chairman of the Committee of the Whole can decide that. [Laughter.]

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SABATH in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Fifteen enlisted musicians, at $51 each per month, $9,180.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last word. I ask that the Clerk read an important editorial in this morning's Washington Post in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

EXPLANATIONS IN ORDER.

There are a lot of things that happened in this war which remain to be explained. Perhaps we shall have to wait until the peace treaty is signed and the whole business closed up formally, but eventually they will have to be explained. The public will insistently demand an explanation, and the returning soldiers will see to it that this demand is complied with.

Is it true that Gen. Enoch H. Crowder, Provost Marshal General, who worked out the selective-service plan and successfully executed it, was reprimanded by Gen. March, Chief of Staff, for giving his views to a congressional committee? It has been so reported, and the report even goes so far as to aver that the reprimand has been written into Gen. Crowder's Army record. Nothing official has been announced about it, and Gen. Crowder, being a true soldier, has kept his lips sealed. The people would like to know the truth about it.

Why was Gen. W. L. Sibert, who commanded the first contingent of the American Army sent abroad, relieved of his command and sent home before our forces became involved in the fighting? Gen. Sibert was picked to lead the advance guard of the Yanks. He put them through their training period in France, and there was every reason to expect that he would command the first American Army of the expeditionary forces, with the rank of lieutenant general. Suddenly it was learned that he was on his way back, and upon reaching the United States he was given charge of the Chemical Warfare Service, a highly important assignment, but far from the ultimate goal of a soldier's ambition. Sibert, being a true soldier, has kept silent, but the public would like to know why he was sent back.

Maj. Gen. Clarence R. Edwards went to France in command of the Twenty-sixth Division, composed of the New England National Guard. He led his troops through the hard fighting along the Meuse, where they sustained heavy losses, but made a splendid record, which added luster to the fame of the American forces. Suddenly, and without apparent reason, Gen. Edwards was relieved of his command and sent back to the United States. No reason has been given, and Gen. Edwards, being a true soldier has said nothing. The people are curious to know why.

It has been charged upon the floor of the Senate that replacements in the Twenty-eighth Division, composed of the Pennsylvania National Guard, were made from men who had had no training, many of them never even having fired a rifle. This division sustained heavy losses in the Argonne fight, the untrained soldiers being mowed down by the hundreds. Returning officers of the division corroborate the charge. Is it true? And if so, who was to blame for it?

Responsible officers assert that the Thirty-fifth Division, composed of the National Guard of Missouri and Kansas, after six days of continuous, grueling fighting in the Argonne Forest, tottered back to the rest billets, completely exhausted, to be met by an inspection officer, who

stepped out of a limousine and cast his professional eye over the division, which had just emerged from an inferno. This officer's report is on file in the archives of the American Army, it is said. It criticizes the Thirty-fifth Division unmercifully for its dirty uniforms and lax discipline, complaining there was too much familiarity between officers and men. Imagine a command being submitted to inspection under such circumstances! The public would like to know the details of this incident.

These are a few matters, selected at random, which require explanation. There are many others, possibly the great majority, susceptible of explanation, but all containing mysterious features, which the people will insist upon having made plain. Army officials are clothed with great power and a wide range of authority during war, but in the end they must give an accounting to the people for its use, just as financial officers must render a stewardship of funds intrusted to them. They must stand ready at the proper time to justify their official acts, for that time is certain to come.

Mr. SIEGEL. Mr. Chairman, I have a resolution which I am introducing to-day calling for the appointment of a select committee of eight to be appointed by the Speaker to investigate all the charges made on the floor of this House regarding conditions in the Army at home and abroad. I ask unanimous consent to extend my remarks on the question.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. SIEGEL. The resolution which I have introduced reads as follows:

House resolution 545.

Whereas it has been announced in the press that no record of at least 10,000 men who went abroad with the Army of the United States can now be found, and that their names do not appear either in the casualty lists or otherwise accounted for, although the armistice was signed nearly three months ago; and

Whereas serious charges affecting the Military Establishment of the United States and the integrity and honor of a number of its high officers have been made on the floor of this House during the past two weeks, and statements have appeared in the public press affecting the standing of a general who helped to make the draft a success; and

Whereas numerous complaints have been made of the manner in which mail is now being delivered to men in the military service abroad, and there has been a constant flow of criticisms and complaints about the manner in which allotments made by soldiers are being paid to their relatives and the same kind of complaint of the manner in which salaries are being paid to soldiers; and

Whereas a large number of complaints of the manner in which discharges from the Army are now being effected with the constant refusal of superior officers to obey the orders issued by the War Department have been disclosed on the floor of this House; and

Whereas the said statements and alleged conditions seriously affect the morale of the United States Army: Now, therefore, be it

Resolved, That the Speaker appoint a select committee of eight Members of the House, who have been elected to the Sixty-sixth Congress, to be evenly divided between both leading political parties, and that said committee be instructed to inquire into all the charges which have heretofore been made upon the floor of this House affecting the United States Army, whether at home or abroad; of complaints regarding the reporting of casualties amongst our troops; the delivery of mail abroad; the manner and methods adopted for demobilization of the Army of the United States; the manner and methods of which payments of allotments and salaries have been made; and all complaints regarding treatment being accorded to our troops on transports and hospitals, and for such purposes it shall have power to send for persons and papers and force their appearance before said committee, and to administer oaths and shall have the right to make a report at any time.

Under the rules of the House it must go to the Rules Committee. The statements made on the floor of this House by the gentleman from Massachusetts, Mr. GALLIVAN, by the gentleman from Connecticut, Col. TILSON, by the gentlemen from Illinois, Messrs. MANN, GRAHAM, and DENISON, and numerous other Members of the House, regardless of party affiliations, make it the paramount duty of the House of Representatives to stop talking and take some action, as in the end the American people will be the final judges of what should have been done by their Representatives at a time when such serious allegations have disturbed the homes of thousands and brought untold sufferings in the minds of many thousands more. It is a call to duty that can not be evaded.

The Clerk read as follows:

For pay of one sergeant, senior grade, $900: *Provided*, That the enlisted man on duty in the office of the disbursing officer, United States Military Academy, performing the duty of sergeant, senior grade, shall have the rank, pay, and allowances and retirement of that grade, as is now or may hereafter be allowed quartermaster sergeants, senior grade, Quartermaster Corps, United States Army.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph just read, and I would like to ask what is the occasion of having to provide this legislation?

Mr. DENT. The gentleman means to provide homes?

Mr. WALSH. Yes.

Mr. DENT. The explanation is given on page 25 of the hearings:

This is for the purpose of placing the enlisted man on duty in the office of the disbursing officer, United States Military Academy, on the same basis as quartermaster sergeant, senior grade, Quartermaster Corps of the Army. Items along similar lines have been approved by Congress for enlisted men on duty in the office of the commandant of cadets and at headquarters, United States Military Academy. The enlisted man performing the duties of sergeant, senior grade, in the office of the disbursing officer, United States Military Academy, should be permanently attached to the Military Academy, and it is urgently recommended that this item be approved.

This man, besides doing the ordinary work of a quartermaster sergeant, senior grade, is now doing the additional work of a first sergeant of the Quartermaster Corps and the first sergeant of the Motor Transport Corps, and he is in a very responsible position as assistant to the chief clerk of the office, and he is now, during the absence of the chief clerk on account of sickness, acting as chief clerk. It is very necessary that he should be a permanent employee of the Military Academy to that extent, and this increase is very little over what he draws as a sergeant, first class, of the Quartermaster Corps.

Mr. WALSH. That is the explanation given the committee?

Mr. DENT. That is the explanation given to the committee.

Mr. WALSH. That Congress has heretofore provided for similar items and therefore should provide for this one?

Mr. KAHN. Will my colleague yield?

Mr. DENT. Yes.

Mr. KAHN. It seems that this man is doing the ordinary work of a quartermaster sergeant of the senior grade and also additional work of a sergeant, Quartermaster Corps. He is doing the work of two men, and for that reason the superintendent of the academy suggests that he be given this extra allowance.

Mr. DENT. In addition to that he is assisting the chief clerk of the academy.

Mr. WALSH. What is the extra allowance?

Mr. DENT. The total amount would be $900.

Mr. WALSH. What about the retirement? That is a new feature. What additional privileges are conferred by the retirement privileges of that grade?

Mr. DENT. It would raise his pay to $75, and he would get the retirement pay of a quartermaster sergeant.

Mr. WALSH. This man is detailed permanently to the Military Academy at West Point?

Mr. DENT. Yes.

Mr. WALSH. And he has been there during the past two years?

Mr. DENT. I do not remember how long he has been there.

Mr. WALSH. Mr. Chairman, I make the point of order upon that proviso.

The CHAIRMAN. Does the gentleman from Alabama wish to be heard on the point of order?

Mr. DENT. Mr. Chairman, the point of order is made against the proviso, and I am inclined to think that it is subject to the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

Pay of civilians: For pay of one teacher of music, $2,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the item just read. I wish to inquire whether the committee in recommending the increases of salary to these instructors took into consideration the flat increase that is going to be voted to all persons in the Government service?

Mr. DENT. The committee did take that into consideration and declined to give increases asked for at the academy upon that account. They asked for many increases of all these civilians, and the committee refused to grant them, on the ground of the general provision of the Appropriations Committee in the legislative bill, believing that that would take care of them.

Mr. STAFFORD. Here we have an increase of $300 in the compensation of this teacher of music. If this is granted, this employee will receive $540 increase for his services in a single year, or $420 when you consider that he received $120 this past year.

Mr. DENT. He would not be taken care of under that general provision. That was the explanation they make of that.

Mr. GREENE of Vermont. He is not a civil-service employee; he does not come under that general provision for increases.

Mr. STAFFORD. Is the gentleman certain that that provision does not extend to civilian employees carried in this bill? I hardly think the limitation upon the legislative bill excludes the civilian employees at the Military Academy. I will read the only exceptions which are noted in the law:

The provisions of this section shall not apply to the following: Employees paid from the postal revenues and sums which may be advanced from the Treasury to meet deficiencies in the postal revenues; employees of the Panama Canal on the Canal Zone; employees of the Alaskan Engineering Commission in Alaska; employees paid from lump-sum appropriations in bureaus, divisions, commissions, or any other governmental agencies or employments created by law since January 1, 1916; employees whose duties require only a portion of their time, except charwomen, who shall be included; employees whose services are utilized for brief periods at intervals; persons employed by or through corporations, firms, or individuals acting for or on behalf of or as agents of the United States or any department or independent establishment of the Government of the United States in connection with construction work or the operation of plants; employees who receive a part of their pay from any outside sources under cooperative arrangements with the

Government of the United States or the District of Columbia; employees who serve voluntarily or receive only a nominal compensation, and employees who may be provided with special allowances because of their service in foreign countries. The provisions of this section shall not apply to employees of the railroads taken over by the United States, and nothing contained herein shall be deemed a recognition of the employees of such railroads as employees of the United States.

Mr. GREENE of Vermont. Does that act start off, in the first place, by limiting the ones to receive that increase to those who are employed under the civil service?

Mr. STAFFORD. No. It starts out in this way:

That all civilian employees of the Government of the United States and the District of Columbia, who receive a total of compensation at the rate of $2,500 per annum or less, except as otherwise provided in this section, shall receive—

And so forth.

Those who are provided for otherwise are those that I have read in the paragraph following the first paragraph of the provision.

Mr. GREENE of Vermont. I know the general understanding or information upon which we proceeded seems to have been that he was not included among those who would get that increase.

Mr. STAFFORD. The gentleman from Connecticut [Mr. TILSON] suggests that this increase applies only to employees in the District. I wish to correct him in that, because it applies to every person in the Government service except those I have named.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. McKENZIE. I am of the opinion that these employees get the benefit of the increases whether they are civil-service employees or not, and for the information of the gentleman from Wisconsin and the other members of the committee I wish to read a few sentences from the hearings on page 35.

On page 35, in discussing certain civil employees, Col. Timberlake said:

Col. TIMBERLAKE. They live at Highland Falls, and some of them live at Newburgh, or wherever they can rent a house in the vicinity of West Point. Those men who live at Highland Falls and at Newburgh, besides paying their regular living expenses, have to pay also railroad commutation.

Mr. GORDON. Does the increase of $120 a year, which was given to Government employees last year, apply to these employees?

Col. TIMBERLAKE. Yes, sir; that has applied to them, and if that amount of increase is going to be permanent they would not need the increases asked for in this item.

On that theory we cut out all increases.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. DENT. May I ask the gentleman from Wisconsin where he gets the impression that this is an increase?

Mr. STAFFORD. I was under the impression that this teacher of music received $1,700 last year.

Mr. DENT. No; I think the gentleman is mistaken. This is the same amount, apparently, from the way it is printed in the bill, that we have been carrying from year to year.

Mr. STAFFORD. If I am in error——

Mr. MANN. One thousand seven hundred dollars was the amount carried in the current law.

Mr. STAFFORD. The gentleman from Illinois says that is the amount carried in the current law. Has the gentleman from Alabama the current law before him, so as to confirm my impression?

Mr. DENT. I thought I had it here.

Mr. STAFFORD. The gentleman from Illinois confirms my notation that it is $1,700.

Mr. TILSON. It is evident there is a mistake in the committee print of the bill, in which all changes were supposed to be printed in italics. In this case it does not seem to be printed in italics.

Mr. MANN. The current law provides for an appropriation of $1,700, with a proviso, and among other things in the proviso is that the teacher of music shall receive the pay and have the rank of a first lieutenant not mounted, and the appropriation is $1,700 with this proviso. How they get the money I do not pretend to say, but that is the language of the law.

Mr. KAHN. A first lieutenant's pay is $2,000.

Mr. STAFFORD. I am not desirous of reducing the pay of any employee of the Government——

Mr. DENT. Somebody has misplaced the copy of my bill here, and I have sent for another——

Mr. STAFFORD. Mr. Chairman, as the individual is now receiving $2,000 and $120, as I take it he will under this provision receive $2,000 and the $240.

Mr. MANN. I suppose, if he gets the pay and rank of a first lieutenant, that would exclude him from the $240, but I do not know.

Mr. STAFFORD. If that provision is carried in the existing bill, he was excluded from the $120 allowance last year.

Mr. MANN. Whether that is supposed to be permanent law or not I do not know.

Mr. STAFFORD. He would not be then a civilian employee.

Mr. KAHN. If it is permanent law.

Mr. STAFFORD. Why not make the salary $1,800, and he will have the $240 additional?

Mr. DENT. Mr. Chairman, I move to make it $1,800.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, line 12, strike out "$2,000" and insert in lieu thereof "$1,800."

The question was taken, and the amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. The discussion indicates some confusion because the committee print of this appropriation bill has failed to carry a certain paragraph in italics. Not having the committee print, I can hardly follow it. I have asked two members of the committee what the item was, and they could not indicate.

Mr. KAHN. It is page 11, line 12.

Mr. MANN. All I have is the ordinary print, I will say to the gentleman.

Mr. JOHNSON of Washington. Oh, the gentleman from Illinois is following the bill line by line, of course, as he always does.

But I am not concerned as to the particular item but rather in regard to the building program at West Point. Consideration of the bill will run along in the regular way, with reservations of points of order here and there, and will pass, it being a little appropriation bill of only two million and some odd thousands of dollars, including $800,000, or thereabouts, for enlarging the buildings at West Point to take care of the enlarged classes. As appropriations go nowadays, that does not seem to be a very large sum; yet it is one item in the lot which are running to staggering totals. Can not the brakes be put on somewhere?

I had hoped that the Committee on Military Affairs would see that if its extension was necessary because of enlarged classes at West Point Military Academy the work could be authorized at one of the recently built military posts. For instance, at Camp Humphreys, just below the city of Washington, great sums have been expended to hard surface roads, put in permanent waterworks, sewerage, a splendid hospital, good barracks, good offices and quarters, might very well be utilized for some years. In fact, I have been informed that some of the West Point classes are now there, and I had hoped that they would continue that until the situation at West Point is normal again.

Mr. ANTHONY. Is not the gentleman mistaken about the permanent nature of the barracks down there?

Mr. JOHNSON of Washington. Oh, I should say they were permanent enough. There are some that would only last a few years, but might last 10 years if they were reroofed.

Mr. ANTHONY. If we had asked the department for an estimate of cost of construction for suitable buildings to house another West Point there, they would probably estimate about another $10,000,000. Would the gentleman be in favor of it?

Mr. JOHNSON of Washington. No, indeed; I would not. Neither am I in favor of providing such elaborate accommodations for those who are training Army officers, the enlarged West Point classes, while we have this equipment, which will last a good many years.

Mr. GREENE of Vermont. One of the tests of experience shows that to have a school of any kind you should try to have it under one roof, even if you have only one good teacher. What is the idea of scattering this thing from one side of the continent to the other?

Mr. JOHNSON of Washington. If we could afford the appropriation, I think is would be a fine thing in a country as wide as the United States to have a West Point on the Pacific coast.

Mr. GREENE of Vermont. Then what will be the national standard for either West Point?

Mr. JOHNSON of Washington. It will be greatly improved and greatly ahead of the present standard, in my opinion.

Mr. GREENE of Vermont. Which one?

Mr. JOHNSON of Washington. I do not care to carry on an argument. For a western West Point all that I have said concerning Camp Humphreys, Va., could be said for Camp Lewis, at Tacoma. Either place could be used for training the

excess of West Point classes. But West Point wants improvement as a result of the war. It demands and is being given nearly a million. Who can count the millions it is proposed for the Government to spend? It is a hundred million here and a hundred million there—yes; ten million here and five million there. The Mississippi waterways ask for $4,000,000, and every proposal everywhere calls for money in proportion. Grant one-thousandth part of the demands and Congress will have to pass a tax measure every six months and authorize bond issues monthly. I withdraw the pro forma amendment.

The Clerk read as follows:

For pay of two expert assistant civilian instructors in military gymnastics, fencing, boxing, wrestling, and swimming, $4,000: *Provided*, that these civilian instructors employed in the department of modern languages and the department of tactics shall be entitled to public quarters and to the same allowances with respect to fuel and light as those of a first lieutenant when occupying public quarters.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last word.

When I first examined this item I thought that the salary of $4,000 was pretty large, to say the least, and wondered what these experts in wrestling did to earn the money. But on reflection I have concluded there was one way in which they might earn it. If they would take up the matter of trying to find out the whereabouts of some of our wounded soldiers and wrestle with the War Department in the way every Member of Congress is compelled to do I am satisfied they could earn twice the amount called for here. So far as the fencing part of it is concerned, which is also spoken of in this paragraph, they would not be able to teach the War Department anything, I am sure, because they are adepts at warding off any question that is propounded to them. And when it comes to "passing the buck" whatever that phrase may mean; I am not sufficiently acquainted with the technique of the game to understand—the War Department is certainly an adept, because they turn the matter over, as has been suggested heretofore, to the Red Cross, and the Red Cross is not permitted to give Congressmen any information. After much delay we find out indirectly that the Red Cross has no information, so we have got nowhere. This matter with reference to finding out something about the wounded has passed the stage of protest. It ought to reach that of action. It is something that can not be explained or excused—that the War Department, with several cables at its command, can not find out anything with reference to these wounded men. Apparently, so far as the wounded men are concerned, they might just as well have been dropped off the face of the earth so far as the department is able to tell where they are, get any mail to them, or ascertain about their condition. We can not find out anything. They tell us, when they cable in extreme cases, that it will be 10 days before we can get an answer. We can find out all about the decorations of some woman's dress at the functions that have been going on over there in Europe on the very next day, but we can not find out anything about these wounded men for 10 days at most, even if we find out anything at all. And in nine hundred and ninety-nine cases out of a thousand we do not find out anything at all.

Mr. GREENE of Vermont. The Government has control of these cables, has it not?

Mr. GREEN of Iowa. Yes.

Mr. GREENE of Vermont. It is apparent, then, that in the demonstration of Government control it is giving preference to reports of these diamond decorations at fancy receptions, and one thing and another, over the lists of wounded? Is that the conclusion?

Mr. GREEN of Iowa. I do not see how we can come to any other conclusion, the Government being in full control of these cables. What else is to be concluded? They give the color of the roses in the hair of some lady, full description of her dress, and with whom she rode. We get all such news the next day; but when it comes to anything in reference to these wounded men, when do you get it? I have had inquiries in there for a month and have not received a single scrap of information as to where these wounded men are and what condition they are in, while their anxious parents are fairly burning their hearts out by not knowing whether their boys are dead or alive.

I say that we ought not longer to put up with this condition. The War Department ought to be called upon, by a resolution or otherwise, to get busy with reference to these matters and use the power and control it has over these cables to let us know something about where these boys are. They are either dead or alive, on this side of the water or on the other. There is some place in which they might be located if there was any system or any sense in the manner in which they are conducting this matter.

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

For pay of one assistant chief engineer of same, $1,100.

Mr. LITLLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word.

Mr. LITTLE. Mr. Chairman and gentlemen of the House, I have discovered some practical use for the CONGRESSIONAL RECORD, which is so often discredited as useless by rival sheets. On the 29th of January I read to the House some excerpts from the Official Bulletin issued by the Great Lakes Training Station of Illinois, and called the attention of the House to an order issued by a Capt. Scales and a Lieut. Commander Roberts, which stated that if any Congressman interfered in a man's behalf he would be involved in great trouble. I also called attention to an editorial in the Official Bulletin, which is published under the official supervision of those officers, stating that a great many of the young men at the Great Lakes station are a pack of scoundrels, liars, quitters, and falsifiers; that they had such a number of alleged sick grandmothers that the Persian pox must be sweeping the Middle West. I spoke of that in what I hoped would be in a helpful way. Referring to those officers in the gentlest manner possible, my urbane and tremulous remarks were published in the CONGRESSIONAL RECORD January 29. I ask unanimous consent now that the Clerk read a dispatch which I find in the Kansas City Times of February 1.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

GREAT LAKES, ILL., *January 31.*

An official order will be published in the next Monday's Great Lakes Bulletin allowing all men under training at the station to be released or discharged, according to a statement issued by Lieut. Commander Chester S. Roberts.

Mr. LITTLE. Now, gentlemen of the House, the criticisms of the lack of utility of the CONGRESSIONAL RECORD, I think, are forever disposed of. The RECORD has not lived in vain, according to this statement in the Kansas City Times from one of the officers at the Great Lakes, to whose order and bulletin editorial I took such decided exception on this floor January 29, when I demanded their court-martial. They say that the boys in training there are to be discharged and released without further delay. [Applause.] I am reminded of the classical religious couplet:

Sound the loud timbrel o'er Egypt's dark sea;
Jehovah has triumphed, our people are free.

Mr. GREEN of Iowa. Mr. Chairman, in connection with the gentleman's remarks, I got a letter the other day in reference to the case of a young man, highly respectable, and of high character, belonging to one of the best families. He made an application for discharge and stated the facts in regard to his father's situation, his father having had a fall and having broken his leg and got crippled; and when the young man made the statement to his immediate officer he was told that he was a blank liar, adding some language that was not fit to go into the CONGRESSIONAL RECORD; that he was nothing but a dead beat, and would not be discharged. I do not know who that particular officer was, but I propose to find out.

Mr. LITTLE. If the gentleman will ascertain the name of the officer in question, I will join him in an earnest effort to see that he is placed in a proper place for a man of his character. I am now investigating a major who should be court-martialed for telling a soldier he would suffer if any more "damned civilians" interfered.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. RAMSEYER. The dispatch only applies to the Navy, does it not?

Mr. LITTLE. Yes. The Great Lakes is purely a naval station, but Congress has just as much authority over the Army as over the Navy.

Mr. RAMSEYER. Does the gentleman know whether the War Department contemplates a similar order to discharge men?

Mr. LITTLE. I think if the Committee on Military Affairs will follow my suggestion of Saturday and request that the War Department institute courts-martial against the officers whose names have been mentioned here, it will terminate this series of insults against the American taxpayers and their Representatives in Congress. The facts were brought out in recent debates.

Mr. RAMSEYER. If the Military Affairs Committee did not know it is their business, they know it now, do they not?

Mr. LITTLE. They surely do if I have had the honor of their attention during the debate on this West Point bill. The

chairman [Mr. DENT] inquired several times during Saturday's debate what remedy anyone had to offer, and with great regret I see in the RECORD I did not yield to him.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. McKENZIE. I assume, from what the gentleman has just said, that the statements put in the RECORD a few days ago tended to help get these young men out of the Navy. If that is true, I want to congratulate the gentleman from Kansas, and I hope he will put further statements in the RECORD; and inasmuch as the Committee on Military Affairs of the House is powerless to get these men out the efforts of the gentleman from Kansas will be greatly appreciated, I assure him, by the members of the Committee on Military Affairs if he will only get the boys out.

Mr. LITTLE. The gentleman from Illinois kindly suggests that perhaps the speech I made on Wednesday, January 29, tended to help get these young men out of the Navy, as indicated by the statement made within two days thereafter that those in training on account of the war would be immediately discharged from the Great Lakes Naval Station. As you know, a few days ago the Navy was kind but firm in the conviction that it was going to do just as it pleased about it, especially without regard to any suggestions from Congressmen who happened to be familiar with the facts in regard to any particular application for discharge. I regret to say the Navy was more firm than it was kind. This dispatch from the Great Lakes indicates that it suddenly became more kind than it is firm on this question.

The gentleman from Michigan [Mr. JAMES] informs me that on the first or second day after my feeble protest against the Great Lakes order and my affable suggestion that the captain there be court-martialed, he was informed over the telephone by the department that it was preparing an order that all young men in the training schools, training camps, Naval Reserves, and in the Regular Navy who enlisted for the war only would be discharged on application without delay, which would evidently explain the prompt announcement from the Great Lakes. As a friend of the American Navy, I sincerely trust that he was correctly informed and that we shall never hear again that the men Congress employs to attend to any particular duty have become too big to listen to a Member of Congress just the same as they would to any other American citizen. As this speech of January 29 was, I believe, the first suggestion on this floor that anybody in the Navy should be court-martialed for insulting Congress and the American taxpayers, it does seem likely that the assumption of the gentleman from Illinois that this speech raised the fog that confused the naval authorities as to just where they stood. He kindly congratulates me and expresses the wish that I should put further statements in the RECORD containing similar information.

As a number of the Members of this House have requested me to spread on the RECORD certain correspondence I have had with officers in the Navy and Navy Department, I am doing so under permission to extend. I have had considerable correspondence with these officers with regard to discharges of men who went in for the war only and ought to be at home. Some of them have shown an excellent understanding of the situation, and some evidently had no comprehension of the rights of civilians. With some of them you could be very reasonable and with others you had to be very frank. On reading these letters you can reach a conclusion as to whether the letters helped produce the result. My idea has been that a frank and reasonable presentation of the facts would help them to grasp the situation, and I have written accordingly.

First, I lay before the House a letter which is very frank, concerning the discharge of William Jones, a farmer boy from Johnson County, Kans., and I would just as leave make the fight upon the rights of Bill Jones as anybody in the United States:

JANUARY 23, 1919.

DEAR SIR: I don't believe you quite get the idea. What I want to know is whether you are going to discharge this man on his application and how soon you are going to do it. As long as the war is on the people of this country were willing to sacrifice their sons for their country in the Army and Navy. The minute the war is over the taxpayers and working people of this country immediately become by far the most important factor of the country, and they expect the Army and Navy to interfere just as little as possible with the business of this country which supports the Army and Navy. Perfunctory information of this character is just what makes it so hard for friends of the Navy in Congress to secure for it in times of peace the support it ought to have. The people of this country pay taxes to build these ships and pay your salary, and what we want now is that you shall respond by respecting the necessities of the farmers of the State of Kansas, instead of writing perfunctory letters of the character you send to me. Jones's people need him on the farm, and if you need him in any particularly important way, say so, and then Congress will decide whether the farm or you needs him the worst by appropriate legislation, if it becomes necessary.

I trust you will attend to this matter without further delay and make it easier for Members of the Congress of the United States to explain to the people, who pay the taxes, why, after the war is over, the sons they really need in the field are held for some probably purely formal duty. In times of war the captain of the Navy is an important factor in this Government. In times of peace he is a very simple cog in the machinery, and I do hope you will not insist that this be made any plainer. I don't know this boy and I don't know whether he has made application. All I know about it is that intelligent men at home wired me that the conditions are such there that he ought to be there at once. Storms were sweeping the prairies and his labor is absolutely necessary on the farm to protect the stock, and you write me that "his application will be given due weight and consideration with the Navy Department's circular letter and addenda." What the farmer needs, captain, is not perfunctory information of this kind, but the boy at home to work on the farm. If you have any duty for him more important let us know what it is. For some time I was in command of a regiment at the Presidio and in the Philippines, and I am not at all unfamiliar with the conditions that surround you.

Very truly, yours,

E. C. LITTLE.

The captain replied that he had transmitted my letter to the Secretary of the Navy, so we may reason that the letter of the date of January 23 may have been taken into consideration in conjunction with the speech of January 29.

The second letter, you will see, is of the very reasonable class. If the one appears at the first glance to be an imitation of a war club, you will see that the second, of January 27, is very much of an olive branch, and the officer writes me that he has transmitted this to the Secretary of the Navy. So we may argue from the premise that this following letter is also within the cognizance of the department when it reaches a final conclusion of which the gentleman from Michigan speaks:

JANUARY 27, 1919.

DEAR SIR: With the very kindly continued appreciation of your equitable methods, I write to call your attention to a very general complaint from our country about the methods employed at the Great Lakes, in Chicago, of holding men. They are mostly young men who were sent there to be taught, and many of them just sent there last November, when it was supposed the war was going on, possibly. In other places I find men are frequently discharged immediately and sent home, without ever really completing the mustering in, while up there somebody is holding them and having them shovel coal. They are doing work for a dollar a day that other men in Chicago are getting $5 and $6 a day for. The Government of the United States has plenty of money appropriated by Congress to hire this work done by men in Chicago whose families need the support. Many of these boys are school boys, only taken out of their schools last fall because it was supposed the Nation actually needed their services. If this fellow up there fools around a little longer, he will cause every one of them to lose a year's education, by making it impossible for them to get back into school, so as to go on with the year's work. This matter is getting serious, and there are a large number of very fine citizens who are becoming very indignant. Such arbitrary and inexcusable methods as this man up there is using, make it very difficult for those in Congress who wish to see proper support given the armed forces of the Nation to explain to the people at home. When this war was on, our people sacrificed everything to win, and now, when the war is over and they need the boys at home and in school, some muttonhead at Chicago, dressed in a little brief authority, just to exercise a little arbitrary power, refuses to let them return to school or let them out. Now, that we have ended the war, the farmers' interests and the interests of this country and the education of our children are much more important than shoveling a little coal up in Chicago. You have heretofore shown such a thorough appreciation of the best way in which to reconcile the conflicting interests that I write you simply in the hope that you can suggest some method of relieving that situation without any delay.

I have the honor to remain.

Most sincerely, yours,

E. C. LITTLE.

The unfortunate position taken by many officers has made the agitation for the discharge of men who are needed more at home than at some training station absolutely necessary. If the information at hand is accurate, the end sought has been reached. To have been of any material assistance in accomplishing this result is very satisfactory. At the close of the Civil War men were discharged and the swords beaten into pruning hooks without wearing them out over bone heads who thought they were more important than fighting soldiers on the firing line. Such an Army and such a Navy, such military preparations as are essential to the safety of the Republic, will be provided at the proper time and in the proper way by the Congress of the United States without too much advice from men who have no loftier idea of the duties of a soldier than to take pride in wearing bright shoulder straps and jingling spurs, safely at home on the streets of the great cities. As the great Shakespeare said three centuries ago:

> Now great wars are stopped, Peace lives again;
> That she may long live here, God say amen.

The CHAIRMAN. The time of the gentleman from Kansas has expired. The Clerk will read.

The Clerk read as follows:

For pay of three assistant engineers of same, $3,600.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. I would like to inquire what is intended by the transposition of some of this engineer force. I have not been able to find it in the hearings or in the index. But you

have there three assistant engineers and three oilers, apparently, in place of three engineers last year.

Mr. DENT. It is explained on page 38. I read from the hearings:

This position was combined from two positions two years ago, saving the Government $1,800. His is a most important position, and the man now filling it is very competent and has been offered $250 per month by outside companies. It would be almost impossible to fill this combined position by any other one man. It is in the interests of the Government and economy to hold him. He is worth any two men I have ever seen.

The CHAIRMAN. It was formerly $2,400 for a chief engineer and $1,800 for an assistant chief engineer, and we abolished the assistant?

Col. TIMBERLAKE. It was $1,800 for a heating and ventilating engineer.

The CHAIRMAN. That was abolished?

Col. TIMBERLAKE. Yes, sir.

That is because the positions were combined two years ago.

Mr. WALSH. Well, you combine the position of chief engineer of the power plant with an engineer of heating and ventilating. I was inquiring about this shift of assistant engineers and three oilers. You increase the number of employees and eliminate apparently three engineers.

Mr. DENT. Col. Timberlake says:

In our original estimates we asked for the pay of one assistant chief engineer of the power plant, $1,560 instead of $1,100; for the pay of three assistant engineers we asked $4,500 instead of $3,600; and for the pay of eight firemen we asked $7,720 instead of $6,240. That pay of the eight firemen is divided in this way: For pay of one boiler-house foreman, $1,100; for pay of two stoker firemen, $2,000; for pay of two firemen, $1,920; and for pay of three firemen, $2,700. This does not increase the number of men, but gives them a different grade of pay, depending on the work they do in the plant.

Mr. WALSH. Well, the colonel apparently does not answer the question that I have raised. He is talking about the raises to these different firemen. The academy never before had oilers, as I understand. They were not carried. They previously had only one assistant engineer and three engineers.

Now, they have combined the position of engineer, and provide three assistant engineers, and also three oilers for the power plant. Is it possible that they have increased their heating or power plant facilities there and require additional employees?

Mr. DENT. I do not understand that there are any additional employees. There was a provision in the bill last year for the pay of three oilers at the power plant, $1,440.

Mr. WALSH. Two oilers, $1,440, and three engineers for the power plant, $3,600.

Mr. DENT. The general reason that was given to the committee by Col. Tillman, the superintendent, and Col. Timberlake, the quartermaster, was that especially for these expert mechanical positions the academy had had great difficulty in securing men competent to serve.

Mr. WALSH. The bill last year carried two oilers at $1,440, and this year it carries three oilers at $1,440. Evidently it is not going to be very difficult to get oilers, if they can get three this year for the same pay that they gave two last year. Evidently they are not worrying much about that. I was inquiring what was the occasion for this shift. Is it because of the enlargement or the increase in the facilities?

Mr. DENT. No; it is not on account of that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. I will withdraw the point of order as to line 9.

The CHAIRMAN. The gentleman withdraws the point of order. The Clerk will read.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

For pay of three oilers for power plant, $1,440.

Mr. WALSH. Mr. Chairman, I reserve a point of order on that.

Mr. DENT. I move to amend that item, in line 11, page 13, by striking out "three" and inserting "two."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 13, line 11, strike out the word "three" and insert in lieu thereof the word "two."

The amendment was agreed to.

The Clerk read as follows:

For fuel and apparatus, namely: Coal, wood, charcoal, stoves, grates, heaters, furnaces, ranges and fixtures, fire bricks, clay, sand, and for repairs of steam-heating and coal-conveying apparatus, grates, stoves, heaters, ranges, furnaces, and mica, and repair, improvement, and maintenance of power plant, $70,000: *Provided*, That $5,000 of this appropriation be, and the same is hereby, made immediately available.

Mr. WALSH. Mr. Chairman, I reserve a point of order. There is an increase in this item of $10,000. What is the necessity for having $5,000 immediately available? Are they short of coal?

Mr. DENT. Yes; that is my recollection of the matter, that it is a fuel proposition. At the middle of page 45 of the hearings Col. Timberlake says:

You increased it $10,000. It had been $40,000, and as soon as prices go down, if I am at the academy, that appropriation will go down, too.

The CHAIRMAN. You are asking for an increase of $5,000 for the item "For fuel, cadets' mess hall, shops, and laundry."

Mr. WALSH. The increase is $10,000.

Mr. DENT. Yes. At the top of page 45 Col. Timberlake says:

This increase is due to the increased cost of coal. We also ask that $5,000 of that be made immediately available.

I was calculating when I was at West Point the first part of this month the difference in the cost of coal this year and last year and what we will need to July 1, and I calculated that that difference is over $10,000; that is, that the cost will be $10,000 more than during the last fiscal year. I am asking for an increase of $10,000, but $5,000 of that only is to apply to this year. We want to make the amount $70,000 all together, with $5,000 immediately available.

Mr. WALSH. He is not going to buy $70,000 worth of coal. The $5,000 that he wants immediately available apparently is not for coal, but for something else. It may be for repairs. He is talking about the cost of material, the increase in 15 or 20 years. He says that if he is at the academy as soon as prices go down this item will go down, too. Unless he is an exceptionally young man, he probably will not be there when prices go down, and so the appropriation will continue to be as large as it is now.

Mr. DENT. He further says in explanation of the increased cost of coal and the amount of coal, that it is due to the new laundry, which is bigger than the old laundry and requires a good deal more coal. That is the explanation he gives of it.

Mr. WALSH. I withdraw the point of order.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I suppose the sums appropriated in this bill, both as salaries for services and for materials purchased, are promptly paid by the Government. In that respect, if the War Department does so, it does very differently from what it does in reference to paying the men in the Army. I have here a letter from a young man, John L. Russell, Company B, One hundred and thirtieth United States Infantry, Thirty-third Division, American Expeditionary Forces. I will read only a part of it, and think it will be interesting. It is written from St. Aignan, France, to his mother:

(On active service with the American Expeditionary Forces.)

ST. AIGNAN, FRANCE, *January 10, 1919.*

Mrs. GEORGE RUSSELL:

DEAR MOTHER: * * * I have been here a month now, and I suppose I will be here another one before I get away from here. This is the worst place I ever struck since I have been in France. I have worn the same shirt for three months, and the suit of underwear I have on I have worn ever since I have been here, and when I was at the hospital I had to wear a suit for nearly two months. It seems funny that the Army can't furnish us a place for cleaning up our clothes or else give us clean ones in exchange.

I never thought anything of it when we were up to the lines, because then it was out of the question to keep clean, but I don't see any excuse for letting men lay around so dirty as they do. * * *

I was reading a story in the Saturday Evening Post the other day written by some war correspondent. It sure was some story and sounded nice to read of all right, but I have never seen anything near like it anywhere I have been. * * *

I haven't been paid for six and one-half months, but I am almost glad of that, for if I had been paid up every month as we were supposed to be, I would have spent it as fast as I got it, but, as it is now, whenever I get it I will have it.

* * * * * * *

Your son,

JOHN L. RUSSELL,
Company B, One hundred and thirtieth United States Infantry,
Thirty-third Division, American Expeditionary Forces.

He has not been paid for more than six months, notwithstanding the Secretary's letter, which I read in the House Saturday, in which he stated that the men were paid promptly, all of them. On Saturday I read a telegram from the father of a boy who had had 21 letters returned to him, the father, which letters had been sent to the boy and undelivered. I had asked the War Department to find out something about it. They have sent a letter over to France to find out, but the psychological effect was that while I referred to the matter Saturday, this morning I found out where the young man is, through the father and not through the War Department. The War Department, if I do not call their attention to it—and I will, but even in spite of that—will probably be investigating this young man for the next three months, long after he will have been discharged, probably. He has not been paid for five or six months. He has had 24 letters sent to him which were returned. He had drafts sent to him which were returned. He had London drafts sent to him which were lost. He had parcel-post packages sent to him which were lost. He had a draft sent to him from this

country which was lost. The postscript to this letter which I have just read is as follows:

P. S.—I never did get that money draft you said you sent, and I don't suppose I ever will. The last mail I got from you was about two weeks before I left the hospital. The rest I probably never will get, so you will be wasting your time writing to me.

Certainly, he will not. Utterly inefficient in delivering the mail or keeping the record of where men are who have gone to the hospitals. There never in all history has been a civilized nation so careless of its men in hospitals after wounds in the service as is the present Army department of our Government, and I regret to say it. [Applause.]

Mr. FIELDS. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, many complaints have been made on the floor of the House of irregularities and injustices in the Military Establishment that are due either to intentional acts or dereliction on the part of some military officer. I do not pretend to say that every complaint made is a just one. I do not know; but I do know, from the correspondence I am receiving, that many things are being done that should not be done, and many things are being omitted that should be done.

Now, Congress can not get anywhere by calling attention to these things alone. The responsibility must be placed somewhere, and I think it is time for Congress to begin to act as well as talk.

There was read from page 2248 of the RECORD on Saturday last an order issued by Maj. Gen. Buck, of Camp MacArthur, forbidding officers to sit in an assembly or at social functions where enlisted men are present; also prohibiting enlisted men from attending functions where officers are invited. The American people do not approve of that sort of an order. The General Staff of the Army doubtless does approve it. So, how are we going to remedy a situation like that? Let us see if there is some remedy that the Congress of the United States can apply. Congress appropriates the money for the payment of the Army. Would not it be possible for the Congress, in the next Army appropriation bill, to write into that bill a provision that no part of the funds herein appropriated shall apply in payment of the salary or compensation of the officer who promulgated that order? It would evidently be in order under the Holman rule, because it would be a limitation on the appropriation.

Congress, in my opinion, has a right to dismiss that gentleman from the service by refusing to pay his salary, and will not the people of the United States condemn us if we fail to take such action? I believe that they will, and properly so?

I serve notice now that when the next appropriation bill for the support of the Military Establishment is brought to the floor of the House I will offer an amendment of that character. I want to say to you gentlemen on both sides of this aisle who condemn that sort of business in the cloak room and on the floor of the House and before your constituents at home that you will be called upon to vote on that amendment. I shall first offer it in committee, and, if it is rejected by the committee, I shall carry my fight to the floor of the House, and I shall make this fight, gentlemen, in good faith. I make it because I believe that that practice in the Army is wrong. I shall make it because I believe if the Congress, even in one instance, refuses to appropriate money for the payment of the salary of the officer who issued such an order it would have a most splendid effect toward democratizing the Army; and I hope the House will support the amendment when it comes to the floor of the House, as it will if I am here when the bill is considered.

Mr. GORDON. Will the gentleman yield?

Mr. FIELDS. I will.

Mr. GORDON. The gentleman has already stated that the General Staff is in favor of it. The Chief of Staff is the military adviser to the President. Of course, we have no jurisdiction over the Chief of Staff. I suppose we could refuse the money to pay the General Staff, but it has gone into an order, and how can you blame the major general by depriving him of his pay while carrying out the orders of his superior, the General Staff.

Mr. FIELDS. To be frank with the gentleman, I would apply it to any officer in the Army, from the Chief of Staff down, for the man that would issue such an order is not fit to fill any position in the Army of a democratic nation. I do not know where the order originated or who is responsible for it, but the man who will issue an order of that kind is not fit to serve in the Army of the United States. I hope that the Congress will begin to take action now toward the elimination of that sort of doctrine.

Mr. GARNER. Will the gentleman yield?

Mr. FIELDS. Yes.

Mr. GARNER. It seems that there is a difference of opinion between two members of the Committee on Military Affairs. The gentleman from Ohio [Mr. GORDON], as I understood him, at least, left the inference in my mind that the Chief of Staff had issued an order of this kind. Now the gentleman from Kentucky comes along and says he does not know where the order originated. I would like to know whether the General Staff issued any such order. Let us have the exact facts.

Mr. FIELDS. I have not the fact as to whether the General Staff issued the order, but it is time for Congress to begin to find out and act upon its own responsibility in order to eliminate these practices that are absolutely repugnant to the American people.

Mr. GARNER. Could not the gentleman or the gentleman's committee find out those facts?

Mr. FIELDS. I think it could, and I for one will do my best to ascertain the facts and to place the responsibility where it belongs. As one Member of the American Congress, I say it is time for such practices as that in the Army of the United States to be stopped.

The CHAIRMAN. The time of the gentleman from Kentucky has again expired, and the Clerk will read.

Mr. FIELDS. Mr. Chairman, I ask unanimous consent to proceed for two minutes more.

Mr. HOWARD. Make it five minutes. This is an interesting subject.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. FIELDS. Mr. Chairman, the gentleman from Texas [Mr. GARNER] throws the responsibility back onto the Military Committee. I noticed on Saturday last that when some attack was made or something disparaging was said of the Military Committee, it was received with applause. In that connection I want to call the attention of the committee to a few things that have occurred in the past. When the war started the Committee on Military Affairs attempted to exercise some independent judgment and place safeguards around the rights of the people, and in many instances the committee was repudiated and spanked to a fare-you-well by the House. I hope that in the future when the committee, after it has gone into these matters in detail, brings them to the attention of the House it may have the support of those Members of the House who are now so anxious that these wrongs be remedied.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For postage and telegrams (increase of $500 submitted), $1,000.

Mr. MANN. Mr. Chairman, I move to strike out, in line 6, the words "(increase of $500 submitted)."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. MANN: Page 17, line 6, strike out the words "(increase of $500 submitted)."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For maintenance of one automobile of the Ford type, $300.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. What is the necessity for advertising Henry Ford in this item? There must be some real reason for it.

Mr. GREENE of Vermont. They did not want to put Edsel's name, probably.

Mr. DENT. That is because that is the kind of a car they want to buy.

Mr. STAFFORD. This is not the purchase but the maintenance.

Mr. DENT. Then it is the kind they have.

Mr. STAFFORD. Does the gentleman think that the maintenance would go awry if he did not describe it as the Ford type?

Mr. DENT. No; I do not.

Mr. STAFFORD. Then, Mr. Chairman, I move to strike out the words "of the Ford type."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 4, strike out the words "of the Ford type."

Mr. DENT. Mr. Chairman, I accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For general repairs to cadet camp, repairs to camp grounds, toilets, and supplying of tent floors, and camp furniture to equip the new addition—authorized for the fiscal year 1919—to the old cadet encampment, $10,000.

Provided, That $5,000 of this appropriation be, and the same is hereby, made immediately available.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I suggest to the gentleman from Alabama [Mr. DENT], as a matter of form, that the proviso which appears at the top of page 20 ought to be a part of the paragraph which appears at the bottom of page 19.

Mr. DENT. That is correct, and I move to amend by striking out the period, after the figure "10,000," on page 19, line 26, and by inserting in lieu thereof a colon, to be followed by the proviso.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 19, line 26, after the "$10,000" strike out the period and insert a colon and the proviso at the top of page 20.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For department of natural and experimental philosophy: Additions to apparatus to illustrate the principles, acoustics, optics, and astronomy; books of reference, scientific periodicals, textbooks, stationery, materials, and repairs; and for repairs to the observatory buildings and repairs to clocks, and for contingent expenses not otherwise provided for, $2,350.

Mr. MANN. Mr. Chairman, I move to strike out the last word. The language in line 17 is "additions to apparatus to illustrate the principles." Is there not an omission there? Should not that be "principles of mechanics"?

Mr. DENT. Mr. Chairman, on page 21, line 17, after the word "principles," I move to amend by inserting the words "of mechanics." That is the way the bill read last year.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 17, after the word "principles," insert the words "of mechanics."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For the purchase and maintenance of one automobile of the Ford type, $710.

Mr. DYER. Mr. Chairman, does not the gentleman from Wisconsin [Mr. STAFFORD] desire to offer an amendment here, as he did before?

Mr. STAFFORD. I do not.

Mr. DYER. Mr. Chairman, then I move to strike out the words "of the Ford type."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 25, line 2, strike out the words "of the Ford type."

Mr. STAFFORD. Mr. Chairman, personally I think the whole paragraph should be eliminated. We all know that the War Department has adopted for use in the Army during the war the Dodge car as a pleasure car for use of officers. There are plenty of those cars available, and all that will be required would be to provide for the transportation of one of these cars to West Point.

Mr. DYER. I would not favor striking out the whole paragraph without investigation.

Mr. DENT. I have no objection to that amendment.

Mr. McKENZIE. If I might say to my friend from Missouri [Mr. DYER], the testimony before the committee was that they wanted a Ford car for certain specific purposes.

Mr. DYER. They can buy a Ford car if they want to, or buy any kind.

Mr. McKENZIE. The committee felt that it was a wise thing to limit the amount to the price of a Ford car.

Mr. DYER. They can purchase other cars for that amount just as well as they can the Ford. I have no desire to limit them to the type of car that they shall purchase.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For commercial periodicals, stationery, office furniture and supplies, adding machine, and for binding orders, circulars, etc., for the office of the treasurer, United States Military Academy, $710.

Mr. HULL of Iowa. Mr. Chairman, I would like to ask the chairman of the committee if he intends to try to finish this bill to-day? An item that is very important will be soon reached. There are three members of the committee who are absent to-day, and it is a very unfortunate thing that they are not here. I wired to Mr. MORIN on Saturday to be here this morning. I just received a telegram from him a few moments ago saying that he had just received my telegram. I presume that this is an example of bureau efficiency. Under the circumstances I think we ought to have an understanding that we will pass the item to which I refer until to-morrow morning.

Mr. DENT. Mr. Chairman, under the rule that we are proceeding under this bill is to be considered for two hours. There is some difference of opinion as to whether the time expires at 1 o'clock or quarter past 1, as we did not begin the consideration until a quarter past 11. I intend to consume all of that time. I do not know whether we can pass the bill or not.

I would like at least to get down to the building proposition that I know the gentleman has in mind.

Mr. HULL of Iowa. Yes.

Mr. DENT. At least that we should read that far.

Mr. HULL of Iowa. Would it not be fair simply to say we would not consider that building proposition to-day?

Mr. DENT. Well, if we can dispose of it——

Mr. McKENZIE. Undoubtedly there will be a point of order made to the proposition which the gentleman from Iowa has in mind, and why would it not be well to go right along, and if we can get to that part of the bill and a point of order should be made and sustained, why, of course, it is immaterial whether our friends are here or not, but if the point of order is overruled, why then we can talk about postponing the consideration to a later period.

Mr. HULL of Iowa. Well, but perhaps those gentlemen like to discuss the point of order.

Mr. McKENZIE. I do not understand they are parliamentary sharks.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn.

There was no objection.

The Clerk read as follows:

For the repair and maintenance of the cadet boathouse and the purchase and maintenance of boats and canoes for the instruction of cadets in rowing; for extra pay of one engineer soldier in charge of boathouse, at 35 cents per day, $750.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I desire to ask the chairman of the committee how much of this small appropriation is expected to be devoted to repairs and also for the purchase of new canoes.

Mr. DENT. I do not think this is itemized. That amount does not appear to be itemized in the hearing, and how much is for the boathouse and how much for the purchase of boats and canoes I do not know, but it is the same item in the same amount.

Mr. TILSON. Will the gentleman permit a suggestion?

Mr. DENT. Yes.

Mr. TILSON. Is not that item just to repair the boathouse, where the foundation or underpinning was damaged by the ice?

Mr. DENT. Yes; but I do not know how much is going to be expended on repairs and how much on boats. He did not make a distinction between the two. It is only $750.

Mr. TILSON. He did not mention the purchase of any new canoes or boats, as I remember, and I got the impression that the bulk was for repairs caused by an ice jam.

Mr. WALSH. I withdraw the pro forma amendment.

The Clerk read as follows:

For repairs to cadet barracks: For repairing and renewing plastering, painting, and calcimining, repairs to woodwork, reflooring, rearranging rooms, increasing sinks, baths, and other incidental repairs to the building, $15,000

Provided, That this appropriation be, and the same is hereby, made immediately available.

Mr. STAFFORD. Mr. Chairman, I suggest to the gentleman from Alabama that the proviso should be part of the preceding paragraph and not a separate paragraph.

Mr. DENT. Mr. Chairman, the gentleman is correct, and I move to amend by striking out of line 21, page 30, the period after the figures "$15,000" and inserting a semicolon, making the proviso part of the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 30, line 21, after "$15,000" strike out the period, insert a colon and the following: "*Provided*, That this appropriation be, and the same is hereby, made immediately available."

The question was taken and the amendment was agreed to.

The Clerk read as follows:

For repairs of boilers, engines, dynamos, motors, refrigerating and other machinery in the cadet mess, and the replacement of same, to be expended without advertising, $6,500.

Provided, That this appropriation be, and the same is hereby, made immediately available.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the proviso be considered part of this paragraph.

The CHAIRMAN. Without objection, it will be so ordered.

[After a pause.] The Chair hears no objection.

The Clerk read as follows:

For one 10-ton, 3-wheel road roller, $3,500.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I wish to inquire of the chairman of the committee whether he has any information as to whether the War Department through its activities in furnishing our cantonments and camps has not some of these road rollers?

Mr. DENT. That question, to my recollection, was asked in the hearings before the committee and the officers of the academy were unable to furnish the information and it was not pursued. I think the gentleman from Kansas [Mr. ANTHONY] can give the gentleman some information.

Mr. ANTHONY. Mr. Chairman, in the case of the road roller, they have an old one which they desire to put in with the company for a new one, and they thought they could get some substantial allowance for the old roller.

Mr. STAFFORD. It is entirely practicable for the War Department to transfer any one of a number of surface rollers they must have on hand as is provided in the following paragraph in the case of a tractor. Why should not you also provide for the transfer of a road roller?

Mr. ANTHONY. Because it is an old roller on hand and they desired to put it in with the company and realize some value on it.

Mr. STAFFORD. Oh, yes; but we are just purchasing a new article, some of which we may have on hand and for which we may have no use, and we are out the difference in the price of the exchange.

Mr. ANTHONY. In the case of a road roller the difference is only——

Mr. STAFFORD. Mr. Chairman, I think that it is a matter worthy of some consideration, and I make the point of order that it is not authorized by law.

Mr. ANTHONY. Why not substitute a paragraph offering the transfer of a road roller from the War Department?

Mr. STAFFORD. I think that is a very good suggestion, to have it included in the following paragraph.

Mr. DENT. Does the gentleman from Wisconsin move to strike out all of line 19 and insert in lieu thereof a provision directing the Secretary of War to transfer one of these road rollers?

Mr. STAFFORD. I think that can be embodied in the following paragraph, where there is authority to transfer a tractor.

Mr. DENT. Just add "roller" after the word "tractor."

The CHAIRMAN. Does the gentleman make the point of order?

Mr. STAFFORD. I make the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. HULL of Iowa. Mr. Chairman, this is the place in the bill where the building program should come in, and I again ask the chairman of the committee if he will not consent to let that item go over until to-morrow? There should be a full membership here. This is a very important part of the bill. Even if the point of order is made it should be reserved, and it would take some time to explain the matter to the membership of this House, and under no circumstances could we finish in the time agreed upon.

It is but fair to members of the visiting board, who understood when they left town that this bill would not be considered in the House, but was to be considered again in the committee to-morrow before being presented to the House. Those Members can not be here. And in the interest of fair play, I ask that it go over until to-morrow.

Mr. DENT. I will state to the gentleman I do not think this is the place in which he wants to offer the amendment. Why not let us read the building program we did agree to and get that out of the way? And then the time is about up for the consideration of this bill, and I think we can take care of the gentleman. But I would like to straighten out this amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

The Secretary of War is authorized to direct the Ordnance Department to transfer, without charge, to the Quartermaster of the United States Military Academy at West Point, N. Y., one Holt 10-ton artillery tractor, caterpillar type, such tractor to be used by the Quartermaster Corps for all kinds of tractor uses: *Provided further*, That the Secretary of War shall cause the work herein provided for to be done and performed under the direction and supervision of the superintendent of the United States Military Academy: *Provided further*, That the Secretary of War is authorized to detail Col. E. J. Timberlake as quartermaster, disbursing, and constructing officer at the United States Military Academy for such period of time as he deems fit notwithstanding the provisions of existing law relating to the detail of officers: *Provided*, That the following amounts: $7,777 for grading and granolithic paving in area of south cadet barracks; $25,000 for construction of an east wing to the present Artillery gun shed, similar to the west wing; $40,000 for construction of an addition to the south wing of the present Artillery stable to accommodate 72 additional animals; $40,000 for construction of wings to the present Artillery barracks to accommodate 63 additional men; $40,000 for construction of wings to the present Cavalry barracks to accommodate 70 men; $500,000 for enlarging the Military Academy to accommodate the authorized number of cadets: Construction of cadet barracks and headquarters, to be located at the south of the area of the old or south barracks; $60,000 for 8 sets married officers' quarters; $60,000 for 20 sets bachelor quarters; $40,000 for automatic stokers; in all, $812,777; appropriated in House bill No. 11185 for fiscal year 1919, shall remain available until expended: *Provided*, That for the purpose of accounting only, all funds hereinbefore appropriated under the titles "Current and ordinary expenses," "Miscellaneous items and incidental expenses," and "Buildings and grounds" shall be disbursed and accounted for by the disbursing officer, United States Military Academy, as "Maintenance, United States Military Adademy," and for the purpose shall constitute one fund: *And provided*, That hereafter, when any machinery, apparatus, implements, supplies, or materials which have been heretofore or may hereafter be purchased or acquired from appropriations made for the support of the United States Military Academy are no longer needed or are no longer serviceable, they may be sold in such manner as the superintendent may direct and the proceeds placed to the credit of the appropriation from which originally purchased or acquired, and shall remain available for expenditure throughout the fiscal year in which derived.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. There are so many independent propositions involved in this paragraph that have no relation to one another that I think it might require some time to consider them seriatim.

Mr. SHALLENBERGER. If the gentleman from Wisconsin [Mr. STAFFORD] will permit, the long number of items, commencing with $7,777 for grading and granolithic paving in area of south cadet barracks, are items that were authorized in the last bill and were largely suspended or incompleted because of the inability to get labor or to get material. And the object of this item in this appropriation bill is to continue the money necessary to complete them, because otherwise the money would lapse the 1st of next July.

Mr. STAFFORD. I will take the matters up in order.

Mr. MANN. Would the gentleman from Nebraska yield to a question?

Mr. SHALLENBERGER. Yes.

Mr. MANN. I find some items in the current appropriation act. I have not referred to the House bill to find appropriations, because I know you can not make an appropriation merely by a House bill until it becomes an act. What does this refer to? Is this something that Congress has enacted and is the law?

Mr. SHALLENBERGER. At what place?

Mr. MANN. It says, at the bottom of page 33 of this bill, "appropriated in House bill numbered 11185 for the fiscal year 1919."

Mr. SHALLENBERGER. That was the current appropriation for the academy for 1919.

Mr. MANN. That was the bill that was introduced in the House?

Mr. SHALLENBERGER. Yes, sir.

Mr. MANN. A bill for an act. But when it is a law it is a bill no longer.

Mr. SHALLENBERGER. The language merely needs to be changed.

Mr. MANN. This is something that was included——

Mr. SHALLENBERGER. In the law. Yes, sir. It is part of the existing law.

Mr. MANN. I thought it was a bill that somebody had introduced.

Mr. STAFFORD. Is the gentleman certain that all these provisions relating to construction have heretofore been authorized by law?

Mr. SHALLENBERGER. That is the fact, as I understand it.

Mr. STAFFORD. Where is there any authorization for the installation of automatic stokers? Where is there any authorization for grading and granolithic pavement in the area of the south cadet barracks?

Mr. SHALLENBERGER. I have the act here before me, and it states "for grading and granolithic paving in area of south cadet barracks, $7,777." The items here in the bill which we are considering now are copied from the act of last year.

Mr. STAFFORD. What page of the act is the gentleman reading from?

Mr. SHALLENBERGER. It was the act approved January 17, 1918. It is on page 13 of the copy of the act I have in my hand here.

Mr. STAFFORD. I have what purports to be a copy of that act, and I do not find any authorization for the automatic stokers. Does the gentleman find any authorization for them in the copy he has before him?

Mr. SHALLENBERGER. The Clerk will find that for me, if the gentleman will permit.

Mr. STAFFORD. While the Clerk is locating that authorization, may I ask the gentleman's attention to the second para-

graph on page 33? What is the necessity of authorizing the detail of Col. Timberlake by law?

Mr. SHALLENBERGER. I have, if you will permit, the item, on page 12, for the installation of automatic stokers under boilers in power plant, $40,000. That was authorized last year.

The reason for authorizing the assignment of Col. Timberlake is, as I understand it, in the first place, that the committee and those in charge of the academy, knowing that he has been very efficient for the past four years, are satisfied that he can render the Government and the academy great service by being continued. Under the present law, after having been detailed for four years to that place, he automatically returns to his position in the line, which he has already done, and it requires this special authorization now to permit him to be longer continued at the academy. It is just a military matter.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order still further, and I ask recognition under that reservation. May I, then, inquire as to another item, the proviso at the top of page 34, the necessity for the matter contained in the proviso?

Mr. SHALLENBERGER. Well, that is an item that has been carried, or a provision that has been carried, in the bill before, and it is asked for by the academy in the interest of economic administration of bookkeeping and the best use of the funds. It is the general purpose, more or less, of making lump-sum appropriations that have gone into all of these bills.

Mr. STAFFORD. Going back to the question of reauthorization of the appropriations that were authorized in last year's appropriation act, may I inquire of the gentleman what is the necessity for reauthorization when the last year's act carried that authorization?

Mr. SHALLENBERGER. Well, as I understand the law and the presentation of the matter made to the committee, it seems this will revert to the Treasury unless the money is reappropriated in this bill, and the idea of the committee was that these sums having been granted, after proper consideration by Congress, we want to continue them until the projects are completed.

Mr. STAFFORD. As I understand the law—I may be mistaken—when Congress authorizes the construction of a building in an act the money does not have to be expended that year, but the officer has two years in which to contract for its expenditure. It remains an authorization for two years following the year in which the money is appropriated.

Mr. MANN. It would probably take two years after it becomes a law to do this work anyway.

Mr. SHALLENBERGER. I do not know whether he covered that in the testimony, as to whether a time limit would run against the appropriation; but the general statement was made that they had not been able to complete these buildings, and probably had not been able to contract for them, owing to the difficulty of getting labor and material during the war, and therefore they asked for a reappropriation.

Mr. STAFFORD. I think I am correct in the understanding of the law, that the officer would have two years following the appropriation in which to contract for this work.

Mr. MANN. That is the general rule.

Mr. SHALLENBERGER. I think the gentleman is correct about that.

Mr. MANN. The rule as to public buildings is that the authorization remains available until the building is completed. Whether that applies to these appropriations or not I do not know.

Mr. DENT. The idea of the committee was to prevent the appropriation from lapsing. I do not think it can do any harm, so long as it is but a repetition of what we gave last year and it was not expended.

Mr. SHALLENBERGER. The committee was satisfied that Col. Timberlake had made careful investigation of this matter, and he must have thought that it was necessary to have this authorization.

Mr. STAFFORD. I think he was laboring under a misapprehension; that he had not authority under existing law.

Mr. DENT. These items are appropriated only for one year. The money must be expended by next July or will have to be turned back into the Treasury.

Mr. STAFFORD. I do not think it would do any harm.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. I again reserve the point of order and ask recognition under that reservation.

I wish now to direct attention as to the need of the matter contained in the last proviso, authorizing the superintendent to sell the unnecessary and discarded machinery, implements, and supplies and have them transferred to the credit of the appropriations from which they were originally purchased.

Mr. MANN. That ought not to be in here. It is all right to sell it, but it is contrary to the policy of Congress entirely to authorize Government officials to sell some old machinery and take that money and use it over again.

Mr. SHALLENBERGER. If the gentleman will permit, while the chairman is looking up the direct testimony of Col. Timberlake, I recall that he stated several specific instances where he would have been able to save the Government considerable money by being permitted to dispose of some of this more or less worn-out or discarded machinery, implements, and instruments that he has there.

Mr. MANN. I think he ought to be permitted to sell them, and I think he has the authority now to dispose of them, and he has the authority to ask for an appropriation for new instruments. But under this system Congress would never know anything about what was done, because he could sell something and use the money.

Mr. SHALLENBERGER. That same language has been enacted by Congress in regard to the disposal of other war materials and articles, permitting the money to go back into the same fund and be reinvested.

Mr. MANN. We repealed all that the other day in the deficiency bill.

Mr. SHALLENBERGER. I am aware of that fact; but the colonel asked for this, knowing that it was in other bills.

Mr. MANN. Yes. It was in another bill as a war-emergency matter, but we repealed that in the deficiency bill the other day.

Mr. SHALLENBERGER. The committee were satisfied that if we granted him this power he would not abuse it.

Mr. MANN. Col. Timberlake will not live forever, and it is absolutely contrary to the policy that Congress has adopted for many years.

Mr. DENT. I think I can settle this question by moving to strike out all the language after the word "direct," in line 16, page 34, down to the end of the paragraph.

Mr. MANN. That would be all right.

Mr. STAFFORD. As I understand, under general law he has authority now to dispose of discarded supplies by advertising. There is a general provision of law authorizing the sale of unnecessary supplies. I can not see any reason for carrying any part of this last proviso in the bill.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. ANTHONY. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. I still reserve the point of order.

Mr. ANTHONY. I think there is need of carrying that proviso. The superintendent related to us that every time the old material was condemned in the usual course and offered for sale the junk dealers from the near-by towns would come to the academy and form a combination under which they would offer practically nothing to the Government for this stuff. But the superintendent says that if he is permitted to dispose of it to manufacturers when they are buying new machinery he could trade for it and get a very large value for it. I think it is a wise provision, and he should have it.

Mr. STAFFORD. There should be some provision to the effect that the proceeds of these sales shall revert to the miscellaneous receipts of the Treasury.

Mr. DENT. Would not that necessarily follow?

Mr. STAFFORD. It is generally so provided when we make such authorizations as here.

Mr. DENT. I have no objection to the entire paragraph going out. Mr. Chairman, I move to strike out the last proviso in the paragraph.

Mr. STAFFORD. The reservation of the point of order is still pending, and the hour for rising has arrived.

Mr. DENT. I would like to dispose of that last portion first. I move to strike out the last proviso.

Mr. STAFFORD. You can not do that with a reservation pending.

Mr. DENT. I thought you would withdraw if I moved to strike out.

Mr. STAFFORD. I withdraw it.

The CHAIRMAN. The point of order is withdrawn. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 34, strike out lines 10 to 19, inclusive.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HULL of Iowa. Mr. Chairman, I want to offer an amendment before the committee rises.

Mr. CLARK of Missouri. Mr. Chairman, the time agreed upon for the consideration of this bill to-day has run out. The two hours have been construed to begin at the beginning of the debate.

The CHAIRMAN. That is correct. The time allotted for the consideration of this bill to-day has expired. The committee will rise automatically.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SABATH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Military Academy appropriation bill, House bill 15462, had come to no resolution thereon.

EULOGIES ON THE LATE REPRESENTATIVE ROBBINS.

Mr. CRAGO. Mr. Speaker, I ask unanimous consent for the present consideration of the following, which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Mr. CRAGO asks unanimous consent that Sunday, February 16, 1919, be set apart for addresses on the life, character, and public services of the Hon. EDWARD E. ROBBINS, late a Representative from the State of Pennsylvania.

The SPEAKER. Is there objection?

There was no objection.

CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER. The Clerk will report the first bill on the Calendar for Unanimous Consent.

PRESENTATION OF FALSE CLAIMS TO STATE DEPARTMENT.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 9094) to amend section 1 of Title VIII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I intend to object unless the gentleman from Ohio [Mr. GARD], who presented the bill, can convince me that it ought to be passed in this form.

Mr. GARD. Mr. Speaker, the matter is one to which the gentleman from Pennsylvania objected upon the last day set aside for the Calendar for Unanimous Consent, and I desire to take up with the gentleman from Pennsylvania and Members of the House generally the need of this measure, not as a war measure but as a peace measure.

I heartily agree with what the gentleman said when the bill was last before the House, that if this were distinctly a war measure it should not now be pressed, inasmuch as we are practically upon a peace basis. But after the gentleman from Pennsylvania objected I presented the matter anew to the Secretary of State, and I have the letter of the Acting Secretary of State of January 30, 1919, in which letter he states that this is in no sense to be considered as war legislation. During the war action on claims was largely suspended. Now that the war is over many claims will be presented, and it is in connection with the presentation of those claims that this legislation is desired.

Mr. DYER. Will the gentleman yield?

Mr. GARD. I yield to the gentleman from Missouri, a member of the Judiciary Committee.

Mr. DYER. This bill which the gentleman offers is proposed as an amendment to the espionage act, is it not?

Mr. GARD. Yes; it is an amendment to section 1 of title 8 of that act.

Mr. DYER. And that act itself is a war measure, is it not?

Mr. GARD. Of course, it is designed to afford protection to all branches of the war, including recruiting, enlistments, and the processes of the selective draft, manufacturing, and everything else. In other words, in so far as the civil authorities could act, the espionage law, which contributed its force in proper protection of law toward a proper morale in this country and toward the upbuilding and the continuance of manufactures, served a great purpose.

Mr. DYER. I appreciate that; but I say it is a war measure, and at the end of the war officially that act would become inoperative, would it not?

Mr. GARD. Some parts of it; yes.

Mr. DYER. And therefore this amendment would go out with it. Does not the gentleman think he had better try to get this passed as an independent proposition, if it is important and necessary?

Mr. GARD. The amendment to section 1 of title 8 is not limited to the time of war.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. GARD. Yes; I yield.

Mr. MOORE of Pennsylvania. Does the gentleman intend to have the letter of the Acting Secretary of State read, or does he intend to ask to have it printed in the RECORD?

Mr. GARD. I have submitted it to the gentleman, and if he desires to have it read I will do so.

Mr. MOORE of Pennsylvania. I saw the letter of the Acting Secretary of State, and am frank to say that it presents a meritorious situation. He desires to prevent the making of false and fraudulent statements to the Secretary of State.

Mr. GARD. Yes.

Mr. MOORE of Pennsylvania. And he contends in the letter that it is not a war measure, but one that would operate in time of peace. I am heartily in favor of the enactment of a law which will prevent the making of false statements to the Secretary of State, as indicated in that letter, if we do not have such law, but I am not in favor of tacking that kind of a provision onto the espionage law. The espionage law was passed June 15, 1917. It is a very drastic act. It enters upon the rights of individuals all over the United States. It was intended purely as a war measure. It relates to espionage, to vessels in ports of the United States, to the injuring of vessels engaged in foreign commerce, to interference with foreign commerce, to the enforcement of neutrality, to the seizure of arms and other articles intended for export, making certain exports in time of war unlawful, to the disturbance of foreign relations, to passports, to counterfeiting Government seals, to search warrants, to the use of the mails, and then a number of general provisions upon which there is no limitation. All the provisions are just as much in force now as when the espionage act was passed. It involves the right of free speech, the right of an officer to search, and all that sort of thing, much of which we may be called upon to repeal as soon as the President announces that the war is at an end.

Mr. GARD. Assuming what the gentleman says is true, that there may be necessity and propriety of repealing some parts of the espionage law, that which I have tried to convince the gentleman and other Members of the House, is that this part of the section is not such a section of the act as at this time or in the near future could with propriety be repealed, because it takes up the matter of presentation of claims to the Secretary of State and those claims that the Secretary of State says by operation of law during the war time were suspended, but now that peace is practically restored they are coming in in great numbers, and there is much more necessity now that the law should be continued than there was that the law should be continued during war time.

Mr. MOORE of Pennsylvania. Let me interrupt the gentleman to ask this: If the Committee on the Judiciary had reported a bill providing that it should be unlawful to make false statements to the Secretary of State under these circumstances, and providing a penalty, does the gentleman think that the Committee of the Whole or the House would object to that?

Mr. GARD. I do not know.

Mr. MOORE of Pennsylvania. Why should it be put on the espionage act when the repeal of it will be an issue before long, apparently, to bolster up that act?

Mr. GARD. What I am trying to get the gentleman to understand is that this section is not one that will be attacked by those who favor a repeal of the espionage act, because it applies only to proceedings before the Secretary of State, and primarily, now in times of peace, because the Secretary of State says that the presentation of applications and claims are coming in in great number, and will soon reach thousands in number; that the amendment is necessary, and the law itself is not repugnant to the idea that the gentleman has as to repealing sections of the espionage act, which has to do with possible control of speech and matters relative to newspaper publications, and hence may not be necessary now that the war emergency is past. But I want the gentleman to understand, if I am capable of making him understand, that this provision is not one that could be repealed, because it is essentially a peace provision, and the necessity is greater now than when the war existed. To my mind the entire section 1 should remain, as well as this addition being made to it. The Secretary of State says that in the matter of commerce between foreign nations and the United States there are a great number of claims now, and the State Department claims that it must really have this protection as to the accuracy of the claims. It is merely a provision that whoever shall willfully present to the Department of State any false or untrue statement with intent to influence its action shall come within the purview of the other provisions of the bill.

Mr. MOORE of Pennsylvania. I am frank to say that if it should come in here as an independent war measure, standing on its own merits, I should support it, but I am not going to encourage the increase of war provisions in the various departments, nor shall I agree to increase war legislation which embarrasses the people of this country, much of which may have to be repealed, when there is an easier way to get this sort of legislation.

Mr. GARD. That of which I am trying to convince the gentleman is that this act is not a war measure, but for the absolute protection of the Department of State and the people of the United States in a time of peace. Whether some other parts of the espionage act may be repealed, that is another question, but this is not such an act, because, if the gentleman will look through section 1, there is nothing there which he will see should be repealed, because it all applies as much to the time of peace as to the time of war. Because the gentleman is not in favor, I assume, of any law which would permit any untrue or false statement or affidavit to be filed with the intention to secure action by the Secretary of State without some prohibtion or penalty being attached thereto.

Mr. MOORE of Pennsylvania. I appreciate the argument the gentleman has made and am in sympathy with what he is trying to do, but I think it should be done in another way. Therefore I object.

Mr. GARD. Mr. Speaker, before the objection is announced, may I have the privilege of extending my remarks in the RECORD so as to include the printing of the letter of the Secretary of State to me; also a letter from the Secretary of State to Mr. WEBB?

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The letters referred to are as follows:

DEPARTMENT OF STATE,
Washington, January 30, 1919.

Hon. WARREN GARD,
House of Representatives:

SIR: I have the honor to acknowledge the receipt of your letter of January 23, 1919, in which, with reference to H. R. 9094, a bill to amend section 1 of Title VIII of the espionage act, approved June 15, 1917, you state that on the 20th instant, upon consideration of the Calendar for Unanimous Consent, the bill was objected to by Mr. MOORE of Pennsylvania on the ground that it was intended as a war measure and is no longer necessary. You state that you had the bill retained on the Calendar for Unanimous Consent (for which action the department is most appreciative) and request that you be advised of the present necessity for passage of the proposed legislation.

In reply I beg to inform you that the bill is in no sense to be considered war legislation. The purpose of the bill is, as indicated therein, to provide a penalty for the willful making of sworn false representations to the department, or the presentation of such false representations to the department, by persons purporting to be entitled to the diplomatic protection of this Government, for the purpose of influencing the action of the department with respect to their interests as regards foreign Governments. Requests of this character are of constant occurrence both during peace and the existence of a state of war. The principal cases in which such legislation would serve a useful purpose are those having to do with diplomatic claims against foreign Governments, in which the interposition of this department is requested.

While the war was in progress action on all claims against enemy Governments and, to a certain extent, action on claims against belligerent Governments generally was, by necessity of the case, suspended. Now that the war is practically over the claims resulting therefrom, as well as those held in abeyance on account thereof, are being received in large numbers and will doubtless reach several thousand within a short time.

In this connection I beg to inclose for your information a copy of my letter of December 13 to Representative WEBB regarding the urgent need of the proposed law.

I am pleased to note your interest in the matter and I hope that you may use your influence with a view to bringing about the early passage of the bill by the House.

I have the honor to be, sir,
Your obedient servant,

FRANK L. POLK,
Acting Secretary of State.

—

DECEMBER 13, 1918.

Hon. EDWIN Y. WEBB,
House of Representatives.

MY DEAR MR. WEBB: I am taking the liberty of again calling to your attention H. R. 9094, which was introduced by you on January 22 last and which, according to the department's information, is now on the House Calendar.

The purpose of the bill, as you will recall, is to amend section 1 of Title VIII of the espionage act, approved June 15, 1917, by providing a penalty for the willful making of sworn false representations to the Department of State or for the presentation of such false representations to the department for the purpose of influencing its action with respect to the diplomatic protection of the interests of such persons as regards foreign Governments.

The needs of such legislation were pointed out to you in the department's letter of May 20, 1918, and are set forth in Report No. 667 of June 18, 1918, of the Committee on the Judiciary. It seems unnecessary to add anything to what has already been said respecting the purposes to be served by the proposed legislation other than to say that the reasons heretofore advanced in support of the bill are now becoming most urgent. Owing to the present prospects for peace, diplomatic claims against foreign Governments, in the settlement of which the department's assistance is sought, are being received daily in increasing numbers.

As has been previously pointed out, there is at the present time no provision of law defining as an offense the making of false representations under oath to the Secretary of State by persons seeking the interposition of the department in connection with their claims against foreign Governments. Since such claims may lead to negotiations and representations of a serious nature, and since the department must rely in great measure upon the statements made by interested parties, i. e., the claimants themselves, it is highly important that such statements should be safeguarded as much as possible against falsification.

I therefore hope that you may find it possible to bring about the early consideration and passage by the House of this much-needed proposed legislation.

I am, my dear Mr. WEBB,
Very sincerely, yours,

FRANK L. POLK.

ADDING LAND TO WYOMING NATIONAL FOREST.

The next business on the Calendar for Unanimous Consent was the bill (S. 1847) to authorize the addition of certain land to the Wyoming National Forest.

The Clerk read the title to the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That any lands within the following-described areas, found by the Secretary of Agriculture to be chiefly valuable for the production of timber or the protection of stream flow, may be included within and made a part of the Wyoming National Forest by proclamation of the President, said lands to be thereafter subject to all laws affecting national forests: All of township 29 north, range 118 west; all of township 29 north, range 119 west; sections 5, 6, 7, 8, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, and 33, township 30 north, range 118 west; all of township 30 north, range 119 west; sections 7, 18, 19, 30, 31, and west half of section 32, township 31 north, range 118 west; sections 19 to 36, inclusive, township 31 north, range 119 west; all of the sixth principal meridian, Wyoming.

With the following committee amendment:

On page 1, line 6, after the word "may," insert "with the approval of the Secretary of the Interior."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill as amended.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS RED RIVER OF THE NORTH, N. DAK. AND MINN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13232) granting the consent of Congress to Traill County, N. Dak., and to Polk County, Minn., to construct a bridge across the Red River of the North.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to Traill County, N. Dak., and Polk County, Minn., and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Red River of the North, at a point suitable to the interests of navigation, at or near the village of Bellmont, in the county of Traill, in the State of North Dakota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges across navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following amendment:

Page 1, line 3, strike out all after the word "the" down to and including the word "six," in line 2, page 2, and insert in lieu thereof the following: "times for commencing and completing the construction of a bridge, authorized by act of Congress approved August 11, 1916, to be built across the Red River of the North at or near the village of Bellmont, Traill County, N. Dak., are hereby extended one and three years, respectively, from the date of approval hereof."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

Without objection the title was amended to read as follows: "A bill to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn."

On motion of Mr. STEENERSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13294) to amend an act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1916, and for other purposes, approved March 3, 1915.

The SPEAKER. Is there objection.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire as to the nature of the authorization as carried in the last proviso, empowering the Board of Managers of the National Home to classify the memberships of such homes for the purpose of administration, and to utilize certain branches exclusively for rehabilitation of the disabled soldiers.

Mr. GARD. Mr. Speaker, I will say to the gentleman that this amendment to which the gentleman calls attention was incorporated by the action of the Committee on Military Affairs. It was no part of the text of the bill, as introduced by me, and it was the thought of the Committee on Military Affairs, which put this amendment on unanimously, that these National Homes for Disabled Volunteer Soldiers were facing a new and enlarged jurisdiction, that with the probability of an increase of the membership caused by the disabled soldiers of the present war, and the increased number that would be admitted under the provision of the original bill, the homes should be changed from their type of being merely a place where men lived to a place where they might receive care and treatment commensurate with their needs, and where, to the extent prescribed by the board of managers, certain processes of rehabilitation might be gone through with.

Mr. STAFFORD. Does the gentleman know whether that suggestion has been submitted to the Secretary of War for his ideas?

Mr. GARD. I do not know whether it has been submitted. I will state this to the gentleman, that some two or three weeks ago I talked with the Secretary of War about this bill, and about matters relative to the board of managers, and the Secretary of War said that he was firmly of opinion that these homes ought to be used in the largest scope possible, and that he saw as the best future of the home places of rehabilitation for the soldiers wherever they could be used for that purpose, and such as could be used for that purpose, with the incorporation of additional facilities, should be used. This amendment, I think, was inspired largely in committee by the gentleman from Kansas [Mr. ANTHONY]. Certainly he was one of its principal proponents.

Mr. STAFFORD. My query was predicated largely upon the work we are doing in rehabilitation under the Board of Vocational Education, and I was wondering whether the activities of that board would not include the rehabilitation of our disabled soldiers. Again the Army rehabilitation work is provided for under the Surgeon General's office, but that work is limited to those in the service.

Mr. GARD. Yes; for discharged soldiers.

Mr. STAFFORD. We are all in sympathy with the idea of permitting the present homes to be used by discharged soldiers of the present war.

Mr. GARD. I think so.

Mr. ANTHONY. Mr. Speaker, will the gentleman yield?

Mr. GARD. Yes.

Mr. ANTHONY. The point is this: Heretofore the soldiers' homes have been filled with men of mature years, for which there was very little left in life except that they might be provided with a comfortable living. After this war these homes will be filled with a lot of young men, men who should be fitted to go back into civil life of the country, if it is possible to do so.

Mr. STAFFORD. What is the work now undertaken by the Board of Vocational Education?

Mr. ANTHONY. I do not know as to that, but the work in the soldiers' homes, as explained to me by a member of the Board of Managers, will not be very elaborate. They will take these men and try to teach them some simple occupation and fit them to make their own way in life wherever possible. They do not intend to go into an elaborate scheme of rehabilitation.

Mr. GARD. To make them in part self-sustaining.

Mr. ANTHONY. The purpose is either to maintain them in idleness in these homes or else to give them a chance to establish themselves in industry.

Mr. MONDELL. Mr. Speaker, will the gentleman yield?

Mr. GARD. Yes.

The SPEAKER. Is there objection?

Mr. MONDELL. Mr. Speaker, reserving the right to object, the board having charge of the work of rehabilitation of soldiers has a current appropriation of $2,000,000, of which they have expended, as I recall, some two or three hundred thousand dollars. They are entering on this work very extensively, and expect to enter upon it still more extensively, as evidenced by the fact that they are asking for $4,000,000 for the coming fiscal year. I think there is some possibility of complicating the situation by attempting to make provision for the rehabilitation in the soldiers' homes. The main provisions of the bill are most excellent. There is now room in the soldiers' homes for about 7,000 additional inmates. A few of the discharged soldiers are already in the homes—that is, soldiers discharged who have been engaged in the late war—and there is room for 7,000 more.

Mr. GARD. Mr. Speaker, will the gentleman yield?

Mr. MONDELL. In a moment. If this simply meant that the board would make some simple provision for occupation for the men in the homes, I do not know that there will be any objection to it. There would be an objection to it, it seems to me, if, in addition to the very extensive and all-embracing work of the board having rehabilitation matters in charge, we should embark upon a considerable activity along this line in connection with the soldiers' homes.

Mr. GARD. I will state so far as I am advised by members of the board of managers and members of the War Department, the Secretary of War, and by members of the Committee on Military Affairs that there is no purpose to do anything except to afford for these men, who will be necessarily brought in by reason of physical disabilities, the privilege of doing some slight task or performing some bit of labor with the hands or with the head which will result in their being in part self-sustaining.

Mr. MONDELL. Of course, there is very considerable opportunity for that sort of thing in the homes now, particularly in an agricultural way?

Mr. GARD. Yes.

Mr. MONDELL. That is given to them because most of them have very considerable farms connected with them that furnish such facilities.

Mr. GARD. I am sure, as was well said by the gentleman from Kansas, that there is to be a new type of man in the governmental military homes. Heretofore the man who was a member of a soldiers' home was well along in years. He was forced by adverse circumstances into the home necessarily, and could not nor was it proper that he should be compelled to do any manual labor, nor was it proper at the time that compulsion should be had, but where the man is able to do a slight physical task and is paid for the same, it has occurred to me, as it has to the Committee on Military Affairs, that this is a very wise solution of a most pressing question for the conduct of the homes in the very near future. No appropriation is asked and no sum of money has been stated for any purpose. It is merely authority to increase the efficiency of the home.

Mr. SLOAN. Mr. Speaker, further reserving the right to object, as I understand this does not in anywise seek to amend by extension or diminution the present management of these homes?

Mr. GARD. No; there is no extension or change in the process of management. The bill primarily relates to the privilege of admission as a member of the home.

Mr. SLOAN. And in no wise seeks to interfere with the incumbency of the homes as they are now organized——

Mr. GARD. Not the slightest.

Mr. SLOAN. And as I understand, the purpose is largely to utilize the vacant space and facilities for the keep, care, and treatment of soldiers by the inclusion of soldiers of this war as well as the volunteer soldiers of the two preceding wars?

Mr. GARD. That is true; and, I may state, to include also soldiers who were on the border in Mexico and who were engaged in military services for the United States which could not be classed as a war. For instance, there are a number of concrete cases of men injured while they were protecting the border in Mexico, acting as United States soldiers while not in war, who, under the present statute governing admission to these homes, can not by the board of managers be admitted, no matter how disabled they may be, no matter how meritorious the individual case. It is merely to extend the use of these homes wherever it is proper and give assistance to every man who has borne arms in an American battle and who is disabled by disease or wounds from taking care of himself. I am in favor at all times of providing all proper assistance and relief to all American soldiers.

Mr. SLOAN. As so expressed, I think it is an admirable provision; but I would like further to ask whether or not it is contemplated that the work suggested by the sponsor of the bill, the gentleman from Ohio, that members would in anywise be required to work or merely that the individual person, if he desired to get some compensation, can avail himself of the opportunity presented?

Mr. GARD. There is no change in the requirement. They are not required now. It is simply affording a privilege, because I esteem it personally to be a privilege rather than a

requirement of these men who might be forced by circumstances and have to go into the home, that they might do some little task and be paid for it and become in part self-sustaining. It is a great matter of preserving his self-respect, and it is better for the soldiers and for society in general that they have some occupation in which they can engage.

Mr. SLOAN. I have no doubt whatever all in the homes so located as they are would be willing to have this privilege extended, but there is undoubtedly, as I said in another matter bearing somewhat to it, a natural jealousy in the homes the Government has established for them. They are willing to share it, but they do not desire to abdicate or surrender.

Mr. GARD. I think the purpose of the bill and the amendments are all, indeed, meritorious, because, as I have stated, they carry no new law and because they only provide for the very best administration of these soldiers' homes for every disabled American soldier.

Mr. SLOAN. I withdraw the reservation.

Mr. DYER. Mr. Chairman, reserving the right to object, I hope an opportunity will be had to consider this measure. I would not object, but I am opposed to many things in connection with the home, but I have not the time nor can I get time under this procedure, and I therefore shall object for the present.

Mr. GARD. I hope the gentleman will reserve the right to object.

Mr. DYER. I would eventually, unless the matter could be——

Mr. GARD. I would be very glad to inform the gentleman. If there is anything he has in mind he does not agree with, I would be very glad to explain it to him. The matter, it seems to me, is so very clear and so manifestly intended for the benefit of the present war soldiers, Spanish War soldiers, and all soldiers——

Mr. DYER. If the gentleman would agree in the bill to an amendment which I would like to have incorporated in the act pertaining to the soldiers' homes, and that is to take the management of the homes out of the hands of the present managers and put them in charge of the War Department, I would not oppose it. But I am opposed to giving the present management of the soldiers' homes further authority.

Mr. GARD. That is a matter so entirely at variance with the principles of this bill that I could not agree to it.

Mr. DYER. I knew the gentleman would not agree to it. I want to discuss that for the purpose of presenting some facts to the House that I feel are justified.

Mr. GARD. If that is all the gentleman has in mind, he could have no objection to this bill, because if the gentleman wants the homes taken from the civil authorities who control them and put in the hands of the War Department, that is entirely a different proposition. But while they are in the hands of the present board of managers, why would not the gentleman be willing to afford the present-day soldiers and soldiers of the war in which he so ably represented the Government to have the full privileges of these homes?

Mr. DYER. Well, Mr. Speaker——

The SPEAKER. Does the gentleman object or not?

Mr. DYER. The gentleman was asking me to reserve my objection. I do it for the purpose of making this statement, which I have made to him, and to say that to adopt this proposition now would necessitate, of course, enlargements and justification for the soldiers' home board to enlarge these homes and ask Congress for additional appropriations, and I do not believe at this time there is any necessity for including the present soldiers. I do not think any of them are going to be sent to these homes.

Mr. GARD. If the gentleman will pardon me, there are a number of soldiers of the present war in the homes now, and necessarily there will be more.

Mr. DYER. Under our allowances for those who are disabled, and so on, I think it is unnecessary at this time to send them to these soldiers' homes, under the present management.

Mr. STAFFORD. Will the gentleman permit just there?

Mr. DYER. I will.

Mr. STAFFORD. Prior to our entering this war there was a recommendation made by the Secretary of War to discontinue the branch home located in the environs of Milwaukee, in the district represented by my colleague [Mr. CARY]. The accommodations are much larger than what the present demands require. Now, as the gentleman from Ohio [Mr. GARD] says, there are going to be any number of instances of boys returning from abroad who will need the accommodations of that home and the other branch homes, where they are not taxed to capacity. I think the opportunity should be given them to have the privilege of entering these homes just as the soldiers of the Spanish-American War and the Philippine insurrection and the Civil War have the privilege.

Mr. DYER. I would not object, probably, if we had opportunity, as I said, to consider the matter, which we have not under unanimous consent.

Mr. MONDELL. Will the gentleman yield just a moment?

Mr. DYER. Yes.

Mr. MONDELL. We heard the managers of the soldiers' homes the other day before the Committee on Appropriations, and, having in mind the present situation, we discussed with them at very considerable length this matter of admitting the soldiers of the present foreign war in the homes. As a matter of fact, they are now admitted. They are of the opinion they have authority to admit them. There are several hundreds of them in the homes at this time. There is room for between 7,000 and 7,500 additional inmates in the various soldiers' homes, without crowding in the least, and utilizing them in a way in which the soldiers will all be very comfortable. These world-war soldiers ought to have an opportunity to enter those homes. The homes are running, and they are running under good management. The facilities are all there. It requires no further outlay of the public money to give them these opportunities. We certainly ought to fill those homes with these returning soldiers as they may desire to enter the homes. The board of managers has considered the matter fully. They have had no other thought than that the soldiers would be given the facilities of the homes.

Mr. DYER. The gentleman knows that we passed the bill here the other day for $10,000,000 and more for the purpose of establishing additional hospitals for the care of those who need hospital treatment.

Mr. MONDELL. That is quite a different proposition.

Mr. DYER. And we also have in the War Department——

Mr. MONDELL. That is quite a different proposition. Assuming the necessity of building hospitals for discharged soldiers because of tuberculosis or other diseases we have now, at this hour, splendid institutions in which there is room for 7,000 of those soldiers. Are we going to deny those soldiers the opportunity to enter these excellent institutions now being maintained and appropriated for?

Mr. DYER. On the theory, I will say to the gentleman, that the soldiers' homes are not the place to send men who need hospital treatment. It is nothing more nor less than a place for soldiers to go to who have not anywhere else to go, and who want to spend possibly the rest of their days there. It is good for the old soldiers, but I am not in favor of opening these homes and encouraging these boys who are coming back to go to these homes, instead of getting them out into the vocations they went from, and go to work—those who are able to work. We do not want to encourage them simply to live in these homes without any opportunity for their advancement. The Government is prepared to take care of all these people who need treatment, get them well, cure them, and put them out into business. For that reason, Mr. Speaker, I am not ready at this time to encourage these boys going to these homes.

Mr MONDELL. They are going, anyway.

Mr. DYER. If they are going, Mr. Speaker, if the board of managers say they have the authority now, and are doing what the gentleman from Wyoming says, whether they are usurping authority or not, there is no need for legislation for their doing that. And if that is so, in addition to other reasons, I am opposed to the present management of the soldiers' homes.

If the gentleman will agree to that——

Mr. GARD. I have no objection to the gentleman offering the amendment.

Mr. STAFFORD. This proposition is limited to those who are disabled by wounds and disease and incapable of earning a living. It is to provide a home for such persons who may have both legs off or both arms off and who have passed the stage of hospital treatment. But there should be some place where they may have a home.

Mr. DYER. I thought the gentleman knew that we had appropriated money to give men arms and legs and to teach them trades in which they can support themselves.

Mr. STAFFORD. This is to provide for those who have not a home.

Mr. DYER. I doubt the correctness of that statement.

Mr. STAFFORD. There are numbers of persons who have been totally disabled who are maintained there.

Mr. DYER. The Government should give them sufficient money to support themselves, so that they can be with their families.

Mr. STAFFORD. We compensate them under the war-risk insurance, but if they have no families to provide a home for them we wish to provide a home and where they will have their comrades about them.

Mr. MONDELL. Let me make a statement. The board in charge of the rehabilitation of returning soldiers was before

the Committee on Appropriations a few days ago and told us what they were doing in great detail. They told us what they expected to do.

Here is a situation in connection with their work, in which the soldiers' home serves a most useful purpose and will serve a most useful purpose. It takes some little time for these soldiers who are disabled to have their cases adjudicated before the War Risk Bureau. It requires some little time in many cases for the rehabilitation board to get in contact with the men and learn just what they desire to have done for them and to determine what is best to do for them, what school or institution they would attend. In the meantime, if the opportunity is given to the men to enter the soldiers' homes and be cared for there they will have a comfortable place while their cases are being adjudicated by the War Risk Board and while the committee on rehabilitation is studying their cases and arranging for their tuition in some school where they can acquire that education or that training which will be helpful to them.

The soldiers' homes work right in with that sort of thing. The rehabilitation board keeps track of these men. They are not always ready when they are discharged from the service to enter upon the courses of study which the board outlines or suggests to them. In the meantime the soldiers' homes should be open until there is opportunity for them to be cared for, until their claims are adjusted and an opportunity is given to provide for their training.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. STAFFORD. Yes.

Mr. McKENZIE. Under our law is there any institution in our country where a soldier such as you have described could find a home?

Mr. MONDELL. No. And this is the fact, that the Rehabilitation Board told us of cases where soldiers had been discharged without being paid. I hope there will be no more cases of that kind. There are and will be many cases where the amount that the soldier is entitled to for disability has not yet been determined, and they found such soldiers in many cases to be really objects of charity.

Mr. DYER. And that is a disgrace to the United States Government.

Mr. MONDELL. It is; and the gentleman proposes to keep closed the only door that we are prepared to open in order to prevent the recurrence of that sort of thing. I do not think the gentleman wants to take the responsibility of doing that.

Mr. DYER. The gentleman is mistaken. I do not think the gentleman correctly understands the character of the soldiers' homes and present conditions and does not look at the situation from the true standpoint, as he ought to look at it, with reference to those soldiers who are coming back disabled. We have provided money for them, and the Government is authorized to give these men enough money to support them. We provided vocational schools for them in order that they may learn useful arts and trades and go out and earn a living for themselves, and to put them in soldiers' homes until the end of their days would be a discredit to the Nation.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. DYER. Yes.

Mr. CANNON. If I understand the gentleman's remarks, he would not object if an amendment were adopted to transfer the management to the War Department?

Mr. DYER. If that is agreed to by the gentleman in charge of the bill——

Mr. CANNON. The gentleman can offer an amendment and let the House pass upon it.

Mr. DYER. There will be no opportunity to discuss it.

Mr. CANNON. There will be opportunity to discuss it under the five-minute rule, and I have no doubt that such time as the gentleman may desire will be conceded to him.

Mr. GARD. I shall be very glad to concede any reasonable time that the gentleman wants, so far as I am concerned.

Mr. CANNON. I think something ought to be done in the matter, either by referring it to the War Department or without referring it. There is this vacant space in these homes unoccupied.

Mr. DYER. If the gentleman will permit me, the other day we had a bill up here to take from the Board of Managers of the Soldiers' Homes the Battle Mountain Sanitarium, and turn it over to the War Department for the care of men who are in need of care and attention, and this House voted it down. It ought not to have done so, in my judgment.

Mr. MONDELL. That was for soldiers before they were discharged. That is quite another thing. This is for the care of discharged soldiers. That bill ought to have passed, but that does not affect this situation at all. This is a proposition to take care of the soldier after his discharge, and the War Department, let me suggest to the gentleman, has no control over the soldier after his discharge.

Mr. DYER. We appropriated $10,000,000 to take care of men after their discharge.

Mr. MONDELL. We have an appropriation of $2,000,000 to take care of men and rehabilitate them. This works right in with it. This gives men an opportunity to remain in the homes, if they care to, while the War Risk Board is determining the amount due them and the Rehabilitation Board is studying their cases.

Mr. DYER. Oh, no.

Mr. MONDELL. There is nothing in the bill compelling them to go there, but they may go if we pass this bill.

Mr. MANN. Mr. Speaker, I call for the regular order.

The SPEAKER. The regular order is, Is there objection?

Mr. DYER. I object.

The SPEAKER. The gentleman from Missouri objects. The Clerk will report the next bill.

ROCKY MOUNTAIN NATIONAL PARK.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 171) to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. FOSTER. Reserving the right to object, I take it the purpose of this bill is to get a larger appropriation for this park?

Mr. TIMBERLAKE. That is the ultimate object, of course, but it will not be sought to get a larger appropriation this year. It is very much desired to have the limitation removed, because if that were done we would be enabled to get a great many local subscriptions to supplement the large appropriations that have been made by the Legislature of Colorado this year for the improvement of this park. It is not contemplated to ask an additional appropriation for the park this year.

Mr. MONDELL. May I suggest to the gentleman from Illinois that the Committee on Appropriations, which appropriates for the parks, has been considering the Rocky Mountain National Park in connection with the matter of improvement of roads, and so forth. As a member of the committee, I am of the opinion that this limitation ought to be removed. If my opinion is that of the committee—and I think it is—I do not think the committee will be disposed to add anything to the appropriation this year, but I do think we can not well maintain these appropriations permanently within the $10,000 and do justice to that park.

Mr. FOSTER. How much does the gentleman think it will take to do justice to the park?

Mr. MONDELL. I have no particular sum in mind. Personally, I would not be in favor of increasing the appropriation a dollar this year, but possibly somewhat next year.

Mr. CANNON. Where is the Rocky Mountain National Park?

Mr. MONDELL. It is due west of Denver in the mountains. It is in what is known as the Estes Park region of Colorado, a very beautiful mountain region.

Mr. CANNON. Is it between Denver and Cheyenne?

Mr. MONDELL. No; it is very nearly due west from Denver.

Mr. CANNON. How far?

Mr. TIMBERLAKE. The entrance to the park is about 70 miles from Denver, and it extends over to Grand Lake in the western portion of the State of Colorado. It includes Longs Peak and the principal mountain peaks in that locality, of which there are a great number that are more than 12,000 feet high.

Mr. CANNON. What area does the park cover?

Mr. TAYLOR of Colorado. A little more than 229,000 acres.

Mr. FOSTER. I am informed that it covers a little more than 229,000 acres. I am going to withdraw my reservation of objection.

Mr. CANNON. I should like to know a little more about it. It includes mountains and valleys and that sort of thing?

Mr. TIMBERLAKE. All that character of mountain scenery. Some of the most beautiful scenery that is found anywhere in the Rocky Mountains is within the boundaries of this park.

Mr. CANNON. There is in the air an appropriation of $100,000,000 to improve lands for our soldiers to live upon, to get cut-over lands, and to get lands that are abandoned in New York, and so on. With all the parks we have, does the gentleman think it is a good time to establish another one?

Mr. TIMBERLAKE. This does not establish a new park. It was established four years ago. There was a limitation on the appropriation that could be made for its improvement to make it accessible.

Mr. CANNON. That is $10,000 a year?

Mr. TIMBERLAKE. That is $10,000 a year, and this bill is simply to remove that inhibition. We are not asking for an additional appropriation now.

Mr. CANNON. No; but it is to ask an additional appropriation at the next session?

Mr. TIMBERLAKE. It is contemplated, of course, that the Government will want to improve and make accessible this very valuable park from which the Government, when this is done, will derive a very great revenue.

Mr. CANNON. How?

Mr. TIMBERLAKE. By concessions and charges that are made in connection with the supervision of the park.

Mr. CANNON. We are going to be bone dry pretty soon, and concessions to keep hotels and bars will not be worth much.

Mr. TIMBERLAKE. That will be eliminated, and consequently will reduce the revenues somewhat, perhaps, but there are many other methods of collecting revenues.

Mr. CANNON. How many million dollars will it cost to develop this park, to build the highways to get in, to construct that 70 miles of road, and so on? You see, we are rich in parks. God knows, I do not know, how many we have now.

Mr. MONDELL. Sixteen.

Mr. CANNON. Is that all?

Mr. TIMBERLAKE. The Legislature of Colorado have appropriated this year $70,000 for the completion of the Fall River Road, which has been in process of construction since this park was organized four years ago, and it has appropriated $90,000 for the completion or improvement of the Thompson Road, showing that the people of the State of Colorado are supplementing the efforts of the Government in making these improvements, which will make this wonderful landscape of scenic beauty, which even Switzerland and her Alpine scenery does not equal, accessible to the people who visit this park. Over 117,000 people visited this park last year. What can we not expect when it shall be improved by the building of roads and trails which will permit of its exploration and which can be accomplished with a little more liberal appropriation, which the removal of this limitation will later permit of? And in my judgment it would be shortsighted in the Government not to do it. It will only be improving her own property, which will in the end bring into the Treasury substantial revenues.

Mr. CANNON. The efforts of the Government are limited to $10,000 under the law, and now $70,000 and $90,000 have been appropriated to improve roads. How many hundreds of thousands of dollars is it going to take to develop this when it comes to unloading it all on the Government?

Mr. TIMBERLAKE. Having discussed this frequently with the Interior Department and with Superintendent Mathers, supervisor of parks, I can say that it is not the intention of the department to expend any large sum in any one year, but they feel that their appropriation should be a little larger in order to open up trails, telephone lines, and make it accessible to the people.

Mr. CANNON. My observation has been that in the Yellowstone Park, and in the Glacier National Park, and the great park in California, and in our 16 parks scattered all over the country, there has been a good deal of money expended. I hate to object; at the same time——

Mr. TIMBERLAKE. I hope the gentleman will not object; this is a proposition of a great deal of merit.

Mr. CANNON. At the same time, God knows we have come to the time when we have got to economize.

Mr. TIMBERLAKE. I assure the gentleman that I will agree to that, but we do not feel that we ought to be discriminated against. Other parks that have been organized have been privileged to expend whatever receipts they had from concessions in the management and development of the park, which of all our parks was the first that was not given this concession.

Mr. MONDELL. I think it will please the gentleman from Illinois to know that we are now receiving from some of the larger national parks a sum varying from 23 to 30 per cent of the annual expenditures.

Mr. CANNON. That is, the parks pay about one-quarter of the expense.

Mr. MONDELL. In some cases nearly one-third.

Mr. CANNON. In some cases, and the balance the Government pays in perpetuity.

Mr. MONDELL. That is better than for the Government to pay it all.

Mr. CANNON. But there is only $10,000 on the Government now in this particular case.

Mr. MONDELL. And there being only $10,000 on the Government in this particular case we are unable to improve the park in order to obtain anything more from automobile licenses, and so forth.

Mr. CANNON. But in round numbers we have $200,000 appropriated by the Colorado Legislature.

Mr. LOBECK. Will the gentleman yield?

Mr. TIMBERLAKE. I yield.

Mr. LOBECK. The remarks of the gentleman from Illinois prompt me to ask the question whether any farm lands are lying in this park which would be fit for agricultural land to be located on by the soldiers?

Mr. TIMBERLAKE. I am glad the gentleman asked that question. There are no agricultural lands or lands suitable for agriculture within the confines of this park.

Mr. LOBECK. Scarcely a little valley?

Mr. TIMBERLAKE. No little valley that would justify a person making a homestead entry. If they took one it would be for the purpose of having a home and capitalizing it for its scenic beauty. The elevation is too high.

Mr. LOBECK. I have been in that park and I noticed that where they sowed oats they did not ripen.

The SPEAKER. Is there objection?

Mr. CANNON. I do not feel like standing out and preventing the House from considering the bill, but I have my doubts as to whether I am performing my duty.

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the last proviso of section 4 of an act entitled "An act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes," approved January 26, 1915, which is in the words and figures following: "*Provided*, That no appropriation for the maintenance, supervision, or improvement of said park in excess of $10,000 annually shall be made unless the same shall have first been expressly authorized by law," be, and the same is hereby, repealed.

Mr. MANN. Mr. Speaker, I did not object to the consideration of this bill, and I am glad to vote for its passage. I do not think the limitation of $10,000 should have been put in the bill, in the first place. But there is this peculiar condition. Gentlemen come here, and in this case gentlemen and ladies, and ask Congress to create a national park. The man most active in connection with the agitation was a gentleman whose name I do not now recall, located at Estes Park. In the consideration of that measure, and there was some opposition to it, Congress finally gave unanimous consent and approval to it by an agreement that the amount asked for any years should not exceed $10,000. Congress passed the bill on the supposition that the cost of the park could not exceed $10,000 a year, if anybody objected to a greater amount. But, like everything else of the sort, just as soon as the bill became a law people who had agreed to the limitation, in order to get the bill passed, forgot their good faith, as it seemed to me, and commenced to agitate to have the limitation, which they had agreed to, repealed, so that they could get more money. Having stated to Congress that we "will ask for a park that will only cost $10,000 a year," and having gotten from Congress the creation of a park on the supposition that it would only cost $10,000 a year, they at once started to have the limitation removed.

There may have been good reasons for that. I was not in favor of putting the limitation on in the first instance. Anybody who knew anything about the conditions there knew that they could not maintain a park properly at an expense to the General Government for $10,000. These people knew it as well as I did, only I had the good faith to say that I was not in favor of putting any limitation on it, and then they turn around and do not keep good faith.

Mr. TAYLOR of Colorado. Mr. Chairman, I feel that a word of explanation is proper at this time in response to the remarks of the gentleman from Illinois [Mr. MANN], as I was the author of the original Rocky Mountain National Park bill and reported it from the Public Lands Committee to the House and had charge of it on the floor at the time of its passage. As everyone who was present at that time knows, there was a clause in the bill, the way it was reported out, providing that all the revenue derived from the use of automobile licenses and other concessions for the use of the park should go to the revenue of and for that park. The gentleman from Kentucky, the distinguished chairman of the Committee on Appropriations [Mr. SHERLEY], was on the floor, and he contended that it was an illogical or improper policy for the revenue derived from any particular park to go to and be expended in that park. His idea was the revenues from all the national parks should go into the general fund and be expended

where they would do the most good. It was on his motion that that provision was stricken out. When we were discussing the $10,000-a-year expense limitation, which I may say was also put in by the gentleman from Kentucky, I was asked a number of questions about that limitation, and I desire to read to the House two or three questions and answers that will fully explain this matter. They are short, and I think it is due to the House and to myself that I should put this record in at this time.

I read from page 1791, volume 52, part 2, of the CONGRESSIONAL RECORD of January 18, 1915:

Mr. MOORE. The maintenance of it, for the first year at least, would be limited to $10,000?

Mr. TAYLOR of Colorado. It is limited to $10,000 a year forever, unless Congress grants us an increase.

Mr. MOORE. Then $10,000 per annum is all you propose to ask at present?

Mr. TAYLOR of Colorado. That is all until further additional appropriations are authorized by Congress.

Mr. MOORE. Would $10,000 a year be sufficient to provide for maintenance and take care of future improvements?

Mr. TAYLOR of Colorado. No; that amount is not enough; but we will have to get along with that sum for a while, and I am in hopes that we will be allowed to also retain and use toward the improvement of the park all the revenues derived from automobile licenses and concessions from all sources. If we can have those receipts, I feel that we can get along without any additional appropriation for possibly several years to come.

Mr. MOORE. The gentleman expects some revenue will be derived from the park to make up the expenses?

Mr. TAYLOR of Colorado. Yes, sir. Mr. Marshall and the Interior Department recommend that we be given those receipts for the maintenance and improvement of the park, especially for road and trail building, and I am relying upon these recommendations and that express provision in this bill. I had that in mind when I reluctantly consented to the adoption by the committee of this $10,000 a year limitation.

That is the colloquy that took place on the floor of the House at that time. After that that provision giving this park these receipts from licenses, and so forth, was stricken out of the bill, and we have never from that day to this been given any of those revenues, notwithstanding there are thousands of automobiles that go into that park every year.

Mr. WALSH. Mr. Speaker, will the gentleman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. WALSH. Repealing this limitation, how much is it expected it will cost yearly?

Mr. TAYLOR of Colorado. That is purely a matter for the Committee on Appropriations to determine. The State of Colorado is spending a very large sum—I do not know its exact amount, but upwards of $200,000—on building a magnificent highway, a boulevard, right across through the center of the park. When we passed this bill through the House we did so with the express promise on my part that the State and the adjoining counties would build a wagon road through the park. At that time we were constructing a good, ordinary road, something like we do in the mountains, about 12 feet wide.

Mr. WALSH. That is, through the park?

Mr. TAYLOR of Colorado. Yes; in the park and across through it. We were preparing and agreeing to construct that kind of a road; I have forgotten how much it would have cost, but not a very expensive road. As soon as that bill was passed the park authorities came out there and insisted that they did not want that kind of a road, and that we were bound and had agreed to build an automobile boulevard some 20 or 30 feet wide, and spend some fifteen or twenty thousand dollars a mile on it. That was not the agreement at all. We never dreamed of any such an expenditure. But we have gone ahead with it and nearly destroyed our road fund in the State of Colorado. The Federal officials are holding us to constructing a highway that we never agreed to, never contemplated, and never have built in any place in the State. They are practically forcing us to build this road at an enormous and unwarranted expense to our State, in order to make a highway through the park and carry out a supposed obligation that neither I nor anyone else ever entered into.

Mr. WALSH. Is it going to cost $20,000 annually or $100,000, or what will the cost be?

Mr. TAYLOR of Colorado. I can not state what will be asked for, but the Appropriations Committee will take the report of the park officials, and they will treat us fairly, I assume, the same as they do other parks, and give us whatever they think we ought to have. It may be $15,000 or $25,000 a year. It is not going to be an unnecessary or unreasonable amount.

Mr. WALSH. It is going to be sufficiently unreasonable that they have had this limitation repealed which heretofore we put on.

Mr. TAYLOR of Colorado. Why, the Interior Department can not even properly police the park for $10,000 a year. They have not sufficient help to preserve the scenery. They have not sufficient attendants in the park to even prevent the mutilation of the scenery. There should be attendants and guides everywhere, and they can not have more than one or two now. The National Park Service needs this additional appropriation for additional help, to build additional roads, and make a great many improvements, as well as for caring for and supervising the park and regulating the tourists through the park. They come there from all over the United States. There are more people who go into this park every summer than go into the Yellowstone National Park.

Mr. WALSH. I think if at this time we showed a little more inclination to take care of the boys who have been battling for the country than we do for these tourists, we would be transacting public business of greater importance than to take off a limitation that we have placed upon a bill which we purposely placed there and allow the people having the thing in charge to come in and ask Congress to appropriate any amount they please. I do not believe that we should appropriate large sums of money for the purpose of making the scenery pleasant to the tourists, particularly at this time. It seems to me to be unwise. Why does not the gentleman suggest that we raise the limit, so to speak, from $10,000 to $20,000?

Mr. TAYLOR of Colorado. That is what I want; but the House put this limit on me at that time.

Mr. WALSH. Yes; but this repeals that.

Mr. TAYLOR of Colorado. Certainly. Will the gentleman permit me to ask him a question?

Mr. WALSH. Yes.

Mr. TAYLOR of Colorado. Would not the gentleman rather have the people of the United States spend their money in the United States than to go to Switzerland every year to see scenery that is not half as good as this Rocky Mountain National Park contains; and do we not need to encourage the people of the United States to see our own country first, rather than spending hundreds of millions of dollars every year in Switzerland and other places that do not have anything like the scenic grandeur we have?

Mr. WALSH. That is a very beautiful theory, but it does not necessarily follow Congress must remove safeguards it has heretofore placed in legislation to keep the maintenance of pleasure resorts within reasonable bounds. We are now going to say to the Secretary of the Interior that he can come here with estimates or expenditures, if you please, of $25,000.

Mr. TAYLOR of Colorado. Oh, no.

Mr. WALSH. Oh, well, I suppose the Secretary of the Interior and the park authorities have heard of deficiency appropriations before.

Mr. TAYLOR of Colorado. Well, we have all got confidence in our Appropriation Committee, and they are not going to run wild.

Mr. WALSH. People ought to have confidence in Congress, and people who have got legislation, as the distinguished gentleman from Illinois pointed out, under the representation that they would ask for only $10,000, ought to have confidence enough in Congress when they secured that legislation not to seek immediately to wipe out the limitation that has been placed upon it.

Mr. TAYLOR of Colorado. That was put in in perfect good faith on the understanding that some of these times we would ask to have this limitation removed.

Mr. WALSH. It is not being taken out in good faith.

Mr. TAYLOR of Colorado. This bill repealing this limitation is in perfect good faith and in strict compliance with my statements at the time of the creation of this park, and when this bill is passed we will commence the further systematic improvement of this park, and in a very few years there will be more visitors every year to this park than to one-half of all the other parks in the United States.

The SPEAKER pro tempore. The question is on the committee amendment.

The question was taken; and the Speaker pro tempore announced the ayes seemed to have it.

Mr. WALSH. Mr. Speaker, I demand a division. I withdraw the demand.

The question was taken, and the committee amendment was agreed to.

The SPEAKER pro tempore. The question is upon the engrossment and third reading of the amended bill.

The bill was ordered to be engrossed and read the third time; was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker announced the ayes seemed to have it.

Mr. WALSH. Mr. Speaker, I ask for a division.

The House again divided; and there were—ayes 43, noes 4.

So the bill was passed.

On a motion of Mr. TAYLOR of Colorado, a motion to reconsider the vote by which the bill was passed was laid on the table.

FOR RELIEF OF HOMESTEAD ENTRYMEN WHO SERVED IN ARMY, NAVY, AND MARINE CORPS.

The next business in order on the Unanimous Consent Calendar was the bill (H. R. 13353) to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. FOSTER). Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understand that this extends to our present soldiers the privileges contained in sections 2304 and 2305, as interpreted by certain resolutions and certain acts subsequently passed. I rise for the purpose of inquiring as to the nature of these interpreting resolutions and acts.

Mr. FRENCH. Mr. Speaker, the resolutions referred to by the gentleman from Wisconsin are, first, the resolution of August 29, 1916, in which is recited persons who participated in the disturbances on the Mexican border, and the department felt that it would be advisable in referring to those who participated in the disturbances on the Mexican border to have the reference to the language here which had reference to those persons.

Mr. STAFFORD. I call the attention of the gentleman to the fact this is not limited to those merely who participated in the disturbances on the Mexican border, but it also extends to those who served in mobilization camps.

Mr. FRENCH. Yes; though in connection with that service.

Mr. STAFFORD. The original sections of the statute to which this act seeks to extend its privileges to our present forces provided, as I recall, that these privileges shall only be granted to those who had served 90 days and had obtained an honorable discharge. Here you are purposing to extend the privileges to those who may not have seen any service at all, except maybe about the mobilization camps. Is it the purpose to grant credit to men who have been at camps, who had virtually civilian duties, and who would not be required to have any actual residence?

Mr. FRENCH. Of course, the answer to that is this, that the length of service governs the amount of credit that is due to any entryman. If the person were about some mobilization camp merely, why, in all probability in this or any other war his period of service would be limited, but, on the other hand, if his service called him into action he would in all probability be longer, and I think that takes care of itself.

Mr. MANN. There are men in the mobilization camps who have been there all during the war. That is not their fault. Why should not they be credited with the length of time required to live on a homestead?

Mr. STAFFORD. These men have not heretofore made entries. This bill is to grant the privilege to those who make subsequent entry.

Mr. MANN. I understand.

Mr. STAFFORD. To the time they have been in the service of the Army.

Mr. MANN. The time of his service during the war shall be equivalent to that much service living on a homestead. The war has not been very long, and it will not give the entire period; that is a sure thing. Besides that, they must live upon the homestead one year, according to the provisions of the original section.

Mr. STAFFORD. Just where is that provided?

Mr. MANN. I think that is true as to commutation.

Mr. FRENCH. That is provided in the Revised Statute, section 2305. You will find the provision in this language:

No patent shall issue to any homestead settler who has not resided upon, improved, and cultivated his home for a period of one year after he shall have commenced his improvements.

Mr. MANN. Now, as a matter of fact, we are talking about spending very large sums of money to provide homesteads for these boys. Of course, this does not do that. The more of them that take out homesteads and go and live on them the better off we will be both as to their employment and as to the public domain, probably.

Mr. STAFFORD. I quite agree with the gentleman.

Mr. MANN. This is simply giving the same privilege to the boys who served in this war as boys who served in the Philippine Insurrection, the War with Spain, and the Civil War.

Mr. CANNON. They must have been mustered into the military and naval service?

Mr. MANN. Oh, certainly.

Mr. CANNON. They are not civilian employees?

Mr. FRENCH. Not at all.

Mr. MANN. This bill was prepared by the department in order to put in line for the present soldiers what has been done heretofore.

Mr. MONDELL. Mr. Chairman——

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of objection.

Mr. MONDELL. Mr. Chairman, reserving the right to object—and I shall not object, inasmuch as the bill ought to pass—this bill as drawn is an illustration of the way that the departments insist upon drawing legislation for Congress, and then of the curious and peculiar way in which they proceed to draw it. The gentleman from Idaho [Mr. FRENCH] introduced a bill which was clear and definite, proposing to do in a clear and definite way a proper thing, and it ought to have been reported. The department did not like it, I presume, because they had not drawn it. They proceeded to draw a bill. Now, the French bill, on which this bill is predicated, was a bill that extended the benefits of section 2305 to the soldiers of the late or present war, whichever it may be, and clearly recited the fact that its purpose was to give the benefit of constructive residence provided for in that section. The department was not satisfied. Section 2304 of the Revised Statutes was a law that granted a homestead right, and it is not proposed in this bill to grant any additional homestead rights. The only provision of section 2304 which was sought to apply to the soldiers is the very last provision of it, that the soldier shall be allowed six months after locating his homestead and filing his declaratory statement in which to make his settlement. That is the only part of that long section which anyone desires to give the soldier the benefit of. And the curious thing about it is that this department, which has to do with the land laws, apparently forgot that that privilege is now the privilege of every homesteader. He can not be contested unless he is absent from his homestead for more than six months after he makes his entry. Therefore, that provision of this section of the statute, necessary at the time it was passed, right after the Civil War, is entirely unnecessary, because it simply grants a privilege that every homestead settler, whether a soldier or not, now has. In extending the provisions of section 2304, we may raise a question whether or no we are trying to give these soldiers another homestead right. We are probably safe as against that interpretation, because they have not been so interpreting the section in its application to the soldiers of the Spanish War. But there was really no rhyme or reason for reference to section 2304 in this bill.

Now, that was not all. The department was not satisfied with the reference that was contained in the bill originally introduced by the gentleman from Idaho [Mr. FRENCH] to the war on the border and the present war, but they want to define what the war on the border is, or when it was, or what it was about, or something of that sort, and also the present war. And they referred to two statutes, one of which does make reference to the war on the border. The other makes no reference whatever to the recent war in which the United States was engaged. The act of July 28, 1917, provides:

That any settler upon the public lands of the United States, or any entryman whose application has been allowed, or any person who has made application for public lands which thereafter may be allowed under the homestead laws, who after such settlement, entry, or application enlists or is actually engaged in the military or naval service of the United States as a private soldier, officer, seaman, marine, national guardsman, or member of any other organization for offense or defense authorized by Congress during any war in which the United States may be engaged—

This is the sort of insistence upon controlling the form of legislation that we are having from the departments all the time. Not content to report on a bill that is clear and definite and concise, instroduced by some Member of Congress, they must, forsooth, draw another bill to suit their notion. And in the drawing of it they have complicated the situation; and except for the fact that they have heretofore interpreted a reference to section 2304, they might raise a question as to just what we were trying to do in the case of these soldiers.

Mr. MANN. Will the gentleman yield?

Mr. MONDELL. I yield.

Mr. MANN. Was not the department bill drawn before the French bill?

Mr. FRENCH. My bill was drawn first. I had taken the matter up orally with the department and then drew a bill and

referred it to the department. The department then drew this bill and sent it to the chairman of the Committee on Public Lands of the House and to the chairman of the Senate Public Lands Committee. I then introduced the bill in the language of the department, and we considered both bills before the Public Lands Committee, as will be seen in the report.

Mr. Speaker, this bill, in a word, grants to the persons in the military and naval service of the United States during the war with Germany and her allies and to those who saw military service in the Mexican disturbance the privilege of applying the length of time of such service in lieu of residence on a homestead. It is the same privilege we granted to the soldiers of the Civil War and to the Spanish War veterans.

The bill is not in the language as it was when I originally introduced it. The language of the original bill followed as far as possible the language of preceding legislation. This refers to the laws we have passed by referring to the sections of the statute. I think my idea was better, but I do not want to quarrel with the department on that point, and I am content to accept the language as it has been modified.

One thing I would call to your attention specifically. My bill provided explicitly that the law shall apply to entrymen on 320-acre homesteads and, as well, on the stock-raising homesteads. The pending bill doubtless includes both, without referring to them specifically. In reporting on my bill as originally introduced and using the language of the pending bill the department said the language used would accomplish the same purpose, so I assume no other interpretation could be made.

The bill should pass immeditely, and, to use the language of the gentleman from Massachusetts, it is in the interest of those who have been battling for our country.

Mr. MANN. The department bill was drawn before the bill of the gentleman was introduced in the House?

Mr. FRENCH. No. My bill was introduced first and referred to the department.

Mr. MANN. When was the gentleman's bill introduced? At this session of Congress?

Mr. FRENCH. The original bill was introduced November 21, 1918.

Mr. MANN. H. R. 13160?

Mr. FRENCH. Yes; and that bill codified, as the gentleman from Wyoming [Mr. MONDELL] has said, what I thought was the essential and right part of the law that we had heretofore passed and specifically recited the persons who were to be the beneficiaries under it. The department felt that it would be better to refer to the sections by numbers and to these resolutions for the benefit of the persons for whose benefit it would run.

Mr. MONDELL. The trouble is that one of the definitions refers to no war at all except any war.

Mr. FRENCH. The department wanted to have there an enumeration of the soldiers and sailors and marines and so on and other persons engaged in the military service, and I thought that was enough to take care of all that I had recognized in the bill which I introduced.

Mr. MONDELL. The bill itself defines the persons who are intended to benefit from the bill.

I rose, Mr. Speaker, simply to call the attention of the House to the practice of the departments in insisting on having their own way in regard to all legislation. They are now proposing a bill which, if the gentleman from Idaho [Mr. FRENCH] himself had introduced and sent down there, they would have sent back here with all sorts of mistakes, not only those that were originally made but others. I think it is all right to pass the bill as it is proposed, because the people who propose it are the people who must interpret it, and they can not well interpret it except as suggested by themselves in presenting it. But it might very well otherwise be interpreted, particularly the reference to section 2304 of the Revised Statutes, and the last references are seemingly confusing rather than enlightening.

The SPEAKER pro tempore (Mr. FOSTER). Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill for amendment.

Mr. FRENCH. Mr. Speaker, this bill is on the Union Calendar, and I will ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent that the bill be considered in the House as in Committee of the Whole. Is there objection?

Mr. MASON. Mr. Sepaker, as this bill is in the interest of the soldiers, it occurred to me that it was exceedingly important to have some soldiers left to enjoy our homestead laws, and that the way we might have some left was to bring them out of Russia.

I desire to present some reasons why, in the interest of this bill, we should pass the resolution originally offered by the gentleman from Minnesota [Mr. LUNDEEN] and afterwards one offered by me, directing the Commander in Chief to withdraw the forces of the United States from Russia.

I stated in my speech the other day that I purposed to show that there was a dangerous element of the almighty dollar in the payment of interest out of American money that was intended by American taxpayers and the American Congress to go for the support of our allies in winning this war.

I stated the other day that I was so informed, and I shall add, in addition to that statement, a statement which is a sort of reportorial or editorial statement in the Christian Science Monitor, which is evidently written by one acquainted with the finances of this country. And I purpose to show by reading this that I was right, that the money that you voted to win this war with is now being used by the agents of the old original government representing the Czar of Russia to pay the interest upon bonds of the speculators of America, who loaned their money to the Russian Government and took a gambler's chance. I purpose to show by reading this that only a few bankers in Wall Street knew that they were going to pay the interest on those bonds that had been put upon the Russian people to pay for their chains in the past, as the price of their own slavery, money that was loaned to the money lenders of America. After the collapse of the government of Kerensky those bonds went down in the market from par to below 50 cents. Then I propose to show that some distinguished, patriotic money lenders of this country, who had some private advices, learned that they were going to pay the interest on those bonds out of the money that you voted to feed the starving people in Russia; that it was being used, and I think improperly used, to pay the interest on those bonds. That is a remarkable fact stated in this seemingly accredited statement by a writer on a paper that stands well in this country, the Christian Science Monitor. It is undoubted. It carries out the statement that I believed to be true.

These bonds were sold by Morgan & Co. to the money lenders of America before we went into the war. It was at a time when the old Government of Russia was taking its chance on the life of the Czar and the continuation of the monarchy. When we loaned this money to the Government of Russia, some three hundred and odd millions—I have the exact figures here, and I will put this article in, with the consent of my colleague, so as not to take but one minute more—we loaned $130,000,000—we loaned a large sum, and there is $130,000,000 left in the Treasury of the United States—$130,000,000 that has not been expended to win the war.

The war is over. The money is in your country. It is in the hands of a gentleman who does not spend it except, according to this article, by direction of the Secretary of the Treasury.

Now, gentlemen, if under the circumstances we should proceed by moral garnishment to say to the distinguished gentleman who now represents a divided country in Russia, who holds no commission from the present Government of Russia, who was originally appointed by the Kerensky government, when we loaned this three hundred thousand and odd dollars, "That money is here, and if the Secretary of the Treasury would only say we loaned that money to a government that is now collapsed, under international law there may be danger that a revolutionary success in Russia means a loss to the United States of $385,000,000."

But that is not what they are doing. They are not attempting to save that money in the hands of the Russian representative for the purpose of relieving your constituents and mine; but, on the contrary, according to this statement, certain favored bankers who were not surprised when, on the 17th of last month—I will give you the exact date——

Mr. SLOAN. Will the gentleman yield right there?

Mr. MASON. Yes.

Mr. SLOAN. I do not combat the gentleman's argument. In the interest of accuracy, let me say that we authorized a loan of $300,000,000 to Russia, but did not loan more than $187,000,000.

Mr. MASON. All right. This article states this:

It is understood there is still a balance in the United States Treasury of about $130,000,000 granted to Russia and never used after the fall of the Kerensky government.

Now, that $130,000,000 is a sacred trust. It belongs still either to win this war for America, or, the American war having been won, then as a matter of fact that money should be held as security to the American taxpayers instead of being used to pay the interest upon the bonds that have been discredited in

the market, so that favored bankers have been able to go out and buy them up at 48 cents on a dollar and then find themselves getting 6½ per cent on bonds that were selling for 48 cents and getting that out of the money that belongs to the people of the United States.

Mr. PLATT. The gentleman is mistaken about that. The $130,000,000 is still in the Treasury of the United States and none of it is being used for this purpose. It never has been paid to them. The report of the Secretary of the Treasury shows it.

Mr. MASON. This is what it says here, and this has been vouched for by a member of the Foreign Relations Committee. Now, you and I want the facts, and if I am mistaken, I want to be corrected.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. MASON. Yes.

Mr. LITTLE. Do I understand that from this $130,000,000 in the Treasury of the United States the interest upon the Russian bonds of the former government is being paid?

Mr. MASON. I do so state. I only state it upon information given to me the other day here upon the floor, and this article states it.

Mr. LONGWORTH. If the gentleman will pardon me, he must be absolutely wrong about that. That fund he is speaking about, of $130,000,000, is simply money that has not been actually loaned; that is not being used for any purpose in connection with the Russian loan. The gentleman from Nebraska [Mr. SLOAN] was absolutely right when he said that we authorized a loan of approximately $300,000,000 to the Russian Government.

Mr. MASON. Yes.

Mr. LONGWORTH. But, as a matter of fact, we have loaned only $187,000,000, as the gentleman from Nebraska [Mr. SLOAN] states. Now, the money remaining in the Treasury is not a fund that is used or that could be used for the payment of interest.

Mr. LITTLE. Let us see if we can be told how much money the former Russian ambassador now has that this country intended to loan to Russia. Let us find out if that is one fund and the fund referred to by the gentleman from New York [Mr. PLATT] still in the Treasury of $130,000,000 is another fund, or whether we are really all talking about the same fund.

Mr. LONGWORTH. If the gentleman will pardon me, I think he is confusing the amount actually loaned with the amount that was not loaned.

Mr. MASON. No.

Mr. LONGWORTH. I think I have heard it stated that the fund actually loaned to Russia, such of it as was not actually sent to Russia, may still be here in the hands of some Russian agent, and that might possibly be used for the payment of interest.

Mr. MASON. That is exactly what I meant.

Mr. LONGWORTH. But that is not the money in the Treasury of the United States.

Mr. MASON. I do not say that.

Mr. LONGWORTH. The gentleman made that statement.

Mr. MASON. No; but I say that is all with the consent of the Treasury of the United States.

Mr. PLATT. It is not.

Mr. MASON. Let us see whether this man is correct or not.

Mr. PLATT. He is not.

Mr. MASON. It is awfully hard to get the truth in Washington. As a matter of fact, you do not get the truth from any nation in the world. You do not even get the truth of what is occurring at the peace table. You can not get the truth of what is occurring in Russia. Yesterday I heard two newspaper reporters speak in this city, and I wish every one of my colleagues could have heard them. They were clean and honorable. They went over there to represent American newspapers, and one of them gave a list of the good reporters who were canned—perhaps some of you do not understand the language of the street—were discharged, simply kicked out, because they dared to tell the American people the truth. Now, let us see which is right. I have stated that the money in the hands of this agent of the Russian Government has been used to pay interest upon the bonds of the Russian people, bonds that were issued before America went into the war, when Russia was in the war. I have stated that they were clients of Morgan & Co., and that some bankers knew the interest was to be paid and some did not. I am not complaining about that so much.

Mr. LITTLE. He is not an agent of the Russian Government now, is he?

Mr. MASON. I think not; but he is the only representative they have here. His name is the same. I do not know whether he is a brother or a cousin or an uncle.

Mr. LITTLE. He is not in the employ of the Bolsheviki?

Mr. MASON. Oh, no. They have no representative here. It is a mere chance if one of their people has the opportunity to tell the truth about the Russian situation. What we want is the truth, whether it helps or hurts.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. MASON. Yes.

Mr. GARRETT of Tennessee. I should like very much to get the matter clear in my mind if I can. Does the gentleman refer to loans made by the Government as a Government?

Mr. MASON. No.

Mr. GARRETT of Tennessee. Or does he refer to loans made by individuals in the purchase of Russian bonds?

Mr. MASON. Yes; that is what I refer to.

Mr. GARRETT of Tennessee. Then the gentleman is not referring to any official loan made by this Government.

Mr. MASON. Except where the money is paid out of that loan that is still left in the hands of the Russian representative. It was not used to win the war, but he has used that balance to pay interest upon bonds that were sold before we went into the war that were not a part of the war measure. I say that you and I, as lawyers, as diligent attorneys, would give the moral garnishment and say that that money belongs to Uncle Sam and the people, and it should come back to us. But instead of that they are laying it out to be distributed to the bondholders in this country.

Mr. GARRETT of Tennessee. To get back again. The Government, as I understand the statement made by the gentleman from Nebraska and the gentleman from Ohio, the Government itself after we had entered the war loaned to the Russian Government $187,000,000.

Mr. MASON. Yes.

Mr. GARRETT of Tennessee. There had been Russian bonds sold here prior to the time that this Government entered the war?

Mr. MASON. Yes.

Mr. GARRETT of Tennessee. Does the gentleman say that a part of that $187,000,000 loaned by the Government after we had entered the war is being used to pay interest on bonds sold to individuals before we entered the war?

Mr. MASON. That is exactly what I say. As I stated the other day, I was informed and gave my information to you—and the only proof I have now I am offering to you—is a statement by a credible reporter on a newspaper who is writing on this subject. I want Congress to know the facts. My statement was that there was $130,000,000 left in the Treasury which had not been sent to Russia but is still in the hands of the United States or of the Kerensky government, and that the Secretary of the Treasury has consented that he may pay the interest on these bonds out of the money that should have been returned to the United States on the signing of the armistice.

Mr. GARRETT of Tennessee. Let me ask the gentleman, if the loan had been made it must have been made without any string attached to it—I mean a loan made by this Government to the Russian Government, whatever that government was—must have been made without any strings tied to it.

Mr. MASON. I think there were many strings tied to it, where it was to be used to help us win the war, and after the war was won they should never have paid out another cent, but said, "Here is your money." But instead of that it has been used to bull and bear the market on these ancient bonds of Russia, if the statement is true, and that is what I want to find out. This article makes it very clear.

Mr. GARD. If the gentleman will pardon me, how is the gentleman proceeding?

Mr. MASON. I am proceeding by unanimous consent. I think that I will be through in less than five minutes. I do not know of anything that is more important when we are considering the question in this Congress whether you are going to leave the American boys in Russia. The other day they lost 50 men and 5 officers 500 miles from any spot where we had a pound of iron or anything else to defend. Great God, gentlemen, do you understand that we are making war; that we have declared any war against Russia? If that is true, if we have declared war, instead of leaving 10,000 men up there to be slaughtered as they were in Mexico, you ought to send a million and a half men. But if you have not declared war, the Constitution gives you the right to pass a resolution which declares that these boys should be brought out of Russia. The American people want them brought out. They did not enlist to fight the poor people of Russia; they enlisted to fight the Germans, and they have licked them to a standstill, and there was not a German within 3,000 miles of Archangel, and these boys that have been sent to Russia have been 350 miles from the place they were to

defend, sent under Japanese commanders, sent under English commanders. England has no troops there now; they were ordered out. English soldiers went to Lloyd George and asked him if he was going to send them to Siberia and he said, "No; far be it from me to send English soldiers into a country that we have not declared war against." What are the American soldiers doing? We ought to bring them home. They did not enlist to fight the poor people of Russia; they did not enlist to go into the wilds of Siberia. But, gentlemen, I am getting away from the question of the dollar mark into the question of blood, and when I do I am likely to get excited.

Mr. KINKAID. Will the gentleman yield?

Mr. MASON. I will yield to the gentleman.

Mr. KINKAID. Can the gentleman inform the House where remains that portion of the $187,000,000 which is being used to pay the interest on these bonds?

Mr. MASON. I think the article that I am about to read will explain that better than I can.

New York, N. Y.—Announcement on Thursday, last week, by the National City Bank—

That great patriotic organization willing to sacrifice everybody but themselves—

of the payment of interest, due January 10, on the 6½ per cent external obligations of the old Russian Government attracted considerable interest in banking circles.

Partly due to the unsettled conditions in Russia, but mainly accentuated by the fear that the January interest would go in default—

These are external obligations of the old Russian Government—

holders of these bonds have thrown them on the market during the last few weeks to such an extent that the price declined from nearly 80 at the end of October to below 50 just before the end of the year.

Remarkable, is it not, that the ancient bonds of the ancient Government of Russia should so fluctuate! One man who was not posted sells them below 50 cents, and the wise man who is posted buys them, and they are not worth 5 cents unless he has some information as to what the Treasury Department is going to do.

It can, however, be stated that in certain banking circles the payment of the interest caused no surprise.

Some of the bankers were not surprised. Is it not surprising that some knew and some did not?

It would also cause no surprise to these interests to see the bonds paid off at maturity.

Out of whose money, please?

One banker, who was well versed with conditions surrounding these bonds, expressed the opinion that the worst that could happen would be a short extension on more favorable terms than those under which the bonds were issued. "It is hardly conceivable," he says, "that the allies, as well as the United States, would let these bonds go to default in view of the enormous holdings of Russian securities in the allies' countries, in comparison with which the outstanding amount of 6½ per cent bonds, viz, $50,000,000, is very small."

It is understood that there is still a balance in the United States Treasury of about $130,000,000—

Just as the gentleman from Ohio [Mr. LONGWORTH] said—

granted to Russia and never used after the fall of the Kerensky government. The payment of coupons on Russia's obligations in this country, it is said, comes from this fund, and it is understood that the sanction of the Treasury has to be obtained for each payment.

Mr. LOBECK. Does the gentleman know the amount of interest paid out?

Mr. MASON. They pay 6½ per cent on $50,000,000. That is a mere bag of tools—bagatelle, I should say.

The 6½ per cent bonds are undoubtedly the cheapest of all Russian obligations dealt in anywhere in the world. While they declined from nearly 75 to 48 in New York, the 5 per cent rentes of long maturity quoted in all European markets remained practically stationary—around 60.

Most remarkable thing. First, they declined the Russian bonds, when we were willing to lend them money, and then there are some wise people so connected with the department that they know they are going to get the interest, and they buy them at 48, and it will only take a few more years' interest to get their principal back in interest.

Bankers who have been following this situation closely predict that inasmuch as the United States Government—

And here comes the "nigger in the woodpile"—

has seen fit to pay interest out of the balance of the Russian funds it still has on hand—

And this is what we call bulling the market—

that inasmuch as the United States Government has seen fit to pay interest out of the balance of the Russian funds it still has on hand, it will not decline to pay the principal of the bonds when due out of the same funds, inasmuch as this $50,000,000 issue and another of $725,000,000, due December 21, 1921, are the only short-term Russian bonds outstanding and represent an inconsequential sum to be provided for to prevent a default by the Russian Government, which is obligated to the allies for billions of dollars.

Mr. GARNER. Mr. Speaker, will the gentleman yield?

Mr. MASON. Yes.

Mr. GARNER. I understood the gentleman from New York [Mr. PLATT] to say awhile ago that the Treasury Department had not paid any money toward the interest on these bonds. I will ask him whether that is correct?

Mr. PLATT. The report of the Secretary of the Treasury shows this whole thing. So much money has been advanced to Russia——

Mr. MASON. I am not saying that the Treasury Department did pay it.

Mr. GARNER. That article says so and the gentleman seems to have great confidence in the article.

Mr. MASON. The article does not quite say that. It says that they are paying it out of the funds that are in their hands. I believe our colleagues from New York [Mr. PLATT] and from Ohio [Mr. LONGWORTH] are right, that there are $130,000,000 still in the Treasury.

Mr. LONGWORTH. The gentleman will pardon me, but as I got the reading of that article, it is a positive statement that the money now in the Treasury that simply was not used as a loan is being used to pay the interest on the bonds issued before we ever entered the war and before this authorization was made.

Mr. MASON. I do not think it goes that for.

Mr. LONGWORTH. It goes that far if it goes anywhere.

Mr. MASON. Anyway take that horn of the dilemma if you like, would you not like to know the facts?

Mr. LONGWORTH. I certainly would.

Mr. MASON. That is all I want to know. This article says this, but in the latter part of the article it says:

It is understood that the sanction of the Treasury has to be obtained for each payment.

It further says:

The payment of coupons on Russia's obligations in this country it is said comes from this fund.

What is this fund? It is understood there is still a balance in the United States Treasury of about $130,000,000 granted to Russia and never used after the fall of the Kerensky government.

Mr. LONGWORTH. That is a direct charge that money now in the Treasury that never was actually expended under our authorization of a loan to Russia is being used now to pay the interest on bonds issued by the former Government of the Czar at a rate of 6½ per cent interest.

Mr. MASON. I think it is a direct charge.

Mr. LONGWORTH. If the gentleman will pardon me, as I understand the situation with regard to this authorization, it is this: When the first liberty loan issue, as I recall it, $2,000,000,000 was authorized as loans to the allies—and I do not think my figures are absolutely accurate—it was left to the Treasury Department, the administration, to determine what amount shall be loaned to the respective governments, and in many cases authorizations were made by the Treasury Department, but all the money authorized was not loaned, as in this case, but surely the money that was not actually loaned to any of the allied Governments merely will remain in the Treasury unexpended and could not be used by the Treasury Department properly for the payment of interest on any other bond.

Mr. MASON. The gentleman said "properly."

Mr. LONGWORTH. Properly. That is what I understand that the charge made by that article is—that exact charge.

Mr. MASON. But if the gentleman will read the whole article it might lead in this direction, that between the $130,000,000, which is in the Treasury, and the $185,000,000 would leave, say, $50,000,000 we were to use for the use of the war. You know there was a large sum of money used to buy supplies to send into Russia—engines and everything of that kind. Now, while the unexpended balance in the hands of the original Russian representatives is $50,000,000; that is, of that $50,000,000 which was turned over to the Russian Government, a part of it stands to the credit of the representatives of the Kerensky government and out of that possibly, because the article says that before it could be paid as interest on these bonds they had to have the consent of the Treasury Department——

Mr. LONGWORTH. If the gentleman will permit, that would be quite another thing. I can see no possible objection to the representative of the Russian Government paying the interest on the bonds issued under the liberty loan. We do not have to ask where that money comes from so long as we get the interest, and it is very different from what I understood the gentleman to charge that the Treasury Department was using funds actually in the Treasury for that purpose.

Mr. MASON. I do not see a bit of difference from any moral standpoint if in the hands of this man here there was $20,000,000 or $10,000,000 turned over to him to help win this war;

he is bound morally, when his Government fell, to turn that money back into the Treasury of the United States, and if it is not in the Treasury of the United States it is in his possession, and clearly, from this article, that interest is being paid with the consent of the Treasury of the United States.

Mr. LONGWORTH. That is not what the article says.

Mr. MASON. Yes; it does.

Mr. LONGWORTH. The article says the $130,000,000——

Mr. MANN. Mr. Speaker, our colleague has occupied the floor for about half an hour, and I trust he will now let us proceed.

Mr. MASON. Give me just a couple of minutes to answer this.

Mr. MANN. I know; but then there will be another one, and the gentleman can get in to-morrow on general debate for an hour.

Mr. MASON. I beg the pardon of the House for occupying so much time.

The SPEAKER pro tempore. Is there objection to considering this bill in the House as in Committee of the Whole House on the state of the Union? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That subject to the conditions therein expressed, as to length of service and honorable discharge, the provisions of sections 2304, 2305, and 2309, Revised Statutes of the United States, shall be applicable in all cases of military and naval service rendered in connection with the Mexican border operations or during the war with Germany and its allies as defined by public resolution No. 32, approved August 29, 1916 (39 Stat. L., 671), and the act approved July 28, 1917 (40 Stat. L., 248).

The committee amendments were read as follows:

Page 1, line 5, after the word "four," strike out the comma and insert the word "and."

The question was taken, and the amendment was agreed to.

Page 1, line 6, after the word "five," strike out the words "and twenty-three hundred and nine."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

Mr. FRENCH. Mr. Speaker, I move to reconsider the vote by which the bill was passed and to lay that motion on the table.

Mr. MANN. Mr. Speaker, I object. Gentlemen ought not to go down in front within a few feet of the desk, where we can not hear them.

The SPEAKER pro tempore. The gentleman from Idaho moves to reconsider and lay that motion on the table. Is there objection? [After a pause.] The Chair hears none.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to extend my remarks briefly on this particular bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

BRIDGE AND DAM ACROSS THE MAHONING RIVER, OHIO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 12995) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Youngstown Sheet & Tube Co., its successors and assigns, to construct, operate, and maintain a combined bridge and dam and approaches thereto across the Mahoning River at a point suitable to the interests of navigation at or near the town of Struthers, county of Mahoning, State of Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendments were read, as follows:

Page 2, line 3, after the word "fix," insert a colon and the following: "*Provided,* That no dam constructed under the consent hereby granted shall be used to develop water power nor to generate electricity."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SNOOK, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE MAHONING RIVER, OHIO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 12996), granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Youngstown Sheet & Tube Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto for carrying water lines, electric transmission lines, etc., at a point suitable to the interest of navigation at or near the town of East Youngstown, county of Mahoning, State of Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendment was read, as follows:

Page 1, line 7, after the word "forth," insert the words "across the Mahoning River."

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SNOOK, a motion to reconsider the vote by which the bill was passed was laid on the table

BRIDGE ACROSS THE MAHONING RIVER, OHIO.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 12997) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Youngstown Sheet & Tube Co., its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mahoning River at a point suitable to the interests of navigation at or near the town of East Youngstown, county of Mahoning, State of Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. SNOOK, a motion to reconsider the vote by which the bill was passed was laid on the table.

METALLIFEROUS MINERALS ON INDIAN RESERVATIONS.

Mr. HAYDEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 385) authorizing the mining of metalliferous minerals on Indian reservations as amended by the House Committee on Indian Affairs.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

Be it enacted, etc., That the Secretary of the Interior be, and hereby is, authorized and empowered, under general regulations to be fixed by him and under such terms and conditions as he may prescribe, not inconsistent with the terms of this act, to lease to citizens of the United States or to any association of such persons or to any corporation organized under the laws of the United States or of any State or Territory thereof, any part of the unallotted lands within any Indian reservation within the States of Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Washington, or Wyoming, heretofore withdrawn from entry under the mining laws for the purpose of mining for deposits of gold, silver, copper, and other valuable metalliferous minerals, which leases shall be irrevocable, except as herein provided, but which may be declared null and void upon breach of any of their terms.

SEC. 2. That after the passage and approval of this act, unallotted lands, or such portion thereof as the Secretary of the Interior shall determine, within Indian reservations heretofore withheld from disposition under the mining laws may be declared by the Secretary of the Interior to be subject to exploration for the discovery of deposits of gold, silver, copper, and other valuable metalliferous minerals by citizens of the United States, and after such declaration mining claims may be located by such citizens in the same manner as mining claims are located under the mining laws of the United States: *Provided,* That the locators of all such mining claims, or their heirs, successors, or assigns, shall have a preference right to apply to the Secretary of the Interior for a lease, under the terms and conditions of this act, within one year after the date of the location of any mining claim, and any such locator who shall fail to apply for a lease within one year from the date of location shall forfeit all rights to such mining claim: *Provided further,* That duplicate copies of the location notice shall be filed within 60 days with the superintendent in charge of the reservation on which the mining claim is located, and that application for a lease under this act may be filed with such superintendent for transmission through official channels to the Secretary of the Interior: *And provided further,* That lands containing springs, water holes, or other bodies of water needed or used by the Indians for watering live stock, irrigation, or water-power purposes shall not be designated by the Secretary of the Interior as subject to entry under this act.

SEC. 3. That leases under this act shall be for a period of 30 years, with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Secretary of the Interior, unless otherwise provided by law at the time of the expiration of such periods: *Provided,*

That the lessee may, in the discretion of the Secretary of the Interior, be permitted at any time to make written relinquishment of all rights under such a lease and upon acceptance thereof be thereby relieved of all future obligations under said lease.

SEC. 4. That in addition to areas of mineral land to be included in leases under this act the Secretary of the Interior, in his discretion, may grant to the lessee the right to use, during the life of the lease, a tract of unoccupied land, not exceeding 80 acres in area, for camp sites, milling, smelting, and refining works, and for other purposes connected with and necessary to the proper development and use of the deposits covered by the lease.

SEC. 5. That the Secretary of the Interior, in his discretion, in making any lease under this act, may reserve to the United States the right to lease, sell, or otherwise dispose of the surface of the lands embraced within such lease under existing law or laws hereafter enacted, in so far as said surface is not necessary for use of the lessee in extracting and removing the deposits therein: *Provided*, That the said Secretary, during the life of the lease, is hereby authorized to issue such permits for easements herein provided to be reserved.

SEC. 6. That any successor in interest or assignee of any lease granted under this act, whether by voluntary transfer, judicial sale, foreclosure sale, or otherwise, shall be subject to all the conditions of the approval under which such rights are held and also subject to all the provisions and conditions of this act to the same extent as though such successor or assign were the original lessee hereunder.

SEC. 7. That any lease granted under this act may be forfeited and canceled by appropriate proceedings in the United States district court for the district in which said property or some part thereof is situated whenever the lessee, after reasonable notice in writing, as prescribed in the lease, shall fail to comply with the terms of this act or with such conditions not inconsistent herewith as may be specifically recited in the lease.

SEC. 8. That for the privilege of mining or extracting the mineral deposits in the ground covered by the lease the lessee shall pay to the United States, for the benefit of the Indians, a royalty which shall not be less than 5 per cent of the net value of the output of the minerals at the mine, due and payable at the end of each month succeeding that of the extraction of the minerals from the mine, and an annual rental, payable at the date of such lease and annually thereafter on the area covered by such lease, at the rate of 25 cents per acre for the first calendar year thereafter; 50 cents per acre for the second, third, fourth, and fifth years, respectively; and $1 per acre for each and every year thereafter during the continuance of the lease, except that such rental for any year shall be credited against the royalties as they accrue for that year.

SEC. 9. That in addition to the payment of the royalties and rentals as herein provided the lessee shall expend annually not less than $100 in development work for each mining claim located or leased in the same manner as an annual expenditure for labor or improvements is required to be made under the mining laws of the United States: *Provided*, That the lessee shall also agree to pay all damages occasioned by reason of his mining operations to the land or allotment of any Indian or to the crops or improvements thereon: *And provided further*, That no timber shall be cut upon the reservation by the lessee except after first obtaining a permit from the superintendent of the reservation and upon payment of the fair value thereof.

SEC. 10. That the Secretary of the Interior is hereby authorized to examine the books and accounts of lessees, and to require them to submit statements, representations, or reports, including information as to cost of mining, all of which statements, representations, or reports so required shall be upon oath, unless otherwise specified, and in such form and upon such blanks as the Secretary of the Interior may require; and any person making any false statement, representation, or report under oath shall be subject to punishment as for perjury.

SEC. 11. That all moneys received from royalties and rentals under the provisions of this act shall be deposited in the Treasury of the United States to the credit of the Indians belonging and having tribal rights on the reservation where the leased land is located, which moneys shall be at all times subject to appropriation by Congress for their benefit, unless otherwise provided by treaty or agreement ratified by Congress: *Provided*, That such moneys shall be subject to the laws authorizing the pro rata distribution of Indian tribal funds.

SEC. 12. That the Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations not inconsistent with this act as may be necessary and proper for the protection of the interests of the Indians and for the purpose of carrying the provisions of this act into full force and effect: *Provided*, That nothing in this act shall be construed or held to affect the right of the State or other local authority to exercise any rights which they may have to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee.

SEC. 13. That mining locations, under the terms of this act, may be made on unallotted lands within Indian reservations by Indians who have heretofore or may hereafter be declared by the Secretary of the Interior to be competent to manage their own affairs; and the said Secretary is hereby authorized and empowered to lease such lands to such Indians in accordance with the provisions of this act: *Provided*, That the Secretary of the Interior be, and he is hereby, authorized to permit other Indians to make locations and obtain leases under the provisions of this act, under such rules and regulations as he may prescribe in regard to the working, developing, disposition, and selling of the products, and the disposition of the proceeds thereof of any such mine by such Indians.

SEC. 14. That hereafter no public lands of the United States shall be withdrawn by Executive order, proclamation, or othewise for or as an Indian reservation except by act of Congress.

The SPEAKER. Is a second demanded?

Mr. MANN. Mr. Speaker, I demand a second.

Mr. HAYDEN. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. The gentleman asks unanimous consent that a second may be considered as ordered. Is there objection? [After a pause.] The Chair hears none. The gentleman from Arizona [Mr. HAYDEN] is entitled to 20 minutes and the gentleman from Illinois [Mr. MANN] to 20 minutes.

Mr. HAYDEN. Mr. Speaker, this is a bill authorizing mining for metalliferous minerals on Indian reservations. It is made up of applicable sections taken from the coal, oil, and gas and coal-leasing bills and the water-power bills which have passed this House three times. The bill as originally introduced in the last Congress applied solely to the State of Arizona. It was referred to the Department of the Interior for report, and on the Secretary's recommendation was amended to include all of the United States, and in that form it passed this House. The Secretary further suggested that the bill should be amended to provide that only reservations or such parts of reservations as he might designate should be opened to entry for mining purposes, so that whether mining is to be permitted on any reservation or any part thereof under this act depends entirely upon the discretion of the Secretary of the Interior. The Secretary also suggested in his report the minimum royalty be raised from 2 to 5 per cent, and that was done by your committee. The last suggestion made in this Congress was that the receipts from royalties and rentals be subject to pro rata distribution to Indians entitled thereto. That amendment has been made. So every amendment suggested by the department is incorporated in this bill.

Furthermore, this bill has been considered by the Board of Indian Commissioners, consisting of 10 members appointed by the President to advise as to Indian affairs. At their suggestion is was amended, in section 2, to provide that lands containing springs, water holes, or water-power sites shall not be subject to entry under this act. Also, in section 9, to the effect that if the land of any allottee is damaged by mining operations compensation shall be paid. A third change, made at the suggestion of this board, is found in section 11, which was amended to provide that all funds received under the provisions of this act shall be subject to appropriation by Congress for the benefit of the Indians concerned rather than for their support, education, and civilization. The Board of Indian Commissioners suggested these three changes, which were adopted.

The bill was then taken up with the Indian Rights' Association, another group of friends of the Indians. They thought that competent Indians should be given the same privilege to conduct mining operations as citizens of the United States, and you will find that section 13 of this act authorizes the Secretary of the Interior to issue leases to Indians who are competent to manage their own affairs the same as to citizens. Incompetent Indians may also mine, but the proceeds remain under the control of the Department of the Interior. So, as the bill now stands, it has passed the scrutiny of every recognized friend or guardian of the Indians. The amendments suggested by them have been adopted and are now incorporated in the act.

As I said before, this measure passed the House by unanimous consent in the last Congress, went to the Senate, and failed of passage owing to a fillibuster against other legislation in the closing hours of the session. This bill has passed the Senate, and I sincerely trust that favorable action will be taken on it to-day by the House.

If any gentleman has any questions to ask about any provision of this bill, I shall be glad to tell him where it originated and all about it.

Mr. WALSH. Will the gentleman yield?

Mr. HAYDEN. Certainly.

Mr. WALSH. On page 3 of the report it says:

> Owing to the present demand for metals for war purposes, this is a most opportune time for the passage of a measure of this character.

That was June 29, 1918. Now, I assume the gentleman will agree that the present demand for metals for war purposes is less than it was at the time that report was written.

Mr. HAYDEN. There is no question about that.

Mr. WALSH. Then, if that argument is out of the way, what other reason is there for taking up the time of Congress at this particular hour, in the closing days of the session, in an attempt to enact this legislation? Is it going to financially benefit the Indians and add to their tribal funds?

Mr. HAYDEN. Beyond a doubt the Indians will be benefited. It is well known that on many Indian reservations there are deposits of metalliferous minerals, which, if permitted to be mined, would produce a revenue that would be deposited in the Treasury as tribal funds and used for the benefit of the Indians. As the case stands now, no mining of any kind whatsoever can be done on any executive-order Indian reservation. There is no law of any sort whereby the Secretary of the Interior can permit mining on any Indian reservation of such a character. The only place where the mineral resources of the Indian lands have been developed is in Oklahoma, where special acts have been passed by Congress to permit coal, oil, and gas leases.

Mr. WALSH. Is it a fact that these Indians have been so comfortably situated that they do not care to engage in this work themselves?

Mr. HAYDEN. It is simply lack of ability. Mining is a highly developed art, which requires scientific knowledge, which

the Indians do not possess, not to speak of the capital necessary for such enterprises.

Mr. WALSH. Well, I suppose if it were to be a profitable venture they might be able to employ somebody to show them how to do it, and have it done under their own supervision.

Mr. HAYDEN. As provided in the last section, Indians, under this act, can locate mining claims, and if they have the money to hire miners to do the work they are at liberty to do so.

Mr. WALSH. Yes; he is at liberty to do it, unless the department would take it into its head to leave 19,551,000 acres to the Anaconda Copper Co., and in that case the Indians in the gentleman's district would not have very much chance to engage in this mining business on their own account.

Mr. HAYDEN. There is not the least likelihood of anything like that happening.

Mr. WALSH. They would have to lease these various acres containing these deposits to somebody who will be willing to operate it.

Mr. HAYDEN. There is no argument about that.

Mr. WALSH. And I do not suppose the wheat farmers in the gentleman's district will be leasing mining lands and attempting to gather gold and other minerals from the soil. They will probably be leased to people who have a little knowledge of this highly technical science of extracting these things from the earth. Is it not likely that these lands will be leased to large mining interests?

Mr. HAYDEN. I have no doubt but that large mining interests will attempt to obtain leases. The gentleman must remember that it usually takes a great deal of capital to develop mining properties, particularly copper mines. The chief concern of the Indians, however, is that use is made by somebody of the undeveloped mineral resources of their reservations and that a proper royalty is paid for the privilege of mining thereon.

Mr. WALSH. I suppose some of these mining interests have nearly as much money as are in these tribal funds belonging to the Indians.

Mr. COOPER of Wisconsin. Mr. Speaker, I want to ask the gentleman from Arizona a question. What provision is there in the bill which would require the lessees—these large interests, of which the gentleman himself has spoken—to develop the land or give it up? And what is the period of limitation? Otherwise there is going to be a grabbing of that Indian land, possibly, and then sitting down and doing nothing with it except with such portions as they please.

Mr. HAYDEN. The same provision is made here as is in the coal, oil, and gas leasing bill, which is that when the mines are not being worked the lessee must pay an annual rental for the land covered by the lease. This is in the nature of a penalty for failure to operate the mines.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. HAYDEN. With pleasure.

Mr. STAFFORD. We all know that there are mining propositions on these Indian lands that are of great value. But some of them are more or less of a lottery. Has it ever been considered practicable from an industrial standpoint to have the terms for operating the mines based upon competitive bidding?

Mr. HAYDEN. This bill provides that the Secretary of the Interior must collect a minimum royalty of 5 per cent of the net value of the minerals at the mine. He may make it as much higher as he pleases.

Mr. CARTER of Oklahoma. It has been the policy in the handling of the mining claims in the Indian Bureau and in the Interior Department in the past not to submit the leasing to competitive bids, but we always submit the sales of the minerals to competitive bids.

Mr. STAFFORD. This bill provides for the development of the mining property by individuals or mining companies. It is not intended to sell the land.

Mr. CARTER of Oklahoma. No sales are included in this bill.

Mr. STAFFORD. As I understand from the reading of the bill, there is no sale, but it is intended to grant an absolute right to an individual or corporation to do the prospecting and to develop the mineral resources on the unallotted land.

Mr. CARTER of Oklahoma. That is a correct statement.

Mr. HAYDEN. The title to the leased lands remains in the United States.

Mr. STAFFORD. The title is transferred to the lessee.

Mr. HAYDEN. Not at all. He has no title to the land.

Mr. STAFFORD. But the title to the product is in the lessee after he mines the property.

Mr. CARTER of Oklahoma. For the time the lease runs.

Mr. STAFFORD. Then it is a perpetual lease. At least the lessee has the right of renewal at the expiration of the term.

Mr. CARTER of Oklahoma. Upon reasonable terms to be prescribed by the Secretary of the Interior.

Mr. STAFFORD. Yes; upon reasonable terms to be prescribed by the Secretary.

Mr. HAYDEN. Mr. Speaker, I reserve the balance of my time.

Mr. MANN. Mr. Speaker, how much time does the gentleman from Arizona reserve?

The SPEAKER. He reserves nine minutes.

EXTENSION OF REMARKS.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to revise and extend the remarks that I made this morning on the Military Academy bill.

The SPEAKER. The gentleman from Kansas asks unanimous consent to revise and extend his remarks on the Military Academy bill. Is there objection?

There was no objection.

METALLIFEROUS MINERALS ON INDIAN RESERVATIONS.

Mr. MANN. Mr. Speaker, the bill now pending on the motion to suspend the rules and pass it is a bill to authorize mining on the unallotted lands in Indian reservations. We have now in the country left, I believe—I do not know how many Indian reservations. I would like to ask the gentleman from Arizona if he knows how many Indian reservations there are where there is unallotted land?

Mr. HAYDEN. In the States that this act applies to——

Mr. MANN. Can not the gentleman tell me how many there are?

Mr. HAYDEN. I do not believe anybody can.

Mr. MANN. I know the number stated in the report.

Mr. CARTER of Oklahoma. I doubt very much, Mr. Speaker, if anybody could give that information to the gentleman.

Mr. MANN. If I were on the Committee on Indian Affairs I would be able to give it to any Member of the House in one second, and I think the gentleman will be next year. Ask the department to tell. They know.

There are about 30,000,000 acres, so the report says, of these unallotted lands in Indian reservations. All the rest of the country is open to the people to explore for mining, either by the people who own the land or, if it is public land, anybody can go and explore for mining and file a mining claim. But there is little land left in the possession of the Indians; just a little land, 30,000,000 acres, only a small amount compared with the total amount in the country.

There is now pending before Congress a bill asking Congress to reimburse the people who have gone out West and started mining claims, to get these metals that are referred to in this report, because they said they did it out of patriotic motives as a war measure, and that it cost them money. Now, they want Congress to pay them the money back. And at the same minute the same class of men want leave to run all over the unallotted lands in Indian reservations. I understand that the Indians do not have many rights and never have had in this country. But they ought to have a few rights still guaranteed to them. Here is an Indian reservation with unallotted lands, where the Indians keep their cattle and their horses, and we appropriate every year large sums of money to help them stock these unallotted lands. Yet it is proposed to let Tom, Dick, and Harry, and anybody else in the country who wants to, walk in on these unallotted lands and explore for minerals. Of course, everybody knows that if you have got a wheat field and you permit anybody who pleases to go into the wheat field to explore, you will not have any wheat left, but you will have a row with the people, and everybody who knows anything about the situation knows that if you allow Tom, Dick, and Harry to walk in on these Indian reservations where the Indians are herding their stock, there will be a continuous row of some kind between the invaders and the Indian owners. It is human nature. It can not be avoided.

Gentlemen say, "Oh, well; but the Indians ought not to be permitted to own a piece of ground with minerals beneath the surface which the white people can not get at and use." After all, gentlemen, the world will still be wagging after you and I are gone. All the minerals in the world are not designed to be used by the present generation. There will be need of these minerals when our grandchildren and their descendants are yet coming along, and those who think that we ought to utilize every particle of mineral resources to-day are mistaken. We ought not to do that.

Now, everyone knows you can not provide for the doing of this thing without trouble. This bill has been pending around here a long time. It is a very important measure. A gentleman moves to suspend the rules and pass it. It came up the

other day on a request to pass it by unanimous consent. I objected. A bill of this sort, if it is to be passed under any conditions, ought to be passed after careful consideration and properly safeguarded. It gives to any citizen of the United States, or to any association of such persons, or to any corporation organized under the United States or any State or Territory thereof, the right to go on any of these unallotted lands, and if they make or claim to make a discovery of minerals, then they are given a part of the surface of the land to carry on mining operations. I do not think we can afford at this late stage in our dealings with the Indians to rob them of what they have left or to encourage or incite trouble in their midst. We are asked every year to appropriate a considerable sum of money to keep liquor away from the Indians. Well, the Government of the United States is going on a prohibition basis, and I am in favor of enforcing the prohibition law; but everyone knows that whisky is one of the easiest things in the world to make. It does not take very much of an outfit to make whisky, and there will be whisky made in the Indian territories or near them for many years to come. We will appropriate a large sum of money on the one hand to keep whisky away from Indians, and this bill proposes to invite every kind of a white man to walk in upon the unallotted lands of the Indians and, if he can do it without being caught, to furnish whisky to the Indians. Under this bill he can go in legally. At the present time he can not go in legally. It is his business to keep off of that land. But if you pass this bill you make it proper for him to go in. If you catch him selling liquor to Indians you punish him, perhaps; or, I take it, under the new constitutional provision, if you catch him with whisky at all you can punish him. But you have got to catch him. Meanwhile the Indians get the whisky.

I reserve the balance of my time.

The SPEAKER. The gentleman reserves 11 minutes.

Mr. HAYDEN. Mr. Speaker, in reply to the gentleman from Illinois [Mr. MANN], permit me to say that evidently he has not very carefully read the provisions of this bill, because it has been specifically amended to provide that prospecting and exploration for minerals may be made only on such reservations or parts of reservations as may be designated by the Secretary of the Interior.

Mr. MANN. I am perfectly well aware of that provision. This grants authority to the Secretary of the Interior to throw open the unallotted lands on all Indian reservations, and I assume that that may be done.

Mr. HAYDEN. On the contrary, at the Secretary's suggestion, the bill has been amended so as to forbid unauthorized mining. Secretary Lane said in his report on this bill:

> The latter amendment is suggested for the reason that there may be cases where the opening of all lands within a given Indian reservation to exploration and prospecting would be destructive of the rights and interests of the Indians or inadvisable from the standpoint of public policy, and the proposed amendment gives some discretion to the officers of the United States in that connection.

The gentleman from Illinois also states that the passage of this act may encourage the sale of liquor to the Indians, because it will give to anyone the right to go upon these unallotted lands. Let me say to the gentleman that in all my experience I never knew of anyone who was required to obtain a permit in order to enter an Indian reservation. People travel through them and across them every day in the year, so that this act will not in any way add to the present facilities for intercourse with the Indians and will not in the slightest degree make it easier to introduce intoxicating liquors into the Indian country.

Now I yield three minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER of Oklahoma. Mr. Speaker, there are three kinds of Indian reservations—what is known as the fee reservation, the treaty reservation, and the Executive order reservation. A fee reservation is that to which the Indians own the title of the land in fee. A treaty reservation is one where the title to the land is vouchsafed to them by treaty provision. An Executive order reservation is one created by Executive order of the President of the United States, the Indians being placed upon it and holding their title by the grace of the Government. This bill applies principally to Executive order reservations. In some cases where there are no provisions now for mining this may extend the right to treaty reservations; but the point I wish to make is that practically all the reservations in the State of Oklahoma are either fee reservations or treaty reservations. Therefore this bill does not apply to the State I have the honor to represent, and Oklahoma is not enumerated among those States affected by this measure. In the light of these conditions, I hope I may speak without selfish interest and purely in the interest of the Indian.

This bill provides that these lands may be leased by the Secretary of the Interior under rules and regulations to be prescribed by him at a royalty of not less than 5 per cent of the net value of the minerals. It further provides for a penalty of 25 to 50 cents and $1 per acre in case the mineral is not mined for a certain length of time—or that is the effect of it. I am interested in the measure purely from the standpoint of the Indians, because in a great many reservations the Indians think they have minerals in their lands that they want mined, so that the royalties can be collected and given to them for the purpose of improving their allotments while they live. I sympathize with the conservation ideas of my friend from Illinois, but I think the present generation, whether white or Indian, have some rights to the treasures in the bosom of mother earth.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. CARTER of Oklahoma. I will.

Mr. COOPER of Wisconsin. What does the gentleman mean by "net value"?

Mr. CARTER of Oklahoma. That would mean the value after the expenses of mining are taken out.

Mr. COOPER of Wisconsin. The Government of the United States in the original Pacific railroad matter had an agreement by which it was to get so much of the net revenue, but there was never any net revenue. They manipulated the expenses so that the Government did not get anything. The net cost could be manipulated so that the Government or the Indians would be defrauded.

Mr. HAYDEN. The bill provides that there shall be a minimum royalty of 5 per cent and as much more as possible. In this the "net value" set forth in this bill, as commonly understood in the mining industry, means the value of the ore after deducting the cost of mining and transportation. I took up the matter with the Geological Survey and the Department of the Interior, and they said that that was the customary form of a mining lease, and there would be no difficulty in it.

Mr. CARTER of Oklahoma. I call the attention of the gentleman to section 10, which gives to the Secretary of the Interior the right to examine the books of the lessees and investigate their accounts. This should be sufficient guaranty of an accurate accounting, and other provisions require prompt payment, with proper penalties. This same plan has been thoroughly tested in leasing of Choctaw and Chickasaw coal lands in Oklahoma. It has worked very successfully and beneficially to the Indians, and very little complaint has been made concerning nonpayment of royalties for coal mined. The Pacific railroad matter was such a loose arrangement that it does not present a parallel case.

Mr. MANN. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. WALSH].

Mr. WALSH. Mr. Speaker, will the gentleman from Arizona, who expressed a willingness to answer questions, state how the term was arrived at by which these leases are to run—30 years?

Mr. HAYDEN. When I originally introduced the bill I followed the form of the water-power bill and made the term of the lease 50 years. In the last Congress there was objection in the House by the gentleman from Wisconsin [Mr. STAFFORD], and after we talked it over he offered an amendment reducing the term to 30 years.

Mr. WALSH. Then it was the idea of the gentleman from Wisconsin?

Mr. HAYDEN. His motion was adopted by the House.

Mr. STAFFORD. I am surprised that the gentleman from Massachusetts does not recollect the incident. It was suggested that 50 years was too long for a lease to run to the individual developer before the Secretary of the Interior had a right to revise the royalty. My judgment was 20 years, but when we came to consider the trouble the developer would be put to and the large amount invested, we thought 30 years was a fair term to permit the development of the property.

Mr. WALSH. Does the gentleman from Wisconsin recall that the language in the bill which passed the House with reference to the length of time was identical with the language in this measure?

Mr. STAFFORD. I think the term was 30 years.

Mr. WALSH. Yes; but this term is not 30 years; it is 300 years. It provides that the lessees can request an extension of 10 years upon reasonable terms and get it. I do not think that was the language in the other bill.

Mr. HAYDEN. That was the exact language of the bill which passed this House in the last Congress.

Mr. WALSH. What is the idea of fixing any term at all?

Mr. HAYDEN. My own preference would be that the leases should be for indeterminate periods, subject to revision at stated intervals by the Secretary of the Interior, but the House has adopted the plan provided in this bill.

Mr. WALSH. The gentleman is familiar with the lands and mining operations. I notice that they omitted the great State of Idaho and the State of Oregon and they were put in by amendment. What is the idea of giving them 80 acres additional to the land where the minerals are?

Mr. HAYDEN. That provision is copied from the potash law, approved in October, 1917. Oregon and Idaho have been included in this bill at the request of the Representatives from those States.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Mr. Speaker, will the gentleman from Illinois yield to me?

Mr. MANN. I yield the gentleman one minute more.

Mr. WALSH. Can the gentleman state what the idea is of giving them 80 acres in addition to that land where the minerals are?

Mr. HAYDEN Suppose that a stamp mill was needed to crush the ore. It is necessary to have the use of some of the surface of the ground upon which to locate it. Very frequently ores are given treatment near the mines and it is necessary to have buildings for that purpose. It sometimes happens that the mine is located on a mountain side where it is impossible to erect buildings, and the ore must be transported by a tram, or in some other way, down to where the buildings can be located.

Mr. WALSH. That would be sufficient to put up a considerable mill.

Mr. HAYDEN. The Secretary of the Interior does not have to grant the right to use the full 80 acres. That is a maximum limit.

Mr. WALSH. That is quite a large limit, it seems to me. They could build a mill large enough on 10 acres, could they not? You are not only taking this land away for 30 years, where the minerals are, but you take 80 acres somewhere else, probably the most valuable land these poor Indians may have for grazing or for agriculture or something else, and turn it over for a mill.

Mr. HAYDEN. Mr. Speaker, I am quite positive that the gentleman from Massachusetts never saw a mining camp or surely he would not have made that statement.

Mr. WALSH. Oh, yes; I have seen them in the gentleman's own country.

The SPEAKER pro tempore (Mr. CRISP). The time of the gentleman from Massachusetts has again expired.

Mr. MANN. Mr. Speaker, there are a great many things in this bill that ought to be carefully explained, and it ought to be amended if it is to be passed at all, although I do not think that it ought to pass at all.

Mr. HAYDEN. Mr. Speaker, may I suggest to the gentleman from Illinois that two years ago he was present on the floor of the House when this bill came up for consideration. He did not then object. He has had every opportunity to offer all of the amendments that could possibly be presented, but he then permitted the bill to pass by unanimous consent. I am frank to say that I am very much surprised to find any objection upon his part now. He has had ample time to consider this legislation and I——

Mr. MANN. Mr. Speaker, I objected the other day. I remember the bill. I objected to this bill several times in former Congresses.

Mr. HAYDEN. Oh, the gentleman is mistaken.

Mr. MANN. And the gentleman knows that I did.

Mr. HAYDEN. The gentleman will fail to find anywhere in the CONGRESSIONAL RECORD where he ever objected to the consideration of this bill except two weeks ago to-day. I have kept close track of this legislation and I know what I am talking about.

Mr. MANN. The gentleman is mistaken. In the closing hours of a Congress, with plenty of other work to do, I did not object to the passage of this bill in the House, knowing that it was as dead as a doornail, whether it passed through that door going that way or whether it passed through this door going up to the Clerk's room.

Mr. HAYDEN. This legislation was not considered in the closing hours of a Congress. The bill passed the House on the 4th day of September, 1916. There was plenty of time to consider it in the Senate. The bill was promptly reported to the Senate, but because of an unfortunate filibuster against the shipping bill it did not become a law.

Mr. MANN. The bill was dead. This is an old bill. My recollection is fairly good about these things. The gentleman has been trying to pass this bill for a good while. Somebody with a greedy eye looked over some of the Indian land allotted in Arizona and desired to have authority to mine upon that land, and the bill as originally introduced did not apply to any part of the country except Arizona, if I recollect rightly. Is not that correct?

Mr. HAYDEN. Yes; and at the request of the Interior Department it was amended to cover the whole country.

Mr. MANN. Oh, yes; the Interior Department was not inclined to favor the bill in the first instance, and I regret that Members of Congress go up to the Secretary of the Interior or to the Commissioner of Lands and persuade him to favor bills which he first is inclined to oppose.

Mr. HAYDEN. Mr. Speaker, will the gentleman yield?

Mr. MANN. Does the gentleman want to use his own time?

Mr. HAYDEN. Not if the gentleman will yield.

Mr. MANN. The Interior Department, in order to let itself down easy, being utterly unable to defend the original proposition, suggested to make this bill general throughout the country, and even then did not suggest that it be applied to Idaho and Oregon. I do not know whether the gentlemen who had the greedy eye will get a chance down there or not. I do not accuse the gentleman from Arizona——

Mr. HAYDEN. I thank the gentleman.

Mr. MANN. He represents his State, and the people with the greedy eyes who go to their Representative and urge him to offer a bill, and they do not find it very hard usually to persuade him that the bill is correct, wherever he comes from. But, after all, the question is whether we will permit these Indian reservations to be invaded and thus stir up trouble, practically destroy the reservations so far as the unallotted lands are concerned, upon the provision that we pay to the Indian fund 5 per cent of the net value of the minerals. Five per cent of the net value! Why, the Government of the United States charges more than that as an income tax. The net value is arrived at after all the expenses are paid. Then you are going to get 5 per cent of that. The man who goes in and steals the land gets nineteen-twentieths of the value and the Indians who own the land get one-twentieth. It will not hurt to have this bill laid over; it will not damage anybody if he does not get on this land to-morrow. I hope the rules will not be suspended and the bill passed. I reserve the remainder of my time.

Mr. HAYDEN. Mr. Speaker, how much time is there remaining?

The SPEAKER pro tempore. The gentleman from Illinois has three minutes remaining and the gentleman from Arizona four minutes.

Mr. HAYDEN. Does the gentleman from Illinois intend to use his time?

Mr. MANN. Well, I do not know.

Mr. JOHNSON of Washington. Mr. Speaker, I would like to ask the gentleman from Arizona a question.

Mr. HAYDEN. I shall be very glad to yield to the gentleman.

Mr. JOHNSON of Washington. In the State of Washington there are a number of these reservations where the Indians have been praying that they shall receive allotments, and I was wondering if this question of minerals would impair the future chances to have lands allotted to the Indians?

Mr. HAYDEN. If there are minerals in the ground undoubtedly such lands would not be allotted, because the rule is that mineral rights are reserved for the tribe as a whole, and anything derived from the minerals goes to the credit of the tribe.

Mr. JOHNSON of Washington. The same thing applies to timber; but these Indians have had this dream held out to them, that in time, through education and otherwise, they would soon be competent to come into their own; and I am wondering whether they would be pleased to find some day when they come into their own it will all be leased. Is not that one objection?

Mr. HAYDEN. Not to this legislation, because if mines are developed the members of the tribe would probably be receiving more from the royalties than they could get from such lands in any other way.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Arizona to suspend the rules and pass the bill.

The question was taken, and the Chair announced that the Chair was in doubt.

The House again divided; and there were—ayes 22, noes 26.

The SPEAKER pro tempore. Two-thirds not having voted in favor of the motion——

Mr. HAYDEN. Mr. Speaker, I ask for tellers. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER pro tempore. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 168, nays 90, answered "present" 1, not voting 170, as follows:

YEAS—168.

Alexander	Eagle	Keating	Rayburn
Almon	Ellsworth	Kehoe	Robinson
Ashbrook	Elston	Kelly, Pa.	Romjue
Aswell	Evans	Kennedy, R. I.	Rouse
Austin	Fairchild, B. L.	Key, Ohio	Saunders, Va.
Ayres	Fairfield	Kincheloe	Scott, Iowa
Barkley	Fisher	Kinkaid	Shallenberger
Bell	Fordney	Larsen	Sherwood
Beshlin	Foster	Lazaro	Sinnott
Black	French	Lea, Cal.	Sisson
Blackmon	Fuller, Mass.	Little	Slayden
Bland, Va.	Gallagher	Littlepage	Small
Blanton	Gandy	Lonergan	Smith, Idaho
Brand	Gard	McClintic	Smith, C. B.
Burnett	Garner	McKeown	Snook
Byrnes, S. C.	Garrett, Tenn.	Madden	Snyder
Byrns, Tenn.	Glynn	Mansfield	Steagall
Candler, Miss.	Goodwin, Ark.	Martin	Stedman
Cantrill	Gordon	Mays	Stephens, Nebr.
Caraway	Gray, Ala.	Miller, Wash.	Stevenson
Carter, Okla.	Greene, Mass.	Mondell	Sumners
Cary	Hamlin	Montague	Tague
Chandler, Okla.	Hardy	Moon	Taylor, Colo.
Church	Harrison, Va.	Morgan	Thompson
Clark, Fla.	Haskell	Mott	Tillman
Classon	Hawley	Neely	Timberlake
Claypool	Hayden	Oldfield	Tinkham
Cleary	Heflin	Oliver, Ala.	Vinson
Coady	Hensley	Olney	Walton
Connally, Tex.	Hilliard	Osborne	Watkins
Connelly, Kans.	Holland	O'Shaunessy	Watson, Va.
Crisp	Hollingsworth	Overmyer	Weaver
Decker	Houston	Overstreet	Welling
Dempsey	Huddleston	Parker, N. Y.	Welty
Denton	Hull, Tenn.	Phelan	Whaley
Dickinson	Humphreys	Platt	Wheeler
Dill	Husted	Polk	Williams
Dixon	Igoe	Quin	Wilson, La.
Dominick	Jacoway	Ragsdale	Wilson, Tex.
Doolittle	James	Rainey, H. T.	Wingo
Doremus	Johnson, Ky.	Raker	Wise
Dupré	Jones	Randall	Wright

NAYS—90.

Baer	Elliott	Lehlbach	Scott, Mich.
Bland, Ind.	Essen	London	Siegel
Browning	Fairchild, G. W.	Lundeen	Slemp
Burroughs	Foss	McCulloch	Sloan
Butler	Frear	McKenzie	Smith, Mich.
Campbell, Kans.	Fuller, Ill.	Magee	Snell
Cannon	Good	Mann	Stafford
Clark, Pa.	Gould	Mapes	Stiness
Cooper, W. Va.	Graham, Ill.	Mason	Strong
Cooper, Wis.	Green, Iowa	Moore, Pa.	Sweet
Copley	Hadley	Moores, Ind.	Temple
Crago	Hamilton, Mich.	Nelson, A. P.	Tilson
Cramton	Herscy	Nichols, Mich.	Towner
Currie, Mich.	Hicks	Parker, N. J.	Vestal
Curry, Cal.	Hull, Iowa	Peters	Voigt
Dale	Johnson, Wash.	Powers	Volstead
Dallinger	Juul	Purnell	Walsh
Davis	Kiess, Pa.	Ramsey	Ward
Denison	King	Ramseyer	Watson, Pa.
Dillon	Knutson	Rodenberg	White, Me.
Dowell	Kraus	Rogers	Wood, Ind.
Dunn	Lampert	Rose	
Dyer	Langley	Sanders, Ind.	

ANSWERED "PRESENT"—1.

Reavis

NOT VOTING—170.

Anderson	Edmonds	Johnson, S. Dak.	Porter
Anthony	Emerson	Kahn	Pou
Bacharach	Esch	Kearns	Pratt
Bankhead	Estopinal	Kelley, Mich.	Price
Barnhart	Farr	Kennedy, Iowa	Rainey, J. W.
Beakes	Ferris	Kettner	Rankin
Benson	Fess	Kitchin	Reed
Birch	Fields	Kreider	Riordan
Booher	Flood	La Follette	Roberts
Borland	Flynn	LaGuardia	Rowe
Bowers	Focht	Lee, Ga.	Rowland
Britten	Francis	Lesher	Rubey
Brodbeck	Freeman	Lever	Rucker
Browne	Gallivan	Linthicum	Russell
Brumbaugh	Garland	Lobeck	Sabath
Buchanan	Garrett, Tex.	Longworth	Sanders, La.
Caldwell	Gillett	Lufkin	Sanders, N. Y.
Campbell, Pa.	Godwin, N. C.	Lunn	Sanford
Carew	Goodall	McAndrews	Schall
Carlin	Graham, Pa.	McArthur	Scully
Carter, Mass.	Gray, N. J.	McCormick	Sears
Chandler, N. Y.	Greene, Vt.	McFadden	Sells
Collier	Gregg	McKinley	Shackleford
Cooper, Ohio	Griest	McLaughlin, Mich.	Sherley
Costello	Griffin	McLaughlin, Pa.	Shouse
Cox	Hamill	McLemore	Sims
Crosser	Hamilton, N. Y.	Maher	Smith, T. F.
Darrow	Harrison, Miss.	Merritt	Steele
Davey	Hastings	Miller, Minn.	Steenerson
Delaney	Haugen	Morin	Stephens, Miss.
Dent	Hayes	Mudd	Sterling
Dewalt	Heaton	Nelson, J. M.	Sullivan
Dies	Heintz	Nicholls, S. C.	Swift
Donovan	Helm	Nolan	Switzer
Dooling	Helvering	Norton	Taylor, Ark.
Doughton	Hood	Oliver, N. Y.	Templeton
Drane	Howard	Padgett	Thomas
Drukker	Hutchinson	Paige	Treadway
Eagan	Ireland	Park	Van Dyke
Vare	Wason	Winslow	Young, Tex.
Venable	Webb	Woods, Iowa	Zihlman
Waldow	White, Ohio	Woodyard	
Walker	Wilson, Ill.	Young, N. Dak.	

So, two-thirds not having voted in favor thereof, the motion to suspend the rules was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. SIMS with Mr. ESCH.
Mr. BOOHER with Mr. TREADWAY.
Mr. ESTOPINAL with Mr. EMERSON.
Mr. HELM with Mr. LUFKIN.
Mr. CARAWAY with Mr. BROWNE.
Mr. CAREW with Mr. GOODALL.
Mr. BRUMBAUGH with Mr. COSTELLO.
Mr. SULLIVAN with Mr. LAGUARDIA.
Mr. NICHOLLS of South Carolina with Mr. GARLAND.
Mr. DONOVAN with Mr. HAMILTON of New York.
Mr. SCULLY with Mr. BACHARACH.
Mr. HARRISON of Mississippi with Mr. REAVIS.
Mr. WHITE of Ohio with Mr. NORTON.
Mr. POU with Mr. WOODYARD.
Mr. HASTINGS with Mr. WINSLOW.
Mr. MCANDREWS with Mr. MCKINLEY.
Mr. BUCHANAN with Mr. HUTCHINSON.
Mr. JOHN W. RAINEY with Mr. WASON.
Mr. YOUNG of Texas with Mr. ANDERSON.
Mr. RUBEY with Mr. WARD.
Mr. LEVER with Mr. HAUGEN.
Mr. LEE of Georgia with Mr. MCLAUGHLIN of Michigan.
Mr. BENSON with Mr. KEARNS.
Mr. CALDWELL with Mr. BIRCH.
Mr. DEWALT with Mr. BOWERS.
Mr. DOOLING with Mr. DARROW.
Mr. DOUGHTON with Mr. EDMONDS.
Mr. DRANE with Mr. GRAHAM of Pennsylvania.
Mr. EAGAN with Mr. GRIEST.
Mr. GALLIVAN with Mr. HAYES.
Mr. GRIFFIN with Mr. IRELAND.
Mr. HAMILL with Mr. KREIDER.
Mr. DENT with Mr. KAHN.
Mr. KETTNER with Mr. MCARTHUR.
Mr. LESHER with Mr. MCFADDEN.
Mr. LOBECK with Mr. MERRITT.
Mr. LINTHICUM with Mr. MUDD.
Mr. LUNN with Mr. PAIGE.
Mr. MAHER with Mr. REED.
Mr. OLIVER of New York with Mr. ROWE.
Mr. PADGETT with Mr. ROWLAND.
Mr. PARK with Mr. SANDERS of New York.
Mr. PRICE with Mr. SANFORD.
Mr. RIORDAN with Mr. SELLS.
Mr. SANDERS of Louisiana with Mr. SWIFT.
Mr. SABATH with Mr. SWITZER.
Mr. SEARS with Mr. VARE.
Mr. THOMAS F. SMITH with Mr. WILSON of Illinois.
Mr. STEELE with Mr. YOUNG of North Dakota.
Mr. WEBB with Mr. ZIHLMAN.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

LEAVE OF ABSENCE.

Mr. DAVEY, by unanimous consent, was granted leave of absence for five days on account of death in family.

LATE SENATOR HUSTING.

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. COOPER of Wisconsin. I move that Sunday, February 23, be set aside as a day for the delivery of addresses on the life, character, and public services of the late Senator PAUL HUSTING, of Wisconsin.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that Sunday, February 23, 1919, be set apart for eulogies on Senator HUSTING. Is there objection? [After a pause.] The Chair hears none.

THE RUSSIAN LOAN.

Mr. PHELAN. Mr. Speaker, I ask unanimous consent to speak for 10 minutes relative to the Russian loan.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to proceed for not more than 10 minutes on the subject of the Russian loan. Is there objection?

Mr. KNUTSON. Reserving the right to object, I would like to know from what source the gentleman has his information?

Mr. PHELAN. From the Treasury Department. It is from the Assistant Secretary, Mr. Rathbone, to whom the Secretary referred me.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. PHELAN. Mr. Speaker, there have been some statements made this afternoon relative to our dealings with Russia on the matter of credits extended by this Government to that country. I shall not undertake to rehearse what they are, because they were made here on this floor this afternoon. All I desire to do is to make a simple statement of fact and show some incontrovertible facts.

By act of Congress of April 24, 1917, and by subsequent acts, this Government was authorized to advance credits to certain foreign countries among our cobelligerents. Acting under those acts, the President approved loans to Russia to an amount of $325,000,000. When he gave that approval he simply indicated that he was willing that such credit should be granted. We did not give the Russian Government the right to get that money, but there had to be a further act by the Secretary of the Treasury. The Secretary of the Treasury, in pursuance of the power given him, made arrangements whereby $187,720,750 was advanced to Russia. Every single dollar of that money was advanced prior to December 1, 1917. That is over a year ago. Not one cent has been advanced by this Government to anybody connected with Russia, representing the Russian Government, out of the credits authorized, according to my statement just made.

There was a balance left of $137,270,250, which might be loaned to Russia, but the Secretary of the Treasury never has loaned any of that money, and Russia is not entitled to one cent of it until the Secretary of the Treasury says that Russia may get it. The last advance made to Russia was on November 15. 1917.

I said a moment ago that no payment was made after December 1, 1917, but I now have the exact date. The last advance made to Russia was November 15, 1917. The amount of that advance was $1,329,750, and on that same date we received a trifle more than that in interest due us.

Mr. DILLON. Will the gentleman yield to me for a brief question?

Mr. PHELAN. I can not yield now.

Mr. DILLON. I wanted to know who paid the interest.

Mr. PHELAN. That is not material, so long as it was paid by somebody representing the Russian Government.

Mr. DILLON. I think it is material to know who paid the interest on this loan.

The SPEAKER. The gentleman from Massachusetts [Mr. PHELAN] declines to yield.

Mr. PHELAN. What I am stating are facts, and not subject to controversy.

Now, in November, 1917, when the so-called Kerensky government came to grief in Russia, this Government, through its Treasury Department, made arrangements with those who were representing what had been the government in Russia whereby they promised to use what funds they had on hand to pay the Americans to whom they owed money. As a result of that agreement practically all, if not all, of the claims of Americans against Russian contractors and others have been liquidated. I mean contracts for war supplies.

That, briefly, sets forth the situation. Therefore there never could have been paid out of our Treasury anything to anybody after November 15, 1917, relative to this matter, and nobody in any way could have obtained and nobody has obtained anything from our Treasury Department to pay any of the recent indebtedness due on any of the bonds previously put out by the Russian Government.

Mr. DILLON. Now will the gentleman yield to me?

Mr. PHELAN. I will be glad to.

Mr. DILLON. Will the gentleman tell the House who paid the interest upon that loan?

Mr. PHELAN. I presume the official representatives of the Russian Government paid it.

Mr. DILLON. Can the gentleman be more definite? I saw a statement in the papers that the interest on the loan we made to Russia had been paid. I want to know specifically who paid it.

Mr. PHELAN. What interest do you refer to?

Mr. DILLON. Interest upon the loan.

Mr. PHELAN. There are several interest dates. What payment are you talking about?

Mr. DILLON. The interest due on those loans.

Mr. PHELAN. From time to time?

Mr. DILLON. Yes.

Mr. PHELAN. Recently it has been paid, I presume, by those representing the old Kerensky government.

Mr. DILLON. That is what I wanted to know.

Mr. PHELAN. I am not certain of that, but I presume it has.

Mr. MANN and Mr. MASON rose.

The SPEAKER. Does the gentleman yield, and to whom?

Mr. PHELAN. I will yield to the gentleman from Illinois [Mr. MANN].

Mr. MANN. I think that the gentleman from Massachusetts [Mr. PHELAN] was not here when the question arose this afternoon, because he has not replied at all to what I understood was the charge. I understood it was charged that when the Kerensky government in Russia fell the agents of that government here had in their possession a large amount of money, which had been advanced by the United States to Russia; that the Treasury Department insisted that that money should be used in America to pay contractors and others; and that among the others who were paid were the men who held the interest coupons on the Russian bonds; and that, in effect, the Government of the United States had advanced money to Russia for which it has yet received no security, then in the hands of the Kerensky government here; and that that money was applied by the direction of, or with the consent of, the Treasury Department to pay the interest on Russian bonds. Now, I do not say whether that is an offense or not, but I think we ought to know whether those are the facts or not.

Mr. WINGO. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. WINGO. I would like to ask the gentleman from Illinois if the statement made by the gentleman from Illinois [Mr. MASON] did not consist of reading a newspaper article with reference to the payment of interest on January 10?

Mr. MASON. January 17 of this year; January 17, 1919.

Mr. WINGO. In other words, I understand the gentleman from Illinois [Mr. MASON] read an article which charged, inferentially at least, that the United States Treasury had been drawn upon on the 10th day of last month to pay interest on $50,000,000 of Russian bonds issued before we got into the war.

Mr. MANN. I did not so understand it. The gentleman may know.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. MANN. And the question still remains unanswered.

Mr. MASON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts may have five minutes further.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the gentleman from Massachusetts have five minutes more. Is there objection?

There was no objection.

Mr. MASON. All I want is just to know the facts. If the Treasury Department could furnish you this—they have had several days since I made the original charge, and I made the charge at that time upon information, stating frankly to the House that I had no way of proving the statement except newspaper reports.

Mr. PHELAN. Did the gentleman ask the Treasury for information subsequent to that?

Mr. MASON. Only in that way.

Mr. PHELAN. Then, you have made the statement again without asking the Treasury authorities to furnish the facts?

Mr. MASON. I have made the statement and demanded to know the truth, and I expected you or some other gentleman representing the administration upon the Committee on Banking and Currency to give me the information within the last 10 days.

Mr. PHELAN. What is the information you want?

Mr. MASON. I want to know if it is not true and has not the Secretary of the Treasury stated before your committee that they loaned this money? Did they not turn over to the credit of the Kerensky agent here $187,000,000?

Mr. PHELAN. Approximately that, to the provisional government.

Mr. MASON. Now, I think this newspaper editorial is susceptible of two constructions. You read it in one way and it sounds as though the money to pay the interest came out of the Treasury of the United States direct, but I think the spirit of the article charges that the agent of the Kerensky government had this money left over in his possession, the $187,000,000. That was drawn from the Treasury. It was deposited somewhere, God only knows where. There has been no answer to that proposition.

Mr. PHELAN. Probably those who deposited the money know as well as God knows where they deposited it.

Mr. MASON. But they are in the same position with God as to telling. They will not tell, and neither will He, and you can not find out. [Laughter.]

Mr. PHELAN. I am not specially interested in that; but come to the point. What is it you want to know?

Mr. MASON. I want to know if it is not true, as stated by this article, that the interest on this $50,000,000 of bonds that was held by the National City Bank of New York was paid on the 17th of January as stated——

Mr. PHELAN. What year?

Mr. MASON. This year, last month; January of this year. These bonds, drawing 6½ per cent interest, were sold on the market at 48 cents, and then this payment of interest of 6½ per cent was made. I ask you to state now whether you know or not that that interest was paid out of the money held by the Russian agent in this country, with the approval and consent of the Secretary of the Treasury. That is what I want to know.

Mr. PHELAN. I will answer the question. I simply wanted to wait until I got the question developed.

I will say first of all that I think the inference might well be taken from the newspaper article and the gentleman's remarks that subsequent to November, 1917, money in the United States Treasury had been paid out to meet these interest obligations referred to. That was one reason I gave particular attention to the date on which the last payment was made. Now, to come to the gentleman's question, I think I can answer most of it if I can not answer all.

After the fall of the Kerensky government there were left in the hands of Bakhmeteff and some of the other representatives of this government certain balances, unquestionably, of funds which had been advanced by this country to Russia.

Mr. MASON. Yes.

Mr. PHELAN. I may disagree with the gentleman in this respect, and probably do, but I think the money was properly advanced to Russia at that time.

Mr. MASON. I am not questioning that.

Mr. PHELAN. In addition to that, our Government, as I stated, provided very carefully that, first of all, those contractors to whom that Government owed money or to whom it was under obligations should be paid. So they had the balance of the money advanced by this Government, and they also had in a fund money obtained from the sale of goods and merchandise of various kinds which they had contracted for and obtained the title to, and, in addition, they had funds received from private sources, perhaps some of their own funds, perhaps from money that had been advanced by Great Britain, because Great Britain had advanced considerable to Russia before we started in. But, at any rate, they had a certain amount of money from various sources, undoubtedly including some that we had advanced. Now, our Government, as I say, required that they should pay our American contractors. Whether or not at that time they required that they should pay the interest on bonds held by people in this country issued by the Russian Government prior to the time when we advanced that credit to them I can not say for certain, but I think they might very well have done so.

Mr. MASON. But you have no knowledge on that?

Mr. PHELAN. I have no knowledge that there was any understanding upon the part of our Treasury Department that they should do it. I have an understanding that our Treasury Department, so far as it could, endeavored in every way possible, and I think properly, to provide for those to whom the Russian Government owed money in this country.

The SPEAKER. The time of the gentleman has again expired.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the gentleman may have five minutes more.

The SPEAKER. The gentleman from Ohio asks that the time of the gentleman from Massachusetts be extended five minutes. Is there objection?

There was no objection.

Mr. LONGWORTH. The inference to be drawn from the remarks of the gentleman from Illinois [Mr. MASON], and certainly from the article he read, was that this Government having authorized a loan of $300,000,000, in round numbers, to the Russian Government, and having advanced, in round numbers, $187,000,000, that the balance, about $130,000,000, now in the United States Treasury, was being used to pay the interest on bonds heretofore, and before we went into the war, issued by the Russian Government. I want to ask the gentleman whether he will not deny that that is the fact.

Mr. PHELAN. Certainly. I drew the inference from it myself, and therefore I was actuated to stand here and make the statement. It may be that some other interpretation can be given to the article and a different interpretation given to the remarks of the gentleman from Illinois, but I think that was the inference that the average man would make from that statement. I am not sure that on the part of somebody—I make no charges against the gentleman from Illinois [Mr. MASON]—that that was intended to be the inference.

Mr. PLATT. Will the gentleman yield?

Mr. PHELAN. I yield to the gentleman from New York.

Mr. PLATT. Was not this about what happened in regard to the funds that the Russian representatives have had since then? There was at the fall of the Kerensky government a large number of outstanding contracts made by the Russian Government, partly on the credit which the United States had advanced and partly on the credit which Great Britain had advanced.

Mr. PHELAN. That is true.

Mr. PLATT. And a large part of the contracts had been fulfilled—that is, locomotives had been built and were ready to send over, and also war supplies. Our Government required the Russian representatives to settle up all those contracts, and in settling them there was a large number of supplies nearly paid for which they had to sell, and by selling them they received a considerable fund; and that money has been used in paying the obligations to contractors, and perhaps it may be interest on bonds.

Mr. PHELAN. Yes; I will say in addition that the War Department and other departments have received some merchandise intended for Russia. It has been turned over and used by us in the war, and incidentally to help us win the war. I will say further that these very representatives, Mr. Bakhmeteff and others, have rented vessels to our Emergency Fleet or the Shipping Board, I do not know which, which have been used, and the rent has been paid, and that rent has gone into that fund.

Mr. LONGWORTH. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. LONGWORTH. The interest on our loan to Russia is being paid regularly?

Mr. PHELAN. Yes; the last payment was due the 15th of November, 1918. Most of that has been paid, and our Government could have collected every cent if it had so desired, because there is plenty at hand which they can get if they desire to get it, but our Government did not feel like crowding them as long as they had plenty of merchandise here when that merchandise may be, and probably is now, available, for the people of Russia need it badly.

Mr. LONGWORTH. Is that being paid out of any fund of the United States Treasury?

Mr. PHELAN. No, indeed.

Mr. LONGWORTH. That is the only question.

The SPEAKER. The time of the gentleman from Massachusetts has again expired.

Mr. PHELAN. Mr. Speaker, I ask for five minutes more.

The SPEAKER. The gentleman from Massachusetts asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. SLOAN. Will the gentleman yield?

Mr. PHELAN. Yes.

Mr. SLOAN. There was an authorization for a loan of $300,000,000 and out of that $187,000,000 was actually loaned. The Secretary of the Treasury exercised his supervisory control over the disposition of this money even to saying that it would be used for war-winning purposes.

Mr. PHELAN. What authority has the gentleman for that statement?

Mr. SLOAN. Nothing except the statement of the Secretary of the Treasury of the United States. [Laughter.]

Mr. PHELAN. That is pretty nearly the best authority a man can get. I had understood it differently. I understood in many cases the money had been loaned to the cobelligerents with the understanding that the money was going to be used in some way in connection with the war, but that there were no strings tied to it, no inspector appointed to see that they carried out that purpose. It was handed over for the general purpose of winning the war.

Mr. SLOAN. The large purpose was to pay for munitions, materials, food, and so forth.

I do not find that there is any particular controversy here except the one question whether out of that money which is under the control of Bakhmeteff that was loaned to his government and under control, whether out of that there had recently been paid the interest upon the loans that were made to Russia by citizens of the United States before we entered the war. I am not putting any adverse construction on that fact, but I think the House would like to know whether or not that money which has been in the hands of Bakhmeteff, who was the custodian of money loaned by the United States, had been used for these private bonds and not the obligations of the United States.

Mr. PHELAN. The gentleman wants to know whether or not money which has been advanced by this Government to Russia has been used in any part to pay the interest upon bonds previously put out by Russia.

Mr. SLOAN. Yes; referred to by the gentleman from Illinois [Mr. MASON].

Mr. PHELAN. It is almost impossible for anyone to say what money is used for a particular purpose when there is a fund made up of money derived from very many different sources, so I do not think anybody can say that money that we loaned to Russia has actually been paid out to pay the interest on some other bonds; but it is a fact—and I think this will answer the gentleman's question—that out of a fund among which are moneys advanced by this Government there has been money paid to holders of bonds previously put out by the Russian Government. Does that answer the gentleman's question?

Mr. SLOAN. Yes.

Mr. PHELAN. I want to say just one other thing in regard to the point raised by the gentleman from Ohio [Mr. LONGWORTH], and that is this, that you must keep in mind in connection with the payment of the bonds referred to, which were put out by the Russian Government before we extended credit to them, that those men had a valid claim, and that they easily by a law process could have tied up large amounts of merchandise owned by that provisional government or to which it had title, and we might have been worse off, if that had been done, looking simply at the Government's point of view and nothing else, than if the interest had not been paid on these bonds. In the second place, if we are going to be paid back this money by Russia—I do not know what the situation is going to be in the future—I presume the bonds put out to private bondholders while Russia was a government and before we extended any credit to her are going to be paid. So that it does not make any particular difference how this thing is handled in that respect; but the fact is—and this is the salient point of the whole thing—that since November, 1917, our Government has advanced nothing to Russia nor to anyone representing Russia.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. KNUTSON. Is the gentleman in a position to inform this House who the principal Russian bondholders are in this country?

Mr. PHELAN. No, I am not; and I am not interested to know.

Mr. SAUNDERS of Virginia. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. SAUNDERS of Virginia. I just want to see if I have gotten the situation entirely clear in my mind. As I understand from the gentleman's statement, out of the $187,000,000 advanced to Russia as represented by Bakhmeteff, there were certain residuary balances remaining after the payment the gentleman mentioned, and then that the Russian Government, as represented by Bakhmeteff, had other funds in its hands, obtained from other sources.

Mr. PHELAN. Yes.

Mr. SAUNDERS of Virginia. And out of this aggregate, part itself of the residuum of balances of the $187,000,000, the Russian Government, represented by Bakhmeteff, has paid interest upon the money owed by that Government to the United States, and on money owed by that Government to certain private individuals in the United States.

Mr. PHELAN. Out of the general fund held by them.

Mr. HUDDLESTON. Mr. Speaker, will the gentleman yield?

Mr. PHELAN. Yes.

Mr. HUDDLESTON. There is a very extensive anti-Bolsheviki propaganda being carried on in this country by a purported Russian committee. It is charged that this committee is being financed by the former Kerensky agent, Bakhmeteff, and his associates. Is the gentleman in a position to advise us whether this propaganda is being carried on with money that the United States Government loaned to the Kerensky government?

Mr. PHELAN. No; I can not answer that question, and I really think that is outside of the present purpose here.

Mr. HUDDLESTON. Does the gentleman know whether this propaganda is being financed by Bakhmeteff and his associates?

Mr. PHELAN. I am not in a position to say that there is such a propaganda.

Mr. HUDDLESTON. Does it not come to the gentleman's table, does he not see it?

Mr. PHELAN. I do not care to go into a discussion of that kind of thing, because I think it has nothing to do with this question. It is a question as to whether or not our Government is acting right through its administrative branches. I have stated here that the Treasury Department had acted absolutely right in this whole matter, and the inferences which might be drawn and I think have been drawn, which I think were reasonable to draw, have been incorrect, due to an incorrect statement.

Mr. HUDDLESTON. Does not the gentleman think that the American people would like to know whether the propaganda among them is being carried on at their own expense?

Mr. PHELAN. I do not care to go into that. I think that is entirely outside of the question.

The SPEAKER. The time of the gentleman has again expired.

Mr. MASON. Mr. Speaker, I ask unanimous consent to proceed for five minutes out of order.

Mr. CHARLES B. SMITH. Mr. Speaker, reserving the right to object, this is unanimous-consent day, and I would like to know how long discussion is going to proceed. We have not done very much on the Unanimous Consent Calendar thus far to-day.

Mr. STAFFORD. The time has been largely taken up by suspension of the rules.

The SPEAKER. Is there objection to the request of the gentleman from Illinois that he proceed for five minutes? [After a pause.] The Chair hears none.

Mr. MASON. Mr. Speaker, there seems to be some misunderstanding. I asked this question some days ago. I stated that I had no proof; that I was asking for information. I stated that same thing again this morning and have asked for that information. Now, the gentleman rises and gives what information he has, and I am very much obliged to him, but he does not know and no Member of Congress knows. One gentleman upon this side of the Chamber, who is a member of the committee, said that the Secretary of the Treasury told him that the money held by this man with the unpronounceable name, Bakhmeteff, that that gentleman holds this money, but that the Secretary of the Treasury holds a supervision over it, and that is what this article charges, that this money, 6½ per cent, was paid upon bonds which were selling at 48 cents and that some bankers in New York did know it and some of them did not know it. No one has answered that question.

Mr. WINGO. Will the gentleman yield?

Mr. MASON. I will be glad to do so.

Mr. WINGO. Does the gentleman charge on information that the recent payment on those bonds was made out of the United States Treasury?

Mr. MASON. I have not made any statement of that kind. I remarked that this paper—it is confirmed—stated that it was made out of money in the hands of this man who held United States money and that it was made with the consent of the Treasury Department. If the gentleman was on the floor this morning——

Mr. WINGO. I was on the floor and heard the gentleman. Will the gentleman yield again?

Mr. MASON. Yes; of course. If the gentleman can answer my question, I will answer his if I can.

Mr. WINGO. The gentleman read the article and I will read a short paragraph from it.

It is understood that there is still a balance in the United States Treasury of about $130,000,000 granted to Russia and never used after the fall of the Kerensky government. The payment of coupons on Russia's obligations in this country, it is said, comes from this fund, and it is understood that the sanction of the Treasury has to be obtained for each payment.

Does the gentleman say that that statement is true?

Mr. MASON. No; I do not know anything about it. I am exactly in the position the gentleman is on the other branch of the case. I do not know and you——

Mr. WINGO. I do know.

Mr. MASON. The gentleman does not know whether the money which was paid by this individual on the 17th of January comes out of the fund; the gentleman does not know, and if he does why does not he say so?

Mr. WINGO. Whenever I get a chance I am going to do so.

Mr. MASON. The gentleman can have the chance out of my time. According to the paper and according to the statement made by the gentleman from Nebraska the Government of the United States holds a supervision over the money of the United States in the hands of this Russian agent. Now, I do not charge anything; I am only stating what is charged by this newspaper.

Mr. PHELAN. Will the gentleman yield?

Mr. MASON. Certainly.

Mr. PHELAN. Does the gentleman think this Government should have attempted to interfere to prevent Bakhmeteff or his associates from paying the interest of the bonds to which he referred in his speech this afternoon?

Mr. MASON. Yes; if they are paying them out of our money that he got out of the sale of the notes which we sold him. I say it was an immoral and unconscionable act, and he ought to have returned the money, when his Government failed, back into the United States Treasury. When he paid it out he did have the leading strings of the Treasury loosened with him.

Mr. WINGO. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WINGO. I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. In the article the gentleman from Illinois [Mr. MASON] read, and which by reading he gave credence to, because he said he did not make inquiry at the Treasury as to whether or not it was correct, contains these two statements:

It is understood that there is still a balance in the United States Treasury of about $130,000,000 granted to Russia and never used after the fall of the Kerensky government. The payment of coupons on Russia's obligations in this country, it is said, comes from this fund, and it is undestood that the sanction of the Treasury has to be obtained for each payment. * * * Bankers who have been following this situation closely predict that inasmuch as the United States Government has seen fit to pay interest out of the balance of the Russian funds it still has on hand, it will not decline to pay the principal on the bonds when due, out of the same fund.

Mr. LONGWORTH. Will the gentleman yield? Is not that a direct charge that this money belongs to the United States?

Mr. WINGO. Mr. Speaker, the man who wrote that article intended to charge—and if the gentleman from Illinois did not intend to give that charge circulation and credence on this floor I can not understand his object—that as late as January, 1919, the Treasury of the United States advanced the money to pay the interest then due on Russian bonds sold in this country before we entered the war and now held by individuals and corporations. That charge is false, and the gentleman from Illinois, if he had taken the pains to phone the Treasury Department, could have known it was false, because not one single dollar has been paid to Bakhmeteff or any other representative of the Russian Government since November 15, 1917.

Now, the article is misleading in that it suggests—and the gentleman from Illinois [Mr. MASON] is either misled or he is misleading when he suggests—that the United States Treasury has supervision over a certain balance that Bakhmeteff has in the United States Treasury. He has no balance. The truth about that $137,000,000 is this: Proceeding under the act of April, 1917, the President made an order authorizing the Secretary of the Treasury to grant credits to Russia to the extent of $325,000,000. What did that mean? It meant that the Secretary of the Treasury could grant credits to Russia without consulting the President up to $325,000,000. Now, acting upon that authority, prior to November 16, 1917, the Secretary of the Treasury did advance to the Russian Government $187,000,000 for the purpose of purchasing in this country war supplies for the Russian Army, at that time fighting Germany. That left what? It left $137,000,000 in the Treasury for Bakhmeteff? No. It left a balance authorization from the President to the Secretary of the Treasury, but Bakhmeteff has no claim upon that fund, and that fund was not drawn upon by him last month to pay the interest on the Russian bonds as charged.

Mr. ELSTON. Not only that, but were not bonds of the Russion Government delivered to us for the loans or credits we advanced to it?

Mr. WINGO. Yes; we received Russian bonds for $187,000,000, as the act of Congress required.

There are some other facts. At the time the Kerensky government failed, in 1917, Bakhmeteff and the Russian representatives had other funds besides this $187,000,000, which, as a matter of fact, I believe had already been paid out here to those furnishing supplies to the Russian Army. I will not make the assertion upon the authority of the Secretary of the Treasury, but I will make it upon the authority of the common report that was current at the time, that these advances, amounting to $187,000,000, were not made to Bakhmeteff to be kept by him and put in the bank but were advanced for war supplies being furnished to the Russian Government; but when the Kerensky government failed Bakhmeteff did have funds on hand. Made up of what? From loans made to the Government by Great Britain, by way of credits in New York. He also had balances on hand, possibly from the proceeds of other bond issues that had been sold in the United States. Now, what happened? When the Kerensky government failed the Secretary of the Treasury refused to advance any more money to Russia. In addition to that, the Secretary of the Treasury said to Mr. Bakhmeteff and the Russian representatives, "You have gone to the people of this country, to the manufacturers, and you have obtained war supplies, and contracted for the manufacture of war supplies—did that upon the credit they knew you had in the Treasury of the United States. Now, you pay for this material." Bakhmeteff paid for that material or the balances due thereon. He took that material over. Some of it subsequently he turned over to the War Department of the United States, and it was used by us. Other of that material he sold——

Mr. MANN. Paid for by us.

Mr. WINGO. Paid for by us? These materials may have been partly paid for out of the credits we extended in 1917 or they may have been paid for out of other funds of the Russian Government held in this country and procured from loans made to it by Great Britain or out of funds derived from sale of Russian bonds to individuals in this country. But from whatever source the funds were obtained with which to pay for these supplies, they belonged to Russia, and Russia's representative, who had paid for them and had them in his possession, had a right to sell them, which he did. Now, the fact that he used the proceeds of the sale of these supplies in the payment of interest on Russian bonds held in this country is not a fact upon which you can base the charge that the Secretary of the Treasury made such payment.

The fact that can not be controverted is that not one dollar has been paid out of the Treasury on Russian account since November 15, 1917, and that fact could have been ascertained by the gentleman from Illinois [Mr. MASON] had he made inquiry at the Treasury instead of repeating upon this floor the baseless charge contained in the article he read and in support of which he admits he has no proof. The charge made in that article is false, and viciously so. [Applause.]

The SPEAKER. The time of the gentleman from Arkansas has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Speaker, I do not know whether it makes any difference whether the interest on the bonds of Russia was paid out of the United States Treasury or some other fund. It may have been a perfectly proper transaction. But what are the facts? The Secretary of the Treasury advanced $187,000,000 to the agent of the Russian Government here, with some strings tied to it. It was understood and agreed that that money should be expended, at least in the main, in the United States in the payment of bills for war supplies.

Mr. HULL of Tennessee. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Tennessee?

Mr. MANN. I do not yield unless I get more time.

The SPEAKER. The gentleman declines to yield.

Mr. HULL of Tennessee. I want to call the attention of the gentleman to the fact that——

The SPEAKER. The gentleman declines to yield.

Mr. MANN. Well, I will yield to the gentleman.

Mr. HULL of Tennessee. The gentleman from Nebraska is usually accurate, but I think the Secretary of the Treasury will not show that he undertook to tie strings to the loan.

Mr. MANN. I did not make my statement on the strength of what the gentleman from Nebraska said. If the Secretary of the Treasury was not a plumb d——d fool he did not advance millions of money to the agents of these foreign governments without taking any security and without knowing anything about what was to be done with the money. [Applause.] The gentleman can take either horn of the dilemma he wishes to. If the Secretary of the Treasury had any sense and any desire to protect the United States, he would either have taken Government securities for the money advanced or would have provided—and probably would have provided anyhow—that the money should be used for the purchase of or payment for war materials.

However, that is not so material to what I want to get at. The money was advanced. The Kerensky government in Russia fell; the original Czar's government fell. When the Kerensky government fell it is said—I do not know with how much truth—it is said that the Kerensky agent here, Bakhmeteff or somebody else, still had in his possession a large amount of the money that had been advanced by the United States. The United States had not received Russian bonds in accordance with the law providing for Russian advances, but the Secretary of the Treasury, it is stated, had taken demand notes, notes due on demand, for the money that was advanced, of the agents here of the Russian Government which

had fallen; and, knowing that the Russian Government had fallen, so far as the agents here are concerned, and it is said knowing that the agents still possessed the money advanced by the United States, instead of demanding the return of that money on these demand notes, he authorized the payment of it as interest on the bonds.

Now, I do not know whether that is so or not, but I fail to discover any difference in principle between that and the payment of the money out of the Treasury of the United States.

Mr. MASON. That is the point exactly.

Mr. MANN. It was money which belonged to us, for which we had not yet received any proper security. It would have been paid to us on demand. If we did not demand it and authorized its payment as interest, I do not say that is an improper transaction, but it is the same thing as though we had paid it out of the balance of $325,000,000.

Mr. PLATT. Mr. Speaker, will the gentleman yield?

Mr. MANN. Yes.

Mr. PLATT. I may say to the gentleman that very little money was passed. It was simply credits, and they still owed a lot of it to our manufacturers.

Mr. MANN. That does not matter. My colleague did not say that the money was paid out of the Treasury. The gentleman from Ohio [Mr. LONGWORTH] tried to make him say it.

Mr. LONGWORTH. What does the gentleman mean by that statement?

Mr. MANN. I mean that is the fact.

Mr. LONGWORTH. "The gentleman from Ohio" did not make any such statement. The gentleman only asked a question of the gentleman.

Mr. MANN. I am not criticizing the gentleman from Ohio. The gentleman from Ohio tried to make my colleague [Mr. MASON] say that this article stated it was paid out of the Treasury of the United States. Maybe that is what the article stated. I did not listen to the article, but my colleague said he did not so understand it.

Mr. LONGWORTH. The article as quoted by the gentleman, as I said, made that plain inference, and I asked him if it did not.

Mr. MANN. That is what the gentleman said, and my colleague said he did not so understand it.

Mr. LONGWORTH. I did not try to make him say it.

Mr. MANN. The gentleman repeated his question several times.

Mr. LONGWORTH. The gentleman from Illinois has no right to say that I attempted to make his colleague say something he did not want to say.

Mr. MANN. I have not said that you did.

UNITED STATES DISTRICT ATTORNEY FOR RHODE ISLAND.

Mr. O'SHAUNESSY. Will the Speaker recognize me to make a motion to suspend the rules?

The SPEAKER. If the gentleman will make his motion, the Chair will recognize him.

Mr. O'SHAUNESSY. I move to discharge the Judiciary Committee from further consideration of the bill (S. 2116) to increase the salary of the United States district attorney for the district of Rhode Island, to suspend the rules, and pass the bill.

The SPEAKER. The gentleman from Rhode Island moves to discharge the Judiciary Committee from the further consideration of S. 2116, suspend the rules, and pass the bill.

Mr. WALSH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WALSH. Does the gentleman want to pass the bill as amended or as originally introduced?

The SPEAKER. The Chair has no information about that.

Mr. WALSH. Well, the House ought to know what it will be called upon to vote upon.

The SPEAKER. It will when the bill is read.

Mr. WALSH. The Chair stated the motion of the gentleman from Rhode Island?

The SPEAKER. Of course the Chair stated the motion. What else could the Chair do.

Mr. WALSH. I am propounding a parliamentary inquiry——

The SPEAKER. The gentleman will state it.

Mr. WALSH. As to whether that motion comprehends passing the bill as originally drafted or as reported by the committee with an amendment?

The SPEAKER. It will be whatever the Clerk reads. The rule when a motion is made to suspend the rules is that whatever is read from the Clerk's desk is the matter to be voted upon. Now, if any gentleman has an amendment to this bill, it will be read as a part of the bill to start on.

Mr. WALSH. That is an answer to the inquiry that I propounded.

The SPEAKER. Nobody is offering any amendment which the Chair has heard of.

Mr. CRISP. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRISP. An amendment is not in order and can not be offered on a motion to suspend the rules?

The SPEAKER. You can read an amendment into the bill when it is first read.

Mr. CRISP. Of course you can; but the Chair said "if any gentleman has an amendment to the bill"——

The SPEAKER. Nobody has sent up any amendment to be read. The Clerk will read the bill.

The bill was read, as follows:

Be it enacted, etc., That from and after the passage of this act the salary of the United States district attorney for the district of Rhode Island shall be at the rate of $3,500 a year.

The SPEAKER. Is a second demanded?

Mr. WALSH. I demand a second.

Mr. O'SHAUNESSY. I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Rhode Island [Mr. O'SHAUNESSY] has 20 minutes and the gentleman from Massachusetts [Mr. WALSH] has 20 minutes.

Mr. O'SHAUNESSY. Mr. Speaker and gentlemen of the House, in the Sixty-fourth Congress this bill as introduced called for the raising of the salary of the district attorney of Rhode Island to $5,000 a year. The Attorney General's office, I believe, at that time recommended $3,000, and the United States judge for the district of Rhode Island recommended $4,000. The committee brought in a recommendation for $3,500. That bill passed this House, raising the salary of the district attorney of Rhode Island from $2,500 to $3,500 a year. It went over to the Senate, and there it failed to pass because of a filibuster, conducted, I believe, by the Senator from Wisconsin. The same measure is now before us again. I have tried ineffectually several times to secure its passage.

I do not wish to take up the time of the House in justifying an increase of the salary of the district attorney for Rhode Island from $2,500 to $3,500 a year. I merely say in justification that a couple of weeks ago a bill was passed in this House to increase the salary of the district attorney for the district of Connecticut to $4,500 a year, although he now gets the same salary as the district attorney for the district of Rhode Island, $2,500 a year.

Mr. GORDON. What is the reason for this special legislation to raise the salary of a district attorney?

Mr. O'SHAUNESSY. The neglect of the United States in taking cognizance of its underpaid officials.

Mr. GORDON. But is there anything peculiar with reference to your constituent which makes his case one that ought to be taken out of the general rule?

Mr. O'SHAUNESSY. Everybody in Rhode Island feels that this man is worth more than the common laborer, and the carpenter gets $70 a week in my State.

Mr. GORDON. Was this man drafted?

Mr. O'SHAUNESSY. No; he is over age.

Mr. GORDON. Oh, I mean was he drafted into this position? [Laughter.]

Mr. O'SHAUNESSY. Yes; he was drafted by the Democratic Party, and he has done very good service. Mr. Speaker, I reserve the balance of my time.

Mr. WALSH. Mr. Speaker, I doubt the propriety of picking out one district attorney at this particular time and providing for an increase of his salary under a suspension of the rules. I know the gentleman from Rhode Island has been most earnest and persistent in his efforts to secure favorable consideration of this measure. I doubt not that the gentleman to be benefited is a most worthy official, but we are approaching the close of the last days of the session of what will be known as the war Congress, and I do not believe that the American people will want to see us take up the closing hours in suspending the rules to pass legislation increasing salaries of Government officials. I think we have sufficient to do to pass the regular appropriation bills, and in addition to that to enact legislation to take care of the soldier boys that are coming back from the other side and seeing that they do not become destitute or in want, and that we provide some plan for this purpose to put into execution. [Applause.]

This bill seeks to pick out a district attorney of the State of Rhode Island and raise his salary from $2,500 to $3,500. The gentleman from Rhode Island says that there are sufficient reasons why this should be done, because some few weeks ago

the district attorney of the neighboring State of Connecticut was successful, through some means or other, without the necessity of suspending the rules, in getting an increase from $2,500 to $4,000. These salaries may be inadequate, but if they are there are thousands of others throughout the country that are inadequate. They have raised the salaries of judges, and now we must go down the ladder a step and raise the salaries of the district attorneys. Next we must go down and take United States marshals, and I believe there is a measure pending for the clerks of courts, the bailiffs, and other officials.

My objection to this bill is based on the fact that this is no time to engage in the increase of salaries. We have a revenue bill coming in now in a few days that I hope will provide sufficient revenue to run the Government. If we do not get it in here pretty soon, if we are going to suspend the rules and pass bills increasing salaries, by the time the revenue bill gets in and put on its final passage it will be so many laps behind that required by the Government to pay the increase of salaries that we will think we have not passed any revenue bill at all. Mr. Speaker, I yield five minutes to the gentleman from Nebraska [Mr. SLOAN].

Mr. SLOAN. Mr. Speaker, a few moments ago I submitted a question to the gentleman from Massachusetts [Mr. PHELAN] in reference to the bond and interest paying controversy had on the floor this afternoon. I quoted an authority which he challenged, and the question was afterwards raised by the gentleman from Tennessee as to the accuracy of my statement. The gentleman from Illinois [Mr. MASON] in his hurried statement seemed to have understood that I had talked with the Secretary of the Treasury about the Russian loan. I feared that I might be misunderstood. What I did refer to was the statement of the Secretary of the Treasury in answer to the questions put to him from both sides of the Ways and Means Committee table as to how he would dispose of the money that would be loaned to the various countries and how the credits should be disposed of which were to be loaned to these European countries. I should not regard myself a fit member of that committee if I did not insist on knowing how that money was to be disposed of, because we did not want the gold or other forms of money taken out of the country. Why, the amount now loaned is more than 50 per cent more than the sum total of all the money in the United States at this time. We wanted it to insure payment of American bills and to be used in winning the war. And so questions propounded from every side of the table demanded to know what safeguards would be placed about this money after it was loaned to these governments that our war-winning purposes would be served. Then it was that the Secretary of the Treasury assured the committee that he would exercise such supervisory control of that money as he could, so that it would be used practically all in America to pay for munitions, food, and on other American bills. If necessary, some gold should be allowed to go to Europe, and some did go to Europe, we were then informed. I want to say right here that if we had not had that assurance, I would not have voted for these loans to those countries. I take it that the Secretary of the Treasury was living up to his high duties and responsibilities when he assumed control, so far as he could, over the expenditure of this money so loaned. I have no doubt that, living up to his high duty and responsibility as he saw them, he could not fail to do with respect to the Russian loan, when the collapse of that Government came, what he did with all the other loans to the governments understood to be solvent.

I make this statement simply to have the RECORD straight. I do not state it with a purpose of criticizing the use of this money for the payment of the interest upon the loans made by this Government to Russia, nor the interest upon the other loans that Russia floated through private channels before we entered the war, because it may have been the best kind of judgment to do so, and I do not assume to criticize it favorably or unfavorably. I shall draw no conclusion till I know the important fact which I sought to elicit and others properly related thereto. I endeavored by my question submitted to the gentleman from Massachusetts [Mr. PHELAN] to get at the real question. That was the question whether the money that had been furnished to the Kerensky government, through Bekhmeteff, was used in the payment of interest on these private prewar Russian loans. After that fact is established, it will be up for criticism, favorable or unfavorable.

Mr. PHELAN. I endeavored to answer that question, but perhaps the gentleman did not understand me. I said the interest had been paid out of a fund, and that fund was made up probably of some balances; it was made up of other credits obtained elsewhere; it was made up of funds obtained from private sources; it was made up, in part, from rents of vessels——

Mr. SLOAN. Oh, I understood the gentleman's answer.

Mr. PHELAN. And from other sources. I meant to give the gentleman the information.

Mr. SLOAN. I have no doubt that the Treasury of the United States can enlighten the people upon the substantial fact of whether or not it was largely made up of that money loaned by our Government to the Kerensky government.

Mr. GORDON. Does the gentleman know of any better use that a nation or an individual can put his money to than to pay the interest upon his debts when they are due?

Mr. SLOAN. This interest payment was on a loan not made by the Government of the United States to Russia.

Mr. GORDON. No matter who makes it.

Mr. SLOAN. Discussion of that feature was not the purpose for which I took the floor.

Mr. GORDON. Then how is it important?

Mr. SLOAN. It is important because the accuracy of my statement was questioned on the floor of this House.

Mr. GORDON. Oh, I did not understand that.

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. MOORE of Pennsylvania. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Pennsylvania makes the point of order that there is no quorum present. The Chair will count.

Mr. KITCHIN. Mr. Speaker, I hope the gentleman will reserve that for a moment.

Mr. MOORE of Pennsylvania. I understand that a number of other bills are to be called up to-night, with the expectation of a night session. Many of us have important engagements early in the morning, and if we are going to have a long session to-night, let us test the question right now.

Mr. KITCHIN. I will ask the gentleman to reserve that for a moment.

Mr. MOORE of Pennsylvania. I reserve the point of order for a moment.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Speaker, I am obliged to object to that.

The SPEAKER. The gentleman from Pennsylvania objects, and the gentleman from Pennsylvania makes the point of order that there is no quorum present. The Chair will count.

Mr. MOORE of Pennsylvania. Mr. Speaker, in view of the statements which have been made to me by gentlemen on the other side, I withdraw the point of no quorum for the present.

The SPEAKER. The gentleman withdraws the point of order.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent again that when we adjourn to-day we adjourn to meet at 11 o'clock to-morrow.

Mr. MOORE of Pennsylvania. Mr. Speaker, reserving the right to object, I would like to know how long the gentleman intends to continue to-night.

The SPEAKER. As far as the Chair is concerned, he is not going to recognize anybody else under suspension of the rules.

Mr. KITCHIN. It will not take a long time, and we——

Mr. WALSH. Mr. Speaker, reserving the right to object, how much time remains to either side?

The SPEAKER. Seventeen minutes remains to the gentleman from Rhode Island and 11 minutes to the gentleman from Massachusetts.

SEVERAL MEMBERS. Waive the time.

Mr. WALSH. We can waive the time and adjourn now, but I wish to consume some more time upon this measure. I trust the gentleman will withdraw his request until we lay this bill away. [Laughter.]

Mr. KITCHIN. Mr. Speaker, under the veiled threat of the gentleman from Massachusetts, I reckon I had just as well withdraw it.

Mr. WALSH. I assure the gentleman I did not intend to convey any threat.

Mr. KITCHIN. If I do not withdraw, will the gentleman from Massachusetts object?

Mr. WALSH. No; I will not object.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow? [After a pause.] The Chair hears none. The gentleman from Massachusetts is recognized for 11 minutes.

Mr. WALSH. Mr. Speaker, I would like to ask the gentleman from Rhode Island if he will tell me, if this increase of

salary be accorded, if the incumbent of this office intends to devote his entire time to the duties of the office?

Mr. O'SHAUNESSY. He devotes his entire time now.

Mr. WALSH. The report does not say so. The report says, or the report evidently complained, or, rather, states in a complaining manner, that the district attorney is compelled to devote practically his entire time to the duties of his office, and because he is compelled to do that he must necessarily have an increase of salary to $3,500. Now, I would like to ask the gentleman from Rhode Island, if this increase be granted, if he will then dispense with giving some of the Government's time to his private business and the Government can secure his entire time?

Mr. O'SHAUNESSY. I do not think he gives any of his time to any clients; and I think I could ask the gentleman from Massachusetts if he knows anybody who performs work of that character in Massachusetts who gets these beggarly wages?

Mr. WALSH. Well, I will say to the gentleman, while the report is very meager in its information as to the character of the work done, I think we have gentlemen in Massachusetts who are performing similar duties to those performed by this distinguished official, whom the report says is compelled to devote practically his entire time to the duties of his office, who are getting substantially the same salary—practically the same salary—which is not adequate for a lawyer occupying such an important position. Of course, this district attorney is to be congratulated upon the fact that he secured from the judge before whom he practices a most complimentary letter, in which the judge of the Federal court asks the Assistant Attorney General in Washington to recommend that the United States Congress increase the salary of the district attorney.

Mr. GORDON. And also the judges.

Mr. WALSH. And I assume the same judge was one of those who directly or indirectly was asking for an increase of his own salary from $6,000 to $9,000, or in that vicinity. Now, Mr. Speaker, it is but natural for a district Federal judge who is in a position to recognize the attainments and the ability of the district attorney who practices before him to be interested in the salary that he receives, and to be sufficiently solicitous of the ability and attainments of the district attorney to write to the Department of Justice and intercede with the Assistant Attorney General for him.

But I repeat that I doubt very much if this is the time in this stage of this Congress, by a suspension of the rules, to be passing bills to increase salaries of Federal officials of this character, and particularly when we specialize as to the number and pick out an official in the great little State of Rhode Island and simply pass a measure to apply to that State alone. Why not consider a bill increasing the salaries of all these officials of ability and attainment, the same as we did with respect to the Federal judges? We increased their salaries the other day to a moderate extent, not as much as they would like to have had.

Mr. STEVENSON. Will the gentleman be prepared to support a bill of that kind if brought in?

Mr. WALSH. I certainly am not prepared to support such a bill.

Mr. COLLIER. Were you in favor of the judges' bill that was passed sometime ago?

Mr. WALSH. I was not. And if the gentleman will permit a personal reference, I think I was the only member of the committee reporting the bill who opposed it.

Mr. O'SHAUNESSY. Will the gentleman yield?

Mr. WALSH. Certainly.

Mr. O'SHAUNESSY. I think I might recommend it as a very good idea to my friend from Massachusetts [Mr. WALSH] to consult——

Mr. WALSH. I have no doubt the gentleman is capable.

Mr. O'SHAUNESSY (continuing). To consult the ex-district attorney of Rhode Island, who sits near him, Mr. STINESS. He knows all about it.

Mr. WALSH. I talked with the distinguished gentleman from Rhode Island [Mr. STINESS] some little time ago, when he attempted to secure unanimous consent for consideration of this measure by the House. And I recall the argument made by the gentleman from Rhode Island [Mr. STINESS] at that time as to the character of services and as to the distinction of the gentleman who is occupying the position. But if the gentleman from Rhode Island [Mr. O'SHAUNESSY] thinks that because the gentleman from Rhode Island [Mr. STINESS] is in favor of this measure, or was in favor of the measure at that time, or because of the argument that he presented then, that it changes my judgment, the gentleman from Rhode Island [Mr. O'SHAUNESSY], who now seeks in the closing hours of the Sixty-fifth Congress, by the procedure known as suspension of the rules, to pick out his particular State, and through that method increase the salary of that distinguished official there, is mistaken. And so, Mr. Speaker, I submit to the House that as far as the report of the committee is concerned, as supplemented by the arguments of the gentleman from Rhode Island [Mr. O'SHAUNESSY], who makes the motion, further supplemented by the statement of the gentleman from Rhode Island [Mr. STINESS], I submit further and again, and once more reiterate, that this is not the proper time to be passing bills to increase salaries of Federal officials. If you think the people of the country are in favor of it, you are greatly mistaken. When they come to pay the bills that we have incurred in this session of Congress, and when they will be called upon to pay taxes that must necessarily be levied because of those authorizations and in the incurring of those expenditures, it will not meet with their approval if they know that in the closing hours of this session we have picked out here and there a Federal official and increased his salary, and that practically within 24 or 48 hours we will take into consideration a conference report proposing to give to the boys who went across 3,000 miles of ocean to fight and offer up their lives a bonus of $60. For those reasons, among others, much more important perhaps, I am opposed to the measure, and I trust that the rules will not be suspended. [Applause.]

Mr. O'SHAUNESSY. Mr. Speaker, I want in all solemnity to plead guilty to the horrible charge of trying to suspend the rules, and I throw myself on the mercy of the court. I ask my friends to vote for this bill.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken.

The SPEAKER. In the opinion of the Chair, two-thirds——

Mr. WALSH. Mr. Speaker, I make the point of order there is no quorum present.

The SPEAKER. The gentleman from Massachusetts makes the point that there is no quorum present, and evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll. The question is on suspending the rules and passing the bill.

The question was taken; and there were—yeas 113, nays 96, answered "present" 4, not voting 216.

YEAS—113.

Alexander	Fordney	Lobeck	Rogers
Almon	Foss	London	Rouse
Ashbrook	Fuller, Mass.	Lonergan	Sabath
Austin	Gallagher	Lufkin	Sanford
Barnhart	Gandy	Lundeen	Siegel
Beshlin	Gard	McKeown	Sinnott
Blackmon	Glynn	Mansfield	Small
Brand	Goodwin, Ark.	Mapes	Smith, C. B.
Burnett	Gordon	Martin	Steenerson
Campbell, Pa.	Gray, Ala.	Mason	Stevenson
Carter, Okla.	Haskell	Montague	Stiness
Cleary	Hayden	Moores, Ind.	Strong
Connelly, Kans.	Hayes	Morgan	Sumners
Crisp	Hensley	Neely	Tillman
Curry, Cal.	Holland	Nelson, A. P.	Tilson
Dallinger	Hollingsworth	Osborne	Tinkham
Decker	Humphreys	O'Shaunessy	Voigt
Denton	Jacoway	Overstreet	Watkins
Dill	Juul	Parker, N. J.	Weaver
Doolittle	Keating	Peters	Welty
Dupré	Kehoe	Phelan	Wheeler
Dyer	Kettner	Polk	White, Me.
Eagle	King	Ragsdale	Wilson, La.
Elston	Kinkaid	Rainey, J. W.	Wilson, Tex.
Esch	Knutson	Raker	Wingo
Fairfield	Larsen	Ramsey	Wright
Ferris	Lea, Cal.	Randall	
Fisher	Little	Rankin	
Focht	Littlepage	Robinson	

NAYS—96.

Anderson	Davis	Hull, Iowa	Sanders, Ind.
Anthony	Denison	James	Scott, Mich.
Baer	Dies	Johnson, Ky.	Shackleford
Bell	Dillon	Johnson, Wash.	Shallenberger
Black	Dominick	Jones	Sisson
Bland, Ind.	Dowell	Kelly, Pa.	Sloan
Bland, Va.	Dunn	Kincheloe	Smith, Mich.
Blanton	Edmonds	Kraus	Snook
Browning	Elliott	Langley	Stephens, Miss.
Buchanan	Ellsworth	Lehlbach	Sweet
Burroughs	Fairchild, B. L.	McCulloch	Temple
Byrnes, S. C.	Fields	McLaughlin, Mich.	Thompson
Campbell, Kans.	French	Miller, Wash.	Timberlake
Candler, Miss.	Garner	Moore, Pa.	Treadway
Cannon	Graham, Ill.	Nichols, Mich.	Venable
Chandler, Okla.	Green, Iowa	Parker, N. Y.	Vestal
Clark, Pa.	Greene, Mass.	Purnell	Volstead
Collier	Greene, Vt.	Quin	Walsh
Connally, Tex.	Hadley	Rainey, H. T.	Wason
Cooper, W. Va.	Hamilton, Mich.	Ramseyer	Watson, Pa.
Cramton	Haugen	Rayburn	Welling
Currie, Mich.	Hawley	Romjue	Williams
Dale	Hersey	Rose	Young, Tex.
Darrow	Huddleston	Rubey	Zihlman

ANSWERED "PRESENT"—4.

Kitchin	Moon	Reavis	Reed

NOT VOTING—216.

Aswell	Evans	Kiess, Pa.	Rowland
Ayres	Fairchild, G. W.	Kreider	Rucker
Bacharach	Farr	La Follette	Russell
Bankhead	Fess	LaGuardia	Sanders, La.
Barkley	Flood	Lampert	Sanders, N. Y.
Beakes	Flynn	Lazaro	Saunders, Va.
Benson	Foster	Lee, Ga.	Schall
Birch	Francis	Lesher	Scott, Iowa
Booher	Frear	Lever	Scully
Borland	Freeman	Linthicum	Sears
Bowers	Fuller, Ill.	Longworth	Sells
Britten	Gallivan	Lunn	Sherley
Brodbeck	Garland	McAndrews	Sherwood
Browne	Garrett, Tenn.	McArthur	Shouse
Brumbaugh	Garrett, Tex.	McClintic	Sims
Butler	Gillett	McCormick	Slayden
Byrns, Tenn.	Godwin, N. C.	McFadden	Slemp
Caldwell	Good	McKenzie	Smith, Idaho
Cantrill	Goodall	McKinley	Smith, T. F.
Caraway	Gould	McLaughlin, Pa.	Snell
Carew	Graham, Pa.	McLemore	Snyder
Carlin	Gray, N. J.	Madden	Stafford
Carter, Mass.	Gregg	Magee	Steagall
Cary	Griest	Maher	Stedman
Chandler, N. Y.	Griffin	Mann	Steele
Church	Hamill	Mays	Stephens, Nebr.
Clark, Fla.	Hamilton, N. Y.	Merritt	Sterling
Classon	Hamlin	Miller, Minn.	Sullivan
Claypool	Hardy	Mondell	Swift
Coady	Harrison, Miss.	Morin	Switzer
Cooper, Ohio	Harrison, Va.	Mott	Tague
Cooper, Wis.	Hastings	Mudd	Taylor, Ark.
Copley	Heaton	Nelson, J. M.	Taylor, Colo.
Costello	Heflin	Nicholls, S. C.	Templeton
Cox	Heintz	Nolan	Thomas
Crago	Helm	Norton	Towner
Crosser	Helvering	Oldfield	Van Dyke
Davey	Hicks	Oliver, Ala.	Vare
Delaney	Hilliard	Oliver, N. Y.	Vinson
Dempsey	Hood	Olney	Waldow
Dent	Houston	Overmyer	Walker
Dewalt	Howard	Padgett	Walton
Dickinson	Hull, Tenn.	Paige	Ward
Dixon	Husted	Park	Watson, Va.
Donovan	Hutchinson	Platt	Webb
Dooling	Igoe	Porter	Whaley
Doremus	Ireland	Pou	White, Ohio
Doughton	Johnson, S. Dak.	Powers	Wilson, Ill.
Drane	Kahn	Pratt	Winslow
Drukker	Kearns	Price	Wise
Eagan	Kelley, Mich.	Riordan	Wood, Ind.
Emerson	Kennedy, Iowa	Roberts	Woods, Iowa
Essen	Kennedy, R. I.	Rodenberg	Woodyard
Estopinal	Key, Ohio	Rowe	Young, N. Dak.

The Clerk announced the following additional pairs:

Until further notice:

Mr. KITCHIN with Mr. MANN.

Mr. MOON with Mr. TEMPLETON.

Mr. BOOHER with Mr. BUTLE.

Mr. BYRNS of Tennessee with Mr. COPLEY.

Mr. CARLIN with Mr. CRAGO.

Mr. COADY with Mr. FREAR.

Mr. DOREMUS with Mr. FULLER of Illinois.

Mr. EVANS with Mr. HUSTED.

Mr. HAMLIN with Mr. HUTCHINSON.

Mr. GALLIVAN with Mr. KENNEDY of Rhode Island.

Mr. LAZARO with Mr. KIESS of Pennsylvania.

Mr. HELM with Mr. MCARTHUR.

Mr. MCLEMORE with Mr. MCKENZIE.

Mr. MCCLINTIC with Mr. MAGEE.

Mr. OLNEY with Mr. SNELL.

Mr. SHERWOOD with Mr. SMITH of Idaho.

Mr. STEDMAN with Mr. TOWNER.

Mr. STEAGALL with Mr. GOOD.

Mr. TAYLOR of Arkansas with Mr. CARTER of Massachusetts.

Mr. TAGUE with Mr. CHANDLER of New York.

Mr. WHALEY with Mr. SLEMP.

Mr. WEBB with Mr. G. W. FAIRCHILD.

The SPEAKER. On this vote the yeas are 113, the nays 96, and present 4—not a quorum.

ADJOURNMENT.

Mr. KITCHIN. I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 30 minutes p. m.) the House adjourned, pursuant to the order previously made, until to-morrow, Tuesday, February 4, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the president of the Washington Railway & Electric Co., transmitting report of the Washington Railway & Electric Co. for the year ended December 31, 1918 (H. Doc. No. 1751); to the Committee on the District of Columbia and ordered to be printed.

2. Letter from the Secretary of War, transmitting a copy of a bill to relieve the estates of the late Capt. Belvedere Brooks, Capt. Samuel I. Zeidner, Capt. C. W. Gaylord, and Lieut. John V. D. Bebell from responsibility or accountability for the sum of $173.26 lost in battle (H. Doc. No. 1752); to the Committee on Military Affairs and ordered to be printed.

3. Letter from the Secretary of War, transmitting a copy of a bill providing for retirement, as master signal electrician, of enlisted men of the Regular Army who have heretofore been discharged to accept commissions in the Army of the United States during the present emergency (H. Doc. No. 1753); to the Committee on Military Affairs and ordered to be printed.

4. Letter from the Secretary of the Interior, transmitting list of documents and papers which are not needed or useful in the transaction of the current business of the department and have no permanent value or historical interest (H. Doc. No. 1754); to the Committee on Disposition of Useless Executive Papers and ordered to be printed.

5. Letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of the Navy submitting an estimate of appropriation to pay claims for damage by naval vessels adjusted by the Navy Department (H. Doc. No. 1755); to the Committee on Appropriations and ordered to be printed.

6. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting an estimate of appropriation to pay claims for damages by collision, river and harbor work, which have been adjusted and settled by the Chief of Engineers, United States Army (H. Doc. No. 1756); to the Committee on Appropriations and ordered to be printed.

7. Letter from the Secretary of the Treasury, transmitting copy of a communication from the chairman of the Lincoln Memorial Association submitting an estimate of appropriation required to defray the expenses incident to the dedication of the Lincoln Memorial (H. Doc. No. 1757); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PHELAN, from the Committee on Banking and Currency, to which was referred the bill (S. 5236) to amend sections 7, 10, and 11 of the Federal reserve act and section 5172, Revised Statutes of the United States, reported the same with amendment, accompanied by a report (No. 1026), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. WELLING, from the Committee on Claims, to which was referred the bill (H. R. 11836) for the relief of Mary Holloman, reported the same with amendment, accompanied by a report (No. 1029), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 11835) for the relief of Jimmie Lou Martin, reported the same with amendment, accompanied by a report (No. 1027), which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 11834) for the relief of William Henry Coleman, reported the same with amendment, accompanied by a report (No. 1028), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BARNHART: A bill (H. R. 15574) for the construction of a Federal building at Warsaw, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15575) for the construction of a public building at Plymouth, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. OVERSTREET: A bill (H. R. 15576) for the erection of a public building at Waynesboro, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15577) for the purchase of a post-office site at Millen, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. TAYLOR of Arkansas: A bill (H. R. 15578) to provide for the erection of a public building at McGehee, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15579) to provide for the erection of a public building at Malvern, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15580) to provide for the erection of a public building at Benton, Ark.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15581) to provide for the erection of a public building at Monticello, Ark.; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15582) authorizing the acquisition of a site for a public building at Hallettsville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON: A bill (H. R. 15583) to provide for the erection of a public building at Laurinburg, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. HULL of Iowa: A bill (H. R. 15584) regulating the period of enlistment in the Regular Army of the United States; to the Committee on Military Affairs.

By Mr. KETTNER: A bill (H. R. 15585) authorizing and directing the Secretary of War to cause survey to be made of the Colorado River, with a view to controlling the flood water of said stream, and for other purposes; to the Committee on Flood Control.

By Mr. HOOD: A bill (H. R. 15586) authorizing the acquisition of a site for a public building at Clinton, Sampson County, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15587) for the erection of a public building at Mount Olive, Wayne County, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. HAWLEY: A bill (H. R. 15588) requiring The Adjutant General of the United States Army and the Secretary of the Navy to furnish certain data to the adjutants general of the several States; to the Committee on Military Affairs.

By Mr. HERSEY: A bill (H. R. 15589) authorizing the Secretary of War to donate to the town of Presque Isle, Me., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CRAGO: A bill (H. R. 15590) to increase the cost of the public building at Waynesburg, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. BLAND of Virginia: A bill (H. R. 15591) authorizing the Secretary of War to donate to the town of Irvington, county of Lancaster, Va., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROWLAND: A bill (H. R. 15592) to increase the cost of the public building at State College, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15593) to increase the cost of the public building at Dubois, Pa., to the Committee on Public Buildings and Grounds.

Mr. GRAHAM of Illinois: A bill (H. R. 15594) to authorize the Secretary of War to furnish a German cannon, with carriage and cannon balls, to the city of Warsaw, Ill.; to the Committee on Military Affairs.

By Mr. MAPES: A bill (H. R. 15595) authorizing the Secretary of War to donate to the village of Rockford, Mich., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHURCH: A bill (H. R. 15596) for the purchase of a public-building site at Visalia, Cal.; to the Committee on Public Buildings and Grounds.

By Mr. McKINLEY: A bill (H. R. 15597) authorizing the Secretary of War to donate to the city of Villa Grove, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15598) authorizing the Secretary of War to donate to the city of Arcola, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SMALL: A bill (H. R. 15599) for the erection of a public building at Edenton, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15600) authorizing the acquisition of a site for a public building at Williamston, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15601) authorizing the acquisition of a site for a public building at Hertford, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. DENTON: A bill (H. R. 15608) to incorporate the War Mothers of America; to the Committee on the District of Columbia.

By Mr. BLACKMON: A bill (H. R. 15609) to establish a fish-cultural station in the State of Alabama; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 15610) for the erection of a public building at Sylacauga, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. HAYDEN: A bill (H. R. 15611) authorizing a preliminary examination to be made of the Colorado River, with a view to controlling the flood water thereof; to the Committee on Flood Control.

By Mr. SIEGEL: A resolution (H. Res. 545) to have the Speaker appoint a select committee of eight to inquire into the charges affecting the Military Establishment of the United States; to the Committee on Rules.

By Mr. WATKINS: A resolution (H. Res. 546) providing for a special rule for the immediate consideration of House bill 13304; to the Committee on Rules.

By Mr. MOORE of Pennsylvania: A resolution (H. Res. 547) to pay E. F. Keister, clerk to the late Edward Robbins, a Representative in Congress, $166.66; to the Committee on Accounts.

By the SPEAKER: A memorial from the Legislature of the State of Oregon favoring woman suffrage; to the Committee on Immigration and Naturalization.

Also, a memorial from the Legislature of the State of New York relative to regulating the construction of dams across navigable waters and to provide for the improvement and development of waterways for the use of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

Also, a memorial from the Legislature of Oregon, favoring the enactment by Congress of Senate bill 4283; to the Committee on the Public Lands.

By Mr. FULLER of Illinois: A memorial from the Legislature of Illinois memorializing Congress to provide at least six months' extra pay for all soldiers, sailors, and marines when discharged from service; to the Committee on Military Affairs.

By Mr. GALLAGHER: Memorial from the Legislature of the State of Illinois memorializing Congress to provide at least six months' extra pay for all soldiers, sailors, and marines when discharged from service; to the Committee on Military Affairs.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon favoring the passage of the educational bill (S. 4987); to the Committee on Education.

Also, memorial from the Legislature of the State of Oregon urging the passage of a bill introduced by Congressman SINNOTT appropriating $1,000,000,000 for reclamation and drainage of lands in the western portion of the United States; to the Committee on the Public Lands.

Also, memorial from the Legislature of the State of Oregon favoring the development of arid lands in the lower Umatilla River Basin; to the Committee on Reclamation of Arid Lands.

Also, memorial from the Legislature of the State of Oregon urging the passage of Senate bill 5001; to the Committee on Immigration and Naturalization.

Also, memorial from the Legislature of the State of Oregon urging the passage of Senate bill 4283; to the Committee on the Public Lands.

By Mr. McCLINTIC: Memorial from the Legislature of the State of Oklahoma urging the passage of such legislation as will make sure for the farmers of the country a guaranty of a minimum price of $2.20 per bushel of the wheat grown in the year 1919; to the Committee on Agriculture.

Also, memorial from the Legislature of the State of Oklahoma requesting proper distribution of captured war material be made to the cities, towns, and counties of that State; to the Committee on Military Affairs.

By Mr. SABATH: Memorial of the Legislature of the State of Illinois favoring the payment of six months' salary to soldiers, sailors, and marines on return to civil life; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 15602) granting a pension to Annie Myers; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 15603) granting an increase of pension to Michael McCormick; to the Committee on Invalid Pensions.

By Mr. CRAGO: A bill (H. R. 15604) granting a pension to Charles T. Pickens; to the Committee on Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 15605) granting a pension to Margaret Donahue; to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 15606) granting an increase of pension to William S. Stockwell; to the Committee on Invalid Pensions.

By Mr. WHITE of Maine: A bill (H. R. 15607) granting an increase of pension to Andrew Sidlinger; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURROUGHS: Resolution of New Hampshire Association of Insurance Agents (Louis G. Merrill, president; George E. Vermille, secretary-treasurer), protesting against placing of workmen's compensation and liability in the hands of a profit-sharing concern, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of Elsie L. Norton and Emma H. Cooper, Lakeport, N. H., for repeal of the postal "zone" rate bill; to the Committee on Ways and Means.

Also, resolution of the New Hampshire Manufacturers' Association, in opposition to the continuance of the United States Employment Service; to the Committee on Labor.

Also, resolution of Manchester (N. H.) Chamber of Commerce, favoring enactment by Congress of a law which will continue the control and operation by the Government of the telephone and telegraph systems pending further investigation regarding future procedure; to the Committee on the Post Office and Post Roads.

Also, petition of Metal Trades Council, American Federation of Labor, Portsmouth, N. H., George A. Cate, secretary, to pay all enlisted men returning to their homes their military wages for six months after their discharge or until they can obtain useful and remunerative employment; to the Committee on Military Affairs.

By Mr. DARROW: Petition of Germantown Horticultural Society, of Philadelphia, Pa., protesting against the ruling of the Department of Agriculture prohibiting the importation of plants, bulbs, trees, etc.; to the Committee on Agriculture.

Also, petition of Philadelphia Rotary Club in behalf of changing the name of the Panama Canal to the "Roosevelt Canal"; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAHAM of Illinois: Petition of G. B. Gaylord, of Rock Island, Ill., and 115 other employees of the Rock Island Arsenal, Rock Island, Ill., that action be taken immediately to the end that all equipment used in the Army, Navy, Merchant Marine, Postal Service, and other equipment used by the Government be manufactured in the Government shops to their full capacity; to the Committee on Military Affairs.

By Mr. HADLEY: Petition of citizens of Port Angelus, Wash., requesting repeal of postal zone rate bill; to the Committee on Ways and Means.

Also, petition of citizens of Big Lake, Wash., urging repeal of postal zone rate bill; to the Commitee on Ways and Means.

By Mr. HERSEY: Petition of W. E. Watts and three other citizens of Easton, Me., urging repeal of postal zone rate law; to the Committee on Ways and Means.

Also, petition of Virginia Dilling, of Bangor, Me., and three others, urging repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of Adelaide Mausur and 19 others, of Bangor, Me., urging repeal of postal zone law; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Memorial of city council, the Exchange National Bank, the Commercial National Bank, and the Steubenville Bank & Trust Co., of Steubenville, Ohio; the First National Bank, of East Liverpool, Ohio; the Village Council of Mingo Junction, Ohio; and Stewart & Ward, Bellaire, Ohio, favoring the continuance of Government control of public utilities until Congress can give full consideration to the subject looking to a return of the properties to the owners under as favorable conditions as possible; to the Committee on Interstate and Foreign Commerce.

By Mr. KETTNER: Petition of Mr. Harry W. Kratz, Calexico, Cal., pertaining to the tax on haberdashery, hats, and shoes in the revenue bill; to the Committee on Ways and Means.

Also, petition of board of directors of Imperial Irrigation District, El Centro, Cal., approving Secretary Lane's plan to provide homes for returning soldiers; to the Committee on Military Affairs.

By Mr. MORIN: Petition of Paul Bros., William Grabowsky & Son, Kaufmann's "The Big Store," and McCreery & Co., all of Pittsburgh, Pa., protesting against the proposed luxury tax in the pending revenue bill as entailing an unjust burden on the consumer and giving the Government but a small return in revenue; to the Committee on Ways and Means.

By Mr. KAHN: Petition of electrical class, Polytechnic High School, San Francisco, Cal., asking for amateur radio operators in legislation affecting radio-telegraph stations; to the Committee on the Merchant Marine and Fisheries.

By Mr. MORIN: Petition of Cosmopolitan Club, of Pittsburgh, Pa., Robert Kerr, president, protesting against the increase of the tax on club dues, as it will seriously reduce club receipts, cause disorganization, and large revenues will thus be lost to the Government; to the Committee on Ways and Means.

By Mr. NEELY: Petition of O. J. Morrison, of Morrison Department Store Co., Charleston, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of S. P. Pubber, managing director of chamber of commerce, Charleston, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of Thomas Shoe Co., Charleston, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

Also, petition of Wheeling Clearing House Association, Wheeling, W. Va., requesting that tax bill be kept down to $4,000,000,000; to the Committee on Ways and Means.

By Mr. SCHALL: Petition of Minnesota State Horticultural Society, protesting Quarantine Order No. 37; to the Committee on Agriculture.

By Mr. TILSON: Petition of James S. Rimkus and other citizens of Lithuanian birth, of Waterbury, Conn., in behalf of Lithuania; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *February 4, 1919.*

(Legislative day of Monday, February 3, 1919.)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SHERMAN. Mr. President——

The VICE PRESIDENT. The Senator from Illinois.

Mr. JONES of Washington. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Gronna	McKellar	Sherman
Bankhead	Hale	McNary	Smoot
Chamberlain	Henderson	Martin, Va.	Spencer
Culberson	Johnson, Cal.	Moses	Swanson
Curtis	Jones, N. Mex.	Myers	Thomas
Dillingham	Jones, Wash.	Nugent	Underwood
Fernald	Kenyon	Page	Wadsworth
Fletcher	Knox	Poindexter	
France	La Follette	Pollock	
Gerry	Lenroot	Sheppard	

Mr. LENROOT. I desire to announce the absence on official business of the Senator from Georgia [Mr. HARDWICK] and the Senator from Florida [Mr. TRAMMELL].

Mr. MCKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

The VICE PRESIDENT. Thirty-seven Senators have answered to the roll call. There is not a quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. JOHNSON of South Dakota, Mr. KIRBY, Mr. NELSON, Mr. SMITH of Georgia, Mr. TRAMMELL, Mr. WALSH, Mr. WATSON, and Mr. WOLCOTT answered to their names when called.

Mr. HARDING, Mr. ROBINSON, Mr. NEW, Mr. OVERMAN, Mr. FRELINGHUYSEN, Mr. KELLOGG, and Mr. SUTHERLAND entered the Chamber and answered to their names.

Mr. SUTHERLAND. The senior Senator from West Virginia [Mr. GOFF] is absent on account of illness.

Mr. BORAH, Mr. MCLEAN, Mr. STERLING, Mr. KING, Mr. SHAFROTH, Mr. THOMPSON, Mr. POMERENE, Mr. GAY, and Mr. CUMMINS entered the Chamber and answered to their names.

Mr. GERRY. I desire to announce that the Senator from Oklahoma [Mr. GORE] is necessarily detained on official business.

Mr. MARTIN of Virginia. The senior Senator from Maryland [Mr. SMITH] and the senior Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

Mr. GAY. My colleague, the senior Senator from Louisiana [Mr. RANSDELL], is absent on account of illness.

The VICE PRESIDENT. Sixty-one Senators have answered to their names. There is a quorum present.

SENATOR FROM IOWA.

Mr. CUMMINS. I present the credentials of my colleague [Mr. KENYON] for the term beginning March 4 next, which I ask may be read and filed.

The credentials were read and ordered to be filed, as follows:

STATE OF IOWA,
EXECUTIVE DEPARTMENT.

Certificate of election.

To all to whom these presents shall come, greeting:

Know ye, that it appearing from the official canvass of the vote cast at the general election held within and for the State of Iowa on Tuesday, the 5th day of November, A. D. 1918, that WILLIAM S. KENYON, of

Webster County, State of Iowa, received the highest number of votes cast for the office of United States Senator in Congress at said general election.

Now, therefore, I, W. L. Harding, governor of the State of Iowa, pursuant to the provisions of section 1166 of the code, do hereby certify that WILLIAM S. KENYON, of Webster County, State of Iowa, is duly elected to the office of United States Senator in Congress in and for the State of Iowa for the term of six years from and after the 4th day of March, A. D. 1919.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State.

Done at Des Moines, the capital of said State, this 28th day of January, 1919.

W. I. HARDING,
Governor of the State of Iowa.

Countersigned:
[SEAL.]

W. S. ALLEN,
Secretary of State.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, announced that the House had passed the bill (S. 1847) to authorize the addition of certain lands to the Wyoming National Forest, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 171. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915;

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio;

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North between Traill County, N. Dak., and Polk County, Minn.; and

H. R. 13353. An act to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army, and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 8828) increasing the limit of cost for the acquisition of a public building site at Yonkers, N. Y., and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. COLT presented a resolution adopted by the John Mitchell Literary Association, of Providence, R. I., favoring freedom for Ireland, which was referred to the Committee on Foreign Relations.

Mr. FERNALD presented a petition of the Board of Education of Oxford, Me., and a petition of the Board of Education of Norway, Me., praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. TOWNSEND presented a resolution adopted by Local Union No. 19, United Brotherhood of Carpenters and Joiners of America, of Detroit, Mich., favoring legislation to put the Federal Employment Bureau under the jurisdiction of the Department of Labor, which was referred to the Committee on Education and Labor.

He also presented a resolution adopted by Pomona Grange No. 7, Patrons of Husbandry, of Washtenaw, Mich., favoring the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a resolution adopted at the victory highway convention held at Lansing, Mich., favoring the enactment of legislation providing for historical landmarks on national and public highways, which was ordered to lie on the table.

He also presented a petition of the Federation of Labor of Detroit, Mich., praying that Congress grant six months' additional pay to every honorably discharged soldier, sailor, or marine, which was referred to the Committee on Military Affairs.

He also presented a petition of the superintendent of the public schools of Osceola Township, Mich., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. JONES of Washington presented a petition of sundry citizens of Othello, Wash., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. McLEAN presented a petition of the Business Men's Association of Stafford Springs, Conn., and a petition of the Connecticut State Federation of Labor, praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

He also presented a petition of sundry postal employees of Southington, Conn., praying for a permanent reclassification of salaries of postal employees, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Common Council of New Britain, of the Friends of Irish Freedom of New Britain, of the Hibernian Society of Wallingford, of the Knights of Columbus, and of sundry citizens of Shelton, all in the State of Connecticut, praying for the freedom of Ireland, which were referred to the Committee on Foreign Relations.

He also presented a petition of Elm Lodge, No. 420, International Association of Machinists, of New Haven, Conn., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of sundry Lithuanian citizens of Waterbury, Conn., and a petition of sundry Lithuanian citizens of Naugatuck, Conn., praying that delegates representing the Lithuanians be sent to the peace conference, which were referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of South Manchester, Conn., praying for the adoption of an amendment to the Constitution of the United States to prohibit polygamy, which was referred to the Committee on the Judiciary.

He also presented petitions of Local Union No. 449, International Alliance of Theatrical Stage Employees and Moving Picture Machine Operators, of Stamford; of Local Union No. 189, Amalgamated Sheet Metal Workers, of Stamford; of Local Union No. 410, United Association of Plumbers and Steam Fitters, of Bristol; and of Local Division No. 867, Brotherhood of Locomotive Engineers, of Brass City, all in the State of Connecticut, praying for the submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of Local Union No. 298, International Moulders' Union, of Waterbury, Conn., praying for the passage of the so-called civil-service retirement bill, which was ordered to lie on the table.

He also presented a petition of sundry citizens of Meriden, Conn., praying for the early return to the United States of the Twenty-sixth Division of the American Army, of which the One hundred and second Regiment is a part, which was referred to the Committee on Military Affairs.

He also presented a petition of the Young People's Society of Christian Endeavor of Willimantic, Conn., praying for national prohibition, which was ordered to lie on the table.

Mr. LEWIS. I present a resolution adopted by the Chicago Equal Suffrage Association, of Illinois, signed by the president and recording secretary, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas there has been brought to a peaceful termination a world-fought war for the same fundamental principle of self-government, for which the Chicago Equal Suffrage Association has labored for many years; and

Whereas in the conduct of the war women have demonstrated that they are equally concerned with men in national affairs and have given service of equal importance to the safety of the Nation; and

Whereas woman suffrage has been given or promised by our allies and even some of the central powers as a result of the greater understanding which the war has brought of the principle of self-government and the service of women; and

Whereas our work as women of the Nation and the service of our men as soldiers of the Nation have given us a greater sense of national unity than ever before, making it especially fitting that we should address ourselves to the representatives of the Nation: Therefore be it

Resolved, That we, the Chicago Equal Suffrage Association, in mass meeting assembled at 1.30 o'clock on the afternoon of December 31, 1918, in the Casino, at Chicago, Ill., appeal to the Senate of the United States to speed the coming of universal woman suffrage in this country by immediate passage of the Federal woman-suffrage amendment.

CHICAGO EQUAL SUFFRAGE ASSOCIATION,
By BERTHA D. BAUR, *President.*
CAROLINE HOWE PACKARD,
Recording Secretary.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. CHAMBERLAIN:

A bill (S. 5523) providing for the retirement of enlisted men of the Regular Army who have been discharged to accept a commission in the Army of the United States; to the Committee on Military Affairs.

By Mr. KNOX:

A bill (S. 5524) granting an increase of pension to Isaac N. White; to the Committee on Pensions.

By Mr. HOLLIS:

A bill (S. 5525) authorizing the Secretary of War to donate to the town of Berlin, N. H., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SHERMAN:

A bill (S. 5526) granting an increase of pension to Herbert A. York; to the Committee on Pensions.

By Mr. MARTIN of Kentucky:

A bill (S. 5527) granting a pension to W. W. Treadway;

A bill (S. 5528) granting an increase of pension to John Wilson;

A bill (S. 5529) granting a pension to Benjamin H. Kimbler;

A bill (S. 5530) granting a pension to Lee Begley;

A bill (S. 5531) granting an increase of pension to Henry Fields; and

A bill (S. 5532) granting an increase of pension to Charley Shelton; to the Committee on Pensions.

By Mr. LODGE:

A bill (S. 5533) authorizing the Secretary of War to donate to Tufts College, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WADSWORTH:

A bill (S. 5534) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes; to the Committee on Commerce.

By Mr. SPENCER:

A bill (S. 5535) granting a pension to Maria C. Vance; to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CULBERSON submitted an amendment proposing to appropriate $4,266.14, in addition to the $16,500 appropriated for this purpose, to pay the El Paso Bridge & Iron Co., of El Paso, Tex., for extra work and material in the completion of the construction of a bridge across the San Juan River at Shiprock, N. Mex., on the Navajo Indian Reservation, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. REED submitted an amendment relative to drafting into the military service of the United States, to serve therein for the period of the war unless sooner discharged, any or all members of the National Guard or of the National Guard Reserve, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

VALIDATION OF GOVERNMENT CONTRACTS—CONFERENCE REPORT.

Mr. CHAMBERLAIN. I present a conference report on the so-called contract bill, which I ask to have read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

On the amendment of the Senate to the bill and to the title of the bill the conferees have been unable to agree.

GEORGE E. CHAMBERLAIN,
DUNCAN U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
P. C. KNOX,
Managers on the part of the Senate.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

Mr. CHAMBERLAIN. I ask for the adoption of the conference report.

The report was agreed to.

Mr. CHAMBERLAIN. I move that the Senate further insist upon its amendments and request a further conference with the House, the conferees on the part of the Senate to be appointed by the Chair.

The motion was agreed to; and the Vice President appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX conferees at the further conference on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Public Lands:

H. R. 171. An act to repeal the last proviso of section 4 of an act to establish the Rocky Mountain National Park, in the State of Colorado, and for other purposes, approved January 26, 1915; and

H. R. 13353. An act to extend the provisions of the homestead laws touching credit for period of enlistment to the soliders, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

The following bills were severally read twice by their titles and referred to the Committee on Commerce:

H. R. 12995. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio;

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio; and

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North between Traill County, N. Dak., and Polk County, Minn.

BOLSHEVIST PROPAGANDA IN WASHINGTON.

Mr. MYERS. Mr. President, I was not able to be in attendance at all upon the Senate yesterday. I was necessarily detained by attendance upon a very important, all-afternoon meeting of a conference committee and by other official duties which were pressing upon my attention. I am sorry I was not able to be present. Had I been present when the able and distinguished Senator from Colorado [Mr. THOMAS] spoke yesterday in condemnation of a seditious meeting which was held at Poli's Theater in this city Sunday night, I would assuredly have given my indorsement to the patriotic words which he uttered upon that subject, and I now give my hearty indorsement to all he said upon the subject. I regret that I was not here to say something upon the subject yesterday, and I now take occasion to say a few words on the subject.

I was inexpressibly shocked and horrified to read in the Washington Post of Monday morning this article:

[From the Washington Post, Monday, Feb. 3, 1919.]

URGE "RED" AMERICA—BOLSHEVIK SPEAKERS STIR HUGE AUDIENCE AT POLI'S THEATER—CITY'S RADICALS IN THRONGS—REPRESENTATIVE MASON CHARGES PLOT TO KEEP SLAV FUNDS IN UNITED STATES—SPEAKS FROM BOX AFTER ALBERT RHYS WILLIAMS AND OTHERS LAUD SOVIETS AND TELL OF SPREADING PROPAGANDA IN UNITED STATES—"SUFF" PICKETS TAKE UP COLLECTIONS—ADOPT JOHNSON RESOLUTION NOW IN SENATE.

Bolshevism was lauded and advocated in preference to American democracy before a big audience that packed Poli's Theater yesterday afternoon in an address on "The truth about Russia," by Albert Rhys Williams, a war correspondent, who recently returned from Siberia. For three hours Williams and Miss Louise Bryant, who spent several months in Russia, interspersed descriptions of conditions in Russia with praise of the Soviet system and the Bolshevik leaders and frequently disparaged the American form of government. Williams declared that the people will want a Soviet system instituted in America when it is seen how admirably the system works.

There was an attempt last week to have the meeting forbidden by the police. Many Secret Service men were in the crowd, which was largely made up of radicals. Five of the suffrage pickets were in the audience. Mrs. Ida M. Waters, a prominent local suffrage worker, assisted in taking up a collection to pay for the rent of the theater.

MASON SPEAKS FROM BOX.

Several Senators and Representatives attended the meeting, which was widely advertised. Representatives DILLON, of South Dakota; GORDON, of Ohio; and MASON, of Illinois, were among those present. Representative BILLY MASON, who occupied a box, made a speech at the end of the meeting. In his address Representative MASON declared that he was not "afraid to go to jail."

Miss Bryant declared the Russian people were trying to organize a new human society. "They do not want a civilization," she said, "like we have in America or England or France. They do not want an East Side and a Fifth Avenue in Russia."

DODGES FATE OF WOMEN.

Miss Bryant dodged the question when asked whether the women had been "nationalized," and said people should examine the law for themselves. When a member of the audience attempted to reply to Miss Bryant, Judson King, who presided, said he was not "going to stand for any speeches from the floor." The matter was put to an informal vote and carried unanimously. The audience was wildly demonstrative. Outburst of applause were frequent. Shouts of "Hurrah for the Bolsheviki!" greeted Representative MASON'S remarks.

"The verdict of the masses is that the Soviet has made good notwithstanding terrible handicaps," said Williams. "They were first deserted

by the educated class, excommunicated by the church, sabotaged by the old officials, nearly guillotined by the Germans, blockaded and boycotted by the allies. That the Soviet beset and bedeviled on so many sides should have survived is a tribute to its basic strength."

PUSHING PROPAGANDA HERE.

Williams spent 15 months in Russia living among the peasants, in the red army, and in the industries with the workers. He is well acquainted with both Lenine and Trotzky and other leaders. When the Germans began the drive on Petrograd he organized an international legion for the defense of the red capital.

In the foreign office of the Soviet government he helped prepare the propaganda which was sent into Germany to stir up the revolution. He has been making speeches recently in many cities throughout the country. Over 100,000 copies of a pamphlet on Bolshevism written by him have been distributed in this country.

"The average American inquires," he continued, "why it is necessary to have a Soviet government and why not have a government like our own? The Russian workers and peasants have higher ideals than Americans."

TELLS STORY OF MASSACRE.

Williams asserted that the Soviet had done many things for which America should be grateful. He declared it has saved 500,000 American lives by bringing about the great revolution in Germany and Austria.

"The Soviet sent hundreds of agitators into Germany and Austria," he added, "who told the people to make a revolution as they had done in Russia. Millions of copies of the Soviet propaganda literature in different languages were dropped by aeroplanes, blown by wind, smuggled in boxes, and carried by prisoners into Germany. It was the greatest propaganda the world has ever seen."

Williams then told the story of what he termed the "massacre" of the Soviet officials at Vladivostok by the allied troops. During the funeral, he said, the American troops were landed. He said a Bolsheviki leader remarked, "All countries are alike—all imperialists."

Williams deplored the fact that the United States should have had for an ally "an autocratic and imperialistic country such as Japan." He said the Soviet government would endure if all the allied troops were withdrawn from Russia. He emphasized the necessity of withdrawing the American troops, as the Russian people looked to America as their only friend.

At this point some one from the audience moved that the resolution of Senator JOHNSON of California, asking for the withdrawal of the American troops be indorsed. The motion was carried by an overwhelming majority.

Representative MASON then arose in his box and said he did not have time to detail the outrages that are being perpetrated upon the young men of this country by keeping them in Russia.

"I get letters every day from the mothers of boys," he shouted, "whose blood is redding the snows of Siberia. I will lift up my voice every day to oppose this slaughter until it is stopped. There is no justification for it, and, thank God, I have the courage to oppose it.

MONEY HELD HERE, HE CHARGES.

"I do not know whether you know it or not, but I charge the money that we have furnished to help feed the starving Russian people is being held in the United States by the Russian minister, and is being used to pay the interest upon the bonds held by Morgan & Co. to their clients before America entered the war. I believe that. I have not the proof, but I am going to get at the truth."

Williams then continued his speech, charging that the allied troops are being kept in Russia until the Soviet government guarantees the debts of the monarchy. "A huge allied army is wading through the gore of Russian peasants and workers," he declared, "to establish a stable government to insure these loans. However disguised such a state would be outwardly, in reality it would be a monarchy.

SEES AMERICA BOLSHEVIK.

"It is interesting to speculate how long any army of occupation would resist its job of supporting a monarchy and how long it will remain immune from the bacillus of Bolshevism. America sooner or later is going to accept the Soviet government, and when America discards some of the ideas current in the papers it will find it not so difficult to swallow."

I shall not detain the Senate long at this time to say much about that remarkable meeting. I realize that important business is awaiting the Senate's attention, and I believe a distinguished Senator has given notice that he intends to address the Senate on a subject of interest to-day. However, I want to say a few words, and it will not take me long to express my feelings about that meeting.

I am absolutely shocked and surprised that such a meeting could or should be held in the city of Washington, the Capital of this Nation, at a place within a block of the White House, within a few hundred feet of the United States Treasury Building, within a few blocks of the Capitol Building. It makes my blood boil with indignation. I am surprised that such a meeting was permitted to be held here. The irony of the matter is that the meeting appears to have been held in a building which is owned by the United States Government. I am surprised that any Representative in Congress should address such a meeting, or a meeting held under such auspices. I do not know what was said by the Representative in Congress who addressed the meeting other than what is set forth in this newspaper account.

I am surprised that any Representative would address a meeting of that character; and if any Member of Congress, in attendance on such a meeting, said anything which expressed sympathy with or approval of the alleged utterances of the man Williams, who was the principal speaker, or expressed any sympathy with the principal object of the meeting, which appears to have been denunciation of this Government and laudation of the Russian Bolsheviki—if any Member of Congress said anything in support of those utterances or doctrines—he ought to be expelled from the body of which he is a Member.

I will say, in this connection, that I take no exception to the action of the meeting in favoring the adoption of the resolution offered in this body by the distinguished Senator from California [Mr. JOHNSON] for the withdrawal of our troops from Russia. That is a matter of public policy which any meeting of citizens—if they be citizens—is entitled to express its opinion upon; but I do object to and condemn, with all the power and earnestness of my being, the alleged utterances of the principal speakers of that meeting, a man and a woman, who, if correctly reported, grossly insulted this Government, orally assaulted it, and lauded the Russian Bolsheviki and the Soviet government of Russia—a lot of criminals, murderers, and thieves engaged in an assault upon all the organized society of the world. I think those addresses and the principal object of that meeting are an insult to the dignity and sovereignty of the United States of America, to our Government, to the law-abiding people of this country, and to every loyal citizen of this country. I think the meeting and all utterances made thereat should be investigated by the Department of Justice. If there is any Federal law to punish such doings and utterances, I think the Department of Justice ought to proceed against those responsible therefor, and have them punished, and if there is no adequate law to forbid and punish such meetings and utterances I think the Judiciary Committee of the Senate ought to take up the matter and frame and bring before this body legislation which, if enacted, would be adequate to prevent such treasonable meetings and seditious utterances.

Are we to remain silent and inactive and see the sovereignty, the dignity, the integrity of our Government insulted in this manner? If there is no law adequate to punish such shocking conduct, are we to continue inactive and not enact laws which will protect and defend the sovereignty, the honor, and the dignity of our country and of civilization itself? I am not content to let such a meeting occur right under my nose, I might say, without adding my denunciation to the words which were spoken in denunciation of it yesterday. The people of this country should awaken to their danger. Congress should awaken to its duty. I shall arouse both if words of mine can do it.

It may be the time is not far distant in this country when there will be room for only two political parties—one composed of those who support the Government and another composed of those who would destroy it; on the one hand those who are for law and order and on the other criminals—loyal people against anarchists. When that time may come I shall unhesitatingly array myself with the party that stands for upholding the American Government and American institutions, no matter what the name of that party may be and no matter what its past creed, doctrines, history, or career may have been.

I understand another meeting was held in this city last night, which ratified and reiterated all that was said at the meeting on Sunday at Poli's Theater on the subject of the Russian Bolsheviki and the Soviet government, lauded those criminal institutions, and repeated in large part the seditious utterances that were made at Poli's Theater. This is heaping insult upon insult. It is time to call a halt. It is time to take warning. It is time for action. I call on the Department of Justice for action. I call on the Judiciary Committee of the Senate for action. We will be false to our trust if we do not take action.

I want to read, as a most admirable expression, which fairly expresses my views on such matters, a clipping from the Washington Post of this morning, consisting of utterances from the lips of a loyal citizen, Col. Archibald Hopkins, as follows:

MEETING CALLED "BOMBSHELL."

Col. Archibald Hopkins characterized the Poli's meeting as a "bombshell" that might annihilate Congress by its explosion before they adopted measures to protect themselves and the country from the Bolshevik invasion. He urged prompt and drastic action by Congress to check the movement, and criticized the local authorities for not interfering with the meeting.

"Had Congress become aware that the Capital was thoroughly mined," Col. Hopkins said last night, "and that an annihilating explosion was arranged to take place while they were in their seats, they would take instant measures to protect themselves and to punish the conspirators.

"A much more far-reaching, infamous, destructive plan than even that is on foot to overthrow and ruin our institutions, and those engaged in it make no secret of their purpose. They are at work in the open and Sunday held a public meeting under the shadow of the Capitol, which was neither interfered with nor rebuked, at which the superiority of the Bolshevik government and morals to ours was boldly asserted and the spread of their doctrine throughout the country urged. These sentiments were applauded to the echo by a large audience, and an active propaganda to put them into effect, arranged and paid for, partly at least, in Germany, is being carried on throughout the country.

WANTS CONGRESS TO ACT.

"What will Congress do about it? Have we a Government willing or capable of protecting itself and the country from a menace far more

deadly and imminent than any danger from Germany ever was, to ward off which we have made such enormous sacrifice?

"It is especially the duty of this country to check it, because, as is well known, it is entirely due to the refusal of this Government to act with the allies in stamping it out when urged by them to join them in doing so at the outset, when prompt action with a small force would have put it down, that has made possible its control of Russia and its wide and growing propaganda.

SPREAD OF DEADLY POISON.

"Congress should, if necessary, lay aside all other business until measures have been adopted to stop the spread of the deadly poison. Congress can still act under the war power, for we are not only at war with Germany but with the Bolsheviki, and such a war on our part!

"The handful of brave men we sent to help Russia and to protect the supplies we sent her in bitter Siberian cold are being shot down, gassed, and driven back by vastly superior numbers of murderers and robbers, and we raise not a hand to support or rescue them.

"The country will exact sharp penalties from some one if they are sacrificed.

NOTICE TO THE WORLD.

"Some weeks ago a bill was introduced in both Houses forbidding the display of the red flag in the United States.

"Had it been promptly and unanimously passed, the advocates of wholesale murder and robbery would not have dared to come to the Capital and preached their wicked doctrines.

"Furthermore, it would have been notice to all the world—notice which has not been given—that Bolshevism would not be tolerated here.

BLAME ON TIMID SOULS.

"No reason has been given why it has not been acted on except that some timid souls thought there might be some question whether it was constitutional. Is our Government paralyzed? Have we a Government desirous and capable of defending itself and the citizens? Have we a Government worth fighting and dying for?

"It is useless to look to the peace conference at Paris for assistance. We have been informed in a public declaration of well-known authorship put out by that body that it has no desire or purpose to take any part with, for or against, either of the factions now fighting in Russia, two of them being engaged in an attempt to establish orderly government and the remaining one bent on setting up a class autocracy by a process of extermination and robbery of all who oppose it.

"Probably we ought to think neutrally in regard to the contest. However that may be, it is evident that if this country is to be saved from Bolshevism it must be by our own prompt action alone."

Mr. President, I think we deal entirely too softly and gently with Bolshevism both in this country and abroad. I think we extend to it the soft hand of timidity and tolerance, when we should grapple it with the iron hand of force, of extermination.

So far as our troops in Russia are concerned, I think we should either withdraw those we have there and let the Russians kill each other or send over many thousands more and exterminate the Russian Bolsheviki and put an end to that miserable pest—cut out and destroy the evil root and branch. In my opinion, we should not temporize with it.

POST OFFICE APPROPRIATIONS.

Mr. KELLOGG and Mr. UNDERWOOD addressed the Chair.

The VICE PRESIDENT. The Senator from Minnesota.

Mr. UNDERWOOD. Mr. President, if the Senator will yield a moment, I desire to dispose of a bill which is now before the Senate under an agreement. It will take but a moment to do so, I think.

Mr. KELLOGG. I yield to the Senator.

Mr. UNDERWOOD. On yesterday the senior Senator from Alabama [Mr. BANKHEAD], in charge of the Post Office appropriation bill, agreed to yield the right of way for the day to the legislative appropriation bill, in the hope that we might pass it. We were unable to do so on yesterday, and, the Post Office appropriation bill now really having the right of way under the agreement that was heretofore made, I ask unanimous consent that the legislative bill be returned to the calendar and that the Post Office appropriation bill be laid before the Senate as the unfinished business.

The VICE PRESIDENT. It is so ordered.

The Senate, as in Committee on the Whole, resumed the consideration of the bill (H. R. 13308) making appropriation for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

BOLSHEVIKI PROPAGANDA.

Mr. KELLOGG. Mr. President, I shall not take much of the time of the Senate, but I should like to make a few remarks pertinent to the subject of the discussion by the Senator from Montana [Mr. MYERS]. I am not surprised that the Senator from Colorado [Mr. THOMAS] and the Senator from Montana were shocked at the news of the public meeting held in Washington advocating openly the destruction of our Government and the substitution for it of a Soviet government such as now exists in Russia. Knowing, as we do, the trail of crime and tyranny in the wake of bolshevism, unparalleled in history, it would seem that no one of sound mind would stand up in the city of Washington and advocate such a change.

Mr. TOWNSEND. Mr. President, may I interrupt the Senator?

Mr. KELLOGG. Certainly.

Mr. TOWNSEND. Is the Senator satisfied that such a meeting was held and that such sentiments were uttered at that meeting?

Mr. KELLOGG. All my information is gathered from press reports and quotations from the newspapers, not giving the substance but quoting the exact language used. But I shall not stop to discuss that meeting. I should like to ask the Senator from Montana and other Senators here if they are aware that throughout the length and breadth of this land there is to-day a propaganda, public only to the extent that it dares to show itself, advising and teaching the lawless element in this country to overthrow the Government with fire and sword. That seems impossible, but it is true.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Colorado?

Mr. KELLOGG. I yield to the Senator.

Mr. THOMAS. I have been aware of that fact for a long time, and the name of the organization is the I. W. W.

Mr. KELLOGG. It is the I. W. W.

Mr. MYERS. Mr. President, I wish to state that I am very well aware of the fact stated by the Senator from Minnesota and regard it with as great alarm as he does.

Mr. KELLOGG. It is the I. W. W.; it is the escaped nihilists who come to this country from Russia; it is the scum of Europe, comprised of men who call themselves socialists but who are mere anarchists. They are trying to incite the dissatisfied elements of this country to a class warfare.

Mr. President, I am not going to read this article, but I wish to call the attention of the Senate to what must be an advertisement. I know there are many such advertisements being published throughout the country. The St. Louis Post Dispatch on January 23 published substantially an entire page of Lenine's appeal to what he calls the Bolsheviki of America. The article is headed:

"Lenine urges American laborers to use fire and sword so they may institute Bolshevism here. Russian leader says proletariat are warring against the middle classes now just like middle classes once fought with imperialists.

"This statement from Nikolai Lenine, who with Leon Trotsky is the recognized leader of Russian Bolshevism, is reproduced from the January, 1919, number of the Liberator, a proletarian magazine published by Max Eastman in New York. Eastman was indicted last fall under the espionage act but charges against him recently were dismissed."

In publishing this statement the Liberator makes the following editorial statement:

"This is the first direct word that has come to the American people from Nikolai Lenine since he became the recognized leader of the proletarian world. Early efforts to get it past the censorship lines evidently failed. It arrived in New York just as this issue was going to press. Certain passages have been omitted in deference to the extreme literal interpretation of the espionage law, but the heart of Lenine's message is here."

(By Nikolai Lenine.)

Moscow, *August 20, 1918.*

COMRADES: A Russian Bolshevik, who participated in the revolution of 1905 and for many years afterwards lived in your country, has offered to transmit this letter to you. I have grasped this opportunity joyfully, for the revolutionary proletariat of America—in so far as it is the enemy of American imperialism—is destined to perform an important task at this time. * * *

Mr. President, I take it that some passages have been eliminated; but if those passages are any worse than those remaining in this document, I can hardly imagine that the American people will view with equanimity such a published statement.

Mr. WALSH. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Montana?

Mr. KELLOGG. I yield.

Mr. WALSH. If the Senator will yield for a moment, I should like to inquire of the Senator from North Carolina [Mr. OVERMAN] whether the scope of the investigation now being conducted by the subcommittee of the Judiciary Committee, of which he is the chairman, would justify an inquiry as to who is paying for the advertisement to which the Senator from Minnesota has now directed attention?

Mr. OVERMAN. In reply to the Senator I will say that the resolution of the Senate under which the committee is acting, in my opinion, is not sufficiently broad to undertake that investigation.

Mr. WALSH. Then it seems to me some other committee of the Senate ought to be charged with the duty of running the advertisement down to its source.

Mr. KING. Mr. President, if the Senator from Minnesota will pardon me if I may express somewhat of a dissent from

the attitude of the distinguished chairman of the subcommittee, I am inclined to think that the resolution is broad enough, in view of the fact that it is well known that Germany in the beginning furnished the money for the Bolshevists and has been collaborating with them in all their efforts to destroy Russia, and, of course, was collaborating with Lenine and Trotsky in their efforts to destroy the governments of other nations.

Mr. KELLOGG. Mr. President, I think it would be a valuable contribution to the public service if Senators and Representatives in Congress and other public men would make known to the great body of the American people the nature of the sordidly criminal propaganda which is now going on in our midst, because I have confidence in the common sense and conservatism of the American people that they are not going to advocate or countenance a propaganda in this country of bloodshed, crime, and overthrow of law and order.

Let me invite the attention of the Senate for one moment to some of the statements in this article, which evidently the censor thought were not so bad but that they might be published. It purports to be Lenine's and Trotsky's appeal to the American people:

> In reality the class struggle in revolutionary times has always inevitably taken on the form of civil war, and civil war is unthinkable without the worst kind of destruction, without terror and limitations of the form of democracy in the interests of the war.
>
> One must be a sickly sentimentalist not to be able to see, to understand, and appreciate this necessity. Only the Tchechow type of the lifeless "Man in the Box" can denounce the revolution for this reason, instead of throwing himself into the fight with the whole vehemence and decision of his soul at a moment when history demands that the highest problems of humanity be solved by struggle and war. * * *

Mr. President, this article advocates that kind of a war against society. It reads:

> The greater the bitterness and brutality they sow, the nearer is the day of the victorious proletarian revolution. * * *

Mr. President, when the American people once understand that in our midst are criminal organizations deliberately and openly urging the overthrow of the Government, wantonly advocating murder, assassination, and the destruction of all property, I have no fear for the result in this country. But do the people understand it?

Mr. OVERMAN. Mr. President——

Mr. KELLOGG. I yield to the Senator from North Carolina.

Mr. OVERMAN. I think I ought to say that in the investigation which has been held some things have come out incidentally along the line that the Senator has suggested. We have in this country Bolshevism, syndicalism, anarchy, I. W. W., and such other organizations, all carrying the red flag, and they are all like currents going into a great stream for the purpose of tearing down the Government. It would be well for the Senator to read, when it is published, the very interesting testimony given by one of the witnesses on the stand, showing certain foreign newspapers advocating the overthrow of this Government and the uprise of Bolshevism in this country. There is a great deal of testimony along that line which came out incidentally.

I said that we had no authority under the resolution to investigate that, but we have incidentally done so. The resolution confines us to German propaganda and to the activities of the brewers in this country; but this testimony—and there is a great deal of it—will be very interesting for the Senator to read along the lines on which the Senator is making his speech now. There is a great deal of it all over the country, especially in the West and in the New England States, and very little, I am glad to say, in the Southern States.

Mr. KELLOGG. Mr. President, I did not rise to make a speech or to take much of the time of the Senate upon this question, but simply to invite the Senate's attention to the fact that there are in this country organized propagandists who are publishing their red sheets advocating the destruction of the Government, promoting lawless activities in Russia—murder, anything to destroy organized society not only in this country but in all the world.

Mr. NELSON. Mr. President, will my colleague yield to me for a minute?

Mr. KELLOGG. Certainly.

Mr. NELSON. I desire to state that evidence has been presented before the committee of which the Senator from North Carolina is the chairman, investigating German propaganda in this country, that some of these Bolsheviki have come to this country and are operating here, and they are supplied with money brought here from Russia.

Mr. KELLOGG. I have no doubt that is true, because this propaganda which is being circulated has the appearance of not only an organized but a paid propaganda of destruction of law and order and the rule of chaos and anarchy. I believe that when the American people understand it, when they know the nature of this criminal propaganda, the great, good sense of the mass of people living under a Constitution which guarantees liberty to every individual will make short work of it. I simply wish to call the attention of the Senate and the country to the nature of this propaganda which is going on and which is finding its way openly into the newspapers.

Mr. WEEKS. Mr. President, I was shocked, as were all other Senators, I think, by what took place in Washington night before last, and again last night, relating to the matter which has just been discussed by the Senator from Minnesota; and I agree with him in the remark which he has made in closing, that when the American people really understand this question they are going to stamp it out; but I do not think they understand it. I do not believe they really think that this is a treasonable propaganda; and the fact that it should take place in Washington, in a building owned by the Government, adds particular force to that assertion.

I want to bring to the attention of the Senate the Russian land law which has recently been passed. I am going to put it in the RECORD, because I hope it will reach the eyes of the farmers of the United States, so that they may understand what this propaganda really means. I will read four or five of the articles as an illustration of what the whole propaganda really means. These are the general provisions:

> ARTICLE 1. All property rights in the land, treasures of the earth, waters, forests, and fundamental natural resources within the boundaries of the Russian Federated Soviet Republic are abolished.

In other words, all lands and every appurtenance belonging thereto are confiscated.

> ART. 2. The land passes over to the use of the entire laboring population without any compensation, open or secret, to the former owners.
>
> ART. 3. The right to use the land belongs to those who till it by their own labor, with the exception of special cases covered by this decree—

Which I shall not read but which I shall insert in the RECORD.

> ART. 6. All private live stock and inventoried property of nonlaboring homesteads pass over without indemnification to the disposition (in accordance with their character) of the land departments of the county, provincial, regional, and Federal Soviets.
>
> ART. 7. All homestead constructions mentioned in article 6, as well as all agricultural appurtenances, pass over to the disposition (in accordance with their character) of the county, provincial, regional, and Federal Soviets without indemnification.
>
> ART. 17. Surplus profits, obtained on account of the natural fertility of the land or on account of its location near markets, are to be turned over for the benefit of social needs to the organs of the Soviet power.
>
> ART. 18. The trade in agricultural machinery and in seeds is monopolized by the organs of the Soviet power—

Whatever that may mean.

> Article 19. The grain trade, internal as well as export, is to be a State monopoly.

Mr. OVERMAN. Mr. President, will the Senator yield to me for a minute?

Mr. WEEKS. I will.

Mr. OVERMAN. I should like to give an example that came under my notice on yesterday.

A Russian princess married an American consul general. She left Russia about four months ago. She told me that her mother had a very large estate. Her father was a nobleman. He had 150 horses and a large herd of imported cattle. She stated that the Bolsheviki had taken her estate, taken all of the horses, taken all the cattle, and divided up that great estate into subdivisions of one acre each, and gave her mother one acre out of a very large estate, and her brother only one acre, and he was trying to make a living now on one acre of land. That is what the Bolsheviki had done with her father's estate.

Mr. WEEKS. That is clearly outlined in these different articles of policy, which I will include in the RECORD.

Mr. POMERENE. Mr. President——

Mr. WEEKS. I yield to the Senator.

Mr. POMERENE. Apropos of what the Senator has been saying, it may be interesting to relate a conversation I had with a very prominent manufacturer, who had a large iron and copper plant in Russia. This conversation was sometime after the Lenines and Trotskys had taken control. This man and his associates employed about 30,000 men. He received a cablegram from his general manager from Vladivostok one day announcing that he was on his way back to the States; that the men, under the influence of the Bolsheviki, had passed three resolutions, about as follows:

First, the title of the owners of this property is hereby set aside.

Secondly, So-and-so—naming a foreman—is hereby appointed as the general manager of this plant.

Thirdly, the wages of each and every employee of this plant are hereby increased 100 per cent.

Now, Mr. President, if the Senator will pardon me, I have an intense feeling that these men who are preaching the beauties

of Bolshevism are sowing the wind, and they will be reaping the whirlwind before very long unless it stops.

Mr. WEEKS. I have no doubt that if every class of people in this country really understood the character of this propaganda they would feel about it as those who have given it some attention.

I rose particularly to ask unanimous consent to put into the RECORD the general provisions relating to the land laws of Russia, in the hope that they would reach the eyes of the farmers of the country. I hope that some one will dig out all the laws that have been adopted by the Soviet governments, and that they may be given very general circulation in the United States. My opinion is if that were done it would create a feeling which would very quickly settle this treasonable propaganda.

Mr. OVERMAN. In that connection, if the Senator will pardon me, I should like to put in the RECORD the constitution of the Bolsheviki, a copy of which I have in my office.

Mr. WEEKS. I hope the Senator will do that, and that it will impress all those who take the trouble to read it that it is so crude in every form that it would be a disgrace to almost any schoolboy in the United States.

Mr. OVERMAN. I think it ought to be put in the RECORD. I shall read it to-morrow, because I think the American people ought to know what the Soviet constitution is.

Mr. WEEKS. I ask unanimous consent that the matter to which I referred may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

DOCUMENTS—THE RUSSIAN LAND LAW.

The following "fundamental law of socialization of the land" in Russia went into effect in September, 1918, replacing the earlier and briefer land decree of November 7, 1917:

DIVISION I.

General provisions.

ARTICLE 1. All property rights in the land, treasures of the earth, waters, forests, and fundamental natural resources within the boundaries of the Russian Federated Soviet Republic are abolished.

ART. 2. The land passes over to the use of the entire laboring population without any compensation, open or secret, to the former owners.

ART. 3. The right to use the land belongs to those who till it by their own labor, with the exception of special cases covered by this decree.

ART. 4. The right to use the land can not be limited by sex, religion, nationality, or foreign citizenship.

ART. 5. The subsurface deposits, the forests, waters, and fundamental natural resources are at the disposition (according to their character) of the county, provincial, regional, and Federal Soviet powers, and are under the control of the latter. The method of disposition and utilization of the subsurface deposits, waters, and fundamental natural resources will be dealt with by a special decree.

ART. 6. All private live stock and inventoried property of nonlaboring homesteads pass over without indemnification to the disposition (in accordance with their character) of the land departments of the county, provincial, regional, and Federal Soviets.

ART. 7. All homestead constructions mentioned in article 6, as well as all agricultural appurtenances, pass over to the disposition (in accordance with their character) of the county, provincial, regional, and Federal Soviets without indemnification.

ART. 8. All persons who are unable to work and who will be deprived of all means of subsistence by force of the decree socializing all lands, forests, inventoried property, etc., may receive a pension (for a lifetime or until the person becomes of age) upon the certification of the local courts and the land departments of the Soviet power, such as a soldier receives, until such time as the decree for the insurance of the incapacitated is issued.

ART. 9. The apportionment of lands of agricultural value among the laboring people is under the jurisdiction of the Volostnoi [several villages], county, provincial, main, and Federal land departments of the Soviets in accordance with their character.

ART. 10. The surplus lands are under the supervision in every republic of the land departments of the main and Federal Soviets.

ART. 11. The land departments of the local and central Soviets are thus intrusted with the equitable apportionment of the land among the working agricultural population and with the productive utilization of the natural resources. They also have the following duties:

(a) Creating favorable conditions for the development of the productive forces of the country by increasing the fertility of the land, improving agricultural technique, and, finally, raising the standard of agricultural knowledge among the laboring population.

(b) Creating a surplus fund of lands of agricultural value.

(c) Developing various branches of agricultural industry, such as gardening, cattle breeding, dairying, etc.

(d) Accelerating the transition from the old unproductive system of field cultivation to the new productive one (under various climates) by a proper distribution of the laboring population in various parts of the country.

(e) Developing collective homesteads in agriculture (in preference to individual homesteads) as the most profitable system of saving labor and material, with a view to passing on to socialism.

ART. 12. The apportionment of land among the laboring population is to be carried on on the basis of each one's ability to till it and in accordance with local conditions, so that the production and consumption standard may not compel some peasants to work beyond their strength, and at the same time it should give them sufficient means of subsistence.

ART. 13. Personal labor is the general and fundamental source of the right to use the land for agricultural purposes. In addition, the organs of the Soviet power, with a view to raising the agricultural standard (by organizing model farms or experimental fields), are permitted to borrow from the surplus land fund (formerly belonging to the Crown, monasteries, ministers, or landowners) certain plats and to work them by labor paid by the State. Such labor is subject to the general rules of workmen's control.

ART. 14. All citizens engaged in agricultural work are to be insured at the expense of the State against old age, sickness, or injuries which incapacitate them.

ART. 15. All incapacitated agriculturists and the members of their families who are unable to work are to be cared for by the organs of the Soviet power.

ART. 16. Every agricultural homestead is to be insured against fire, epidemics among cattle, poor crops, dry weather, hail, etc., by means of mutual Soviet insurance.

ART. 17. Surplus profits, obtained on account of the natural fertility of the land or on account of its location near markets, are to be turned over for the benefit of social needs to the organs of the Soviet power.

ART. 18. The trade in agricultural machinery and in seeds is monopolized by the organs of the Soviet power.

ART. 19. The grain trade, internal as well as export, is to be a State monopoly.

Mr. WALSH. I ask unanimous consent for the adoption of the following resolution (S. Res. 439):

Resolved, That the authority of the Committee on the Judiciary conferred by Senate resolution No. 307 be, and the same hereby is, extended so as to include the power and duty to inquire concerning any efforts being made to propagate in this country the principles of any party exercising or claiming to exercise authority in Russia, whether such efforts originate in this country or are incited or financed from abroad, and, further, to inquire into any effort to incite the overthrow of the Government of this country, or all government, by force or by the destruction of life or property or the general cessation of industry.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SMOOT. I simply wanted to ask whether that would entail any expense. If so, it ought to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. WALSH. It will, of course, entail expense, but the committee already has certain powers conferred upon it.

The VICE PRESIDENT. The Chair does not believe that it has to go to the committee at all. It broadens the scope of the inquiry.

Mr. SMOOT. I do not object at all to the provisions of the resolution.

The VICE PRESIDENT. It can be adopted if there be no objection. If there is objection, it will go over.

Mr. OVERMAN. I wish to state to the Senator from Utah that we have plenty of authority under the former resolution to conduct this investigation. It may require an additional clerk; that is all, because the employment of the clerk we now have is limited to 30 days, and we may ask for an additional clerk.

The VICE PRESIDENT. Is there objection to the resolution submitted by the Senator from Montana? The Chair hears none, and it is adopted.

Mr. POINDEXTER. I ask unanimous consent, out of order, to offer the following resolution and have it read, and I ask that it may go over under the rule.

The resolution (S. Res. 437) was read, as follows:

Whereas it is the duty of the Attorney General of the United States to enforce the laws of the United States, and particularly those for the punishment of crimes of violence, treason, sedition, and insurrection, or aiding and abetting the same; and

Whereas vigorous performances of this duty by the Department of Justice, of which the Attorney General is the head, is especially important when the country is in a state of war; and

Whereas a peculiar obligation rests upon the executive branch of the Government to preserve order in the District of Columbia and to protect the seat of the Federal Government from force and violence; and

Whereas advocacy of the use of force for the overthrow of Government and existing institutions is criminal and unlawful and "adherence to the enemies" of the Nation constitutes treason; and

Whereas in the city of Washington at Poli's Theater on the evening of February 2, 1919, and at the Old Masonic Temple on February 3, 1919, public meetings were held at which public speakers advocated the cause of the present Bolsheviki government of Russia, which is now at war with the United States, and publicly approved methods of force and violence in the affairs of government practiced by the present Bolsheviki rules in Russia, and advocated the use of such methods in the United States for the subversion of the Government of the United States and the establishment of Bolsheviki principles and methods in its place: Therefore, be it

Resolved, That the Attorney General report to the Senate what, if any, steps he has taken to investigate the meetings referred to, the speeches made therein, the names of the speakers and those supporting them, and what, if any, steps he has taken to enforce the laws of the United States in the premises.

The VICE PRESIDENT. The resolution will go over as requested.

Mr. BORAH. Mr. President, it is said that a meeting was held at the Poli Theater Sunday afternoon which advocated the overthrow of our form of Government and the substitution in its place of a form of government known as the Soviet government. If the reports of the papers be correct, I take it that we are to conclude that was the object and purpose of the meeting. It is but fair to say, however, that the statement has been made to me that so far as the advocacy of the overthrow of our Government is concerned, no such doctrine was preached at that meeting, that it was a defense of the Soviet government in Russia under the conditions and surroundings which there

confront the people of that country. The claim is made by some present that while they were defending the Soviet government in Russia it was not contended that it should supplant our Government. This statement has been made to me. But, Mr. President, if the propaganda which seems to have been fathered at that meeting be the beginning of a movement in this country, we may well consider how we are to meet such a serious situation.

I can not say that I was surprised at the meeting, even though it advocated all that the paper claims that it advocated. A few days ago in a running debate I made the remark that Bolshevism was not to be confined by national lines, and that we would in all probability have to meet that proposition in this country at no distant day. That statement was seized upon by a number of papers throughout the country as wholly sensational and without any justification whatever, and as indicating upon my part a lack of faith in the American people, their good sense, and their poise in such an emergency.

I do not complain, Mr. President, of the views which the papers took of the matter. I was greatly in hopes that they were correct and that there was really no occasion for being uneasy about the situation, and that those who had thought that such a condition of affairs might confront us in this country were in error. I am inclined to believe that there was more justification for my remark at the time than those around me seemed to think. It has been my fortune to know something of this spirit in this country for the last 15 years. I have known something of the reservoirs of propaganda, which have been filled with this feeling for some time, and I felt that the psychological conditions, superinduced by war, were calculated to feed it instead of diminishing it. This now seems to be the opinion of many able Senators, and that it is a real situation with which we shall have to deal.

I perfectly agree with those Senators who have inveighed against this propaganda. There is no possible reason for appealing to violence, to disorder, in this country. We have fortunately under our system of Government the method pointed out and provided for by which changes can be brought about in an orderly and lawful way. The ballot is in the hands of the people, and there is no occasion under any circumstances or conditions for an appeal to lawlessness, an appeal to the spirit of disorder, whatever the objects or motives or purposes may be or the ultimate aims to be accomplished. I have not a particle of sympathy with any such movement. There can be no justification for any class of people under any circumstances spreading the spirit of disorder and lawlessness in a Government where it is within the power of the people to work such changes as reason suggests and orderly public opinion supports in an orderly and legal fashion.

So I join with those who inveigh against any preachment of lawlessness, and especially with those who are opposed to any system which through any violent method would overthrow our form of government.

We believe in this country, Mr. President, in an orderly, manly, regulated liberty. It is this, sir, which distinguishes the American Republic from all spurious republics with which history has had to do. There have been instances in which so-called republics have been set up, but the method of accomplishing changes and working reforms in government were so restrained and circumscribed that the people did not have the power to effectuate their purposes. But they have here that which distinguishes us from all other republics which have ever existed heretofore and far more perfectly than exists anywhere else at the present time.

Mr. OVERMAN. Will the Senator allow me?

Mr. BORAH. I yield.

Mr. OVERMAN. I wish to say that a bill has been introduced to repeal the espionage act, and our committee is considering legislation for the repeal of that act. If we repeal the espionage act under the resolution introduced and we do not enact some other legislation in its place, there will be no law upon the statute books that can stop any of this propaganda. I want to call the Senator's attention to the fact that if we repeal the espionage act at this time we must have some law in its place.

Mr. BORAH. Mr. President, there are laws and laws. The espionage act, in my judgment, will not effectuate what the Senator from North Carolina and I desire in this country. There are offenses which should be defined, and the violation of such a law should be punished, but arbitrary power has been from the beginning of time until now the source of violence and disorder. There is an orderly and regulated method by which to deal with these subjects which will effectuate what we all desire.

But, Mr. President, I am opposed to Bolshevism or internationalism whether they are in tatters and rags or whether they are found clothed in broadcloth, whether they come to us in the garb of a Soviet government or in the form of a superstate based on force. It all means the same thing, so far as the life of this Government is concerned. It is wholly immaterial to me from what source the attack comes upon the American Republic. These men at the Poli Theater may be hammering and battering away with pickax and dynamite at one pillar of the Republic while other men in more powerful places are battering and hammering away at other pillars of the Republic. One would destroy it by demobilizing its moral forces, the other by sterilizing the national spirit.

Senators say we must meet this question. How? I think one of the best ways to meet it, and meet it early, is to begin to preach Americanism from every rostrum in the United States, and thereby increase and augment that great body of national affections which bind the people to their Government.

The Soviet government has its enthusiasts throughout the land and throughout the world, and this and that new scheme have their enthusiastic supporters, but who in this hour is preaching Americanism and the great fundamental principles of representative government? They held a meeting at the Poli Theater! The league to enforce peace will begin its campaign in Boston upon the 6th day of February, and, if they succeed, they will ultimately land us precisely where the Bolshevists would land us, and that is under the control of internationalism. They would tear down the fundamental principles of this Government in the end just as successfully and just as effectually as the men who met at the Poli Theater.

When you transfer the sovereign power of this Government to make war or peace to some superstate, some tribunal not responsible to the American people, and thereby internationalize this Government; when you take its most vital powers out of the hands of our own people and put them beyond their reach and control in a tribunal the majority of which is controlled by foreigners; when you give to some tribunal which we can not select or elect the power to take our sons from their homes and put them in Russia or in Turkey or in Asia, you finally arrive at the same ultimate goal to which the disciples of Lenine and Trotsky would lead us. You destroy the sovereign independence of this Republic and take away the self-governing capacity of our people. Now, it is immaterial to me whether you do that in one way or the other; it is the ultimate result that I look at and that I reject now and forever.

What we need in this country, sir, is the fostering and strengthening of the national spirit, a rebaptism of national pride, a reconsecration to the purposes for which we organized our Government. Preach the doctrines of the fathers for a while and see how the American people like it. Come home and take care of our own institutions. Strengthen them in the hearts and minds of the American people. Work out more just and humane laws, effectuate a more equitable distribution of our prosperity, and fill with greater national interests our whole social life. Tell our people anew how we are distinguished from all the peoples of the nations of the earth, the liberty, the prosperity, the independence, the initiative, the individuality, which we enjoy as compared with other nations or peoples. When you have done that you will plant in the hearts of the American people again and anew that which Bolshevism can not uproot.

When this league to enforce peace goes across the country holding its meetings it will not talk much about our history and our traditions and the distinguishing principles which have brought us to our present glory. They will not say much of Washington and his teachings, for these are now ancient and out of place. They will pass by Jefferson, who warned us to stay out of Europe and warned Europe to stay out of the Western Continent. They will generalize about the Monroe doctrine. Instead of those things they will tell you that a new era has come; that we must police Europe; that we must finance Europe. They will plead for an international army, an international navy, an international tribunal. They will preach internationalism, the highest and loudest note sounded at the Poli Theater. They will accept the fundamental principle of Bolshevism, to wit, the compounding of all nations and all races under one international control and thereby the destruction of the national spirit everywhere.

Mr. KELLOGG. I ask the Senator if it is not a fact that every socialist and anarchist from the days of Karl Marx has been an internationalist?

Mr. BORAH. I presume so; and every man who advocates the league to enforce peace is an internationalist. That is where it lands. You might just as well say, "I will stop midway after I start over Niagara Falls," as to say, "I will advocate a super State, but I will not accept internationalism."

Mr. President, I speak perhaps with some harshness upon this matter; I am satisfied it will be so interpreted; but I never felt more sincerely in my life than I do upon this subject; we are all disparaging and discouraging the great national spirit which alone will protect us from just such evils as we fear at this hour. There is no other defense, there is no other shield, there is no other protection. Washington knew it; Jefferson knew it; Lincoln knew it; the saints of liberty who have gone before us all knew it; and in this hour of difficulty and turmoil let us get back to the religion of the fathers. Let us preach it like Peter the Hermit, with a tongue of flame. If we do so, we are safe. If we do not do so, you may pass all the laws you choose, you may have your arbitrary power, you may have your repression in the form of prosecution and persecution, but unless there lives in the hearts of the people a deep and abiding national love and a perennial national spirit, unless they are convinced that there is something in the Republic which is worth more than all else, you will never extinguish it by mere force.

Mr. President, when the Russian soldiers went back to their country after the retreat and fall of Napoleon they carried with them the sentiment of freedom and of liberty. They had imbibed it from the French people. They began to hold their meetings and to discuss the subject of more freedom, of a liberal government. The Czar's government began its system of repression. It began its system of extermination, of killing them off. These men who believed in a greater freedom and a freer government held their meetings after the midnight hour in secret and hidden places, had their little printing presses, which they concealed from the public, and when the Czar would capture a number of them and exterminate them, they would spring up tenfold stronger. So it went on for a hundred years, until now we see in Russia the fruits of the repression of a hundred years. You can not destroy the spirit of liberty by repression. You must say to the people and convince them that this Republic is something that is worth all other forms of government. You have got to implant in their minds and hearts again the spirit which has made us great and which alone will keep us great.

Therefore, Mr. President, if you would check Bolshevism and anarchy and I. W. W.-ism, preach the true faith, the only way of salvation. Let us when this Congress adjourns upon the 4th of March, every man in this Chamber, volunteer to go to the rostrum and teach Americanism from every quarter of this Nation and have a revival of faith in our republican institutions, the faith which has through all these years made us invincible and which has excited the emulation and admiration of the whole world.

Mr. HITCHCOCK. Mr. President, there is so much that is splendid in what the Senator from Idaho [Mr. BORAH] has said that I regret more than I can express his disposition to look to the past instead of to the future. I regret to see the great abilities of the Senator from Idaho arrayed in opposition to the international effort now being made to enter into the new era that spreads before a new world.

Mr. President, we are slow in realizing the fact that the old world is dead and that we are in the very midst of the scenes accompanying the birth of a new world. We have seen, as we have studied the history of the past, that the world moves from one age to another. The golden age of Greece passed away; the age of the Roman Empire came, distinguished for its strength, its dominance, and its conquests. When the Roman Empire fell the world entered into the Dark Ages, which lasted for centuries, and were only driven away with the revival of religion and of literature. We saw the world, Mr. President, pass into an age of chivalry, in which it enjoyed a great moral uplift. We saw the feudal ages, with their military power, come and go.

Now, I verily believe that we who were born in one age are going to die in another. A new world has come, and the objections and the arguments which the Senator from Idaho [Mr. BORAH] and others have stated, while valid before the 1st day of August, 1914, are to be swept away as no longer good.

Mr. President, what is the great fact of history which has stood in the way of the longing of human beings for peace? The great fact is that since the dawn of time the world has been cursed with the lust for conquest. Throughout all the ages we have seen great empires ruled by autocratic governments in which a few men had the control of war or peace. We have seen those empires inspired with the supreme thought of conquest. Those imperial ambitions have been the causes of the great wars that have come upon the world and brought with them the horrors which we seek to escape.

Before the 1st day of August, 1914, I might have agreed with the Senator from Idaho that an international effort to put a stop to war was doomed to failure; but I say to him now something has occurred since that time which makes possible the things that were before impossible.

When this war began, of all the great conquering empires that the world had known, with their might and their dream of conquest, only three remained. Great Britain had become a democracy, practically; France had become a republic, on the plan of our own great Republic; Italy had become a constitutional monarchy. The neutral nations were of similar character. Of all the great nations of history dreaming of conquest, three only remained—Russia, with her autocrat and her plan of conquest to the Pacific Ocean and down toward the south; Austria-Hungary, which in our own day had swallowed up Bosnia and Herzegovina, and which was still pressing to the east with her dream of conquest; Germany, which in our own day had seized Schleswig-Holstein from Denmark and Alsace-Lorraine from France, absorbed for more than a quarter of a century with the dream of conquering the world—those three great empires were all that remained of the historic conquering nations of the world. Where are they now, Mr. President? They lie in the dust, dead forever, gone. With their disappearance from the world has disappeared the last lingering obstacle to international peace, perpetuated by an international agreement. So I say to the Senator from Idaho, what could not have been done by an international agreement before this war has now become possible.

Mr. President, shall this great Republic, which has led the way in establishing in the world the right of man to govern himself, hesitate to back its President in the magnificent fight he is now making in France to bring about a new era?

Mr. BORAH. Mr. President, I did not refer to the President's league, for I am not yet informed as to what it is; but I was referring to the league represented by an ex-President.

Mr. HITCHCOCK. Well, that is the unfortunate circumstance, Mr. President. These attacks which are made upon the floor of the Senate and throughout the country, calculated in their result, if not designed in their purpose, to hamper the President by conveying to the Old World the thought that America is opposed to his effort—these attacks are all directed against an imaginary league of nations that is not seriously proposed, except as a straw man to be knocked down.

Mr. President, I can not conceive, and no real friend of the league of nations can conceive, of the possibility that the United States would enter into an agreement the purpose of which is to create a giant international Frankenstein, with army and navy so powerful that it might destroy the United States. I can not conceive that Great Britain or France would ever enter into an agreement for the creation of such a monster, which might destroy one of the nations joining in its creation.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER (Mr. WALSH in the chair). Does the Senator from Nebraska yield to the Senator from Pennsylvania?

Mr. HITCHCOCK. I yield to the Senator from Pennsylvania.

Mr. KNOX. I regret that I can not give to the Senator from Nebraska the exact date of the speech of the President of the United States, but I read from it only this morning the thought that the United States stood for a league of nations that would have back of it the major forces of the world to such an extent that they would outnumber any alliance that any combination of nations could make against them.

Mr. HITCHCOCK. Mr. President, I do not know to what speech of the President the Senator refers, but I am very clear in my own mind that the supreme force which will stand back of the league of nations, which is now being born, will not be an army, it will not be a navy, it will not be military power, but it will be the great moral power of the world. I want to say to the Senator from Idaho [Mr. BORAH] that when great nations like the United States, Great Britain, France, and the other nations that will join in this league enter into a solemn agreement to do a certain thing, it will not require armies and navies to force compliance; in fact, no army or navy could force the United States to do anything; but the power of public opinion in the United States and the power of public opinion throughout the civilized world will be the supreme power, the moral power, which will naturally bring compliance with any agreement duly made.

Mr. POINDEXTER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Washington?

Mr. HITCHCOCK. I yield to the Senator.

Mr. POINDEXTER. I desire to ask the Senator if he believes that there is any issue between himself and anybody else on the question of moral force in the world? Does the Senator know of anybody who is opposed to the exercise of moral force, or does the Senator know of anybody who is opposed to peace brought about by moral force and public opinion?

Mr. HITCHCOCK. Oh, I do not know, Mr. President. What I am here reprehending and condemning is the idea that the President's efforts can be belittled and nullified by attacking something which he is not seeking to bring about.

Mr. BORAH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield further to the Senator from Idaho?

Mr. HITCHCOCK. I yield.

Mr. BORAH. As I understand, before the President left here he announced very plainly to representatives of the league to enforce peace that he was opposed to their proposition. I have not this direct, but almost direct; and I read in the press dispatches after the President arrived in France that he disbelieved in their theory and in the principle upon which their league was organized. Therefore, how can I and those who agree with him in being opposed to that be opposing the President? As I said a moment ago, I do not know what the President's plan for the league is, but I referred to the fact that this league to which I have referred is about to hold its meetings throughout the United States, to begin on the 6th of February. Now, it is certainly not amiss for a Senator, in connection with other meetings which are being held for the purpose of destroying the Republic, to discuss those meetings also. If the press reports are correct, the President has done precisely what I did; that is, he has said that he was opposed to any such principle.

Mr. HITCHCOCK. Mr. President, I am glad to hear the disclaimer of the Senator from Idaho. The trouble is that the speeches which are made in the Senate attacking the league idea are sent out as attacks and criticisms upon the President's efforts and tend to handicap and embarrass him in the struggle he is engaged in. I do not understand that I am compelled in supporting the league of nations to decide to give away any part of the sovereign power of the United States any more than I am when I subscribe to an international treaty which may be made. Yet that surrender of national sovereignty is held up as a bugaboo.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nebraska yield again to the Senator from Pennsylvania?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KNOX. Will the Senator from Nebraska be good enough to tell us what the President's league is? Then we may join with the President and the Senator from Nebraska in acclaiming it. The difficulty is we do not know; and if the Senator from Nebraska does know what he is so enthusiastically supporting, will he not take us into his confidence?

Mr. HITCHCOCK. Mr. President, the Senator from Pennsylvania very well knows that he has exactly the same sources of information that I have, and the Senator from Pennsylvania ought to know that, when the time comes that this country is to take a position on the matter, the President will lay before the Senate what he asks the Senate to do. I do not have any idea that the President could have done that before he left the United States and before he came in contact with statesmen from the other countries, but I have not any idea that the President will undertake to commit the United States before he consults the Senate of the United States.

Mr. KNOX. Mr. President, certainly it would not be the position of the Senator from Nebraska that "we do not know what it is, but we are for it." That would hardly be a proper attitude for a body like this to assume.

Mr. HITCHCOCK. Mr. President, I may not know exactly what the league is to be, but I know what it is not to be. It is not to be the monster that Senators on the other side of the aisle are attacking, and they must know it is not to be that sort of a league.

Mr. BORAH. Then, why, pray, does the Senator find fault with us? We are not attacking anything that the Senator stands for; we are not attacking anything that the President stands for, so far as we know; but we are attacking a proposition which a most distinguished member of our own party stands for. Does the Senator object to our family quarrels?

Mr. HITCHCOCK. Mr. President, I have not any very deep interest in what the Senator terms his "family quarrels," but I have a very high respect for ex-President Taft in his effort to bring about a great good to the world. I have withheld my support from what he proposes, but until I have something myself definitely to propose I shall not stand here and denounce him or his plan. He is not in any representative capacity; he has the same right that any other citizen has to propose a plan for the alleviation of the conditions of war. I object to attacks on the Taft plan which are so made as to injure the President's plan by giving the impression abroad of antagonism in the Senate.

Certainly, Mr. President, the evils of war are great enough to warrant a great effort to free the world from them. Certainly this country, which fortunately was only in the war a short time, has learned by sad experience that a world war is a terrible thing. We will be for generations paying the terrible toll which that war has levied upon us, and humanity in Europe will be centuries recovering from the awful disaster. Now, shall we not join in an effort to make a recurrence of such an evil impossible? Shall we stand here and criticize, condemn, and embarrass before we even know the terms of the remedy that is proposed? Is it not better for us to give every encouragement, to extend every help, to the President, who is making that fight in France?

Mr. President, to me it is an inspiring sight—that battle that is going on in France. It is an inspiring sight, because I see a mighty conflict between the old that is passing away and the new that is coming. I see a mighty contest between the sordid materialism represented by the statesmen of the past and the ideal represented by the statesmen of the future. It seems to me appropriate that the United States, which is a Nation of ideals, a Nation of altruism, a Nation which has already become a world benefactor, should take the lead. We helped to create the Cuban Republic. We are even now generously giving a new civilization to the millions of people in the Philippine Archipelago, in the very shadow of Asia. It seems to me that this Nation of ideals, this Nation of an altruistic record, that first proclaimed 140 years ago the Declaration of Independence, is the one to lead. Our forefathers then proclaimed that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; and in order to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed—it seems to me appropriate that this Nation, with this history, should now take the lead in bringing about the new era of the world.

Mr. President, when those principles of the Declaration of Independence were proclaimed one hundred and forty-odd years ago, they no doubt sounded to the Old World like the vagaries of a visionary mind. They probably sounded just as impossible as the league of nations sounds to the statesmen of the Old World and the benighted statesmen of this country. Why, I can imagine that those principles were considered by the people of the Old World as the suggestions of an iridescent dream; and yet those principles, laughed at and scoffed at by the people of the Old World, have become the solid foundation of this Republic, and they are going to become the foundation stones of all the nations in the world as the result of this struggle.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Does the Senator from Nebraska yield to the Senator from Minnesota?

Mr. HITCHCOCK. I yield to the Senator.

Mr. KELLOGG. Will the Senator please explain this fact? He says that we are in favor of a league of nations to maintain peace—I am rather in favor of it myself, as I think the Senator knows—and disarmament, as we see in the morning papers. How does he reconcile that with a request that Congress shall make an unparalleled appropriation, $700,000,000, to increase our Navy away beyond anything we ever dreamed of before? Is that necessary to maintain the peace of the world or the league of nations?

Mr. HITCHCOCK. Mr. President, undoubtedly it will not be necessary if the league of nations becomes a going concern. If the league of nations becomes established, and the great nations of the world follow the example of the United States, and solemnly agree to do those things which will make war impossible, solemnly agree to abstain from conquest, solemnly agree to reduce their armaments, solemnly agree never to have war unless the representatives of the people vote it, solemnly agree to carry out the pledges which they make, undoubtedly wars will cease, and preparations for war will cease, and not only will every country be relieved from the prodigious expenses and the enormous burdens of war, but when a mother looks at the face of her baby boy in the cradle she will not have to think that it may be that the nation will some day seize him and put him in the front to be shot.

Yes, Mr. President, these preparations for war which have been going on, these enormous costs of war which we have encountered, this awful toll of life in war which the other nations have had in a greater degree than we have had, will all become unnecessary in the new era; and I believe, Mr. President—I am sanguine enough to believe—that the world is marching into a new era just as completely as it marched into the age of chivalry. Just as certainly as it emerged from the Dark Ages, so it is emerging now from the dark ages of war into the final period of perpetual peace.

Mr. WALSH. Mr. President, in the discussion of this subject, inquiries have been repeatedly propounded by opponents of the plan of a league of nations, with a perfectly obvious attempt at irony, as to what is the President's plan of a league of nations, what are its provisions, and what are its limitations?

Up to the present time no one has been able to speak authoritatively in answer to inquiries of that character. Some 30 days or more before the President left on his great mission the public press carried the statement that in a few days the President would announce his plan for a league of nations. I hastened to counsel him at that time—I rarely venture upon anything of the kind—not to make any public declaration whatever concerning his plan of a league of nations if he had any. I found it was entirely unnecessary. He had no thought of making any publication at all.

Why, Mr. President, I have not the slightest doubt in the world that with all the opportunities the President of the United States has since had to benefit by the thought of the great minds of the world that have given this great subject their earnest thought and consideration for years, his ideas have been much matured, so that it would have been exceedingly injudicious in him to have given out a plan. It would have been injudicious from any point of view for him to devise a plan and go over to Europe and endeavor to enforce that as the plan that would ultimately be adopted by the organization.

Mr. President, that is not the way the Constitution of the United States was adopted. That is not the way it was framed. When the delegates gathered together for the purpose of devising our fundamental and organic law, the delegates from Virginia, Mr. Madison and Mr. Randolph, brought with them a plan of a union, but they were, I was going to say, so silly as to proclaim from the housetops before they left upon their mission the plan they had in mind for the organization of a union. Mr. Hamilton had a plan for the organization of a union. It was kept a profound secret. Nobody knew anything at all about it until years after the Constitutional Convention had concluded its work. The delegates from New Jersey also had a plan to propose.

Mr. President, no one of these plans was proposed by its originator as a completed scheme of government which he was going to insist upon and urge before the convention as the only plan that would solve the difficulties then confronting the country. He simply brought it along as a working plan, as a basis, as an outline, as indicating in a rude and a crude manner his ideas as to what kind of a constitution the convention should adopt. If the President of the United States took with him to Europe a plan for a league of nations, I am perfectly convinced that it was in that spirit that he did so. I am perfectly convinced that he had an open mind, freely open to suggestions from any quarter, and that is what he is over there for. So I dare say that Senators will have to possess their souls in patience concerning the President's plan for a league of nations.

Why, Mr. President, we are not in the dark—that is, not in complete darkness—concerning how the thing is being operated. Commissions have been appointed from the delegates from the various countries for the purpose of studying the various plans that are proposed, from whatever source they may come; and out of these they are going to draft an outline, and that outline will eventually be submitted to the conference for consideration, and the completed work will undoubtedly emerge from the conference in much the same form that the Constitution of the United States emerged from the Constitutional Convention.

I do not think we shall get any very definite information until that time concerning what the President's views are concerning the details of a league of nations.

SUPERMAN GOVERNMENT AND SELF-GOVERNMENT.

Mr. SHERMAN. Mr. President, I ask unanimous consent to address myself to the pending question; and, preliminary to that, I will try to discover what the question is that is before the Senate, before going any further. Like the Senator from Pennsylvania [Mr. KNOX], if I could discover the peace league in some definite form, I would soon be ready to decide whether I would vote for or against it. At the present time it seems to be compounded of moral suasion and coercion by threat, backed by a Navy costing about $1,000,000,000, including the present Navy, which shall be held in terrorem over all the civilized nations of the world. Along with this comes the international conscience, and necessarily connected with that is the question of the freedom of the seas.

What is that? Sea law has been made by the strongest power on the sea. It is made during war and usually not during peace. Just what the sea law will be, connected with the new freedom of the seas, I do not know; but I know what the alleged Metternich of this Vienna conference in Paris believed about it the last time he was heard from. He believed the Navy was to be used for no other purpose than to meet another hostile navy upon the high seas and engage in battle. Under his version of the freedom of the seas there is to be no blockade of the ports of an enemy country; there is to be no capture of merchantmen. A blockade such as Great Britain enforced upon Germany during the last war will be impossible under the freedom of the seas believed in and advocated by Col. House. His utility was recognized in that unfortunate occurrence not long ago where it appears that the report of his death was "greatly exaggerated." I am copying now a quotation from Mark Twain. When his friends once heard that he was no more, and, meeting one of them a short time afterwards, he inquired about the occurrence, Mr. Clemens made the answer that I have quoted.

On January 20, 1919, the London Times published an unfounded report of Col. House's death. It is probably a good thing for us to be able to hear our own obituaries. However, it is not vouchsafed to very many of us so to do. But among others of the great blessings that have fallen upon Col. House in his lifetime was an obituarial appreciation of his services to Germany by the late distinguished Teutonic patriot who resided at this Capital, known as Von Bernstorff. The Tageblatt, of Berlin, under this date (Jan. 20, 1919), published an appreciation of Col. House by ex-Ambassador von Bernstorff when he heard the report, thinking it to be true, that the colonel had passed to his final reward. He said he was personally acquainted with the colonel; that he was the eyes and ears of President Wilson—

and Bernstorff knew through his own experience how well Col. House kept President Wilson informed on the European situation. Even his first trip to Berlin—

Which was in 1915—as I remember it—

was undertaken in the interest of peace, as Bernstorff can testify from a personal conversation with Col. House.

There were two trips, by the way, Mr. President. One, I think, was in 1915, and the other in 1916 or 1917. Continuing:

In the winter of 1916 and 1917, when President Wilson proclaimed his program of peace without victory, Col. House was the President's earnest collaborator. "No more honest pacifist ever existed," says Count von Bernstorff. "He was just the man to fight for Wilson's peace program. He hated war because he considered it contrary to human ideals. He considered the war profiteers a most despicable lot, and never bought any munition stocks.

"He told me repeatedly he had just as energetically protested in London against the British blockade as the U-boat war, and couldn't believe either method would lead to a decision. The result would be nameless hatred, neutralizing all efforts for peace. I, as a German, must admit that House was quite correct in much he said in this respect.

"The war psychosis spoiled many honest people's judgment, but I can't believe that House looked at the peace problem from a different point of view previously. He was too matter-of-fact, too passionless. We may, therefore, assume that he stood for peace, justice, and an international league till the last moment.

"The supreme cause of conciliation among nations loses in House its stanchest champion. I deeply deplore that I did not see this dear friend once more, and that he did not live to see the perfection of his grand ideas."

COL. HOUSE TAKES A DRIVE.

PARIS, *January 20, 1919.*

Col. E. M. House, who was confined to his bed last week, was so improved to-day that he was able to take an automobile drive. He expects to resume his duties in connection with the American peace delegation within a few days.

I will put the whole of this remarkable obituary in my remarks before I close. I note now from Herr von Bernstorff and from other German authorities that all of them favor the 14 points of peace, and favor the freedom of the seas as enunciated by Col. House. So I anticipate that they find in it much that is of advantage to them. That, however, was not the original purpose for which this discussion was precipitated to-day. It grows out of a meeting, I assume, at Poli's Theater, in which certain ideas were advanced somewhat inimical to the peace and good order of the District of Columbia or the United States.

What complaint could be made if they were arrested under the espionage law? A violation of law would be, of course, the charge. I read from an act of March 4, 1913, "an act making appropriations to supply deficiencies in appropriations for the fiscal year 1913 and for prior years, and for other purposes." After providing certain items to cover deficiencies, it contains the paragraph which I have quoted several times:

That hereafter the Executive shall not extend or accept any invitation to participate in any international congress, conference, or like event without first having specific authority of law to do so.

I next read from a proclamation dated December 23, 1918, abrogating, annulling, and rescinding certain regulations prescribing the conduct of alien enemies. The body of it I do not care particularly for, but it concludes:

In witness whereof I have hereunto subscribed my hand and caused the seal of the United States to be affixed.

Done at the city of Paris, in the Republic of France, this 23d day of December, in the year of our Lord one thousand nine hundred and eighteen and of the independence of the United States the one hundred and forty-third.

WOODROW WILSON.

By the President:

FRANK L. POLK,
Acting Secretary of State.

These are two matters of documentary evidence that connect themselves, one prohibiting the President from being at the Paris conference and the other attesting an official document done outside the borders of the United States while the Chief Executive is accepting an invitation or upon his own motion is at a conference in violation of the statute made in 1913.

Bolshevism is nothing but organized crime. Without that organization it is mere sporadic offenses without connected purpose, but when all of them are acting in concert, pursuing a common end, it becomes no longer a mere private conspiracy susceptible of indictment, but it becomes a movement against the organized powers of stable government. It becomes, in other words, a question whether civilized society can survive or whether that of Bolshevism can be substituted. Therefore, in the substance of it, it is lawlessness as opposed to the orderly processes through which organized government exercises its powers.

The United States Government is no longer, Mr. President, a Republic of self-governed people. It is the rule now of the alleged superman at the head of group or class aggregations seeking their own advantage. Neither is it a Government of law. It is the rule of some men, selfish, ambitious, greedy, impractical, and dreaming. Some chase phantoms in the boundless realm of idealism. Others build a class despotism founded on spoliation. Again, another group, similar to the one at the theater, possibly, shout revolution and pillage unrebuked in public places. The preacher of discontent demands an enforced equality of property and income, ignoring the individual differences in thrift, industry, and ability. All reach the same result. Pulling down the successful from the higher level of achievement to the beaten plane of mediocrity is hailed as progress. To have succeeded in private pursuit is become a badge of infamy and the target of every blatant defamer the Government can discover and drag from obscurity into public office. To have failed is an emblem of distinction and fitness of itself, dispensing with further examination in this civil service of incompetency and lawlessness.

Free institutions are to be developed by degrading everybody to the condition of the improvident and ignorant. Confiscation and bankruptcy are to be made the reward of merit. Self-indulgence and instant enjoyment are asserted to be the right of all. Earning, saving, deserving, and wisely investing are denounced as archaic folly. The old New England virtues are behind the times. Sudden wealth and the supposed easy life and lavish expenditure of great affluence are the aim. The ostentation of vulgar and sometime ill-gotten wealth emphasizes the desire. Few of the mad throng covetous of ease and plenty stop to learn that most fortunes are the result of ability and hard work. They jeer at one and will not practice the other. At middle or old age every able-bodied failure likes to be told by some statesman that he is a victim of society's injustice instead of his own disobedience of those immutable economic laws that lie at the base of individual or national success. He is ready to vote himself a noncontributory old-age pension and tax the frugal and industrious to quarter himself on the productive and saving energies of the country. It is that element that joins with Bolshevism to reach a common goal. Names change, but principles endure. This reprehensible trait of the human species is as old as history. Standards of living are glibly invoked to justify unrestrained desire.

We are told the world will never be what it once was. In what particular will it be changed? Will human nature change? Are we to be exempted from the laws that surrounded our ancestors? Hardly. Standards of living may change, but the methods of securing the wealth or means to meet those standards will never change. The insatiable desire for an automobile, silk underwear, and Perfecto cigars by those of adequate tastes and inadequate incomes is assumed to be guaranteed by the Bill of Rights. In metropolitan centers other friends of humanity in guttural accents demand free beer or blood. Ease and luxury are become included in the pursuit of happiness mentioned in the Declaration of Independence. Fewer automobiles and more use of human legs would add to our national thrift and toughen our muscles for the next war.

Our country hovers on the borderland between peace and war. Some of our soldiers fight in the far north of Russia under the Arctic Circle and others shovel coal and do day labor in French camps across the sea.

Why our soldiers are in Russia, I hope, will be discussed in due time on this floor. I have an opinion of my own upon that subject which I shall submit seasonably. While they risk their lives and endure hardships in alien lands our President spends nine weeks in ceremony, banquets, and visitings with kings, the powerful of the earth, in endless stately palaver. It is the old story of magnificence and misery, of splendor and suffering, of selfishness and sacrifice. While he coins new phrases and chases infinite abstractions into the empyrean heights of impossible human yearnings, the American Nation drifts. We drift in Russia. We drift in Mexico. We drift on the brink of war and peace. We drift on industrial reconstruction. We drift on domestic policies and internal peace. The only definite goal visible is profligate expenditure and huge taxes. The only voice in the dismal wilderness is an appeal from time to time to the mob to complete the ruin misgovernment has already begun.

The entire system of collecting revenue is not an apportionment among all, each paying much or little according to his means. It is avowed imposition of all taxes upon a... arbitrary classification between great wealth and small wealth. The distinction once made, we have committed ourselves to the flood of Bolshevism. Bolshevism is no new name, neither is it a new principle. It is an organization to take what others have without earning it and without due process of law. It may run in longer cycles here, but its end is inevitable at last. When great wealth is all taken, small wealth must finally be resorted to. It turns on itself, and only a Napoleon can preserve the remnants. The superman always succeeds the proletariat. There is no difference between the despotism of a king and the despotism of a mob. First the commune and then the dictator. Only the orderly processes of government by law build the impassable barriers between private right and injustice, confiscation, and violence.

The President has long appealed to groups and classes to govern the country. He is Chief Magistrate and superman by virtue of a usurping minority. He runs true to form by developing the plan to which he owes his election. Nothing but the grossest of egotism took him to the peace conference, where no executive of any other civilized power sits. He can not resist the lure of the limelight. The groups to which he panders applaud and the average man looks on in silent but undisguised disgust.

Group government eventually extinguishes the middle group or class. It destroys the State governments and all their reserved powers. It concentrates that power in a centralized Capital, and the States become mere provinces. It is the propelling power back of all Government-ownership schemes. Subconsciously the employee shouting for political ownership feels he and his group will dictate the terms of their own service. The employment service supported by taxes is thereby degenerated into a perverted instrument to unionize every employee in the United States. Scarcely one can work for the United States now in any skilled manual labor unless he belongs to a union. This condition is created by appointees of this administration paid out of public taxes. This is the first net result of group rule.

To remain safe at home we must turn from the distribution of wealth to its production. The first imperative duty of the Government is to take its restraining hands off private enterprise. No superman is equal to managing the country's business. It is the task of all. American initiative is dormant. It will spring to renewed life if the paralyzing menace of Government seizure or interference is removed. Banish the alien scheme to make Government here the support of everybody. Return it to the only true purpose of any free Government—to regulate and protect everybody while he is supporting himself. The unfortunate only in such a plan may be supported at the common expense. The idler and the spendthrift, the profligate and vicious are not a constituency for such a free Government. They breed out of proportion in cities. The sharp contrast between destitution and wealth, utter want and affluence, presents them as a gulf of misery reaching out from the great sea of population. They are ever the dark border of the genuine suffering and misfortune the kindly but discriminating hand of charity must distinguish and separate.

When the Uriah Heeps of politics, the Pecksniffs of a sensational press, the Dick Swivelers of business, and the Jack Cades of economics raise their hue and cry; when Tartufe and Mephistopheles, Falstaff and Prof. Stiggins, when the demagogues and blackmailers, the obsequious pilgarlicks who wriggle in spoils and the vermin that thrive in the fetid sewers of municipal vice and misrule, the ex-convicts and the crack-brained poets, the I. W. W.'s, and the hairy visionaries in sociology, when the petticoated adventuress from foreign parts and the cocksure American armed with nostrums and panaceas for every public ill taking his first dip in politics, all cast their eyes to bolshevism and civil commotion; when this variegated and ungodly herd begin to cream and mantle like a standing pond, to prate of what society owes them, and belch their corrosive influence upon public opinion, then is no time to claim their

methods and creed are based on injustice and their tumult can be stilled by yielding to their clamor. When the priests of Baal and the false prophets of evil fill the land with the bray of their trumpets is the time for Senators to steer by the compass and not by the wind if we be safe pilots for the craft committed to our care.

I believe and charge that the Government now keeps its heavy hand on private enterprise to discourage and deaden its efforts. No person of sense or prudence will venture far under present uncertain conditions. When the Government has acted the dog in the manger a while the charge will be made, is made now, that private ownership has failed and the Government must undertake it all. Take off the restraints, repeal all war legislation affecting industry and agriculture, curtail expenditures, reduce taxes, protect our own markets, and a resurrection of peaceful prosperity will follow. The Government has fallen into the habit of taking things that do not belong to it. Like the habit in private life the lawful owners do not grow accustomed to it. What encouragement is there now to develop and build, to give of the best in our race? When one succeeds and his enterprise he watched and wrought by toil and unceasing care is raised to solvency and stalwart size the Government seizes it, its owners are ejected from their offices, their desks are rifled, their effects taken away by an official martinet, and the owners are strangers on their own premises and compelled to turn to new occupations for employment. Such are war powers abused for Government ownership purposes in peace.

Years ago in a country village a fluent wayfarer with a hypnotic eye and a prominent nose frescoed otherwise than in water colors gave a free lecture on the thousand natural ills that flesh is heir to. With other rural youths I was spellbound by this good Samaritan who tarried a brief season with us. He possessed remedies for every disease known to the medical fraternity and many they never heard of. He exhausted the pharmacopoeia with his compounds and the healing art lay bankrupt before him. A roomy vehicle provided a platform from which he discoursed to the multitude. It conveyed him and his elixirs about the country so suffering humanity might hear him and be cured. A sleek span of gaily caparisoned horses delighted the eye and promoted confidence in this philanthropist. The scene was illuminated by a generous torchlight which brought out in light and shade the tree-filled little park and the eager faces of the perishing invalids who hung upon his words.

With facile tongue and a copious medical jargon he sketched an astonishing variety of human ailments. Their symptoms were so graphically portrayed that many hardy rustics who consumed vast quantities of pork and beans and innumerable pies daily, instantly felt a dreadful malady gnawing their vitals. Unless this friend of the smitten multitudes relieved them a premature grave yawned for their disease-riddled frames. Fortunately before we all expired on the spot he produced from the inner recesses of his wagon marvelous potions and unctions that would snatch us from the jaws of death. A fervent sigh of relief went up and the mortality average was kept at normal figures. The medicines were all sold at cost; profiteering was scorned. Everybody bought something and the same brand had the convenient virtue of curing many fatal diseases. To convince the skeptical, free trial doses were dispensed. Some of the people always have abnormal yearnings for anything free. Throat spraying, nasal douches, and physic were administered lavishly with amazing results. The few scoffers who ornamented the fringe of the crowd became interested and abated their ribald comments. The next morning the son of Esculapius and his blooming nasal organ had hied him away to fresh fields awaiting the exercise of his talents. Several notices in the county seat newspaper referred to the departed Samaritan as a faker. It was intimated his medicines were compounded of camphor, chalk, senna, squills, and rain water. A profit of several thousand per cent rewarded the genius who knew how to assemble the material. From that day I have doubted any nostrum or person that cures everything, whether of the human body or the body politic.

A universal genius claiming to be without limitations on his accomplishments or knowledge in public or private station challenges analysis. Henry Ford says he has mastered mechanics in earth, air, and water. The sources of motive power are all known to him as are metal, chemistry, motion pictures, tractors, agriculture, patent law, finance, transportation, including car building, Pullmans, locomotives, iron and steel making, tracks, grades, bridges, and equipment. He has solved every problem in philanthropy, applied charity, and government. He can produce the best hospital and so reform society and the laws of nature it will have no patients but the victims of others' accidents and a few disabled by old age. Sociology is to be handled like his manufacturing scheme. The more ignorant a person the better. Educate the machine instead of the human being. How simple! Put the animated blockhead before a cultured machine, give him high wages, short hours, food, and clothing for almost nothing, good roads, an automobile costing $23, and turn him loose to uplift society and perpetuate the human species. Henry's idea of civilization is for everybody to have an easy time, enjoy all he wants, and be happy. Self-denial is all a mistake. The human mind is negligible; the pocket and the stomach dominate in his plan. This simple formula will eradicate avarice, vice, and crime, and make everyone healthy, sufficiently wealthy, and wise enough to run one of his educated machines. Of course this will end all wars. The Turks will quit killing the Armenians directly they hear of it. The Russian Bolsheviki will be so fascinated they will emigrate to Detroit if Ford does not build a plant full of educated machines in Petrograd. Lenine and Trotzky now slay all the bourgeoise having any sense; they may tolerate a cultivated machine because it will not issue a proclamation. The I. W. W. will drop their desire to commit sabotage on a machine that will do their work without effort on their part. The German will lose his arrogance and ambition and be content to sit meekly at Henry's feet and learn how to be happy with a 20-acre peach orchard paid for out of a rural credit farm mortgage that never falls due.

The laws graven on tables of stone and delivered by Jehovah to an ancient race on the cloud-wrapped summit of Sinai have not accomplished so much in 3,500 years. The gentle spirit incarnated in the Nazarene carpenter's son, his Sermon on the Mount, his matchless code of human morals, the labors of his inspired apostles, crowned by the divine tragedy of the Redeemer exemplified in the sublime shadow of the crucifixion have not wrought out for mankind in 20 centuries what this singular megalomaniac proposed to do by being elected United States Senator. When an automobile builder calmly tells the world he will perform on its peoples what elemental forces, human and divine, have not been able to produce in 6,000 years, may it not at least provoke a mild spirit of incredulity?

This astonishing creature has a contempt for history. It teaches nothing, he says. It teaches him nothing is the meaning. He must ignore history to secure credibility for his prospective achievements. One whose actual success is confined to producing a serviceable low-priced automobile in an age prolific of similar mechanical devices strains human credulity by his prospectus of reforms. His grasp of public affairs is measured by his peace-ark voyage to command peace by the mere majesty of his presence and the exemption of his son Edsel from military service when many thousands of the best of our race were voluntarily offering their lives for the country Ford slandered before the war. An alienist would say such a man's orientation is bad and no more fit to sit in this Senate than the son was willing to go into the Army.

Ford is not the first who, because he can do one thing successfully, thinks he can succeed in everything. He has seen his factory grow and wealth result. A large pay roll obeys his nod. Megalomania is not confined to monarchs. Smaller fry catch it. Because in office and great factories he dominates, he labors under the hallucination the public will follow him like the Pied Piper of Hamelin. Ford's peace-ark pilgrimage grew out of his basic inability to understand the difference between his Detroit office and the capitals of Europe. When such a man adventures in politics, unless he promptly learns the difference between his business subordinates and the voting public, his obsession amuses everybody but himself. In his business orders are orders and nobody talks back. In politics nobody takes orders and millions talk back. Of course Henry Ford is beginning to feel dazed. At the outset he would not make a single speech, even if he were beaten, and he was. Now he is vocal with cries of corruption, and every one of his vehicles protests in coughs of gasoline against the deep damnation of his taking off.

The PRESIDING OFFICER (Mr. LEWIS in the chair). The Chair will have to tell the occupants of the galleries that the Senate has a rule which opposes manifestations on the part of the galleries. The Chair, in common with the Senate, trusts the occupants of the galleries may enjoy their visit; but he is compelled to call their attention to the fact that the proceedings of the Senate may not be disturbed by demonstrations. The Senator from Illinois will proceed.

Mr. SHERMAN. Mr. Ford even proposes to found a newspaper to destroy an unfriendly press. Now, a contest is under way to enable him to annex the United States Senate to his jitney works. This effort to reform the Senate would not have been started if the President had not asked him to, he gravely

states in an article under his name in a well-known magazine. It at least has become a classic in the art of egotism. I had as well give this excellent magazine the credit which is due to its efforts. It is known as the World's Work, and its light ought not to be hidden under a bushel. It contains two most remarkable articles, one by a magazine writer and another by Mr. Ford himself. It is the rule of the superman running through the entire article. He makes an important discovery, which ought to be cabled to Paris, if it has not already been noted by that vigilant guardian of international rights, Col. House. All wars, he discovers, are caused by misunderstanding. Maeterlinck before the war wrote, "Hell is a place of infinite misunderstanding." Gen. Sherman remarked war is the same kind of place. Things which are equal to the same thing are equal to each other. Ergo, argues Henry, misunderstanding is hell, hence war is misunderstanding. The Belgian outrages and the *Lusitania's* piratical murders were misunderstandings. President Wilson soothed us nobly, encouraging everyone to be calm and neutral in word and act. This was another misunderstanding, for some of us thought if American women and children were to be murdered by German submarine pirates while our President sang the requiem, "Keep cool," they ought to stay at home. If the United States Government refused to protect American citizens' lives on the sea, remain within our own borders and be safe, instead of going upon the sea and losing their lives, unprotected and unavenged. Representative McLEMORE and others misunderstood. Our people were killed for two years contrary to the international law obeyed by all civilized powers. Every murder called out a President's note to Germany and a lullaby to us to be tranquil. The summit of misunderstanding was scaled in warning the allies there must be peace without victory. During this time Henry Ford was spending his money to close our markets to Great Britain and France, denouncing American munition manufacturers as avaricious brutes and crying out against preparedness while prepared Germany struck at unprepared Europe. Ford even tried to deprive the sorely beleaguered allies of supplies in our markets and shrieked the war was waged by capitalists for bloody gains. Take the profit out of war and it ends, he argued. Because people make money out of war, war occurs. The senior Senator from Mississippi will now exalt Ford into fit material to be Senator from Michigan, while he demanded that the senior Senator from Wisconsin [Mr. LA FOLLETTE] be expelled from the Senate for offending much less. Another misunderstanding!

Mr. Ford remarks:

> People could not be made to hate each other if there were absolute freedom of intercourse between them, if they were not lied to by those with selfish interests to serve. There are no real differences except those caused by environment and opportunity between the people of America and the people of the rest of the world.

I have given this some thought, Mr. President—a most remarkable statement. It leads me to this conclusion: A Bedouin Arab would make a perfectly good mayor of New York City if his environment and opportunity were the same as a zealous adherent of Tammany. Whereas if a blonde Chicago alderman were transplanted to the desert, given a camel and a bag of figs, he would become a brunette chief, recite the Koran, and practice polygamy. Race, ancestry, religion are negligible. Ford avows he cares nothing for any of them. Edmund Burke was likely right in saying one who does not care for his ancestry will not care for his posterity, with the single exception I have already noted. History is the philosophy of life teaching by example. This gas-engine savant despises its lessons or limitations. He will abolish history by doing it some other way.

When he became a candidate by Executive order, the President neglected to specify what primary ticket he must run on so he took no chances in interpreting the order and ran on all of them. None of the parties wanted him, so in the shuffle he naturally fell into the bosom of the Michigan Democracy. It is in Michigan the residuary legatee of every Ishmaelite anyhow, and so it drew Henry to an indifferent hand and tried to look happy. The whole theory of government he teaches is turn it over to a superman who knows everything. When he dies or quits the Bolshevists divide what is left and riot until another superman comes along. At any rate, the President wanted him to be Senator and he believed the people of Michigan were eager to give the President anything he wanted.

Somewhere there was another misunderstanding. It was agreed, and Mr. Ford loudly proclaimed last fall, there was no partisanship in this contest. Party shibboleths—and I have it from this same article—during the war were extinct except among professional politicians, and for them Henry expressed a profound contempt. He had absolutely no sense of limitation on his own power in politics to do whatever pleased him. This self-sufficiency commended him to the President, who insists on having men about him who can do anything even in defiance of the laws of nature and of common sense. So he entered the campaign scorning politics and breathing lofty aspirations. He would not, he says in this article, walk across the street or spend a dollar, neither would he make a speech to be nominated or elected. Away he went aboard a nonpartisan *Oskar II*, voyaging the autumn seas toward the November election. Trustful soul destined to a rude awakening amid a tempest that drove him a hapless wreck to defeat! The President, like Ford himself, knows no limitation in politics. He therefore issued his proclamation in October, 1918, calling on the American people to elect none but Democrats. This deranged Henry's nonpartisan plan of navigation and he sank under an adverse majority before the Michigan Democratic central committee could revise his sailing orders. Another misunderstanding!

In 1916 Ford spent money fighting preparedness. His paid whole-page advertisements in newspapers are preserved in my files. Those newspaper advertisements said the Kaiser's criminal ambition did not cause the war. It was the avarice of the munition manufacturers. Preparedness in our country was bred by their greed and they were traffickers in American blood. Mr. Mooney, in California, accepted this view. More practical than Ford on public measures, he or his sympathizers concluded to murder those who favored it. Two souls with but a single thought! Mooney and Ford's hearts beat as one in those days. The query naturally arises, Do these kindred thoughts have any relation to the President's persistent meddling with the Mooney case in California through the Board of Mediation, through the head of the Employment Bureau, Mr. Densmore, and through other Federal officials who have gone into California, some of whom could not now go inside the State for fear of being arrested by the State authorities? Mooney practiced what Ford preached. Be careful what you practice, but say what you believe. There are many who will not say what they believe in the Senate Chamber because they must be elected. That is the curse of American politics that some think more of their seats than they do of their convictions. How much Ford's crusade paralyzed preparedness can not be measured. We heard its echoes when Haig fought with his back to the wall. Within the limits of his power and money Ford sent us into the war with Germany with no soldiers, no transports, no guns, and no airplanes.

That was the necessary effect of the crusade, and he meant it to be so. How many American graves he filled can never be told. Mooney with his accomplices sent 10 American citizens to their California graves and 40 wounded to the hospital as his protest against preparedness. It must have seemed a ghastly inconsistency to the President to hang Mooney and send Ford to the United States Senate. He had granted Ford absolution for his sins as part of a political plot to carry Michigan. Therefore he bestirred himself to save Ford's wretched dupe from the hangman's noose. So he meddled and sent his agents to balk or intimidate the administration of justice in the State courts of California. The whole scheme was concealed by disguising it as a labor agitation. It was in its inception and in its original propelling power a political scheme. If union labor should make it a political issue, so much the better for the authors of this plan.

In the twinkling of an eye Ford emerged from a pacifist to a warrior for the liberation of mankind. He beat even the President and broke the record for speed in changing coats. The President ran for reelection as a pacifist. His campaign posters shouted from every billboard the same maudlin drivel as Ford's advertisements. They were louder and even more numerous. The President did not really grow scared about it until after he was reelected. Ford did not start out to free the whole human race until the President asked him to. Humanity would have remained in bondage indefinitely if Henry had waited to liberate the world on his own motion. The next morning after the metamorphosis he entered the fray armed cap-a-pie with Government contracts for costs plus 10 per cent and the battle to liberate mankind opened around the world. Sir Galahad had arrived. I wish a modern Cervantes were now on earth, that he might trace the genesis, the exodus, the evolution, and the exit of this great Don Quixote of humanity.

The President told us to be neutral in 1914 and 1915, while Ford cried out against preparedness and demanded an embargo on war munitions and food, closing thereby our markets to the allies. Belgium was invaded, and the treaty signed by Germany guaranteeing her safety became a scrap of paper. Aircraft dropped shells upon hospitals, schools, and private homes. Noncombatant sick and aged men, women, and children were barbarously killed and mutilated. Whole civilian populations were deported in violation of the laws of civilized warfare and subjected to unspeakable outrage. Belgium, eastern France, and

Serbia were desolated by a brutal soldiery. War, harsh as at best it is, became indescribable savagery by the deliberately planned frightfulness of Germany and the resulting pillage and murder. The invader's heel crushed the innocent and the helpless with unparalleled ferocity. The slaughter of Armenians was renewed by Turkey, the Asiatic ally of Germany. The *Lusitania* went down with over 100 Americans. Many of our own merchant ships were sunk with all on board. Germany avowed her purpose of waging a piratical submarine war on every sea. During the entire chapter of provocation those in this Capital in whose hands rested peace and war looked on with stolid unconcern from August 3, 1914, to February, 1917. Every repeated outrage evoked another note. The President repeatedly entreated us to be calm, tranquil, cool, and neutral in word and act. He suggested then that we were "too proud to fight." An Executive message addressed to the Congress, but evidently intended for the allies, admonished that there must be peace without victory. How strange this sounded to the English and French, to the Belgian on the brink of destruction, to smitten Serbia, wasted by overwhelming force. If after their sacrifice and suffering no victory crowned their struggle, the god of battles seemed indifferent to justice. Nothing, however, could awake the President and his advisers. No moral indignation was aroused by the outrages.

Suddenly Germany, in the insolence of her power, declared she proposed to drive American commerce from the seas. All of us could either stay at home within our own shores or fight. The few who had heretofore ventured abroad and been destroyed provoked no defense by their Government. Now Germany ordered the United States flag to leave the oceans of the world. There was no escape. We knew that we must either fight Germany alone to save ourselves or join with the allies to save all of us.

I believe the United States soldier and sailor of this war has served with as fine a spirit of self-sacrifice as any known in history. His endurance and his heroism are a lasting memorial of our country. He fought to make safe the free governments of the world, and I believe he has done so. To him let the unselfish purpose and unsullied motive be given. He rose to the high level of the mighty crisis. In him lived again the soul of the Revolution, of John Paul Jones, of Lawrence, and of Perry. In him blazed the spirit that rose triumphant at Yorktown and Saratoga and walked on the bloody slopes of Gettysburg.

It makes me somewhat skeptical of motives to hear so much among civil officers of making the world safe for democracy. Why prate constantly of our lofty ideals in official life? We never reached that exalted level of altruism or adamantine resolution to relieve suffering humanity until our own national life was threatened. A strict regard for historical accuracy requires the truth now to be told. In the pantheon of nations we can not merely pose when posterity returns its solemn verdict of future years. Let those who guided the executive powers and resolved on our foreign relations cease their humanitarian platitudes. They deceive nobody. The taciturn Englishman smiles and goes on; the happy, impulsive Frenchman bows politely and admits that our ideals were high, but is not deceived. It is well enough for us to prate, but these people know, and the world knows, too, the difference between lofty aspirations to liberate mankind and the prudent dictates of self-defense.

To return to the theme: Ford discovered another way to end war permanently is to give everyone in the world a chance to get what he wants at a price he can afford to pay. "We all want things for ourselves, and we want to get them with as little trouble as possible. I am for that. I think it should be made as easy as possible for people to get what they want." The Creator blundered in the universal plan. The noble metals are valuable because it is not easy to find and separate them from base alloys. If they were common as pewter, they would command the same price. An orchard apple is a cultivated fruit. Only constant effort keeps it from reverting to the aboriginal seedling type.

Beef and dairy cattle now represent several hundred years of painstaking development. Milk, butter fat, and meat are substituted for horns, legs, and skeleton. Left to themselves they return to the primitive ruminant, chased up and down the earth by changing seasons and famine. A packing house would become a button factory and a stock farm a wilderness. Mr. Ford's system turns humanity and its possessions back to seedlings and crab-apple bovines. I have strong suspicions that Henry himself is a seedling. Both of these I have enumerated are the easiest to raise and the hardest to live on. The climate easiest to live in, where clothes and shelter are negligible factors, and food is had in abundance by lying under a tree and waiting for it to fall on the tropical Micawbers, never produced a race noticed by the history Ford ignores. They mostly interest naturalists, inhabit museums, and serve as examples of the finished product of Mr. Ford's idea of making everything we need easy to get. His scheme spells decay. The other puts fiber and mentality into the body and mind.

The historical truth is that the story of human progress is written in the difficulties overcome. Ease, luxury, sloth are the familiar steps of the downward way. The urgent text now is simpler living, saving and investment, building a surplus for the dependent, and the inevitable rainy day. This is old-fashioned, and still no nation can live and ignore it. The dominant characters of every generation are not the men to whom things came easy. They fought with adverse circumstances and conquered the toils that fortune cast around them. The idle beneficiaries of inherited, putrescent wealth prove nothing. Tax such accumulations if need be. They never must be made the argument to attempt to avoid the changeless laws that govern individual energy and its achievements.

If there were no profits, there would be no wars and an everlasting peace would brood over a sinless world. We were constantly killing each other for money, we learn from Mr. Ford. The shades of Attila, Martel, and Gustavus Adolphus can almost be heard across the Styx while listening to the voice from Detroit. Some of them thought religious difficulties kept them busy while here. The historians made a mistake. The Thirty Years' War was not fought because of religion, but because somebody was trying to rob another of his gold. The histories must be revised to correspond with this gentleman's idea of the basic facts that animate the human race. The lust of dominion made the Napoleonic wars and the late Kaiser's. Unconsciously Ford exposes himself pitifully by insisting that nations and individuals slay each other only for gold. He reduces everything to a footpad basis. Give up your money and save your life. Hand every one plenty, with easy or no effort to acquire it, and crime and all evil vanish from the earth. On this argument there ought to be more crime among the poor than among the affluent. Still, facts refute it.

In this same article, Mr. President, while I am speaking of the superman and his Government, comes a new evangel of real estate. Everybody must have a chance to own a piece of land. No one shall have more than he can work himself, or can cultivate to the limit of profitable productiveness. The single-taxer said as much long ago, only he wants the Government to take all land, farmers' and all, and lease back only as much as the tenant can till or occupy himself. He won't be allowed to hire anybody. That's wage slavery raising its hateful head. It gets everyone back to the man with the hoe. That is progress. It is with poets, but it is not with anybody that has to feed his family or help feed the world. We become a Nation of garden-patch owners, unless the Fordson tractor rescues us. In the magazine article referred to he advertises his automobile and tractor more than the redemption of mankind. He claims to make both for humanity's sake only, and 20 per cent to 200 per cent dividends, and $150,000 annual salary to his 24-year-old son Edsel. What exemplary philanthropists are they!

The back-to-the-farm movement is solved. Buy a Ford, live in the city, and motor out to your piece of land, having previously bought one of his tractors. He will soon perfect one that will run itself. While it is doing the spring breaking, the farmer can be reading one of Ford's essays on how to live without work. The salvation of agriculture depends on buying one of Ford's machines. All roads end in that. Last year he tried surreptitiously to draft the governors and agricultural departments of some of the principal States into indorsing and advertising, free, his tractor. They caught him at it and repudiated him. The schemes Henry hatches for publicity without paying for it shame the fertile expedients of the theatrical world, except that he never loses anything, not even stage money. He has done everything except lose his diamonds and fall off the pier.

About the same time that it became bruited about that he would become a candidate for Senator, by Executive order, he thought it well for the Government to boost his tractor. Competitors were crowding, so Secretary of Agriculture Houston volunteered. Houston is another one of the most capable men the President ever knew. He knows all about everything that grows out of the earth, having been raised in Texas under the tutelage of Burleson, who got his start in cotton raised by convict labor. These other friends of humanity were instinctively recognized by Ford when he wanted more free advertising. The Department of Agriculture, presided over by Secretary Houston, sent a tractor expert to Dearborn, Mich., to report on Ford's tractor. This was for the benefit of farmers, and was done at public expense. It was a scheme to enable

them to know what the superman could do if he were given a chance. Henry was delighted. An advertising boom, gratis, would convey to an oppressed public a precious boom, with 200 per cent dividends hid away from vulgar eyes. The report was made and suppressed. It has never seen the official daylight from the time it was lodged in the Department of Agriculture. The farmers who have bought and are still buying it have never had the benefit of this investigation at public expense; and Henry's advertising scheme, like his Eagle submarine chasers, did not arrive as expected. His mechanical experts, to say nothing of the report in detail, a copy of which is available, have either passed off some blue sky on him or he has appropriated it on his motion.

All terrestrial things are reduced to a Ford car as common denominator. Such good material is put into it, it is the lightest and most durable car made; and so doth Henry say. Modesty unspeakable, defying the analysis of moral philosophy!

Apply the same principle, remarks he, to railroads. Cars and engines must be built lighter. I hope, now, I would have no such unique idea myself. Far be it from me to masquerade in any stolen plumes. Freight cars weigh too much and passenger cars weigh more than the people whom they carry.

A Pullman sleeper, he observes, weighs 150,000 pounds. Its full passenger weight carried would not exceed 10,000 pounds. A terrific waste of power in hauling weight of equipment, it strikes him. Lighten the car, burn less coal, lighter rails, less expensive roadbed, trestles, and bridges. Trains could run faster if they weighed less. This is all so while they stay on the track. A Ford car is light, and can make speed. Every time, though, it runs over a goose or a bulldog it upsets and finishes up with a coroner and the obituary of the deceased. Henry's cuff-button freight and passenger cars, built on his scheme, would jump the track on every curve. The porter would have little trouble waking passengers in the light sleeping car he proposes, particularly if they were roosting in an upper. Slumber would be impossible. There is not an expert railway man in the country who would not regard Ford's scheme as wholesale manslaughter.

Another way of cheapening freight is by water transportation. He has tackled that, and here, we learn, he will build barges and carry freight at impossible figures on canals and rivers. Just as soon as he gets his Eagle boats done he will turn his shipyard to barge building. It is hoped the barges will be produced faster and leak less than the Eagle boats; otherwise no relief from freight congestion is in sight. There is a remote hint he drops—he does not develop it, but he suggests—that he intends to build an airplane that will carry hay and live stock at incredible speed for almost nothing. Earth, air, and water thus yield him dominion. It behooves us, however, to choose our nurse and surgeon in advance. With his autos upsetting everywhere, his Fordson tractors bucking over backward and killing farmers, his marine craft taking in water like a sieve, his airplanes are apt to turn somersaults and spill passengers and freight out of the sky, to the damage of peaceable inhabitants below.

President Wilson says bolshevism in Russia can be stopped only by feeding the murderous ruffians who plan to prey on the industry of the world. That is the reason why the newspaper is published referred to by the Senator from Minnesota [Mr. KELLOGG]. That is why the magazine to which I referred some days ago, the Liberator, which is a cry for blood, is published, unscathed, passing through the mails. That is why such meetings were held as were held on last Sunday in Washington, calling together the disorderly from everywhere, and presenting to them the plan of revolution and division. The President says they can be stopped by feeding. Here, again, is another misunderstanding. Ford, in the article, says that he can cure a Bolshevist by moving pictures. He proposes to show, in a moving picture, a Ford car doing a tail spin through a village, with a constable possessed of fierce whiskers in pursuit.

The Bolshevists will recognize the whiskers as the tie that binds, and harmonious relations will result. Another scene will portray his tractor with gang plows turning furrows 26 inches deep, while numerous proletariat refresh themselves from lunch baskets visible in great abundance. The well-filled baskets will attract more attention than Henry's marvelous device. Next to murdering, eating is the chief occupation of Trotzky's constituents.

As a good imitation of Dante's Inferno on earth, Mexico claims priority over even Russia. Our course with that power has been vacillating and a continuous humiliation. Ford sent Carranza a Fordson tractor last fall and word by the delegation of Mexican editors that he would at once spend at least a million dollars on a tractor plant there and in educating the natives in its use. By so developing their resources, he states, if a sufficient number of the people can be established as small farmers on their own land and industries established to give employment to the rest, it will end Mexico's troubles forever.

It will end the troubles in any country in the world if you can give everybody a small piece of land, induce him to move on it and raise his sustenance from it, and put to work those that will not till the soil by establishing factories, so that there will not be an I. W. W. in all the land, or a Bolshevist, and everybody self-supporting and happy, and the head of his own family. If you can produce that ideal condition that has not existed from the days of the patriarchs, when they pitched their tents and kept their flocks in far-distant Asia, you have cured everybody's evils in this world.

Henry, unfortunately, knows not either the Mexican statesman or the native. One at present has a talent for confiscating property, and the other for doing things to-morrow. The only things on time there are revolutions. A land where a majority cease effort when they own a pint of beans and enough tortillas to come out even will be indifferent to the lure of Ford's minimum wages of $6 a day gold. It would be such affluence that the native would retire from industrial pursuits at the end of the first week, pension off his family, buy a lottery ticket and a fighting cock, and spend the rest of his life in voluptuous ease. Pulque is cheap. Our prohibition friends, including many of my associates, do not know the difficulty in carrying prohibition into foreign parts. Anybody in that country can start his own brewery by cutting the pulpy heart out of a maguey plant and waiting for the juice to run into the cavity. Nature does the rest. All you have to do is to drink it.

Everything comes there as easy as Ford says it will here when he has sold us his tractor, a car, and given us a piece of somebody else's land. Mexico is the endless land of easy indifference, with no care for to-day or thought of to-morrow, except as the only proper time to keep a promise. If Ford is right that a man's environments determine his character, he will not do much with the Mexican. This trustful and ambitious descendant of the Aztec is happy the way it is. He is like a bad trust—all he wants to do is to be left alone. These sons of the Tropics will never take to his machinery. They are not fond enough of motion to chase away their lives in jitneys. They can have a much better time asleep any day in the week. Let him try his experiments in factory building, water power, and instructing them how to get what they want with the least amount of labor. The natives know more about that now than anybody else in North America. What they can teach Henry in this line will astonish him when he stays among them awhile.

Ford's contracts with the Government attract attention. The Eagle boats originally were to cost $275,000 each, I learn from the contract. The usual miscalculations increased this to $400,000. Add $112,000 for armament and the $25,000 per boat profit to him and incidentals bring the cost to $550,000 each. The original 100 Eagles have been since the armistice reduced to 60 to be completed, costing the Government $33,000,000. In the magazine named one a day is promised, with a blare of trumpets, and no profits to Ford. I read the whole contract, because of an inquisitive turn of mind. Why he signed a contract for 10 per cent profit on cost and abandoned work and limited his liability for breach of guaranty on material, workmanship, and performance to $1,000 liquidated damage on each completed vessel, except as commendable thrift, is not explained. It is hardly in keeping with his philanthropic claims, however, made both in the campaign and in this magazine article.

Instead of one a day turned out and 93 done by December 15, 1918, 7 Eagles emerged from Henry's nest, and they could neither fly, run, nor swim. That is the gospel truth, Mr. President, read from the records of things undone.

Competent shipbuilders credit Ford with being a fair engine builder. The hulls he overlooked. Expert sailors unanimously agree that a boat without a water-tight hull lacks something indispensable for successful navigation. Shipbuilding is a business, and he has found his limitation. Why the Navy is to have him complete 60 Eagles no one explains. The boat is worthless for merchant uses. Its mission is to destroy submarines. The machinery maintenance cost is $9,000 annually, in addition to the pay roll of 7 officers and 68 men for each. They are fit, therefore, only for the next war, which is to be abolished by the peace league. Why the Government pours millions of taxes into this useless venture is a mystery. We hope it may be illuminated by Ford when he cashes in on his contracts.

I learn that he made more Liberty motors than any other concern, more ambulances, motor trucks, tin hats, and steel shrapnel helmets than anybody else. He has no limitation on his volume of production. Like the old Greek mathematician, if you gave

Henry a place to stand, he would move the world with his lever. He beats everybody. The earth is only 25,000 miles in circumference. That is very unfortunate, Mr. President. If it were more than that, Ford would have room to really spread himself and let loose his real activities. This pent-up Utica is too little for him. When I look up the records, however, this colossus is exceeded by several manufacturers, who advertise less but deliver more.

Ford distrusts the professional expert in every line. The unskilled man, if given a free hand, will nine times out of ten do a given thing better than an expert. The denser the clodpate, the richer asset for Henry. That is the essence of superman government—that nobody knows anything except a few. That is the beginning of an oligarchy, and an oligarchy always ends in a dictatorship, because the members of it kill off everybody but one, and he remains as the superman government.

The training of the architect, engineer, and even physician is a handicap and limitation. Dissolve the endowments of universities and cancel school taxes. Some of the faculties need cleaning out in the universities, but it hardly justifies the radical conclusion which Henry's argument would have us draw. He says he does nothing by rule. Experience is the father of rules. When some one's experience has shown by rule the fittest way to do something, he can devise a better way with his eyes shut and start an amateur on his way to beat the expert to it. If Henry broke his leg, he would have the bone set by a single taxer. As he believes in doing nothing by rule, if he got it on backward, no matter; one leg would balance the other and locomotion would gain in novelty and pose. As a candidate he could run both ways at once, just as he did in the Michigan primaries.

I draw from the gigantic storehouse of things promised that the President would like to have in Congress at least one man accustomed to grasping big problems and solving them in a big way. The redundancy of township politicians in Congress decided Ford and the President to inject some one with a thinking apparatus as a refreshing variety in the Senate.

That is the conclusion I draw from the article. This interesting pair has observed that there are too many lawyers in office. Ford has a contempt for lawyers. The obscurity and villainous complexity of laws are devised by that contentious gentry, so as to keep courts busy and annoy common-sense people by tangling them up in absurd rules. Henry dislikes lawyers because they follow rules. He scorns rules, and believes in getting what he wants the shortest, easiest way. So does the superman and Bolshevist. For instance, when he decides a patent covering a device made by a business rival is void he appropriates the invention. If the courts decide against him, he believes it a fit case for a recall of judicial decision.

This illimitable one has the largest motion-picture mill in America. Every week a thousand feet of film is fed out to theaters. It is not advertising; it is an educational institution teaching people how to live and make over the economic framework of society. It is a crazy quilt of individualism now. The motion pictures show how all human affairs will be as alike as two packages of breakfast food. The miracle is wrought by his car and tractor. The tractor has claws, and will climb trees like an overgrown tomcat. The car will have wings; if the roads fail, fly a while. It is difficult to resist the belief that Enoch's translation was not achieved in a vehicle made by the gentleman from Detroit after one gazes at the maneuvers of the mechanical boons he is about to shower upon mankind. The reconstruction of society and the redemption of suffering humanity depend on the machines sold by Ford at about cost. Here is the proper place for the profane historian to insert that December 31, 1918, the Ford Motor Co. declared a dividend of 200 per cent on the capital stock of $2,000,000, of which the Ford family drew $2,225,000. Coincident with this relief of suffering humanity Edsel Ford, 24 years old, was elected president of the company, at $150,000 a year. He has been acting president since the draft episode beat the record on lifelike reels in demonstrating how the whole family loved dividends and hated war. I hasten to explain that the son entered the shops when he was 16. He has eight years' experience. If he was an amateur and without any training, he would be much more valuable, and his salary would be a quarter of a million at least if the sire's theory is workable. Thus we are permitted to view of how a reconstruction of society works out in the Ford family. The soldier shoveling coal and doing stevedore work in France at $1 a day whose letter I read in this Chamber a few days ago may not appreciate the dazzling perfection of the new scheme for regenerating society.

Except running for Senator, Ford's crowning achievement in public life was as angel to Rosa Schwimmer. Rosa appeared in Washington in 1915. She bore a bundle of mysterious documents; she hinted from the warring nations that an olive branch was much desired by the belligerents. If somebody would wave it, the boys would all be out of the trenches by Christmas. The savants about Washington restrained themselves, as we were chloroformed by neutrality advice from the Executive anyhow. Rosa bobbed up in Chicago. No one wished to invest, but a prominent citizen, with a humorous turn, suggested Ford as a bankroll purveyor who might be hooked. The next train carried her to Detroit. Cassie Chadwick is no more, but her exploits fade away beside Rosa. *Oskar II* was soon provisioned and booked with as motley a collection of human beings as ever rose and fell on salt water. It came nearer developing a sense of humor in Germany than anything else in history.

The Labor Peace Council and other pro-German affairs indorsed the voyage. Even Bernstorff had a smile, which looked like a neuralgic pain in his face when he heard of it. The boat left the Hoboken pier with the band playing, "I didn't raise my boy to be a soldier."

I am taking the local historian, I am only quoting now. At the very last moment, the local reporter records, the steward ambled up the gangplank lugging a squirrel in a cage tagged "To the good ship *Nutty*." The curious thing was that it reached the ship without any other direction on the tag.

When the expedition was well on its way some of the leading spirits desired to inspect Madam Schwimmer's documents emanating from the crowned heads concerned in the war. They were not forthcoming. Some suspicious souls intimated Henry had been handsomely goldbricked. The suspicion increased until finally the letters of credit carried by the guests were recalled, but not until Madam Schwimmer had shown that she was still a genuine daughter of Eve, for she managed to lay in an $8,000 wardrobe at Ford's expense.

The wardrobe was magnificent. She is now doing diplomatic honors representing the new Hungarian Republic or some other potential nation not as well acquainted with her as Ford. She is still carrying her wardrobe with her. Day before yesterday a cablegram, which seemed to be of enough importance, came from Berne, Switzerland. It said Rosa had left precipitately the scene of her activity, and also left behind her unpaid bills in the sum of 60,000 francs.

It was time to go back to the ship; the credit slips were choked off, or the proletariat would have been arrayed like Solomon in his glory before the trip ended. The entire passage, so Benjamin Karr, of Cleveland, who was a newspaper man on board, and deserves immortality for his history and humor of the voyage, says, was one continuous controversy. Outside of seasickness, eating, and sleeping, it was an endless round of resolutions and debate. The boat docked at Copenhagen. Ford got a cold in his head and deserted his aggregation. He never reached the responsible rulers of the belligerents. The first boat headed for the United States carried Henry back home, and the boys spent Christmas in the trenches. So ended one great public undertaking.

"We want to end the war in Europe," remarked a distinguished member of the party. "We started more than one war of our own. We breathed an atmosphere of suspicion, of intrigue, of jealousy. Jealousy was our meat and drink. Mr. Ford left us a few days after landing, left us without a word of explanation or farewell, left us secretly in the small hours of the morning, after telling us at night that he would certainly continue the journey next day." Ford's kind heart could not bear the scenes of separation from his beloved ones, neither could he stand the aggregation he had assembled. If he could not bear them, how will he endure the Senate six years? Thus ended another superman government.

Ford said he would move his whole force from his motor works to the Senate if necessary, and "then they will know I have arrived," he commented. Where his outfit will be stored if he obtains a seat in the Senate is causing some anxious inquiry to the superintendent of the building. Barnum said years ago "The American people like to be humbugged." Wise old showman! But he changed his show. He went from Tom Thumb, as I remember my boyhood, to the wooly colt, and from the wooly colt to the mermaid captured in some far-off tropic land. He changed his show all the time. Henry never does. It is time Ford changed his, for the public has seen it not once, but several times. Trying to break into the Senate by creeping under the canvas in a partisan contest here, when he could not get past the doorkeeper on his ticket in the November election, may attract attention, so his show may be switched. But to adopt one of his phrases, at last it is a matter of political technique. I borrow that phrase from the article. So it will be when the politicians for whom he says he has such a magnificent contempt are asked to shut their eyes and lift him into the seat denied him by the voters of Michigan. If the acid test invented by the President for use in Wisconsin were applied to him, he would melt

under it like a pewter dollar. An internal-combustion engine is his only vital political organ, but it can not become the propelling power of either great party in this country.

He believes in the rule of the superman. He thinks from him everything ought to come. He rejoices when the great middle class of the country are obliterated and everyone becomes dependent upon him. The superman grudges any prosperity not falling from his hand. Any plan of government he does not devise and operate is a wretched makeshift, to be borne only till he comes to relieve middle-class stupidity. The horn of plenty echoes famine unless he holds it and dispenses its magnificent stores. A dependent and grateful people must always be shouting hosannas to the superman from whom all terrestrial blessings flow. The great American middle group are self-supporting. They are the bourgeoisie robbed, exiled, and murdered in Russia. Here they are the enduring rock of self-government and civil liberty. In war they make the solid lines of military strength. Their government in peace is for all, not for groups. It is not based on class war and confiscation. They choose rulers for all and maintain their rights of free men. They scorn to accept life, liberty, or property as the gracious gift of a superman. They know these are of common right and were theirs before constitutions were framed or statutes enacted. The sheltering headlands of free government only guarantee and sanctify them. They do not flow from the bounty of a benignant superman or rise from class conflicts in an effort to despoil those who have for the benefit of those who have not.

Mr. BANKHEAD. Mr. President, I have been wondering if the Senate is not now willing to consider for a while the business that is before the Senate. I ask the Senate to resume the consideration of the Post Office appropriation bill, and that the Secretary read section 5.

BRITISH PROHIBITION OF AMERICAN PRODUCTS.

Mr. WEEKS. Will the Senator from Alabama yield to me to submit a resolution to go over until to-morrow?

Mr. BANKHEAD. I yield.

Mr. WEEKS. I ask that the resolution be read and go over until to-morrow.

The PRESIDING OFFICER (Mr. THOMAS in the chair). The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 438), as follows:

Whereas during the war with the Imperial German Government Great Britain placed prohibitions on the importation of certain American products; and

Whereas the British Government has recently placed a prohibition on the importation of additional American products, to take effect on and after March 1, 1919, which is detrimental to the employment at their full capacity of our manufacturing industries; and

Whereas this action of the British Government is in direct conflict with point No. 3 of the 14 points of peace proposed in the message of the President of the United States to the Congress, of January 8, 1918: Therefore be it

Resolved, That the Secretary of State be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition.

The PRESIDING OFFICER. The resolution will go over as requested.

PRINTING OF THE REVENUE BILL.

Mr. SMOOT. I send to the desk an order and ask for its immediate consideration. I will state to the Senator from Alabama that it will not take more than a moment.

Mr. BANKHEAD. I yield for that purpose.

The order was read and agreed to, as follows:

Ordered, That there be printed for the use of the Senate Document Room 2,500 copies of the bill (H. R. 12863) "An act to provide revenue, and for other purposes," as agreed to in conference.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The PRESIDING OFFICER (Mr. GAY in the chair). The pending amendment will be stated.

The SECRETARY. Section 5, which the committee proposes to add to the bill, reads as follows:

SEC. 5. That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road which is now used, or may be made suitable, for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart.

The Senator from Alabama [Mr. BANKHEAD] offered the following amendment to the amendment which has been agreed to as in Committee of the Whole:

Provided, That section 6 of said act be further amended so that the limitation of payment not to exceed $10,000 per mile, exclusive of the cost of bridges of more than 20 feet sheer span, which the Secretary of Agriculture may make, be, and the same is, increased to $20,000 per mile.

An amendment is pending to section 5 offered by the Senator from Utah [Mr. SMOOT] to strike out on line 22 the word "or" and insert the word "and."

Mr. JONES of Washington. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	New	Sterling
Calder	Kellogg	Nugent	Sutherland
Colt	Kenyon	Overman	Swanson
Culberson	King	Page	Thomas
Cummins	Kirby	Poindexter	Thompson
Curtis	Knox	Pollock	Trammell
France	La Follette	Reed	Underwood
Frelinghuysen	Lenroot	Robinson	Vardaman
Gay	Lewis	Saulsbury	Wadsworth
Hale	Lodge	Shafroth	Walsh
Harding	McKellar	Sheppard	Warren
Henderson	McNary	Simmons	Watson
Johnson, Cal.	Martin, Va.	Smith, S. C.	Weeks
Johnson, S. Dak.	Moses	Smoot	
Jones, N. Mex.	Nelson	Spencer	

Mr. LEWIS. I desire to announce that the Senator from Florida [Mr. FLETCHER] and the Senator from New Hampshire [Mr. HOLLIS] are absent on official business.

Mr. TRAMMELL. I desire to announce the absence on official business of the Senator from Georgia [Mr. HARDWICK] and the Senator from Kentucky [Mr. BECKHAM].

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. There is a quorum present.

Mr. SMOOT. The pending amendment offered by me is on line 22, page 36 of the bill, to strike out the word "or" and insert the word "and." There seems to be an objection on the part of some Senators, thinking that is too restrictive in its character. It has been suggested that I withdraw that amendment and offer the following amendment: After the word "road," in line 22, page 34, strike out the following words: "which is now used, or may be made suitable," and insert the words "used or to be used," so that the section will read as follows:

SEC. 5. That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road used or to be used for the transportation of the United States mails, etc.

The present difficulty, as has been stated, is that sometimes there are 4 or 5 miles or 2 or 3 miles in a link of roads as to which we do not know whether they are going to be used as rural free delivery or as star routes. Consequently those 3 or 4 miles of road really prevent the improvement of the remainder of the road. It can not be improved under the construction which has been placed upon the law by the solicitor of the Agricultural Department; and I can not say definitely, but that was possibly followed by the Comptroller of the Treasury.

The fund could only be used provided the Postmaster General stated that he contemplated using some portion of it as a post road. Unless a letter to that effect could be obtained from the Postmaster General, the Road Bureau of the Department of Agriculture could not improve the road. The existing law uses the word "may," and when that language was inserted everybody thought it was broad enough to cover cases such as the one to which I have referred; but it is because there has been a restricted interpretation placed on the language that this change in the law is desired.

It seems to me that the amendment offered by the Senator from Alabama is a wise one, and will get rid of that difficulty without opening up the matter to the unlimited degree suggested by the Senator from Colorado. His proposition is to limit it to roads that form a small part in a link of roads to be used for post roads. That would obviate the difficulty under which the department now labors.

There might be 50 miles of good road, and just beyond it 40 or 50 miles more of good road, and there might be 3 or 4 miles between the two sections of road not used as a post road. This legislation is proposed in order to get rid of difficulties like that when the Postmaster General is enabled to say he is going to use those 3 or 4 miles of road for a post road. I would suggest that the Senator from Utah hear the amendment read as now proposed by the Senator from Alabama.

I have read the amendment which the Senator from Alabama has suggested, and in a moment I will ask the Senator to read it to the Senate.

Mr. SWANSON. The phrase "to be used" would not be any better than the word "may."

Mr. SMOOT. It seems to me that the words "to be used" present a definite proposition. The Postmaster General will know whether or not a road is to be used as a post road, and as soon as it is declared that it is to be so used the appropriation will apply.

Mr. SWANSON. Under the present law, in which the word "may" is used, the Postmaster General is required to state that he contemplates that the road may be used for a post road.

Mr. SMOOT. Mr. President, I think that any road in the United States that is not to be used as a post road should not be built under the provisions of this bill. The only excuse for the measure at all is that it is to assist in the building of roads over which the mails of the United States are to be carried. I think Senators ought to guard well that point; and, at least, if we are going to spend Government money for the building of roads it should be expended on roads which are to be used by the Government.

Mr. SWANSON. If the Senator will permit me to state a case: Here is a line of a post road, and the rural mail carrier has to cross 2 miles to get into another post road. As to those 2 miles of unimproved road, or it may be half a mile, which connect the two roads until the carrier gets on the other road, unless the Postmaster General sends a letter stating that the connecting portion has been designated and will be used as a post road the road can not be improved. The amendment of the Senator from Alabama simply authorizes the money to be used in the improvement of small connecting links of roads.

Mr. SMOOT. The words "to be used" in roads, or the connecting links of roads, simply mean that, as long as there is a post road running from any other road, and that road happens to go to another post road, it can be built under the provisions of this bill, no matter how long that road may be and no matter how short the part of the road may be which is used by the Government as a post road.

I think there ought to be some good common sense used in the expenditure of this money, and that the legislation ought at least to be so guarded that there will not be a general use of the money upon roads over which the Government has no business whatever.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wisconsin?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. LENROOT. I desire to give the Senator from Utah one illustration of a project within my own State. A trunk line and a post road run over the greater part of it but crossing an Indian reservation for, I think, 10 miles. We brought that project before the department, but the Postmaster General refused to approve it because the 10 miles upon the Indian reservation would not be a post road. The improvement was for the direct benefit of the Indians, and it ought to be the business of the Government to provide roads upon those reservations; and yet the State is not permitted to spend half the cost of that road upon the Indian reservation because under the present state of the law it can not be used as a post road.

Mr. SMOOT. Has the Senator from Wisconsin ever tried to get a direct appropriation for the building of that road across the Indian reservation?

Mr. LENROOT. I have tried many times, but I have now given it up.

Mr. SMOOT. The Senator has failed in his effort?

Mr. LENROOT. Yes. That is one illustration which I think ought to be taken care of in some way.

Mr. SMOOT. But I will say to the Senator that, even under the provision which is now suggested, there would be no authority whatever to improve a road over an Indian reservation.

Mr. LENROOT. It would not require a letter of authorization from the Postmaster General in that event.

Mr. SMOOT. That is about the only respect in which it would be improvement of the present law.

Mr. SWANSON. I will say to the Senator that the road bureau to some extent have been inclined, in some cases, to confine this appropriation too much to general roads instead of the other roads, as was at first contemplated. They have been very insistent on this for the simple reason that there are a great many roads which are absolutely ruined for the lack of 3 or 4 miles to connect them up. We have no objection to limiting the legislation so that these links may be closed and that we may have a good roads system.

Mr. SMOOT. I was going to suggest to the Senator from Virginia that if the amendment which the Senator from Alabama has just handed to me as a suggested amendment may be limited to a certain number of miles, there would be perhaps a good reason for accepting it. In order that the Senate may know just what the suggested amendment is I desire to read it. It reads:

Rural post roads, as used in section 2 of said act, shall be construed to mean any public road a major portion of which is now used or forms a connecting link of any road or roads now or hereafter used.

I would suggest in that connection an amendment to the proposed amendment so that the amendment would read as follows:

A major portion of which is now used or forms a connecting link, not to exceed 4 miles, of any road or roads now or hereafter used.

Mr. BANKHEAD. I can not accept a limitation of 4 miles, though I am willing to accept a fair limitation.

Mr. SMOOT. What would the Senator from Alabama think a fair limitation would be?

Mr. BANKHEAD. I would say 10 miles.

Mr. SMOOT. Did not the Senator suggest 4 miles?

Mr. BANKHEAD. We could not agree to make it that, as it would not amount to anything.

Mr. SMOOT. Four miles is quite a connecting link.

Mr. SWANSON. Some of these roads will not be over half a mile in length.

Mr. SMOOT. Mr. President, I will say to the Senator from Alabama that I will withdraw my amendment and offer the following amendment; but in doing so I wish to have it distinctly understood that I am opposed to section 5 as a whole, and when a motion is made to strike out section 5, even though the amendment which I intend to propose be agreed to, I shall vote to strike out the section. I want that understood.

Mr. KENYON. Mr. President, before this little matter is adjusted can not the Senator from Utah give us some information? I have been waiting patiently to obtain from somebody a statement as to the amount of roads which have been constructed under the former appropriation by Congress.

Mr. BANKHEAD. That is published in the report of the committee. The Senator from Iowa will find the number of miles stated there.

Mr. KENYON. I understand it to be about 49 miles.

Mr. SMOOT. I will say to the Senator that the report of the committee shows the amount.

Mr. KENYON. It does not show it very clearly.

Mr. SMOOT. It has been a limited mileage, I will say to the Senator.

Mr. KENYON. Yes; very limited.

Mr. LODGE. Has it been but 49 miles, may I ask?

Mr. KENYON. It is only 49 miles.

Mr. LODGE. How much was appropriated for the purpose—$50,000,000?

Mr. BANKHEAD. The Senator from Iowa is mistaken as to the number of miles which have been constructed. About 8,000 miles have been constructed.

Mr. KENYON. Eight thousand miles have been constructed or accelerated?

Mr. BANKHEAD. If the Senator from Utah [Mr. SMOOT] will permit me, I desire to state that the report of the Agricultural Department, which deals with this whole question, states positively that 7,869 miles of road have been improved.

Mr. KENYON. Those have been stimulated, but not constructed out of the appropriation?

Mr. BANKHEAD. Yes; they have been constructed.

Mr. KENYON. Does the Senator from Alabama state that that many miles of road have been constructed out of the appropriation?

Mr. BANKHEAD. They have been constructed or are under contract.

Mr. SMOOT. They have been improved. The department is not building new roads.

Mr. BANKHEAD. These roads have been built or are under contract.

Mr. LODGE. But the money has been spent?

Mr. KENYON. The money has been spent, of course.

Mr. SMOOT. It is all gone.

Mr. LODGE. That is the main thing.

Mr. SMOOT. Mr. President, I now suggest a modification of the amendment, which I trust the Senator from Alabama will accept. I propose that the amendment read:

A major portion of which is now used or forms a connecting link not to exceed 10 miles in length, of any road or roads now or hereafter used.

Mr. BANKHEAD. I have no objection to that.

Mr. SMOOT. I offer that amendment to the amendment.

The PRESIDING OFFICER. The amendment to the amendment proposed by the Senator from Utah will be stated.

The SECRETARY. In section 5, page 36, line 22, it is proposed to strike out the words "which is now used, or may be made suitable," and in lieu thereof to insert:

A major portion of which is now used or forms a connecting link, not to exceed 10 miles in length, of any road or roads now or hereafter used.

The PRESIDING OFFICER. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question now is on the committee amendment as amended.

Mr. SMOOT. Mr. President, I sincerely hope that the Senate will not adopt section 5. The money which has already been expended, appropriated in former appropriation bills, has been used on roads that were actually in use as post roads. There are thousands and thousands of miles of such roads that need improvement quite a much as the roads which have already been improved.

It seems to me that in appropriating money for a purpose of this kind the only excuse that can be found is that the money is to be expended upon roads used by the Government for post roads; otherwise, the appropriation would be unjustifiable and contrary to every policy of this Government, and never should be made by Congress or the precedent established.

If section 5 is stricken from the bill, then the existing law remains, and the money can be expended, with a simple amendment to section 6, for the very purposes named in the original law providing the appropriation for the betterment of post roads.

Mr. KENYON. Mr. President, I should like to ask the Senator if he is in favor of section 6?

Mr. SMOOT. I am not in favor of section 6, and I will say to the Senator that I am going to offer a substitute for section 6. I am simply saying now that, even though section 6 be adopted by the Senate and becomes a law, the money ought to be expended under existing law and should not be expended under the proposed amendment of the present law, which is designed to broaden the class of roads upon which this money shall be spent.

Mr. KENYON. I agree with the Senator; and I merely wished to make sure that he was not making an argument for section 6.

Mr. SMOOT. No; as I said a moment ago, I am going to offer a substitute for section 6.

Mr. STERLING. Mr. President, I do not understand why the Senator regards section 5 as broadening the scope of these roads.

Mr. SMOOT. It broadens it in this way: Even under the amendment which has been offered, the money can be expended on roads, not exceeding 10 miles in length, forming a connecting link between a post road and some other road. Under existing law and under existing regulations of the Post Office Department, the only roads that the money can be expended upon are those actually in use as post roads.

Mr. STERLING. Mr. President, I do not think that that broadens the scope of the provision to any very great extent.

Mr. BANKHEAD. Mr. President, I hope the Senator from Utah does not mean exactly what he says. The provision in regard to the improvement of roads not exceeding 10 miles in length is intended to be confined to roads which are connecting links between post roads, and to no other roads than post roads.

Mr. SMOOT. Mr. President, as I have already explained, there is hardly a post road used to-day between which and some other post road there is not a connecting link. The link begins at one post road and ends at another. There are very few post roads in this country that extend for five miles, say, and then stop without a connecting road continuing until it reaches another post road. Upon that basis I made the statement. The Senator is perfectly right in saying that the amendment provides that the link must be between one post road and another, but the link may be used for other purposes than a post road. It will always, however, lead to a post road.

Mr. BANKHEAD. Mr. President, will the Senator permit me to interrupt him further?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I yield.

Mr. BANKHEAD. I should like just a moment to explain the situation as I see it. For instance, an improved post road starts out from a town or a city and proceeds 25 miles. From another city, in the opposite direction, another post road starts, proceeds for 25 or 30 miles, and then comes to a point where it leaves the main road between the two cities and goes outside of the communities that are on the main road. That is the point. In order that such a road may be made a continuous post road, this amendment provides that the Secretary of Agriculture may expend some portion of this appropriation on a stretch of road between the two post roads not exceeding 10 miles. Perhaps in most instances it would only be a couple of miles, or 4 or 5 miles. The roads leading from the two towns may not be continuous post roads, but under this amendment those roads may be connected for the few intervening miles and provide a service where up to this time no rural service has been established. Perhaps along that road the country may be very sparsely settled and they may not want rural service. The purpose of this amendment is simply to overcome that difficulty and secure a continuous road between the important towns over which the mail may go when the improvement is made.

Mr. SMOOT. Mr. President, the contention of the Senator from Alabama was also the contention of the Senator from Virginia when the bill was under consideration day before yesterday. It is true that the amendment covers just such a case, and it is true that that perhaps was the reason for suggesting the amendment to the existing law, but there is not a doubt, in my mind at least, that the amendment offered to existing law and adopted by the Senate just now will cover precisely such cases as I have mentioned.

Mr. WADSWORTH. Mr. President——

Mr. SMOOT. I yield to the Senator from New York.

Mr. WADSWORTH. I wish to ask the Senator if the amendment which has just been adopted—the amendment to section 5—does not amount to about this, that so long as two post roads are within 10 miles of each other, they may be connected at Government expense?

Mr. SMOOT. Yes; that is exactly what it means, although not wholly at Government expense.

Mr. WADSWORTH. Partially at Government expense.

Mr. SMOOT. Partially at Government expense, one-half being paid by the Government and the other by local taxes.

Mr. WADSWORTH. Just one other question. The Senator from New York does not know much about the post roads in the Rocky Mountain States, but east of the Mississippi River is it not the opinion of the Senator from Utah that there is no point on the average rural delivery route which is more than 10 miles distant from the next rural delivery route?

Mr. SMOOT. I think that is the case in every State east of the Mississippi River, perhaps with the exception of some of the Southern States.

Mr. WADSWORTH. So that the amendment just adopted practically includes all the country roads in the more thickly settled portions of the United States?

Mr. SMOOT. There is no doubt about it; and I wish to say to the Senator that in the form in which the amendment was reported by the committee it embraced every road in the United States.

Mr. WADSWORTH. And the amendment now takes in most of them.

Mr. SMOOT. The amendment will not cover all the roads in the West, but it will embrace all the roads in the thickly populated centers of the United States.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. Yes; I yield.

Mr. BANKHEAD. May I call the attention of the Senator from New York and of the Senate to the fact that the Secretary of Agriculture under this amendment can only spend one-half of the money necessary for the work? The State or county must match it and put up the other half. Of course, if they do not want a road built and improved, they will not put up their half.

Mr. SMOOT. That is true; and that is so in the case of every road to be built under this bill; and it is so in the case of every road that has been improved under the original appropriation.

Mr. LODGE. Mr. President——

Mr. SMOOT. I yield to the Senator from Massachusetts.

Mr. LODGE. My inquiry is simply this: The restriction which the Senator from Utah appears to favor would hamper the spending of the money, would it not?

Mr. SMOOT. That is the object of the amendent.

Mr. LODGE. Then, it would hamper the primary purpose of the bill.

Mr. SMOOT. Yes; the original law was not broad enough; it did not reach as far as the proponents of the amendment desire.

Mr. President, I am going to reserve the right, if the Senator from Colorado [Mr. THOMAS] does not do so, to make a point of order against section 5, if it is agreed to, when it reaches the Senate. The ruling a few days ago of the then Presiding Officer of the Senate was so contrary to the rulings made in this body in the past, that I think, if we had a ruling now upon the section as being general legislation it would be held to be general legislation. I recognize the fact that, according to the precedents of this body, the question has been decided both ways.

The late Senator from Arkansas, Mr. Clarke, in a decision when in the chair as President pro tempore of the Senate, held that a point of order could be reserved, to be made when the bill reached the Senate, notwithstanding it had been raised when the bill was being considered as in Committee of the Whole; but he added the statement that he thought one Presiding Officer would recognize the ruling of the Presiding Officer who first made the ruling, and would not go so far as to rule adversely to the decision of the one first ruling upon the question, even though he thought that ruling was erroneous. I should like to have the question decided; and perhaps it would be just as well to decide that point when this bill reaches the Senate. So I am going now to reserve the right, Mr. President, to make a point of order to section 5 when this bill reaches the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

Mr. LODGE. Mr. President, I only desire to say a few words as to the proposed appropriation. I heard the other day the closing remarks of the Senator from Colorado [Mr. THOMAS] when he was discussing this amendment, and I think their serious character must have been appreciated by all Senators who heard him. The picture was not at all overdrawn. But all I rise for now is to make a protest against the manner in which we are piling up these enormous expenditures at this time.

This is not an expenditure that emergency demands, any more than emergency demands public buildings, which we have put aside during recent years. It has even less claim than river and harbor improvements, which we have wisely cut down very considerably from former figures. There is no emergency about it at all, and yet we are to appropriate $200,000,000 out of the Treasury. We have a debt, incurred owing to the war, of some thirty billion dollars. In the revenue bill, the conference report on which will be presented in a day or two, in the amendment put on by the Senate to give soldiers an extra month's pay we have a provision which will take $400,000,000 out of the Treasury. Something like a billion dollars must be provided in order to take care of the difference between the market price of wheat and the price which the Government pledged. The Department of Labor is proposing a revolving fund of $2,000,000,000 to build houses, not because they are demanded for occupation, but to keep men employed in building houses. I am receiving, and I presume other Senators are receiving, requests with which one can not help but sympathize, to give six months' or a year's extra pay to the Army. Six months' extra pay would amount to $1,200,000,000, and a year's extra pay would amount to $2,500,000,000. We appropriated $100,000,000 the other day to relieve suffering and starvation in Europe.

We have a bill that carries $6,000,000,000 of taxation which will presently be passed by the Congress, the heaviest taxes ever imposed in any country. They are so heavy on business and incomes that they actually imperil, in my judgment, the business of the country in the ensuing year, because out of the earnings of 1919, which is going to be a poor year, with no large profits or great returns, we will have to meet these enormous taxes falling upon a year when there were large profits and business was abnormally active owing to Government expenditures.

Mr. President, that is an enormous burden of taxation to place upon the people. We have thirty billions of debt. That is an enormous burden to place upon the people. Our interest account, I think I am not mistaken in saying, will reach a billion dollars a year. All that money and all this money that we are now throwing into roads and in every other direction must come out of the people. It must come either by taxation, which is already enormous, or it must come from debts, loading the future and piling up the annual interest.

I can only say that it seems to me the first duty of the Senate is to exercise a wise economy in all expenditures and not to enter upon any new expenditures that are not absolutely necessary.

We are moving toward vast expenditures of money in a way that is positively alarming to anyone who has had occasion, as I have had on the Finance Committee, to consider the condition of the finances of this country. I think it is unpardonable to project this country at this time into any great expenditure which is not absolutely demanded by the emergency.

Mr. KELLOGG. Mr. President, may I ask the Senator from Massachusetts a question before he takes his seat?

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Massachusetts yield to the Senator from Minnesota?

Mr. LODGE. I do.

Mr. KELLOGG. I notice a bill introduced by the Senator from Iowa [Mr. KENYON] for the purpose of stimulating public works, which proposes an appropriation of one hundred millions, and three hundred millions from the War Finance Corporation, for the purpose of aiding in public improvements, among other things to enable the Chief of Engineers of the United States Army to proceed with the construction or repair of roads which the Secretary of War shall certify to the board to be of strategic or military value. If we are to be asked to aid in the construction of roads, would it not be better to have some appropriation of which the States shall pay one-half, at least?

Mr. LODGE. The force of the argument that because one bill asks for three or four hundred millions for roads, therefore it is well to ask for two hundred millions more in another bill, does not impress me. I think that all this road building and all the public-building expenditures ought to be restrained at the present time. They are not immediate emergencies, and we ought to see where we are and where we are going. Debt and taxes are piling up and we are spending money as if we could catch it out of the air.

Mr. KENYON. Mr. President, inasmuch as the Senator from Minnesota [Mr. KELLOGG] has referred to a bill which I introduced, and inasmuch as I am opposing an appropriation of $200,000,000 in this bill, I want to say just a word.

The bill which I introduced was purely an emergency measure. The work to be done under that bill was solely because of labor conditions in this country. The work could be done only under a certificate from the Secretary of Labor that it was essential because of a condition of unemployment. That is merely a temporary purpose. I do not know that the Congress shares in any way the belief—I rather think perhaps it does not—which some of us have entertained, that there is a serious time ahead of us as affecting unemployment in the transition period from war to peace. The Secretary of Labor, before the Committee on Education and Labor, has emphasized that fact. While not an alarmist in any way, as he says—and I certainly am not an alarmist—and expressing his belief that there will be an era of great prosperity in this country, he believes, as I do, that there is a sort of a hiatus to bridge over between now and that period, six or eight months in the future.

Now, we may be wrong about all of that. The bill to which the Senator refers makes an appropriation which will not be used unless that situation arises. It is in the nature of an insurance against unemployment. The $300,000,000 referred to is to be loaned by the War Finance Board to the States, under arrangements made with the States, and interest at the rate of 5 per cent is to be paid, which is sufficient safeguarding of the fact that the loan will soon be taken up by the States.

Mr. LODGE rose.

Mr. KENYON. Does the Senator from Massachusetts wish to ask me a question?

Mr. LODGE. I was going to ask the Senator from Iowa a question in a moment.

Mr. KENYON. I was just explaining that bill.

That is what that bill is. As to public buildings, it carries no extra public buildings. As to the States, it carries no extra public works. It is simply to go ahead and carry out the works which already have been authorized by the Federal Government and by the State governments. There are some 150 public buildings in this country that are now delayed and have been during the war, very properly, and are delayed now because the material can not be bought. Somebody has to start ahead on that enterprise. Private capital is holding back. Private capital is afraid, on account of the enormous sums that must be paid for materials. If the Government starts it is the signal that "All is well; go ahead." That was the theory and the philosophy of that bill.

I realize that it is open to the charge that it may be used as a pork barrel. I have tried to safeguard that. None of the money can be expended except to carry on these public works where the Secretary of Labor certifies that they are essential because of unemployment. I am not in the habit of advocating pork barrel bills.

Mr. LODGE. What I desired to ask the Senator was this: I agree with him entirely that, whatever may come afterwards, there is a period of readjustment, which is on us now, when there is a great deal of distress and shortage of employment; and I wish to ask the Senator whether it would not be well, instead of putting the whole burden upon the Government, so to relax the laws or change the laws as to give opportunity to normal industries to go to work?

Mr. KENYON. Undoubtedly.

Mr. LODGE. I have in mind what was stated here the other day with great force by the Senator from Washington [Mr. JONES]; and I have had specific instances brought to me. Foreign countries will buy ships of us now, at this moment. They are ready to pay the additional cost of tonnage in order to get

them at once, so severe has been the destruction of tonnage. That opportunity to contract for foreign account will soon pass. It is here now. The other day I saw the manager of a big yard in Buffalo who said they could take on some of those contracts and employ great numbers of men who are being laid off, but the Government will not allow them to do it. Then we have to come in with the Government and make work when there is work like that that can be had if the Government will take off the prohibition. I do not know why the prohibition is there, unless it is to be used in some way in our negotiations; but there it is.

Moreover, nothing is done in regard to immigration. When we are said to have a shortage of employment in this country we are leaving our immigration laws untouched and we are leaving our whole labor market open to an influx of labor from every part of Europe. There is a great desire, in view of the disturbed conditions of many parts of Europe, to come here now. I think the Government ought to do something to prevent an influx of labor until we get our Army back and get our men placed and give the normal industries a chance to resume their normal activities.

Mr. KENYON. I am glad the Senator has said that, and I agree with him. There is no use of our hiding our heads in the sand and saying that we are not close to serious labor troubles in this country. My thought was to provide this sort of a buffer, or rather reservoir, to take care of this labor condition during the next few months.

I wish that we might, as suggested by the Senator from Massachusetts, get rid of some of these restrictions and try to get back to a normal basis, but this bill under consideration does not help materially in that respect. As to the $50,000,000 to be spent for the year ending June 30, 1919, that argument might possibly be made; but as to the two other items of $75,000,000 for the two succeeding years it can not be made, though the report, on page 10, says:

> It is the consensus of the best thought of the Nation that public improvement of all sorts should be vigorously pushed at this time, in order that labor and industry may be given maximum opportunities for continuous employment and operation.

That is true as a statement, but this bill helps but little, if at all.

Under this bill there must be certain conferences carried on with the States. That is going to take time. It is all some way in the future. It is not going to help, as I view it, this labor situation one particle, and that is the distinction between the position I take as to the bill I have introduced and this measure. I think it is unjustifiable at this time of our national finance and the taxes that are being placed upon the people of this country to vote away this $200,000,000 on a proposition that certainly rivals, if it does not far exceed, the river and harbor bill in all the complaints and criticisms that have been made of that measure in the past. It ought to be known as the "rural pork road bill."

I know it is unpopular to apparently oppose anything looking to the construction of roads. I know it is an unpopular thing. I believe the States ought to do the most of this work of road construction, stimulated, perhaps, to some extent by the Government. We all know, of course, the argument that roads develop our civilization, make better schools, better churches, and better communities, and all of that, and it is true; but where are we going to end on these Government appropriations? Is there never to be a stopping place in taxing the people?

I wish the whole people of the United States might have heard the address of the Senator from Colorado [Mr. THOMAS] on this subject last week; and I think if the entire membership of the Senate had heard it probably this $200,000,000 appropriation could not be passed. It is unjustifiable at this time to pass this measure, and I shall vote against it.

Mr. PAGE. Mr. President, I should like to ask the Senator from Massachusetts [Mr. LODGE] one question.

The thought that comes to me at this time is that we are appropriating beyond our power to pay. I do not mean to say that the Federal Government can not borrow money to pay any debt that it may contract; but it seems to me that we are now approaching a point—and I speak because of the many appropriations to which the Senator from Massachusetts has just referred—when we are likely to have to pay on the next liberty loan more than the 4¼ per cent interest which we have been paying in the past. If the next liberty loan shall fall upon a market that is unduly bad, I do not know that we can float our bonds without paying more than 4¼ per cent.

It has been suggested that it makes no difference as to what financial conditions confront us; that we have the credit and we can borrow. But I want to ask the Senator from Massachusetts if in his opinion there is not danger that if we are compelled to increase the interest which we have to pay on the next liberty loan to 4½ or 4¾ per cent—even 5 per cent has been named—we shall find that the withdrawals from the savings banks of the country, which generally can not pay over 4 per cent, will bring about conditions that may seriously disturb our financial situation and leave us in a condition which closely borders on a panic? We do not know where we are going to land if we disturb the complex relations which are so closely interwoven with the multitude of savings banks, upon which the prosperity of our country so largely depends.

I should like to have the Senator from Massachusetts tell us what he thinks about this feature of the situation.

Mr. LODGE. Mr. President, I agree entirely with what the Senator from Vermont has said. I did not go into the details in regard to it, but we have a loan now coming of about six billions, I suppose it will be. It falls upon the country at the same time with the heaviest tax bill ever paid by any people, which will take six billions from this country in one year, most of it in the form of direct taxation. I fear that there may be difficulty in floating the next loan; that we may be compelled either to raise the rate, or—which would be, in my judgment, much better—to give the bonds a nontaxable character. But, in any event, I think the outlook as to the next loan is a very grave one; and we are providing now, by these extravagant expenditures in every direction, for another loan. Our revenue is not going to begin to meet our expenses in another year.

Mr. SMOOT. It will not half meet them.

Mr. LODGE. I do not think it will meet them by half, as the Senator from Utah says, and next year there will have to be another $6,000,000,000 loan; and what we are spending here, in this $200,000,000 and in the other millions that we are appropriating, is the credit of the United States. We are not spending our revenues. Those have gone long ago. We are spending the credit of the United States. We are putting these things on the backs of posterity—things that could perfectly well wait, many of them.

Mr. SMOOT. Mr. President, in connection with what the Senator has just stated, I wish to say that there seems to be an impression going out through the country that because of the fact that we have proposed to repeal certain laws appropriating money for certain specific purposes to the amount of $15,000,000,000, and the papers carrying the proposed repeal in a form that convinced the people that that money was going back into the Treasury of the United States, hereafter there will be no necessity of any further loans.

If there is any criticism to offer in relation to the repeal of the appropriations amounting to $15,000,000,000, it ought to be along the lines that they were not as much as ought to have been repealed. I say that because I want to call the attention of the Senate at this time to the fact that our appropriations made for the fiscal year ending June 30, 1919, amounted to over $36,000,000,000; and the members of the Finance Committee will well remember when Secretary of the Treasury McAdoo appeared before the committee and said that all that would be required to meet the obligations of the Government was $18,000,000,000 for this fiscal year, and stating that there had been appropriated at least $18,000,000,000 more than would be required during this fiscal year. We find now but $15,000,000,000 being repealed, instead of $18,000,000,000. Now, if $18,000,000,000 is all that the obligations will be then we could well have afforded to have made a repeal of $3,000,000,000 more; and when that bill is before the Senate I want to place in the RECORD a detailed statement showing that to be the case.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. WADSWORTH. Will the Senator remind the Senate when the Secretary of the Treasury made that statement or estimate.

Mr. SMOOT. It was in November, right after the armistice was signed; and I will say to the Senator that at that time it was figured that that was all that could be expended by the Government.

Mr. WADSWORTH. Now, will the Senator tell us whether that estimate of eighteen billions included anything for wheat?

Mr. SMOOT. Nothing whatever.

Mr. WADSWORTH. Did it include $700,000,000 for the Navy?

Mr. SMOOT. It included about $2,000,000,000 for the Navy, the regular appropriation asked for, but not the $700,000,000 referred to by the Senator.

Mr. WADSWORTH. May I ask if it included the expense of 500,000 troops in the German occupied territory?

Mr. SMOOT. The estimate was given that the whole Army of the United States by the 1st day of July would not be more than 500,000 men.

Mr. WADSWORTH. And did he estimate how much that would cost?

Mr. SMOOT. The estimate was made, Mr. President, of what that would cost, and I will say to the Senator that it was arrived at in this way: There was an estimate made of $19,636,000,000 for the War Department for the year ending June 30, 1920, and that was based upon an Army of 5,000,000 of men—soldiers and officers—and after the armistice was signed the estimate was revised by simply taking one-tenth of the 5,000,000 men and officers, amounting to 500,000, and cutting the appropriation of $19,636,000,000 down to one-tenth of the amount, or $1,936,000,000. That is how the estimate was arrived at.

Mr. WADSWORTH. I do not like to unduly interrupt the remarks of the Senator from Utah, but the Senator will remember that the War Department has sent to the Congress a bill which provides that the President shall have authority to recruit the Regular Army by volunteering up to 500,000 men; and it is stated that those 500,000 men are to carry out the responsibilities of the United States immediately following this war in order to permit the return of the troops from Europe, except those who may volunteer to remain, and to send over to Europe those who may volunteer in this country to stay in the Army for another year.

Mr. SMOOT. Yes.

Mr. WADSWORTH. And it seems to be generally understood that those 500,000 men, with some exceptions, are to constitute our share of the force which is to occupy some of the German territory until the terms of peace are finally not only agreed upon but carried out. Now, it costs, I am informed, $2,000 a year to keep one American soldier in France or Germany; and if we are to have an Army of 500,000, the cost will be $1,000,000,000.

Mr. SMOOT. I want to say to the Senator that the Secretary of War, when he appeared before the Committee on Finance, had no idea that there would be 500,000 American soldiers in Europe by July 1. His statement was that they were to be relieved and sent back home just as quickly as it was possible to do so, and he had no doubt that there would be less than 500,000 men in Europe on July 1, 1919.

Mr. WADSWORTH. That may very well be. I am not saying that the whole 500,000 will be kept in Europe. Many must be at the Panama Canal; some will be in Hawaii; some will be in the Philippines; some will be in our garrisons here and maintraining, for some time to come at least, these immense installations that have been built in the United States.

Mr. SMOOT. The estimate that was made for one billion nine hundred and some-odd million dollars was the expenses of the War Department on a basis of 500,000 men.

Mr. WADSWORTH. I venture the assertion that an Army of 500,000 men can not be supported here or in France for that sum for one year.

Mr. PAGE. Mr. President, I believe that I am naturally an optimist. I am inclined to look through spectacles that are fairly high colored. I believe this country has a wonderful future before it. I do not believe anything can stop or long delay or hinder its great growth. But I want to say, in all candor, that looking facts and figures squarely in the face, I have at least a little fear of serious financial disturbances. I say this because I can not see why we are not making appropriations so enormously large that we may find it difficult to borrow all the money we shall require without disturbing the finances of the country.

I do not think I have a right to act from a selfish standpoint regarding this matter. The fact has been brought to my attention that Vermont is being urged to support this proposition, because under this bill it is said that we are going to get from the Federal Treasury three times as much as we pay out. If I were purely selfish touching this appropriation, I could perhaps reach the conclusion that Vermont should vote for this appropriation, but having in view the general good and what I believe to be the serious condition of our national finances, I see no other way but to cut our coat according to our very small pattern of cloth until we can see a change in our country's present very unsatisfactory financial situation.

I do not want to protest against any proper expenditure for good roads. I think there is nothing that contributes more to the welfare of this country. I am for good roads; and I want to praise the Lord because my own little State of Vermont pays all its bills for highways as it goes along. We have not a dollar of bonded indebtedness for highways, and I hope we never will have. When it comes to a point where I doubt whether I am going to have enough money to pay my honest debts I want to make prudence my guiding star. I want to delay the voting of these immense expenditures until we see where we are coming out. A few months will tell the story. Probably three or four months will determine as to our ability to float, satisfactorily, the next liberty loan. With this loan out of the way we may feel more liberal.

I do not like to oppose the idea of the Senator from Iowa, and if we need funds to keep our boys at work we must find some way—I do not quite know how—to take care of them. I think it must be upon some basis which does not compel an expenditure of four or five dollars for expensive and perhaps extravagant material in order to utilize $1 of labor. We ought to find some way to be just without extravagance.

I hope the amendment will not be adopted at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee as amended.

Mr. SHERMAN. Mr. President, very many times I am not disposed to follow the recommendations of the heads of departments, but there are some recommendations made in the letter of the Postmaster General transmitting to the committee the result of his examination which are of some value. They were referred to by the Senator from New York [Mr. WADSWORTH] a few days ago. I wish to put in the CONGRESSIONAL RECORD the recommendation from the Postmaster General as follows:

> Recently, being desirous of ascertaining the result of this experiment, the Postmaster General gave directions to the chief inspector that he make a selection of one of our ablest postal experts, with directions to him to associate with himself a sufficient number of assistants to make a thorough investigation of these motor-truck routes. Mr. Robert H. Barclay, inspector in charge at Cincinnati, Ohio, was selected by the chief inspector to conduct the investigation, and the following instructions were given him—

Which I will omit.

Pursuant to that the report was made by these post-office inspectors, and the recommendation referred to by the Senator from New York that the appropriation of $300,000 be reduced to $70,000 was made. This, in the discretion of the committee, was not followed. The bill ought not to appropriate $300,000. This instance is one of the cases where I think the recommendation of the head of the department carries some weight.

The appropriation of $200,000,000 at this time can not be justified, Mr. President. I have said a good many times that I would vote for a reasonable appropriation by the Government in aid of State enterprises. All of those ideas of mine were made during peace periods. Many of us have revised our opinions in view of war conditions, and I find myself in common with others compelled to do so. If it were ordinary peace times, when our expenditures were within the old-time limit, or what will be, I hope, the peace limit in a few years, I could very cheerfully support the appropriation of $200,000,000 as distributed here.

My own State of Illinois has voted $60,000,000, to be paid by the taxpayers of that State by direct taxation, outside of what is collected from the automobile and vehicle fund, for the development of a good-roads system. We would be entitled to our share for the three years named of this $200,000,000 for the construction of highways inside the limits of that State. In view of present war conditions, the great burdens that we carry, the immense obligations that are upon the Treasury, we must, in order to reduce taxation to a reasonable limit, begin the curtailment at some place.

I shall not support a public buildings bill in any form outside of the immediate necessities of this year. For a large part of the time the public buildings bill has grown in its appropriations to be a twin sister, I may say, of the river and harbor bill. The river and harbor bill this year ought to be defeated. There are very few meritorious items in either the river and harbor bill or the public buildings bill. We have stately piles of brick and stone scattered all over the country, at cross-roads villages of 500 to 1,000 population, with janitors and attendants and a subforce. No doubt as soon as there is an electric light and power house in any such place there will be installed a janitor or two, with an elevator man and a full set of attendants.

We have got to make economies at some place; we must begin with some appropriation bill, and I am prepared to begin with the public-roads fund, although I know that the States of the several Senators here would receive a proportional part. I must take the chance of explaining to those who are concerned why I do so. I am willing to provide that my own State shall expend the $60,000,000 they have voted to expend, raising that in direct taxation through a series of years. By direct taxation and by bond issues it will all be provided. We can stand that and start the system of public highway improvement. It will give employment. But I am not ready at this time, with the burdens on the Public Treasury, to vote $200,000,000 in the three appropriations named, scattered through the years for the same purpose. I think this ought to be postponed to some more opportune time.

The Senator from Utah [Mr. SMOOT] has spoken about the burdens that we must meet. The first thing that we have got to do is to pay our debts, and pay day is coming. When the pay day comes and we have not the money, unless we raise additional sums by taxation, we have to that extent discouraged private industry that must have assistance if we are to have any relief from the conditions that will prevail in going from a high war level down to a peace level. We must get ready for it now, and I think it is a good time to begin a curtailment of the expenses and the appropriations that are named in these items. When the river and harbor bill and the public buildings bill come, with other department bills, they ought to be cut to the lowest possible limit in line with this curtailment.

The PRESIDING OFFICER. The question is on the amendment of the committee as amended.

Mr. THOMAS. I understand that the vote about to be taken is on section 5.

The PRESIDING OFFICER. As amended.

Mr. LODGE. I make the point of no quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Kenyon	Nugent	Sutherland
Beckham	King	Page	Swanson
Calder	La Follette	Poindexter	Thomas
Curtis	Lenroot	Pollock	Townsend
Fletcher	Lewis	Pomerene	Trammell
France	Lodge	Sheppard	Vardaman
Frelinghuysen	McKellar	Sherman	Wadsworth
Gay	McNary	Simmons	Warren
Henderson	Martin, Va.	Smith, S. C.	
Johnson, S. Dak.	Moses	Smoot	
Jones, N. Mex.	Nelson	Spencer	

Mr. KING. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from South Dakota [Mr. STERLING] and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

The PRESIDING OFFICER. Forty-one Senators have answered to their names. There is no quorum present. The Secretary will call the roll of absentees.

The Secretary called the names of the absent Senators, and Mr. KIRBY and Mr. SHAFROTH answered to their names when called.

The PRESIDING OFFICER. Forty-three Senators have answered to their names. There is not a quorum.

Mr. BANKHEAD. It is perfectly evident that it would be difficult to secure a quorum to-night, and I move that the Senate take a recess until 11 o'clock to-morrow.

Mr. POMERENE. I shall object to taking a recess. There is morning business that I think should be attended to, and there is not a quorum here, so that a recess can not be taken.

The PRESIDING OFFICER. Nothing is in order except a motion to direct the Sergeant at Arms to request the attendance of absent Senators or a motion to adjourn.

Mr. BANKHEAD. I move that the Senate adjourn until 11 o'clock to-morrow.

The PRESIDING OFFICER. In the absence of a quorum, only an adjournment to the usual hour of meeting can be taken, the Chair will state to the Senator from Alabama.

Mr. BANKHEAD. Then I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 5, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 4, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty and most merciful God, our Heavenly Father, look down with compassion upon us, forgive our shortcomings, our weaknesses, our sins, and impart unto us wisdom, strength, grace, that whatsoever we do, here, now, and always, may be in consonance with the eternal fitness of things; and Thine be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MILITARY ACADEMY APPROPRIATIONS.

On motion of Mr. DENT, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER. The gentleman from Illinois [Mr. SABATH] was presiding over this Committee of the Whole yesterday, but he seems to be absent. The gentleman from Ohio [Mr. GARD] will take the chair until the gentleman from Illinois [Mr. SABATH] comes in.

Mr. GARD took the chair.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

Mr. STAFFORD. Mr. Chairman, before the Clerk reads I would like to offer an amendment to the preceding paragraph.

The CHAIRMAN. Is there objection to returning to the preceding paragraph for the purpose of offering an amendment?

There was no objection.

Mr. STAFFORD. Mr. Chairman, I offer the language of the last proviso stricken out on a point of order, down to the word "direct," in line 16, with an addition which I will ask the Clerk to report.

The CHAIRMAN. The Clerk will report the amendment proposed by the gentleman from Wisconsin.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 34, line 10, insert the following:

"*And provided*, That hereafter, when any machinery, apparatus, implements, supplies, or materials which have been heretofore or may hereafter be purchased or acquired from appropriations made for the support of the United States Military Academy are no longer needed or are no longer serviceable, they may be sold in such manner as the superintendent may direct, and that the proceeds shall be turned into the Treasury as miscellaneous receipts."

Mr. DENT. I have no objection to that amendment.

The CHAIRMAN. The question is on the adoption of the amendment proposed by the gentleman from Wisconsin.

The amendment was agreed to.

Mr. DENT. Mr. Chairman, I have two amendments to correct the text of the bill.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 32, line 25, after the word "uses," strike out the colon, insert a semicolon, and add the following: "that the Secretary of War is hereby directed to transfer without charge one 10-ton, 3-wheel road roller to the quartermaster of the United States Military Academy."

Mr. MANN. This is a new paragraph, I take it?

Mr. DENT. This is a new paragraph.

Mr. MANN. Before that amendment is presented I move to strike out the last word of the preceding paragraph, for the purpose of asking whether we have corrected the reference to House bill numbered 11185.

Mr. DENT. That is at the bottom of page 33. The amendment now offered is at the bottom of page 32.

Mr. MANN. Very well. That is an amendment to this pending paragraph?

Mr. DENT. Yes; and then I have another amendment to correct the language at the bottom of page 33.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama, which has been read by the Clerk.

The amendment was agreed to.

Mr. DENT. Now, Mr. Chairman, I offer the other amendment.

The CHAIRMAN. A further amendment is offered by the gentleman from Alabama, chairman of the Military Affairs Committee, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DENT: Page 33, line 25, after the word "in," strike out "House bill No. 11185" and insert in lieu thereof "the act for the support of the Military Academy approved June 27, 1918."

Mr. STAFFORD. Mr. Chairman, since this item was under consideration yesterday I have taken occasion to inquire whether the appropriations as carried in last year's bill for these respective amounts for construction have lapsed. I am informed—and it confirms the position taken by the gentleman from Illinois [Mr. MANN]—that when we appropriate money for public buildings the amount appropriated remains available until it is expended. The covering-in act of 1874 does not apply to public buildings, lighthouses, river and harbor improvements, pay of naval officers and the Marine Corps, and one other class, which I fail to recall at this moment. There is no question whatsoever that the authorization of last year is available and will continue available until Congress rescinds it.

Mr. DENT. If that is true there is no necessity to carry it in this bill, but I would like to make some further investigation. It can not possibly do any harm.

Mr. STAFFORD. This is mere surplusage.

Mr. DENT. If that is the law it can not do any harm to repeat it in this bill.

Mr. KAHN. Mr. Chairman, I think this appropriation stands in somewhat different relationship to the rule than the ordinary public building bill, because under the proviso on page 34, line 2, it is—

Provided, That for the purpose of accounting only, all funds hereinbefore appropriated under the titles "Current and ordinary expenses," "Miscellaneous items and incidental expenses," and "buildings and grounds" shall be disbursed and accounted for by the disbursing officer, United States Military Academy, as "Maintenance, United States Military Academy," and for the purpose shall constitute one fund.

Now, I rather think that there is a different condition with respect to the buildings at West Point, because that fund is added to by these other items, and they all constitute one fund.

Mr. STAFFORD. If the gentleman will permit, the proviso which the gentleman has just read relates to a change in the method of accounting. It has no reference to the validity of authorization for construction purposes carried in the last Military Academy appropriation act. There is no question but that the covering-in act which specifically excepted public buildings, river and harbor improvement, pay for the Navy and Marine Corps, and lighthouses, does not apply to the building project as authorized in the last year's bill.

Mr. DENT. "Grading and granolithic pavement"—that is not a part of the building program.

Mr. STAFFORD. Well, this is merely surplusage; and, Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. DENT].

The amendment was agreed to.

Mr. HULL of Iowa. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. HULL of Iowa: Page 34, line 19, after the word "derived" add as a new paragraph:

"To provide the necessary buildings and other improvements to accommodate and care for the increased corps of cadets at the United States Military Academy, as provided by the act of Congress approved May 4, 1916, and in general accordance with the plans submitted by the board of officers convened under authority of act of Congress, making appropriations for the support of the United States Military Academy, approved August 11, 1916, $3,000,000, to be immediately available and to remain available until expended, $3,000,000."

Mr. DENT. Mr. Chairman, to that I reserve a point of order.

Mr. HULL of Iowa. Mr. Chairman, we might as well discuss the point of order now. If it is good, there is no use in discussing the merits of the proposition. As I look at it, this is in order. Congress amended a law or enacted a law, which was approved June 3, 1916, practically doubling the number of cadets that were sent to West Point. That is in the act known as the national-defense act. On August 11, 1916, you approved of an act which authorized the Secretary of War, or directed him, to appoint three officers of the Army whose duty it shall be to investigate and make report to Congress on the first Monday of December, 1916, of what is necessary to be done in the way of buildings and other improvements to accommodate and care for the increased corps of cadets as provided by the act of May 4, 1916, together with the probable cost thereof.

That report came back to Congress and was approved of by Congress. For two years you have been making appropriations on that continuous program. I am very much surprised that the question whether it is in order should be raised at this time.

Mr. DENT. Will the gentleman yield?

Mr. HULL of Iowa. I will.

Mr. DENT. The gentleman does not mean to say that the report of the Army officers has been approved of by Congress?

Mr. HULL of Iowa. It certainly has; it came back to Congress.

Mr. DENT. Does the gentleman say it has been approved by Congress? I think the gentleman is mistaken in his facts. There never has been any action taken by Congress.

Mr. HULL of Iowa. Do not you approve it when you make appropriations in line of that report?

Mr. DENT. We did not make any appropriations in line with the report.

Mr. HULL of Iowa. In the act of June 27, 1918, you appropriate for Quartermaster Corps $10,000 for a garage. That is in their report. There are a lot of other items for enlarging the Military Academy to accommodate the authorized number of cadets; constructing cadet buildings at headquarters to be located south of the area of the south barracks, $500,000. It is under construction now up there. It is a part of the program. We will demonstrate that clearly when we get to the merits of the case.

Mr. DENT. Mr. Chairman, I make the point of order that this is new construction and has never been provided for by law.

The CHAIRMAN. What is the gentleman's point of order?

Mr. DENT. That this is new construction and has never been provided for by law.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

The Secretary of War is hereby authorized to allow any corporation, company, or individual to erect on the United States Military Academy reservation at West Point, N. Y., a hotel, in accordance with plans and specifications to be approved by the Superintendent of the United States Military Academy and to enjoy the revenue therefrom for a period of 50 years, after which time said hotel shall become the property of the United States; that said hotel shall be conducted under such regulations, including the rates and the charges for accommodations thereat, as may be promulgated by the Superintendent of the United States Military Academy under the direction of the Secretary of War: *Provided*, That in view of the long and distinguished service of Col. S. E. Tillman, he having had 46 years' service before retirement, 31 of which were as head of an important department of instruction at the United States Military Academy at West Point, N. Y., besides other unusual distinguished service, and having been recalled to active service in June, 1917, at the age of 69, to take charge of the Military Academy at West Point, N. Y., where he is still serving, the President is hereby authorized to place that officer on the retired list of the Army as a brigadier general, with the pay and emoluments of a retired officer of that grade, and to grant him a commission in accordance with such advanced rank.

Mr. STAFFORD. Mr. Chairman, I make a point of order on the paragraph.

Mr. KAHN. Will not the gentleman reserve his point of order?

Mr. STAFFORD. I will reserve the point of order.

Mr. KAHN. Mr. Chairman, I hope that the gentleman from Wisconsin will not insist on his point of order so far as the hotel provision is concerned, at least. The hotel at West Point was built, I believe, in 1818. It is now a disgrace to the Government of the United States. Very few improvements have been made there during all the years that it has been on the grounds. When the parents of the young men who are at the Point for instruction visit their sons they are compelled to stay at this old ramshackle building. There is a party or corporation, I understand, that is willing to put up a new modern hotel building on the grounds without a dollar's cost to the Government. They will have the privilege from the Government of conducting the hotel under such regulations as the War Department will establish, and at the end of 50 years it will become the property outright of our Government.

To me it seems almost intolerable to continue that old building on the grounds. Even the Board of Visitors at West Point, the Members of the Senate and House who are compelled to go to West Point to inspect the institution, all recognize the fact that this present building ought to be torn down and a new hotel put up. If private capital is not to be allowed to do it, then the Government ought to do it. The hotel is in no sense modern or up to date. It has no heating conveniences except old coal grates. The charges are high enough, God knows, to have a splendid hotel, but under existing conditions I am sorry for the relatives of the young men who have to find accommodations there during the brief time they may be visiting their sons.

Mr. MILLER of Washington. Will the gentleman yield?

Mr. KAHN. Yes.

Mr. MILLER of Washington. Does the gentleman know who has the placing of the location of this proposed hotel, and will it be placed where the present building is?

Mr. FIELDS. It was so stated.

Mr. KAHN. Right near there, and I think that is a good location for the hotel.

Mr. MILLER of Washington. The gentleman is familiar with the old hotel there at the present time, and that it is the scenic view spot of the academy. Would it not be better, in view of the fact that the academy is to be enlarged and more ground is desirable, that the hotel be placed in some other location?

Mr. KAHN. Of course, that is one of the problems that the engineers have had a great deal of difficulty with. West Point is situated upon the side of a mountain, and every acre of ground has to be made, except that low, level space which is used as a parade ground and on which the principal buildings are located. To make additional ground is a very hard matter and a very costly matter, and so I suppose that the present location is as good as any ground that can be secured.

Mr. MILLER of Washington. It is certainly desirable for a hotel location, being, as I said, in the view spot of the academy grounds; but the gentleman is cognizant of the fact that ground is at a premium there, and it would materially increase the capacity of the camping ground, the parade ground, if that could be occupied as a part of active military maneuvers, and the hotel put some place else.

Mr. KAHN. I presume in the final analysis the War Department in locating the hotel will take all of those facts into consideration and would select a desirable spot for the hotel.

Mr. MILLER of Washington. Just one further observation. The bill is silent as to who shall locate this hotel. Would it not be wise to put in a provision there that it shall be located under the direction of the Secretary of War or some one else?

Mr. KAHN. I do not think that is necessary. Of course, the Secretary of War or the Superintendent of the Academy would be authorized under the bill to negotiate for the construction of a hotel, and doubtless he would take into consideration the matter of its location also.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask unanimous consent that he be permitted to proceed for one minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. GRAHAM of Illinois. Who owns the present hotel?

Mr. KAHN. The United States Government.

Mr. GRAHAM of Illinois. Is it run and conducted by the Government?

Mr. KAHN. No; a lady conducts it. She is the lessee. She pays only a nominal rental, but I understand at that that she has a great deal of trouble in making both ends meet.

Mr. GRAHAM of Illinois. If this should go through and be incorporated in the act, it will not do any harm to anybody's property rights, will it?

Mr. KAHN. No; and it will very much enhance the conveniences at the academy.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. LITTLE. Mr. Chairman, I ask unanimous consent that the time be extended for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LITTLE. Mr. Chairman, will the hotel company pay the Government anything for the use of this land?

Mr. KAHN. No; they will put up an entirely new building and run it for 50 years, and then it will revert to the ownership of the Government.

Mr. LITTLE. What is to be the cost?

Mr. MORIN. The last plan submitted to the committee was $400,000.

Mr. DENT. Four hundred thousand dollars.

Mr. LITTLE. I notice the gentleman spoke of the visits to the students. What proportion of the students are visited by any of their kin in a year?

Mr. KAHN. There are a great many visitors during the term, and in addition to that, at graduation there are hundreds of visitors at the academy.

Mr. FIELDS. There are a great many visitors from foreign countries also.

Mr. MORIN. There are a great many of the kin of the cadets who come back after one visit.

Mr. LITTLE. Is it not a fact that 90 per cent of the boys never have any visits from their kin in all the time they are there?

Mr. MORIN. And in case of sickness they are visited.

Mr. LITTLE. I never heard of anybody from my country going there.

Mr. DENT. Mr. Chairman, this is subject to a point of order, but, like the gentleman from California [Mr. KAHN], I hope that the point of order will not be made as to the hotel proposition at least. This is a subject that the Military Committee annually has to wrestle with. There is no question but that the hotel at West Point now is a disgrace to the Government. That is the uniform testimony upon the subject, and we finally reached the conclusion that this is the only solution that can be made of the proposition. Of course, as a general rule I do not agree with the idea that private people should put up buildings on Government property, but there have been exceptions to it. We have made exceptions during the war. We have allowed the Young Men's Christian Association, the Knights of Columbus, and other organizations to erect buildings upon Government property. After many years of wrestling with a proposition of this kind, we have reached the conclusion that this is the only solution by which you can get a hotel at West Point.

Mr. WELLING. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. WELLING. If the hotel is built there it will not involve any additional expense to the Government?

Mr. DENT. Not a dollar in the world.

Mr. WELLING. Will it involve any additional expense to the patrons who now visit the hotel at West Point?

Mr. DENT. It will not, because a provision is carried that the Secretary of War, through the superintendent at the Academy, will have absolute control of the charges and prices to be made by the owners.

Mr. GREENE of Vermont. Mr. Chairman, will the gentleman yield?

Mr. DENT. Yes.

Mr. GREENE of Vermont. And the very opposite from a business proposition or a commercial speculation is involved in this proposition. It is more in the shape of a memorial to the past cadets, erected by some of their families and friends, and, while it is to be a practical thing, yet it will be run with sentimental overcast, at least, that will take it altogether out of a money proposition or any speculation on the part of the people who propose it.

Mr. DENT. Absolutely so.

Mr. MANN. Will the gentleman yield for a question?

Mr. DENT. I will.

Mr. MANN. My attention is called to a letter, which is found in the hearings on page 98, addressed to the gentleman from Pennsylvania [Mr. MORIN], in which there is proposed by Mr. Edward M. Flexner, apparently of Louisville, Ky., to present to the Government, if the Government will accept it, a hotel, to be called Pershing Hall. Now, would that be authorized under the terms of this language?

Mr. DENT. I think so.

Mr. FIELDS. I think we were told in the hearing that is the very purpose of this legislation.

Mr. MANN. I think that would be a very desirable thing to be done if somebody will construct a new hotel there—probably could not get a better name for it than Pershing Hall, although I do not think the name is so important—and present it to the Government. It seems to me that would be very desirable, although I do not think the language now in the bill would permit it.

Mr. DENT. I do not see why it would not.

Mr. MANN. The reason why it would not—and it can be easily corrected—is that under the language of the bill whoever builds this hotel will have to operate it for 50 years, and the Government would only accept it at the end of the 50 years. It would be very easy, if the language remained in the bill, to add a provision to it at the end providing that the Government might accept title to the hotel at any time.

Mr. DENT. I am sure nobody would object to the amendment.

Mr. MANN. I am sure nobody would object to that amendment if the rest remained in. If that is the only purpose, of course that ought to be covered.

Mr. DENT. I think so.

Mr. MANN. If we can get a fine hotel there presented to the Government in place of the present hotel—about which personally I know nothing; I have never been there, except as Members tell me—it would be a very desirable thing, it seems to me.

Mr. DENT. I think that is a good suggestion.

Mr. STAFFORD. Mr. Chairman. I withdraw the point of order so far as it relates to the hotel proposition, but I shall make the point of order on the proviso beginning line 7, page 35.

The CHAIRMAN. The gentleman from Wisconsin withdraws the point of order so far as the proposed erection and maintenance of a hotel are concerned, and makes the point of order as to the proviso beginning line 7, page 35, to line 19, inclusive.

Mr. DENT. Of course, it is subject to the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. KAHN. Mr. Chairman, I hope the gentleman will withdraw that request or the amendment until the gentleman from Illinois can again offer his amendment to perfect the language of the hotel provision.

Mr. MANN. Mr. Chairman, I move to amend by adding, after the word "States," in line 2, page 35, the following: "*Provided*, That the title and ownership of said hotel may be accepted by the Secretary of War on behalf of the United States at any time."

Mr. DENT. I accept that.

The CHAIRMAN. Will the gentleman kindly prepare his amendment.

Mr. MANN. It is not long; the Clerk, I think, has got it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MANN: Page 35, line 2, after the word "States," insert:

"*Provided*, That the title and ownership of said hotel may be accepted by the Secretary of War on behalf of the United States at any time."

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. I merely want to get a little more information here from the chairman of the committee or the ranking minority member. I notice this clause here says that they are authorized to erect the hotel and enjoy the revenues therefrom. Does not the gentleman think there ought to be some provision that the

hotel should be maintained and operated? Now, a man might erect a very flimsy structure, even if he followed the plans of somebody else, and if it did not do well he might let it run down so that at the end of the 50-year period it would be so dilapidated it will not have any value.

Mr. DENT. I call the gentleman's attention to this paragraph, which reads as follows:

That said hotel shall be conducted under such regulations, including the rates and the charges for accommodation thereat, as may be promulgated by the Superintendent of the United States Military Academy under the direction of the Secretary of War.

I think that gives absolute authority.

Mr. LITTLE. Perhaps it does, but it seems to me if the bill simply stated that he should not only erect but maintain and operate it we would have him tied up so that there would not be any room for any other construction. I just offer the suggestion.

Mr. DENT. I think that clause takes care of it. Mr. Chairman, in view——

The CHAIRMAN. Does the gentleman from Kansas withdraw his pro forma amendment?

Mr. LITTLE. I withdraw the pro forma amendment.

Mr. DILLON. Mr. Chairman, I would like to make an inquiry of the gentleman from Illinois [Mr. MANN]. Would his amendment permit the Secretary of War to accept this building project before it was completed?

Mr. MANN. Well, it might.

Mr. DILLON. Suppose irresponsible parties were in control of the project and might throw it up, could the Secretary go in and accept it and compel the Government to go on and complete that expensive building?

Mr. MANN. It would not compel the Government to complete it. However, I apprehend the gentleman will not make any mistake about that, that if somebody starts to build a $400,000 building and spends $200,000 and breaks up and if there was no safe bond requiring the completion of the hotel it would not stand there that way forever and maybe the Government would have to complete it.

Mr. DILLON. It is pretty easy to unload on the Government——

Mr. MANN. I assume the Secretary would require a proper bond.

Mr. DILLON. It is pretty easy to obtain the consent of the Secretary of War in these immense enterprises and cast the burden upon the Government. I only am directing my thought to the point as to whether it is wise to put in this amendment.

Mr. MANN. It certainly would be better that the Secretary of War should have the right to take the ownership of an uncompleted hotel than to leave it there while belonging to somebody else. I do not think there are any two sides to that.

Mr. DENT. I would suggest to the gentleman from Illinois [Mr. MANN] and ask him a question, if it would not be better for his amendment to come in after the word "war" on line 6 of page 35?

Mr. MANN. I thought of that, but it comes in where the title is referred to.

Mr. DENT. Then the subsequent paragraph ought to be an additional proviso.

Mr. MANN. It does not have to be. It has a period, and it commences with a new sentence.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. MANN].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk has finished the reading of the bill.

Mr. DENT. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARD, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DENT, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

Mr. ROSE, by unanimous consent, was granted leave of absence for three days on account of important business.

THE NAVY.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15539, the naval appropriation bill, and pending that I would like to ask the gentleman from Pennsylvania [Mr. BUTLER] as to what may be agreed upon for general debate.

Mr. BUTLER. Mr. Speaker, since a conversation with the gentleman from Tennessee concerning the length of general debate, I will say that I have requests here that will cover six hours, and gentlemen are asking now, as the chairman will see, for more time. While I desire to hasten the consideration of the bill as much as possible, if agreeable to the gentleman I suggest to him we allow the general debate to go along without fixing any limit upon it now. We can consult later in regard to limiting the time.

Mr. PADGETT. In view of the statement that the gentleman has requests for six hours of time, I think we had best postpone agreeing to time for debate for the present.

Mr. MANN. The demands are sure to increase.

Mr. BUTLER. A gentleman just now asked me for time that certainly will cover 40 or 50 minutes additional. We can not fix the time now. I have no other remedy to suggest than that we may go ahead with the discussion of this bill, and perhaps this evening or to-morrow morning we can agree on a limit of time for general debate. I am very much inclined to give gentlemen an opportunity to speak on this bill.

Mr. PADGETT. Then, just for the present, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15539, and will ask that I may control one half of the time and the gentleman from Pennsylvania [Mr. BUTLER] the other half; and we will not fix a limit for the present.

The SPEAKER. The gentleman from Tennessee asks that he control half of the time and the gentleman from Pennsylvania the other half. Is there objection? [After a pause.] The Chair hears none.

The question is on going into the Committee of the Whole House on the state of the Union for the consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for consideration of the bill H. R. 15539, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15539, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Chairman, it is not my purpose to attempt to make a set speech or to engage at this time in a lengthy discussion. I submitted, on behalf of the committee, a report explaining at length and in much detail the various provisions of the bill. And I shall be content at this time to call attention in a general way to the provisions contained in it and then to answer as best I can such questions explanatory of the bill as may be submitted.

The estimates submitted through the Treasury Department, which were made out while hostilities were going on and before the termination of the war, and submitted upon a war basis, aggregated $2,644,307,046.05. The committee conducted very extensive and particular hearings, having before it the chiefs of the various bureaus of the Navy Department having cognizance of the appropriations and expenditures. The bureau chiefs reduced the appropriations as originally submitted through the Treasury Department very largely, and the estimates as submitted by the bureau chiefs in their hearings amounted to $1,414,064,090.15.

While the hearings were progressing the committee furnished to the Secretary of the Navy, as each hearing was had, copies of the stenographic report of the hearings, so that he could keep advised as they progressed and be the better prepared when he came before the committee to submit his recommendations upon a review of the entire situation.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. LITTLE. Can the chairman give to the House in the course of the day the number of men we have in the training camps, the training schools, the Naval Reserves, and those who are enlisted in the Regular Navy? Would that be possible?

Mr. PADGETT. Yes; it is set out in the hearings, and I will call attention to the personnel as I go along.

Mr. LITTLE. I think the House would appreciate it if it is not too much trouble.

Mr. PADGETT. I shall be glad to do it.

The estimates, as revised by the Secretary, aggregate $975,903,621.28. Upon consideration of all the hearings, taking up item after item, the committee made large reductions, and the aggregate reported by the committee is $746,457,440.33, making a reduction by the committee of the estimates submitted by the Secretary of the Navy upon his revised estimates of $229,446,180.95.

The total appropriations for the Naval Establishment for the fiscal year 1919 aggregated $1,685,379,553.82. The amount recommended for the fiscal year 1920, for which this bill is providing, reduces the amount appropriated for the current fiscal year by $938,922,113.49.

I wish to state that it was the policy and the purpose of the committee to reduce and to make appropriations for the lowest amount compatible with an efficient administration of the naval service. If the committee made any mistake, it was, in my judgment, in making severe reductions of estimates. However, the committee in going over these estimates reduced them, as I have stated, very largely and very substantially, making a reduction of $1,998,000,000 under the original estimates submitted through the Treasury Department, and $938,000,000 under the appropriations for the current year, and $229,000,000 under the revised estimate of the Secretary of the Navy.

The committee pursued a policy also which I think it is necessary and proper that I should call to the attention of the Committee of the Whole House on the state of the Union. On shore stations we reduced the appropriations to the very minimum, allowing only for those items which we felt were absolutely necessary to the operations of the stations during the fiscal year. The committe declined to report any purchase of land, any new projects or extensive enlargements, feeling that the appropriations that had been made during the current year and the preceding fiscal year were so large that the shore stations could well afford to wait until conditions were adjusted more to a peace basis and the Congress could see what the exact status was, and what were the precise and urgent needs.

The estimates for the personnel are based upon an aggregate of enlisted personnel for the Navy of 225,000. Of that number under existing law 131,485 is the established permanent personnel, and in addition 6,000 apprentice seamen, 350 for the Flying Corps and 5,720, as I remember, for the Hospital Corps, making in round numbers 143,000 in the permanent Naval Establishment. The difference of 82,000 was regarded by the committee as being necessary for the operation of the Army transport troop ships and the ships furnished by the Shipping Board and operated by the Navy. A number of German ships, 20, as I understand, were recently turned over to this Government for commercial purposes, to be manned and operated by the Navy. We inserted, however, a provision that as the number used in transport and Shipping Board service is reduced below the 82,000, that number shall be discharged from the service and the enlisted personnel to the extent of that difference reduced, so that as the requirements for the operation of the troop service and the Shipping Board ships reduces automatically, the number of men in the Navy will be reduced out of this temporary increase that is provided.

The gentleman from Kansas [Mr. LITTLE] asked a moment ago about the personnel. As I remember, on the 11th day of November, the day when the armistice was signed, the total number of enlisted personnel in the Navy was 497,030, so that it will appear that in the provisions made in this bill it is reduced more than half.

Mr. FOSS. Mr. Chairman, will the gentleman yield right there?

Mr. PADGETT. Yes.

Mr. FOSS. I wanted to ask whether or not this personnel of 225,000 will provide sufficient men for all the ships that will be in commission?

Mr. PADGETT. Well, sir, that is a matter that is very much disputed. Officers in the Bureau of Navigation insist that it will not afford a sufficient number to give the complements on the ships which they insist there should be. But the committee considered all of the surroundings and circumstances and the fact that we would be in peace time, feeling that the complements upon the ships should not be so large as they were during war time. We feel that the 225,000 will take care of the real needs of the personnel. But I will say to gentlemen that a number of officers strongly controvert that position.

Mr. FOSS. What does the Navy Department propose to keep in commission?

Mr. PADGETT. In the hearing of the Secretary of the Navy he sets it out. He proposes to keep in full commission all of the ships from the beginning of the dreadnaught class. That would be the *Michigan* and the *South Carolina* and all the ships subsequent to those. I believe they embrace 16 such ships at the present time. Another one is about being put in commission—the *Idaho*—and two others during the fiscal year, making 19 of that type. Then there will be others that will be kept in a reserve commission. Then he proposes to keep a considerable number of destroyers in commission.

Mr. FOSS. We have a large number of those, have we not?

Mr. PADGETT. Yes; 342, as I remember, will be the number of destroyers, but all of those will not be kept in full commission.

Mr. FOSS. And of the submarines we have a large number, have we not.

Mr. PADGETT. Yes; but not all of those will be kept in full commission.

Mr. FOSS. And we have a large number of submarine chasers. Is it proposed to keep them in commission?

Mr. PADGETT. Not all of them. They are proposing, as I understand, to sell some of those, and those chasers and Eagle boats are to take the place of the gunboats in the service in shallow waters and in the river service and in the Orient and in South and Central America. And I will state that there were ordered about 112 of the Eagle boats. The Secretary canceled the contracts down to 60.

Mr. FOSS. How many of these Eagle boats have already gone into commission? Those are the Ford boats?

Mr. PADGETT. Yes. I believe it was either five or seven. I believe it was five that were put up.

Mr. FOSS. Does the gentleman feel, taking into consideration all of these vessels that he has referred to, that he has made ample provision for manning them in recommending 225,000 men?

Mr. PADGETT. Instead of using the word "ample" I will use the word "economical." We have made economical provision for them.

Mr. FOSS. Although at the present time the Navy has over 400,000 men, the gentleman says.

Mr. PADGETT. Four hundred and ninety-seven thousand on the 11th of November, but a large number of those have been discharged.

Mr. IGOE. How many have been discharged?

Mr. PADGETT. The number varies from day to day, but I think more than 100,000 have been discharged.

Mr. BUTLER. The Secretary of the Navy has ordered the discharge of more than 40 per cent.

Mr. PADGETT. Yes; but they have not all been discharged.

Mr. BUTLER. The order is out to discharge more than 40 per cent—nearly 50 per cent, according to my recollection.

Mr. IGOE. That was 40 per cent of the reserve, was it not?

Mr. PADGETT. Yes.

Mr. IGOE. Will the chairman of the committee explain that?

Mr. PADGETT. The reserves are not discharged. They are placed upon inactive duty, which is the same as a discharge. To grant a discharge to the reserve would be to disintegrate and destroy the reserve. The reserve is essentially a peace organization. It is an organization composed of men distributed through civil life, engaged in civilian occupations in time of peace, but to whom the department have a string, so that they can call these men into the service in time of war or in time of national emergency proclaimed by the President under authority of law. Now, if you were to discharge those men, you would disrupt and disintegrate the reserve force. When they were called into active service during the war they received the same pay as the regular Navy and became a part of it. But when the war is over, when the President puts them back, they go back to their peace basis, like they were before the war. They are enrolled, and they receive the pay of $12 a year, called their retainer pay. Then they are required to drill two months out of three years in order to keep in touch and in practice on a ship; so that the Navy has this reserve that is available, that it can

call without having the expense of maintaining so large a force in active service when they are not needed.

Mr. HARDY. Is that $12 a year all that the men in the Naval Reserve receive?

Mr. PADGETT. That is all they receive, except that they get full pay during the two months that they are in active service in time of peace. In time of war they get the same pay as other men of their ratings in the Regular Navy.

Mr. HARDY. They are paid for the drilling time?

Mr. PADGETT. Yes. They get the pay of their regular rating.

Mr. McKENZIE. While we are on the question of personnel, I want to ask the chairman of the committee one question.

Mr. PADGETT. I yield to the gentleman from Illinois.

Mr. McKENZIE. Of course, we understand that this appropriation is a peace-time appropriation. That is, it will take care of the Navy from July next until July, 1920.

Mr. PADGETT. That is what it is purposed to do.

Mr. McKENZIE. If I understood the chairman of the committee, in discussing the question of personnel, he said that a certain number of the men in this personnel would be used to man the transports, including those taken over from the German Government. What I desire to ask the chairman of this committee is in regard to the policy of the Navy. Is it to be the policy of the Navy to enlist young men into the naval forces of our country and then use them to man merchant and commercial ships in time of peace?

Mr. PADGETT. Those ships were turned over to the Navy. The Navy did not ask for them, when they were turned over to them, but the Navy were commanded to operate them, and they put on the official and the enlisted personnel to operate them, and they have done so during the war. I got a letter, transmitted to me by the Secretary of the Navy from the Shipping Board, stating that they did not intend hereafter to turn over any other ships than the ones that they have, but it comes in an indirect way. The Shipping Board turned them over to the Army, and the Army turned them over to the Navy, and called upon the Navy to come to the rescue of the Army and operate these ships to bring back the men from overseas. Now, the Navy have taken the position, "We have not asked for these ships, but we accept any duty that is placed upon us by authority."

Mr. McKENZIE. Then, as far as the gentleman knows, there is no purpose behind this, and there is no fixed policy to enlist men into the Navy to be utilized in running commercial ships in time of peace.

Mr. PADGETT. No, sir.

Mr. McKENZIE. Of course, we all agree that at this time it is necessary to bring the boys back.

Mr. PADGETT. We are in only a quasi peace condition now.

Mr. McKENZIE. I understand that.

Mr. PADGETT. And during the coming year it will be necessary for the Navy to operate a large number of ships for the Army. That will extend through this coming fiscal year, in order to bring back the men who are over there, and the army of occupation, and to bring back the millions of tons of supplies and equipment and all that which we have over there.

Mr. McKENZIE. The chairman of the committee will understand that I am finding no fault, nor am I objecting to that policy in war time or while we are returning our troops and matériel from abroad; but I think it would be bad policy in time of peace.

Mr. PADGETT. I understand that, and as I understand it is not the policy of the Navy Department to take over these ships and operate them for commercial purposes; but the Secretary of the Navy has stated repeatedly to the committee that the question of policy as to that was one to be determined by the Congress, and that he awaited whatever direction Congress should give him.

Mr. KELLEY of Michigan. I will say further to the gentleman from Illinois [Mr. McKENZIE] that this bill carries a provision that when these men now needed for this temporary duty are no longer needed for this temporary duty they are to be mustered out of the service, or an equal number of men mustered out, so it is not the intention to carry it beyond the temporary need for bringing back the men, or supplying the men over there with food and other materials.

Mr. PADGETT. I have stated that fully.

Mr. McKENZIE. I read that in the report, and it was one of the things that suggested the question to my mind as to what was going to be the policy of the department.

Mr. PADGETT. The Secretary of the Navy has stated to the committee a number of times, as I said to the gentleman a moment ago, that the Congress must determine the policy as to operating the Shipping Board ships. And I want to say to the gentleman that I think Congress will have a big problem on its hands to determine that policy.

Mr. SNELL. Will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. SNELL. Will the gentleman tell me how many men there are at the Great Lakes Naval Station at the present time?

Mr. PADGETT. About 25,000.

Mr. SNELL. What is going to be done with these young men?

Mr. PADGETT. They are discharging them as rapidly as they can; but let me call the gentleman's attention to the difference between the situation in the Navy and that in the Army with reference to discharging the men. The Army has nothing except its personnel. It has no ships, it has no boats, or anything of that kind. They can discharge a whole unit, a regiment, and that is what they do. We can not discharge a whole complement of the ship and leave it stripped and bare. It takes a certain number of men to operate the ships.

Mr. SNELL. But these men of the Great Lakes are not connected with any special department.

Mr. PADGETT. No; but they are men sent there, being trained.

Mr. SNELL. They are not attached to any ship.

Mr. PADGETT. No; but, as I say, they are being discharged as rapidly as they can.

Mr. SNELL. How rapidly is that?

Mr. PADGETT. I have it in my mind that there has been something over 100,000 discharged since the armistice was signed.

Mr. SNELL. From the Great Lakes station?

Mr. PADGETT. No; the whole number discharged. New men enlist in the Navy and are sent to these training camps, and the men in the training camp that enlisted for four years and their time is expiring are discharged.

Mr. SNELL. Are they taking on new enlistments?

Mr. PADGETT. Yes.

Mr. SNELL. And sent to the Great Lakes?

Mr. PADGETT. Yes; to the Great Lakes and to Newport and to Hampton Roads.

Mr. SNELL. I am interested in getting some young men out of there who are anxious to get home. I received a lengthy communication from the commandant, and when I read it through it concluded with the statement that he would think it over and let me know.

Mr. PADGETT. I got one of the very same kind from the commandant, stating that on account of the need of men—for instance, here is a man doing duty, and some one has to take his place.

Mr. SNELL. I wondered what his duties were and why it was necessary to keep so many young men there.

Mr. PADGETT. It is largely a training camp, composed of men being trained, and it is mixed up with men that are there who are to stay permanently. Some are temporary——

Mr. SNELL. The temporary ones are the ones I am interested in. Why is it necessary to keep them there?

Mr. PADGETT. It might be necessary to keep a man there to take the place of some man whose four-year enlistment is about to expire, and they want to discharge him. All these things can not be done in a day or in a week. I got a similar letter to the one the gentleman got.

Mr. IGOE. How does the gentleman handle that?

Mr. STAFFORD. These are circular letters with the name of the Member inserted.

Mr. PADGETT. I do not think it is a circular letter.

Mr. STAFFORD. If the gentleman will examine closely, he will find his name inserted in a very nice way so that you would hardly detect that it was a circular letter.

Mr. PADGETT. I did not notice that it was.

Mr. SNELL. What portion of the men there now want to be discharged and what number are permanent?

Mr. PADGETT. I could not tell the gentleman; they are shifting every day. They are turning the temporaries out and are taking in others. They told me the other day that there had come in a thousand or twelve hundred men from all over the country within a day or two. These men are going into the training camps.

Mr. SNELL. I thought if there was a way to get these men out I would like to know it. If there is not, I am willing to take my turn with the rest.

Mr. HENSLEY. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HENSLEY. Take a case of this kind: One of these young men has a dependent wife and a father who is looking to the boy to help him. He is getting old. The boy is a tooter of a horn in the Navy. That is all the service he is rendering.

The man over him declares that he can not dispense with his services to the Government at this time. Would the gentleman regard that as being so important that the boy should remain in the service and not be discharged?

Mr. SNELL. That is practically the same thing that a young man wrote me, only he said he was not doing anything.

Mr. PADGETT. I should think that in the case mentioned by the gentleman from Missouri, the boy could be dispensed with, but I can not pass on all the details or the exigencies of the service at the particular time. I found this condition, gentlemen, and I think all of you will verify it. There is more anxiety now about the boys and we are getting more letters now than we did while the war was going on and while it was in active operation.

Mr. DOWELL. Is there not a good reason for that, when they know that there is no need of their being any longer in the service?

Mr. PADGETT. If the gentleman will wait a moment, that might apply with a broader significance to the Army than the Navy. We have got these men on the ships and we can not abandon the ships. We have got to hold the men on there until an organization is brought down to where they can be cared for. Every fellow thinks that he is an individual, but when you think that these individuals from all over the country are making the same claim, the same argument, and thousands and thousands of them are coming in, you will appreciate the situation. It was stated to the committee, I think, that 50 per cent of the entire personnel were insisting on getting out at once.

Mr. IGOE. What is the personnel? I think we all want to have the transports and ships commanded properly to bring the boys back, because we are all pleading for them to be returned. We have got to admit that the Navy must be manned to bring them back, but what is the total number of men which the Navy needs for their service at this time and what is the total number we have in the service?

Mr. PADGETT. As I stated a little while ago, on the 11th of November the Navy had 497,000 men. The Chief of the Bureau of Navigation insists that he could not get along now with less than 350,000 men.

Mr. IGOE. What are these 350,000 needed for? Does that include troop ships, which the gentleman spoke of as having been taken over?

Mr. PADGETT. Troop ships, transports, and Navy ships, and all the ships we have in operation. There are something like 2,000 ships all told with the Navy to-day in operation. We can not abandon them all at once.

Mr. SNELL. My special inquiry is directed in respect to the men who have never been assigned to ships and never expect to be.

Mr. GREEN of Iowa. And never will be.

Mr. SNELL. And never will be. I appreciate the fact that the ones assigned to ships you have need for and that they must be retained in the service.

Mr. PADGETT. And the gentleman must remember that with 350,000 men needed for the ships, there is a large number of men who are sick, there is a large number of men whose term is expired by limitation, who have the right to go out, and you have got to have replacements. These replacements come from these schools, these training places, and the navigation officers must look forward to what are on the ships, what is required, what is coming off—men who are sick, men whose terms are expired, men who are debilitated. There must be a reserve in these schools for replacements.

Mr. SNELL. You would have that reserve among the young men who intend to remain permanently in the Navy, but as to these 40 or 50 per cent that are going to be discharged some time, who are never going to remain, who are not training themselves especially at this time, I can not understand why we can not get that complement out.

Mr. PADGETT. But the gentleman must remember that on the ships——

Mr. SNELL. But these are not on the ships; these are at the stations.

Mr. PADGETT. On the ships there are thousands of men who have reasons to get out that are more urgent than the young men who are in the schools.

Mr. SNELL. But the commandant says that they are going to let them go.

Mr. PADGETT. Yes.

Mr. SNELL. When?

Mr. PADGETT. As soon as they can.

Mr. SNELL. That is the thing we would like to get definite information about. If we can not get it here in Congress from the Naval Committee, I do not know where we are going to get it.

Mr. PADGETT. They can not tell you; they are complaining to us. I talked to Capt. Taussig two days ago, and he told me they were letting them out so fast that they were right down to the danger point as to how they would get men to operate the ships.

Mr. SNELL. A lot of these young men at the present time are not doing anything.

Mr. PADGETT. They are in the training schools, and some of those men may be sent to the ships for a while until they can be replaced with permanent men.

Mr. SNELL. Are there not a lot of these young men at the present time who have stopped training since the armistice was signed?

Mr. PADGETT. No.

Mr. GREEN of Iowa. Oh, the gentleman is mistaken about that.

Mr. PADGETT. I think the men in the schools are all being trained.

Mr. GREEN of Iowa. No.

Mr. SNELL. I have letters saying that they are not doing the work they did formerly.

Mr. PADGETT. I can not answer that.

Mr. SNELL. I would like to get that information.

Mr. PADGETT. My understanding is that they are still carrying on the training of these men in the schools.

Mr. SNELL. I had a letter from a young man at Pelham Bay the other day, and he said that he was absolutely doing nothing, and had not been doing anything for six or eight weeks. That is the general information that I get from many places. It seems to me that there might be some machinery manufactured somewhere, so as to get that sort of people out.

Mr. PADGETT. They are now turning them out by the thousands, and as to whether the gentleman's particular young man gets out——

Mr. SNELL. I am not interested in any particular young man, but all of these young men who are not doing anything at the present time at these naval stations.

Mr. KELLEY of Michigan. Mr. Chairman, it might help the gentleman from New York to know that after the 1st of July only 225,000 men can be kept in the Navy.

Mr. SNELL. Then we are sure of getting them out by the 1st of July?

Mr. KELLEY of Michigan. Down to 225,000, and if your young man happened to be among the 225,000 who are needed——

Mr. GREEN of Iowa. Is the gentleman positive about that?

Mr. KELLEY of Michigan. We do not appropriate any money beyond that, and I imagine that will govern.

Mr. SNOOK. When a young man is in the Navy or the Naval Reserve and wants to get out and files an application it is referred to his immediate commanding officer for recommendation. Is that right?

Mr. PADGETT. That is right.

Mr. SNOOK. In my experience I find that some of these commanding officers are very diligent and take up these applications and go over them and recommend that a certain percentage of the men on the boats who are under their command be discharged. Other commanding officers entirely ignore these applications and pay no attention to them whatever and discharge nobody. Ought not some way to be provided where a young man has a good case, like some of these cases that have been spoken of here, where his parents are dying, or where he has a family dependent upon him, in case the commanding officers ignore the applications, so that he could appeal to a board, where he could have the matter retried?

Mr. PADGETT. I have understood that the Secretary has given orders that in all cases where they had declined to grant the application, the papers, with the applications, should be forwarded to the department here for consideration and review. Where they were granted, that is the end of it and there was no necessity for forwarding them.

Mr. SNOOK. Yes, but I have had considerable experience with the department here. When you take up a case with the department here in Washington they say they do not have anything to do with it, it is the commanding officer that must pass upon the application. They will say that they will recommend him to discharge the boy if he thinks it is consistent with the service, or this, that, or the other.

I know of cases where the commanding officer entirely ignored all applications, and it seems to me, both in the Army and the Navy, there ought to be some kind of a court or some kind of a board to which a boy who has a meritorious case can appeal from the decision of the commanding officer and have it pass on his application.

Mr. PADGETT. He could address his communication to the Chief of the Bureau of Navigation, who is superior to this officer, and call attention to it.

Mr. SNOOK. I have had occasion to talk to the gentleman to whom the gentleman refers, Capt. Taussig, a very fine man, and he gives a great deal of information; but after all, when you talk to the Bureau of Navigation about it, they say it is up to the commnding officer; and if the boy has a meritorious case and his commanding officer refuses to pass on it, there seems to be no way to get around it at all, and there ought to be some board to which the boy could present his case.

Mr. STEENERSON. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. STEENERSON. I have been much instructed by the discussion in regard to the release of men from the Navy. I would like to know if the same rule governs the men from the Marine Corps?

Mr. PADGETT. Yes, sir. Now, there is this about the Marine Corps: That part of the Marine Corps that is in France, about 25,000 all told, are under the control of the Army and Gen. Pershing. The moment they land in France they become a part of the Army. They are not under the control of the Navy, and they would only come back to the Navy when Gen. Pershing sends them back as a part of his army, or if they should be withdrawn by order of the President. The Marine Corps that are not in France, who are here in the United States, or in South or Central America, or Asia, or wherever the marines are operating, why they are under the jurisdiction of the Navy, and I understand the same rule applies to them.

Mr. STEENERSON. The applications which have come to me lately from my district are young men who enlisted at the outbreak of the war in the Marine Corps and are now in France—some at Brest, some at Bordeaux——

Mr. PADGETT. Those who are in France, they are not discharged, but they would be sent home through Gen. Pershing, and through the military channels.

Mr. STEENERSON. In what way do they proceed if they want a discharge?

Mr. PADGETT. I had had some cases of that kind, and they instructed me that they should address a communication to Gen. Pershing and forward it through military channels, stating fully all the reasons why they are asking to be sent home, and it will be passed upon by Gen. Pershing under military authority.

Mr. STEENERSON. That would be sent through their immediate commanders?

Mr. PADGETT. Yes, sir; and Gen. Pershing. That is what I have been informed.

Mr. STEENERSON. That is, they are not discharged, but——

Mr. PADGETT. They would be sent home, and when they came back home they become part of the Navy and under the jurisdiction of the Navy then, and their discharge would be acted upon here by the Secretary of the Navy or the commandant of the Marine Corps.

Mr. HARDY. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. HARDY. I think I understand the idea and policy under which the head of the Navy Department leaves necessarily to the commandant in charge in the immediate locality, or a ship, the ultimate decision as to whether or not he will discharge or grant a discharge upon application——

Mr. PADGETT. Not the ultimate one.

Mr. HARDY. Just one minute, and I will come to that. That is, under ordinary circumstances, he being on the ground, knows the condition and is the better one to judge?

Mr. PADGETT. Yes.

Mr. HARDY. But if I understand it right, if an applicant makes a justifiable application for discharge, and the commandant should simply ignore it or should refuse without just reason, there is an appeal to the head of the Bureau of Navigation.

Mr. PADGETT. I understand so; that they are entitled to have it reviewed by the Bureau of Navigation.

Mr. HARDY. Now, it is the duty of the commandant to send the papers up whether he grants the discharge or refuses it?

Mr. PADGETT. No; I understand if he grants the discharge that is the end of it.

Mr. HARDY. He turns the party loose?

Mr. PADGETT. If he does not grant it, as I understand, he is directed to forward those refusals to the department for consideration here, and that is the reason for their action.

Mr. HARDY. I do not think it would often occur, but it may occur that some commandant utterly ignored that part of his duty and refused to present the matter, then what is the remedy?

Mr. PADGETT. In that case the only thing I can see is for the young man himself to write to the Chief of the Bureau of Navigation or the Secretary of the Navy.

Mr. HARDY. Then would he be disciplined for going over the head of his immediate superior?

Mr. PADGETT. I think not.

Mr. MILLER of Washington. Probably so.

Mr. PADGETT. I think if he should state that he had made his application and that his application had not been considered I do not believe that he would receive any penalty or be punished.

Mr. HARDY. Does the gentleman think the head of the Navy Department should sit down on any attempt to discipline that young man?

Mr. PADGETT. I do not think he would be disciplined, sir. I will reserve the balance of my time.

Mr. SAUNDERS of Virginia. Mr. Chairman, before the gentleman sits down I wish to call his attention to some figures set forth in the report. I notice the report states that the estimates for the support of the Naval Establishment for the fiscal year 1920, as set forth in the Book of Estimates, was $2,644,000,000. I suppose these estimates were submitted in reference to the continuation of the war?

Mr. PADGETT. Yes.

Mr. SAUNDERS of Virginia. So they may not be regarded in this connection. I notice the amount subsequently recommended by the bureau chiefs was $1,400,000,000. That contemplated a peace-time program?

Mr. PADGETT. Yes, sir.

Mr. SAUNDERS of Virginia. What is it that was eliminated from the bureau chiefs' estimate?

Mr. PADGETT. They made those estimates on the basis of 350,000 men, and the committee reduced the number of enlisted men to 225,000. That is one item, and there are many other items along that line.

Mr. SAUNDERS of Virginia. Let me ask you if there was no addition to the number of ships proposed here for which they wish 350,000 men?

Mr. PADGETT. There were a number of ships proposed, and they had a larger complement for the ships than the committee felt was necessary in peace times.

Mr. SAUNDERS of Virginia. I understand, then, that the recommendation of this bureau for additional ships is a recommendation the committee has eliminated?

Mr. PADGETT. We do not think there will be as many ships in operation as would require the 350,000 men.

Mr. SAUNDERS of Virginia. In other words, you reduce the number of ships, and you think that the ships will not be built to require the number of men that were contemplated in the estimates of the bureau chiefs?

Mr. PADGETT. A great many of the ships that they have now and are being operated, and that we estimated would be operated during the whole of the fiscal year, will be dispensed with.

Mr. SAUNDERS of Virginia. These reductions then, I understand, do not relate to reduction in the number of ships but to maintenance of operation?

Mr. PADGETT. The operation of the ships.

Mr. SAUNDERS of Virginia. I notice after these bureau chiefs——

Mr. PADGETT. That is only one item that I can mention. A great deal of that was reduced many millions from the estimates for appropriations for navy yards and shore stations, and aircraft, and many things of that kind. For instance, the original estimate for aircraft was $225,000,000. In the estimates by the bureau chiefs they estimated that they could use $85,000,000, and they wanted $85,000,000. The Secretary of the Navy reduced it, as I remember, to $36,000,000, and the committee reduced it to $25,000,000. And that runs all through the hearings.

Mr. SAUNDERS of Virginia. May I ask the chairman in this connection who are comprehended under the head of bureau chiefs?

Mr. PADGETT. The Chief of the Bureau of Navigation, the Chief of the Bureau of Steam Engineering, the Chief of the Bureau of Yards and Docks, the Chief of the Bureau of Construction and Repair, the Chief of the Bureau of Medicine and Surgery, the Chief of the Bureau of Supplies and Accounts, and the Commandant of the Marine Corps, with subdivisions under that.

Mr. SAUNDERS of Virginia. Now, the recommendations that were made in this connection I suppose were based upon the idea that the proper defense of the country needed the full amount contained in their recommendations?

Mr. PADGETT. Yes, sir; they were honest in their recommendations.

Mr. SAUNDERS of Virginia. I do not question their honesty.

Mr. PADGETT. I do not mean honesty in that sense. I mean the conviction that was necessary.

Mr. SAUNDERS of Virginia. I understand. But I was trying to ascertain to what extent the committee used its own judgment in overriding the judgment of these bureau chiefs.

I noticed the Secretary of the Navy reduced his recommendations for so-called preparedness, which came from the heads mentioned, down to $975,000,000. Now, in what direction and in what details did the Secretary of the Navy reduce the recommendation of these bureau chiefs?

Mr. PADGETT. The Secretary took up the various items and then insisted that they could get along on less appropriation. And if you look on page 901, I believe it is, of the hearings you will find a parallel, itemized statement, where in one column is the title of the appropriation. In the first column after that is the original estimate; in the next column is the amount that the Secretary has recommended, and in the last column the amount that was proposed by the bureau chiefs, parallel with each other, showing every item which he had reduced, and his recommendations.

Mr. SAUNDERS of Virginia. Then the committee differed with the recommendations, first, of the chiefs and then with the Secretary of the Navy, by reducing the bill down to $746,000,000?

Mr. PADGETT. Yes, sir. Out of the great desire of the committee to reduce appropriations to the very lowest limit that they thought would be consistent with the operation, and curtailing all enlargements and extensions.

Mr. SAUNDERS of Virginia. And the committee reported what, in its judgment, is adequate defense, and they considered they could eliminate $900,000,000 of what these heads thought was adequate defense and at the same time still preserve our adequate defense?

Mr. PADGETT. Two hundred and twenty-nine millions.

Mr. SAUNDERS of Virginia. I thought you were making a reduction here of $938,000,000?

Mr. PADGETT. That is out of the appropriations for the current year.

Mr. SAUNDERS of Virginia. I am calling attention to them.

Mr. PADGETT. But the current year's appropriations were made on a war basis.

Mr. SAUNDERS of Virginia. As to the $200,000,000 you speak of, is there a difference between the report of the committee and the report of the Secretary of the Navy?

Mr. PADGETT. Yes. And then the $746,000,000 and the $1,414,000,000 shows the difference between the bureau chiefs and the report of the committee.

Mr. SAUNDERS of Virginia. Now, Mr. Chairman, I notice that the total for the Naval Establishment for the fiscal year 1919 you put at $1,600,000,000?

Mr. PADGETT. That is the one I referred to a moment ago.

Mr. SAUNDERS of Virginia. It provides for that year for maintenance and new construction.

Mr. PADGETT. Yes; and so does this one carry maintenance and new construction also.

Mr. SAUNDERS of Virginia. What do you mean by this one?

Mr. PADGETT. This bill. It carries authorization for new construction.

Mr. SAUNDERS of Virginia. I had not reached that point as yet. I wanted to ask as to the appropriation for 1919—the $1,600,000,000 that is carried for the maintenance of the Navy during that year and for construction during that year.

Mr. PADGETT. Yes; and for war operations.

Mr. SAUNDERS of Virginia. What would be the proportion of that $1,600,000,000 that would be for operating expenses, for maintenance, and for construction, as nearly as you can state them?

Mr. PADGETT. If I remember aright the bill, it is set out in the bill of last year, of July 1. In the present bill, I think, we have appropriated for construction about $170,000,000.

Mr. KELLEY of Michigan. My recollection is that last year the new construction amounted to about $350,000,000.

Mr. PADGETT. It is itemized in the bill last year.

Mr. KELLEY of Michigan. And there were some from emergency sources in addition.

Mr. PADGETT. The total increase of the Navy in the bill last year was $184,397,000. That was carried in the regular bill. Now, there were many, many millions of dollars that were appropriated in deficiency bills for authorizations that ran it up, as suggested by the gentleman from Michigan [Mr. KELLEY], perhaps to $300,000,000.

Mr. SAUNDERS of Virginia. I will put the question in this way: When the construction heretofore authorized shall have been completed, so that we will have the present Navy plus the ships authorized, what will be the annual cost of the operation and maintenance of that Navy?

Mr. PADGETT. That is a matter that the committee made inquiry about and had estimates about. It varies. Some of them were put up, I think, as high as about $650,000,000. Personally, I do not think it would be that much.

Mr. SAUNDERS of Virginia. You mean, without adding a ship under any new authorizations in this bill, when all the outstanding authorizations are completed, and the ships are manned, the annual maintenance and operation charge of that fleet, so composed, would be from $600,000,000, to $650,000,000?

Mr. PADGETT. There were some estimates of that kind; yes, sir.

Mr. SAUNDERS of Virginia. I notice here that you have another building program.

Mr. PADGETT. Yes.

Mr. SAUNDERS of Virginia. On page 3. What is the aggregate cost, so far as the committee can now figure it, of that program? Of course, we understand that the actual figures in the result always run far ahead of the provisional estimates; but so far as the committee can figure out, what will be the cost of the building program on page 3?

Mr. PADGETT. Based on the present cost of ships, the present cost of labor and material, which is a very high charge, it is estimated that the battleships will cost $32,400,000 each.

Mr. SAUNDERS of Virginia. That would be $324,000,000 for the 10 battleships?

Mr. PADGETT. Yes; and the scout cruisers will cost about $8,800,000 each. That would be $88,000,000.

Mr. HARDY. Does that estimate include the equipment of the ships also?

Mr. PADGETT. Yes. I am speaking of them complete; and those appropriations would be distributed over about seven years.

Mr. SAUNDERS of Virginia. That provision contemplates, then, a new building program, an additional and supplemental program, one that will cost, according to the best figures you can now make, about $412,000,000?

Mr. PADGETT. Yes, sir. I will state to the gentleman that the opinion was expressed to the committee that there would be a reduction in the cost of materials and of labor under this program before it was completed, which would be distributed over six or seven years—or six years anyway—and as to whether or not that is correct, you can guess as well as I can.

Mr. SAUNDERS of Virginia. I have had that hope expressed heretofore, but never seen it realized, so far as my immediate experience has gone.

Mr. PADGETT. I imagine that there will be, as we get back to peace conditions, of necessity a decline in the cost of living and the cost of materials and labor. I believe they must go down to a normal basis, and go down proportionately.

Mr. SAUNDERS of Virginia. Do the figures you have given me put a ship into condition to go into the line of battle?

Mr. PADGETT. Yes, sir.

Mr. SAUNDERS of Virginia. It includes, then, guns and ammunition, and is a completed ship?

Mr. PADGETT. Yes, sir.

Mr. MILLER of Washington. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. MILLER of Washington. I notice on page 35 of the hearings that Admiral Earle testified that 112 of these Eagle boats are to be completed.

Mr. PADGETT. No; 112 were ordered. The Secretary canceled 52, leaving 60 to be completed.

Mr. MILLER of Washington. Admiral Earle says on page 35 that 112 are to be finished. The approximate cost of these boats, as I understand, is in the vicinity of $275,000 each. Is that correct?

Mr. PADGETT. No; it is much more than that. The estimate was made originally that they could build them for $275,000 each, but Admiral Taylor, Chief Constructor, stated to the committee that while they hoped to build them for that, they never expected to build them for that, and they expected them to cost much more than that, and if they were built for $400,000 each it would be a very good job and a very fair price.

Mr. MILLER of Washington. That is the Ford Motor Co. contract?

Mr. PADGETT. Yes, sir. But the company made this sort of a contract: It was on the cost-plus plan; they were to be paid the cost of construction and $20,000 on each boat as their profit.

Mr. MILLER of Washington. Now, there are to be 58 of those completed?

Mr. PADGETT. Sixty.

Mr. MILLER of Washington. Sixty?

Mr. PADGETT. Yes, sir.

Mr. MILLER of Washington. What is the general purpose that those boats will be used for when they are completed?

Mr. PADGETT. Largely as substitutes for gunboats in South and Central American waters, the West Indies, in the Orient, in China, the river service in shallow waters, and services of that kind.

Mr. MILLER of Washington. Is it also contemplated that they shall take the place of the revenue cutters?

Mr. PADGETT. No, sir. The Revenue-Cutter Service in time of peace is under the Treasury. In time of war its vessels are under the Navy. A bill has been introduced, that is pending before another committee, to transfer permanently to the Navy the old Revenue-Cutter Service, now called the Coast Guard Service.

Mr. MILLER of Washington. That is what I am after.

Mr. PADGETT. But that is pending before another committee and has not been considered by our committee at all.

Mr. MILLER of Washington. Would these Eagle boats be available for that purpose?

Mr. PADGETT. If the Congress should turn them over, or if the department should transfer them by consent of Congress, I presume they could be used for that purpose.

Mr. MILLER of Washington. Does the gentleman know if the Navy Department has that in view as the reason for asking that these 60 Eagle boats be completed?

Mr. PADGETT. No, sir. I understand the 60 are being completed because they had progressed so far at the time of the signing of the armistice, in the gathering of the materials and the fabrication and the progress of the work, that it was an advantage to the Government to complete those 60. The 52 had not been completed to that extent, and the contracts for them were canceled.

Mr. MILLER of Washington. And there are two or three or four in commission now, I believe.

Mr. PADGETT. I have it in my mind that five of them have been put out in the water. Whether I am correct on that or not I do not recall. It is a small number.

Mr. MILLER of Washington. Is it the judgment of the Navy that those boats are a success?

Mr. PADGETT. Admiral Taylor speaks very nicely of them. He is the chief constructor. He says that they are good boats, and that they will be very serviceable and will be well worth what they will cost the Government.

Mr. MILLER of Washington. They mount two 4-inch guns, do they not?

Mr. PADGETT. I believe they have either 4 or 5 inch guns. I am not sure which.

Mr. SAUNDERS of Virginia. Mr. Chairman, I have one further question that I wish to ask. When this supplemental program is completed, which is to cost $412,000,000, what then will be the annual maintenance charge of our Navy, if we add nothing more?

Mr. PADGETT. I do not think it would aggregate any more than with the others, because many of those that we now have would be supplemented by these new ships.

Mr. SAUNDERS of Virginia. Has it been the experience of the chairman heretofore that from year to year the expenses of the Navy have ever declined?

Mr. PADGETT. No, sir.

Mr. SAUNDERS of Virginia. Have we any reason to believe, then, that in the future the experience will be different?

Mr. PADGETT. Yes; I think we have reached the point where, owing to the age of our ships, many of those that we now have will go out of service and be supplemented by the larger, better, and newer ships.

Mr. OLIVER of Alabama. If the chairman of the committee will permit, in answering the question of the gentleman from Virginia [Mr. SAUNDERS] as to the cost of maintaining the present Navy as now authorized, without adding any more ships, the chairman stated that it was estimated by some to be as much as $600,000,000.

Mr. PADGETT. I said $650,000,000. That is my recollection.

Mr. OLIVER of Alabama. The only estimate submitted to the committee on that question was a letter from Admiral McGowan, which will be found on page 825 of the hearings. In making that estimate he took into account the ships of the August, 1916, building program and also a duplication of that program. It will be interesting to the gentleman to read that letter. Admiral McGowan makes the statement therein that in the opinion of the Bureau of Supplies and Accounts 25 per cent of the original cost of ships represents the fair annual cost of maintenance; and he sets out in that table what the Navy authorized prior to August, 1916, cost, which was approximately $775,000,000. He estimated the cost of the August, 1916, program at $761,000,000, and he estimated that to duplicate the 1916 program would cost $913,000,000, taking into account the present increased cost of labor and materials, and he then gave as the minimum cost to maintain the Navy after the completion of the August, 1916, program and a duplication thereof to be $612,250,000 as the minimum and $806,000,000 as the maximum.

Mr. KELLEY of Michigan. On the basis, though, of $900,000,000 for the duplication.

Mr. OLIVER of Alabama. Yes; for a duplication of the 1916 program, which the admiral bases his estimate on.

Mr. KELLEY of Michigan. I do not want to have the gentleman from Virginia [Mr. SAUNDERS] confused, because this program is only for $400,000,000.

Mr. SAUNDERS of Virginia. That is interesting. Then, according to Admiral McGowan's figures, the minimum cost in the situation predicated would be $625,000,000, and the maximum cost would be how much?

Mr. OLIVER of Alabama. About $806,000,000.

Mr. SAUNDERS of Virginia. It is pretty safe, then, to figure on $750,000,000.

Mr. OLIVER of Alabama. In making this estimate he took into account the building of another program such as we ordered in August, 1916, and instead of $750,000,000 he estimated that it would cost something over $800,000,000.

Mr. SAUNDERS of Virginia. I was just going to ask this question, if the gentleman had the figures, because if he can furnish the figures I can do a little mathematical computation and get at my results.

Mr. OLIVER of Alabama. Yes.

Mr. SAUNDERS of Virginia. By the time the ships contemplated in the 1916 program are completed, and by the time this supplemental program recommended by your committee is completed, what will be as of that future date the aggregate cost of all of the ships then in the American Navy? If you can give me that, I can divide that by 4 and get at the maintenance.

Mr. OLIVER of Alabama. The aggregate cost of the ships ordered prior to August, 1916, was stated by the admiral to be approximately $775,000,000, and the aggregate cost of the ships of the August, 1916, program is estimated by the admiral to be $761,000,000. But at a later hearing Admiral Taylor stated that that would be $806,000,000. The aggregate cost of the duplication of the August, 1916, building program, as estimated by Admiral McGowan, is over $900,000,000. Instead of authorizing the duplication of that program of 1916, as was first suggested, the only part of that program we have authorized is 10 battleships and 10 scout cruisers, which the chairman states are estimated by Admiral Taylor to cost approximately $400,000,000.

Mr. SAUNDERS of Virginia. May I ask this question? It is often stated in our body, that when the Congress authorizes battleships and scout cruisers, their construction is always followed by requests for a number of smaller vessels which the Navy needs insist are necessary to make a well-balanced Navy. Hence the moment we begin to build battleships and scout cruisers, then this other construction is a corollary, you may say.

Mr. PADGETT. If the gentleman from Alabama will permit, I will say that before the war our Navy was an unbalanced Navy. We had more capital ships—that is, large ships—and had emphasized that and had been leaving off the small ships. On account of the exigencies of this war, and the operation of the submarines against commercial ships, the thing shifted, and we have now a multitude of small ships and a surplus of small ships, so that the Navy is now unbalanced by having more small ships out of proportion to what we have of large ships. So in this war it changed. For instance, we have 342 destroyers built, building, and authorized. Before the war I think we had between 70 and 80, if I remember the figures offhand.

Mr. KELLEY of Michigan. Fifty-four.

Mr. BUTLER. Fifty-four small boats.

Mr. PADGETT. I was perhaps putting it too high. Now, we have the same condition about submarines. We have the chasers, we have the Eagle boats, and various others, so that we do not need small craft at all, and for that reason the committee has not reported any part of the program with reference to the small craft, but we are reporting two of the larger type.

Mr. SAUNDERS of Virginia. What the chairman has stated does not alter the rule. He states that we have more smaller ships than we used to have, and that so far as the larger ships are concerned, we will not need so many small ships. With reference to capital ships, it appears just now that we have a disproportionate number of small ships. But that does not meet the question that I am asking. Do our naval experts, the naval heads, consider that when you shall have built the heavy ships contemplated in the 1916 building program, and the heavy ships contemplated in the supplementary program, you will then have such a well-balanced Navy, that there will be no demand for additional smaller ships?

Mr. PADGETT. Well, there is a division of opinion among the naval men. Some insist that we should have more and some say that we have a sufficiency. We have never been able to get an absolute agreement on any proposition.

Mr. SAUNDERS of Virginia. May I ask one further question, and then I will not take any further time of the committee. So far as this war is concerned, our heavy ships have played practically no part, is not that true?

Mr. PADGETT. No; it is not. The salvation of our cause and the cause of the allies were saved by British big ships.

Mr. SAUNDERS of Virginia. But the gentleman does not answer my question. I said "our ships"; I did not say anything about the British ships.

Mr. PADGETT. Had it not been for the big ships Germany would have won the war before we got into it, and we would have had to fight it alone.

Mr. SAUNDERS of Virginia. If it had not been for the British fighting men, you may say Germany would have won the war. I am asking the gentleman, so far as the present war is concerned, whether our big ships played any but a comparatively unimportant part in it. The gentleman does not answer the question by telling me what the English ships did.

Mr. PADGETT. We sent over a part of our ships to act with the British Navy.

Mr. SAUNDERS of Virginia. Our heavy ships were a part of the grand fleet. I am not minimizing our part in the naval war, for I well understand that our smaller ships played a big part in the antisubmarine operations. But is it not true that the big ships of this country made but a small contribution to the naval operations?

Mr. PADGETT. England was very glad to have them sent over there.

Mr. SAUNDERS of Virginia. Yes, I know that they welcomed our battleships, when our admirals in command reached England. I know that they were splendid ships, and that they would have done well if there had been any fighting to be done. They would have played a magnificent part, I may say, but as a matter of fact our big ships had but little to do, and there were comparatively few on the other side.

Mr. PADGETT. We sent five over at first.

Mr. SAUNDERS of Virginia. Five dreadnaughts?

Mr. PADGETT. Yes; and they went up into the Orkney Islands, and then later we sent seven more, I believe.

Mr. BUTLER. Four more, nine in all.

Mr. PADGETT. The gentleman from Pennsylvania says four more. They went over.

Mr. SAUNDERS of Virginia. I wish to get at the facts. Nine went over there. You say now the British grand fleet were waiting for the German fleet to emerge. As a matter of fact it did not emerge before we got over. They never emerged, save as captives. Our heavy ships were naturally welcomed, but they were not needed. The British fleet was ample to contain the German fleet.

Mr. PADGETT. And were there ready.

Mr. SAUNDERS of Virginia. And were there ready and waiting for the Germans to come out. Had they come our ships would have fought like bulldogs. That is true, but they never emerged, and never contemplated emerging. The British had enough heavy ships to take care of the German fleet, if it had emerged, is not that true?

Mr. PADGETT. I think so; but ours contributed a very important part in being there.

Mr. SAUNDERS of Virginia. And the actual active helpful contributions, so far as opposition to the real naval activities of Germany were concerned, which consisted of submarine warfare, were conducted by our lighter ships.

Mr. PADGETT. Oh, certainly; and the English small ships also operated against them.

Mr. SAUNDERS of Virginia. Absolutely, but I am dealing with our contribution to the naval warfare, not the part the English played.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SNYDER. I want to ask a few questions along another line. I notice in the report that the present authorized strength of the Navy is 143,000 men and odd. Can the gentleman give us any idea as to how many men there are in the Navy now?

Mr. PADGETT. I did that. On the 11th of November, when the armistice was signed, there were 497,020 men. I understand that something like 100,000 have been discharged since then.

Mr. SNYDER. I note that the committee recommends for the temporary organization, until June 30, 1920, 225,000 men.

Mr. PADGETT. Yes.

Mr. SNYDER. And it is stated that 82,000 of these men are for the purpose of the Shipping Board and for transports?

Mr. PADGETT. Yes.

Mr. SNYDER. What I am asking is, are these 82,000 men charged up to the Shipping Board, or are they paid out of the Navy appropriation?

Mr. PADGETT. They are paid out of the appropriation for the Navy, and that is a work that the Navy is doing in addition to strictly naval work.

Mr. SNYDER. I appreciate all that, but what I am trying to get at is when the Shipping Board makes their rates for tonnage, do they have to consider in any way the payment of these men in making up their costs?

Mr. PADGETT. I do not know what the Shipping Board takes into consideration.

Mr. SNYDER. It seems to me that is a very important question right here now.

Mr. PADGETT. The big part I find is for the Army—operation for the Army—and there are certain amounts that the Army refunds to the Navy, and that goes into the Treasury as general receipts, but there is a large part of it that the Navy bears the expense of and does not get any compensation for.

Mr. SNYDER. I understand that when these ships are brought out of Hog Island, if they ever are, they are immediately manned by men from the Navy.

Mr. PADGETT. The Shipping Board turns over its ships to the Army, and the Army then calls upon the Navy to man and operate them.

Mr. SNYDER. The question that I want to clear up, if I can, is this: When the Army or the Navy supplies these men to the Shipping Board, does the Shipping Board contemplate the cost of those men in the rates they give the public for carrying freight?

Mr. PADGETT. I am unable to answer that, because I have no information from the Shipping Board.

Mr. SNYDER. It seems to me that would be information we need here now.

Mr. PADGETT. As to what elements go into the Shipping Board in fixing the rates.

Mr. SNYDER. If the Government is going to supply men and operate its ships and pay those men out of the taxes we are raising for the people, then compete with shippers who are trying to compete with that situation, it seems to me that our whole shipbuilding scheme will go for nothing.

Mr. PADGETT. I agree with the gentleman that it is an element that ought to be considered by the Shipping Board, but they are not under our control or jurisdiction.

Mr. SNYDER. Is it the correct thing for us to do here——

Mr. PADGETT. Our ships are being operated for military purposes.

Mr. SNYDER. To appropriate money in a naval bill for the purpose of operating merchant ships?

Mr. PADGETT. We are not operating merchant ships in commerce.

Mr. SNYDER. You are operating ships for the Shipping Board, and they are carrying merchandise.

Mr. PADGETT. Oh, no; only for military purposes.

Mr. SNYDER. They are operated by the Army—by men furnished the Army by the Navy.

Mr. PADGETT. They are for bringing troops back and equipment of war and materials of war.

Mr. HICKS. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HICKS. Mr. Chairman, there have been several questions asked here this morning upon which I think perhaps I am able to throw a little light, if the gentleman will permit. I have just telephoned to the Bureau of Navigation in regard to the release of men. They have not the figures as to the actual number, but they have authorized the discharge of 20 per cent of those who enlisted for the duration of the war, 10 per cent of those who enlisted for four years and who joined the Navy after April 6, 1917, and 40 per cent of the Naval Reserves. A query was made in regard to the battery upon the Eagle patrol boats. These vessels have a battery consisting of two 4-inch 50-caliber guns, one 3-inch 50-caliber gun, one Y depth-bomb projector, and two machine guns.

Mr. GILLETT. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. GILLETT. Mr. Chairman, there have been statements in the press that action of the committee was determined, or at least influenced, by secret cablegrams from the President. I wondered whether in this era of pitiless publicity the chairman could tell this House whether that is so or not?

Mr. PADGETT. The papers stated that the chairman had received a cablegram from the President. That is not correct. The President did not cable me nor did I cable the President.

I do not think that any member of the committee did. I think I am warranted in saying no member of the committee did.

Mr. BUTLER. Cable the President, I did not!

Mr. PADGETT. I do not think any member of the committee received a cable from the President. I was going to state this, however, to the House. During the debate in the committee in the hearing, and so forth, there was a diversity of opinion as to the propriety or the need of going ahead with the building program at this time pending the development of the league of nations, the question of disarmament, and what progress had been made, and so forth. That was in the hearing, and I had talked also with the Secretary of the Navy and told him of these various contentions and arguments in the House and in the committee with the membership of the House, and the Secretary of the Navy cabled the President and told him of this situation and asked him if anything had happened over there or if there had been any development—I am giving it in substance—that would change his recommendation as to the three-year program, and the President cabled back in substance—I do not give the words—that he had not changed his mind, that he still insisted and desired very earnestly the three-year program.

Mr. GILLETT. I wondered if the telegram—I do not know whether the gentleman will tell us or not—contained any facts upon which the committee could base its own judgment or whether it was simply an expression of opinion like the similar message on the Panama Canal tolls.

Mr. PADGETT. As I stated, the President stated in substance—I do not give his words—that nothing had occurred over there to change his recommendation for the three-year program and insisted very earnestly that Congress should carry out the three-year program. He stated, however, that if there are developments in the way of tribunals, and so forth, for disarmament and a league of nations, or along that line, that he would be willing that a proviso should be inserted to allow him to discontinue or stop the building program if an agreement was reached internationally.

Mr. GILLETT. And would the gentleman be willing to state whether the alleged quotation in the Washington Post of this morning, "that it would interfere with my negotiations"——

SEVERAL MEMBERS. "Fatal."

Mr. GILLETT. "Be fatal to my negotiations"—whether that was accurate or not?

Mr. PADGETT. No, sir; that was not accurate.

Mr. GILLETT. The gentleman does not feel at liberty to give us the full cablegram, so that the House will have the same information which the committee had on which to base its decision?

Mr. PADGETT. I would not; no, sir; but I want to state that the words which were quoted in the Post this morning were not correct as they were there quoted.

Mr. BUTLER. Will the gentleman permit me to ask him a question?

Mr. PADGETT. Yes, sir; I do not want to give the words——

Mr. BUTLER. I am not asking the gentleman to disclose what the President of the United States cabled, and until this minute I never have admitted to those who have spoken to me that the President even did cable; nevertheless, the chairman of the Committee on Naval Affairs having said he did cable to America something concerning this building program, I would like to ask the chairman of the committee whether or not those words which were put to the chairman by the gentleman from Massachusetts [Mr. GILLETT] concerning the effect of the refusal to adopt this program pending negotiations were in substance correct?

Mr. PADGETT. I stated, and I will state now, I will not give the words——

Mr. BUTLER. I am not asking the gentleman to do that.

Mr. PADGETT. But the President was very earnest and very insistent that the three-year program should be carried out.

Mr. BUTLER. Nevertheless, I do not want to stand here, like a yap; I do not want to be considered in the House a sort of a yap, turning in and out, whichever way the wind blows; but the chairman will agree with me in this, that I was opposed to this program——

Mr. PADGETT. Yes.

Mr. BUTLER. That something was said to me that altered my opinion as to what I should do, and I made the statement to the chairman and members of the committee that I could not, from what was said to me, assume the responsibility of voting against this program, and nothing the chairman said now would change my opinion.

Mr. PADGETT. I want to say, the President was very earnest and very insistent——

Mr. BUTLER. He was.

Mr. PADGETT. That this program should continue. I think I can say that much to the House.

Mr. ROGERS. If the gentleman will yield, did the President say in substance that the failure of the program would be "fatal to my negotiations"? Did he use the word "fatal"?

Mr. PADGETT. The gentleman must excuse me from answering as to the words that were or were not in the President's cablegram. I have stated the substance, that the President was insistent and very earnest that the three-year program should go ahead, and I will not either affirm or deny any word that was used in that telegram.

Mr. ROGERS. Mr. Chairman, does not the gentleman think—does the gentleman yield?

Mr. PADGETT. Yes.

Mr. ROGERS. Does not the gentleman think that at a critical time like this the American Congress should be furnished with all the information which the Committee on Naval Affairs has in reference to a policy vitally concerning the American people in order to enable it to make up its mind? [Applause.]

Mr. PADGETT. All I can say is that the critical time is not limited to here; it is over there also. And it would not be proper, I will say to the gentleman, for me to give the words that were used. If the President wants to give them, all right. I have told the substance. I have told you he was earnest, he was insistent; but I will not give the words either that he did or did not use.

Mr. GRAHAM of Illinois. I want to know, if the chairman will tell me, if this telegraphic communication did not come to the Secretary of the Navy?

Mr. PADGETT. Yes, sir.

Mr. GRAHAM of Illinois. Was that communication then given to your committee?

Mr. PADGETT. It was given to me confidentially, and I told the Secretary of the Navy that what he had given to me in confidence I felt I ought to give to the members of the committee, and I did so, in the same confidence that it was given to me, so far as the language was concerned.

Mr. GRAHAM of Illinois. Is it not true that the information that you conveyed to the members of your Naval Affairs Committee is the one reason that this report here is unanimous?

Mr. PADGETT. Yes, sir.

Mr. GRAHAM of Illinois. And the information you gave them influenced them in voting for this program?

Mr. PADGETT. Yes, sir; some of them.

Mr. GRAHAM of Illinois. This information you say you can not give to the House?

Mr. PADGETT. I can not do it, because it involves more than our own domestic policy.

Mr. GRAHAM of Illinois. Do you not think, in view of the situation, in view of the fact that this committee has been influenced to do this by information, that we who vote for this appropriation ought to know something about it?

Mr. PADGETT. I have stated very fully and practically what the wish and insistence was, but I can not give you the language, because it would not be proper that it should be given.

Mr. KELLEY of Michigan. Mr. Chairman, I was going to revert to what is to me a rather pertinent question by the gentleman from Massachusetts [Mr. ROGERS]. I recall that he is a member of the Committee on Foreign Affairs of the House, and I would like to ask him whether or not, in presenting matters to the House, all questions of diplomacy that are discussed in his committee or all information had in his committee is presented to the House?

Mr. ROGERS. I am not aware, as a member of the Committee on Foreign Affairs, that the committee has ever declined to submit to the House fundamental information upon a great policy for which the Congress was asked to appropriate.

Mr. PADGETT. I am giving the fundamental information here very fully and very freely.

Mr. CAMPBELL of Kansas and Mr. MANN rose.

Mr. PADGETT. I first yield to the gentleman from Kansas [Mr. CAMPBELL].

Mr. CAMPBELL of Kansas. I am sure that during the early part of the discussion here this morning Members were thinking of something besides what was being talked about. They were thinking about this thing. Nothing of greater importance has occurred during my legislative experience in this House. Dispatches from Paris indicate that much progress has been made toward the establishment of the league of nations. On yesterday it was announced from Paris that a progressive disarmament program had been agreed upon. It is announced this morning that secret treaties are to be denounced and are now

being exposed. It does not seem to me conceivable that the man who is leading the program for settling international differences without resort to arms, who is leading in a program of a progressive disarmament, and who has insisted upon open diplomacy would secretly ask the Committee on Naval Affairs to insist upon a naval program that the Congress and the country could not understand or know about. Now, are the contents of the cablegram a statement of facts or a statement of the position or opinion of the President?

Mr. PADGETT. I stated to the gentleman and to the House that these matters were submitted to the President as to the league of nations and the disarmament question and postponing the authorization of the building program, and the President insists that we shall go ahead with the building program—the three-year program.

Mr. CAMPBELL of Kansas. While he in Paris is leading for a program of progressive disarmament?

Mr. PADGETT. Yes, sir. That is what he is doing.

Mr. CAMPBELL of Kansas. Urging upon the peace conference disarmament and upon the Congress of the United States an unusual program of increasing its Naval Establisthment.

Mr. PADGETT. An authorization, coupled with a provision that it may stop if a tribunal or tribunals are established that will make it unnecessary to carry on the program.

Mr. CAMPBELL of Kansas. What will the gentleman from Tennessee be willing to state to the House with respect to the intent of the President's cablegram? Is it the intention that the Congress, notwithstanding the program of disarmament throughout the world, should give this authorization for an increased Naval Establishment for the purpose of enabling the President to hold that over those with whom he is now in consultation? Is it a threat?

Mr. PADGETT. There was no expression or indication of any such purpose in his cablegram. I will answer that far.

Mr. CAMPBELL of Kansas. Does the gentleman from Tennessee have in mind what the real purpose of the President was in sending this cablegram?

Mr. PADGETT. I think the gentleman can surmise that as well as I can. He sent an answer to a cablegram——

Mr. MANN. Will the gentleman yield?

Mr. PADGETT. I yield to the gentleman from Illinois.

Mr. MANN. Mr. Chairman, I understood the gentleman to say that the cablegram from the President had an effect in the committee on the naval program.

Mr. PADGETT. Yes, sir.

Mr. MANN. Now, while I appreciate the gentleman's position, and I do not think he would be justified in making public a cablegram which was handed to him confidentially, does not the distinguished gentleman from Tennessee believe that if a cablegram comes from the President which not only is designed to but does affect the judgment of the Committee on Naval Affairs that that information ought to be furnished to the House, so that Members of the House will be able to determine their attitude?

And if it was necessary to get a cablegram from the President to have this bill reported out of the Committee on Naval Affairs, should not the Secretary of the Navy make public to the House the contents of the cablegram in order to get the bill passed through the House? [Applause.]

Mr. PADGETT. No, sir. I think when I told the House that the President had these matters submitted to him and explained what was submitted, and he stated that he still insisted upon his recommendation and that he had not changed his mind as to the necessity and the desirability of the three-year program, and did not want it postponed, but wanted it carried out, I have told the House all that it could expect us to tell and not quote the words of the President.

Mr. MANN. Well, I take it that the gentleman would not be warranted in revealing the telegram to the House, but perhaps he would be warranted in saying whether the report in the Washington Post this morning, which states that the failure to carry out this naval program would be fatal to the desires of the President at the peace table, is correct or not.

Mr. PADGETT. Well, the President did not say a word about the peace table. [Laughter.]

Mr. MANN. No; nor the purposes of the President abroad. The language quoted in the Washington Post is that—

> Failure to report favorably upon the huge naval building program would be "fatal to my negotiations."

Now, I do not desire to embarrass the gentleman. I wish somebody would tell us whether that, or substantially that, information was furnished to the Committee on Naval Affairs.

Mr. PADGETT. I stated that those words were not used as that quotation has it; all of those words.

Mr. MANN. I do not wish to embarrass the gentleman, but was it that or substantially that? Here is what I want to get at and what the country wants to know: Whether the Congress is asked in the blind, without information, without knowledge, without laying the cards on the table, as has been frequently suggested by the President, to vote an immense naval program, when the information which would influence Congress is right here in Washington and the administration refuses to take Congress into its confidence and tell it what the information is?

Mr. PADGETT. I have told the House fully.

Mr. MANN. I think the gentleman has been very courteous to the House as to what he has told us, but the gentleman is not the administration. What we want to know is whether the administration up here will give us the information that is furnished to the Committee on Naval Affairs? [Applause.]

Mr. PADGETT. I have stated to the House the insistence and the recommendation of the President, and that he renews his recommendation that was made to the Congress, and insists that the Congress shall carry out that recommendation and not postpone it. Now, I think I have dealt fully and freely and frankly with the House.

Mr. DYER. Mr. Chairman, will the gentleman yield to me for a question?

Mr. PADGETT. Yes.

Mr. DYER. Will the gentleman state, if he can and thinks it proper, whether he was told by the Secretary of the Navy that the contents of this cablegram could not be given to the House?

Mr. PADGETT. It was given to me confidentially.

Mr. DYER. The Secretary of the Navy is the one who is refusing the information to the House?

Mr. PADGETT. No. I am the one that is refusing it.

Mr. DYER. Well, the gentleman was told by the Secretary of the Navy, and the Secretary of the Navy told him in effect, that it was confidential and should not be given to the House?

Mr. PADGETT. No. The Secretary of the Navy sent it to me confidentially, and I gave it to the committee confidentially—the wording. I have given to the House the insistence and the recommendation of the President, but I decline to give the words, to either affirm or deny the words that were used.

Mr. DYER. If the gentleman were permitted by the Secretary of the Navy, would he do so?

Mr. PADGETT. I do not think it would be proper to publish it.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HUSTED. Will the gentleman state whether the cablegram that the President sent contained the facts upon which the President based his insistence and recommendation?

Mr. PADGETT. It did not.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SNYDER. Will the gentleman answer one short question?

Mr. SLOAN. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SLOAN. Respecting the reluctance of the gentleman to make a direct statement, will the gentleman state to the House why it was that the President did not send a message directly to the Congress upon this momentous issue, as provided by the Constitution, instead of sending it around by the way of the Horn, through the Naval Committee, which, I understand, is not the usual means of making communications by the Chief Executive of the United States to the Congress of the United States?

Mr. PADGETT. I will answer the gentleman's question. The President did submit it to the Congress in a constitutional way, and I will read it:

> I take it for granted that the Congress will carry out the naval program which was undertaken before we entered the war. The Secretary of the Navy has submitted to your committee for authorization that part of the program which covers the building plans for the next three years. These plans have been prepared along the lines and in accordance with the policy which the Congress established, not under the exceptional conditions of the war, but with the intention of adhering to a definite method of development for the Navy. I earnestly recommend the uninterrupted pursuit of that policy. It would clearly be unwise for us to attempt to adjust our programs to a future world policy as yet undetermined.

Mr. SLOAN. What about?

Mr. PADGETT. That was the President's recommendation to Congress, and he adheres now to that recommendation.

Mr. SLOAN. But not through a message. It was his farewell address.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. FREAR. I believe that the House is more impressed with the fact that the members of this committee were suddenly determined in their action to support a bill when first they refused, and that is the important proposition that the House would like to have light on. For that reason I ask the gentleman if he will yield to the gentleman from Pennsylvania [Mr. BUTLER], who tells us that suddenly in committee his mind was changed on the bill? He can give us light if he is permitted to do so.

Mr. PADGETT. There were some Members who changed their opinion and others who did not.

Mr. LONGWORTH. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. LONGWORTH. I personally, of course, shall respect the confidence reposed in me by the chairman of the Committee on Naval Affairs, but I want to ask the gentleman this question—and this has nothing to do with what the gentleman conceives it to be his duty to inform the House, or how far he may feel justified in informing the House. But I want to read from the President's last message to Congress, just before going abroad——

Mr. JOHNSON of Washington. His farewell address.

Mr. LONGWORTH. In which he used this language, which undoubtedly the gentleman heard:

> I shall be in close touch with you and with affairs on this side of the water, and you will know all that I do.

Under those circumstances——

Mr. McCORMICK. Will the gentleman yield?

The CHAIRMAN. The gentleman from Tennessee has the floor.

Mr. PADGETT. I have yielded to the gentleman from Ohio.

Mr. LONGWORTH. I want to ask the gentleman if under those circumstances he does not think that some official in the executive branch of the administration ought to let us know of this information from the other side?

Mr. PADGETT. I have told the gentleman the substance of the President's cablegram. I did not give the words. I have told the House, though, fully and freely, what the substance was, and that substance was that he adheres to this recommendation and wants it carried out and not postponed.

Mr. LONGWORTH. There are a few Members of the House who do know the contents of this cablegram?

Mr. PADGETT. Yes.

Mr. LONGWORTH. Does not the gentleman think, in view of the President's assurance, given to this House on the eve of his departure for Europe, that at all times we would know all that he does, that in asking for an appropriation of this size the membership of the House are entitled to the information?

Mr. SNYDER and Mr. McCORMICK rose.

The CHAIRMAN. Does the gentleman yield; and if so, to whom?

Mr. PADGETT. I will yield to the gentleman from New York first, and then to the gentleman from Illinois.

Mr. SNYDER. In making up my mind on this proposition I would like to know if the gentleman can say without breach of confidence whether or not the complete cablegram from the President was read to the Committee on Naval Affairs?

Mr. PADGETT. It was.

Mr. McCORMICK. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. McCORMICK. I want to ask the gentleman from Ohio [Mr. LONGWORTH] if he felt that the seizure of the cables by the Postmaster General was not an extenuating circumstance in the inhibition of news from the President in Europe?

Mr. LONGWORTH. I wish the gentleman would ask that question of some member of the Committee on Naval Affairs rather than of me.

Mr. HARDY. In withholding the wording of that cablegram, is the chairman of the committee now withholding the knowledge of any fact from Congress?

Mr. PADGETT. I am not.

Mr. HARDY. So that the House has the information which the President intended to convey to us.

Mr. PADGETT. Now I yield the floor, and will ask the gentleman from Pennsylvania [Mr. BUTLER] to use some of his time.

Mr. TEMPLE. Will the gentleman from Tennessee yield for one question before he yields the floor?

Mr. PADGETT. Yes.

Mr. TEMPLE. Does the gentleman know whether the building program is intended in any way to influence the President's negotiations?

Mr. PADGETT. I am not prepared to answer that question.

Mr. BUTLER. Mr. Chairman, I intend in a few minutes to yield to the gentleman from Michigan [Mr. KELLEY] to make a speech on this bill; but before he begins his speech, I think I owe something to myself and to my good friend from Wisconsin [Mr. FREAR]. He has asked me to state what influenced my mind at the last minute when this naval program was under consideration in the committee room. My friend from New Jersey [Mr. BROWNING] has asked me to state what influenced his mind. The same statement that moved him moved me, but that statement I will never disclose to anybody. I do not think it is fair to the President of the United States to disclose it. [Applause.] I do not think it is fair to make it public at this time lest it might in some way embarrass the President of the United States. Now, I want, as an American citizen, to have it understood that during these negotiations that are now occurring abroad, and recollecting the great responsibility we placed upon the President of the United States—or at least he has assumed it——

Mr. McCORMICK. That is a very valuable correction. To withhold individual action which might embarrass him.

Mr. BUTLER. Until the last minute I had resolved that I would not vote for this building program. Although our discussions had been absolutely agreeable, yet nevertheless they were sometimes carried on with considerable heat over this proposed building program. If you will permit me to say it, I became embarrassed lest I might be wrong. Gentlemen on that committee were able to judge of the right thing to do as well as I, and therefore I was in doubt whether I was right or not. Yet I would not have voted for it if I had not been influenced by what the President of the United States said to us through the Secretary of the Navy in very great confidence.

Mr. CARTER of Oklahoma. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. CARTER of Oklahoma. The gentleman says he does not think this would be fair to the President.

Mr. BUTLER. Not when he said it to us in confidence.

Mr. CARTER of Oklahoma. Does the gentleman think it would be fair to the country?

Mr. BUTLER. I believe that before the Congress of the United States ought to impose this great burden upon the people it ought to know the reason why. [Applause.] But remember this, that it was not what was said by the President of the United States to us at the last minute that influenced the great majority of this committee. Mr. BROWNING and I stood almost alone in our opposition to this proposed plan. Some of the Democrats, perhaps, were opposed to it, but I shall not speak for them. But I want the gentleman from Oklahoma [Mr. CARTER] to understand that what the President said in this cablegram did not influence the great majority of that committee, in my judgment. I despise mysteries——

Mr. TOWNER and Mr. BRITTEN rose.

The CHAIRMAN. Does the gentleman yield, and if so, to whom?

Mr. BUTLER. I think the gentleman from Iowa [Mr. TOWNER] rose first.

Mr. TOWNER. Of course the members of the committee all knew what the desire of the President was, but, as I understand it, in this cablegram the President gave to the committee in confidence some confidential reasons for his advice; so that we are not ignorant of the desire of the President, but we are ignorant of the reasons which he assigned for his wish being carried out, and the committee had disclosed to them the reasons in order to influence their action; but the President was unwilling, or the Secretary of the Navy was unwilling, that those reasons should be given to the House, although the House would be compelled to act upon the bill. I ask the gentleman if that is a correct statement?

Mr. BUTLER. If I understand the gentleman's statement—and I hesitate to speak, lest I may say too much—I do not think there was any reason given in the message, as I recollect it. There was a statement made about this program, but I can not permit you to take from me that which was given to me in great confidence. Mr. Chairman, I despise the mystery which seems to surround this paragraph of the bill. I despise mystery and all things connected with it. I was raised with a class of people who gave us reasons why we should do certain things and leave others undone. But while these negotiations are pending in Europe, while this responsibility is assumed by the President and those who are with him, I shall not do anything to embarrass him or them in any way if I know it. [Applause.] At the same time I anxiously wait for the period to come when I, as a free and independent man, can do as I please without fear of hurting a great cause over which I have no control.

Mr. McCORMICK. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. McCORMICK. The gentleman means that it is now impossible to achieve "open covenants of peace openly arrived at"? Let us speak the facts.

Mr. BUTLER. I do not know anything about that. [Laughter.]

Mr. McCORMICK. I merely asked the gentleman if he does not mean to suggest that point No. 1 of the 14 points has so shrunk, so dwindled, so shriveled, so faded, and become so exiguous that it has come to be of no consequence? [Laughter.]

Mr. BRITTEN. Will the gentleman from Pennsylvania yield?

Mr. BUTLER. I will yield to the gentleman.

Mr. BRITTEN. We as members of the committee and of the House can realize that the President is confronted with great responsibilities, and if the passage of the $700,000,000 naval bill will support the American contention in Europe, is it not a good thing to pass it?

Mr. JOHNSON of Washington. Then why not suspend the rules and pass it?

Mr. BRITTEN. I am in favor of suspending the rules and passing it.

Mr. McCORMICK. Is the gentleman sure that this is the American contention?

Mr. BRITTEN. I am.

Mr. BUTLER. Did the gentleman from Illinois ask me a question?

Mr. BRITTEN. Yes. Why not pass this bill if it will strengthen the American contention in Europe?

Mr. BAER. How does the gentleman know it will?

Mr. BUTLER. I want to answer my colleague—and he knows how I feel about this—that the adoption of this item in this bill will not help the situation in Europe one bit. [Applause.]

Mr. BRITTEN. That is not the way the President feels about it.

Mr. BUTLER. I fear to vote against it for fear that it might.

Mr. SLAYDEN. Will the gentleman permit a question?

Mr. BUTLER. I will.

Mr. SLAYDEN. It appears that a communication was made by the President which has reached some Members of Congress, which has influenced their action, and possibly they are entirely right; but other Members of Congress, acting in the dark, can not avoid having some doubt as to the propriety of their conduct. Now, I would like to ask why it is not possible to have an executive session of Congress or of the House, and communicate to it matters of sufficient importance to control their votes?

Mr. BUTLER. In answer to the gentleman's question, we had an executive session in the Committee on Naval Affairs, in which I think there were 18 or 20 members present. I only speak for myself—I did not leak information, but some one did. [Laughter.]

Mr. SLAYDEN. I have more confidence in my fellow Members than that.

Mr. MANN. Will the gentleman from Pennsylvania allow me?

Mr. BUTLER. Certainly.

Mr. MANN. I want to remind gentlemen of Rule XXIX of the House:

> Whenever confidential communications are received from the President of the United States, or whenever the Speaker or any Member shall inform the House that he has communications which he believes ought to be kept secret for the present, the House shall be cleared of all persons except the Members and officers thereof, and so continue during the reading of such communications, the debates and proceedings thereon, unless otherwise ordered by the House.

There is always a method provided.

Mr. FREAR. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. FREAR. The gentleman from Pennsylvania states to us that he has voted and stood for this bill, but that if the bill is passed, in his judgment it will not affect any European situation. Will the gentleman advise the House whether or not he wishes the House to stand with him on his judgment or on his vote?

Mr. BUTLER. I can not advise the House. I do not ask the House to vote for this paragraph because of anything I have said. That is for the judgment of the House. I am thinking about myself only. I regret very greatly that I am unable to tell the gentleman of this committee the reason that moved me to vote for it.

Mr. SLOAN. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. SLOAN. I want to ask the gentleman if he does not believe that every one of the gallery gods up there knows every word of this telegram?

Mr. BUTLER. If the members of the gallery know it, we will know it to-morrow morning. [Laughter.]

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. GRAHAM of Illinois. Was the gentleman a Member of Congress at the time the President sent his message on the Panama Canal tolls?

Mr. BUTLER. Yes; and I voted against the repeal.

Mr. GRAHAM of Illinois. Is it not the same situation, the same mystery?

Mr. BUTLER. The same sort of injunction put on it; but, nevertheless, I am going to say to the gentleman that that only concerned dollars and cents, and this concerns more than that.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. BUTLER. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman recall the mystery surrounding the $640,000,000 voted for aviation?

Mr. BUTLER. Yes; I do, my friend.

Mr. MOORE of Pennsylvania. The gentleman will remember that we took at its word the committee that told us not to inquire too much, although it was afterwards shown by a Senate committee that we had no combat planes in France. May I ask the gentleman this: Since he has stated to the committee that the passage of this bill would probably not affect the situation in Europe, does he think it would be for the interests of the United States?

Mr. BUTLER. Aside from any international complications?

Mr. MOORE of Pennsylvania. Yes.

Mr. BUTLER. None whatever. I would not vote for it. And why? Let me answer the gentleman's question. I believe this program is never to be built, and I do not believe in fooling the people in any way. [Applause.] I do not believe these ships will be built. I can see no real reason, so far as it concerns America alone, for providing a building program that can not be constructed for several years to come, and I can see no real reason, as I have stated to my friends on the committee, for imposing this great burden upon the people. We are a great big band of brethren, working out these problems as best we can. They perhaps took the position that I did, or at least were willing to agree with me, those who thought with me in putting into the bill a condition that it should not be begun for a year from this time.

Mr. BROWNING. It will take 10 years to build it.

Mr. BUTLER. My friend here says that it will take 10 years to complete it. Nevertheless the whole subject will come back to the American Congress before a dollar can be used toward its commencement.

Mr. MOORE of Pennsylvania. I have always stood with the gentleman for a larger Navy. I think I have supported him every time he took his stand upon that question in the House. I am for that kind of a Navy that will guard the interests of the United States against any other country on earth. Now, I want to ask the gentleman——

Mr. BUTLER. Wait a minute; let me say something right there. I want to know what the situation is that confronts this country after the peace council in Europe is done, and then I am willing to go as far as anybody else, and perhaps further than most of the Members of this House, toward providing armaments at sea. Nobody can say of me that I have been holding back upon naval construction. We have a Navy now in my judgment at this time such as is necessary for all purposes—I mean, when we complete the 1916 program.

Mr. MOORE of Pennsylvania. Thus far it appears that a vote against this bill would be a vote to embarrass the President of the United States, whose message to Congress has not been read?

Mr. BUTLER. Do not ask me; I do not know.

Mr. MOORE of Pennsylvania. That is the first proposition.

Mr. BUTLER. I have tried to say to my friend, with all the rest of the gentlemen here, as near as I could, without disclosing what I feel I should not tell, the reason why I voted for this. I want to see the peace negotiations in Europe finished. I do not want to do or say anything that will embarrass our people in their attempt to make a peace that will settle down on this world forever. That is what I am after, and nothing else.

Mr. MOORE of Pennsylvania. The gentleman wants to help us to vote right, especially those who have supported him heretofore?

Mr. BUTLER. Do not put it in that way.

Mr. MOORE of Pennsylvania. I assume the gentleman is going to vote for the bill?

Mr. BUTLER. Oh, I suppose I shall vote for that paragraph in the bill. There are very many things in the bill that I think are of such importance that I propose to express my views on some of the paragraphs. I think, perhaps, there is more money appropriated than we should appropriate. I am now talking about this one paragraph which the gentleman has in mind. Unless something should happen between now and next Saturday, something told to me that will induce me to change my mind, I shall vote for it. I am not asking anyone else to do it.

Mr. MOORE of Pennsylvania. I want to be with the gentleman on that proposition. I wanted to know that I was voting in the interest of the United States. I assume the gentleman believes that way about it.

Mr. BUTLER. Mr. Chairman, before my colleague from Michigan [Mr. KELLEY] proceeds, will he permit me to yield for a moment to my colleague from Pennsylvania [Mr. FOCHT], who desires to have a letter read?

Mr. KELLEY of Michigan. Certainly.

Mr. BUTLER. I yield now for a moment to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Chairman, I do not want to discuss this question after what has been said here this morning. It is self-evident that with the keenness and alertness and the vision of the newspapers and the American people we will know all about what was in that telegram at least before the House votes on the question.

At some future time I shall have something to say about House bill 13440, but for the present will be content to have read by the Clerk a letter which I have received from a former Congressman, Hon. J. D. Hicks, now department commander of the Grand Army of the Republic of Pennsylvania. I send the letter to the desk and ask that it be read in my time.

The CHAIRMAN. Without objection, the Clerk will read.

The Clerk read as follows:

HEADQUARTERS DEPARTMENT OF PENNSYLVANIA,
GRAND ARMY OF THE REPUBLIC,
Altoona, Pa., January 28, 1919.

Hon. B. K. FOCHT.

MY DEAR CONGRESSMAN AND FRIEND: On behalf of the Department of Pennsylvania, Grand Army of the Republic, I most earnestly request that you protest against the bill recently introduced in Congress by Congressman GANDY, of South Dakota, providing for the transfer of the Battle Mountain Home at Hot Springs, S. Dak., to the War Department for the use of the hospital for the soldiers of the present war, which bill provides for the transfer of the Civil and Spanish War veterans to other homes, principally to the home at Danville, Ill. While we do not object to the use of the home at Battle Mountain for the soldiers of the world war, we do object to the removal of the veterans of the Civil and Spanish Wars to other homes, for the reason that the sanitarium at Battle Mountain is specially equipped for the treatment of all kinds of diseases to which aged soldiers are subject; and if they are removed to Danville, Ill., or to other homes, our comrades of the Civil War would be deprived of this treatment.

The commander in chief of the Grand Army of the Republic has already protested against the proposed action, and you will earn the everlasting gratitude of the members of the Grand Army of the Republic of Pennsylvania by using your best efforts against the passage of Congressman GANDY'S bill.

I have the honor to be, sincerely, yours,

J. D. HICKS.

Mr. BUTLER. Mr. Chairman, I now yield one hour to the gentleman from Michigan [Mr. KELLEY]. [Applause.]

Mr. KELLEY of Michigan. Mr. Chairman and gentlemen of the House, reverting just for a moment to the discussion which has been going on, for myself I desire to say that I made up my mind some little time ago to support this proposition for an additional building program. Some gentlemen awhile ago seemed to think that such a program would be inconsistent with the declared policy of Congress and the country, looking to a reduction of armaments, but I think not. The President of the United States and his associates are working now to secure a reduction of armament. We place in this bill a proviso that the ships authorized herein shall not be started before the 1st of February, 1920, and we have repealed a provision of legislation requiring the Secretary of the Navy to start all ships heretofore authorized before the 1st of July next.

The obvious purpose of all that is to give the United States, through its official representatives abroad, whoever they happen for the instant to be, it does not matter, an opportunity to work out a proper reduction of armament that all the world hopes will be accomplished. Now, if it is going to help the commissioners of other nations and our own to bring about a reduction of armament to know what the policy of America would be in the event that a reduction of armament is not to be effected, then the world is entitled to know in advance what that policy is to be, and that is why, not because the President advised it or because any other person advised it, that it has appealed to me as being a sound and proper course for the American people to pursue. And with me it is no bluff, either. I want the load that is on the back of the world for armament to be lifted. Nobody wants it any more than I, but if the world decides that that load is not to be lifted and that each nation must look out for itself, then, as for myself, I do not propose to have our country ever caught again in a position where it must depend for its protection upon the good offices of a friendly power. [Applause.]

Mr. FARR. And a majority of the committee.

Mr. KELLEY of Michigan. Well, I speak only for myself. Now, it was with considerable difficulty that we made this bill, because the first estimates which came to the committee were based on war conditions, and nobody could tell how much money would be required, and if the war had continued we would have voted all that the executive branch of the Government thought it needed to carry on the war, just as we did during the days of the war. So they asked for $2,640,000,000, and the armistice came, and they knew at once, of course, they would not need so much money. They did not know exactly how much they would need.

Bureau chiefs could not tell, but they made as good an estimate as they could, and the sum total of what they asked was reduced to $1,400,000,000. Then the hearings were begun and bureau chiefs came before the committee and more information began to come through as to what would be required during this demobilization period, and after hearings were closed the Secretary reduced the estimate to $975,000,000, and then the committee, in view of all we had learned and from subsequent information which came through, exercising its best judgment, decided that $746,000,000 was sufficient to take care of the extra expenses incidental to the demobilization and at the same time take care of the regular Naval Establishment. So this bill carries $746,000,000. I have tried to work out what I thought might be in the minds of a good many Members of the House as to what part of this $746,000,000 may be temporary in its character and which would not recur in future appropriations. Now, the bill carries $179,000,000 increase for the Navy. That does not include anything for the new ships herein authorized.

Mr. EAGLE. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. In just a moment; let me finish what I am saying about that part of the appropriation which is due to temporary conditions. Now, with that taken out, that leaves $567,000,000 for the maintenance of the Navy, temporary and permanent. Now, we fixed the enlisted personnel of the Regular Navy just as it was before, 143,000 men. We allowed 82,000 men, what the Navy Department and the Army thought would be necessary to man the ships carrying food to our soldiers as long as they are in Europe and to carry troops back, and provided that as fast as that service ended men automatically would be mustered out of the service. So these 82,000 men, or an equal number of men, will drop out of the Navy as fast as the temporary service in which they are engaged is ended. Now, as somebody has said, I think the chairman, we have 25,000 marines in France. The whole strength of the Marine Corps when this temporary period passes by is only about 17,000 men, so that unless we provide for a temporary increase of the Marine Corps we would have no marines in the United States at all after July 1 next. Our whole Marine Corps, and more, too, would be in France, and, of course, we could not think of calling marines home ahead of the soldiers with whom they are serving abroad. So we provided that while the marines are in France there is to be a temporary increase of the Marine Corps of 25,000 men, and as fast as they are brought home they or an equal number are to be demobilized and mustered out of the service.

Mr. MILLER of Minnesota. Will the gentleman yield for an inquiry?

Mr. KELLEY of Michigan. I do.

Mr. MILLER of Minnesota. This bill, of course, takes effect after the 30th of June next. Before any provision of this character could be made operative or put into operation thereafter probably several more months would transpire. Has the gentleman information that it would be 8 or 10 months or a year before the marines would be brought back from France?

Mr. KELLEY of Michigan. I will say to the gentleman that the marines are scattered all through France, and there are about 10,000 of them at Coblentz, in Germany, and I assume that they are the regular marines, and the chances are they may stay longer than anybody else.

Mr. MILLER of Minnesota. Might I submit just this observation? Of course, at the time that the marines were sent to France everybody applauded; it was a splendid and proper thing to do, but the war is over and land operations on a great scale are ended. Having in mind the peculiar work the marines are designed to perform, would it not be wiser if we took every one out of France immediately and utilized them in Guam, Porto Rico, China, Hawaii, South America, Central America, and the West Indies——

Mr. KELLEY of Michigan. I will say that the idea——

Mr. MILLER of Minnesota. Why should not that be done?

Mr. KELLEY of Michigan. That the idea which the gentleman has expressed entered my mind, too.

But the Marine Corps officials thought that it would demoralize the Marine Corps to do that; that it would destroy the morale if the Government should say that these boys who

are now over there as a part of the Army should be picked out, one by one, simply because they are marines, and brought home ahead of the soldiers who are performing a similar service abroad. And if by any chance it did reflect upon the Marine Corps, how unfair such action would be, in view of the magnificent service that they rendered their country upon the battle fields of Europe. And so, for myself, I abandoned the idea and said, "All right; let the marines come home just as the Army comes home and whenever the Army sees fit to bring them."

Now, the 82,000 men on the ships necessary to take the food over and bring the men back, plus the 25,000 extra men in the Marine Corps, makes a total of 107,000 extra temporary men carried in this bill out of a total of 225,000 men. I have tried to estimate how much these extra 107,000 men will add to this bill, and as near as one could get at it it probably would be in the neighborhood of $100,000,000; possibly more. So I have, therefore, pointed out in the item of men alone a temporary situation which, when it ends, will result in a reduction of $100,000,000 per year. You can go through the bill all the way and find items that run into the millions and which are evidently of a temporary character or greatly increased on account of this temporary condition. For example, there is one provision appropriating $20,000,000 to put back in the same condition in which we took them the ships, the yachts, and vessels of all sorts that were turned over to the Government when the war broke out and which we contracted to turn back in the same condition in which they were received, or substantially so; and the bill carries an item of $20,000,000 for this purpose, purely temporary, and which will not appear in future bills.

Mr. EAGLE. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. EAGLE. The gentleman was speaking of the gross item of $746,000,000 carried in the bill, and in that connection was speaking of a considerable proportion of it being for an item which he designated as "demobilization."

Mr. KELLEY of Michigan. Yes.

Mr. EAGLE. I wanted to ask him whether he means the demobilization of the naval forces down to a peace basis or the expense which the Naval Establishment incurred in the transport of troops, with reference to the demobilization of the Army?

Mr. KELLEY of Michigan. The gentleman has stated it very much more accurately than I did.

Now, I have estimated there are probably in the neighborhood of $200,000,000 in this bill that can be ascribed almost wholly to a temporary situation.

Here is one item that runs into a good many millions of dollars. We have placed guns on all the merchant ships that were in trans-Atlantic service, running into the thousands. Those guns have all to be taken off those ships, have to be taken to the navy yards and repaired and stored, and it involves an expenditure of a good many million dollars to preserve, repair, and store these guns carried on ships in the overseas service. And so I think I am conservative in saying that at least $200,000,000 of this bill is of a temporary character, and that, taking the increase of the Navy out would reduce the bill for maintenance and operation of the regular Naval Establishment to $367,000,000. And I agree with the gentleman from Pennsylvania [Mr. BUTLER] that this amount is too large. But when you do not know where to cut, it is a very difficult thing to apply the knife with reason.

Mr. BUTLER. How can we do any better?

Mr. KELLEY of Michigan. I do not think we can.

Mr. BUTLER. At this time.

Mr. KELLEY of Michigan. I think the House will appreciate that when we cut the estimates from $2,640,000,000 to $746,000,000 we have applied the knife pretty generously, if not always wisely.

Mr. IGOE. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. IGOE. It is very noticeable in the Army demobilization work that a great many men are being retained in the military service doing work which should be turned over to civilians. I do not know what the situation might be on shore in the Navy. I would like to ask the gentleman whether the committee has gone into that matter, and whether effort has been made to turn over to civilians work which is now done by enlisted men?

Mr. KELLEY of Michigan. No. I will say to the gentleman from Missouri that we did not take up that phase of it. There are a good many things that the committee could well busy itself with no doubt that would result in large savings and great convenience to the country now that hostilities have actually suspended.

Mr. IGOE. I do not know that it would be a saving, but it would be a convenience.

Mr. KELLEY of Michigan. It would be a convenience.

Mr. BRITTEN. It is well known that in time of peace as well as in time of war that the enlisted personnel of the Marine Corps, as well as of the Navy, is utilized at naval stations and at naval yards for doing a large portion of the work that might be done by civilians, and might be done very economically.

Mr. IGOE. Not to such extent as it has been done during the war. What I was talking about was taking care of men who were relieved from the service. I know that thousands and thousands of men in the Army who are drawing wages at military posts, but in the end the expense would be as much.

Mr. BRITTEN. Probably greater; but that condition does not occur in the Army.

Mr. MILLER of Minnesota. Referring to the naval schools at Newport and the Great Lakes Station, I assume they had in those a great many——

Mr. KELLEY of Michigan. They had 50,000 at the Great Lakes Station at one time a few months ago.

Mr. MILLER of Minnesota. Many of them were being trained, as I understand, to run merchant ships. I would like to inquire what the program is in that regard now. Is the Navy assuming to provide and train any men at all for the merchant ships, for the Shipping Board?

Mr. KELLEY of Michigan. No; except as they are needed for the Army in the transport and overseas service.

Mr. MILLER of Minnesota. I did not refer to the transports. I referred to merchant ships.

Mr. KELLEY of Michigan. The policy with respect to the Navy is purely temporary. It is not looking to the employment of ships for commercial purposes at all. That is a matter that will have to be thoroughly thrashed out by Congress and a policy formulated. But during this period, when we have to carry supplies to the troops abroad and carry the troops home, it is apparent, I think, that the proper thing for the Navy to do is to man transports and other ships needed by the Army as long as the emergency lasts, and we have put it in the bill that as soon as this work ceases these men will be mustered out of the service.

Mr. BRITTEN. In the last 10 days I understand 450,000 tons of German shipping were turned over to the Navy by the Shipping Board?

Mr. KELLEY of Michigan. Yes; for that purpose. As to what will ultimately be done with ships that come from any source, whether we build them or get them from Germany or from any other source, that, of course, will be a matter that will be handled by the Committee on the Merchant Marine and brought here through that committee.

Mr. MILLER of Minnesota. I do not want to trespass unduly upon the gentleman's time, but at the beginning of the war we had transports operated by the Quartermaster's Department of the Army and transports operated by the Navy. Can the gentleman inform us now what the situation is? Does the Navy handle all the transports crossing the ocean?

Mr. KELLEY of Michigan. All overseas service is under the Navy.

Mr. MILLER of Minnesota. And no transports are being operated to France by the Army?

Mr. KELLEY of Michigan. None by the Army.

Mr. AUSTIN. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. AUSTIN. Is there a provision in this bill for the payment of a bonus to men in the Navy when they are discharged, as in the Army?

Mr. KELLEY of Michigan. No.

Mr. AUSTIN. I understood from the press that the British Government is providing for a bonus for the naval forces. Is any such increase provided here for the Navy?

Mr. KELLEY of Michigan. The temporary increase in the pay of the Navy is continued and is made permanent by a provision in the bill.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. GRAHAM of Illinois. Did the gentleman make the remark that all overseas service of our Government was under the control of the Navy?

Mr. KELLEY of Michigan. So far as I know; yes.

Mr. GRAHAM of Illinois. I want to correct the gentleman in that. I think there is a considerable overseas service being done by private companies.

Mr. KELLEY of Michigan. Not for the Army.

Mr. GRAHAM of Illinois. Yes; for the Army. Let me continue this inquiry that I was making. I do not know that I understand exactly what the gentleman means, but during this war the French line, for instance, has been running steamers regularly and has been transporting troops for our Government, and has been transporting munitions. I know that from my own personal knowledge. That is being done by private contract, is it not, in some cases with private ship lines?

Mr. KELLEY of Michigan. Yes; that is true also with regard to British merchant ships that are carrying troops and supplies. I do not know of any American private lines that are carrying troops or supplies for the Army.

Mr. GRAHAM of Illinois. Two or three foreign private lines have been doing it for some time, and are doing it now.

Mr. LITTLE. Mr. Chairman, will the gentleman yield for a question?

Mr. KELLEY of Michigan. Yes; but I do not want to be diverted from the thing I have in mind. I was talking about the expense of the Navy, and I hope the gentleman's question is directed to that point.

Mr. LITTLE. Yes; but if this question is not in accordance with the gentleman's argument I can wait until we reach that point. I understand there are 14 submarines provided for in addition to cruisers and battleships. Has the gentleman any information as to the relative fighting results achieved by submarines and battleships?

Mr. KELLEY of Michigan. I will come to that later.

Mr. LITTLE. Very well.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman suffer an interruption?

Mr. KELLEY of Michigan. Yes.

Mr. OLIVER of Alabama. I was very much interested in the statement the gentleman made as to the items carried in this bill which could be considered as temporary items of expense.

Mr. KELLEY of Michigan. Yes.

Mr. OLIVER of Alabama. And which could be omitted from future bills. Can the gentleman give us a brief statement of the items to which he refers when he states that there can probably be omitted from future bills an amount approximating $300,000,000?

Mr. KELLEY of Michigan. $200,000,000.

Mr. OLIVER of Alabama. Give the general headings.

Mr. KELLEY of Michigan. I think I can do that. But first let me say that I stated that if the temporary items could be sifted out, in my judgment the bill would stand at about $367,000,000, and I thought that that was high. I judge from the question of the gentleman from Alabama, though perhaps I am mistaken, that he thinks otherwise. But I checked it up in this way: For 15 years prior to the war the expense of operation and maintenance of the Navy afloat and ashore ran rather uniformly at about 25 per cent of the investment in ships; that ratio is so well fixed that it is of considerable value in checking up this appropriation bill. I have calculated, with the assistance of the department, that the total investment in the fleet for the period covered by this bill to June 30, 1920, will be $1,263,000,000, and one-fourth of that sum would be $315,000,000, and I have allowed here $367,000,000 as the amount carried in the bill for the permanent establishment. And so, based upon past experience, it would seem as though we have allowed liberally in this bill.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman suffer another interruption?

Mr. KELLEY of Michigan. Yes.

Mr. OLIVER of Alabama. The gentleman and I are in full accord as to the necessity of economizing, and yet it would be a mistake now to let the House feel that by adequately providing in the next bill for the Navy we could perhaps reduce the amount now appropriated by some $375,000,000, because——

Mr. KELLEY of Michigan. I was trying, if the gentleman will excuse me, to point out that not more than $367,000,000 of what we are now appropriating is for the permanent Navy, exclusive of the building program.

Mr. OLIVER of Alabama. Here are items that the gentleman, perhaps, fails to take into account, and I do not mention them for the purpose of making the bill unpopular, because we must, until some international agreement as to limitation of armament is made, maintain a strong and efficient Navy, and must provide the money for that purpose, whether large or small. But on the authorized building program there will remain unappropriated, after the amounts carried in this bill, something like $486,000,000. That amount must be carried, perhaps, in the next two bills, which will increase the amount for the construction even of the existing Navy over the amount carried in this bill.

Mr. KELLEY of Michigan. I have not discussed anything beyond this bill. I have not yet entered upon the matter of future expense or appropriations.

Mr. OLIVER of Alabama. I understand.

Mr. KELLEY of Michigan. When I get to that I will have some facts to present. I do not want the gentleman to get ahead of me in my speech.

Mr. OLIVER of Alabama. I beg the gentleman's pardon.

Mr. KELLEY of Michigan. I am glad to have the gentleman keep up with me, but I do not want him to get ahead of me.

Mr. OLIVER of Alabama. That is all right.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. I yield to the gentleman.

Mr. BRITTEN. In the gentleman's calculation of $367,000,000 as a possible point at which we may arrive next year——

Mr. KELLEY of Michigan. No; that is this year, in this bill.

Mr. BRITTEN. For the permanent establishment?

Mr. KELLEY of Michigan. Yes.

Mr. BRITTEN. On how many men in the permanent establishment is the gentleman basing that?

Mr. KELLEY of Michigan. One hundred and forty-three thousand men in the permanent establishment for the year of 1919–20.

Mr. BRITTEN. The gentleman knows that the Navy never will get back to 146,000 men in the enlisted personnel.

Mr. KELLEY of Michigan. I do not know that.

Mr. BRITTEN. It can not be done with the ships that we have.

Mr. KELLEY of Michigan. The question of the number of men needed is an open question all the while. For instance, it was testified before the committee that in time of war the British put about a thousand men on each of their greatest dreadnaughts, while we were carrying between 1,400 and 1,500; and I asked one officer if he did not think that if we put as many men on the ships in time of peace as the British put on theirs in time of war we were making a fair allowance of men; and I leave the gentleman to answer whether that is not true. And if we reduce the number to anything like the numbers carried on British vessels I think my colleague will agree with me that 146,000 men will be ample to take care of the ships which we provide for in this bill up to June 30, 1920.

Mr. BRITTEN. Oh, no; I could not possibiy agree to that, because we learned in the committee that the fighting ships built for the American Navy during the war will require 95,000 men. Now, we certainly had some Navy before we got into this war.

Mr. KELLEY of Michigan. Yes; but the gentleman will remember that we built during the war a great number of small craft. If we keep in commission all the 60 Eagles that Mr. Ford is going to build——

Mr. BRITTEN. I am disregarding them entirely.

Mr. KELLEY of Michigan. And if we keep in commission the 240 submarine chasers and the 342 destroyers that nobody ever dreamed we would need in order to have a proper proportion to our battleships, but which we had to have because of the submarine menace—if we should keep all those small ships in commission they would require more men just for those small ships that we built during the last year or so than we had in our entire Navy in 1916; but I would not assume for a moment that any administration of the Navy would undertake any such expensive and unnecessary policy. That is why I voted to stand on the proposition of 146,000 men for the ships that we already have, or will have prior to June 30, 1920, in the regular Navy.

Mr. TILSON. Will the gentleman yield for a question?

Mr. KELLEY of Michigan. Yes.

Mr. TILSON. Is it not a fact that a battleship or any capital ship, being a large machine shop in a way, the labor-saving machinery that is being installed and improved from time to time will naturally reduce the number of men necessary to man a warship properly?

Mr. KELLEY of Michigan. The testimony seemed to indicate the reverse of what you would naturally expect on that.

Mr. TILSON. That is what I would expect if it was as it is in our factories.

Mr. KELLEY of Michigan. They said this, that in the old days a ship when it got out of order was taken to a navy yard, or docked somewhere, and the machinery repaired, but that now these ships are so well supplied with machine shops and everything necessary for the making of repairs that the bulk of all the minor repairs, heretofore made at navy yards, are now made on board ship, and that therefore a larger number of men are required.

Mr. ANTHONY. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. ANTHONY. Can the gentleman tell us if they still have in commission the hundreds of little motor boats that were put in commission at the beginning of the war with the idea that they were going to use them as a defense against U-boats?

Mr. KELLEY of Michigan. If they are in commission now they will not be by the time this bill goes into effect next July, because we have provided for only 225,000 men.

Mr. ANTHONY. I think they were the biggest farce that has been attempted.

Mr. BUTLER. Will the gentleman yield for an interruption?

Mr. KELLEY of Michigan. I yield to the gentleman from Pennsylvania.

Mr. BUTLER. I will promise the gentleman as much time as is required to finish his very able speech. Has the gentleman the figures furnished to us by the Bureau of Yards and Docks showing the expenditures made in the last 18 months in these navy yards?

Mr. KELLEY of Michigan. I have not got those figures here.

Mr. BUTLER. Did the gentleman count up the figures?

Mr. KELLEY of Michigan. I do not recall just the total expenditures on yards and docks. I know it is enormous.

Mr. BUTLER. Does the gentleman know that it is over $300,000,000 on stations on land?

Mr. PADGETT. About $330,000,000.

Mr. BUTLER. I thank the gentleman. Did the gentleman look over these figures and separate the appropriations that were made by the Naval Affairs Committee and those obtained from lump sums?

Mr. KELLEY of Michigan. No; I did not. Without any doubt, during the war large expansions have been made in naval stations. A great many new stations have been started, and I suppose it is human nature that when you get a big establishment going you are rather likely to keep it going. That is particularly true of the aeroplane business. We built aeroplane stations at short distances along the coast. When the first estimates came in they asked for 12 or 15 more aero stations, and the committee has incorporated in this bill a provision requiring the Secretary of the Navy to abandon all stations on the Atlantic coast but three, one on the Gulf coast and one on the Pacific coast. A thorough examination of new projects in navy yards and naval stations, going back as near as we can to where we were before the war, as to the number of stations and curtailing new enterprises where they were no longer needed will net a good many million dollars to the Government, and I have no doubt that that will be undertaken in the next Congress by the Naval Committee under the able leadership of my calleague [Mr. BUTLER].

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. GRAHAM of Illinois. I noticed in the newspapers a statement that the Secretary of the Navy has just purchased land where an aero station was located—I think along the Massachusetts coast—at a total expense of $4,000,000. Does the gentleman know of his own knowledge whether the Secretary of the Navy is still acquiring stations for aero service along the coast?

Mr. KELLEY of Michigan. The chances are that that is a site on which a plant has already been built, and the Secretary may be acquiring the land; I do not know about that.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. MILLER of Minnesota. I gathered from the remarks of the gentleman from Pennsylvania [Mr. BUTLER] that the Navy Department had been purchasing land for naval purposes out of lump-sum appropriations. Is it possible that that it true?

Mr. KELLEY of Michigan. I will let the gentleman from Pennsylvania answer that question.

Mr. BUTLER. I hesitate to say, but I believe that is true. I noticed in the newspaper that there has been a large sum taken out of a lump-sum appropriation for the purchase of land at Cape May for an aeroplane station.

Mr. STAFFORD. Will the gentleman yield?

Mr. KELLEY of Michigan. I will.

Mr. STAFFORD. Will the gentleman inform the committee whether the committee in its long hearings went into an investigation, as did the Committee on Appropriations, seeking to withdraw appropriations and authorizations for the Naval Establishment?

Mr. KELLEY of Michigan. I will say to the gentleman that our work has been preparing this bill, which provides for the Navy for the fiscal year beginning next July and running until the July following.

Mr. STAFFORD. You make no provision whatever for the curtailment of authorizations carried during the war period?

Mr. KELLEY of Michigan. This is a bill pure and simple for supplying the Navy with money to run it from July 1, 1919, to July 1, 1920.

Mr. McKENZIE. Will the gentleman yield?

Mr. KELLEY of Michigan. I will yield to the gentleman from Illinois.

Mr. McKENZIE. Has it not been the policy in the past to permit the Secretary of the Navy to purchase land for any purpose without being authorized by Congress?

Mr. KELLEY of Michigan. I think not, but during the war blanket authority was conferred upon the executive branch of the Government, which was undoubtedly exercised through the Secretary of War and the Secretary of the Navy and some other departments of the Government, and quite likely that is where the authority arose. We gave the President blanket powers to spend money for the purchase of land, for the taking over of property, and doing almost anything for the prosecution of the war. There is no provision of that kind in this bill, neither is there any provision for the purchase of land.

Mr. McKENZIE. I want to say that I thought that evil practice had been confined to the Military Establishment, but it seems that it has not.

Mr. KELLEY of Michigan. No; it spreads if given a chance, no doubt.

Mr. MANN. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. MANN. I understood the gentleman to say that there was no provision in the bill for the purchase of land?

Mr. KELLEY of Michigan. If the gentleman has found a provision I will stand corrected.

Mr. MANN. Here is a provision for $25,000,000 for aeroplanes, any portion of which can be used for the purchase of land.

Mr. KELLEY of Michigan. For the purchase of a site upon which to erect a lighter-than-air station. You are correct, but that is the only one that I recall, and I thank the gentleman from Illinois for the correction.

Now, I would like to go back to the question of cost of the Navy. If all the ships heretofore authorized and all the ships proposed to be authorized in this bill are built within a reasonable time, say by 1924 or 1925, there would be an outlay for new ships of approximately $200,000,000 per year. If you add that to approximately $350,000,000 for operation and maintenance to the Navy, I do not see how we can get away from a bill every year for the next four or five years of $550,000,000, or possibly a little more, depending upon the price of labor and material.

Mr. MILLER of Minnesota. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. MILLER of Minnesota. I am astounded at that. Great Britain, which has a navy twice as big as ours——

Mr. KELLEY of Michigan. I think the gentleman is wrong about the relative size of the British Navy and ours, with those additions to our Navy which are contemplated by this bill.

Mr. MILLER of Minnesota. Well, I should say perhaps not right now, but, say, two years back. It was then about twice as great as ours, and their entire budget, as I understand, for upkeep and building and everything, is only $250,000,000. Is it possible that we with a Navy half as large are going to expend $550,000,000?

Mr. KELLEY of Michigan. I am including $200,000,000 per year for new construction for the next four or five years. It will take that long to build the Navy we are now projecting, and when it is built it would be fairly comparable in strength with the British Navy if Great Britain in the meantime does not also expand its navy. But further, as to relative expenses, the gentleman must remember that the British sailor gets very small pay. The officer gets much less pay than the officer of the United States Navy. We pay ordinary seamen now as a minimum $33 a month, and we propose in this bill to make that temporary increase which we put on during the war permanent, upon the theory that $33 a month and board is not unreasonable pay for those defending the country.

Mr. MILLER of Washington. What is the pay of a British sailor?

Mr. KELLEY of Michigan. I am not quite sure, but perhaps the gentleman from Pennsylvania [Mr. BUTLER] can say what a sailor in the British Navy gets.

Mr. BUTLER. Yes; it is less than half what we used to pay. They have several rates of pay, but I have always understood that it was less than half of what was paid by us when we were paying the rate of $17.50. I think it is about $5 to $7 a month.

Mr. KELLEY of Michigan. So that if we completed all of the ships we have already authorized, and added to them these 20 proposed in this bill, our annual appropriation for the next five years could not, in my judgment, be less than $550,000,000. At the end of that time what will our situation be, provided we stop there? The total investment in the fleet by the 1st of July, 1924, we will say, which would give five years to build it all, would be $1,935,000,000. One-quarter of that, which was the rule for 15 years, would mean an annual charge of $484,000,000 to keep that Navy up. Of course there might be some reductions, due to the fact that in 1924 we will have a large number of old ships, running all the way from 20 to 30 years old, and they would probably have to be put out of commission or put in reserve. This would cut the expense considerably.

Mr. SNYDER. Is the gentleman correct in his figures when he spoke of the investment in the Navy being $1,000,000,000?

Mr. KELLEY of Michigan. The total investment, when both of these three-year programs are completed, would be $1,935,000,000, and one-quarter of that—for upkeep and operation—would be $484,000,000; in round numbers, $500,000,000. So that, as it looks to me, conservatively speaking, if we go forward with the completion of the existing program and the new program it will cost us to complete it and to keep it up while it is being completed over $500,000,000 a year, and when completed it can be maintained for something slightly over $500,000,000 a year.

Mr. SHERWOOD. I see by the cablegrams of yesterday that the powers have substantially agreed upon general disarmament.

Mr. KELLEY of Michigan. Yes; and that is entirely consistent with this bill.

Mr. SHERWOOD. Yes; but you authorize the Secretary to go ahead. Why that authorization if it is not necessary to build them?

Mr. KELLEY of Michigan. It may not be necessary, and in that event we will not build them.

Mr. SHERWOOD. What is the necessity now for that kind of legislation; and what is the necessity for dreadnaughts anyway?

Mr. KELLEY of Michigan. I am a little surprised that the gentlemen should ask me that question.

Mr. SHERWOOD. The *Queen Elizabeth* was the greatest dreadnaught that was ever set afloat. She carried a turret of 15-inch guns and she was put out of business by one German submarine.

Mr. KELLEY of Michigan. Yes; but I want to call the attention of the gentleman to this, that back there in the Kiel Canal was a latent power, a masterful fleet, anxious and ready to come out and destroy the commerce and transports of its enemy did it but dare to do so, and I ask the gentleman what prevented the German fleet from coming out of its hiding and destroying the transports carrying the soldiers of America to the fields of France?

Mr. SHERWOOD. I will answer that by asking the gentleman what prevented the English fleet from coming out?

Mr. KELLEY of Michigan. Why, they were simply lying there hoping and praying that the German fleet would come out.

Mr. SHERWOOD. Why did they not come out and go after the German fleet?

Mr. KELLEY of Michigan. The British fleet accomplished its purpose without doing that. The destruction of the German fleet was of no particular consequence. The business of the British fleet and our fleet was to keep the sea clear for the transports, for the soldiers to cross over, for the supplies, for the ammunition, and all of that, for the allied armies, and when the British fleet did that, in conjunction with ours, it performed the great purpose for which a fleet exists. No sensible commander, of course, would take these great instruments of war, costing $30,000,000 each, into a mine-infested region, such as they would have to pass through in going to the Kiel Canal. But men must remember that if it had not been for the power of those great ships of the allied fleets the German men-of-war would have come out and would have raided the seas, destroyed the commerce, sunk our transports, and we could not have landed either a pound of goods or a soldier upon the soil of France. [Applause.] So it is idle to talk about doing away with big ships, or that the big ships served no useful purpose in the recent war.

Mr. TILSON. Were not the German ships just as impotent in the Kiel Canal as they would have been at the bottom of the North Sea?

Mr. KELLEY of Michigan. That is what I say, and the purpose of the English and the American commanders was accomplished without taking the risk of sinking these valuable ships by going in there and attempting to destroy the German fleet. They had performed their purpose when they made it impossible for the German fleet to interfere with the purpose of America and the allies in the war.

Mr. STAFFORD. With the German fleet now impotent, where is there any need of a great Navy to rival the great fleet of England, with England as our ally?

Mr. KELLEY of Michigan. I will say this, that circumstances of war never appear twice alike in the history of the world. If men have not learned something from this war, if men have not learned the need of being able to take care of themselves, then I am afraid some of the most valuable lessons incident to the war have escaped them.

I want to say now, as I stated in the beginning, that I never want to see this Nation again put in a position where it must rely upon the protection of a friendly power to take care of its coasts, its commerce, or its transports carrying the soldiers of the Republic. [Applause.] I sincerely hope that the nations of the world will adopt a disarmament policy at the conference now in session at Versailles. But if this can not be brought about, I believe we should adopt such a naval policy as will enable us to take care of ourselves and the great interests we have in the world. If disarmament fails America should not rely for its defense upon the generosity of another nation, no matter how friendly that nation may be, or how closely it may be tied to us by bonds of affection, language, or laws. So that I say I am in favor of building a Navy which will of ourselves, if that is the decree of the world, take care of ourselves. [Applause.]

Mr. STAFFORD. Then, as I understand the gentleman's proposal, it is to provide a Navy so as to have it alone give protection to transports and our merchant marine to fight on a foreign soil?

Mr. KELLEY of Michigan. Oh, I do not know where we will be called upon to fight. That is an old question that clogged men's minds in days gone by in this House. Whether our soldiers should fight on one kind of soil or on another. It matters not the soil, if the reason for fighting exists America will always go where the enemy is no matter where they may be. [Applause.] But I hope, as you do, that America will have to fight no more, and I believe it will contribute to the disarmament of the world if the world knows in advance that in the event reduction of armament fails in this great crisis, much as it may be against our will, our interests in the world are such that we can not afford to rely on others to protect those interests, but we will build such a Navy as may be adequate for that purpose, hoping and praying, as we will, that the world may see that a continued increase in armament is unnecessary and that an agreement may be brought about especially between these two great friendly peoples—the British and America. Why should it not be brought about? There is no reason in the world why Britain should suspect America any more than America should suspect Britain. America and Great Britain should sail the seas on even terms. We should be able to take care of ourselves, asking no favors, courting no quarrel with any other nation, our merchant ships going out upon every sea, as they will from now on if the next Congress is as wise as I think it is going to be. All of our interests, our extensive coast lines, our great cities like New York and Boston lying upon our seaboard, our great South American interests and duties, the Panama Canal, our Pacific and Asiatic possessions, all of these require that this mighty Republic, blessed of God in material resources as no other nation has been blessed in all the tide of time, should henceforth be able and willing to take care of itself on the sea or on the land wherever it is necessary to defend American institutions, American rights, or American citizens. [Applause.]

Mr. LITTLE. Will the gentleman from Michigan object to giving the data about which I inquired?

Mr. KELLEY of Michigan. The gentleman from Kansas wanted to know, I think, about the relative value of the submarine and the battleship.

Mr. LITTLE. I wanted to know if any data had been presented to the committee by those with experience in the relative fighting qualities——

Mr. KELLEY of Michigan. They are not comparable at all; they are wholly dissimilar weapons.

Mr. LITTLE. Suppose——

Mr. KELLEY of Michigan. Of course, the submarine did give to the world a whole lot of trouble.

Mr. LITTLE. I see that the naval program contemplates the building of 12 battleships and cruisers and 14 submarines. Now, if the two were to meet, which would achieve a victory?

Mr. KELLEY of Michigan. I think I grasp the gentleman's question and I think I know what he has in mind. Superficially, one might think that the powerful ships are not of so much use, but, after all, whoever controls the surface of the

ocean controls the ocean. Whoever controls the surface, in spite of anybody else, will get his ships through, as the allies did in the war just closed.

Mr. LITTLE. Which would control the surface, the 14 submarines or the 12 battleships?

Mr. KELLEY of Michigan. Which did control the surface?

Mr. LITTLE. I am asking the gentleman.

Mr. KELLEY of Michigan. Well, I am turning the question back upon the gentleman.

Mr. LITTLE. No; I stated specifically that I am seeking for information. If the gentleman does not know, just say so.

Mr. KELLEY of Michigan. Very well.

Mr. LONGWORTH. If the gentleman will permit, does the gentleman remember any case where a submarine sunk any armed ship going at a rate faster than 15 knots an hour in the whole period of the war?

Mr. LITTLE. And does the gentleman remember an instance, relatively speaking, where a submarine was sunk by a battleship in the same way at 15 miles an hour?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. PADGETT. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Chairman and gentlemen of the committee, there is one consideration in connection with whatever Navy we have and whatever Navy we may authorize which it has appeared to me for some years, and now appears to me, that neither the Navy Department nor the Committee on Naval Affairs has ever given sufficient, if any, consideration to, but which is, however, of vital importance.

I do not in the remarks I want to submit to you have any motive in my mind for the submission of them, except to induce you to think about the point and conclude whether it is worthy of mature consideration; not now necessarily, but in due course.

Have you ever reflected on the fact that this marvelous, modern civilization of ours, the most wonderful which the world has ever known, is founded more largely upon petroleum than upon any other single material thing except food? And yet, while we are building a tremendous merchant marine—and I made the opening address for it three years ago, and in favor of the Congress making an appropriation of $50,000,000 to undertake it, since private individuals would not sufficiently carry forward the work which properly pertains, under our American system of government, to private initiative and enterprise—and while we are building this wonderful Navy with vast funds, neither one of them can perform their functions without oil.

Not a factory in this land could run without oil. And therefore the shoes on your feet, if the crude petroleum production should cease, would probably not be manufactured to-day, but the condition would be similar to that when our fathers made the shoes for the children in their families. Each parent would make the shoes for his own children. The clothing worn by every person within the sound of my voice would cease to be manufactured at wholesale, economically, and with taste; but the wool would be cut from the sheep and carded and dyed in walnuts and woven by the loom, and our clothes made again by our wives, even as our mothers made the clothing of many of us who are here. The cities would soon starve, because oil must run the locomotives into the cities to carry food and fuel. The populations would spread out over the country; they would devastate the areas. The whole of your civilization would break down. With that thought, crude and hastily expressed, in order to make a predicate for the thing I had in mind to say, permit me to say that in the year 1917, as I have the figures, in an imperfect way and only in the way of approximation, there were produced within the United States a total of about 300,000,000 barrels of oil, but there were consumed within the United States during that same year of 1917 a total of about 335,000,000 barrels of oil.

That means that the consumption exceeded the production by about 35,000,000 barrels in the single year of 1917.

Now, on January 1 of the year 1917 there was above ground within the United States, in pipe lines, in tank cars and in storage, and in every form, a total of about 165,000,000 barrels of oil. That means that if that current rate of relative consumption and production be maintained within five years' time there will be not one drop of crude petroleum above ground in the United States.

Now, then, we are building, at an expense so enormous that it staggers the imagination much more the comprehension, a merchant marine to carry the products of this marvelous land of food and fiber, and of manufacture, and of mines and mining and forest, to every corner of the civilized world. We are building, at an expense that staggers not the comprehension alone but the imagination as well, a Navy to protect the legitimate rights of American citizens upon the high seas wherever our flag shall float under the heavens. I have helped to do it. I am going, during all the time I remain in Congress, at each opportunity, to help do that vigorous American thing. And yet the whole of that Navy's propulsion power is oil; its lubrication is oil; the one the crude product exuding or draining from the wells, the other the manufactured product. Notwithstanding that fact, and notwithstanding the fact that recently we came within three months of the exhaustion of the petroleum and naphtha and gasoline supplies of this country—when our Government inaugurated the gasless Sundays last winter we were within a few weeks of the exhaustion of the supplies of oil necessary to our processes, not of industry alone but the processes of prosecuting this war for civilization. Still, the Navy Department has never recommended—or, if so, it has never been printed—and the Naval Affairs Committee has never considered—or, if so, it has not given the Congress to understand that it has considered—the question of storing an adequate supply of crude petroleum in its own receptacles for the use of the merchant marine and the Navy.

It takes about between 20,000,000 and 30,000,000 barrels of crude petroleum per year to run the United States Navy. Where does the Navy get that, gentlemen? The department buys it from the pipe-line companies, the storage-tank companies, and institutions that have prepared themselves to buy cheaply and to store for profit the great output of petroleum as and when market conditions render such purchase and storage profitable to them. And so, while crude petroleum in the great southwestern fields of Louisiana, of Oklahoma, and notably of Texas, is now less than $2 per barrel, the Navy Department is now paying a large profit for the current supplies of crude petroleum with which to propel its ships on the sea, and will continue to pay increased prices as increasing demands follow. Is that common sense? Is it national safety? It is not, gentlemen. The Navy should erect and own its own storage and keep it completely filled at all times.

It is roughly estimated that for 50 cents per barrel this Nation can acquire the lands, the pipe-line connections, a sufficient number of 50,000-barrel steel storage tanks with which to store an annual supply of crude petroleum a year in advance, and once the storage tankage is erected it will last a lifetime.

We should authorize the Navy Department to construct storage to hold at least 25,000,000 barrels; that should cost about $12,500,000, in round numbers. By forethought this Navy Department, if authorized by this Congress, can build enough storage capacity to take care of 25,000,000 barrels of oil—buy it in advance at the market price at less than $2 a barrel. That is to say, for 50 cents a barrel, or $12,500,000, it can acquire all tankage and connections in which to put this oil by, and then you keep a permanent store of a year's supply of fuel oil for the American Navy. Whenever new fields are developed new supplies can be emptied, at the least possible price, in the interest of efficiency and safety, into these storage vaults, wherever the Navy may choose to locate them, in proximity to the deep-water ports; and then, instead of being helpless and dependent upon the price and quantity at which private industry will give the Navy and the merchant marine their supplies of oil, our Navy and merchant marine would thus be rendered secure for their future activities.

Here is an interesting fact, gentlemen: The greatest oil well the world has ever seen was in Mexico. They celebrated one day last January the one-hundred-millionth barrel that flowed out of that one well. Within half an hour after it had been flowing at the rate of 100,000 barrels a day, it ceased absolutely to flow a barrel of oil and went into salt water.

That is the Lord Cowdrey oil well, which has been the chief supply of Great Britain for furnishing petroleum to the British Navy, which has prevented the submarines from destroying commerce and making a German victory. That went into salt water within an hour or so, crude petroleum not being like coal in the ground, where its supply is known in advance, but is exhausted without notice. It must be taken out and stored in steel vaults in order that a certain supply in advance may be assured.

Mr. Chairman, I want to call your attention to the fact that at any time the supply of petroleum adequate to the needs of the people of the country, and particularly the Navy and the merchant marine, may suddenly cease, and it would be a tragedy the like of which you can scarce conceive if, all of a sudden, an adequate supply of crude petroleum requisite for the Navy and the merchant marine should suddenly cease, whereas by the expenditure of a relatively small sum of money we can provide against that contingency, and we ought to do it.

Mr. Chairman, whilst speaking, and having finished that branch of what I came here to say, I want to say just this: It is not exactly clear to me how we should vote upon this specific $700,000,000 item to provide for a second three-year naval building program. It seems to me that the President of the United States had a perfect right to communicate by cable with his Secretary of the Navy. It would seem to me that the Secretary of the Navy would have a perfect right in turn to communicate the wishes, the thoughts, the sentiments at this critical time of the President of the United States to the chairman of the House Committee on Naval Affairs.

Perhaps it was entirely wise for that chairman to communicate the same to the membership of this House in order to induce a unanimity of report. But to save the life of me I can not see why any of these gentlemen, from the President down to the Members of this House, should put a scare out among us without giving us full information and the reasons for their conclusions. [Applause.]

Now, I have followed President Wilson in this House for six years, as you gentlemen all know, in season and out of season, when I understood him.

I am willing in this instance to do anything he asks me to do if he tells me or lets me know directly that in the present position of tremendous responsibility in which he is placed he needs my support in this connection. I would like to know what it is about. I happen to have 300,000 people who have selected me to do their voting here. They may not be the most important people to him in this world; they may not be the most important people to any of you gentlemen in this world; but they are the most important people to themselves and to me that there are upon this earth. [Applause.] I am willing to burden them, in common with the rest of the citizens of this Nation, no more and no less, to build the most splendid Navy that floats on the high seas if an exigency now exists or shall arise which, in the judgment of the splendid Executive of the people of the whole United States, makes it not requisite alone but indispensable and necessary to authorize it, and I would do that, subordinating my own individual judgment, if need be.

Primarily I believe in a Navy that rides the sea not by permission of any other nation on earth. [Applause.] I do not believe in asking the permission of any nation on earth how big a Navy we shall build. I do not believe that the rights of America should be allowed to be violated anywhere. I do not believe that a league of nations ought ever to be formed which is capable of becoming a Frankenstein monster of sufficient physical force in turn to compel the obedience of this Nation, and if I had the power to prevent it it would never be done. [Applause.] I am in favor of a league of nations founded on moral understanding of minds and spirit, but not founded on force. I would be willing to vote for this item if it had in it a proviso that such $700,000,000 additional three-year program should become obsolete if disarmament should be declared throughout the world as the result of the peace conference. But if we must vote for it before such peace treaty be finally ratified, I shall vote for the second three-year building program, because so long as I stay in Congress never by my vote or my action shall that proud flag that floats there ever be humiliated on account of our not being prepared to defend its glory and its honor wherever American interests and American pride and American honor dictate that it shall go. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield to the gentleman from New York [Mr. HICKS] 40 minutes.

Mr. HICKS. Mr. Chairman, I want to indorse the conclusions reached and support the arguments advanced by the gentleman from Michigan [Mr. KELLEY], and to echo his splendid sentiment in regard to the Navy of the United States. As he has taken up the present and future of the Navy, I desire in the time allotted me to speak of what the Navy has done in the great conflict just brought to a close.

Out of the mist and the snow of the morning of December 26 a great battle fleet entered the harbor of New York and in the majesty of its power steamed past the Statue of Liberty. It came as a messenger of a conflict won, a silent victory, but a triumph as complete and overwhelming as any ever won by the American Navy. We are too near the tragic events of the great struggle to write with accuracy and fullness the log of our Navy's brilliant achievements. The complete record of the valor, the heroism and sublime courage of the officers and men who manned those ships, and the unselfish spirit and devotion to duty of those whose fighting strength at home carried forward the organization which made victory possible, will come only through the perspective of the future. To-day we can but briefly appraise their gallant deeds, but we can and we do, in the name of the Republic, extend to them all our heartfelt thanks. For all time they have earned the gratitude of their country in maintaining the high principles for which our Republic entered the conflict, and for which they fought and died. The honor and the glory of the flag was safe in their hands.

In the words of Rudyard Kipling, "The Navy is very old and very wise. Much of her wisdom is on record and available for reference, but more of it works in the unconscious blood of those who serve her."

The magnitude of our Army and the dazzling record of its brilliant achievements may in some degree obscure the service rendered to our country and to its allies by the American Navy, but it must ever be remembered that our ships were a part of the great war forces which kept open the highways of the deep and made possible the final triumph of the allied armies. Had the command of the oceans slipped from our hands those armies would have languished and been beaten back for lack of support in men and material. Had the scepter of the seas passed to our foes, our own Army would never have inscribed on its banners the imperishable names of Cantigny, Belleau Wood, Chateau-Thierry, St. Mihiel, and the Argonne. The one essential and indisputable element of victory was the supremacy of the allied fleet. The New York Evening Post in commenting upon this feature refers to the late Admiral Mahan, the great naval theoretician and expert:

> Mahan, thou shouldst be living at this hour! The great naval theoretician, steeped in history and in fact, the American who first taught the English fully to know what their sea power had wrought, would surely have thrilled with satisfaction if he could have lived to see the amazing spectacle of to-day. A "fleet in being" has done its perfect work. With little actual fighting, its heavier ships having scarcely been engaged during the four years of war, there it has ridden at anchor on the north coast of Scotland. Apparently it was doing nothing. It looked as idle as painted ships upon a painted ocean. But in reality it was exerting irresistible and decisive power. * * * The grand fleet in harbor has exerted the indivisible compulsion across the North Sea which finally dragged the enemy vessels to the most impressive and astounding naval capitulation ever seen.

In order that Congress may judge of the work of the Navy, let me give, briefly, some interesting figures. Of the 2,079,800 men transported to France since April 7, 1917, 911,047 were taken over in United States transports and 40,499 in other American ships, or 46¼ per cent of the total carried. 48¼ per cent were conveyed in British ships and 5½ per cent in ships of other nations. Of the total strength of the naval escort guarding all those convoys 3⅛ per cent was furnished by France, 14⅛ by Great Britain, and 82¾ by the American Navy. A splendid testimonial to the efficiency of the convoy operations lies in the fact that not one of the eastbound American transports was torpedoed or damaged by the enemy, and only three sunk on the return voyage.

Utmost secrecy was imperative in the operation of this transport service. The fleets, often numbering as high as 30 ships, plowed through the perilous seas in utter darkness and in imminent danger of collision. Under the watchful care of the Bureau of Operations, the courses of these ships across the ocean and through the war zone were directed by the wireless from shore stations, where every movement of enemy submarines was charted and from whence flashed warnings and directions across the deep to the approaching ships. In this convoy work—arduous and exacting—all our destroyers, cruisers, and many of our older battleships were constantly engaged. As Secretary Daniels has truly said:

> The history of the convoy operations in which our naval forces have taken part, due to which we have been able so successfully to transport such a large number of our military forces abroad and so many supplies for the Army, is a chapter in itself. It is probably our major operation in this war, and will in the future stand as a monument to both the Army and the Navy as the greatest and most difficult troop transporting effort which has ever been conducted across seas.

There was nothing spectacular about this grinding duty. Winter and summer, by day and by night, in the fog and in the rain and the ice, it demanded constant vigilance, unceasing toil, and extreme endurance. The work of this hazardous service was endless and its hardships and dangers are barely realized. During the winter storms of the North Atlantic the maddened seas all but engulfed these tiny but staunch destroyers, when for days they breasted the fury of the gale and defied the very elements in their struggle for the mastery. No sleep then for the tired crew; no hot food; no dry clothes. Yet despite it all, with each hour perhaps the last, with death stalking through the staggering hulls, not a man—to the everlasting glory of the American Navy—not a man but felt himself especially favored in being assigned that duty.

Sir Eric Geddes during his recent visit paid this high compliment to our service:

> I know that you will appreciate what demands the present conditions of sea warfare impose upon this type of craft. They scour the seas, either hunting the submarine or keeping a careful watch over the valuable human lives, equipment, and transports intrusted to their care to escort. I have both traveled in and been escorted by American destroyers, and I know their high standard. They are an essential part of the fighting strength of the fleet, and, together with the

cruisers, they are the watchdogs of the allied trade and the terror of the U boat. It will convey some idea of the strain imposed upon the vessels and their crews when I tell you that each American destroyer in European waters steams between 4,000 and 5,000 miles a month. For hard work, constant vigilance, and almost perpetual discomfort, this record is hard to beat even in this great war of universal strain and hardship.

As an indication of the extent of the work done by our naval vessels in the war zone, let me submit the averages of miles steamed per month:

Destroyers	275,000
Mine sweepers	10,000
Mine layers	10,000
Battleships and submarines	90,000
Submarine chasers	121,000
Miscellaneous patrol craft	120,000

Or a total of 626,000 miles per month, and these figures do not include troopships, transports, cargo carriers, or merchant ships plying through the war zone.

During July and August, 1918, 3,444,012 tons of shipping were escorted to and from France by American escort vessels; of the above amount, 1,577,735 tons were escorted in and 1,864,677 tons were escorted out of French ports. Of the tonnage escorted into French ports during this time, only 16,988 tons, or 0.009 per cent, were lost through enemy action; and of the tonnage escorted out from French ports only 27,858 tons, or 0.013 per cent, were lost through the same cause. During the same period 259,604 American troops were escorted to France by United States escort vessels without the loss of a single man through enemy action.

On the day hostilities ceased we had in the service in the various branches, over 600,000 men and 9,600 yeowomen and 1,386 women nurses, divided as follows:

	Enlisted force.	Officers.	Totals.
Regular Navy	216,644	10,588	227,232
Reserves	286,826	23,137	309,963
Marine Corps	70,527	2,430	72,957
Coast Guard	5,727	678	6,405
Grand total	579,724	36,833	616,557

At the close of the war approximately 5,000 officers and 70,000 enlisted men were serving in our naval forces in Europe, a number exceeding our total naval strength before the war.

On the day war was declared 197 ships were in commission; at its close there were 2,003, of which 338 were in foreign waters. When Germany surrendered her fleet we had abroad 9 battleships—the *New York, Texas, Wyoming, Florida, Arkansas, Nevada, Utah, Arizona, Oklahoma*—and 74 destroyers.

As to the smaller craft of the fleet, the patrol of our harbors and bays, their work was ceaseless and under conditions the most trying; 713 scout patrol boats and 89 subchasers were attached to the eight naval districts on the East and Gulf coasts of the United States. No hope of enemy action, no chance for individual achievement against the foe inspired them in their daily task; their only incentive was in the conscious pride of a duty faithfully performed, and yet, without complaint at the lack of opportunity, they did their part and rendered invaluable service.

And what of the officers and men of the transport service and of the mercantile marine, the hardy mariners who drove their ships through the fog and the storm and the darkness of the death-infested ocean? At best, even in peace times, seamanship is a comfortless and a cheerless calling. But in war, to the ordinary perils of the sea are added unusual hardships, which reach their maximum in the dangers and terrors of the war zone—the attack without warning of the invisible foe, whose presence too frequently is known only by a terrific explosion which casts the hapless crew adrift on surging seas, leagues from a friendly shore. Think of the terrific strain under which these men performed their perilous tasks. Gun crews on continuous duty, ever ready with the shot that might save the ship; the men below in the engineer's force expecting every moment to receive the fatal blast which would entrap them in a hideous death; the watch, ceaseless in its vigil by day and by night, peering through the darkness and the mist, conscious that upon their alertness depended the lives of all. Yet under these conditions of unprecedented hardships each man performed his duty with the highest degree of courage and self-sacrifice. [Applause.]

Let me recite one of the many instances of the matchless courage of the men engaged in this hazardous service. Last September the *Mount Vernon*, with several hundred sick and wounded soldiers on board, was torpedoed when a short distance out from Brest. Thirty-six men of the engineer force met their death in the fire and steam and boiling water of the stokehole. With two compartments flooded, their comrades dead and dying, with a seeming certainty that the attack would continue, which would mean that every man in the compartment where the torpedo struck would be drowned or burned to death, yet despite it all when volunteers were called for, to man the still undamaged furnaces to keep up steam for the run back to port, every man of the force stepped forward and said he was ready to go below.

In aviation also the Navy won distinction, and well-merited praise can justly be bestowed upon the officers and men for their accomplishments in this dangerous service. During the war we established abroad 2 repair and assembly bases, 4 kite-balloon stations, 18 seaplane stations, 5 bombing-plane stations, and 3 dirigible stations, all manned with Navy personnel, which included 624 officers, 97 observers, and over 15,000 enlisted men.

And what shall we say of the marines, the intrepid soldiers of the sea, winning with the victorious American Army imperishable glory on the battle fields of France? We need say but little, for the world to-day acclaims their valor. For matchless courage and supreme bravery, with heroism which nothing could daunt, with dogged determination which nothing could overcome, with spirit which nothing could conquer, the record of the United States Marines, fighting with the equally brave and equally courageous soldiers of the American Army, is without parallel in the history of military achievements.

Without relief, without sleep, without food or water they held the lines in those grim days of the terrific onslaught of the German drive; held when to yield would have meant irretrievable disaster; held and saved Paris. Exhausted to the very limit of human endurance, with ranks decimated, fighting in American fashion and with American daring, they met attack after attack and charge after charge. They beat to its knees the invincible Prussian Guard, which had been thrown in to "show these amateurs how to fight"; then smashing forward, they hurled back, ever back, in disorder and defeat, the legions of the Imperial Army. In all the annals of war there is no story comparable with this.

But there are many who will never fight again. They will be mourned by fathers and mothers, sisters and wives, and they will be revered by the millions of Americans who will pay them homage everlasting. Every spot where American blood has been shed for American honor is hallowed ground, every deed a sacred memory, every grave a consecrated shrine. Belleau Wood and Chateau-Thierry are forever written on the pages of American history. With Lexington and New Orleans, with Gettysburg and Antietam and San Juan they will endure, imperishable monuments to the bravery and courage of American heroes, the vindication of democracy and the triumph of liberty and of righteousness.

Let me speak of other achievements of the Navy, accomplishments of incalculable assistance to our fighting forces and potent factors in the final triumph. To avert the submarine menace and prevent the destruction of tankers carrying oil to the allied fleets in the North Sea a great pipe line was constructed across Scotland, thus reducing both the danger and distance of supplying the ships with fuel. This project, so startling to our British cousins, was carried forward to completion with the same energy and quiet determination that characterized every undertaking to which the Navy set its hand.

Over 56,000 American mines were laid in strategical areas in European waters, the personnel engaged in these activities alone calling for 6,700 men, a dangerous occupation and one fraught with trying hardships and ceaseless toil. But the work of supreme magnitude and importance was the laying of a great mine barrage, 25 miles wide and 230 miles in length, from Scotland to Norway, across the deep waters of the North Sea. This daring project had its inception in the Bureau of Ordnance in April, 1917, and called for the planting of upward of 70,000 mines from the surface to distances of 250 to 300 feet below the surface. Owing to the great depths between coasts, in places exceeding 800 feet, a special type of mine had to be devised. This undertaking was carried forward by our Navy working in conjunction with the British fleet, 80 per cent of which was performed by our men, and while the work was only completed a few days before the termination of the war, from reports received it is evident that at least 10 German submarines met their doom in this network of mines.

To the achievements of the Navy, in erecting great training camps, destroyer and aviation bases, hospital units, in training thousands of men for oversea duty, the arming of merchant ships, the building of a vast fleet of smaller vessels, the construction of great warehouses, the manufacture of heavy guns and their mounts, the production of powder, and the purchasing of enormous quantities of supplies, must be added the most

spectacular achievement of all—the repair of interned German ships. When these vessels, many of them of the largest type of trans-Atlantic liners, were taken over by our Government it was found that the machinery of several had been seriously damaged by the maliciously planned and carefully executed sabotage of the crews. The principal injury was to the cylinders and other parts of the engines, and, as these passenger ships were potent factors in the transportation of troops, their immediate repair was a vital necessity. To resort to the usual practice of casting new cylinders would have involved too great a loss of time. Nothing daunted by the magnitude of the task, our Navy undertook the repair of these broken cylinders by employing the system of electric welding, and so successfully was this work accomplished that during all the months of service in which these vessels have been engaged, not a single defective weld has developed. All honor to the officers who risked their professional reputations and carried forward to complete success an accomplishment which expert engine manufacturers considered impossible. To the notations left by the Germans on many of the broken cylinders, "Can not be repaired," the genius of American experts and the skill of American mechanics gave the answer, "It will be and it has been done."

Let me speak, too, of the great railway battery of 14-inch Navy guns, manned exclusively by bluejackets. These huge guns, built originally for our new battle cruisers, were mounted on great railway trucks. Each gun had a complement of 12 specially constructed cars for the operation of the battery and the maintenance of its crew. There were armored ammunition cars and machine-shop cars, barrack, kitchen, crane, and radio cars, making the battery independent of any permanent artillery base. With a range of 30 miles, these guns were the most powerful of any on the line and did splendid execution in the closing days of the conflict.

The Navy gave not alone of its strength and its skill and its blood but of its substance as well, for in the last two liberty loans the men in the Navy, Marine Corps, and Coast Guard subscribed for over $66,000,000 of bonds.

When we speak of the Navy we speak, too, of the Coast Guard, for upon the declaration of war this important branch of the service, with all its personnel and equipment, came under the jurisdiction of the Navy Department, and the record made since then is most commendable. The service was at once placed upon a war basis, additional men were enlisted, vessels equipped, stations brought up to the highest degree of efficiency, and the lines of coastal communication extended. In every way in which service could be rendered in the prosecution of the war this branch of our fighting force performed its duty fully and effectively. By their self-sacrificing devotion to a hazardous calling the officers and men of this service merit the highest praise. Their bravery and their unflinching response to duty in times of disaster endows their perilous vocation with the noblest attributes of humanity—the saving of lives and ministering to those in distress.

On November 21 five American dreadnaughts were in that far-flung double line of allied ships through which passed in surrender the dreadnaughts, cruisers, and destroyers of the second most powerful navy in the world. When Admiral Beatty set his famous signal, "The German flag is to be hauled down at 3.57 and is not to be hoisted again without permission," the work of our Navy as a battle unit in the war zone was over. Too high a tribute can not be paid the officers and men of our Navy who faced the dangers of war and the perils of the sea with exalted courage and unfaltering determination. Their loyalty and patriotism have never been questioned, their valor and heroism never doubted. By their deeds they have added new luster to the glorious annals of the American Navy.

Let me quote the noble words of the great commander in chief of our American Army in France, Gen. Pershing, who last June sent this message to our naval forces:

> Permit me to send to the force commander, the officers, and men of the American Navy in European waters, the most cordial greetings of the American Expeditionary Force. The bond which joins together all men of American blood has been mightily strengthened and deepened by the rough hand of war.
>
> Those of us who are privileged to serve in the Army and Navy are to one another as brothers. Spaces of land and sea are nothing where a common purpose binds. We are so dependent upon one another that the honor, the fame, the exploits of the one are the honor, the fame, the exploits of the other. If the enemy should dare to leave his safe harbor and set his ships in battle array no cheers would be more ringing, as you and our allied fleets moved to meet him, than those of the American Expeditionary Forces in France. We have unshaken confidence in you and are assured that when we stand on the threshold of peace your record will be one worthy of your traditions.

No one appreciated more highly the efficient work done by our Navy than did Sir Eric Geddes, of the British Admiralty, who last October paid this tribute to our sea forces:

> I venture the opinion that when the history of this war is written there will be no more glorious page in that history than the one which tells of the work done, the dangers faced, and the privations endured by your Navy in common with the navies of your cobelligerents, and there will be no greater manifestation of the overwhelming importance of sea power in a fight such as this has been. In that manifestation the great American Navy has played a highly honorable and increasingly important part.

Let us not forget the mighty work of those in the departments, in the naval districts, in office and shop and warehouse, whose efforts were as untiring as their success was complete. From the humblest yeowoman upward to the Secretary, through the bureaus and their chiefs, all were animated by the same spirit of energy, of foresight, and determination to place the fleet on the highest basis of efficiency and strength. The phrase "The Navy of the United States" has a significance apart and above simply a designation of one branch of our military service. That phrase, invoking the romance of the pathless seas and the daring exploits of our seamen, appeals to our chivalry and our pride. It visualizes the traditions and the deeds of yesterday and brings to life the heroes who once trod the decks of our frigates. It opens the book of history to the brightest page of our achievements and links the accomplishments of the past with the glory of the present and the confidence of the future. It means more than crews and ships, more than power of shell and might of steel; it connotes the will and the purpose of the Republic itself and carries us forward to a nobler conception of national life. It epitomizes the spirit of America, and binds us to a closer and more resolute union. It quickens our consciousness as a member of the great family of nations and prompts us as one of the trustees of civilization to a higher duty in the solution and adjustment of world problems. It is the symbol, not only of daring but of sacrifice, not only of courage but of constructive endeavor, constant in purpose and steadfast to the end. As Secretary Daniels has so eloquently said:

> Nations and people, too, that knew of the Navy of the United States only by hearsay or random incident know it now as the organized will of a free people, prompt to heed the call of right against might, tireless in effort, fertile in resource, happy in cooperation, and unyielding till the ultimate goal be won.

[Applause.]

United States Navy, Nov. 1, 1918.

BATTLESHIPS—SINGLE CALIBER.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement (normal).	Speed.	Battery.				Men.	Marines.
							Guns.			Torpedo tubes submerged.		
							Turret.	Secondary.	Antiaircraft.			
		Feet.	*Ft. in.*	*Ft. in.*	*Tons.*	*Knots.*						
Arizona	1916	608	97 0½	28 10	31,400	[1] 21	12 14", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Arkansas[2]	1912	562	93 2½	28 6	26,000	21	12 12", 50 cal.	16 5", 51 cal.	2 3", 50 cal.	2 21"	1400	72
California	49 per cent completed	624	97 3½	30 3	32,300	[1] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Colorado[4]	7 per cent completed	624	97 3½	30 6	32,600	[1] 21	8 16", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Delaware	1910	518	85 2½	26 11	20,000	21½	10 12", 45 cal.	14 5", 51 cal.	2 3", 50 cal.	2 21"	1200	64
Florida[2]	1911	521	88 2½	28 6	21,825	22	10 12", 45 cal.	12 5", 51 cal.	4 3", 50 cal.	2 21"	1200	64
Idaho	Completed	624	97 4½	30 0	32,000	[1] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1400	75
Maryland[3]	39 per cent completed	624	97 3½	30 6	32,600	[1] 21	8 16", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Michigan	1910	452	80 2½	24 6	16,000	18½	8 12", 45 cal.	14 3", 50 cal.	2 3", 50 cal.	2 21½	1000	56
Mississippi	1917	624	97 4½	30 0	32,000	[1] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1400	75
Nevada	1916	583	95 2½	28 6	27,500	20½	10 14", 45 cal.	12 5", 51 cal.	2 3", 50 cal.	2 21"	1400	75
New Mexico[3 4]	1918	624	97 4½	30 0	32,000	[1] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1360	75
New York[2]	1914	573	95 2½	28 6	27,000	21½	10 14", 45 cal.	16 5", 51 cal.	2 3", 50 cal.	4 21"	1350	72
North Dakota	1910	518	85 2½	26 11	20,000	21	10 12", 45 cal.	14 5", 51 cal.	2 3", 50 cal.	2 21"	1100	64

[1] Estimated speed. [2] Fitted as a flagship. [3] In 1916 three-year program. [4] Formerly named California.

United States Navy, Nov. 1, 1918—Continued.

BATTLESHIPS—SINGLE CALIBER—continued.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement (normal).	Speed.	Battery. Guns. Turret.	Secondary.	Antiaircraft.	Torpedo tubes submerged.	Men.	Marines.
		Feet.	*Ft. in.*	*Ft. in.*	*Tons.*	*Knots.*						
Oklahoma	1916	583	95 2½	28 6	27,500	20½	10 14", 45 cal.	12 5", 51 cal.	2 3", 50 cal.	2 21"	1430	75
Pennsylvania [1]	1916	608	97 0½	28 10	31,400	21	12 14", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1350	75
South Carolina	1910	452	80 2½	24 6	16,000	19	8 12", 45 cal.	14 3", 50 cal.	2 3", 50 cal.	2 21"	1200	56
Tennessee	52 per cent completed.	624	97 3½	30 3	32,300	[2] 21	12 14", 50 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Texas [1]	1914	573	95 2½	28 6	27,000	21	10 14", 45 cal.	16 5", 51 cal.	2 3", 50 cal.	4 21"	1417	72
Utah [1]	1911	521	88 2½	28 6	21,825	21	10 12", 45 cal.	12 5", 51 cal.	2 3", 50 cal.	2 21"	1200	64
Washington [3]	5 per cent completed.	624	97 3½	30 6	32,600	[2] 21	8 15", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
West Virginia [3]	19 per cent completed.	624	97 3½	30 6	32,600	[2] 21	8 16", 45 cal.	14 5", 51 cal.	4 3", 50 cal.	2 21"	1430	75
Wyoming [1]	1912	562	93 2½	28 6	26,000	21	12 12", 50 cal.	16 5", 51 cal.	2 3", 50 cal.	2 21"	1375	72
South Dakota [3]	0 per cent completed.	684	101 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
North Carolina [3]		684	101 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Montana [3]		684	101 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Indiana (new) [3]		684	101 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Massachusetts (new) [3]		684	101 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Iowa (new) [3]		684	101 9	33 0	43,200	[2] 23	12 16", 50 cal.	16 6", 53 cal.	4 3", 50 cal.	2 21"	[4]	[4]
Total normal displacement					889,650							

[1] Fitted as a flagship. [2] Estimated speed. [3] In 1916 three-year program. [4] Not determined.

The last three ships on list, Indiana, Massachusetts, Iowa, not officially named.

BATTLESHIPS—MIXED CALIBER.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement (normal).	Speed.	Battery. Turret.	Secondary.	Antiaircraft.	Men.	Marines.
		Feet.	*Ft. in.*	*Ft. in.*	*Tons.*	*Knots.*					
Alabama	1900	374	72 2½	23 6	11,552	17.01	4 13", 35 cal.	8 6", 40 cal.	2 3", 50 cal.	759	56
Connecticut	1906	456	76 10	24 6	16,000	18.78	{4 12", 45 cal. / [1] 8 8", 45 cal.}	12 3", 50 cal.	2 3", 50 cal.	1151	64
Georgia	1906	441	76 2½	23 9	14,948	19.26	{4 12", 40 cal. / [1] 8 8", 45 cal.}	{8 3", 50 cal. / 4 3", 50 cal.}	2 3", 50 cal.	955	64
Illinois	1901	375	72 2½	23 6	11,552	17.45	4 13", 35 cal.	8 6", 40 cal.	2 3", 50 cal.	732	56
Indiana	1895	351	69 3	24 0	10,288	15.55	{4 13", 35 cal. / 8 8", 35 cal.}	4 3", 50 cal.		725	56
Iowa	1897	362	72 2½	24 0	11,346	17.09	{4 12", 35 cal. / 8 8", 35 cal.}	4 4", 40 cal.		760	56
Kansas	1907	456	76 10	24 6	16,000	18.03	{4 12", 45 cal. / 8 8", 45 cal.}	12 3", 50 cal.	2 3", 50 cal.	1180	64
Kearsarge	1900	375	72 2½	23 6	11,520	16.82	{4 13", 35 cal. / [1] 4 8", 35 cal.}	8 5", 40 cal.	2 3", 50 cal.	767	56
Kentucky	1900	375	72 2½	23 6	11,520	16.9	{4 13", 35 cal. / [1] 4 8", 35 cal.}	8 5", 40 cal.	2 3", 50 cal.	767	53
Louisiana	1906	456	76 10	24 6	16,000	18.82	{4 12", 45 cal. / 8 8", 45 cal.}	12 3", 50 cal.	2 3", 50 cal.	1152	64
Maine	1902	394	72 2½	23 10	12,500	18.0	4 12", 40 cal.	8 6", 50 cal.	2 3", 50 cal.	830	56
Massachusetts	1895	351	69 3	24 0	10,283	16.21	{4 13", 35 cal. / 8 8", 35 cal.}	4 3", 50 cal.		725	56
Minnesota	1907	456	76 10	24 6	16,000	18.85	{4 12", 45 cal. / 8 8", 45 cal.}	12 3", 50 cal.	2 3", 50 cal.	1170	64
Missouri	1903	394	72 2½	23 11	12,500	18.15	4 12", 40 cal.	8 6", 50 cal.	2 3", 50 cal.	968	53
Nebraska	1907	441	76 2½	23 9	14,948	19.06	{4 12", 40 cal. / [1] 8 8", 45 cal.}	8 3", 50 cal.	2 3", 50 cal.	955	64
New Hampshire	1908	456	76 10	24 6	16,000	18.16	{4 12", 45 cal. / 8 8", 45 cal.}	12 3", 50 cal.	2 3", 50 cal.	1191	64
New Jersey	1906	441	76 2½	23 9	14,948	19.18	{4 12", 40 cal. / [1] 8 8", 45 cal.}	8 3", 50 cal.	2 3", 50 cal.	955	64
Ohio	1904	394	72 2½	23 7	12,500	17.82	4 12", 40 cal.	8 6", 50 cal.	2 3", 50 cal.	830	56
Oregon	1896	351	69 3	24 0	10,288	16.79	{4 13", 35 cal. / 8 8", 45 cal.}	4 3", 50 cal.		725	56
Rhode Island	1906	441	76 2½	23 9	14,948	19.01	{4 12", 40 cal. / [1] 8 8", 45 cal.}	12 3", 50 cal.	2 3", 50 cal.	989	64
Vermont	1907	455	76 10	24 6	16,000	18.33	{4 12", 45 cal. / 8 8", 45 cal.}	8 3", 50 cal.	2 3", 50 cal.	1191	64
Virginia	1906	441	76 2½	23 9	14,948	19.01	{4 12", 40 cal. / [1] 8 8", 45 cal.}		2 3", 50 cal.	989	64
Wisconsin	1901	374	72 2½	23 6	11,552	17.17	4 13", 35 cal.	8 6", 40 cal.	2 3", 50 cal.	705	56

[1] Four 8" guns in superposed turrets.

BATTLE CRUISERS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement (normal).	Speed.	Battery. Guns. Turret.	Secondary.	Antiaircraft.	Torpedo tubes. Submerged.	Above water.	Men.	Marines.
		Feet.	*Feet.*	*Ft. in.*	*Tons.*	*Knots.*							
Constellation	0 per cent completed.	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	[2]	[2]
Constitution	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	[2]	[2]
Lexington	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	[2]	[2]
Ranger	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	[2]	[2]
Saratoga	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	[2]	[2]
No. 6 (not named)	do	874	90	31 3	35,236	[1] 35	8 16", 50 cal.	14 6", 53 cal.	4 3"	4 21"	4 21"	[2]	[2]

[1] Estimated. [2] Not determined.

All these ships in 1916 three-year program.

United States Navy, Nov. 1, 1918—Continued.

ARMORED CRUISERS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Battery.			Men.	Marines.
							Turret.	Secondary.	Submerged torpedo tubes.		
		Feet.	*Ft. in.*	*Feet.*	*Tons.*	*Knots.*					
Frederick[1]	1905	503	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal. 10 3", 50 cal.	2 18"	979	64
Huntington[2]	1905	503	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal. 10 3", 50 cal.	2 18"	979	64
Montana	1908	504	72 10½	27	16,000	22½	4 10", 40 cal.	4 6", 50 cal. 12 3", 50 cal.	4 21"	1000	64
North Carolina	1908	504	72 10½	27	16,000	22	4 10", 40 cal.	4 6", 50 cal. 12 3", 50 cal.	4 21"	1000	64
Pittsburgh[3]	1905	504	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal. 10 3", 50 cal.	2 18"	979	64
Pueblo[4]	1905	504	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal. 10 3", 50 cal.	2 18"	979	64
South Dakota	1908	504	69 6½	26	15,000	22½	4 8", 45 cal.	4 6", 50 cal. 10 3", 50 cal.	2 18"	979	64
Seattle[5]	1905	504	72 10½	27	16,000	22½	4 10", 40 cal.	4 6", 50 cal. 12 3", 50 cal.	4 21"	1000	64

[1] Formerly Maryland. [2] Formerly West Virginia. [3] Formerly Pennsylvania. [4] Formerly Colorado. [5] Formerly Washington.

Memphis and San Diego lost. Each armored cruiser has also 2 3", 50 cal. A. A.

CRUISERS, FIRST CLASS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Battery.		Men.	Marines.
							Main.	Secondary.		
		Feet.	*Ft. in.*	*Feet.*	*Tons.*	*Knots.*				
Brooklyn	1896	402	64 8	26½	10,000	21¾	8 8", 35 cal.	8 5", 40 cal.	544	61
Charleston	1905	426	66 0	24¾	10,800	22	12 6", 50 cal.	4 3", 50 cal.	681	48
Rochester	1893	384	64 10	26½	8,900	21	4 8", 45 cal.	10 5", 50 cal.	517	40
St. Louis	1906	426	66 0	24¾	9,700	22	12 6", 50 cal.	4 3", 50 cal.	681	48

Milwaukee lost. Each ship has also 2 3", 50 cal. A. A.

SCOUT CRUISERS, SECOND CLASS.

[10 in number, all of same size, design, and equipment.]

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Main battery.	Torpedo tubes (deck).	Men.	Marines.
		Feet.	*Feet.*	*Feet.*	*Tons.*	*Knots.*				
No. 4–13	.....	555	55	14½	7,600	35	8 6", 53 cal.	2 21" twin	300	.....

Percentage completed: No. 4, 32.4; No. 5, 21.5; No. 6, 17; Nos. 9 and 10, 8; Nos. 7, 8, 11, 12, and 13, 0.
All these ships in 1916 three-year program. Each ship has 2 3", 50 cal. A. A.

CRUISERS—SECOND CLASS.

Name	Commissioned.	Length.	Beam.	Displacement.	Draft.	Speed.	Battery.	Men.	Marines.
		Feet.	*Ft. in.*	*Tons.*	*Ft. in.*	*Knots.*			
Chicago	1889	342	48 2½	4,500	19 0	18	4 5", 51 cal.	382	.....
Columbia	1894	413	58 2	8,270	24 6	22¾	3 6", 45 cal.; 4 4", 40 cal.	411	18
Minneapolis	1894	413	58 2	8,270	24 6	23	3 6", 45 cal.; 4 4", 40 cal.	438	.....
Olympia	1895	344	53 0½	6,558	25 0	21½	10 5", 51 cal.	391	.....

CRUISERS—THIRD CLASS.

Name.	Commissioned.	Length.	Beam.	Displacement.	Draft aft.	Speed.	Battery.		Torpedo tubes above water.	Men.	Marines.
							Main.	Secondary.			
		Feet.	*Feet.*	*Tons.*	*Ft. in.*	*Knots.*					
Albany	1900	354	43	3,954	19 1	20½	8 5", 50 cal.			303	.....
Anniston	1894	269	37	2,212	16 3	19	8 4", 40 cal.	4 3-pdr.		245	.....
Birmingham	1908	423	47	4,687	18 9	24	4 5", 51 cal.	2 3", 50 cal.	2 21"	362	18
Chattanooga	1904	308	44	3,514	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	.....
Chester	1908	423	47	4,687	18 9	26½	4 5", 51 cal.	3 3", 50 cal.	2 21"	362	.....
Cincinnati	1894	306	42	3,339	19 6	19½	9 5", 40 cal.	4 6-pdr.		259	38
Cleveland	1903	308	44	3,514	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	.....
Denver	1904	308	44	3,514	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	39
Des Moines	1904	309	44	3,514	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	19
Galveston	1905	308	44	3,514	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	38
Marblehead	1894	269	37	2,212	16 3	18½	8 4", 40 cal.			241	.....
New Orleans	1898	354	43	3,954	19 1	20	8 5", 50 cal.	2 1-pdr.		303	.....
Raleigh	1894	305	42	3,339	19 6	21	9 5", 40 cal.	4 6-pdr.		262	.....
Salem	1908	423	47	4,687	18 9	26	4 5", 51 cal.	3 3", 50 cal.	2 21"	362	.....
Tacoma	1904	308	44	3,514	17 0	16½	8 5", 50 cal.	6 6-pdr.		279	.....

United States Navy, Nov. 1, 1918—Continued.

MONITORS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Battery.		Men.
							Turret.	Secondary.	
		Feet.	*Feet.*	*Ft. in.*	*Tons.*	*Knots.*			
Amphitrite	1895	262	55	14 6	3,990	10.5	4 10", 30 cal...	2 4", 40 cal.; 2 3-pdr.; 2 1-pdr.	211
Cheyenne[1]	1902	255	50	12 6	3,230	11.8	2 12", 40 cal...	4 4", 50 cal.; 2 6-pdr.; 2 1-pdr.	209
Monadnock	1896	262	55	14 6	3,990	11.63	4 10", 30 cal...	2 4", 40 cal.; 4 6-pdr.; 2 1-pdr.	217
Monterey	1893	260	59	14 10	4,084	13.6	2 10", 30 cal.; 2 12", 35 cal.	6 6-pdr.; 1 1-pdr.	217
Ozark[2]	1902	255	50	12 6	3,215	12.03	2 12", 40 cal...	4 4", 50 cal.; 2 6-pdr.; 2 1-pdr.	209
Tallahassee[3]	1903	255	50	12 6	3,225	12.4	2 12", 40 cal...	4 4", 50 cal.; 2 6-pdr.	209
Tonopah[4]	1903	255	50	12 6	3,250	13.04	2 12", 40 cal...	4 4", 50 cal.; 2 6-pdr.; 2 1-pdr.	209

[1] Formerly Wyoming. [2] Formerly Arkansas. [3] Formerly Florida. [4] Formerly Nevada.

The Cheyenne, Ozark, Tallahassee, and Tonopah have 1 3", 50 cal. A. A.

SPECIAL TYPE.

Name.	Commissioned.	Duty.	Length.	Beam.	Draft.	Displacement.	Battery.	Men.
			Ft. in.	*Ft. in.*	*Ft. in.*	*Tons.*		
Aroostook	1917	Mine planter	395 0	52 2	16 0	3,800	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	293
Baltimore	1890	.....do	335 0	48 7½	19 6	4,413	4 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	291
Black Hawk	1918	Mine force repair ship	420 2½	53 9	28 5	13,500	4 5", 51 cal.; 2 machine	421
Canandaigua	1918	Mine planter	405 1	48 3	22 6	7,620	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	350
Canonicus	1918	.....do	405 1	48 3	22 6	7,620	.....do	350
Housatonic	1918	.....do	405 1	48 3	22 6	7,620	.....do	350
Quinnebaug	1918	.....do	375 0	42 0	18 6	5,150	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	329
Roanoke	1918	.....do	405 1	48 3	22 6	7,620	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	350
San Francisco	1890	.....do	324 6	49 2	18 9	4,083	4 5", 51 cal.; 2 1-pdr.; 2 machine.	301
Saranac	1917	.....do	375 0	42 0	18 6	5,150	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	329
Shawmut	1917	.....do	395 0	52 2	16 0	3,800	1 5", 51 cal.; 2 3", 50 cal. A. A.; 2 machine.	293
Vestal	1909	Repair ship	465 9	60 0	26 0	12,585	4 5", 50 cal	273
Vesuvius	1890	Torpedo practice	252 4	26 6½	10 7	930	1 3", 50 cal	32
Number 1		Building, 48 per cent complete.	482 9½	60 10⅜	20 11	10,600	4 5", 51 cal.; 4 3", 50 cal. A. A.	193
Number 2		Building, 5.5 per cent complete.	482 9½	60 10⅜	20 11	10,600	.....do	193
Number 3 (repair ship)		Building, 0 per cent complete.		67 6	18 6	10,000	.....do	

Nos. 1 and 2 are ammunition ships.

SUPPLY SHIPS.

Name.	Commissioned.	Length.	Beam.	Draft.	Displacement.	Speed.	Battery.	Men.
		Ft. in.	*Ft. in.*	*Ft. in.*	*Tons.*	*Knots.*		
Bridge	1917	422 11	55 2½	20 8	8,500	14.0	4 5", 50 cal.; 1 machine	150
Celtic	1898	383 1	44 7	21 0	6,750	10.5	4 3", 50 cal.; 1 3", 50 cal. A. A.	157
Culgoa	1898	346 4	43 0	21 9	6,000	13.25	4 3", 50 cal	165
Glacier	1898	388 7	46 1	25 4	8,325	12.3	1 5", 51 cal.; 2 3", 50 cal	103
Supply	1902	355 8	43 4	19 5	4,325	9.66	6 6-pdrs.; 4 1-pdr	152

Dimensions, etc., of destroyers built and under construction.
[There is some variation in type.]

Length.	Beam.	Draft.	Displacement.	Cost, approximate.	Speed.	Battery.	Men.
Feet. 314	*Feet.* 31	*Feet.* 9	*Tons.* 1,270	$2,000,000	*Knots.* 35	Guns: 4 4" 50 cal., 2 3" 23 cal. Torpedo tubes: 4 21" triple deck tubes.	114

Dimensions of "Eagle" patrol vessels.

Length.	Beam.	Draft.	Displacement.	Speed.	Battery.	Men.
Feet. 200	*Feet.* 25½	*Feet.* 8½	*Tons.* 200	*Knots.* 18	Guns: 2 4" 50 cal., 1 3" 50 cal. 1 Y depth-bomb projector. 2 machine guns.	44

Dimensions of "S" type submarines.
[They differ somewhat in design.]

Length.	Beam.	Draft.	Displacement.	Cost, approximate.	Speed.		Battery.	Men.
					Surface.	Submerged.		
Feet. 231	*Feet.* 21	*Feet.* 13	*Tons.* 860	$1,300,000	*Knots.* 15	*Knots.* 12	1 4" gun; 4 tubes with 10 21" torpedoes.	34

Naval hospitals in operation on Nov. 11, 1918.

PERMANENT HOSPITALS.

(Including temporary additions.)

	Beds.
Portsmouth, N. H	157
Chelsea, Mass	825
Newport, R. I	758
New York, N. Y	1,315

Naval hospitals in operation on Nov. 11, 1918—Continued.

	Beds.
Philadelphia, Pa	704
Washington, D. C	177
Annapolis, Md	343
Norfolk, Va	1,499
Paris Island, S. C	151
Pensacola, Fla	237
New Orleans, La	209
Great Lakes, Ill	2,265
Fort Lyon, Colo	526
Mare Island, Cal	834
Puget Sound, Wash	241
Pearl Harbor, Hawaii	40
Canacao, P. I	185
Olongapo, P. I	105
Guam, P. I	31
Yokohama, Japan	99
St. Thomas, Virgin Islands	29
Key West, Fla	223
Total	10,953

TEMPORARY HOSPITALS.

League Island, Pa	254
Charleston, S. C	360
Hampton Roads, Va	645
Gulfport, Miss	168
Cape May, N. J	98
Pelham Bay Park, N. Y	750
New London, Conn	223
San Diego, Cal	500
Quantico, Va	301
Total	3,299

HOSPITAL SHIPS.

Name.	Commissioned.	Length.	Beds.
Comfort	1918	429	315
Mercy	1918	429	315
Solace	1898	377	250
Hospital ship No. 1 (building)	.....	483	.....

AMBULANCE BOATS.

Adrian	1918	125	None.
Seagate	1918	122	None.
Southport	1918	125	None.

QUARANTINE SHIP.

Newark	.....	311	(?)

FLOATING DISPENSARY.

Name.	Commissioned.	Length.	Beds.
Repose	.....	299	(?)

FOR POSSIBLE CONVERSION TO HOSPITAL-SHIP PURPOSES.

U. S. S. *Boston*.
Boston floating hospital.

FOREIGN TEMPORARY HOSPITALS.

	Beds.
United States Naval Base Hospital No. 1, with the marines in France (Brest)	500
United States Naval Base Hospital No. 2, Strathpeffer, Scotland	701
United States Naval Base Hospital No. 3, Leith, Scotland	800
United States Naval Base Hospital No. 4, Queenstown, Ireland	243
United States Naval Base Hospital No. 5, Brest, France	700
United States naval hospital, L'Oriente, France	75
United States naval hospital, Pauillac, France	100
United States naval hospital, London, England	75

FOREIGN TEMPORARY HOSPITALS—continued.

	Beds.
United States naval hospital, Gibraltar	75
United States naval hospital, Cardiff, Wales	75
United States naval hospital, Plymouth, England	75
United States naval hospital, Genoa, Italy	50
United States naval hospital, Corfu, Greece	100
Total	3,569
Total capacity	18,701

Navy killed and wounded in the war.

	Officers.		Enlisted force.	
	Killed.	Wounded.	Killed.	Wounded.
Navy	134	88	1,386	623
Marine Corps	55	208	1,587	8,942
Coast Guard	12	.....	121	.....
Total	201	296	3,094	9,565

The Medical Department personnel assigned to take care of the sick and wounded of this force consists of 3,018 medical officers, 485 dental officers, 1,386 nurses, and 15,294 Hospital Corps men, appointed, enlisted, or enrolled either in the regular service or in the various reserve corps.

Summary of vessels in the United States Navy, Nov. 1, 1918.

Type.	Fit for service, including those under repair.		Under construction.		Authorized but not yet placed.		Total.	
	Number.	Displacement.	Number.	Displacement.	Number.	Displacement.	Number.	Displacement.
		Tons.		*Tons.*		*Tons.*		*Tons.*
Battleships, single caliber	16	403,450	11	399,800	2	86,400	29	889,650
Battleships, mixed caliber	23	308,146	.....	.....	.....	.....	23	308,146
Battle cruisers	.....	.....	6	211,800	.....	.....	6	211,800
Armored cruisers	8	111,900	.....	.....	.....	.....	8	111,900
Monitors	7	24,964	.....	.....	.....	.....	7	24,964
Cruisers, first class	4	36,765	.....	.....	.....	.....	4	36,765
Cruisers, second class	4	25,065	10	71,000	.....	.....	14	96,065
Cruisers, third class	15	47,820	.....	.....	.....	.....	15	47,820
Destroyers	92	93,786	238	286,676	12	14,580	[1]342	395,042
Coast torpedo vessels	15	6,275	.....	.....	.....	.....	15	6,275
Torpedo boats	17	3,146	.....	.....	.....	.....	17	3,146
Submarines	79	29,886	[2]93	73,084	9	(3)	181	[2]102,970
Tenders	17	98,860	.....	.....	3	31,200	20	130,060
Gunboats	37	34,410	2	3,150	.....	.....	39	37,560
Mine sweepers	14	13,300	[4]40	38,000	.....	.....	[4]54	51,300
Patrol vessels	2	1,000	[5]98	49,000	.....	.....	[5]100	50,000
Submarine chasers	300	19,500	[6]42	2,730	.....	.....	[6]342	22,230
Converted yachts	12	8,711	.....	.....	.....	.....	12	8,711
Transports	5	57,295	.....	.....	1	10,000	6	67,295
Supply ships	5	33,900	.....	.....	.....	.....	5	33,900
Hospital ships	6	34,097	1	9,800	.....	.....	7	43,897
Fuel ships	21	248,989	3	44,400	.....	.....	24	293,389
Special service	13	83,891	2	21,200	1	10,000	16	115,091
Tugs	50	22,572	81	36,350	.....	.....	131	58,922
Unserviceable for war purposes	15	43,356	.....	.....	.....	.....	15	43,356
Total	777	1,791,084	627	1,246,990	28	[1]152,180	1,432	[1]3,190,254

[1] On Feb. 1, 1919, destroyers in service, 112; building and authorized, 224.
[2] Fourteen of these have since been canceled. On Feb. 1, 1919, submarines in service; 85; building and authorized, 82.
[3] Does not include displacement of 9 fleet submarines.
[4] Five of these have since been canceled.
[5] Forty of these have since been canceled.
[6] Six of these have since been canceled.

Relative standing of the navies of the world in 1917.

[Furnished by the Office of Naval Intelligence, Navy Department.]

	Great Britain.		Germany.		United States.		France.		Japan.		Russia.		Italy.		Austria-Hungary.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.
Battleships	57	1,137,150	38	682,349	32	695,098	19	355,735	12	227,297	14	250,009	12	195,200	11	138,501
Battle cruisers	11	243,500	5	115,162	.....	.....	.....	.....	4	110,000	.....	.....	.....	.....	.....	.....
Cruisers	23	(?)209,950	35	153,749	9	125,580	5	26,344	13	138,483	16	102,895	5	44,578	2	13,600
Light cruisers	(?)90	(?)410,235	.....	.....	14	66,410	.....	.....	10	43,210	.....	.....	10	22,272	6	18,700
Coast defense	35	83,610	.....	.....	4	12,900	1	8,800	.....	.....	.....	.....	.....	.....	3	24,900
Destroyers	226	192,361	137	86,666	49	43,471	75	38,130	53	25,968	113	89,010	30	15,572	23	12,978
Torpedo boats	66	10,083	.....	.....	6	2,128	94	94,140	19	2,384	.....	.....	90	13,367	62	12,420
Submarines	172	28,635	47	20,314	39	14,430	59	24,820	16	3,414	49	20,437	21	5,449	25	4,598
Total	680	2,375,564	262	1,058,240	153	860,017	270	642,386	127	550,756	192	462,351	168	396,738	132	225,697

Relative standing of the navies of the world in 1917—Continued.

	Great Britain.		Germany.		United States.		France.		Japan.		Russia.		Italy.		Austria-Hungary.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.
BUILDING AND PROJECTED.																
Battleships	2	53,250	1	19,192	9	288,000	5 [1] 4	124,150 116,000	4	(?)123,800	1	27,000	4	120,000	4	96,452
Battle cruisers	1	17,500	2	54,000	[1] 4	128,000										
Cruisers	3	13,100	(2)		4	30,000			3	11,337	[1] 4	130,000			6	19,950
Light cruisers			(2)								2	16,000	7	12,420		
Coast-defense vessels			(2)										2	(?) 7,480		
Torpedo-boat destroyers	50	(?) 50,000	(2)		29	32,053	7	8,300	9	9,100	9	11,970	10	7,700		
Submarines	19	28,000	(2)		36	22,005	25	(2)	6	3,200	(2)		42	20,451		
Total	75	161,850	3	73,192	82	500,058	41	248,450	22	157,437	16	185,270	65	168,051	10	116,402

[1] Not laid down. [2] Unknown.

The above figures are based upon the most authentic information on file in this office and represent the approximate strength, standing, and program January 1, 1917, of the above-named powers.

Relative standing of the navies of the world in 1919.

	Great Britain.		United States.		Germany.		Japan.		France.		Russia.		Italy.		Austria-Hungary.	
	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.	Number.	Tons.
Battleships	55	1,103,900	39	711,596	30	464,777	13	273,427	18	338,976	13	220,502	11	177,350	11	138,501
Battle cruisers	9	205,500			1	27,000	7	152,950								
Cruisers	24	300,150	8	111,900	29	127,629	12	113,242	18	185,957	12	93,050	5	45,696	8	21,452
Light cruisers	73	296,045	13	55,160			9	34,845	1	2,421			6	19,538		
Coast defense vessels	32	8,590	4	12,900									1	1,630		
Torpedo-boat destroyers	369	350,020	105	109,060	173	41,800	65	37,177	66	37,505	100	67,180	47	34,950	21	11,571
Torpedo boats	34	9,576			101	18,857	24	2,984	79	7,312			96	15,148	50	10,397
Submarines	140	(1)	84	32,176	116	116,545	16	3,414	58	22,026	44	19,533	78	(?)21,645	12	3,465
Total	736	2,273,781	253	1,032,792	450	826,637	146	618,039	239	594,197	169	400,265	248	(?)315,977	102	185,386
BUILDING AND PROJECTED, 1919.																
Battleships			13	485,600	[2] 2	56,000	[3] 4	128,000	5 4	124,150 [4] 83,600	1	27,300			4	96,452
Battle cruisers	4	164,800	[4] 6	211,416	[5] 3											
Cruisers			10	63,900	[6] 4	16,000					4	130,200			6	19,959
Light cruisers	21	125,235			[5] 4		7	24,500			8	57,600				
Torpedo-boat destroyers	115	141,855	237	286,779			9 14	11,700 (7)	1	890	17	21,650	16	19,435		
Torpedo boats													4	640		
Submarines	79	66,871	[8] 83	68,694		24,800	4 6	3,000 (1)	8	(1)	1	650	11	3,399		
Total	219	498,761	349	1,116,389	13	96,800	24	167,200	14	125,040	31	237,400	31	23,474	10	116,492

[1] Unknown.
[2] 4 authorized, not laid down.
[3] 1 laid down.
[4] Not laid down.
[5] Laid down; tonnage unknown.
[6] 4 mine-laying cruisers laid down.
[7] Tonnage unknown.
[8] Including 9 not laid down.

NOTE.—Battleships, battle cruisers, cruisers, light cruisers, and coast defense vessels over 20 years of age not included. Torpedo-boat destroyers, torpedo boats, and submarines over 15 years of age not included.

German vessels surrendered to the allies not included in the above compilation. Russian vessels in the hands of the Germans not included in German or Russian figures.

The entire navy of Austria-Hungary, according to the best information on file in this office, is in the hands of the Jugo-Slavs. The ships are being paid off and rendered harmless.

The warship construction of the Russian Navy has ceased and little work has been done since June, 1917.

While Germany ranks third according to tonnage, her real position, according to fighting ships and gun power, is fifth.

The Turkish Navy is in the hands of the allies.

THE COMBATANT NAVY ON MAR. 1, 1919.

DECEMBER 13, 1918.

The office of the Chief of Naval Operations has laid out plans for the operations of the naval forces which involve the elimination of all craft in use temporarily for the war. The estimates for personnel in accordance with these plans is indicated below:

	Number of ships.	Number of men.
Battleship force:		
In full commission	29	35,341
In reserve, two-third crew	8	4,400
Out of commission	3	
Cruiser force:		
In full commission	20	12,096
In reserve, two-third crew	2	932
Out of commission	3	
Patrol force:		
In full commission	24	3,968
Out of commission	21	
Destroyer force:		
In full commission	165	20,635
Out of commission	1	
Submarine force:		
In full commission	99	4,533
Mine force:		
In full commission	9	1,831
Out of commission	6	

THE COMBATANT NAVY ON MAR. 1, 1919—continued.

	Number of ships.	Number of men.
Train:		
In full commission	14	2,498
Out of commission	3	
Sub chasers:		
In full commission	168	4,032
In reserve, two-third crew	84	1,344
Out of commission	65	
Troop transports (see note), in full commission	42	20,383
Special and detached duty:		
In full commission	16	2,445
Out of commission	4	
Pacific Fleet:		
In full commission	8	1,261
Out of commission	5	
Asiatic Fleet, in full commission	28	2,307
Eagle boats, in full commission	17	1,156
Sweepers, in full commission	37	2,479
Aviation force, in full commission (stations)	12	6,000
Miscellaneous details, receiving ship, yard and station craft, permanent training station force, naval districts, radio and communication on shore, recruiting, under treatment in hospitals, etc		20,000
Under training for replacements due to expiration of enlistments in trade schools		12,000
Apprentices and firemen under instruction		24,000
Total required for combatant Navy Mar. 1, 1919		183,641

THE COMBATANT NAVY ON MAR. 1, 1919—continued.

	Number of ships.	Number of men.
Additional for new construction to July 1, 1921:		
Battleships	4	5,210
Destroyers	185	23,125
Eagle boats	43	2,921
Submarines	21	930
Sweepers	17	1,139
Total for new construction		33,328
Grand total to man permanent Navy July 1, 1921		216,969

1916—THREE-YEAR PROGRAM.

By the act of August 29, 1916, the so-called three-year building program was adopted, providing for 10 battleships, 6 battle cruisers, 10 scout cruisers, 9 fleet submarines, 50 destroyers, 58 coast submarines, 3 fuel (oil) ships, 1 repair ship, 1 transport, 1 hospital ship, 2 destroyer tenders, 1 fleet submarine tender, 2 ammunition ships, and 2 gunboats. A total of 156 ships was included in this program, but at the present time 6 battleships, 6 battle cruisers, 2 scout cruisers, and 9 fleet submarines, while designed, have not been laid down.

LOSSES OF AMERICAN VESSELS DURING THE WAR.

The following is a list, according to the most authentic information on file in the Office of Naval Intelligence, of all naval losses from April 6, 1917, to November 11, 1918:

Name.	Class.	Tonnage.	Lives lost.	Date.	Remarks.
BY SUBMARINES.					
Antilles	Transport	6,878 gross	70	Oct. 17, 1917	Torpedoed.
Alcedo	Armed yacht	981 gross	20	Nov. 5, 1917	Do.
Jacob Jones	Destroyer	1,265 gross	62	Dec. 6, 1917	Do.
Lake Moor	Cargo steamer.	1,955 gross	45	Apr. 11, 1918	Do.
Rockefeller, Wm.	Tanker	7,157 gross	3	May 18, 1918	Do.
President Lincoln.	Transport	18,167 gross	26	May 31, 1918	Do.
Covington	do	16,339 gross	6	July 1, 1918	Do.
Westover	Army supply.	8,800 gross	8	July 11, 1918	Do.
Westbridge [1]	N. O. T. S.	5,660 gross	4	Aug. 15, 1918	Do.
Montanan	Army account.	6,659 gross	5	Aug. 16, 1918	Do.
Mt. Vernon [2]	Transport	18,372 gross	36	Sept. 5, 1918	Do.
Buena Ventura	Army cargo	4,881 gross	64	Sept. 16, 1918	Do.
Tampa	C. G. C.	1,181 displacement.	112	Sept. 26, 1918	Do.
Ticonderoga [3]	Animal cargo.	5,130 gross	[3] 216	Sept. 30, 1918	Shelled and torpedoed.
BY MINES.					
Pratt, Herbert L. [4]	Tanker	7,145 gross	None.	June 2, 1918	
Californian	Cargo	5,658 gross	None.	June 23, 1918	
San Diego	Cruiser	13,680 displacement.	50	July 19, 1918	
Minnesota [4]	Battleship	16,000 displacement.	None.	Sept. 29, 1918	
Saetia	N. O. T. S.	2,873 gross		Nov. 9, 1918	
BY COLLISION.					
Mohawk	Revenue cutter.	1,148 displacement.	None.	Oct. 1, 1917	
Chauncey	Destroyer	592 displacement.	18	Nov. 19, 1917	
S. C. No. 141	Submarine chaser.	75 gross	None.	Dec. 13, 1917	
F. 1	Submarine		19	Dec. 17, 1917	
Zaanland	Cargo	5,417 gross	None.	May 13, 1918	
Wakiva II	Yacht	853 gross	2	May 22, 1918	
Schurz	Cruiser	1,630 displacement.	1	June 21, 1918	
Oosterdijk	Cargo	8,251 gross	None.	July 11, 1918	
S. C. No. 187	Submarine chaser.	75 gross	None.	Aug. 4, 1918	
S. C. No. 60	Submarine chaser.	75 gross	2	Oct. 1, 1 18	
Herman Frasch	Transport (Army).	3,803 gross	16	Oct. 4, 1918	
S. C. No. 397	Submarine chaser.	75 gross	None.	Oct. 5, 1918	With 0-13.
Westgate	Cargo (Army)	8,800 deadweight.	7	Oct. 7, 1918	
Shaw	Destroyer	1,100 displacement.	12	Oct. 9, 1918	
Tarantula	Special patrol.		None.	Oct. 28, 1918	
MISCELLANEOUS SINKINGS.					
Rehoboth	Armed trawler.	254 gross	None.	Oct. 8, 1917	
S. C. No. 117	Submarine chaser.	75 gross	None.	Dec. 22, 1917	Burned; Norfolk Navy Yard.

[1] Salvaged. [2] Torpedoed; made port. [3] 216 lost, 2 captured. [4] Mined; made port.

LOSSES OF AMERICAN VESSELS DURING THE WAR—continued.

Name.	Class.	Tonnage.	Lives lost.	Date.	Remarks.
MISCELLANEOUS SINKINGS—con.					
Bauman	Trawler	304 gross	None.	Jan. 12, 1918	
Guinevere	Yacht	499 gross	None.	Jan. 25, 1918	Struck rock.
Elfreda	do	164 displacement.	None.	Feb. 21, 1918	
Mariner	Tug	220 gross	None.	Feb. 26, 1918	Foundered.
Cherokee	do	272 gross	23	do	Do.
Cyclops	Collier	19,360 displacement.	293	Apr. 21, 1918	Mysteriously disappeared.
No. 3429	Motor patrol		2	July 10, 1918	German shore battery.
Montauk	Patrol boat	641 gross	7	Aug. 21, 1918	Driven ashore.
S. C. No. 209	Submarine chaser.	75 gross	17	Aug. 27, 1918	Shelled by mistake.
S. C. No. 219	do	do	4	Oct. 9, 1918	Internal explosion.
Lake Borgne	Army account.	2,100 gross	None.	Oct. 22, 1918	Struck rock.
Ophir	N. O. T. S.	7,089	None.	Nov. 11, 1918	Internal explosion.

Summary.

NAVAL VESSELS.

	Number of vessels.	Tonnage.	Lives.
From Apr. 6, 1917, to Nov. 11, 1918:			
By submarines	14	103,583	677
By mines	5	45,356	54
By collision	15	30,794	65
Miscellaneous	14	31,128	346
Total number Navy vessels	48	210,861	1,142

MERCHANT VESSELS.

From August, 1914, to Apr. 6, 1917:			
By submarines	15	53,671	63
By mines	5	10,770	4
By German cruiser Prinz Eitel Frederick	1	3,374	
Total from August, 1914, to Apr. 6, 1917	21	67,815	67
From Apr. 6, 1917, to Nov. 11, 1918:			
By submarines	124	244,385	342
By raiders	6	4,388	
Total from Apr. 6, 1917, to Nov. 11, 1918	130	248,772	342
Total number merchant vessels	151	315,588	409
Total number Navy vessels	49	210,861	1,144
Grand total	200	526,449	1,553

Major units of the surrendered German fleet.

	Date of completion.	Displacement.	Best armor.	Speed.	Guns (main battery).
DREADNAUGHTS.		*Tons.*	*Inches.*	*Knots.*	
Bayern	1916	28,000	14	22.5	8 15", 16 5.9".
Koenig	1914	25,400	13½	22	10 12", 14 5.9".
Grosser Kurfurst	1914	25,400	13½	22	Do.
Markgraf	1914	25,400	13½	22	Do.
Kronprinz Wilhelm	1915	25,400	13½	22	Do.
Kaiser	1912	24,500	13½	23	Do.
Kaiserin	1913	24,500	13½	23	Do.
Koenig Albert	1913	24,500	13½	23	Do.
Friederich der Grosse	1912	24,500	13½	23	Do.
Regent Luitpold	1913	24,500	13½	23	Do.
Baden [1]	1916	28,000		23	8 15", 16 5.9".
BATTLE CRUISERS.					
Hindenburg	1917	27,000	12	28	8 12", 16 5.9".
Derfflinger	1914	26,200	12	27	8 12", 14 5.9".
Seydlitz	1913	24,600	11	28	10 11", 12 5.9".
Moltke	1911	22,600	11	28	Do.
Von der Tann	1910	19,100	9	27	8 11", 10 5.9".
SCOUT CRUISERS.					
Bremse	1916	4,000		35	4 5.9".
Brummer	1916	4,000		35	Do.
Emden	1916	4,200		30	7 5.9"
Karlsruhe	1916	4,200		30	Do.
Nurnberg	1916	4,200		30	Do.
Frankfurt	1916	5,100		30	8 5.9".
Koln [2]	1917	6,300		33	7 5.9".
Dresden	1918				7 5.9".

[1] Surrendered on Jan. 11 in place of Mackensen.
[2] Not yet given up.

All of the dreadnaughts and battle cruisers, with the exception of the Moltke are equipped with 5 submerged torpedo tubes, firing the latest 22-inch German torpedo. The Moltke carries 4 tubes. The scout cruisers are all equipped for laying mines, the Bremse and Brummer having a capacity each of 36 mines.

The armistice called for the surrender of 50 destroyers and 160 submarines. The destroyers have been surrendered, but up to the present only 135 submarines have been interned.

Allied and neutral shipping lost by enemy action, Aug. 1, 1914, to Nov. 11, 1918.

	Ships.	Gross tons.
Allied	4,683	10,525,391
Neutral	1,506	2,292,566
Grand total	6,189	12,817,957

STRENGTH OF GERMAN AND AUSTRIAN SUBMARINE FORCES.

On August 1, 1918, the estimated number of German submarines was as follows: Total number built, 331; number sunk, 158; number available, 173. These 173 were divided, 26 school boats, 147 operating at sea. Of the 147 operating, 28 were in the Mediterranean and 119 in the Atlantic.

Austrian submarines: Number built, 35; number obsolete, 10; number sunk, 7; number available, 18. All of the Austrian submarines were operating in the Mediterranean, and adding the German submarines operating in the Mediterranean, 28, makes a total of 46 in those waters.

THE MARINE CORPS IN THE WAR.

[Extracts from the report of the Secretary of the Navy.]

Memorial Day shall henceforth have a greater, deeper significance for America, for it was on that day, May 30, 1918, that our country really received its first call to battle—the battle in which American troops had the honor of stopping the German drive on Paris, throwing back the Prussian hordes in attack after attack, and beginning the retreat which lasted until Imperial Germany was beaten to its knees and its emissaries appealing for an armistice under the flag of truce. And to the United States Marines, fighting side by side with equally brave and equally courageous men in the American Army, fell the honor of taking over the lines where the blow of the Prussian would strike the hardest, the line that was nearest Paris, and where, should a breach occur, all would be lost. The world knows to-day that the United States Marines held that line; that they blocked the advance that was rolling on toward Paris at a rate of 6 or 7 miles a day; that marines and soldiers of the American Army threw back the crack guard divisions of Germany, broke their advance, and then, attacking, drove them back in the beginning of a retreat that was not to end until the "cease-firing" signal sounded for the end of the world's greatest war. In this connection, Melville Stone, general manager of the Associated Press, said, following an exhaustive trip of investigation in Europe:

They (the marines) had before them the best Prussian Guards and shock troops—the Germans were perfectly sure they could drive the "amateurs" back.

It was a dramatic situation, for success meant that the Germans could probably push for Calais and other channel ports; but Foch dangled Paris before their eyes by putting raw Americans at a point across the direct road to Paris in the pocket between Rheims and Soissons. Instead of driving back the "amateurs," the "amateurs" drove them and gave them also a very sound thrashing. Their losses were heavy, but they did the work, and in doing it also did three things: They saved Paris; they seriously injured the morale of the best German troops; and they set a standard and fixed a reputation for American troops that none other dared tarnish.

Such is the opinion of the head of a great news-gathering force regarding the achievements of the United States Marines at Chateau-Thierry, where in the battle field of Boise de Belleau, now named the Bois de la Brigade de Marine by official order of the French staff, this branch of the Navy met the Germans and blocked their drive on Paris.

The Marine Corps played a vital rôle in stemming the German rush on Paris, and in later days aided in the beginning of the great offensive, the freeing of Rheims, and participated in the hard fighting in Champagne, which had as its object the throwing back of the Prussian armies in the vicinity of Cambrai and St. Quentin.

With only 8,000 men engaged in the fiercest battles, the Marine Corps casualties numbered 69 officers and 1,531 enlisted men dead, and 78 officers and 2,435 enlisted men wounded seriously enough to be officially reported by cablegram, to which number should be added not a few whose wounds did not incapacitate them for further fighting. However, with a casualty list that numbers nearly half the original 8,000 men who entered battle, the official reports account for only 57 United States Marines who have been captured by the enemy. This includes those who were wounded far in advance of their lines and who fell into the hands of Germans while unable to resist.

ORDERED TO FRONT ON MEMORIAL DAY.

It was on the evening of May 30, after a day dedicated to the memory of their comrades who had fallen in the training days and in the Verdun sector, that the Fifth and Sixth Regiments and the Sixth Machine-Gun Battalion, United States Marines, each received the following orders:

Advance information official received that this regiment will move at 10 p. m. 30 May by bus to new era. All trains shall be loaded at once and arrangements hastened. Wagons, when loaded, will move to Serans to form train.

All through the night there was fevered activity among the marines. Then, the next morning, the long trains of camions, busses, and trucks, each carrying its full complement of United States Marines, went forward on a road which at one place wound within less than 10 miles of Paris, toward Meaux and the fighting line.

Through the town of Meaux went the long line of camions and to the village of Montriel-aux-Lions, less than 4 miles from the rapidly advancing German line. On this trip the camions containing the Americans were the only traffic traveling in the direction of the Germans; everything else was going the other way—refugees, old men and women, small children, riding on every conceivable conveyance, many trudging along the side of the road driving a cow or calf before them, all of them covered with the white dust which the camion caravan was whirling up as it rolled along; along that road only one organization was advancing—the United States Marines.

GOT INTO LINE ON JUNE 2.

At last, their destination reached early on the morning of June 2, they disembarked, stiff and tired after a journey of more than 72 miles, but as they formed their lines and marched onward in the direction of the line they were to hold they were determined and cheerful. That evening the first field message from the Fourth Brigade to Maj. Gen. Omar Bundy, commanding the Second Division, went forward:

Second Battalion, Sixth Marines, in line from Le Thiolet through Clarembauts Woods to Triangle to Lucy. Instructed to hold line. First Battalion, Sixth Marines, going into line from Lucy through Hill 142. Third Battalion in support of Le Voie du Chatel, which is also the post command of the Sixth Marines. Sixth Machine-Gun Battalion distributed at line.

Meanwhile the Fifth Regiment was moving into line, machine guns were advancing, and the Artillery taking its position. That night the men and officers of the marines slept in the open, many of them in a field that was green with unharvested wheat, awaiting the time when they should be summoned to battle. The next day at 5 o'clock, the afternoon of June 2, began the battle of Chateau-Thierry, with the Americans holding the line against the most vicious wedge of the German advance.

BATTLE OF CHATEAU-THIERRY.

The advance of the Germans was across a wheat field, driving at Hill 165 and advancing in smooth columns. The United States Marines, trained to keen observation upon the rifle range, nearly every one of them wearing a marksman's medal or, better, that of the sharpshooter or expert rifleman, did not wait for those gray-clad hordes to advance nearer. Calmly they set their sights and aimed with the same precision that they had shown upon the rifle ranges at Paris Island, Mare Island, and Quantico. Incessantly their rifles cracked, and with their fire came the support of the Artillery. The machine-gun fire, incessant also, began to make its inroads upon the advancing forces. Closer and closer the shrapnel burst to its targets. Caught in a seething wave of machine-gun fire, of scattering shrapnel, of accurate rifle fire, the Germans found themselves in a position in which further advance could only mean absolute suicide. The lines hesitated. They stopped. They broke for cover, while the marines raked the woods and ravines in which they had taken refuge with machine gun and rifle to prevent them making another attempt to advance by infiltrating through. Above a French airplane was checking up on the Artillery fire. Surprised by the fact that men should deliberately set their sights, adjust their range, and then fire deliberately at an advancing foe, each man picking his target instead of firing merely in the direction of the enemy, the aviator signaled below "Bravo!" In the rear that word was echoed again and again. The German drive on Paris had been stopped.

FIERCE FIGHTING IN BELLEAU WOOD.

For the next few days the fighting took on the character of pushing forth outposts and determining the strength of the enemy. Now, the fighting had changed. The Germans, mystified that they should have run against a stone wall of defense just when they believed that their advance would be easiest, had halted, amazed, then prepared to defend the positions they had won with all the stubbornness possible. In the black recesses of Belleau Wood the Germans had established nest after nest of machine guns. There in the jungle of matted underbrush, of vines, of heavy foliage, they had placed themselves in positions they believed impregnable. And this meant that unless they could be routed, unless they could be thrown back, the breaking of the attack of June 2 would mean nothing. There would come another drive and another. The battle of Chateau-Thierry was

therefore not won and could not be won until Belleau Wood had been cleared of the enemy.

It was June 6 that the attack of the American troops began against that wood and its adjacent surroundings, with the wood itself and the towns of Torcy and Bouresches forming the objectives. At 5 o'clock the attack came, and there began the tremendous sacrifices which the Marine Corps gladly suffered that the German fighters might be thrown back.

FOUGHT IN AMERICAN FASHION.

The marines fought strictly according to American methods—a rush, a halt, a rush again, in four-wave formation, the rear waves taking over the work of those who had fallen before them, passing over the bodies of their dead comrades and plunging ahead, until they, too, should be torn to bits. But behind those waves were more waves, and the attack went on.

"Men fell like flies"; the expression is that of an officer writing from the field. Companies that had entered the battle 250 strong dwindled to 50 and 60, with a sergeant in command; but the attack did not falter. At 9.45 o'clock that night Bouresches was taken by Lieut. James F. Robertson and twenty-odd men of his platoon; these soon were joined by two reinforcing platoons. Then came the enemy counterattacks, but the marines held.

CHARGING ON MACHINE-GUN NESTS.

In Belleau Wood the fighting had been literally from tree to tree, stronghold to stronghold, and it was a fight which must last for weeks before its accomplishment in victory. Belleau Wood was a jungle, its every rocky formation forming a German machine-gun nest, almost impossible to reach by artillery or grenade fire. There was only one way to wipe out these nests—by the bayonet. And by this method were they wiped out, for United States Marines, barechested, shouting their battle cry of "E-e-e-e-e y-a-a-h-h-h yip!" charged straight into the murderous fire from those guns, and won! Out of the number that charged, in more than one instance, only one would reach the stronghold. There, with his bayonet as his only weapon, he would either kill or capture the defenders of the nest, and then, swinging the gun about in its position, turn it against the remaining German positions in the forest. Such was the character of the fighting in Belleau Wood; fighting which continued until July 6, when, after a short relief, the invincible Americans finally were taken back to the rest billet for recuperation.

HELD THE LINE FOR MANY WEARY DAYS.

In all the history of the Marine Corps there is no such battle as that one in Belleau Wood. Time after time officers seeing their lines cut to pieces, seeing their men so dog tired that they even fell asleep under shell fire, hearing their wounded calling for the water that they were unable to supply, seeing men fight on after they had been wounded and until they dropped unconscious; time after time officers seeing these things, believing that the very limit of human endurance had been reached, would send back messages to their post commanders that their men were exhausted. But in answer to this would come the word that the lines must hold, and if possible those lines must attack. And the lines obeyed. Companies had been so torn and lacerated by losses that they were hardly platoons; but they held their lines and advanced them. In more than one case companies lost every officer, leaving a sergeant and sometimes a corporal to command, and the advance continued. After 13 days in this inferno of fire a captured German officer told with his dying breath of a fresh division of Germans that was about to be thrown into the battle to attempt to wrest from the marines that part of the wood they had gained. The marines, who for days had been fighting only on their sheer nerve, who had been worn out from nights of sleeplessness, from lack of rations, from terrific shell and machine-gun fire, straightened their lines and prepared for the attack. It came—as the dying German officer had predicted.

GERMAN CRACK TROOPS REPULSED AND BEATEN.

At 2 o'clock on the morning of June 13 it was launched by the Germans along the whole front. Without regard for men, the enemy hurled his forces against Bouresches and the Bois de Belleau, and sought to win back what had been taken from Germany by the Americans. The orders were that these positions must be taken at all costs; that the utmost losses in men must be endured that the Bois de Belleau and Bouresches might fall again into German hands. But the depleted lines of the marines held; the men who had fought on their nerve alone for days once more showed the mettle of which they were made. With their backs to the trees and bowlders of the Bois de Belleau, with their sole shelter the scattered ruins of Bouresches, the thinning lines of the marines repelled the attack and crushed back the new division which had sought to wrest the position from them.

And so it went. Day after day, night after night, while time after time messages like the following traveled to the post command:

Losses heavy. Difficult to get runners through. Some have never returned. Morale excellent, but troops about all in. Men exhausted.

Exhausted, but holding on. And they continued to hold on in spite of every difficulty. Advancing their lines slowly day by day, the marines finally prepared their positions to such an extent that the last rush for the possession of the wood could be made. Then, on June 24, following a tremendous barrage, the struggle began.

The barrage literally tore the woods to pieces, but even its immensity could not wipe out all the nests that remained, the emplacements that were behind almost every clump of bushes, every jagged, rough group of bowlders. But those that remained were wiped out by the American method of the rush and the bayonet, and in the days that followed every foot of Belleau Wood was cleared of the enemy and held by the frayed lines of the Americans.

PRAISE FROM THE FRENCH STAFF.

It was, therefore, with the feeling of work well done that the depleted line of the marines were relieved in July, that they might be filled with replacements and made ready for the grand offensive in the vicinity of Soissons, July 18. And in recognition of their sacrifice and bravery this praise was forthcoming from the French:

ARMY HEADQUARTERS, *June 30, 1918.*

In view of the brilliant conduct of the Fourth Brigade of the Second United States Division, which in a spirited fight took Bouresches and the important strong point of Bois de Belleau, stubbornly defended by a large enemy force, the general commanding the Sixth Army orders that henceforth in all official papers the Bois de Belleau shall be named "Bois de la Brigade de Marine."

DIVISION GEN. DEGOUTTE,
Commanding Sixth Army.

GEN. PERSHING PERSONALLY CONGRATULATES MARINES.

Gen. Pershing's congratulations also were contained in the following order issued by the brigade commander, dated June 9, 1918, to the units of his command:

The brigade commander takes pride in announcing that, in addition to the commander in chief's telegram of congratulation to the Fourth Brigade, published in an indorsement from the division commander, dated June 9, Gen. Pershing has to-day visited division headquarters and sent his personal greetings and congratulations to the Marine brigade. He also added that Gen. Foch, commander in chief of the allied armies in France, especially charged him this morning to give the Marine brigade his love and congratulations on their fine work of the past week.

By command of Brig. Gen. Harbord. H. LAY, *Major, Adjutant.*

IN BATTLE FOR ST. MIHIEL SALIENT.

Then came the battle for the St. Mihiel salient. On the night of September 11 the Second Division took over a line running from Remenauville to Limey, and on the night of September 14 and the morning of September 15 attacked, with two days' objectives ahead of them. Overcoming the enemy resistance, they romped through to the Rupt de Mad, a small river, crossed it on stone bridges, occupied Thiacourt, the first day's objective, scaled the heights just beyond it, pushed on to a line running from the Zammes-Joulney Ridges to the Binvaux Forest, and there rested, with the second day's objectives occupied by 2.50 o'clock of the first day. The casualties of the division were about 1,000, of which 134 were killed. Of these about half were marines. The captures in which the marines participated were 80 German officers, 3,200 men, ninety-odd cannon, and vast stores.

CAPTURE OF BLANC MONT RIDGE.

But even further honors were to befall the fighting, landing, and building force, of which the Navy is justly proud. In the early part of October it became necessary for the allies to capture the bald, jagged ridge 20 miles due east of Rheims, known as Blanc Mont Ridge. Here the armies of Germany and the allies had clashed more than once, and attempt after attempt had been made to wrest it from German hands. It was a keystone of the German defense, the fall of which would have a far-reaching effect upon the enemy armies. To the glory of the United States Marines, let it be said, that they were again a part of that splendid Second Division which swept forward in the attack which freed Blanc Mont Ridge from German hands, pushed its way down the slopes, and occupied the level ground just beyond, thus assuring a victory, the full import of which can best be judged by the order of Gen. Lejeune, following the battle:

FRANCE, *October 11, 1918.*

OFFICERS AND MEN OF THE SECOND DIVISION:

It is beyond my power of expression to describe fitly my admiration for your heroism. You attacked magnificently and you seized Blanc Mont Ridge, the keystone of the arch constituting the enemy's main position. You advanced beyond the ridge, breaking the enemy's lines,

and you held the ground gained with a tenacity which is unsurpassed in the annals of war.

As a direct result of your victory, the German armies east and west of Rheims are in full retreat, and by drawing on yourselves several German divisions from other parts of the front you greatly assisted the victorious advance of the allied armies between Cambrai and St. Quentin.

Your heroism and the heroism of our comrades who died on the battle field will live in history forever and will be emulated by the young men of our country for generations to come.

To be able to say when this way is finished, "I belonged to the Second Division, I fought with it at the battle of Blanc Mont Ridge," will be the highest honor that can come to any man.

JOHN A. LEJEUNE,
Major General, United States Marine Corps, Commanding.

MARKSMANSHIP AMAZES ALLIES.

Thus it is that the United States Marines have fulfilled the glorious traditions of their corps in this their latest duty as the "soldiers who go to sea." Their sharpshooting—and in one regiment 93 per cent of the men wear the medal of a marksman, a sharpshooter, or an expert rifleman—has amazed soldiers of European armies, accustomed merely to shooting in the general direction of the enemy. Under the fiercest fire they have calmly adjusted their sights, aimed for their man, and killed him, and in bayonet attacks their advance on machine-gun nests has been irresistible. In the official citation lists more than one American marine is credited with taking an enemy machine gun single handed, bayoneting its crew, and then turning the gun against the foe. In one battle alone, that of Belleau Wood, the citation lists bear the names of fully 500 United States Marines who so distinguished themselves in battle as to call forth the official commendation of their superior officers.

CORPS FULFILLED EVERY GLORIOUS TRADITION.

More than faithful in every emergency, accepting hardships with admirable morale, proud of the honor of taking their place as shock troops for the American legions, they have fulfilled every glorious tradition of their corps, and they have given to the world a list of heroes whose names will go down to all history.

ACCOUNTS OF LOSSES BY SUBMARINES.

TORPEDOING OF THE U. S. S. "CASSIN."

[Compiled from report of the commanding officer and supplementary reports.]

On October 15, 1917, the U. S. destroyer *Cassin* was patroling off the south coast of Ireland; when about 20 miles south of Mine Head, at 1.30 p. m., a submarine was sighted by the lookout aloft 4 or 5 miles away, about two points on the port bow. The submarine at this time was awash and was made out by officers of the watch and the quartermaster of the watch, but three minutes later submerged.

At about 1.57 p. m. the commanding officer sighted a torpedo, apparently shortly after it had been fired, running near the surface and in a direction that was estimated would make a hit either in the engine or fire room. When first seen the torpedo was between three and four hundred yards from the ship, and the wake could be followed on the other side for about 400 yards. The torpedo was running at high speed, at least 35 knots. The *Cassin* was maneuvering to dodge the torpedo, double emergency full speed ahead having been signaled from the engine room and the rudder put hard left as soon as the torpedo was sighted. It looked for the moment as though the torpedo would pass astern. When about 15 or 20 feet away the torpedo porpoised, completely leaving the water and sheering to the left. Before again taking the water the torpedo hit the ship well aft on the port side about frame 163 and above the water line. Almost immediately after the explosion of the torpedo the depth charges, located on the stern and ready for firing, exploded. There were two distinct explosions in quick succession after the torpedo hit.

But one life was lost. Osmond K. Ingram, gunner's mate, first class, was cleaning the muzzle of No. 4 gun, target practice being just over, when the attack occurred. With rare presence of mind, realizing that the torpedo was about to strike the part of the ship where the depth charges were stored and that the setting off of these explosives might sink the ship, Ingram, immediately seeing the danger, ran aft to strip these charges and throw them overboard. He was blown to pieces when the torpedo struck. Thus Ingram sacrificed his life in performing a duty which he believed would save his ship and the lives of the officers and men on board.

Nine members of the crew received minor injuries.

After the ship was hit the crew was kept at general quarters.

The executive officer and engineer officer inspected the parts of the ship that were damaged, and those adjacent to the damage. It was found that the engine and fire rooms and after magazine were intact and that the engines could be worked; but that the ship could not be steered, the rudder having been blown off and the stern blown to starboard. The ship continued to turn to starboard in a circle. In an effort to put the ship on a course by the use of the engines, something carried away which put the starboard engine out of commission. The port engine was kept going at slow speed. The ship, being absolutely unmanageable, sometimes turned in a circle and at times held an approximate course for several minutes.

Immediately after the ship was torpedoed the radio was out of commission. The radio officer and radio electrician chief managed to improvise a temporary auxiliary antenna. The generators were out of commission for a short time after the explosion, the ship being in darkness below.

At about 2.30 p. m., when we were in approximately the same position as when torpedoed, a submarine conning tower was sighted on port beam, distant about 1,500 yards, ship still circling under port engine. Opened fire with No. 2 gun, firing four rounds. Submarine submerged and was not seen again. Two shots came very close to submarine.

At 3.50 p. m. U. S. S. *Porter* stood by. At 4.25 p. m. wreckage which was hanging to stern dropped off. At dark stopped port engine and drifted. At about 9 p. m. H. M. S. *Jessamine* and H. M. S. *Tamarisk* stood by. H. M. S. *Jessamine* signaled she would stand by until morning and then take us in tow. At this time sea was very rough, wind about six or seven and increasing.

H. M. S. *Tamarisk* prepared to take us in tow, and made one attempt after another to get a line to us. Finally, about 2.10 a. m., October 16, the *Tamarisk* lowered a boat in rough sea and sent grass line by means of which our 8-inch hawser was sent over to her. At about 2.30 a. m. *Tamarisk* started towing us to Queenstown, speed about 4 knots, this vessel towing well on starboard quarter of *Tamarisk*, due to condition of stern described above. At 3.25 hawser parted.

Between this time and 10.37 a. m., when a towing line was received from H. M. S. *Snowdrop*, various attempts were made by the *Tamarisk* and two trawlers and a tug to tow the *Cassin*. An 11-inch towing hawser from the *Tamarisk* parted. All ships, except her, lost the *Cassin* during the night. The *Cassin* was drifting rapidly on a lee shore, and had it not been for the *Tamarisk* getting out a line in the early morning the vessel would have undoubtedly grounded on Hook Point, as it is extremely doubtful if her anchors would have held.

About 35 feet of the stern was blown off or completely ruptured. The after living compartments and after storerooms are completely wrecked or gone, and all stores and clothing from these parts of the ship are gone or ruined. About 45 members of the crew, including the chief petty officers, lost practically everything but the clothes they had on.

At the time of the explosion there were a number of men in the after compartments. How they managed to escape is beyond explanation.

The officers and crew behaved splendidly. There was no excitement. The men went to their stations quietly and remained there all night, except when called away to handle lines.

From the statement of all the officers it is evident that luck favored the submarine. The destroyer probably would have escaped being hit had not the torpedo broached twice and turned decidedly to the left both times—in other words, failed to function properly.

The equivalent of 850 pounds of TNT is estimated to have exploded in and upon the *Cassin's* fantail; this includes the charges of the torpedo and of both depth mines.

LOSS OF THE U. S. ARMY TRANSPORT "ANTILLES."

[Extracts from account by senior naval officer on board, Commander Daniel T. Ghent, United States Navy.]

We lost the *Antilles* on October 17, 1917. She sank in just four and one-half minutes, about 300 miles west of Quiberon Bay. Four of the guns' crew went down with her; 16 men of the United States Army; 45 of the ship's merchant crew, including 3 engineer officers, a civilian ambulance driver who had been in the French Army, and 1 colored stevedore—67 in all.

On October 15, 1917, we left Quiberon Bay, bound for America, with the transports *Henderson* and *Willehad* forming the convoy, and the *Corsair*, *Kanawha*, and *Alcedo* acting as escort; all followed a zigzag course, as we knew these waters to be infested with submarines.

The second day out we were forced to reduce our speed to permit the *Willehad*, which had been feeling the effects of the heavy seas, to regain her place in formation. The weather grew unsettled, with a strong wind and head seas. Late in the afternoon fog set in and we were ordered to stop zigzagging and proceed on a straight course. Later this fog lifted and we again resumed zigzagging.

In passing through the war zone or areas where enemy submarines are known to be operating everyone is more or less on edge, and when fire was discovered early the following morning

on the port side of the promenade deck it had the effect of stimulating everyone on board to swift action. Some difficulty was experienced in locating the fire, as the ship was darkened and the passageway filled with smoke, but once located it was soon under control. I mention this only because I think the circumstances contributed to sharpen the wits of those on board, so that when the torpedo struck us action was immediate and, so far as humanly possible, it was effective.

A half hour later, just after daylight, a torpedo was sighted heading for us about two points abaft the port beam on a course of 45° with the keel. The torpedo was seen by the second officer on the bridge, the quartermaster and signalman on watch, by the first officer and first assistant engineer from the port side of the promenade deck, and by one of the guns' crews on watch aft. They estimated the distance from 400 feet to as many yards. Immediately on sighting the torpedo the helm was put "hard over" in an attempt to dodge it, but before the ship began to swing the torpedo struck us near the after engine-room bulkhead on the port side. The explosion was terrific; the ship shivered from stem to stern, listing immediately to port. One of the lookouts in the main top, though protected by a canvas screen about 5 feet high, was thrown clear of this screen and killed on striking the hatch. This case is sighted as indicating the power of the "whip" caused by the explosion. Guns were manned instantly in the hope of getting a shot at the enemy, but no submarine was seen. Within a few seconds after the explosion the water was over the crossheads of the main engines, which were still turning over slowly. Of the 21 men on duty in the engine room and firerooms only 3 managed to escape. Besides the oiler, two firemen managed to escape through a fireroom ventilator. The fact that the engines could not be maneuvered and the headway of the ship checked added to the difficulty of abandoning ship.

Just as the torpedo struck us I was on the way to the pilot house from the scene of fire. Before I could reach the bridge the officer of the deck had sounded the submarine alarm, and I immedately sounded the signal for "Abandon ship." That only 4 boats out of 10 succeeded in getting clear of the ship was due to several causes—the short time the ship remained afloat after being torpedoed; the headway left on the ship, due to the fact that the engine-room personnel was put out of action by the explosion; the rough sea at the time; the fact that the ship listed heavily; and that one boat was destroyed by the explosion.

The ship went down vertically. The suction effect was hardly noticeable.

The behavior of the naval personnel throughout was equal to the best traditions of the service.

An instance comes back which indicates the coolness of the guns' crews. One member was rescued from the top of an ammunition box which by some means had floated clear and in an upright position. When this young man saw the *Corsair* standing down to pick him up he semaphored not to come too close as the box on which he was sitting contained live ammunition.

TORPEDOING OF THE U. S. ARMY CHARTERED TRANSPORT "FINLAND."

[Extracts from report of the senior naval officer on board, Capt. Stephen V. Graham, United States Navy.]

The *Finland* left the coast of France at nightfall on October 27, 1917, on her third return voyage to the United States. By daylight of October 28 the convoy had reached a position near the line extending from the island of Ushant to Cape Finisterre, Spain, which experience had shown to be a particularly dangerous position. From that time on the senior naval officer of the *Finland* remained on the bridge constantly and all of the lookouts were exercising the utmost vigilance.

The weather was cloudy and a moderate sea with whitecaps was running and I was personally keeping a very careful lookout for submarines and was engaged in searching the water on both sides with powerful binoculars. At about 9.25 a. m. he had just finished searching the water on the starboard side when the naval signal quartermaster on watch called out, "Commander, torpedo!" I turned and saw a torpedo about 50 to 100 yards distant making a surface run directly toward the ship. The whirring of the torpedo's propellers could be heard when they broke the surface of the water. The torpedo was so close to the ship when it was sighted that any maneuver to avoid it was entirely impossible. I sprang toward the engine telegraph to give the signal for stopping the engines, but before he could do this the torpedo exploded directly under the bridge. The concussive effect of the explosion was considerable, but not as great as had been anticipated. No one on the bridge was injured by it. This is undoubtedly due to the fact that the enemy economized in the explosive charge of torpedoes destined for use against merchant vessels, and used only enough to produce the desired rupture in a vessel's skin plating.

Notwithstanding the fact that the torpedo was only 4 or 5 feet below the surface when it exploded against the ship's side an immense volume of water was thrown up. The engines were promptly stopped and the whistle signal made to indicate to the other vessels present that the ship had been torpedoed. It is a curious fact that most of the other vessels present did not know that the *Finland* had been torpedoed until this signal was made. At this time it did not appear probable that the ship would sink, but in a short time she began to list heavily to starboard and seemed to be settling. I ordered the lowering of the remaining boats which were hanging on their falls at the level of the promenade deck. These boats were scarcely in the water when the ship began to right herself.

At the time the ship was torpedoed this hold contained about 600 tons of coal. After the ship had been placed in dry dock upon her return to France it was found that most of this coal had run out through the hole made in the ship's side by the explosion of the torpedo.

When I received the master's report that the damage was confined to this one compartment, I hailed the boats which were close to the ship and directed them to come alongside and had a signal sent to the escorting yachts to send boats which were approaching them back to the *Finland*.

While the *Finland's* boats were in the water a heavy squall came up and rendered the return of the heavily laden boats very difficult. They could come alongside only on the starboard side, and getting the people back on board was very slow work. Hoisting the boats was not to be thought of, for every moment that this large ship remained stopped was attended with grave danger of receiving a second torpedo. As soon as the passengers were out of the boats the latter were cast adrift. The ship got under way to return to a French port 150 miles distant.

During the return of the ship to the French port it became necessary to send everyone to the fireroom who could shovel coal. Deck hands, stewards, and even passengers, including some of the discharged American ambulance drivers, responded with alacrity to this call, and within a short time after starting ahead the ship was making nearly 15 knots, which was as good a speed as she had made at any time during her employment in the transport service.

The bulkheads of the damaged compartment held and there was no leakage of water through the water-tight doors leading into the forward fireroom and the adjacent hold. The doors were kept closed tightly with wooden wedges.

On the way into port the nervous tension of those on deck was greatly relieved by the necessity of laughing at the earnestness with which several lookouts reported a spouting whale as a submarine. It is regrettable that eight men lost their lives on the occasion of the torpedoing of the *Finland*.

SINKING OF U. S. S. "ALCEDO."

[Extracts from report of the commanding officer, Commander W. T. Conn, jr.]

At 4 p. m., November 4, 1917, the U. S. S. *Alcedo* proceeded to sea from Quiberon Bay on escort duty to take convoy through the war zone.

At or about 1.45 a. m., November 5, I was awakened by a commotion and immediately received a report, "Submarine, captain." I jumped out of bed and went to the upper bridge, and the officer of the deck stated he had seen submarine on surface about 300 yards on port bow, and submarine had fired a torpedo, which was approaching. I saw torpedo approaching about 200 feet distant. Lieut. Paul had put the rudder full right before I arrived on bridge, hoping to avoid the torpedo. The ship answered slowly to her helm, however, and before any other action could be taken the torpedo I saw struck the ship's side immediately under the port forward chain plates, the detonation occurring instantly. I was thrown down and for a few seconds dazed by falling débris and water.

Upon regaining my feet I sounded the submarine alarm on the siren.

Called to the forward guns' crews to see if at stations, but by this time realized that gallant forecastle was practically awash. The foremast had fallen, carrying away radio aerial. I called out to abandon ship. I then realized that the ship was filling rapidly and her bulwarks amidships were level with the water. I directed the after dories and life rafts to be cut away and thrown overboard and ordered the men in the immediate vicinity to jump over the side, intending to follow them.

Before I could jump, however, the ship listed heavily to port, plunging by the head, and sunk, carrying me down with the suction. I experienced no difficulty, however, in getting clear, and when I came to the surface I swam a few yards to a life raft, to which were clinging three men.

About this time, which was probably an hour after the ship sank, a German submarine approached the scene of torpedoing

and lay to near some of the dories and life rafts. After remaining on the surface about half an hour, the submarine steered off and submerged.

I then proceeded with the whaleboat and two dories searching through the wreckage to make sure that no survivors were left in the water. No other people being seen, at 4.30 a. m. we started away from the scene of disaster.

SINKING OF U. S. S. "JACOB JONES."

[Extracts from report of the commanding officer, Lieut. Commander David W. Bagley.]

At 4.21 p. m. on December 6, 1917, the U. S. S. *Jacob Jones* was struck on the starboard side by a torpedo from an enemy submarine. The ship was one of six of an escorting group which were returning independently from off Brest to Queenstown. All other ships of the group were out of sight ahead.

I was in the chart house and heard some one call out "Torpedo!" I jumped at once to the bridge, and on the way up saw the torpedo about 800 yards from the ship approaching from about one point abaft the starboard beam headed for a point about midships, making a perfectly straight surface run (alternately broaching and submerging to apparently 4 or 5 feet), at an estimated speed of at least 40 knots. No periscope was sighted. When I reached the bridge I found that the officer of the deck had already put the rudder hard left and rung up emergency speed on the engine-room telegraph. The ship had already begun to swing to the left.

The torpedo broached and jumped clear of the water at a short distance from the ship, submerged about 50 or 60 feet from the ship, and struck approximately 3 feet below the water line in the fuel-oil tank between the auxiliary room and the after crew space. The ship settled aft immediately after being torpedoed to a point at which the deck just forward of the after deck house was awash, and then more gradually until the deck abreast the engine-room hatch was awash.

The deck over the forward part of the after crew space and over the fuel-oil tank just forward of it was blown clear for a space athwartships of about 20 feet from starboard to port, and the auxiliary room wrecked. The starboard after torpedo tube was blown into the air. No fuel oil ignited and, apparently, no ammunition exploded. The depth charges in the chutes aft were set on ready and exploded after the stern sank. It was impossible to get to them to set them on safe as they were under water. Immediately the ship was torpedoed, Lieut. J. K. Richards, the gunnery officer, rushed aft to attempt to set the charges on "safe," but was unable to get farther aft than the after deck house.

As soon as the torpedo struck I attempted to send out an "S. O. S." message by radio, but the mainmast was carried away, antannæ falling, and all electric power had failed. I then tried to have the gun-sight lighting batteries connected up in an effort to send out a low-power message with them, but it was at once evident that this would not be practicable before the ship sank. There was no other vessel in sight, and it was therefore impossible to get through a distress signal of any kind.

Immediately after the ship was torpedoed every effort was made to get rafts and boats launched. Also the circular life belts from the bridge and several splinter mats from the outside of the bridge were cut adrift and afterwards proved very useful in holding men up until they could be got to the rafts. Weighted confidential publications were thrown over the side. There was no time to destroy other confidential matter, but it went down with the ship.

The ship sank about 4.29 p. m. (about eight minutes after being torpedoed). As I saw her settling rapidly, I ran along the deck and ordered everybody I saw to jump overboard. At this time most of those not killed by the explosion had got clear of the ship and were on rafts or wreckage. Some, however, were swimming and a few appeared to be about a ship's length astern of the ship, at some distance from the rafts, probably having jumped overboard very soon after the ship was struck.

Before the ship sank two shots were fired from No. 4 gun with the hope of attracting attention of some near-by ship. As the ship began sinking I jumped overboard. The ship sank stern first and twisted slowly through nearly 180° as she swung upright. From this nearly vertical position, bow in the air to about the forward funnel, she went straight down. Before the ship reached the vertical position the depth charges exploded, and I believe them to have caused the death of a number of men. They also partially paralyzed, stunned, or dazed a number of others, including Lieut. Kalk and myself and several men, some of whom are still disabled but recovering.

Immediate efforts were made to get all survivors on the rafts and then get rafts and boats together. Three rafts were launched before the ship sank and one floated off when she sank.

About 15 or 20 minutes after the ship sank the submarine appeared on the surface about 2 or 3 miles to the westward of the rafts and gradually approached until about 800 to 1,000 yards from the ship, where it stopped and was seen to pick up one unidentified man from the water. The submarine then submerged and was not seen again.

I was picked up by the motor dory and at once began to make arrangements to try to reach the Scillys in that boat in order to get assistance to those on the rafts.

After a very trying trip, during which it was necessary to steer by stars and by the direction of the wind, the dory was picked up about 1 p. m., December 7, by a small patrol vessel about 6 miles south of St. Marys. Commander Randal, R. N. R., senior naval officer, Scilly Isles, informed me that the other survivors had been rescued.

SINKING OF U. S. S. "PRESIDENT LINCOLN."

[Extracts from report of the commanding officer, Commander P. W. Foote, U. S. Navy.]

On May 31, 1918, the *President Lincoln* was returning to America from a voyage to France, and was in line formation with the U. S. S. *Susquehanna*, the U. S. S. *Antigone*, and the U. S. S. *Ryndam*, the latter being on the left flank of the formation and about 800 yards from the *President Lincoln*. The weather was pleasant, the sun shining brightly, with a choppy sea. The ships were about 500 miles from the coast of France and had passed through what was considered to be the most dangerous part of the war zone. At about 9 a. m. a terrific explosion occurred on the port side of the ship about 120 feet from the bow and immediately afterwards another explosion occurred on the port side about 120 feet from the stern of the ship, these explosions being immediately identified as coming from torpedoes fired by a German submarine.

It was found that the ship was struck by three torpedoes, which had been fired as one salvo from the submarine, two of the torpedoes striking practically together near the bow of the ship and the third striking near the stern. The wake of the torpedoes had been sighted by the officers and lookouts on watch, but the torpedoes were so close to the ship as to make it impossible to avoid them, and it was also found that the submarine at the time of firing was only about 800 yards from the *President Lincoln*.

There were at the time 715 persons on board, including about 30 officers and men of the Army. Some of these were sick and two soldiers were totally paralyzed.

The alarm was immediately sounded and everyone went to his proper station, which had been designated at previous drills. There was not the slightest confusion, and the crew and passengers waited for and acted on orders from the commanding officer with a coolness which was truly inspiring.

Inspections were made below decks, and it was found that the ship was rapidly filling with water, both forward and aft, and that there was little likelihood that she would remain afloat. The boats were lowered and the life rafts were placed in the water, and about 15 minutes after the ship was struck all hands except the guns' crews were ordered to abandon ship.

It had been previously planned that in order to avoid the losses which have occurred in such instances by filling the boats at the davits before lowering them, that only one officer and five men would get into the boats before lowering and that everyone else would get into the water and get on the life rafts and then be picked up by the boats, this being entirely feasible, as everyone was provided with an efficient life-saving jacket. One exception was made to this plan, however, in that one boat was filled with the sick before being lowered, and it was in this boat that the paralyzed soldiers were saved without difficulty.

The guns' crews were held at their stations, hoping for an opportunity to fire on the submarine should it appear before the ship sank, and orders were given to the guns' crews to begin firing, hoping that this might prevent further attack. All the ship's company except the guns' crews and necessary officers were at that time in the boats and on the rafts near the ship, and when the guns' crews began firing the people in the boats set up a cheer to show that they were not downhearted. The guns' crews only left their guns when ordered by the commanding officer just before the ship sank. The guns in the bow kept up firing until after the water was entirely over the main deck of the after half of the ship.

The state of discipline which existed and the coolness of the men is well illustrated by what occurred when the boats were being lowered and were about half way from their davits to the water. At this particular time there appeared some possibility of the ship not sinking immediately, and the commanding officer gave the order to stop lowering the boats. This order could not be understood, however, owing to the noise caused

by escaping steam from the safety valves of the boilers which had been lifted to prevent explosion, but by motion of the hand from the commanding officer the crews stopped lowering the boats and held them in mid-air for a few minutes until at a further motion of the hand the boats were dropped into the water.

Immediately after the ship sank the boats pulled among the rafts and were loaded with men to their full capacity and the work of collecting the rafts and tying them together to prevent drifting apart and being lost was begun.

While this work was under way and about half an hour after the ship sank, a large German submarine emerged and came among the boats and rafts, searching for the commanding officer and some of the senior officers whom they desired to take prisoners. The submarine commander was able to identify only one officer, Lieut. E. V. M. Isaacs, whom he took on board and carried away. The submarine remained in the vicinity of the boats for about two hours and returned again in the afternoon, hoping apparently for an opportunity of attacking some of the other ships which had been in company with the *President Lincoln*, but which had, in accordance with standard instructions, steamed as rapidly as possible from the scene of attack.

By dark the boats and rafts had been collected and secured together, there being about 500 men in the boats and about 200 on the rafts. Lighted lanterns were hoisted in the boats and flare-up lights and Coston signal lights were burned every few minutes, the necessary detail of men being made to carry out this work during the night.

The boats had been provided with water and food, but none was used during the day, as the quantity was necessarily limited and it might be a period of several days before a rescue could be effected.

The ship's wireless plant had been put out of commission by the force of the explosion, and although the ship's operator had sent the radio distress signals, yet it was known that the nearest destroyers were 250 miles away, protecting another convoy, and it was possible that military necessity might prevent their being detached to come to our rescue.

At about 11 p. m. a white light flashing in the blackness of the night—it was very dark—was sighted, and very shortly it was found that the destroyer *Warrington* had arrived for our rescue, and about an hour afterwards the destroyer *Smith* also arrived. The transfer of the men from the boats and rafts to the destroyers was effected as quickly as possible, and the destroyers remained in the vicinity until after daylight the following morning, when a further search was made for survivors who might have drifted in a boat or on a raft, but none were found, and at about 6 a. m. the return trip to France was begun.

GOOD SEAMANSHIP—RESCUE OF "PRESIDENT LINCOLN" SURVIVORS.

No incident of service serves to dampen the ardor or spirit of the men. When the call from the sinking *President Lincoln* was received the destroyers *Warrington* and *Smith*, 275 miles away, responded at a speed of 25 knots. In telling the story of the rescue an officer said:

The moon would not rise until early morning, and we figured we must reach the survivors, if possible, before dark. We could only estimate how far they would pull in the boats or drift. About 11 o'clock we sighted a small red light and stood over toward it. We blinked our yardarm lights and heard a faint cheer in the darkness. We had the boats.

Fortunately they had been lashed together, for if they had been straggling we should have had a hopeless task in the dark. One after another of them came alongside. Boatload after boatload climbed on board, and we had taken them all in half an hour.

The discipline maintained among the survivors had been excellent. In many boats the water breakers had not been broached, although the men had been in the boats over 12 hours. The last boat we took in tow with bow and stern line and stood over in the supposed direction of the life rafts which held the rest of the survivors. The moon had risen by this time, so that the work of finding the rafts was greatly facilitated. We now had on board 443 survivors and could have taken more, but fortunately for the comfort of those already on board another destroyer had now joined us.

You can imagine the wardroom of a destroyer, normally arranged to take care of 6 officers, with 49 in it, and the decks loaded down with a living cargo. They made no noise; all were cheerful and all hands ready to get back to another ship to carry on as soon as possible.

In connection with the loss of the *Lincoln* is the very remarkable capture and final escape of Lieut. E. V. M. Isaacs, one of the ship's officers. (Condensed from his own report.)

The *President Lincoln* went down about 9.30 in the morning, 30 minutes after being struck by three torpedoes. In obedience to orders I abandoned ship after seeing all hands aft safely off the vessel. The boats had pulled away, but I stepped on a raft floating alongside, the quarter deck being then awash. A few minutes later one of the boats picked me up. The submarine, the *U-90*, then returned, and the commanding officer, while searching for Capt. Foote, of the *President Lincoln*, took me out of the boat. I told him my captain had gone down with the ship, whereupon he steamed away, taking me prisoner to Germany. We passed to the north of the Shetlands into the North Sea, the Skaggerak, the Cattegat, and the Sound into the Baltic. Proceeding to Kiel, we passed down the canal through Heligoland Bight to Wilhelmshaven.

On the way to Shetlands we fell in with two American destroyers, the *Smith* and the *Warrington*, who dropped 22 depth bombs on us. We were submerged to a depth of 60 meters and weathered the storm, although five bombs were very close and shook us up considerably. The information I had been able to collect was, I considered, of enough importance to warrant my trying to escape. Accordingly in Danish waters I attempted to jump from the deck of the submarine but was caught and ordered below.

The German Navy authorities took me from Wilhelmshaven to Karlsruhe, where I was turned over to the army. Here I met officers of all the allied armies, and with them I attempted several escapes, all of which were unsuccessful. After three weeks at Karlsruhe I was sent to the American and Russian officers' camp at Villingen. On the way I attempted to escape from the train by jumping out of the window. With the train making about 40 miles an hour, I landed on the opposite railroad track and was so severely wounded by the fall that I could not get away from my guard. They followed me, firing continuously. When they recaptured me they struck me on the head and body with their guns until one broke his rifle. It snapped in two at the small of the stock as he struck me with the butt on the back of the head.

I was given two weeks solitary confinement for this attempt to escape, but continued trying, for I was determined to get my information back to the Navy. Finally, on the night of October 6, assisted by several American Army officers, I was able to effect an escape by short-circuiting all lighting circuits in the prison camp and cutting through barbed-wire fences surrounding the camp. This had to be done in the face of a heavy rifle fire from the guards. But it was difficult for them to see in the darkness, so I escaped unscathed.

In company with an American officer in the French Army, I made my way for seven days and nights over mountains to the Rhine, which to the south of Baden forms the boundary between Germany and Switzerland. After a four-hour crawl on hands and knees I was able to elude the sentries along the Rhine. Plunging in, I made for the Swiss shore. After being carried several miles down the stream, being frequently submerged by the rapid current, I finally reached the opposite shore and gave myself up to the Swiss gendarmes, who turned me over to the American Legation at Berne. From there I made my way to Paris and then London and finally Washington, where I arrived four weeks after my escape from Germany.

SINKING OF U. S. S. "COVINGTON."

[Extracts from the report of the commanding officer, Capt. R. D. Hasbrouck, United States Navy.]

The *Covington* sailed from Brest in convoy with several other large transports and escorted by destroyers.

Night was approaching. The lookouts, always vigilant, became more watchful as the sun approached the horizon, as this is the time of greatest danger. At exactly 9.15 p. m., on July 1, the lookout saw a white streak in the water, scarcely 300 yards from the port quarter. The ship was making nearly 15 knots speed and had only a moment before steadied on the new course. Almost before the "alarm of torpedo" could be given, the torpedo struck with a terrific detonation, throwing in the air a column of water reaching to a height above the smokestacks.

At the instant of the explosion, each man of the crew of the *Covington* at once appreciated that his vessel had been hit and knew from long training what the next step was to be. The alarm bells rung in every compartment and officers and men, quietly, as if at drill, quickly took their stations. Full gun crews were ready in case any submarines appeared, boats were gotten ready for lowering, life rafts made ready for launching, and every detail which had been so carefully worked out during the six months of war cruising was painstakingly attended to without hurry or confusion. In an incredibly short time the entire crew were at their station awaiting the next order from the bridge.

The engine and fire rooms of the *Covington* quickly filled. The ship lost headway rapidly and in 15 minutes lay dead in the water. As the water rushed into the large engine and fire room compartments the *Covington* listed, giving the impression of instability.

The order to get the boats ready for instant lowering was given from the bridge. At this time a report came to the captain that all firerooms and engine rooms were full of water; the firerooms to the top of the boilers and the engine rooms to the top of the cylinders. The most momentous thing to know at this time was how much stability remained, for upon this

knowledge depended whether the ship should be abandoned in haste. At this time, probably 15 minutes after the explosion, the *Covington* was gradually listing to port.

In such a catastrophe there are two things uppermost in the captain's mind. Steps which he must take without sufficient knowledge, and those facts obtained from others at a moment of great tension. He must decide first for the safety of his crew and second for the safety of the ship. The ship was dead in the water, reeling to port and giving one the feeling that any moment she would take a heavy lurch and sink. Nearly 1,000 men's lives now hung upon the promptness with which the captain made these decisions.

Once the captain's mind was made up, the bugle sounded the call to abandon ship and the word was passed not to hurry. Silence was also sounded on the bugle, giving this evolution a strong resemblance to a daily drill.

The behavior of the officers and men was wonderful. Twenty-one of the ship's 27 boats were lowered into the water without lights anywhere, with the ship heavily listed to port, and without the aid of a single winch, for steam had failed. The storage battery used for emergency lighting was not turned on, as it would disclose the position of the ship and thus risk a second torpedo from the submarine, which might still have been in the vicinity. Of the six boats not lowered, 2 were on the forecastle, from which it was impossible to launch them, and 3 boats were destroyed by the explosion. One boat was stove in while lowering.

Boats and rafts were lowered in the water with just sufficient men to handle them, and after all the boats and rafts were afloat the order was given "abandon ship."

It was a stirring sight to see the men go down the Jacob ladders in as orderly procession as if they were at drill.

The destroyer *Smith* stood close in alongside the *Covington* and took the men from the boats as fast as they were filled, the boats returning to the ship for more men.

A working party of 30 officers, petty officers, and men remained with the captain in the vicinity of the bridge. This working party collected the crew's enlistment records, working charts, night order book, sextants, and everything of confidential nature or valuable from the standpoint of record. This party searched the ship throughout for stragglers. The boatswain's mates went through every compartment possible, piping "All hands on deck," and finally reported to the captain that there was nobody on board save the working party.

Night had now fallen. The ship was in complete darkness, badly listed to port, and, as far as could be told, slowly bleeding to death internally with no chance to prevent the seepage of water which would eventually destroy the stability.

At 2.30 p. m. on July 2 the *Covington* began to sink rapidly by the stern. It was an awe-inspiring sight as the ship rose rapidly to a vertical position in the water, the after smoke pipe being clear when the ship was in a vertical position. This gave a spectacle of about 450 feet of this magnificent 17,000-ton liner standing as a shaft on the surface of the sea. The ship remained in this vertical position for perhaps a period of 10 to 15 seconds, then sank rapidly farther in the vertical position, the bow disappearing at 2.32 p. m. It was providential that all men had been removed from the ship before she rose vertically in the water. Had any men been aboard they would undoubtedly have been lost. Had the ship sunk immediately or shortly after the ship was torpedoed she would have sunk in the same manner as described above and the loss of life would have been appalling.

The discipline of the crew and the perfection of the drills brought about perfect order and insured safety. There were no accidents. The final muster of the crew showed that out of the entire complement of 730 men and 46 officers only 6 were lost; 3 fell overboard and were drowned while rigging out a boat; 2 were in a fireroom and were never seen afterwards, probably killed by the explosion; 1 other man was missing and was probably drowned.

A few minutes after the ship was torpedoed one gun's crew fired three shots at what was thought to be a periscope wake.

The ship went down with her colors flying.

SINKING OF U. S. S. "SAN DIEGO."

[Extracts from report of the court of inquiry.]

The court in its report reviews the main points in the testimony, as follows:

The U. S. S. *San Diego*, under the command of Capt. H. H. Christy, United States Navy, was making passage from Portsmouth, N. H., to New York, N. Y., and at or about 11.05 a. m. July 19, 1918, she was in approximate latitude 40° 30′ north, longitude 73° west, on base course 304 true, and zigzagging by an approved plan; speed, 15 knots.

The captain was steering a safe and proper course at the time to minimize the submarine and mine dangers in those waters. A careful inspection watch had been maintained while last coaling ship to prevent the introduction of any foreign matter in the coal bunkers. All lookouts, gun watches, fire-control parties, etc., as prescribed by the "Orders for ships in convoy" of the commander cruiser and transport force were at their stations and on the alert. All reasonable and necessary orders to safeguard the water-tight integrity of the ship in dangerous waters had been given and were being carried out.

At or about 11.05 a. m., July 19, 1918, an explosion took place in proximity of the skin of the ship, at about frame No. 78, on the port side and well below the water line. As a result of this explosion the ship began to list to port and she finally rolled over and sank bottom up at about 11.25 a. m., July 19, 1918. The explosion was an exterior one and as the result of this explosion the skin of the ship was ruptured in the vicinity of bulkhead No. 78, at the level of the port engine room; and bulkhead No. 78 was so deformed that water-tight door No. 142, between the port engine room and No. 8 fireroom, was opened to the ingress of water to No. 8 fireroom. The effect of this rupture was to immediately fill the port engine room and adjacent compartments, and No. 8 fireroom was soon filled also. The effect of this water would give the ship a list of 17½ degrees to port. With the increased displacement water entered through 6-inch gun port No. 10, which was justifiably open to permit using that gun, when the ship had listed 9½ degrees. This resulted in flooding the gun deck and accelerated the heeling of the ship and her final capsizing. Relatively small quantities of water entered the upper dynamo room through nonwater-tight voice tubes, but this had no appreciable effect on the sinking of the ship.

The captain properly withheld the order to abandon ship until he was certain that the ship would capsize and sink. The ship was abandoned in good order, and excellent discipline prevailed. Gun crews remained at their guns and continued firing at all suspicious objects until they were forced to jump into the water. The captain was the last to leave the ship.

ATTACK ON THE U. S. S. "MOUNT VERNON."

[Extracts from report of the commanding officer, Capt. D. E. Dismukes, United States Navy.]

About 250 miles from the coast of France, on the morning of September 5, 1918, the *Mount Vernon* and *Agamemnon* in convoy, escorted by six destroyers, were proceeding homeward bound from Brest, speed 18 knots (21 statute miles) per hour. The weather was fine and the sea smooth, making it possible to sight a submarine periscope a long distance. Everything was favorable, and it looked as though we were about to add one more trip across the war zone to our credit.

Suddenly a periscope popped above the surface of the water about 500 yards distant. Our starboard gun opened fire at once, but the periscope remained on the surface only a few seconds. Just as it disappeared, the wake of a torpedo coming straight for the ship was seen, and immediately afterwards the torpedo struck us, throwing up a hugh column of water on our starboard side amidships.

The explosion was so terrific that for an instant it seemed that the ship was lifted clear out of the water and torn to pieces. Men at the after guns and depth-charge stations were thrown to the deck and one of the 5-inch guns thrown partly out of its mount. Men below in the vicinity of the explosion were stunned into temporary unconsciousness.

It was soon ascertained that the torpedo had struck the ship fairly amidships, destroying four of the eight boiler rooms and flooding the middle portion of the ship from side to side for a length of 150 feet. The ship instantly settled 10 feet increase in draft, but stopped there. This indicated that the water-tight bulkheads were holding, and we could still afford to go down 2½ feet more before she would lose her floating buoyancy.

The immediate problem was to escape a second torpedo. To do this, two things were necessary—to attack the enemy and to make more speed than he could make submerged. The depth charge crews jumped to their stations and immediately started dropping depth bombs. A barrage of depth charges was dropped, exploding at regular intervals far below the surface of the water. This work was beautifully done. The explosions must have shaken the enemy up; at any rate, he never came to the surface again to get a look at us.

The other factor in the problem was to make as much speed as possible, not only in order to escape an immediate attack, but also to prevent the submarine from tracking us and attacking after nightfall.

The men in the firerooms knew that the safety of the ship depended on their bravery and steadfastness to duty. It is difficult to conceive of a more trying ordeal to one's courage than was presented to every man in the firerooms that escaped destruction. The profound shock of the explosion, followed by instant darkness, falling soot and particles, the knowledge that they were far below the water level inclosed practically in a trap, the imminent danger of the ship sinking, the added threat of exploding boilers—all these dangers and more must have been apparent to every man below, and yet not one man wavered in standing by his post of duty.

No better example can possibly be given of the wonderful fact that with a brave and disciplined body of American men all things are possible. However strong may be their momentary impulse for self-preservation in extreme danger, their controlling impulses are to stand by their stations and duty at all hazards.

The torpedo exploded on a bulkhead separating two firerooms, the explosive effect being apparently about equal in both firerooms, yet in one fireroom not a man was saved, while in the

other fireroom two of the men escaped. The explosion blasted through the outer and inner skin of the ship and through an intervening coal bunker and bulkhead, hurling overboard 750 tons of coal. The two men saved were working the fires within 30 feet of the explosion and just below the level where the torpedo struck.

This account would not be complete without the mention of the part played by the ship's hospital corps and the 150 helpless, wounded, and crippled soldiers who had done their part so nobly on the battle fields of France and were on their way home and deserved to get there. Within a very few minutes after the explosion all of these poor fellows were safely stowed in their boats, wrapped in warm blankets, and served with hot soup and other refreshments. They were made so comfortable in the boats that they preferred to remain in them all the way back to Brest for a period of about 18 hours.

Thirty-five men were killed by the explosion and 13 injured, one of them later dying from his injuries, the large number of casualties being due to the fact that the torpedo struck just at the time the watch was being relieved.

The saving of the ship is attributed to the following circumstances: The fact that the water-tight doors were closed, that the bulkheads were tight and held, that additional strength was gained by blanking off all air-port lenses with steel plate, and that there was an organization well conceived and well carried out to meet the emergency.

SINKING OF THE U. S. S. "CHAUNCEY" IN COLLISION.

[Extract from report of the only surviving officer, Lieut (J. G.) F. K. O'Brien, United States Navy, executive officer.]

The U. S. destroyer *Chauncey* was rammed by the steamship *Rose* and sunk at 1.46 a. m. on November 19, 1917, shortly after the *Chauncey* had cleared the port of Gibraltar. Of a crew of 91 officers and men, 1 officer and 69 men were saved, while 3 officers and 18 men were lost.

SINKING OF THE U. S. COAST GUARD SHIP "TAMPA."

The greatest disaster suffered by the Coast Guard, and the largest individual loss of life sustained by our naval forces during the war, occurred on September 26, 1918, when the cutter *Tampa* was sunk with all hands on board in Bristol Channel, presumably by a torpedo from an enemy submarine. The cutter had gone ahead of her convoy, and although a distant explosion was heard by the vessels in the convoy, no positive evidence has ever been received as to the exact cause of the disaster. Diligent search by several destroyers in the vicinity of the disaster revealed only two unrecognizable bodies in sailors' uniforms and some small pieces of wreckage. Thus perished 111 brave officers and men.

WORK OF THE ARMED GUARD.

[From reports of officer in command of guard.]

STEAMSHIP "OWASCO"—LOST DECEMBER, 1917.

We left Norfolk about November 23, and arrived in Gibraltar on the 6th of December, and we left Gibraltar on the 8th of December in company with two British, one Norwegian, and ourselves, at 8 a. m. We stood up the Spanish coast within about 3 miles of shore until dark. Then it started to blow up and rain, and it was lightning, and we lost sight of the British ship ahead of the Norwegian. The Norwegian was burning her stern lights pretty bright. I went down to my room and straightened up and looked around, and sat there until about 10 o'clock, I guess it was, and turned in. I had just about dozed off when I heard a report, or rather felt it. I dressed, got on the bridge, and asked what was the trouble. I was standing on the starboard side of the bridge when I saw something in the water, and I said, "What." This was about 11.30 p. m. on the 10th of December. That is all I got out when she struck. The ship was swinging to port slowly at the time, and a torpedo hit forward of the bridge in No. 3 hold, blew off hatches of same, and went into No. 2. The flames shot in the air as high as the mainmast. I looked up to see if mast was coming down, but she stayed there. The wireless aerial, however, came down. The wireless house lifted off the deck about four feet and shoved aft. The wireless operator and instruments were all on the deck. The captain said, "All hands abandon ship." I said, "That is all we can do," for the whole forward part of the deck was in flames. The four men on watch on the forward gun came over the platform on the port side and ran aft, as the wind was from the port and shot the flames to starboard and made it possible for them to come aft. At that time I got to the boat which was on the starboard side aft. The after gun's crew was standing by with the gun trained to port. I said, "You can't see anything, the ship is in flames, so let's lower the boats." We lowered the boats and all hands got in. There were some firemen came along and asked to get in, and I said, "Jump in." I stood on the deck and waited and hollered if there was any more on board. I got no reply; the men in the boat said, "Come along; she is going now." I looked over at the after hatches, and they were under water. I then jumped in the boat, cut the sea painter, and got away from the ship's side. The poop was pretty near submerged at that time. I saw a boat. I hailed it and asked if there was room for some men, as I had over my capacity. It was the captain's boat, and he said "Yes." I went alongside, and he took about eight men out of my boat. He then shoved off, and I could not see the boat any more. I heard some one holler, "Pull for the light." We made for the light, and it took us from 11.30 to 1.55, which is about 2 hours and 25 minutes, to get to the shore, which was Villajoyosa, Spain.

STEAMSHIP NAVAJO—LOST AUGUST, 1917.

On August 1, 1917, at 3.30 p. m., in latitude 48° 30′ N., longitude 25° W., the *Navajo* caught fire. I was sleeping at this time, as it was my watch below. I was awakened by the cry of fire. Upon arriving on outer well deck I saw that the entire after part of the vessel was in flames. I asked the captain if anything could be done. He said "No; the oil tanks were burning."

The fire spread so rapidly that it was necessary to take to the lifeboats within five minutes of the alarm. The boats were lowered; the ship still under full speed, as it was impossible to stop the engines. After leaving the ship it was discovered that some of the crew of the steamer were still on board, being unable to get to the boats owing to the intensity of the fire. Word was passed to all boats to keep together and as near the ship as possible so as to pick up the crew if necessary. As soon as possible the captain, chief engineer, and myself again boarded the *Navajo* and discovered that nothing could be done to save the ship. Shortly after our boats were lowered a sailing vessel, the Norwegian bark *Concordia*, hove in sight. The Norwegian bark picked up our lifeboats and stood by us. We then took our crew from the bark and returned to the *Navajo* to make another attempt to put out the fire. This was found impossible.

An unsuccessful attempt was made to tow the *Navajo*. The steering gear aft was destroyed, the quadrant being warped by fire, so that it was impossible to steer her. The *Navajo* was abandoned. In the morning we again boarded the *Navajo* and found that she was filling rapidly. An attempt was made again to tow her, but this failed.

STEAMSHIP JOHN D. ARCHIBALD—LOST JUNE, 1917.

About 3 p. m., June 16, 1917, four and one-half hours out of Brest, sighted what we supposed to be a submarine, 2½ points on starboard bow and at a distance of 6 to 7 miles on the rim of the horizon. Looked like a large fishing boat or cargo steamer of 1,000 or 1,500 tons, appeared to have a mast and a sail which could not be made out on account of the distance and haze. Nothing was clearly distinguishable. On sighting the submarine, the *John D. Archibald* shifted her course so as to bring the submarine about 3 or 4 points broad on the port bow. The vessel began zigzagging as soon as the submarine was sighted, zigzagged 6 to 8 points to the west and north starboard; speed about 10 knots, visibility improving. The submarine submerged. The *John D. Archibald* immediately broadcasted general warning on her main radio which has a radius of about 1,000 miles, so I was informed by the operator. The gun crews had been at their stations since leaving the harbor of Brest and were at their station when submarine was sighted.

About 4 p. m., C. E. Marson, seaman, at forward gun sighted a torpedo on starboard bow at about 600 yards, which he immediately reported to the captain, who was on the bridge with most of the ship's officers and myself, the captain had the helm put hard starboard. The torpedo was coming toward the starboard beam and appeared to be going about 32 knots and about 6 or 9 feet below the surface. The torpedo left a wave similar to that made by torpedoes of the United States Navy. It ran straight. I saw the torpedo when it was about 150 yards from the ship. The ship did not answer her helm in time to save her. She was not fairly started on her swing at the time she was struck. The torpedo struck the starboard side of the ship in line with No. 3 boat and about the center of the engine room. There was a terrific explosion, the boat gear was blown away, and a large volume of water was thrown upward. This occurred on the starboard side. The port side of the ship was not affected. The engine was stopped instantly by the impact of the explosion. The explosion probably wrecked the engines and boilers. The after end of the ship immediately sank as far as the main deck.

None of the gun crew were injured. Three men in the engine room were killed instantly and one of the engine-room crew severely injured. His injury was due to inhaling gas and steam after the explosion. He was found outside the engine room by the gun crew amidst wreckage. The captain gave orders to

abandon ship, and ship's company left in five minutes in two boats.

While in the lifeboats and astern of the ship and about 150 yards from her, we saw a periscope about 100 yards away between the boats and the ship and on the ship's starboard quarter. This periscope was smaller than those used in the United States Navy. It was about 2 inches in diameter and showed a couple of feet. It was painted a dull greenish paint. There seemed to be something inside of the periscope on the order of a glass tube about 1 inch in diameter, which showed before the periscope came to the surface. The tube seemed to telescope in the periscope. There was no housing or hood on the periscope to be seen. We saw the periscope follow a course around the port side of the ship. The submarine then came to the surface on the starboard side of the ship. The boats were then about a mile away from the ship making to the eastward under oars. The submarine then fired about 10 shots into the ship. The ship listed to starboard and sank astern first. Immediately after the *John D. Archibald* sank the submarine submerged, or perhaps a little before. A short while afterwards a passing French steamer fired on No. 1 boat, mistaking her for a submarine. She afterwards discovered her mistake and ceased firing. The steamer came alongside of No. 2 and offered to rescue. The mate in charge thought it unwise to imperil the ship and expose her to submarine attack, so declined help and requested the steamer to proceed, which she did, and escaped. This French steamer said she would notify the patrols. The steamer passed on to the east. The boats in the meantime had gotten together.

At about 9 p. m. dusk, sighted a submarine on the surface bearing to the east of the boats and at about a distance of 2,000 yards. At the same time three French patrol boats were seen coming from the west at about 12 knots. It soon became hazy and dark. We were provided with a flash light and a lantern. We desired to signal to the patrols, but screen the lights from the submarine. We placed our bodies between the lights and the submarine, turning our backs on the submarine and holding the light in front of us. The patrols used their searchlights on the submarine, fired upon her, and sent our warnings. So far as I know, the submarine was not damaged. The patrols came to the boats and we hurried on board in order not to delay them in attacking the submarine. The gun crew and myself lost all our belongings on board. We were but lightly clad, as the weather was warm.

STEAMSHIP ROCHESTER—LOST NOVEMBER, 1917.

While traveling with the convoy the *Rochester* did not zigzag, as her speed on a straight course would just enable her to keep up with the other ships, which were zigzagging. On November 2 one of the men at the after gun sighted a periscope on the starboard quarter about 500 yards distant. It appeared to be about the size of a broom handle. It submerged before any shots could be fired. The same afternoon, at 4.45 p. m., the lookout in the after crow's nest reported a torpedo wake on the starboard beam less than 100 yards distant. The wake became plainer as if the torpedo had approached nearer the surface, and struck almost instantly on the starboard side abreast the after end of the engine room. The weather at the time was clear, the sea smooth, and the visibility good.

The force of the explosion caused the whole ship to lurch to port. She righted herself immediately. The explosion wrecked the engine room, put the dynamo out of commission, smashed the transmitting gear of the wireless, and knocked down two wires from the aerial. The headway of the ship was stopped immediately, and the ship filled with steam and smoke following the explosion.

The gun's crew off watch manned their station at once, but as there was nothing seen of a periscope or submarine the after gun crew were ordered to clear away the raft and launch it. The commander of the guard and master got in a boat, and all boats cast off and met 500 yards astern of the *Rochester*, according to an agreement previously made. The armed guard totaled 13, with the commander. The merchant crew complete when on board, including the master and officers, totaled 36. The entire personnel of the vessel therefore numbered 49. The three boats then separated, each steering a different direction. Just after they separated, at 5.15 p. m., a submarine opened fire at the ship. Owing to the lifeboat being so low in the water, the submarine could not be seen, but the flash of the gun was discovered. The gun flashes appeared to be about 6,000 yards off the starboard bow of the *Rochester*. The first shots fired at the vessel were high and to the left. The last shot (there were 10 in all) hit the vessel well above the water line on the starboard side. It was then rapidly getting dark. As soon as the captain thought the lifeboat was out of sight, he had the mast stepped and made sail. In the mind of the armed-guard commander there is no doubt but what the ship was not long in sinking. At daylight of the next morning neither of the other two boats were in sight. On the afternoon of November 3 the wind blew to a gale, which lasted all the time the men were in the boat and which, together with a steady rain, caused the men to suffer from exposure.

The lifeboat was equipped as follows: One 25-gallon breaker of water; two tanks, each about 3 feet square and 10 inches deep, filled with hard bread. Some of the crew had been eating ham, which was rather salty, and drank a great deal of the water. The captain asked one of them how much water there was, and he said, "Plenty." The captain grew suspicious, however, and examined the breaker himself. He found but 5 gallons left. Some of the rain was utilized for drinking, but owing to the spray that constantly washed over the boat not much could be obtained. Regarding an article in a New York paper that the captain held the men from the water with a revolver, this story is wholly false. One man, an oiler, who was thirsty, said if he did not get water he would jump overboard. As he was making himself disagreeable, he was told to "jump ahead." He did not attempt it, however. One of the men had a bad wound in his thigh, caused by the explosion of the torpedo. This wound was attended to as well as could be done under the circumstances, with the aid of a first-aid packet. When this man was examined on arrival in port by a physician, he stated that it was the cleanest wound he had ever seen, probably due to the cold and salt water. At 2 a. m. on November 7 Tory Island light was sighted. The captain ordered the sail lowered and an improvised sea anchor put out, as the coast was strange and there was a heavy sea. At daybreak, while looking for a place to land, a British patrol boat was observed. This patrol boat picked up the members of the lifeboat and took them to Lough Swilly, where dry clothes were given to them.

STEAMSHIP "LUCIA"—LOST OCTOBER, 1918.

At 5.30 o'clock p. m. on October 17, 1918, the U. S. A. C. T. *Lucia*, bound for a European port (in convoy without escort), was torpedoed amidships on the port side, the torpedo entering the engine room and immediately killing four men. I had been on watch on the upper deck of chart house about 10 minutes, and after surveying both sides with with the naked eye, I started to use my glasses. I finished looking to starboard and had just started on the port side looking aft, and as my range of vision was coming abeam I saw a white wake about 100 yards off our port beam, which was about 5 yards in length. On or about the time I saw this wake the explosion occurred. A shower of dust and débris caused by the explosion interfered with men on after gun platform and lookout in the after crow's nest, and the explosion caused such a vibration that it knocked the men stationed on after gun platform off their feet. Immediately upon recovering themselves they manned gun and trained to port at my orders. At the time of explosion I immediately ordered both guns trained to port, but could find no trace of submarine; and I then sent semaphore signal to the U. S. S. *Hawaiian* to broadcast our S O S, as the explosion had put all dynamos in engine room out of order and we had only our auxiliary set left for use. The armed guard remained at their stations from time of torpedoing until the last gun's crew had left ship, at 2.20 o'clock p. m. on the following day, a total of 20 hours and 50 minutes after being torpedoed. During the night I had a very sharp lookout kept for submarine to appear, but without result. On or about 4 o'clock a. m. on October 18 I decided that submarine might try to shell ship at daylight, and I broke out 40 rounds of ammunition for each gun, but nothing occurred. During the night the ship was in sinking condition and aft gun platform was just clear of water, as the explosion of torpedo had carried away the bulkhead between the engine room and No. 4 hatch, and slowly the heavy sea had caused water to enter No. 5 and No. 6 hatches, respectively. On or about 12 o'clock noon on the 18th the water started forcing its way forward, getting as far as No. 3 hatch.

At 2.30 p. m., after being repeatedly warned by the master that ship was in hopeless condition, the last radio operator and myself took to our boat. The boat, of which I had charge, carried, besides armed guard, the master and three members of civilian crew, and we, with the other four boats and raft, hauled well to leeward clear of wreckage and rode to sea anchors, the sea at that time being very rough. At 3.15 p. m. the stern slowly started to disappear and her bow was lifted to a vertical position, and in doing so carried away her mainmast. When she attained a vertical position she slowly disappeared from view, carrying away her stack and foremast, and finally disappeared at 3.20 p. m.

The wind was rising and the sea was beginning to run so high that it took the utmost precautions to prevent the boats from capsizing, and we managed to keep all boats afloat by continu-

ously bailing water. At 9.26 p. m. the U. S. S. *Fairfax* sighted the boat of which I had charge, and after exchanging signals we brought boat alongside and with greatest difficulty managed to get entire crew aboard.

Mr. PADGETT. Mr. Chairman, I yield 15 minutes to the gentleman from Arkansas [Mr. CARAWAY].

Mr. CARAWAY. Mr. Chairman and gentlemen of the committee, I shall not employ any part of the time allotted me to praise or condemn the American Navy. I want to take advantage of this opportunity to have a resolution introduced and make a few remarks upon it. I ask the clerk to read it.

The CHAIRMAN. The Clerk will read the resolution in the gentleman's time.

The Clerk read as follows:

Whereas artificially controlled markets are harmful, and gambling in the price of the product of the farm, commonly called dealing in futures, is hurtful to the farmer and likewise levies tribute on the consumer; and

Whereas the New York and New Orleans Cotton Exchanges, organizations whose members deal in or are interested in deals in futures of cotton; and the representatives of foreign countries, and representatives of foreign firms engaged in the manufacture of cotton have entered into contracts affecting future deliveries of large amounts of cotton through the said exchanges, and that these Governments and firms have, it is alleged, sold short in the market, through the New York Cotton Exchange; and

Whereas it is now alleged that these Governments and firms are having carried in the New York Cotton Exchange from month to month these contracts; and

Whereas said speculations are alleged to be the cause of the violent fluctuation in the cotton market, as recorded in said exchanges, and for the low price of cotton now prevailing: Now, therefore, be it

Resolved, That a special committee consisting of five members be appointed by the Speaker from the membership of the House of Representatives to inquire:

First, as to the cause or causes of the present fluctuation in the price of cotton;

Second, whether the present low price of cotton is due to any conspiracy, combination, contract, or practice or restrain on the part of any persons, groups, or corporations engaged in the buying or selling of contracts for future delivery of cotton;

Third, to ascertain the extent, manner, and method of any manipulation or control of the visable supply of cotton by any individuals, groups, associations, or corporations and especially those operating through the New York Cotton Exchange;

Fourth, what legislation is needed to insure reasonable and fair market conditions for cotton and a free and open channel and distribution of same;

Fifth, that the said committee shall have the power to send for witnesses, administer oaths, examine books and papers of the said cotton exchange or any member thereof, or any person dealing in or having connection with said exchange;

Sixth, that the said committee shall have power to sit during the session of the House and shall report its findings and recommendations to the House.

Mr. CARAWAY. Mr. Chairman, as I said, I shall not use the time allotted me to discuss this naval appropriation bill. I shall rather use it to call to the attention of the Members of this House and ask of them relief from a situation that threatens with ruin the cotton growers of this country. They are being crushed by the manipulation of the cotton market. The gamblers in futures within and without the cotton exchanges are robbing the people of the South of all the fruits of their toil. Twenty million of people, directly or indirectly, are dependent for prosperity upon cotton. They have toiled early and toiled late to produce this present cotton crop, only to see the profits of their toil destroyed by gambling in futures. They now ask us, as they have asked often before, to make this thing impossible. Unless the American Congress shall aid them they perish.

Last summer the Government estimate of the cotton crop was about 14,000,000 bales. The price then was around 30 cents per pound. As the season progressed the estimate fell, and as the estimate of the crop fell the price of cotton likewise fell. In other words, this unprecedented thing happened: The less the supply and the greater the demand the lower the price. That could not happen and did not happen by any law of supply and demand. When this last season's cotton was first on the market—I am speaking now of spot cotton—it sold at from 32 to 38 cents per pound.

The Government estimate then was that the crop would be about 12,000,000 to 13,000,000 bales. With each succeeding report the estimate was reduced, until finally it was around 11,500,000 bales, and the ginning report indicates that that was about the correct estimate. We have a crop of about 11,500,000 bales. We had no visible supply of cotton when this crop was put on the market. The estimated consumption of cotton was around 18,000,000 bales, and yet since the cotton has been ready to market the price has constantly dropped, until now there is no market at all for cotton. When you read the reports from the exchanges that cotton futures are 22 or 23 cents, it does not mean that if you have spot cotton you can sell it even for 22 cents. In fact, there is cotton now in the market that has been there for months unsold, though there is a reported market every day. But with our crop the shortest we have ever produced, with the largest acreage the South ever had planted, and the most expensive we ever grew, cotton is now selling, if selling at all, around 20 or 22 cents, although it sold as high as 38 cents when it was thought we were going to have 1,000,000 or 1,500,000 bales more. I charge that there is manipulation of the cotton market. I am informed that there is an agreement entered into by certain people in this country through the cotton exchanges to furnish certain foreign countries and firms manufacturing cotton in those countries a large amount of cotton. This cotton was contracted at a price such that they could not go into the open market and buy the spot cotton at that price. So, therefore, we have seen this remarkable thing, that the price of future cotton has fluctuated as much as 200 points in a day, or $10 a bale. How much more the fluctuation would have been no one knows, except the exchange adopted a regulation limiting it to this amount. There can not under the rule of the exchanges now be a greater fluctuation than $10 a bale in any one day.

Everyone knows that cotton is worth no more this morning than it will be this afternoon, and that this difference of $10 a bale is purely speculative, although in the morning on the exchanges it appears to be worth $10 a bale more than it is in the afternoon. If the cotton was worth what it sold for on the 1st of October—around 35 cents per pound—this fluctuation caused by gambling in exchanges represents a loss to the people who grew the cotton of more than $800,000,000. This year's cotton crop of 11,500,000 bales is now worth less by $867,000,000 than it was last October.

Mr. PLATT. Will the gentleman yield for a question?

Mr. CARAWAY. Yes.

Mr. PLATT. Is not practically all the cotton in the hands of the speculators, and has it not been since October?

Mr. CARAWAY. Oh, no.

Mr. PLATT. They bought it from the farmers early, did they not?

Mr. CARAWAY. The cotton speculator never bought a bale of cotton from the farmer in his life.

Mr. BAER. Do they not deal in fictitious and imaginary cotton, just as they do in wheat?

Mr. CARAWAY. Yes.

Mr. BAER. I am thoroughly in sympathy with the gentleman's resolution, and I hope he will include all of the other farm products. I am willing to vote for that.

Mr. CARAWAY. I am sure that if you should bring a bale of cotton on the floor of the Cotton Exchange in New York there is not a man there who would know what it was. Yet they deal in more imaginary bales of cotton every month than is represented by any crop that has ever been grown by the people in this country. Now, I know, and everyone knows, that it is a manipulated market which, as the supply diminishes and the demand increases, causes a fall of the price. That can not happen by any law of supply and demand.

Answering the suggestion of the gentleman from New York [Mr. PLATT] that the cotton is in the hands of speculators, I want to say that the speculator never has spot cotton. Cotton is in the hands of one of two parties—the farmer who has grown it or the small merchant who has bought it or has taken it in payment of debt.

Mr. PLATT. Isn't he a speculator?

Mr. CARAWAY. The gentleman has such a peculiar idea of speculators that I will not argue with him. If a man who buys a bale of cotton for $50 and hopes to sell it for $51 is a speculator, then the small merchant is a speculator. I never understood that the man who bought a bale of spot cotton and bought it at a fair price and sold it at a fair profit was a speculator.

Mr. PLATT. If I buy 100 shares of the New York Central stock with the expectation of selling it at a higher price, am I not a speculator?

Mr. CARAWAY. Does the gentleman imagine that the man who buys a horse for $100 and hopes to sell it for $110 is as much a gambler as the man who bets that he will hold three aces? If so, then I concede he is correct. The man who buys future cotton does not have cotton to sell. He would not know cotton if he saw it. He is the man who is now destroying, in the hands of the producer and the small merchant, the price of cotton. He has already this year destroyed more than $860,000,000 worth of property produced by the people in 11 of these States. That is the work of these cotton exchanges and those who deal in them.

Mr. BAER. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. BAER. Wool is somewhat similar to cotton. I got a letter yesterday from a woolgrower who says that at the begin-

ning of the war wool was 60 cents a pound and his wife bought yarn for $2.50 a pound. Then wool went down to 50 cents a pound, and now his wife is paying $4 a pound for yarn.

Mr. CARAWAY. Some dishonest speculators have been manipulating the wool price. I realize that unless you gentlemen who are not directly interested in the prosperity of the people who grow cotton will help us in this situation we can not be saved. You have the votes. If our need appeals to gentlemen on that side of the House and from that section of the country where cotton is not grown, we can destroy this vampire that robs us. But if you are willing to let the people who grow cotton be stripped of every cent of profit by these cotton exchanges in New York and New Orleans, we must suffer. But you can not destroy our section of the country without reacting hurtfully on yours. Your prosperity and our prosperity are intertwined. If we are destroyed, you are to be destroyed also. Unless there is some means devised by which people shall profit by the wealth they produce the production of wealth will cease altogether.

This is not an ordinary situation that confronts this country. It is destructive to the financial interests of a majority of the people who live in 11 States of this Union. I know whereof I speak and I know their condition. I know that if the producer of wealth must sit helpless and see some agency beyond his power individually to control rob him of the profits of his toil he is going to cease to toil. And it is a self-evident fact that such a manipulation of the cotton market is now going on. No market regulated by supply and demand can vary $860,000,000 within two and a half months.

Mr. BLACK. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. BLACK. Does not the gentleman think that the repeal of the embargo restriction would be of more real benefit to the cotton market than an investigation of the cotton exchange?

Mr. CARAWAY. I think the embargo affects the price of cotton some, but it has been practically lifted. There are markets open now for cotton that would consume several million bales more than the cotton now in sight, and yet this condition exists.

Mr. BLACK. My understanding is that there are certain restrictions upon neutral countries now—Norway, Sweden, Holland, and Denmark—and I think they ought to be absolutely removed.

Mr. CARAWAY. I think that is true.

Mr. LAZARO. Will the gentleman yield?

Mr. CARAWAY. Yes.

Mr. LAZARO. The gentleman, in speaking of the abuses on the floor of the cotton exchanges, does not mean to convey the impression that he would have an act abolishing legitimate speculation on the floor of the cotton exchanges in cotton, does he?

Mr. CARAWAY. There never was a legitimate speculation in futures. [Applause.] I would abolish that. It is wrong to gamble anywhere in anything, and I would abolish the cotton exchanges as I would any other gambling den. [Applause.]

Mr. LAZARO. Is the gentleman opposed to cotton exchanges?

Mr. CARAWAY. To anything you call an exchange if it deals with fictitious production and fictitious prices. I would oppose any place where they sell cotton or any other crop of the soil that has not been planted. The gentleman from Louisiana knows that right now he can go to a cotton exchange and buy every bale of cotton that is to be grown in 1919, although there is not now an acre of cotton planted and nobody knows how many will be planted.

Mr. LAZARO. Mr. Chairman, I agree with the gentleman, and I am willing to go as far as he to abolish abuses, but I am opposed to destroying the legitimate cotton exchanges in a cotton-growing community.

Mr. CARAWAY. Mr. Chairman, there may be a legitimate cotton exchange. I never saw one.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

Mr. CARAWAY. May I have just one or two more minutes?

Mr. PADGETT. Mr. Chairman, I yield two more minutes to the gentleman.

Mr. CARAWAY. I wanted to say this, that I see some gentlemen are very much opposed to abolishing cotton exchanges. I remember when there used to be an exchange in New Orleans called the Louisiana State Lottery. The exchange was that people all over the land would buy tickets entitling them to draw something that they never got, and this Congress abolished that because it was simply a gambling device. I have heard no one in recent years defend it, although at the time it had many advocates. It was just as legitimate a business and it appealed just as much to legitimate business as do cotton exchanges as they are now manipulated. It was simply a means of dealing in people's credulity, and that is all that the cotton exchanges do. You can go into a cotton exchange and buy millions and millions of bales of cotton to be grown in 1919 when there is not an acre of cotton planted and nobody knows that there will be an acre planted. We presume there will be, but how many million bales will be grown no one knows, and yet that cotton crop is being sold over and over every day, and some people say that it is legitimate business. As I tried to point out once before, this condition now exists.

The interest of the spinner and the dealer in futures is identical. Under present rules of the exchanges they operate together. The spinner can say, "I want a million bales of cotton," and the dealer in futures, the legitimate speculator, as some of you gentlemen call him, says, "If you will keep out of the cotton market and not buy a bale, I will break the market until you can have that cotton at whatever price you agree to pay me," and there is no power short of this Government that can prevent their carrying that agreement out. To-day, if it were not for the fear that this Congress will abolish cotton exchanges, the cotton exchanges in New York and New Orleans could make cotton sell at $5 a bale.

Mr. LAZARO. Has the gentleman given any thought to the Liverpool Exchange and how we could remedy the situation over there?

Mr. CARAWAY. The Liverpool Exchange can not affect the value of a single bale of cotton in the United States unless it has an exchange in the United States with which it can cooperate. Gentlemen, it is the old, old question of right and wrong. It is the question presented ever since governments began—Shall the strong plunder the weak? Shall those who toil not be rich, while those who labor from sun to sun are poor? Our actions here will give the answer.

For myself I have already decided. I shall do all that lies within me to destroy those vicious interests that gamble away the wealth of our farmers, that reward honest toil with poverty, and laugh when grim want sits at the fireside of those who have created the wealth of our land—the farmers of this country. Let us pass this resolution and destroy these plunderers of our land. [Applause.]

Mr. HICKS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUTLER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Chairman, the naval bill carries appropriations amounting, I believe, to about three-quarters of a billion dollars. I do not remember for certain the amount carried by the naval bill when I came into Congress, but I am quite confident that it was far less than $100,000,000.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. MANN. Yes.

Mr. BUTLER. When the gentleman and I came here to Congress 22 years ago, I voted in the committee room for the first naval bill that I had anything to do with, and it carried less than $23,000,000, and the gentleman voted for it on the floor.

Mr. MANN. From $23,000,000 to three-quarters of a billion dollars is something of a jump. However, we have now gotten so in the habit of referring to billions of dollars that I have noticed lately that Members introducing bills requiring appropriations seem to be rather ashamed of naming any sum less than $10,000,000 on up to $100,000,000.

I did not rise for the purpose of discussing the naval appropriation bill itself. I introduced in the House to-day a joint resolution providing for the appointment of a commission to investigate the subject of making estimates and appropriations. I never have been on one of the appropriation committees of this House, although I have given a good deal of attention to appropriation bills, as various chairmen know. There has been a great deal of agitation in the country in favor of adopting what is called the budget system. I have some doubt as to whether many of the people who advocate the adoption of the budget system know what it means; but they do know this, and the rest of us know the same thing, that as the Government has grown up our method of getting requests from the executive, which we call estimates of appropriations, and our method of following those requests by appropriations has "just growed up," and while there is a very good reason for nearly everything that is done, still it is more or less haphazard. The original estimates of appropriations made by the executives are not examined very carefully by the heads of departments, and they

can not be. There is no correlation whatsoever between the heads of departments as to the estimates which they make, and the effort which we made at one time by legislation requiring the President to exercise his power amounts to nothing, because it is physically impossible for the President himself to give much attention to the matter of appropriations, except that he follows the requests of some of his subordinate officials. I do not know how far we can go in the way of correcting.

I have proposed the appointment of a commission to be composed of six Members of this House, to be nonpartisan or bipartisan, and six Members of the Senate, with authority and direction to investigate the whole subject and to report to Congress. I have heard a great many different Members of the House suggest at different times remedies for the existing evil, but none of the remedies which I have ever heard suggested appealed very strongly to me, and I think those suggesting the different remedies seldom agreed. Now that we have got to passing appropriation bills in time of peace amounting to three-quarters of a billion dollars, an increase from $23,000,000 in 22 or 23 years, now that we have come to the point where we must do without many things which we would like to have and where we must appropriate much money for many things which we would like to have, and where we must appropriate much money for many things which some of us would like to do without, we have simply got to reorganize our system of making appropriations. We have got to reorganize the system which is in effect in regard to the requests which come from the departments and from the executive branches of the Government asking for appropriations. I do not myself think that it is possible or that it would remedy the difficulty to concentrate the whole power of appropriations in the hands of one committee, to be then redistributed to a lot of subcommittees, for that is what we do now. The Committee of the Whole House makes the appropriations and they are distributed among a lot of subcommittees of the House, called committees of the House; but there ought to be by scientific and expert search—and that is the real way to get at anything—suggestions made which would aid the Executive and Congress to save what otherwise would be expended, to the amount probably of hundreds of millions of dollars a year, without the loss of a single thing necessary to be done by the Government.

I want to say this resolution that I introduced I drafted in pencil while I was over in the hospital last November, and, as is my habit in such matters, I laid it away to cool off, wondering whether it was the fantasy of a moment or whether it would appeal to my judgment when I was cool. The able gentleman from Kentucky [Mr. SHERLEY], the great chairman of a great committee, the other day in discussing the deficiency bill said that he had an idea of this sort in his mind. I concluded I would introduce my resolution, hoping that between us and with the aid of the other Members of Congress, or aiding them, we might put into law a provision, in the form of a joint resolution or as an item on one of the deficiency appropriation bills, authorizing a commission, the expense of which may be $100,000, as suggested here, or it may be less, or it may be a little more, but it ought to save the Government more millions of dollars a year than there are Members of this House.

Mr. GARNER. Will the gentleman yield before he takes his seat?

Mr. MANN. Yes, if I have the time.

Mr. GARNER. I fully agree with the gentleman's suggestion that we ought to have a commission to investigate this matter, and I want to suggest to the gentleman if we could not adopt the resolution, send it to the Senate, and put a similar provision in one of the appropriation bills, so if that became the law it will be sure to pass the other body?

Mr. MANN. I will say to the gentleman——

Mr. GARNER. The parliamentary situation might be such that the sundry civil bill might not become a law, and therefore we want to take both opportunities to get the other body to consider this.

Mr. MANN. Now, this plan that is in my mind practically—and I always try to be practical—is, suppose this resolution is referred to the Committee on Rules. I hope the Committee on Rules will report it, but, of course, that does not give it a privileged status, and I hope it may pass by unanimous consent; but if the Committee on Rules will report it I think the Committee on Appropriations will probably be warranted in including some item like this covering the substance—and I care nothing about the form—as an item in the general deficiency appropriation bill, which bill is almost certain to become a law. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. Mr. Chairman, I yield 12 minutes to the gentleman from Alabama [Mr. HEFLIN].

Mr. HEFLIN. Mr. Chairman, I yield five minutes of that time to the gentleman from Texas [Mr. EAGLE].

Mr. EAGLE. Mr. Chairman and gentlemen, I want to make a few observations concerning the resolution introduced by the gentleman from Arkansas [Mr. CARAWAY] and submit for the serious consideration of you gentlemen who come not from the southern cotton-growing States but from the other States of the Union certain observations in order to induce, if I may, your sympathetic consideration, based partly upon your own self-interests, of that resolution. In the State of Texas the cotton crop begins to come in about the 1st of July. From the 1st of July of last year, therefore, up until about the month of October of last year, when Mr. Baruch and the President had something to say about the appointment of the commission to stabilize the price of cotton, there moved in the State of Texas about 660,000 bales of cotton of 500 pounds each at a price ranging around 30 cents per pound. That money enabled the people of the State of Texas to take more than their quota of war-savings stamps and of liberty bonds, predicated upon the supposition that there would be a legitimate market for their chief product, one-half of which is raised and owned by Republicans—our negro farmers. Therefore, if for no other reason, you should consider those, whether you do the white folks or not. [Laughter.] From then up to the present time in the State of Texas about 500,000 bales have moved at a lower price, until now it is about 22 cents per pound. In answer to the specific point raised by my friend Mr. PLATT, of New York, as to whether it were not legitimate speculation in reference to the things that have been done and are currently being done, I have this to say: There remain about 1,900,000 bales of cotton in Texas of the crop grown in the year 1918, which began to go on the market last July, and which up until now has not been sold because it will bankrupt the producer to part with it at present ruinous prices.

It will not only take from him any reward for his year's labor, but it will render him unable, as a tenant farmer or a negro cotton farmer, or a white man who has one plow or five plows, if they sell at the current price, which is manipulated and forced by English cotton spinners and the New York and New Orleans cotton spinners and the New York and New Orleans Cotton Exchange gamblers and their agents—unable to pay for the liberty bonds they have bought, predicated on that asset of cotton for which they have legitimately worked and own. Not only that, but it will render my State of Texas, which has gone "over the top" in every one of these campaigns for liberty bonds and other patriotic things, unable to subscribe its allotted part, as it wants to do, to the forthcoming liberty bond issue, and then you gentlemen, if you fail to listen to us when we tell you the truth and the reasons for it, please do not say then that the people of Texas are not patriotic because they do not subscribe the full quota; but the fact is that they will have been prevented from doing that on account of the value of their cotton crop having been beaten down several hundred million dollars by these cotton-exchange gamblers.

We buy every pair of shoes in Texas, where there are 5,000,000 human beings, from you people in Philadelphia and Boston and Lynn and other sections of the manufacturing North. We can not do business with you on the high plane we have been doing it and pay our debts and buy those stocks and make your factories prosperous so you can hire your labor if you sit silently by and permit the gamblers to wreck us. We buy our wheat from the Dakotas and from Kansas. We buy our corn, millions of bushels of corn, from the mighty States of the North and West. We buy your leather goods and machinery, and we buy the products of your factories and your looms, and we have our raw cotton to pay for them as our money crop.

This would not be such a tragedy, my friends, if your constituents got the benefit of the sacrifice to which our southern farmers are now being subjected. But will you get this into your minds and not forget it? The very price of cotton goods in the United States right now that every one of your consuming constituents is using is fixed by the cotton manufacturers having come here to the board a year ago and agreeing to pay 37¼ cents a pound for the present cotton crop. They said that would be the market, and the board said all right. Manufacturers of cotton in America fixed the prices at which they are now selling their goods, wares, and merchandise predicated on 37¼ cents a pound for raw cotton.

Considering that fact, every cent below 37¼ cents a pound which these cotton-exchange gamblers have beaten the price down to—and they have already beaten it from 37 or 38 cents down to 22 cents, and there is no market for it at that—is so

much put into the pockets of speculators, and your constituents get no benefit from it. And thereby you help unconsciously, you men from Pennsylvania and all these other splendid Commonwealths, by your silence to pauperize the masses of the people in my State.

Mr. FOCHT. Will the gentleman yield?

Mr. EAGLE. I will.

Mr. FOCHT. It has been long known and commented on that Liverpool controlled the price of grain throughout the world. You say the price of cotton is controlled by Great Britain just as on leather. Now, how can Pennsylvania help you break that up?

Mr. EAGLE. My friend has referred to something I did not say. I said the English cotton spinner is operating through the New York Cotton Exchange and the New Orleans Stock Exchange by furnishing money to these gamblers in selling future deliveries, but it is impossible to deliver at continually lowering prices and at the same time declining to purchase even at the market. They are unitedly so doing it, and just how you can help it I wish was clear. But I say that the unlimited and indiscriminate selling of cotton futures which they can not meet with the cotton itself is having the effect of pauperizing my people.

Mr. BAER. Will the gentleman yield?

Mr. EAGLE. I will.

Mr. BAER. The gentleman spoke about the North and that they are buying your cotton. I wish to say that a suit of overalls up in my State costs $5 a pair, and I looked it up the other day and weighed a suit of overalls and I find that at the present price your cotton producer gets 47½ cents for the cotton in that suit.

Mr. EAGLE. I have finished the observation I wanted to make, gentlemen. [Applause.]

Mr. PADGETT. Mr. Chairman, for the purpose of permitting the gentleman from Alabama [Mr. DENT] to submit a conference report, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15539, the naval appropriation bill, and had come to no resolution thereon.

VALIDATION OF CERTAIN WAR CONTRACTS.

Mr. DENT. Mr. Speaker, I desire to submit a conference report on the bill H. R. 13274, on which the conferees have come to no agreement, for printing under the rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Conference report on the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The SPEAKER. The report is ordered printed under the rules.

The following is the conference report:

CONFERENCE REPORT (NO. 1032).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

On the amendment of the Senate to the bill and to the title of the bill the conferees have been unable to agree.

S. H. DENT, JR.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEORGE E. CHAMBERLAIN,
DUNCAN U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
P. C. KNOX,
Managers on the part of the Senate.

THE NAVY.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The gentleman from Alabama [Mr. HEFLIN] is recognized.

Mr. HEFLIN. Mr. Chairman and gentlemen of the committee, I am in hearty sympathy with the resolution offered by my friend, Judge CARAWAY, of Arkansas. It represents the general desire of the people of the cotton-growing States. It is plain to us who live in the cotton belt that there is a conspiracy on between certain foreign spinners and certain American spinners, and they are using the speculators upon the cotton exchanges of the United States to beat down the price far below that warranted by the law of supply and demand. To make it plain to you that there is a conspiracy, let me say that when the exchanges are honestly conducted the price of cotton futures is always above the price of cotton in the local market. Now, the situation is reversed. The future price is $35 a bale below the spot price. This is inexcusable and indefensible and is proof positive to any man who understands the cotton business that there is a gambling deal on and operating right here in the United States to the detriment and great injury of the cotton producers of our country.

Gentlemen, here are the cotton producers of the United States, whose boys with your boys fought and fell upon the fields of France, and they are holding their cotton for a price that will yield a profit. And here are these men on the exchange, with no cotton to sell and with no intention of ever delivering a bale of real cotton on a contract, by putting up a margin of $15 a bale are able to beat down the value of a bale of cotton that the farmer is holding, worth $150 a bale under the law of supply and demand. Is it right? Is that fair? Is it fair to permit these men, with $15 a bale, to go upon an exchange and, regardless of the law of supply and demand, beat down the price of a product worth $150 that you are holding in order to obtain a legitimate profit? That is what is going on in the United States to-day. I charge that there is a conspiracy and that its agents are operating on the New York Cotton Exchange, and I think that the evil effects of this conspiracy, if not the conspiracy itself, are seen in the operations of the New Orleans exchange.

Even at that the New Orleans exchange is nearly always 100 points above the New York exchange. If the New Orleans exchange will not put its house in order, then it must not expect to survive. It is whispered around that certain foreign powers are trying to beat down the price so that they can buy this cotton at a low price and then bull the exchange market and run it up to 40 cents a pound, at which time they intend to supply the demands in Europe after they have robbed, through an American exchange, the cotton producers of the United States. [Applause.] Will we Members of the American Congress permit this to be done?

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. I would like to, but I have only four or five minutes, and in that time I want to touch on a few other points that I had in mind. Gentlemen, at the beginning of this war the farmers in the cotton belt of the United States lost $600,000,000 on the cotton crop of 1914. It was an awful blow to our people and caused great financial distress, and in order to help us in that financial embarrassment and hour of distress you heard—and many of you responded—the cry of "buy a bale of cotton." Now, when the war is over, are we going to permit the same cotton producers, merchants, and bankers of the United States who suffered such heavy losses in 1914, the first year of the war, to be driven into bankruptcy now, when the war has ended in victory and the world is demanding 6,000,000 bales of cotton more than America can supply? [Applause.]

It is unfair, gentlemen, and the Congress of the United States owes it to those men who supported the Government in every way possible with their money, buying war-saving stamps and liberty bonds, who aided the Red Cross and the Y. M. C. A. during all the stress and strain of war, and, better still, who gave their brave boys to fight and die on the fields of France—I say we owe it to them to prevent the existence of an institution that denies to them a fair deal in the markets of the world. [Applause.] All that we ask is the price warranted by the law of supply and demand, and unless the exchange reflects that price there is no just excuse for its existence. [Applause.] I am willing to include an investigation of the grain dealers' exchange. I want to say here that I do not believe that there is any such supply of wheat in the world as has been floating around in newspaper reports. [Applause.] I think that is a part of the bear propaganda.

Let us join hands and go together and investigate all exchanges that speculate in farm products. You will find conditions, gentlemen, that will shock the sensibilities of an honest, justice-loving people. I for one do not believe that it is necessary to have an exchange selling in unlimited quantities mere names of "wheat" and "corn" and "cotton" in order for the farmer to have a market for his product.

The American crop of cotton, wheat, and corn is consumed every year, and yet these crooks and gamblers tell us that it is necessary for them to sit in the exchanges and bet each day that the price of the farmer's produce will go up or down in order that the producer may have a market. If Congress is to permit the existence of an exchange that deals in farm products, Congress must compel that exchange to reflect prices justified by the supply and demand. Do you know what the situation is? This year the American cotton crop is about 7,000,000 bales of cotton short of the world's demand for American cotton. Now, what would the price be under the law of supply and demand? It would be around 35 or 40 cents, and in spite of the gambling exchanges we are going to hold cotton until the price goes above the cost of production and yields a fair profit to the American producer. The cotton gamblers are selling the market short. I understand that one foreign power has sold 800,000 bales short. This is not cotton except in name. Please bear that in mind. I am told that they are passing this gambler's bogus check down the line, continuing it from month to month. My God, will the American Congress, composed of men who come from districts where the boys have died for the Republic that claims to be just to its own people—will we, I ask you, permit an institution to remain in existence here when it is being used by rival commercial interests of a foreign country to the ruin of a great industry of the United States? [Applause.] Let us pass this resolution at the earliest day possible and go to New York and New Orleans and make a thorough investigation into the conduct of these exchanges and find out the exact situation, and while we are in the reconstruction period following the war let us determine whether or not we are going to permit gambling in farm products. The Louisiana State lottery is dead. The whisky traffic is doomed. Now let us say to the gamblers in farm products, "Your days are numbered." [Applause.]

This Congress owes it to itself, to its own sense of justice, it owes it to the cotton producers of the United States, to see to it that those who produce this great staple that brings to America the balance of trade shall at least have a fair deal in the markets of America. [Applause.] Mr. Chairman, it costs $30 a bale now to gather from the field a bale of cotton and gin it and put bagging and ties on it and put it on the market, and this does not touch the cost of production. It cost 25 cents a pound to produce the crop of 1918. Think of it. A bale of cotton sold for $30 in 1914, and it now costs $30 after it is produced to pick it out, gin it, and put bagging and ties on it and get it ready for market, and yet regardless of the cost of production, and regardless of the great demand for American cotton, the gamblers with no cotton to sell still sell a paper contract with the name of cotton in it, and by so doing run counter to the law of supply and demand and try to deprive the producer of a fair price for his cotton.

Shall we permit these exchanges to defy the law and defeat the operation of the law of supply and demand?

Can you tell me why it was that cotton sold for 37 cents a pound when the sea was full of submarines and it was a hard matter and an uncertain undertaking to get cotton to a foreign port at all, and then when the war had ended and submarines had gone from the sea and foreign countries were calling for American cotton, and the President declared that all cotton needed could now go freely to allied and neutral countries, and the demand had been increased about 4,000,000 bales over the time when cotton sold for 37 cents—can you tell me, I say, why it is that a cotton exchange can be manipulated so as to insult and outrage and interfere with and defeat the law of supply and demand in such a fashion? [Applause.]

Mr. Chairman, I ask permission to revise and extend my remarks.

The CHAIRMAN (Mr. WINGO). The gentleman from Alabama asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. WALSH. Reserving the right to object, Mr. Chairman, I would like to ask the gentleman from Alabama if he means to revise and extend the remarks he has just been making?

Mr. HEFLIN. Yes.

The CHAIRMAN. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. IGOE having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, had further insisted upon its amendments to the said bill, and had asked a further conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHAMBERLAIN, Mr. FLETCHER, Mr. THOMAS, Mr. WARREN, and Mr. KNOX as the conferees on the part of the Senate.

The message also announced that the Vice President had appointed Mr. WEEKS and Mr. HOLLIS members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Interior Department.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. FOCHT. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BUTLER. Mr. Chairman, I yield 15 minutes to the gentleman from Washington [Mr. MILLER].

The CHAIRMAN. The gentleman from Washington is recognized for 15 minutes.

Mr. MILLER of Washington. Mr. Chairman and gentlemen of the committee, I am in favor of this bill, the naval appropriation bill. In the absence of any expressions from the peace commission overseas as to an international agreement for a reduction in armament, there is, in my judgment, just one policy ahead of this Nation in respect to its naval program.

I want to address myself for a few minutes to the higher aspect of the case. This war has brought many changes in this world. The world turns around every 24 hours, and it has turned around a good many times since $23,000,000 was the basis of a naval appropriation bill. One of the results of this war is the transfer of the financial center of the earth from the Old World to the New. New York City to-day, by reason of being the chief financial city of America, is the center of distribution and the center of deposit of the world's supply of gold, monetary and commercial. It is the financial center of the earth. America is to-day the banker nation of the world. We hold to-day approximately $10,000,000,000 of the bonds, securities, and notes of Great Britain, France, Italy, Russia, Belgium, and Roumania. These are deposited with us as collateral for loans advanced. They unitedly pay us approximately a million dollars a day as interest. No nation in history ever had due it such a stupendous sum of money. It is simply a prudential act to do something tending to protect and guard it.

By the very geography and topography of the surrounding country, this can be done only by the presence of a great Navy. New York should be the great naval base of America.

It is the first time in 300 years of history that the financial center of the earth is in a city capable of being reached directly from the high and open sea. Before this war there were four great financial centers—London, New York, Paris, and Berlin. The three great European cities were none of them on the seaboard, but far in the interior, where no naval fleet could reach them. Between those cities and the coast would be the battle fields. But here we have the spectacle of the financial center of the earth in a city directly upon the open sea.

There are a few places in this world where great cities are builded where God Almighty intended that they should be builded. New York is not one of them. There is one city on earth located exactly where all geographers, scientists, and strategists say that a great city should be builded, and that is the city of Constantinople, the ancient city Byzantium, the early capital of the Byzantine Empire. Mankind early discovered the strategic value of the location of that city and made it the capital of the great Byzantine nation, where now is located the modern city of Constantinople. All the armies and navies of the earth could not take Constantinople if it is properly defended. It demonstrated its natural strength of position in this very war. The great English Army and Navy failed to take it. But New York is not one of these cities. New York is a difficult city to protect. It has no natural features of strength. It can not be made impregnable. The great guns of

to-day range up to 30 miles. It is no longer necessary to get within 5 miles of a city in order to destroy it. We are building some ourselves to range of 45 miles. We are all familiar with the superguns of the Germans that ranged to 75 miles' range. Witness the spectacle of a great hostile naval fleet approaching the city of New York, the financial center of the earth, with guns having a range of 50 or 60 miles, from the open sea. The great city of New York would be absolutely helpless and hopeless. Now, it is paradoxical that a nation that has a second-class navy in a war with a nation having a first-class navy is no better off than if it did not have a single naval vessel and never had constructed one.

That was the situation of Germany in this war. Along the coast of Scotland lay the great grand fleet of Britain, stretching for 85 miles in an unbroken line of dreadnaughts and superdreadnaughts; and within the Kiel Canal and behind Wilhelmshaven and the defenses of Helgoland lay the second navy of the earth, that did not dare to come out. The grand fleet of Britain lay like a deadfall at the mouth of a cave, so to speak. Behind that grand fleet we beheld the open seas of all the world.

Now, there is another aspect of this case. Any naval program that we undertake we must conceive it upon the basis that our Navy is to be continually and perpetually divided into two or more units. We have two coasts. The peculiarity of the late war, so far as naval activities were concerned, was that the British Navy could be held together as a unit. The war was fought upon a peculiar geography. Two wars never come just alike. We have two coasts approximately the same in mileage.

Mr. McCORMICK. Will the gentleman yield for a question?

Mr. MILLER of Washington. I will as soon as I conclude my remarks. If you place the coast line of California upon the Atlantic it will reach from Maine to Carolina. Now, we have these two coasts. It seems that our Navy inherently and continually will be divided into at least two units, one in the Atlantic and one in the Pacific. Now, we learned a lesson in the Spanish War from the trip of the heroic *Oregon*, that left Puget Sound Navy Yard and went on its long trip around the Horn. That little ship was lying over at the navy yard in my district, floating in the roadstead, when she received orders to leave for Atlantic waters.

Mr. McCORMICK. Was that prior to the building of the Panama Canal?

Mr. MILLER of Washington. Yes. A great naval fleet was supposed to have left the coast of Spain. We did not know but what it was leaving to bombard our coast cities. And by the way, I may say this in passing, that the great commercial cities of America are built on or near the seacoast, in a particularly hazardous position, either on the Great Lakes or on the ocean. Our Nation is different from most of the nations of the world. It calls inherently for a great navy. The old *Oregon* went clear around the Horn, and was 61 days in making the trip. We learned a lesson from that, to construct the Panama Canal by which we could throw together in the least possible time the fleets of the two seas. I remember when the little *Oregon* left Seattle. We were in hopes that she would stay there and guard us in that war for we had not at that time a fort on all Puget Sound or a battery. It was sent to the Atlantic waters. I remember seeing her go out sailing along the offing. We saw the waves part at her bow, the long line of smoke, and realized that the great city of Seattle on Puget Sound was without one ship to defend it.

For 61 days, day and night, that little ship held her course. Presently we were informed that she had rounded the Horn, was coming up right through the sea where the Spanish fleet was supposed to be—one ship out on the sea to meet an entire fleet. Often they would see a smoke, and that little ship would make for that smoke, plunging where the fleet was supposed to be. Nine times her decks were cleared for action. She came into the West Indies and hoisted her signal, "All well on board and ready for action." We learned a lesson and we constructed the Panama Canal.

There is another lesson in this war which we learned greater than the one we learned in the Spanish War, and that is if we had a war with any nation that had a superior navy we would be no better off than if we had not built a single war vessel.

So I am in favor of a great construction program. The changed conditions demand it. We, for the first time in all history, are the bond-holding Nation of the earth, and this world is filled with selfish men and selfish nations the same as it has always been. There is but one thing ahead of us that I can see, and that is the construction of a great and powerful Navy, together with coast defenses. I am in favor of the bill; I am in favor of the recommendations of the committee as to its building program commencing in 1922. [Applause.]

Mr. McCORMICK. Will the gentleman yield?

Mr. MILLER of Washington. Yes; I yield to the gentleman from Illinois.

Mr. McCORMICK. Would the gentleman contemplate an Army on the same scale?

Mr. MILLER of Washington. I do not know about an Army. We are dealing now with the Navy. Let us not confuse the two. Let every tub stand on its own bottom. We are talking Navy now and not Army.

Mr. BAER. Will the gentleman tell us as to the time it takes to go from Seattle to New York?

Mr. MILLER of Washington. It is 631 miles farther to Liverpool than it is to New York City, going round the Horn.

Mr. BAER. I mean taking the course through the canal; how much has it shortened it?

Mr. MILLER of Washington. It depends on the speed of the vessel. The *Oregon* was not a fast vessel; about 19 knots. She was a capital ship in her day. It took her 61 days. I think one of our capital ships now could make it through the canal in less than 20 days.

Mr. FARR. Will the gentleman yield?

Mr. MILLER of Washington. Yes.

Mr. FARR. Are we not as powerless on the Pacific coast to-day as when you had the *Oregon* there?

Mr. MILLER of Washington. Approximately. We have forts now on Puget Sound, but by no means enough, either in number or strength. In my own city there are five transcontinental lines coming into it. It is quite a city, upward of 400,000 people. The Puget Sound district is the second district in America in exports and imports. I want my friend from Philadelphia and my friend from Boston to make note of that. It is the second district in America. Great and substantial interests are out there on the Pacific, on Puget Sound and elsewhere, and they must be protected and guarded.

Mr. KETTNER. Will the gentleman yield?

Mr. MILLER of Washington. I am glad to yield to the gentleman from California.

Mr. KETTNER. In answer to the gentleman from Pennsylvania [Mr. FARR], I will state that the *Oregon* at the present time is the only ship we have on the Pacific coast, and it is the flagship of Admiral Fuller.

Mr. FARR. Then I was right in the question I put to the gentleman from Washington?

Mr. MILLER of Washington. Yes, sir.

We have a navy yard 11 miles from our city where they were working 7,000 men night and day during the war. We are building two 10,000-ton ammunition ships in the shoal construction dock in that yard, a fleet of seagoing tugs for the Navy, and other great construction work. Immense Government interests are centered in that locality aside from the navy yard and its activities. All along the Pacific coast are great interests, great cities increasing by leaps and bounds in importance and wealth.

I spoke a few moments ago about the peculiar conditions of this war by which the grand fleet of Great Britain could be held together as a unit. There was a time at one period of the war when it looked like that great fleet would be divided. Only a change of campaign on the part of the Germans saved such a calamity. It was in 1917, when the Germans were assaulting the front to the west of St. Quentin. You will all remember that series of great drives or lunges was toward Montdidier and Amiens. It was evidently the plan of the German campaign at that time to break the line at the point where the English front joined that of the French. It was the natural point of attack. And they did attack in all their strength and fury, drove the front westward to the very outskirts of Amiens, with the hope of separating the two armies and crumpling the British back upon the channel. And they came frightfully near being successful. If they had succeeded, the British would have been forced to fall back toward the channel. As the British would be falling back toward a coast line, it would have forced at least a part of the grand fleet to come to the defense of the army as it approached the channel. When this had been done, it undoubtedly was the plan of the Germans to then bring out its navy and catch this British fleet in the channel waters, where there was little opportunity to maneuver, and by superiority annihilate it.

Coincident with this and as a part of the plan, some of the fast cruisers could escape out of the North Sea, as the greater British unit would in all likelihood come to the rescue or attempt to rescue the fleet engaged. The military campaign I have suggested was the natural campaign or plan to adopt. It had the threefold advantage of defeating the British Army, of capturing the channel ports, and of dividing the British fleet and reducing the units to a degree where the German Navy stood a fair chance of victory. But at the very time when there was

a possibility of success, when the British Army was driven back on Amiens and the front was all but broken, the whole German campaign was changed. Thereafter the great offensives and plunges were made to the southwest in the direction of Paris.

It was evident that a strict strategic campaign of undoubted wisdom and soundness had been subordinated to a campaign the consequences of which were purely political. Paris henceforth became the objective, and the whole plan to gain the channel, and thus divide the grand fleet, was abandoned. It was, in my judgment, the second turning point in the war, the first having been the first Battle of the Marne. It was Germany's second great tactical and strategic blunder. Had she held to her first campaign, driven the wedge into Amiens and to the westward, instead of going southward to Chateau-Thierry, there might have been far different results. It follows as a corollary from the evident original campaign that the grand fleet of Great Britain would have been divided—something England always dreaded. Let us all thank God that the blunder was made.

So we can all see the danger of dividing a great fleet in time of war. England came very near being a victim in this war.

With us, in any war except where one coast, or rather one ocean, is absolutely safe, our fleet would of necessity be divided. The only result from such a situation—the only solution—is a strong Navy, so when the war hazard is greater on one coast than on the other a portion of the fleet of the lesser exposed coast can be transferred to augment the forces of the other.

Every British statesman announces England will never abandon her time-honored policy of the supremacy of the seas. That policy is of no consequence so far as it shall tend to shape our national policy. Let us build as best meets our requirements, and trust England and every other nation to do the same. We must, as I see it, shape our policy, our plans, to meet the requirements of America; for if we do not, it is safe to say no other nation will.

Mr. Chairman, I am in favor of this bill, and I am in favor of the recommendation of the committee on the three-year construction program. [Applause.]

Mr. BUTLER. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. PLATT].

Mr. PLATT. Mr. Chairman, I dislike to differ with my very good friend, the gentleman from Texas [Mr. EAGLE], and with my also good friend, the gentleman from Arkansas [Mr. CARAWAY], and perhaps it is a little invidious to undertake to answer arguments evidently made for the purpose of circulation in their districts. But it seems to me perhaps just as well to say a few things that everybody must know are true, even if they seem to be in answer to these arguments. We have had a great war and everything has been high in price and nearly everything is still high in price, and everybody knows that those prices have got to come down. If you sell any kind of a future, anything for future delivery months ahead, you have to take a lower price, or if you were buying anything for the future, for delivery, say, next summer, you certainly would not pay as high a price as you are paying now. This is true with respect to metals, steel, iron, copper, and other staple commodities. So far as cotton is concerned, I am informed by gentlemen who come from New England and who are interested in cotton mills that cotton goods are already piling up in the markets and that prices have already gone down, and the people are not buying things as they did, because they expect the prices to go still lower. If they knew that the prices were at the bottom, they would buy; that is the psychology of buying. If you were going to buy a house and lot and the price now were $10,000 and you knew the agent would let you have it for $8,000 in six months, you would not buy it now, if you had any sense. That is what is happening with cotton and everything else. Cotton futures sell lower, of course, than spot cotton, and so would wheat futures, if the Government was not holding up the price.

Mr. BAER. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. BAER. The price has been fixed on wheat, but here is a case where bran and middlings sold for $27 a ton, and after the restriction was taken off by the Government the price went to $48 a ton, and to-day it is over $50 a ton, and the price still remains on wheat at the same.

Mr. PLATT. It looks to me as though there were a pool controlling the price of middlings, or else there is an abnormal demand and a short supply.

Mr. BAER. That raises the price of your fodder, and that raises the price of your milk, and the people in the city holler because the farmers are charging so much.

Mr. PLATT. Exactly, but one curious thing I have noticed. The people of the Dakotas and other farmers do not complain of the grain exchanges when the prices are going up. Neither do the cotton farmers complain of gambling in futures in cotton when the price is going up. It is only when it is going down that they complain.

Mr. BAER. They complain up in my district the year around, because the price always goes up when they have nothing to sell, and when they have something to sell the price always goes down. [Laughter.]

Mr. PLATT. They all complain that it is the short selling that makes the things go down in price. That is obviously untrue. Every time a man sells something for future delivery he has to buy it back again. It has been proven over and over again that the short selling of products steadies the market instead of putting the price down. It used to be said of pig iron that it was either a prince or a pauper. You could not deal in futures in pig iron. You always had to buy and sell at spot, and when there was very little of it on hand it sold high and when there was much of it on hand it sold low. I believe that has been changed somewhat, so that iron is now sold to some extent for future delivery and is steadier in price.

Mr. GRAHAM of Illinois. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. GRAHAM of Illinois. I do not know that I am right about this, but it seems to me that in the debate on the Food Administration bill a proposition was made by the gentleman from Pennsylvania [Mr. MOORE] that the price of cotton be fixed, and it was resisted by those in this House who were interested in the cotton-raising districts. Am I right about that?

Mr. PLATT. I think the gentleman is right about that. I will say this, that I think there was talk of fixing the cotton price in October, and I had the idea then that that talk was put out for the purpose of getting the cotton away from the small cotton farmers at lower prices into the hands of the speculators. And let me say that the southern storekeeper who buys the cotton from the small farmer is the worst bloodsucker in the United States. He is a speculator pure and simple, and is as much worse than any purchaser and seller of futures in Wall Street as the devil is——

Mr. CARAWAY. Mr. Chairman, will the gentleman yield?

Mr. PLATT. Yes.

Mr. CARAWAY. Is the gentleman making that statement on information of his own?

Mr. PLATT. I am making that statement on the testimony we took before the Banking and Currency Committee when the farm-loan bill was before Congress. We had the testimony over and over again from southern farmers and from agents of the Department of Agriculture, and we passed the Federal farm-loan act largely for the purpose of getting the small cotton farmer of the South out of the hands of these bloodsuckers, who get the cotton away from the small grower and hold it for speculation.

I yield to the gentleman.

Mr. CARAWAY. You know I am not surprised at the gentleman thinking it was right, that it was perfectly legitimate, to buy and speculate in futures, but the thing we complain of is as to the money which we had to borrow from Wall Street to finance our cotton crop. A bale of cotton, if the gentleman knows about it at all, which I am sure he will admit he does not——

Mr. PLATT. I never bought any.

Mr. CARAWAY. Is handled by the merchant, who furnishes the grower of the cotton with his supplies.

Mr. PLATT. Yes; furnishes him with all his groceries and his clothing and everything else and gets the cotton grower in debt every single year for every bale of cotton he can grow, and the grower has to give up his few bales of cotton for anything the storekeeper will offer for it. And these storekeepers have the cotton now, and they are the fellows who are yelling because the price is going down. That is the whole story.

Mr. CARAWAY. That is exactly what it is. It is astounding how much misinformation a gentleman can accumulate in three or four years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MILLER of Washington. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none.

Mr. PADGETT. I desire to yield 15 minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Chairman, the naval appropriation bill which we now have under consideration commits the United

States to a new policy—a policy of expansion until we shall have in 1925 the greatest fleet in all the world; as Great Britain increases her navy we are to add to ours; we are to aim at having a Navy second to none. Of course, in 15 minutes I can not anything like cover my objections to the policy expressed in the bill. To cover the subject fully would require that I present all the objections which might be made to militarism and to imperialism, to world exploitation, and to the suppression of democracy in general. This bill means in the ultimate conscription of men for service in the Navy just as we had them conscripted for service in the Army, for sufficient forces to man the immense fleets proposed can never be had under the volunteer system. It means conscription in time of peace instead, as we have had it in time of war. We must contemplate that as the final result. While I can not in the short time allotted me anything like express all the objections which I have to this bill, there are a few things I want to say in my plain way and with all modesty.

I want to express one or two superficial objections which I have to this bill. Analyze this measure and you get out of it the belief upon the part of those who bring the bill forward that we have lost the war. I had thought that we had won the war, but it seems that I was mistaken. The American people thought that they had won the war. They entered into it with all their souls to abolish armaments—to do away with war; it was said to them from rostrum after rostrum, "Win the war; drive Prussian militarism out of the world. Usher in a period when there will be no war, and the men of the earth may dwell together in brotherly unity." But it seems that instead of ridding the earth of the burdens of armament we have but begun to arm. The argument was made on the floor of this House, when we were asked to vote for war against Germany, that if Germany is not defeated we would have to arm against her; we would have to make ourselves one of the great military and naval powers of the world and stagger on under the burdens of militarism—that was the reasoning that got my vote for the war; that argument got the support of the American people for the war.

AMERICA FOUGHT TO ABOLISH WAR.

I think I know something of the great heart of the common American man. I know that in that heart there was a resolve that we must do away with war and with all the hell that war means, so as to bring about a better time, one more befitting the professions of Christianity and the civilization of this age.

But in vain. We won the battles, but we have lost the war; that is the meaning of what they say who bring forward this bill. In vain the sacrifices of mothers and fathers and wives; in vain the pouring out of the blood of our soldiers upon foreign battle fields; in vain the brilliant achievements of the Argonne and Chateau-Thierry, the sufferings of Belleau Woods—all in vain; they mean nothing. The hobnails of the American doughboy are clattering upon the stones of Coblentz. They marched across the lordly Rhine over the floating bridge. They climbed the steeps and planted Old Glory upon the heights of the ancient fortress of Ehrenbreitstein. But all that means nothing; all has no significance! If we are to labor and stagger on under heavy armaments throughout the years to come, we might as well never have entered into a war; or, having entered into it, we might as well have lost.

I am not going to agree to this policy. I want to be respectful to the committee; I want to be respectful to every Member of the House who may favor this bill and may support it. I want to be respectful, if I can; but I am afraid that my views upon this bill may be construed as somewhat lacking in respect. I do not so intend it. But they are my views. I submit them in all humility and in all modesty. I submit them regretfully and only as a matter of stern duty. But I hold to it with all the strength of my reason and my soul that this bill represents a policy of the most stupendous folly that was ever advocated upon this floor. I would say that it represents a wicked policy if I only might say that and still be respectful, as I would like to be.

What is the meaning of this bill? What is the reasoning back of it? Whom are we arming against? Whom do we fear? The "Hun," as the superpatriot so loved to call him, has gone. Prussian militarism lies a smoldering ruin. It is merely a corpse that the nations of the world sit upon in Paris. They are merely a coroner's jury. The strength of the German armies is gone, not only for this generation but for a hundred years to come. It is a most stupid man who does not comprehend this fact.

There are two important naval powers of the world today besides ourselves. One is Japan, which has a navy much inferior to our own, even as it is to-day. And Japan is a poor nation and her fleet must continue to be inferior, it will be vastly inferior when we complete the program already adopted without taking the present bill into mind.

This added program and the policy it speaks for has no occasion in Japan, and no intelligent man will say so. The other great naval power is a power that has ruled the sea for ages. Britannia rules the waves to-day, and that Britannia might rule the waves has been the corner stone of British policy for over 300 years. That policy is founded on logic and has good reason to support it. With a people situated on a small island, a numerous people, depending almost wholly upon commerce and industry as a means of support, relying upon other nations for food and raw materials that enable them to live, we can well understand how the British may insist upon ruling the waves so long as Great Britain lies open to her enemies and to all the world in such fashion. We can understand how the British are not willing that their people shall be subject to be strangled to death by any power that may happen to get supremacy on the sea.

NAVAL SUPREMACY NOT ESSENTIAL TO OUR SAFETY.

But our situation is entirely different. We are self-sustaining. We have our own raw materials. We can feed ourselves. You may cut off our commerce to-morrow for a whole year long and the American people will live at the end of it, and there will be no suffering for lack of proper food, and we will be clothed. Our situation is altogether different from that of Great Britain. We have no far-flung colonies. We have embarked upon no policy of imperialism which makes it necessary that we retain control of the seas in order to get into communication with colonies that may lie in the remote corners of the world. God grant that we may never enter upon such a policy. But we will enter upon it if we carry out the policy that this bill speaks for.

But gentlemen say that these ships will never be built. Perhaps the remark has not been made upon this floor, but it has been made privately, made in the cloakrooms, and is generally current, that these ships will not be built. Some gentlemen think the world will agree upon disarmament before the ships are built, and, therefore, the next Congress will repeal the act. Then there are others that say that in order to procure disarmament by agreement of nations we must "bluff" Great Britain into agreeing to dismantle her fleet, and that the proposition merely involves a bluff upon our part.

A CHALLENGE TO GREAT BRITAIN.

Now, I want to say this: I have too high a conception of the honor of my country to take part in putting up a bluff. I will not humiliate my country. I will not descend to a contemptible plane of bluffing in order to bring about a policy of disarmament. I decline to descend to the ethics of the card table in fixing a policy for my country to pursue. Then what do we mean? We mean to build the ships. We mean to challenge British supremacy upon the seas. That is what we mean if we mean anything.

Now, I want to ask: Do you think, gentlemen, we are going to get away with it? Do you believe that Great Britain will permit the United States to challenge her naval supremacy? Do you think she will sit with folded hands while we build a fleet which shall master hers? Will she tolerate a competition in naval armament, the creation of a navy that may drive hers off the seas and starve her people into submission?

I am here to tell you that your policy means war with Great Britain. Great Britain has never stood for a challenge of her naval supremacy. For 300 years she has ruled the seas, and she will not give up that control to any other power, whether it be America, Germany, or Japan. "Go where you will, you shall not control the sea." So the British will say. "You shall not control the sea until Britain lies prostrate and bleeding and her fleet is driven by force from off the main."

Spain, in the old days, challenged British naval supremacy, and the answer was a scattered and destroyed Armada. The Dutch thought to challenge British supremacy, and the end was the wrecked and defeated fleets of Tromp and De Ruyter. France challenged it under Napoleon, and the answer was Abukir Bay and Trafalgar. Germany challenged British supremacy, and the answer was that great spectacle, the greatest the human eye ever took in, when the entire German fleet, dreadnaughts, superdreadnaughts, battle cruisers, submarines, transports, and all sailed across the North Sea and surrendered to British supremacy.

What Great Britain would not submit to from other nations she will not tolerate from us. Let not this Nation puff itself up with foolish egotism. Let not this Nation talk the foolish patter of "blood is thicker than water." It is not a matter of blood that counts. We ourselves have already had two wars with Great Britain. I tell you, gentlemen, those of you who are

favoring this program, you are bidding for a third war with Great Britain, the bloodiest and most disastrous of them all.

Mr. GORDON. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. Yes.

Mr. GORDON. Suppose that England should notify the United States that she will not permit us to trade with any one but herself and her allies. What would you say about that? Would you sit down and calmly acquiesce in it, or say we ought to fight?

Mr. HUDDLESTON. Whenever the dignity and honor of our country are at stake I would say we ought to fight. Even the peaceable gentleman from Ohio would fight under such circumstances, I think.

Mr. GORDON. Yes; but understand I am not a pacifist. [Laughter.]

Mr. HUDDLESTON. Then I will withdraw that. I said it of the gentleman as a compliment. I am a pacifist if by that is meant one who loves peace. I think there is a saner and more rational way for the nations of the world to make up their differences than by plunging against each other like bulldogs. I think there is a better way than that. And if we have not learned that lesson out of this war, if that lesson has not come to humanity out of all the sorrow and suffering of this conflict, then the war was indeed in vain, we have lost the war, and the world is much further back than I thought it was.

Of all the acts of folly that any Congress, it seems to me, has ever committed, now they come forward with the supreme and crowning folly of them all. If we mean to fight Great Britain, then, gentlemen, choose intelligently and knowingly. If we mean war, then let us understand it at the beginning, for that is what it means in the end, and let us prepare, let us get ready. Let us get ready upon the land as well as upon the sea. Let us put aside this talk about universal disarmament. Let us admit that we have lost the war; that we have come out of it worse off than we went into it; and that the sole result of it is a monstrous burden of debt that shall rest upon the shoulders of generations yet unborn. Let us not go blunderingly and unwittingly unto a policy which will inevitably lead us into another awful conflict. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. PADGETT. Mr. Chairman, I yield 12 minutes to the gentleman from Mississippi [Mr. QUIN].

The CHAIRMAN. The gentleman from Mississippi is recognized for 12 minutes.

Mr. QUIN. Mr. Chairman, I did not intend to speak on this bill, but when the gentleman from Alabama [Mr. HUDDLESTON] makes the statement on this floor that he does, and in view of the fact that the papers report a Bolsheviki meeting down here at Poli's Theater on Sunday afternoon, where an honorable Member of this House made an address which might be construed as encouragement to that movement in this Republic, as a Representative of a great, bold, and honorable, patriotic constituency, I come before this House to resent such imputations upon the people of America.

In time of peace this naval program would indeed seem to be large; but the President of this Nation, in whom the American people have placed their faith, is across the briny deep, sitting at the peace table at Versailles, endeavoring to bring about a treaty that will make war improbable in the future. The gentleman from Alabama [Mr. HUDDLESTON] challenges in a veiled way the purposes of the President of our splendid Republic.

Mr. BAER. Will the gentleman yield?

Mr. QUIN. I have not the time. Excuse me.

The CHAIRMAN. The gentleman declines to yield.

Mr. BAER. He is defending the policy of the President.

Mr. QUIN. The gentleman from Alabama said he thought that the war was won, but from the outline of this program it appeared to be lost. Why, the gentleman from Alabama can not have a true conception of what has happened. More than 2,000,000 of the brave boys of this Republic went across the sea through the submarine zone to beard the Hun in his den. Seven hundred thousand of those lads wearing the uniform of this Government went upon the high seas as a part of the Navy of our country. Nearly 2,000,000 more were training in the camps over here ready to go when the armistice was signed November 11. After they had bearded the Hun in his den and forced a well-organized army to go down to ignominious surrender, the great German fleet surrendered, not as the gentleman from Alabama says, to the British Navy, but it surrendered to the joint navies of America, Great Britain, and France. This Government, sir, had as much to do, through its splendid Navy on the high seas, in forcing the Hun fleet to surrender as England had. [Applause.]

Do not you ever believe that the American people would submit to a policy which would force them to sit supinely with fetters on their hands, and, as the gentleman suggests, permit Great Britain to be the bully of the world and tell us where we should trade. The American people would have more contempt for this Congress than they could express in a thousand years if we were guilty of such an ignominious, contemptible policy as that indicated by the gentleman from Alabama. [Applause and laughter.] I am no war man. I always believe in peace; but the President of this Nation, through his Secretary of the Navy, an honored gentleman from a Southern State, recommended this program, and when some of the committee did not believe in it, the President of this Republic, sitting at the peace table in France, cabled back here stating the necessity and the urgency of passing this program. Does the gentleman from Alabama [Mr. HUDDLESTON] think that the President of the United States would fool the American people or bunco anyone? The gentleman suggested that.

Mr. BAER. Will the gentleman yield?

Mr. QUIN. Excuse me.

The gentleman from Alabama ought to be ashamed to admit that the President of the United States would fool the American people, even if he believed it. My friends, the gentleman from Alabama says that the program suggested by the President has a provision in it that is a bunco game. He means that if a part of this program that is postponed for a year is not built, the American people will be fooled. Why, the gentleman has a misconception of what this committee has done. Would he want this $510,000,000 spent if the President of the United States is able to bring into effect and operation a peace treaty that would not warrant it? Would he object to the American Congress repealing that proposition and saving to the American people the $510,000,000? If the gentleman would read that bill he would see the effect and the wisdom of it. I want the gentleman from Alabama to understand that according to my conception there are many changes brought by this war. Here in this Republic in the last six years Congress has passed more beneficial legislation for the masses of the people, for the farmers, and especially the industrial laboring classes of this country, than all the Congresses in 50 years. Never in the history of our Government in any 50-year period was so much legislation passed for the laboring classes as was passed within the last six years, voted for by Republicans and Democrats alike. Not only that, but the wages of the industrial laboring classes of people in this country are higher than they ever were in any country in the world, higher than we ever dreamed they would be in our Nation.

Yet two people who have been associating in Russia with the red-handed Bolsheviki got up in a meeting at Poli's Theater within the shadow of the Capitol and brought here their nasty, contemptible, dirty doctrine of bolshevism—one female and one male. The gentleman from Illinois [Mr. MASON] speaks of them as clean and honorable representatives of newspapers. These two people intend to dissatisfy our laboring people and turn them against the Government. My God, I hope that species, that pair, will be exterminated, not only in the United States but throughout the world. In that one utterance down there on that afternoon, when a Member of this Congress rose up in his box in that meeting and suggested that he was not afraid to go to jail——

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. I yield to the gentleman five minutes.

Mr. QUIN. That one suggestion, with the speeches that this man Williams made, and that female, will do more harm, will do more to spread the seeds of discontent and discord throughout this country than all other things combined, not even excepting the speech of the gentleman from Alabama. I want to get into this RECORD what people indorsed down there on Sunday afternoon. Do you know that the paper records that these "clean and honorable people" that the gentleman from Illinois spoke about said down there that afternoon that the ideals of these dirty, slimy bolsheviki in Russia were higher than the ideals of America. And when the gentleman from Illinois was making his remarks, the Washington Post states that the audience cried, "Hurrah for the Bolsheviki." The idea of such a thing as that happening in the Capital of the United States of America! It is an astounding thing. And some of the female contingent that picketed the White House took up a collection from the audience to pay for the rent of the theater that afternoon.

My God, where are we drifting to these days? The conduct and utterances and the real intent of these two propagandists that have been spending many months in Russia aiding the

Bolsheviki, speaking in a building that belongs to the people of the United States, which belongs to your constituents and mine, in that very building uttering this contemptible, slimy, red-handed doctrine on the holy Sabbath day! It is reported that the Russian Soviet, this Bolshevik movement that these people approve of by their conduct and by their utterances, have said that every woman who reaches the age of 18 years must register, and that any man, it makes no difference how many other women he may have, can take her for a wife. He has the first choice, and if the man does not take her she can choose him. And then the children of that union are to become the property of the State. And yet this creature in the address at Poli's Theater tells the American people that the Bolsheviki in Russia are superior to the people of America. You need not think that this sentiment is not growing in America. I have not heard a word of protest on this floor. I could not remain silent any longer when such a bold performance had been pulled off in a Government building on the holy Sabbath day. It is their purpose to waive the red flag. I can not believe that the gentleman from Illinois would indorse such principles or such language as those two speakers advocated, and I can not believe that he would indorse the sentiments uttered there by this female and this male speaker, who, it is said, are honorable people. I reckon they are, but this damnable, slimy, dirty doctrine that they are scattering about is what I object to. There is an organization going into every precinct in the Nation, with the intent and purpose of scattering that kind of doctrine to overthrow the Government. I believe in organized society. I believe in the institutions of our Republic. I love my country. Whenever any man throws down the American flag and picks up a red flag and talks against my Government, damn him; he is my enemy, and I am against him. [Laughter and applause.] I do not care who he is. [Applause.]

According to my conception, every public man in this country should put his shoulder to the wheel, stand by the organized Government, protect our Constitution, although the president of the Labor Federation of this Republic has given out in pamphlet form that we shall be no longer ruled by courts.

Where are we drifting to if we are going to permit organizations that we have protected by legislation to overthrow the courts? And I want you to understand that I voted to exempt them from coming under the antitrust legislation; we have given them every possible liberty by legislation that could possibly be granted, and yet they come along, through their leaders and such meetings as at Poli's Theater, and propose to tear down the Government. The stability of this great Republic rests on the integrity and patriotism of the people, it rests on the Constitution of this Government and organized society. The Constitution and the courts stand as the bulwark to protect the rights, the property, and the liberties of the people. The boys who bared their breasts to the bullets of the enemy in France, Belgium, and Italy, as well as those on the seas and in the camps, will stand up against this slimy crowd of Bolsheviki who would tear down our Government. [Applause.]

Mr. BUTLER. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. VESTAL].

Mr. VESTAL. Mr. Chairman and gentlemen of the committee, I did not ask for time to discuss this bill that is now before the House. I want to make a short statement about another matter which came to my attention. Within the last two or three weeks quite a number of gentlemen in the House have brought to the attention of Members of this body the fact that great numbers of soldiers' letters written by their parents and friends have been returned undelivered. I think quite probably the experience of the gentlemen who have taken the floor is the same experience of every other Member of Congress. Scarcely a day passes that I do not receive from one to half a dozen letters from fathers and mothers in my district stating that their sons are not receiving the letters written them and mailed to the address across the sea.

So far I have refrained from saying anything about that situation, but a few days ago I received a letter from an old mother in my district, telling me a story that I feel it is my duty to state to this House. This mother wrote me imploring my help, making the statement that she had written two letters to her son in France, both of which were returned having written across the envelope in black letters the words "Deserter. Return to sender." I do not know what could happen to any mother that would be more cruel than to have a letter returned to her through the mail, having written on the back of the envelope by somebody, presumably some officer in the Army, the fact that her son was a deserter. Happily this mother had received a letter from her son about the time that this letter was returned to her to the effect that he was ill in a hospital. I wanted to make absolutely sure of the matter before I made any statement on the floor of the House, so I cabled to the commanding officer of this boy's regiment, addressing my cablegram just as this mother had addressed her letter to her son. I want to read to the committee this letter that I received from the mother, and then I want to read the cablegram that I sent the commanding officer and his reply. The letter that I received from the mother is as follows:

ANDERSON, IND., *January 7, 1919.*

HON. A. H. VESTAL,
Washington, D. C.

DEAR SIR: Inclosed you will find a letter of mine written to my son in overseas service, which was returned to me with the following inscribed on the envelope: "Deserter. Return to sender." This being the second time my letters were returned to me with the same inscription on the envelope, I decided to appeal to you for an investigation of the case if within your power. While these letters were being returned to me my son has been in active service and is now in the army of occupation, the last letter received from him under date of December 10, 1918, stating that he was in a hospital at Treves, Germany. Although I am aware that this assertion is not true, according to his letters, out of justice to me, his mother, I feel as though an explanation is due, and an effort made to stop mail returning to me with such an inscription on the envelope.

You will find inclosed an addressed envelope, and, thanking you beforehand for any information you can forward me in regard to this, I am,

Respectfully, MRS. JACKSON STINSON.

P. S.—My son's present address is, Pvt. Ralph J. Stinson, Company M, Ninth Infantry, American Expeditionary Forces.

She sent to me the letter as it was, with the inscription on the back of the envelope. I immediately sent a cablegram to his commanding officer, as follows:

[Cablegram.]

JANUARY 11, 1919.

COMMANDER COMPANY M, NINTH INFANTRY,
American Expeditionary Forces:

Wire conditions Pvt. Ralph J. Stinson.

ALBERT H. VESTAL,
Member of Congress.

Within about 10 days I received the following cablegram:

[Cablegram.]

HEADQUARTERS SECOND DIVISION,
January 20, 1919.

ALBERT H. VESTAL,
Member of Congress, Washington:

Pvt. Ralph J. Stinson evacuated hospital December 5. Sickness. Not serious.

A. P. TURKMAN,
Captain, Ninth Infantry.

Mr. SMITH of Michigan. What is the date of that cablegram?

Mr. VESTAL. His cablegram to me was dated January 20, and mine to him was dated January 11.

Mr. SMITH of Michigan. Was the date of the inscription of the letter prior to that?

Mr. VESTAL. Oh, yes.

Mr. SMITH of Michigan. What is the date?

Mr. VESTAL. There is no date on the letter showing when the inscription was placed on the envelope, but this letter was sent to the young man in September, 1918. I can not understand why it is that a letter addressed as this letter is addressed to this soldier should not be delivered to the soldier but should be returned to the mother, when a cablegram sent by me to the commanding officer of the same regiment finds the boy sick in a hospital.

It at least shows incompetency. I do not know what the remedy may be, but I feel in justice to this soldier who has gone across the seas to fight for the honor of the flag and in justice to this old gray-haired mother, whom I know very well, sitting back at home anxiously waiting for the return of her boy, that some attention should be given to it. It seems to me that if any officer addressed the envelope as this envelope has been addressed and returned, that officer ought to be court-martialed. I care not whether he be an officer or a mail orderly. Something should be done. I called this to the attention of the House and the country because I feel I ought to do it in justice to the soldier himself and in justice to his mother.

Mr. BUTLER. Mr. Chairman, let me ask the gentleman from Tennessee about continuing this session any longer. Several Members on this side have handed me in their names and indicated that they would like to say something before we go into the discussion of the bill under the five-minute rule, and yet many of them have said they have been here since 11 o'clock, and they feel pretty tired. The gentleman knows that Members of the House are not errand boys; they are real, live Members of Congress, and they have said they do not want to talk to-night, being tired, having been here since 11 o'clock this morning. We met at 11 o'clock and I think we have gotten along pretty well, and it is now 6. I do not want to interfere

with the gentleman's program and would like to get through as fast as we can.

Mr. PADGETT. I will say to the gentleman I was in hopes we might run a little later to-night, because I had agreed with the gentleman from Illinois [Mr. MANN], on account of arrangements that he had made for a Republican conference to-morrow afternoon at 5, that I would move to rise at 5 to-morrow afternoon and adjourn so as to give way to the conference. For that reason I was hoping we could run a little longer to-night so as to even up.

Mr. BUTLER. Well, this is a very ungracious job and I do not want any more of it. Members of Congress are not only human beings but they are individuals who amount to something. If they were but hired boys and they had time we could say, "Very well now, make your speech or you will not make it at all." But here gentlemen say that they do not want to speak until to-morrow, and I am not saying this for the purpose, my friend, of continuing unduly the discussion of this bill, but I desire to facilitate its passage as much as I can, yet I have put upon me the responsibility of allotting this time, and these gentlemen do not seem inclined to make their speeches to-night. Of course, if the committee proposes to sit they will have to speak or lose out. Now, I do not feel that way, and if gentlemen do not want to make——

Mr. FOSTER. Does the gentleman from Pennsylvania think we ought to delay this bill at this stage very long to let somebody get ready to speak?

Mr. BUTLER. Why, I do not think we ought to have an extraordinary session.

Mr. FOSTER. Do you think we ought to wait until somebody gets ready to speak?

Mr. LITTLE. There seems to be a good deal of objection about gentlemen having time to-morrow. I have been here all day listening to people talk who have been talking ever since I have been here, and the gentleman from Pennsylvania can eliminate me. As far as I am concerned I will take my medicine and they can take theirs.

Mr. STAFFORD. Mr. Chairman, may I inquire how the time stands, respectively, between the two sides?

The CHAIRMAN. The gentleman from Pennsylvania has used 3 hours and the gentleman from Tennessee 2 hours and 45 minutes.

Mr. STAFFORD. There is only 15 minutes difference.

The CHAIRMAN. Does the gentleman from Tennessee or the gentleman from Pennsylvania have a suggestion to make?

Mr. PADGETT. Mr. Chairman, I want to be as agreeable as I can in respect to time——

Mr. BUTLER. I want to say the gentleman is always not only agreeable but in every way he is accommodating, but I am not willing with this list before me to close general debate.

Mr. GARRETT of Tennessee. I do not understand that the gentleman from Tennessee asks to close general debate.

Mr. PADGETT. I was wondering if we can not reach an agreement to allow them a little time under the five-minute rule and begin the reading.

Mr. WALSH. Does the gentleman from Pennsylvania yield?

Mr. BUTLER. Yes; I yield.

Mr. WALSH. I think the gentleman has my name upon his list for some time in general debate?

Mr. BUTLER. Yes.

Mr. WALSH. I will say to the gentleman very frankly I would be perfectly willing if he would eliminate my name from his list.

Mr. HUDDLESTON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama? [After a pause.] The Chair hears none.

Mr. PADGETT. We are trying to reach an understanding, if the Chair will indulge us for a moment.

The CHAIRMAN. Very well.

Mr. PADGETT. It was suggested, I will say to the gentleman from Pennsylvania, that we might begin reading and give those gentlemen some time under the five-minute rule. How would that do?

Mr. BUTLER. It will take just as much time. They want to make their speeches, of course. You can shut them off under the five-minute rule. The committee can not close the general debate if there is anybody who wishes to talk. But if the House sees fit to shut these gentlemen off, all right. I do not want to do it, and I will not do that.

Mr. GARRETT of Tennessee. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is to continue the debate.

Mr. BUTLER. I make the point of order, Mr. Chairman, that there is no quorum present.

Mr. PADGETT. Instead of doing that I move that the committee do now rise. There are other matters we want to dispose of.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. WINGO, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15539, the naval appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

Mr. SLAYDEN, by unanimous consent, was granted leave of absence for two days on account of business.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title, when the Speaker signed the same:

H. J. Res. 289. Joint resolution for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

WITHDRAWAL OF PAPERS.

Mr. HOLLINGSWORTH, by unanimous consent, was granted leave to withdraw from the files of the House without leaving copies, papers in the case of Winfield H. Handley (H. R. 19260, 64th Cong., and H. R. 4808, 65th Cong.), no adverse report having been made thereon.

ORDER OF BUSINESS.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that Calendar Wednesday may be dispensed with, and that we may proceed with this bill to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to dispense with the business of Calendar Wednesday to-morrow, so that the House may proceed with this naval bill.

Mr. BUTLER. May I ask the gentleman a question?

Mr. PADGETT. Yes.

Mr. BUTLER. I think the Republican floor leader had some conversation with the gentleman about it. Was it agreeable to him?

Mr. PADGETT. Yes, sir.

Mr. AUSTIN. Mr. Speaker, I object to dispensing with Calendar Wednesday. We have an important measure on the Wednesday calendar from the Committee on Public Buildings and Grounds. It will be the only opportunity to pass it during the session of Congress without a special rule.

Mr. STAFFORD. The call does not rest with that committee.

Mr. AUSTIN. The call is with the Committee on the Post Office and Post Roads. It has but one bill, the Committee on Printing has not any, and then the Committee on Public Buildings and Grounds will come in.

Mr. PADGETT. I can move that in the morning. I do not have to do that now.

The SPEAKER. Is there objection?

Mr. AUSTIN. I object.

HOUR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

EXTENSION OF REMARKS.

Mr. QUIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Mississippi asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 59 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Wednesday, February 5, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the Georgetown & Tennallytown Railway Co., transmitting report of the Georgetown & Tennallytown Railway Co. for the year ended December 31,

1918 (H. Doc. No. 1758); to the Committee on the District of Columbia and ordered to be printed.

2. A letter from the president of the Washington Interurban Railroad Co., transmitting report of the Washington Interurban Railroad Co. for the year ended December 31, 1918 (H. Doc. No. 1759); to the Committee on the District of Columbia and ordered to be printed.

3. A letter from the president of the City & Suburban Railway of Washington, transmitting report of the City & Suburban Railway of Washington for the year ended December 31, 1918 (H. Doc. No. 1760); to the Committee on the District of Columbia and ordered to be printed.

4. A letter from the president of the Potomac Electric Power Co., transmitting report of the Potomac Electric Power Co. for the year ended December 31, 1918 (H. Doc. No. 1761); to the Committee on the District of Columbia and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Assistant Secretary of Labor, submitting a deficiency estimate of appropriation required by the Bureau of Immigration for refund of lead tax, and a clause of legislation authorizing the payment of a bill for advertising (H. Doc. No. 1762); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Acting Chairman of the United States Shipping Board, submitting a substitute estimate of appropriation required by the United States Shipping Board for the fiscal year 1920, in lieu of estimate heretofore submitted (H. Doc. No. 1763); to the Committee on Appropriations and ordered to be printed.

7. A letter from the Governor of the Federal Reserve Board, transmitting fifth annual report of the Federal Reserve Board covering operations for the year 1918 (H. Doc. No. 1764); to the Committee on Banking and Currency and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. SLAYDEN, from the Committee on the Library, to which was referred the resolution (S. J. Res. 202) requesting the Commission of Fine Arts to submit to the Congress certain suggestions, reported the same without amendment, accompanied by a report (No. 1030), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 12981) authorizing the Secretary of the Treasury to refuse to permit the exportation of any work of art purporting to be a gift made by an individual or organization to a foreign nation or municipality, unless by consent of the Secretary of State, reported the same with amendment, accompanied by a report (No. 1031), which said bill and report were referred to the House Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. OSBORNE: A bill (H. R. 15612) authorizing the Secretary of War to donate to the city of Avalon, Los Angeles, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. ROSE: A bill (H. R. 15613) to provide for the erection of a public building at Barnesboro, Cambria County, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. WICKERSHAM: A bill (H. R. 15614) to increase the limit of cost for the construction of the United States public building at Cordova, Alaska; to the Committee on Public Buildings and Grounds.

By Mr. LEE of Georgia: A bill (H. R. 15615) authorizing the erection of a post-office building at Rossville, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. WATSON of Virginia: A bill (H. R. 15616) to appropriate money to build an addition to the post office and customhouse at Petersburg, Va., and acquire additional land therefor; to the Committee on Public Buildings and Grounds.

By Mr. MANSFIELD: A bill (H. R. 15617) for the erection of a public post-office building at El Campo, Tex., and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. GOULD: A bill (H. R. 15618) authorizing the Secretary of War to donate to the village of East Bloomfield, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15619) authorizing the Secretary of War to donate to the village of Guyanoga, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. McCULLOCH: A bill (H. R. 15620) to donate a captured cannon or gun to the Nashville Cemetery in the city of Nashville, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15621) to donate a captured cannon or gun to the city of Mineral City, Ohio; to the Committee on Military Affairs.

Also, a bill (H. R. 15622) to donate a captured cannon or gun to the city of Uhrichsville, Ohio; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 15623) to make provision for compensating discharged soldiers, sailors, and marines who are unable to obtain employment; to the Committee on Military Affairs.

By Miss RANKIN: A bill (H. R. 15624) to enable American women who marry foreigners to retain their American citizenship; to the Committee on Immigration and Naturalization.

By Mr. CALDWELL: A bill (H. R. 15625) to provide for further educational facilities by requiring the War Department to loan certain machine tools not in use for Government purposes to trade and technical schools and universities, and for other purposes; to the Committee on Military Affairs.

By Mr. RAKER: A bill (H. R. 15626) authorizing the Secretary of War to donate to the city of Auburn, Cal., two German cannons or fieldpieces, with their accompaniments; to the Committee on Military Affairs.

By Mr. GARLAND: A bill (H. R. 15627) authorizing the Secretary of War to donate to the town of Millvale, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HAYDEN: A bill (H. R. 15628) to provide for marking the carcasses of goats with the words "goat meat"; to the Committee on Agriculture.

By Mr. MOTT: A bill (H. R. 15629) authorizing the Secretary of War to donate to the village of Clayton, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15630) authorizing the Secretary of War to donate to the village of Orwell, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15631) authorizing the Secretary of War to donate to the village of Cazenovia, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15632) authorizing the Secretary of War to donate to the village of Antwerp, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MANN: Joint resolution (H. J. Res. 403) to create a joint commission of Congress on estimates and appropriations; to the Committee on Rules.

By Mr. PARK: Resolution (H. Res. 548) to pay George D. Ellis $1,200 for extra services; to the Committee on Accounts.

By Mr. GOULD: Resolution (H. Res. 549) directing the United States Shipping Board to furnish the House of Representatives with certain information in accordance with section 12 of the shipping act, approved September 7, 1916; to the Committee on the Merchant Marine and Fisheries.

Also, a resolution (H. Res. 550) directing that the United States Shipping Board furnish the House of Representatives with certain facts as to the building and operation program of wooden ships; to the Committee on the Merchant Marine and Fisheries.

By Mr. DAVIS: Memorial from the Legislature of the State of Minnesota, requesting the discontinuance of the administration of the Chippewa Indian tribal funds and the final settlement of their tribal affairs; to the Committee on Indian Affairs.

Also, memorial from the Legislature of the State of Minnesota, requesting the gratuity of three months' pay to honorably discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Minnesota, requesting the increase of pensions to those disabled in service and indorsing S. 2130; to the Committee on Pensions.

Also, memorial from the Legislature of the State of Minnesota, requesting the discharge of the Volunteer Army of the United States; to the Committee on Military Affairs.

By Mr. FRENCH: Memorial from the Legislature of the State of Idaho on woman suffrage; to the Committee on Woman Suffrage.

By Mr. GOULD: Memorial of the Legislature of the State of New York, urging the passage of the bill now in conference to amend an act entitled "An act to regulate the construction of the dams across navigable waters," approved June 21, 1906,

as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the use of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of New York, urging Congress to authorize the Secretary of War to furnish the several States of the Union with the records of the men from such States who entered the military service; to the Committee on Military Affairs.

By Mr. KAHN: Memorial of the Legislature of the State of California regarding allotment to discharged soldiers, urging six months' pay to them on discharge; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of California, against cancellation of loans made to foreign countries; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of California, urging enactment of retirement legislation; to the Committee on Reform in the Civil Service.

Also, memorial of the Legislature of the State of California urging legislation to restore to the pension rolls those who have given up right to pension by reentering service during present war; to the Committee on Pensions.

Mr. MAHER: Memorial of the Legislature of the State of New York, favoring the early enactment of the water-power bill, now in conference; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of New York, requesting Congress to authorize the Secretary of War to leave in the State of New York, under proper supervision, such records as will furnish information regarding citizens of the State who have been inducted into the Federal service through the medium of the selective-draft law; to the Committee on Military Affairs.

By Mr. THOMPSON: Memorial of the Legislature of the State of Oklahoma, relating to the fixing of the minimum price of wheat for 1919; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Oklahoma, relating to the distribution of relics of the late war for the commemoration of soldier boys; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MONTAGUE: A bill (H. R. 15633) granting a pension to Albert Worthy; to the Committee on Pensions.

By Mr. MOTT: A bill (H. R. 15634) granting an increase of pension to Patrick Collins; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of United Mine Workers of America relative to the reducing of the price of coal; to the Committee on Mines and Mining.

Also, evidence to accompany H. R. 15602, for pension for Anna Myers; to the Committee on Invalid Pensions.

By Mr. CARY: Petition of Ladies' Auxiliary, Bluebird Lodge, No. 116, to the International Machinists' Union, urging release of all conscientious objectors and amnesty for all political prisoners under war status, also repeal of espionage act; to the Committee on Military Affairs.

By Mr. DAVIS: Petition of residents of the third congressional district of Minnesota requesting guaranty of the price of wheat at $2.26 per bushel for 1919 year crop; to the Committee on Agriculture.

By Mr. ELSTON: Petition of Alameda County Civic Association, urging passage of appropriation for new post office at Oakland, Cal.; to the Committee on the Post Office and Post Roads.

By Mr. GRAHAM of Pennsylvania: Petition of the trustees of Philadelphia Produce Exchange, asking Congress to determine the scope of work which the Bureau of Markets shall continue to perform; to the Committee on Agriculture.

By Mr. GREENE of Vermont: Petition of citizens of Waterville, Vt., protesting against the postal zone law; to the Committee on Ways and Means.

By Mr. GRIFFIN: Petition of the New York State Legislature, Albany, N. Y., requesting legislation permitting the retention of draft-board information at the capitol of New York State as information pertaining to the State; to the Committee on Military Affairs.

Also, petition of the National Bronze Corporation, New York City, relating to Senate bill 5261; to the Committee on Military Affairs.

Also, petition of the New York Produce Exchange, New York City, favoring removal of restrictions and discontinue the practice of price fixing now applied to hogs, grain, and foodstuffs; to the Committee on Agriculture.

By Mr. HASTINGS: Petition of railroad men, Muskogee, Okla., asking Government ownership and control of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. HERSEY: Petition of Rev. David N. Beech and other residents of Bangor, Me., urging repeal of the postal zone law; to the Committee on Ways and Means.

Also, petition of Harold M. Hill and other residents of Carland, Me., urging repeal of the postal zone law; to the Committee on Ways and Means.

By Mr. HOLLINGSWORTH: Petition of Rev. C. H. Kern, of Wellsville, Ohio, and nine other citizens, protesting against postal and zone system and asking its repeal; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Petition of Pittsburgh Board of Trade, requesting legislation for deportation of alien enemies and prohibition of entry of those who left the United States to enter the armed forces of the central powers; to the Committee on Immigration and Naturalization.

By Mr. KENNEDY of Rhode Island: Resolution adopted by John Mitchell Literary Association, of Providence, R. I., urging passage of legislation favoring self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Petition of Hartford Council, No. 210, of the U. C. T. of America, relating to private ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of the teachers of Kent County, Del., favoring Senate bill 4987; to the Committee on Education.

By Mr. RANDALL: Petition of the faculty of the State Normal School of Los Angeles, Cal., favoring creation of a department of education; to the Committee on Education.

By Mr. ROGERS: Petition of citizens of Woburn, Mass., relating to self-determination of all nations, great and small, and especially of Ireland; to the Committee on Foreign Affairs.

By Mr. SCHALL: Petition of citizens of Isanti County, Minn., to repeal zone rate system; to the Committee on Ways and Means.

Also, petition of Minneapolis District Council, No. 8, C. T. W. A., demanding thorough investigation of the wire administration under Mr. Burleson, Postmaster General, with object of correcting conditions under which employees are working; to the Committee on Interstate and Foreign Commerce.

Also, petition of Minnesota Independent Telephone Association, asking that Congress fix a definite date to return telephone properties to the owners; to the Committee on Interstate and Foreign Commerce.

By Mr. SNELL: Resolutions of the Senate of the State of New York relative to records of local draft boards; to the Committee on Military Affairs.

Also, resolutions of the Senate of the State of New York relative to regulating the construction of the dams across navigable waters and to provide for the improvement and development of waterways for the use of the interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. VOLSTEAD: Petition of Gust. C. Albrecht and other citizens of Fairfax, Minn., to make effective the guaranteed price for 1919 wheat; to the Committee on Agriculture.

Also, petition of H. B. Zimmerman and other citizens of Wellmar, Minn., for legislation to make good the guaranteed price of 1919 wheat; to the Committee on Agriculture.

SENATE.

WEDNESDAY, *February 5, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we seek from Thee that conscious power that comes with a clear vision, with a clean conscience, with a devoted and consecrated spirit to the ideal born out of Thy word. Grant to lead us to-day in the discharge of our duties. May we ever keep in mind the justice and righteousness and peace that Thou hast made known and which is Thy will concerning man. We ask it, for Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Monday, February 3, 1919, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

STATIONERY FOR DEPARTMENT OF THE INTERIOR (S. DOC. NO. 379).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting a supplemental estimate of appropriation in the sum of $41,000 for stationery, Department of the Interior, for the fiscal year 1919, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

LIBRARY OF CONGRESS (S. DOC. NO. 377).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Librarian of Congress submitting a supplemental estimate of appropriation in the sum of $1,371.37 required to meet the increased cost of envelopes furnished the Library of Congress, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

BUREAU OF WAR RISK INSURANCE (S. DOC. NO. 378).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting supplemental estimates of appropriation in the sum of $9,220,000 required by the Bureau of War Risk Insurance for the fiscal year 1919, which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate communications from the Acting Secretary of State (S. Doc. No. 375), the Secretary of the Interior (S. Doc. No. 374), and the Secretary of Commerce (S. Doc. No. 376), transmitting in response to a resolution of December 23, 1918, a list showing the number of civil employees in their respective departments on January 29 and the number discharged during the previous two weeks, which were ordered to lie on the table.

NATIONAL PROHIBITION.

The VICE PRESIDENT presented a resolution adopted by the Legislature of the State of Michigan ratifying the proposed prohibition amendment to the Constitution of the United States, which was ordered to be placed on the files of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, announced that the House had passed a bill (H. R. 15462) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 289) for the appointment of four members of the Board of Managers of the National Home for Disabled Volunteer Soldiers, and it was thereupon signed by the Vice President.

PROPOSED WATER-POWER LEGISLATION.

Mr. CALDER. Mr. President, I present a resolution adopted by the Legislature of the State of New York, petitioning Congress for the enactment of the water-power bill now in conference between the two Houses.

This measure is of vital importance to the State of New York. It will afford an opportunity for a more effectual utilization of the water power at Niagara Falls, where already vast sums of money have been invested in anticipation of this legislation, and where additional power can be created, thereby saving a vast quantity of coal, cheapening production, and tending materially to the employment of labor.

The development of the upper Hudson River is also a subject of great concern to the people of New York.

It is proposed by one of the Nation's largest industries, when this bill becomes a law, to establish a great manufacturing plant at Green Island, above the city of Troy, where 25,000 men will be employed.

It is expected that the electricity generated at this point, through the damming of the river, and the tremendous power through the large volume of water coming from the upper reaches of the Hudson and the Mohawk will forever assure an uninterrupted power at a reasonable cost, not only for manufacturing plants in the immediate neighborhood but for the railroads and illuminating systems in that entire section of the State.

Let me assure the Senate conferees that there is no measure pending in this Congress of more immediate necessity.

We are constantly being asked to appropriate money to relieve possible business depression and assure the employment of labor. This bill will not only make possible the use of an almost unlimited natural resource and assure thereby an income to the country, but in addition, and what for the moment is more important, it will move the wheels of industry and employ thousands of men who are to-day walking the streets searching employment.

Let me urge again an early agreement on this very important question.

Mr. President, I send the petition to the desk, and ask that it be read.

The VICE PRESIDENT. Is there objection?

There being no objection, the Secretary read as follows:

STATE OF NEW YORK,
IN SENATE,
Albany, January 27, 1919.

Whereas a bill entitled "An act to amend an act entitled 'An act to regulate the construction of the dams across navigable waters,'" approved June 21, 1906, as amended by the act approved June 23, 1910, and to provide for the improvement and development of waterways for the uses of the interstate and foreign commerce, passed the Senate December 14, 1917, and the House of Representatives September 5, 1918; and

Whereas Hon. JOHN K. SHIELDS, and Hon. JOHN H. BANKHEAD, Hon. HENRY L. MYERS, Hon. KEY PITTMAN, Hon. KNUTE NELSON, and Hon. REED SMOOT, from the Senate, and Hon. THETUS W. SIMS, Hon. SCOTT FERRIS, Hon. ASBURY F. LEVER, Hon. JOHN J. ESCH, Hon. WILLIAM L. LA FOLLETTE, and Hon. GILBERT N. HAUGEN, from the House of Representatives, have been appointed to confer and agree upon the terms of said bill; and

Whereas the water powers of the State are urgently needed for the promotion of industry:

Resolved (if the assembly concur), That the Legislature of the State of New York earnestly request our Representatives in Congress and the conferees named to do all in their power to stimulate action on said bill, to the end that it may be acted upon favorably, providing, however, that the same does not in any way diminish or impair the rights of the State of New York in the ownership and control of such navigable waters.

Resolved, That certified copies of this resolution be forthwith transmitted to the President of the Senate, the Speaker of the House of Representatives, our Representatives in Senate and in the House, as well as the conferees named above.

By order of the senate:

ERNEST A. FAY, *Clerk.*

In assembly, January 30, 1919. Concurred in without amendment.

By order of the assembly:

FRED W. HAMMOND, *Clerk.*

Indorsed: Filed January 30, 1919.

FRANCIS M. HUGO,
Secretary of State.

STATE OF NEW YORK,
Office of the secretary of state, ss:

I have compared the preceding copy of resolution relative to regulating the construction of the dams across navigable waters and to provide for the improvement and development of waterways for the use of the interstate and foreign commerce with the original resolution on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole thereof.

Given under my hand and the seal of office of the secretary of state, at the city of Albany, this 30th day of January, in the year one thousand nine hundred and nineteen.

[SEAL.]

C. W. TAFT,
Second Deputy Secretary of State.

CALLING OF THE ROLL.

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, S. Dak.	Myers	Spencer
Baird	Jones, N. Mex.	Nelson	Sterling
Bankhead	Jones, Wash.	New	Sutherland
Brandegee	Kellogg	Nugent	Swanson
Calder	Kendrick	Page	Thomas
Chamberlain	Kenyon	Penrose	Thompson
Colt	King	Poindexter	Townsend
Culberson	Kirby	Pollock	Trammell
Cummins	Knox	Pomerene	Underwood
Curtis	La Follette	Reed	Vardaman
Dillingham	Lenroot	Robinson	Wadsworth
Fernald	Lewis	Saulsbury	Walsh
Fletcher	Lodge	Shafroth	Warren
France	McKellar	Sheppard	Watson
Frelinghuysen	McLean	Sherman	Weeks
Hale	McNary	Simmons	Wolcott
Hardwick	Martin, Va.	Smith, S. C.	
Henderson	Moses	Smoot	

Mr. TOWNSEND. I desire to announce the absence of my colleague [Mr. SMITH of Michigan], who is detained from the Senate on account of illness.

Mr. TRAMMELL. I wish to announce that the Senator from Kentucky [Mr. BECKHAM] is absent on official business.

Mr. POMERENE. I wish to announce that the senior Senator from Louisiana [Mr. RANSDELL] and the junior Senator from Louisiana [Mr. GAY] are detained on official business.

Mr. MARTIN of Virginia. I desire to announce that the Senator from Maryland [Mr. SMITH], the Senator from Arizona [Mr. SMITH], and the Senator from Mississippi [Mr. WILLIAMS] are absent on account of illness.

Mr. MCKELLAR. My colleague, the senior Senator from Tennessee [Mr. SHIELDS], is detained by illness. I will let this announcement stand for the day.

The VICE PRESIDENT. Seventy Senators have answered to the roll call. There is a quorum present.

PETITIONS AND MEMORIALS.

Mr. NELSON. I present a resolution of the Legislature of the State of Minnesota, which I ask may be printed in the RECORD and properly referred.

The resolution was referred to the Committee on Indian Affairs and ordered to be printed in the RECORD, as follows:

Resolution of the senate in relation to the Chippewa Indian tribal funds in hands of Federal Government.

Whereas the great majority of the people of Chippewa Indian blood residing in the State of Minnesota are citizens of said State and perform all the obligations imposed by the State upon all other citizens; and

Whereas the great majority of the Chippewa people in the State of Minnesota are, in the opinion of the Senate of Minnesota, capable of managing and controlling their property interests; and

Whereas the Government of the United States, through its Bureau of Indian Affairs, has maintained for a number of years, and is now maintaining, a large force of agents and employees in connection with the administration of said trust at a very considerable expense, which expense is being paid out of the trust funds of said Indians; and

Whereas we are of the opinion that the further maintenance of this force of agents and employees at the expense of said trust fund has become unnecessary: Now, therefore, be it

Resolved by the Senate of the State of Minnesota, That the Congress of the United States be, and it is hereby, requested to discontinue the use of said trust fund for the purposes hereinbefore mentioned, and that it be further requested to enact such legislation as will enable said Chippewa people to secure a final settlement of their tribal affairs with the United States Government, due regard being had for the well-being of said Indians; be it further

Resolved, That the Senators and Representatives in the Congress of the United States from the State of Minnesota be requested to assist in carrying out the purposes for which this resolution was designed; be it further

Resolved, That a duly authenticated copy of this resolution be transmitted to the Speaker of the House of Representatives, that another be transmitted to the President of the Senate of the Congress of the United States, and that copies be sent to each Member of the Senate and House of Representatives from the State of Minnesota, and that as so amended the same do pass.

Mr. KIRBY. I present a memorial protesting against the passage of House bill 13400, giving certain riparian claimants the right to purchase certain public lands in Arkansas. I move that it be referred to the Committee on Public Lands.

The motion was agreed to.

Mr. LA FOLLETTE. I present a joint resolution of the Legislature of the State of Wisconsin, relating to a Federal constitutional amendment for woman suffrage, adopted on the 16th day of January, which I ask may be printed in the RECORD.

The resolution is as follows:

Joint resolution (J. Res. No. 4, A) relating to a Federal constitutional amendment for woman's suffrage.

Resolved by the assembly (the senate concurring), That we indorse woman's suffrage, following the platforms of the political parties of this State, and favor that the Senate of the United States adopt the legislation now pending before it providing for submitting to the several States an amendment to the Federal Constitution establishing national woman's suffrage; be it further

Resolved, That this resolution, properly signed and attested by the officers of this legislature be forwarded to the United States Senate, and a copy thereof to each United States Senator.

RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.
EDWARD F. DITHMAR,
President of the Senate.
O. G. MUNSON,
Chief Clerk of the Senate.

DEPARTMENT OF STATE.

Received January 30, 1919, 4.15 p. m.

MERLIN HULL, *Secretary of State.*

Mr. STERLING. I have here a concurrent resolution of the Legislature of South Dakota, which relates to the interference of the Railroad Administration with express rates on shipments wholly within the State. It is of such interest and importance that I ask it may be read and then referred to the Committee on Interstate Commerce.

There being no objection, the resolution was read and referred to the Committee on Interstate Commerce, as follows:

Certificate.

UNITED STATES OF AMERICA,
STATE OF SOUTH DAKOTA,
SECRETARY'S OFFICE.

I, C. A. Burkhart, secretary of state, do hereby certify that the annexed concurrent resolution was duly passed by the sixteenth session of the Legislature of the State of South Dakota.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, at the city of Pierre, January 31, 1919.

[SEAL.]

C. A. BURKHART,
Secretary of State.

Hon. C. A. BURKHART,
Secretary of State:

The following concurrent resolution has been adopted by the senate and concurred in by the house of representatives:

Concurrent resolution.

"Whereas the Government of the United States, as a war emergency measure, took over the control of several great public-service corporations, including the railroads and express companies of our country, and placed them in charge of a Director General of Railroads; and

"Whereas our Government did at the same time urge upon our people the great necessity of saving and conserving in private and business affairs, and asked our people, even the widows and orphans, to save their mite to buy liberty bonds and war-savings stamps for the support of the Government and its different departments in its conduct of the war, including the railroads and express companies; and

"Whereas our people have generously responded to every request made; and

"Whereas it has now come to the attention of our people that three paid representatives of one of the said great public-service corporations have come to the city of Pierre in a luxuriously equipped private car, at a great and unnecessary expense, for the express purpose of opposing in our courts the action of our board of railroad commissioners, wherein they are representing the interests of our people in seeking to prevent what appears to be an unwarranted, unlawful, and unjust raise in express rates, which are sought to be put into effect under the guise of Government control and with the apparent approval of the Director General of Railroads: Now, therefore, be it

"*Resolved by the Senate of the State of South Dakota (the House of Representatives concurring)*, That we do condemn such unwarranted extravagance as unpatriotic, disloyal, and undemocratic, and that we do hereby memorialize the Congress of the United States to enact such laws as will effectually and permanently protect the American people from unfair and extortionate rates, whether imposed upon them by private corporations owning and operating such public utilities or under Government management and control of the same, thereby rendering to the people that reasonable and efficient service to which they are rightfully entitled, free alike from unreasonable governmental control or from corporate or individual oppression."

For the senate:

C. S. AMSDEN,
President of the Senate.
A. B. BLAKE,
Secretary.

For the house:

LEWIS BENSON,
Speaker.
WRIGHT TARBELL,
Chief Clerk.

Dated at Pierre, S. Dak., this 28th day of January, A. D. 1919.

Mr. MOSES. I present a resolution adopted by the New Hampshire Association of Insurance Agents, protesting against further Government activity on behalf of farm fire insurance. I ask that it be printed in the RECORD and referred to the Committee on the Judiciary.

The resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Resolution adopted by the New Hampshire Association of Insurance Agents at their nineteenth annual meeting at Concord, N. H., January 20, 1919.

Whereas new evidences of paternalistic government are appearing in this country, with a steady encroachment upon the fields of private enterprises, and tangible obstructions to individual freedom and personal initiative are threatened; and

Whereas examples are contained in the second annual report of the Federal land banks urging the extension of their activities to farm fire insurance; and

Whereas the circulation of a textbook, entitled "Lessons in Community and Private Life," for introduction into the public schools, through the Secretary of the Interior, propagating social insurance and Government control of private activities, has aroused the protest of business interests; and

Whereas there has been a recent attempt to place workmen's compensation and liability coverage on shipbuilding plants along the Atlantic coast in the hands of a profit-sharing concern, utterly ignoring the agents in those States whose countersignatures would have been required; and

Whereas the prediction that bills will be introduced in every State legislature providing for monopolistic State workmen's compensation funds has been made; and

Whereas it has been proposed to extend Government life insurance to the entire civil list: Be it

Resolved, That we, the New Hampshire Association of Insurance Agents, assembled in annual meeting at Concord, N. H., January 20, 1919, earnestly protest against these paternalistic tendencies and vigorously urge local fire, casualty, surety, and life insurance agents everywhere to inform themselves of these propositions and activities calculated to undermine the foundations of our Government and throw into chaos long-established institutions, to the end that we may be able successfully to combat all Bolsheviki tenets and socialistic propaganda and make the United States safe for insurance democracy.

LOUIS G. MERRILL,
President.

Mr. MOSES. I also present a resolution of the New Hampshire Manufacturers' Association, protesting against further activity by the United States Employment Service, and I ask that it be printed in the RECORD and referred to the Committee on Education and Labor.

The resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Whereas Congress, under stress of war, created the United States Employment Service, the purpose of which was to give a specific directive power to Federal Government which would facilitate Congress to remedy those industrial and labor conditions in the United States while at war, and whereas the Department of Labor has or is about to ask Congress for an appropriation of nearly $15,000,000 to continue this employment service for the next 12 months: Therefore be it

Resolved, That the New Hampshire Manufacturers' Association, in convention assembled, are opposed to the continuation of this employment service as being unnecessary, as the cause for which it was created has ceased to exist, and the continuation of this power is inimical to the public good.

Mr. LENROOT. I send to the desk a certified copy of a resolution of the Common Council of the city of Milwaukee, Wis., relating to the pay of soldiers and sailors for a certain period after their discharge, and I ask that it be printed in the RECORD and be referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Resolution indorsing movement to pay soldiers and sailors their salaries for certain period after their discharge.

Whereas the United States Government is now demobilizing the Army and Navy as rapidly as possible; and

Whereas many soldiers and sailors will hereafter from time to time be released from further duty to the Government and, until conditions again become normal, will be out of funds and work for sometime to come; and

Whereas a movement is on foot to pay soldiers and sailors their salaries for a certain period after their discharge: Therefore be it

Resolved by the Common Council of the city of Milwaukee, That it heartily indorses the movement to pay soldiers and sailors their salaries for a certain period after their discharge from further duties to their country, and hereby petitions the Congress of the United States to enact such legislation to the end that all soldiers and sailors released from further duty will receive three months' additional pay from the date of their discharge.

OFFICE OF THE CITY CLERK,
Milwaukee, February 1, 1919.

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the city of Milwaukee on January 27, 1919.

[SEAL.] P. F. LEUCH, *City Clerk.*

Mr. LENROOT. I also present a certified copy of a resolution of the common council of the city of Milwaukee, Wis., to eliminate unemployment. I ask that it be printed in the RECORD and referred to the Committee on Education and Labor.

The resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Resolution petitioning Congress to eliminate unemployment.

Whereas due to the closing down of the war industries, together with demobilization of the Army, there now exists a serious condition of unemployment which is growing worse from day to day; and

Whereas the working class of the United States was led to believe that after the close of this war the conditions of the workers would be materially improved: Therefore be it

Resolved, That the mayor and the common council of the city of Milwaukee do hereby petition and urge Congress to enact such legislation as will eliminate unemployment—

First. By compulsory reduction of the hours of labor for all classes of workers and the fixing of minimum wage scales; and

Second. By inaugurating a system of public work, such as construction of a modern system of transportation, utilization of the water power of our country, irrigation of arid lands, reforestation, clearing and breaking of land for agricultural purposes, etc.; and be it further

Resolved, That copies of these resolutions be forwarded to His Excellency the President of the United States, to the House of Representatives, and to the Senate of the United States.

OFFICE OF THE CITY CLERK,
Milwaukee, February 1, 1919.

I hereby certify that the foregoing is a copy of a resolution adopted by the common council of the city of Milwaukee on January 27, 1919.

[SEAL.] P. F. LEUCH, *City Clerk.*

Mr. NUGENT. I present a memorial of the Legislature of the State of Idaho, which I ask to have read.

The memorial was read and ordered to lie on the table, as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 4, which was filed in this office on the 30th day of January, A. D. 1919, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 30th day of January, in the year of our Lord one thousand nine hundred and nineteen and of the Independence of the United States of America the one hundred and forty-third.

[SEAL.] ROBERT O. JONES,
Secretary of State.

[Legislature of the State of Idaho, fifteenth session. In the senate. Senate joint memorial No. 4; substitute for joint memorial No. 2.]

To the honorable Senate of the United States of America in Congress assembled:

Your memorialists, the Legislature of the State of Idaho, respectfully represent that—

Whereas the State of Idaho has for approximately a quarter of a century permitted the exercise of the voting franchise by the women of this State and accorded to them equal political rights; and

Whereas woman's suffrage in this State has been conducive to good government, has purified our politics, made better homes, and the influence of Idaho's women exerted at the polls has been for the best interests of the State: Be it

Resolved, That the Senate of the State of Idaho, the House of Representatives concurring therein, do hereby memorialize the Senate of the United States and respectfully urge that it adopt and pass House joint resolution No. 200, proposing an amendment to the Constitution of the United States extending the right of suffrage to women; and be it

Resolved, That the secretary of state of Idaho be, and is hereby, requested to forward a copy of this memorial to the Senate of the United States and copies thereof to our Senators and Representatives in Congress.

This joint memorial passed the senate on the 22d day of January, 1919.

C. C. MOORE,
President of the Senate.

This joint memorial passed the house of representatives on the 23d day of January, 1919.

M. A. KIGER,
Speaker of the House of Representatives.

I hereby certify that the within senate joint memorial No. 4 originated in the senate during the fifteenth session of the Legislature of the State of Idaho.

PAUL DAVIS,
Secretary of the Senate.

Indorsed: Received and filed January 30, 1919.

ROBERT O. JONES,
Secretary of State.

Mr. LODGE presented a resolution adopted by the Joint Committee of the Churches and Synagogues of the State of Massachusetts favoring a league of nations, which was referred to the Committee on Foreign Relations.

Mr. SUTHERLAND presented petitions of the Rotary Club of Fairmont; of the Berea & Slab Telephone Co., of Harrisville; of the Board of Trade of Pennsboro; and of the Business Men's Association of Grafton, all in the State of West Virginia, praying that the return to private ownership of telephone and telegraph lines be deferred until Congress shall have studied the question and determined upon a proper and safe procedure to be thereafter followed, which were referred to the Committee on Post Offices and Post Roads.

Mr. MYERS presented a petition of the Montana Grain Growers, of Great Falls, Mont., praying that a graduated minimum price to be paid for wheat be substituted in lieu of the flat minimum price now established, which was referred to the Committee on Agriculture and Forestry.

PRESIDENT MURLIN'S LETTER ON H. F. WARD.

Mr. WEEKS. Mr. President, among the names reported by the subcommittee of the Judiciary Committee which is investigating the general subject of German propaganda was included that of Prof. H. F. Ward as from Boston University. There is some reproach connected with such a publication upon institutions which have been loyal in a high degree. Prof. Ward is not connected with the Boston University, but is connected with the Union Theological Seminary, New York. I have a letter from President Murlin, of Boston University, stating that fact. It is very short, and I should like to have it printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

UNIVERSITAS BOSTONIENSIS,
Boston, February 3, 1919.

Senator JOHN W. WEEKS,
Washington, D. C.

MY DEAR SENATOR WEEKS: In the list of names reported by the Senate committee investigating the German propaganda is included that of Prof. Harry F. Ward as from Boston University. Prof. Ward resigned his position in Boston University last May and is now connected with Union Theological Seminary, New York. I trust you will see to it that your records are made according to these facts. I told a representative from the local bureau of investigation here in Boston all about this some 90 days ago, but for some reason they still have his name down as from Boston University, which, of course, is not correct.

Faithfully, yours,

L. H. MURLIN, *President.*

LETTER FROM MRS. IDA MAE WATERS.

Mr. THOMAS. Mr. President, I have a short letter from Mrs. Ida Mae Waters who, in the Washington Post, figured somewhat conspicuously at the recent meeting at the Poli Theater which has been the subject of some discussion here. She protests against the construction placed upon that meeting and asks that the letter which she writes me upon the subject may be incorporated in the RECORD. I make that request. I ask unanimous consent that it be printed in the RECORD. It need not be read.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

"WASHINGTON, D. C., *February 4, 1919.*

"Hon. CHARLES S. THOMAS.

"MY DEAR SIR: The paper reports you as denouncing a meeting held at Poli's Theater on Sunday afternoon. It may or may not be true. If the report is untrue I crave pardon for bothering you. If true, I feel it my duty to give you a little information, as my name was mentioned in the article.

"First, about two weeks ago I personally interviewed a number of Senators and Representatives of both parties and told

them about the meeting which I helped to arrange. There was no secret about it. Leading men in both Houses knew of it. And on Friday last I personally brought to the Capitol cards and circulars announcing the meeting and gave them to Senators and Representatives and requested them to tell others. Also left some to be given to others.

"I did that because I wanted to have the American people know that our representatives were not opposed to the truth being known. Also that Congress might have an opportunity to get some things straight from persons who have been close to the people of Russia.

"Mr. Williams did not advocate Soviet government for America. He has been grossly misrepresented.

"I beg of you to call Mr. Williams before the Senate and know what he did say. It seems strange that persons so misrepresented as you Senators have been at times would be so willing to believe everything you read. Why did you not come and know the truth? Kings, queens, kaisers, and czars have ruled by divine right (so claimed) and naturally have drawn away from the people, but Congressmen who serve by the will of the people would do well to know the people and not depend upon newspapers for all of their information, since it is but a short time before they sink back into the mass. I ask that you make this letter as public as you did your condemnation.

"And know that I am an American of several generations of English and Scotch ancestry.

"'America first' is my slogan.

"Respectfully, IDA MAE WATERS."

RUSSIAN APPEAL.

Mr. SHERMAN. I present certain resolutions adopted by the Russians of New York City, which I ask may be printed in the RECORD without reading.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

Whereas the supreme council of the peace conference in Paris has practically decided to enter into negotiations with the Bolshevist officials in Russia;

Whereas the supreme council has decided to meet the Bolshevist delegates as well as the delegates of the Russian loyal factions opposed to the Bolsheviki on the Princes Islands on the 15th of February, 1919:

Whereas in the opinion of the loyal Russian organizations the Bolsheviki, in signing a separate peace with the central powers at Brest-Litovsk, have committed an act of high treason toward Russia, as well as toward the allied cause in general;

Whereas, further, it has been proved that the Russian Soviet officials were on the pay roll of the Imperial German Government;

Whereas during the Bolshevist rule in Russia unspeakable terror has been going on, and thousands and thousands of innocent men, women, and children have been murdered by the Bolsheviki without any trial, and taking into consideration that the Soviet terror was condemned by President Wilson on the 21st of September, 1918, in his address to all the neutral governments;

Whereas the Bolsheviki have abolished all the fundamental principles of liberty and civilization in Russia;

Whereas the Bolshevist rule has proved to be the greatest and most irreparable misfortune in Russia's history;

Whereas it is contrary to the national dignity of the peoples of Russia to meet the allied representatives somewhere in the back yard of Europe;

Whereas the very idea of a joint meeting at which representatives of Trotzky on the one hand and the loyal Russians on the other would meet constitutes an offense to loyal and honest Russia:

Resolved, To appeal to public opinion of the United States and the allied nations and to emphasize:

(a) That the loyal Russian organizations in the United States believe that the above decision of the supreme council at the peace conference in Paris is a fatal and historical error which might affect in a most harmful manner the civilization of the whole world;

(b) That the above decision of the allied Governments is apt to strengthen the Bolshevist cause at the very moment when Trotzky's régime is on the verge of a complete collapse;

(c) That, notwithstanding the decision of the supreme council, the loyal Russian organizations feel their duty and will continue their fight against the Russian Bolshevist traitors; and

(d) Finally, that we are deeply convinced that the loyal Russian delegates should meet the allied representatives either in Paris or nowhere.

Executive Board of the General Committee of Russian National Defense (comprising 39 Russian organizations, societies, political groups, and professional unions, 5 Karpatho-Russian organizations, and the Consistory of the Greek Orthodox Church, with 250 branches in the United States and Canada), chairman, A. D. Semenoffsky; vice chairman, Lieut. Boris Brasol; members, Lieut. Commander P. E. Stogoff, Col. N. N. Koch, Rev. L. Tourkevich, Rev. P. Popoff; representatives of the Karpatho-Russians, Gataliak and Cherniak; secretaries, Capt. N. Vishnevsky, V. Shumsky. Voluntary Association of the Russian Army and Navy Officers in the United States, president, Col. I. Sidorkin. Union of Russian Engineers, president, Count S. Shullenberg; secretary, Engineer Osolin.

NEW YORK CITY, *January 23, 1919.*

PEACE POLICIES.

Mr. MOSES. Mr. President, in connection with some observations which I made in the Senate on Monday last, I ask leave to have printed in the RECORD an article from the New York Times, dated February 2, by Charles Selden.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HUGHES DEMANDS MANDATE NOW—PREMIER SAYS AUSTRALIA WILL NOT AWAIT FUTURE LEAGUE'S ALLOCATION OF COLONIES—CAUSTIC IN INTERVIEW—COMPARES LOSSES OF COLONY IN WAR WITH AMERICA'S—ECHOES WORLD'S VOICE, SAYS LAUSANNE.

[By Charles Selden.]

PARIS, *February 2.*

Although France, in common with the other big powers, accepts provisionally the Wilson mandatory principle as to the German colonies, she does not like it. The conditions under which she indorses it are so vague that the door is left wide open for her to repudiate it if she does not approve its concrete application. But in the French press, which speaks the wishes of Clemenceau and Pichon rather than the avowed utterances of those statesmen themselves, this real attitude is indicated.

For example, several Paris papers make a hero and a martyr out of Premier Hughes, of Australia, because of his stubborn fight against the Wilson mandatory principle as applied to New Guinea. Le Matin this morning had a long article by Stephan Lausanne on the Hughes fight, the printing of which is significant as a protest against the American attitude on this phase of the peacemaking.

"He has begun an ardent, tenacious fight on the question of the German colonies in the Pacific," writes Lausanne of Hughes. "He is of those who demand the immediate liquidation and attribution of these colonies. He is not at all sure he has lost his fight. He certainly does not admit himself beaten."

Lausanne then quotes Hughes as follows:

"We have no objection in Australia to the mandate principle, but let the mandate define immediately what it gives and requires. You offer to rent a house and ask the price and responsibilities, whereupon you are told that will be determined by a council to convene one, two, or three years hence. So, until then, you can know nothing of what you pay to the rules regulating you.

"That is no solution of this German colony problem. I will not subscribe to it. We have already at the Quai d'Orsay a league of nations capable of deciding these questions.

"We have had more losses than America with her 100,000,000 people. When we have been asked to sacrifice ourselves in battle we did not demand the organization of an international tribune to decide the battle. But now, after our people have paid with their lives to save the world, without hesitation, argument, or chicanery, we find a new form of procedure for reimbursing damages.

"It is something slow and vague. We are told it is not now the fate of the world that is to be decided. That is to come later.

"We will not await a league of nations that is to be born nobody knows when, where, or how.

"It is often said that those far away on the other side of the world did not appreciate immediately the grandeur of the course for which we began fighting in 1914. Australia is far away, but she understood immediately and sacrificed herself from the start. It was not at the eleventh hour that we came to the defense of civilization. We armed a tenth part of our male population of 5,000,000.

"The arbiters, I know not who, are convening I know not where, coming I know not whence."

In his own comment on this statement from Hughes, Lausanne calls it an echo of the voice of the world.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 13056) to grant to citizens of Modoc County, Cal., the right to cut timber in the State of Nevada for agricultural, mining, or other domestic purposes, and to remove such timber to Modoc County, Cal., reported it without amendment and submitted a report (No. 684) thereon.

Mr. HARDWICK, from the Committee on Appropriations, to which was referred the bill (H. R. 13277) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1920, and for other purposes, reported it with amendments and submitted a report (No. 683) thereon.

DISTRICT JUDGE FOR TEXAS.

Mr. CULBERSON. From the Committee on the Judiciary, I report back favorably, without amendment, the bill (S. 5342) providing for the appointment of an additional district judge for the northern judicial district of the State of Texas, and I submit a report (No. 682) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the northern judicial district of the State of Texas, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the northern district of Texas, senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

The bill was reported to the Senate without amendment, ordered to be engrossed for the third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 5536) authorizing the Secretary of War to donate to the University of Minnesota, Minneapolis, Minn., a captured German supergun; to the Committee on Military Affairs.

By Mr. WEEKS:

A bill (S. 5537) to abolish the Office of the Comptroller of the Currency and transfer the functions thereof to the Federal Reserve Board; to the Committee on Banking and Currency.

By Mr. SHEPPARD:

A bill (S. 5538) donating captured cannon and cannon balls to the city of Austin, Tex.; to the Committee on Military Affairs.

By Mr. LODGE:

A bill (S. 5539) authorizing the Secretary of War to donate to the city of Lynn, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. PITTMAN (for Mr. WILLIAMS):

A bill (S. 5540) authorizing the Secretary of War to donate to the National Military Park, Vicksburg, Miss., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. PENROSE:

A bill (S. 5541) to provide for publication by national banking associations and savings banks and trust companies of the reports of resources and liabilities and dividends required to be made by them to the Comptroller of the Currency; to the Committee on Banking and Currency.

A bill (S. 5542) to amend section 5 of the act of Congress entitled "An act to establish a Bureau of Immigration and Naturalization and to provide for a uniform rule for the naturalization of aliens throughout the United States," enacted on the 29th day of June, 1906; to the Committee on Immigration.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. MCNARY submitted an amendment proposing to investigate the claim of Charles S. Hood, a Modoc Indian, for services in securing the restoration and enrollment of the Modoc Indians of Oklahoma as members of the Klamath Tribe of Indians of the State of Oregon, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

SUPPLY OF POTASH.

Mr. FLETCHER. I submit the following resolution, for which I ask immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Secretary read the resolution (S. Res. 440), as follows:

Resolved, That the Secretary of Agriculture be, and he is hereby, requested to furnish to the Senate as promptly as possible the following information:

1. The amount of potash consumption in the United States prior to 1914, the answer to specify the amounts used of the three grades, to wit, sulphate, muriate, and kainit.

2. The amount of the production of potash in the United States in 1918, the answer to indicate the amount of sulphate and muriate, respectively.

3. The amount of potash now on hand, and the ruling price per unit, and a comparison with the antebellum price.

4. The amount and kind of potash consumed in the tobacco industry prior to 1914, and since.

5. The amount and kind of potash consumed in the citrus industry prior to 1914, and since.

6. The amount and kind of potash consumed in the orchard business prior to 1914, and since.

7. The possible production of potash in the United States, cost, and kind.

Mr. FLETCHER. Mr. President, this is a serious situation. For four years or more our agricultural interests, and especially the fruit growing and the tobacco interests, have suffered for the lack of potash. It is one of the necessary elements of plant food, and I think we ought to inquire into the situation and have the inquiry cover the ground mentioned.

My understanding is that the annual consumption of potash in the United States prior to the war was, in tons, 250,000. This was a German article marketed in the form of muriate or sulphate of potash, running 48 per cent or higher and commanding about $50 per ton, containing 48 per cent of potash. There was also a very low grade of potash goods known as kainit, which sold at a much lower price.

The entire production of potash in the United States during 1918 was, I am informed, about 60,000 tons, and containing a much lower percentage of potash than the German muriate and sulphate of potash goods; that the domestic article contains 22 per cent as against 48 per cent or more for the German muriate and sulphate. This domestic article was obtained from the salt lakes of Nebraska, from kelp weed and alunite rock, from skimmings of beet sugar, and from the deposits in the stacks of cement factories and blast furnaces.

Probably the greatest proportion of the domestic article is what is known as muriate of potash. Domestic sulphate of potash is obtained from the alunite rock of Utah and the furnace stacks of the Riverside Portland Cement Works in California. These two products are reported to be free from chloride and carbonite.

At the present time there are 30,000 tons of potash of all kinds stored at eastern points and containing 22 per cent of potash. This supply is held at about $93.50 per ton, or at considerably more than 300 per cent than the German article brought before the war, having regard to the proportion of potash in each article. It is reported that there is no sale for this supply, due to the expectation that foreign sources will soon be available.

Chairman Hurley is credited with the intention of obtaining an immediate supply of potash from the Alsatian deposits now under French control. Mr. Hurley's announced intention was to ballast the transports with this article and thus make use of a cheap and quick means of transport. The French commission, however, has just announced that the needs of the French people must be first taken care of, and no potash would be available from that source until June, 1919.

The American press recently reported an offer from Germany to trade potash for food, and also that the offer had been refused on the ground that there was a sufficient supply in the United States. The blockade and the trading-with-the-enemy act would prevent the consummation of such a transaction, unless a convention could be arranged between the allies.

Would such a convention be justified by the need of potash to produce the food that the world stands in need of? For four years a scanty supply of potash has been doled out to the American consumers and the lands are generally lacking in this necessary element. The Florida growers ordinarily used a fertilizer containing 8 per cent of potash. Since the war many citrus growers have used no potash on account of high prices, and it has been practically impossible to obtain an article containing more than about 3 per cent, as the domestic supply of less than 25 per cent of the ante bellum consumption had to be parceled out.

Citrus growers customarily and probably invariably used sulphate of potash before 1914, and avoided the use of muriate as injurious. The same was true of tobacco growers. While there might be some doubt as to whether muriate of potash is injurious to citrus trees, although the almost invariable practice of the growers confirms the idea, there appears to be no doubt that sulphate of potash is the only form adapted to tobacco culture. It is said the chloride contained in muriate of potash burns the tobacco. It would seem that if muriate of potash is hurtful to citrus trees, it would be equally injurious to all kinds of fruit trees.

I have no exact information as to what part of the domestic production is sulphate of potash, though much the greater part of the annual production of 60,000 tons is probably muriate, since the only sulphate of potash is produced from the alunite rock of Arizona and the cement works of Riverside, Cal., both of which points are remote from the eastern coast.

It is claimed that the potash obtained from the salt lakes of Nebraska is free of chloride and can be used for any purpose that straight sulphate goods can be employed, and this may be true. This product does contain carbonite, which is absent from the sulphate goods.

Inquiry would probably show that the production of sulphate of potash in the United States is entirely insufficient to supply the tobacco growers alone.

I ask that the resolution be adopted in order that this inquiry may be made by the Secretary of Agriculture.

The resolution was considered by unanimous consent and agreed to.

MEDALS AWARDED COLORADO SOLDIERS.

Mr. SHAFROTH. Mr. President, I wish to call the attention of the Senate to the headlines of an article in the New York Times, relating to our boys who were on the firing line in France. It says:

Forty-one of our heroes get highest honors—Congressional medals awarded by Pershing to 8 officers and 33 enlisted men—Many in the list are dead—Numerous instances of machine-gun nests being attacked in Argonne fighting.

Mr. President, I want to direct attention to the fact that out of the 41 who have been honored with this highest medal that can be awarded in the war four of the boys were from Colorado. I will give the names and the rank of these boys.

Capt. Marcellus H. Chiles (deceased), Denver, Three hundred and sixty-fifth Infantry, who led the battalion he commanded forward against a machine-gun cross fire, wading waist deep across a stream to reach the enemy and crawling on his hands to follow. He died of his wounds, and he was 23 years old.

Second Lieut. J. Hunter Wickersham, 3416 Colfax Avenue, Denver, Three hundred and fifty-third Infantry, ordered and led an advance of his platoon after his right arm had been crippled by shell fragments, and continued firing his revolver with his left hand until he fell from loss of blood. He died before aid could reach him.

Sergt. Harold I. Johnston, Denver, and Pvt. David R. Berkeley, San Antonio, Tex., Company A, Three hundred and fifty-sixth Infantry, for swimming the River Meuse to obtain information as to the enemy's position on the opposite side.

Pvts. Jesse N. Funk, Calhan, Colo., and Charles D. Garger, Stotts City, Mo., Company L, Three hundred and sixty-fifth Infantry, for rescuing wounded 500 yards in front of the American line, making two trips as stretcher bearers under machine-gun fire.

Mr. President, in bringing this record to the attention of the Senate my object is only to render deserved tribute to the gallantry and heroism of the boys from my own State. It is not that they excelled others in the qualities of virtue and courage, which have so gloriously won for our cause, but the heroic deeds of these lads, the sons of my neighbors and friends, naturally carry an especial appeal to me, and I am impelled to make public acknowledgment of the pride I feel over their accomplishments. It is perhaps only a circumstance—an unusual one, though—that of the 41 to receive the distinguished honor, 4 came from Colorado, a State of 1,000,000 population, or 1 per cent of the total of the Nation. Our pride is enhanced by the fact that our boys represented 10 per cent in the congressional-medal list.

I would add only that the fiery ardor of these boys, the spirit which sustained them as they cheerfully went to the supreme sacrifice for their country, was part of their education and their training. It was breathed to them in their homes, and it was taught to them in their schools. They carried with them the spirit of their State in the ultimate offering they gave to their country.

Mr. WEEKS. Mr. President, I think no one would care to detract in any way from the gallantry of the sons of Colorado, but the Senator should remember that this is only one of several lists to whom medals have been given for gallantry in action, and some of the lists may contain a preponderance of names of sons of other States.

Mr. SHAFROTH. This is the only one that has been issued up to this time, as I understand it.

SHIP WORKERS' STRIKE.

Mr. JONES of Washington. Mr. President, I ask that two articles which I have in my hand may be printed in the RECORD. We have had in our State a strike of shipyard workers for some time, and it is possible that that strike extended all over the State this morning.

I have here an interview given out by Mr. Piez, the director general of the United States Shipping Board Emergency Fleet Corporation, with reference to this controversy, and also a statement that he issued and had published as the Government's side of the controversy. I ask that both these may be printed in the RECORD.

Mr. THOMAS. Where is the strike?

Mr. JONES of Washington. The strike is in the shipyards on the Pacific coast, especially the Northwest.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

SHIP WORKERS' STRIKE—FACTS THAT THE MEN MUST RECOGNIZE.

Is an agreement solemnly entered into between representatives of the Government and representatives of the shipyard workers a covenant that is binding on both sides—binding on every individual represented therein—or is it to be broken at will?

Do the men in the shipyards realize that the question of wages in the yards is not one between the shipyard workers and the yard owners but is between the shipyard workers and the Emergency Fleet Corporation, representing the Government of the United States?

Do the men in the yards realize that both the Government on one hand and the men on the other have, during the life of the shipbuilding labor adjustment agreement, the so-called Macy agreement, surrendered final decision on all matters of wages, hours, and conditions to the determination of three men—one representing the people of the United States and appointed by the President of the United States, one appointed by Samuel Gompers, representing the shipyard workers, and one appointed jointly by the Navy and the Emergency Fleet Corporation?

Do the men appreciate that this agreement was drawn up after the most careful consideration in August, 1917, which was amended after a week's conference in December, 1917, attended by Mr. Gompers, the international presidents and delegates from Seattle and San Francisco Metal Trades Council; that it was signed by representatives of the Navy, the Emergency Fleet Corporation, and on behalf of the men by the international presidents?

The present agreement is as perfect an instrument for adjudicating industrial differences as has yet been devised. It provides all of the machinery necessary. It is complete. There is no room for outside mediation. It is final and binding on both sides. In order to give either side redress the awards are made for relatively short periods only, so that an unfair decision can not be long continued.

The decisions and awards of the Macy board have resulted in wage increases that will cost the Government more than $300,000,000 on the shipbuilding program, yet the Government has unflinchingly accepted the burden which the board's decision has imposed on it.

In the present case the rates have been fixed by the Macy board, not only for the Pacific coast but for the Great Lakes, the Atlantic and Gulf yards as well. The appeal from the decision of the board to the board of appeal failed. The decision is final, because no other opportunity for reopening the case exists until after March 31, when the present award expires.

Are the men going to stick to their side of the bargain? That is the question at issue. And if they do not, is there any assurance that any agreement hereafter can be considered binding?

The Emergency Fleet Corporation considers itself bound by its agreement with labor to observe the existing award until its expiration. It can consent to no changes, no modifications, in one district without breaking faith with the men in all other districts. It must, therefore, insist that the award be carried out to its terminaion.

While the armistice ended hostilities, it did not end the shipbuilding labor adjustment agreement.

The shipyard workers of the Seattle district gave such an excellent account of themselves during the war and impressed me so strongly as sane, loyal, conscientious Americans that I appeal to their sense of fairness to go back to work and stick by the agreement until it expires on March 31. In the meantime a joint conference can determine what is to be done after that period.

A statement of the future plans of the Emergency Fleet Corporation will appear in this space to-morrow.

CHARLES PIEZ,
Director General United States Shipping Board Emergency Fleet Corporation.

PHILADELPHIA, *February 2, 1919.*

Statement No. 1. (Statement by Charles Piez, director general Emergency Fleet Corporation, published as an advertisement in the Pacific coast newspapers.) February 3, 1918.

[Interview sent out for Pacific coast papers for Sunday morning, Feb. 2, 1919.]

Charles Piez, director general of the Emergency Fleet Corporation, to-day authorized the following statement in regard to the strike of shipyard workers on the Pacific coast:

"The strike is a direct violation of a solemn contract entered into by the American Federation of Labor, representing the shipyard workers, the United States Navy, and the United States Shipping Board Emergency Fleet Corporation.

"The men involved in the strike should realize that the emergency of war is past and that the need of ships is not as great as while the war was in progress.

"The increasing cost of shipbuilding in America, influenced largely by the constantly increasing labor cost, threatens the very future of the industry in this country, unless the output is brought proportionately up to the elevated wage scale.

"It is inconceivable that American working men would deliberately jeopardize their own interests, the interests of their communities, and the interests of the Nation by breaking an agreement. I can not believe they understand the situation.

"The Emergency Fleet Corporation, as trustee of the money of the people of the United States, can not compromise a vital moral principle. It is bound by an agreement with the shipyard workers throughout the country which is irrevocable, except through modification by mutual consent.

"The Shipbuilding Labor Adjustment Board, popularly known as the Macy Board, is the tribunal before which the shipyard workers, the Navy Department, and the Emergency Fleet Corporation agreed to submit all questions involving wages, hours, and working conditions. In striking before the expiration of the Macy award, which fixed the rate of wages to be paid up to March 31, 1919, the men were guilty of a breach of agreement solemnly entered into by their international presidents, and by this action they have repudiated the verdict of the supreme tribunal they helped to create.

"The decisions of this tribunal have been and must continue to be binding upon the Emergency Fleet Corporation and the workers alike. So long as the workers remain away from their posts the Emergency Fleet Corporation can not treat with them.

"The original agreement, which was entered into in August, 1917, and which created the Macy Board, was a joint compact by the unions, the Emergency Fleet Corporation, and the Navy. It was amended in December, 1917, and in this final form was signed by Franklin D. Roosevelt, Acting Secretary of the Navy; Charles Piez, of the Emergency Fleet Corporation; William Blackman, of the Emergency Fleet Corporation; James O'Connell, president of the Metal Trades Department; John I. Noland, of the International Molders' Union of North America; J. R. Franklin, international president Boiler Makers, Iron Shipbuilders of America; James Wilson, president Pattern Makers' League of North America; Milton Snellings, general president International Union of Steam and Operating Engineers; W. C. Van Dornes, general vice president International Brotherhood of Blacksmiths and Helpers; F. D. McNulty, by J. J. P., I. B. E. of W.; John J. Hynes, president Amalgamated Sheet Metal Workers of America; and William H. Johnson, International Association of Machinists, per P. Flaherty.

"This agreement provided for the appointment of a board to adjust all differences; such board to consist of three persons, one to represent the public, to be appointed by the President of the United States; one to be appointed by Samuel Gompers, representing the American Federation of Labor; and one to be appointed jointly by the Emergency Fleet Corporation and the Navy.

"The President of the United States placed his influence behind the enterprise by appointing the chairman of the board.

"This agreement further provided that 'the decisions of the board will, in so far as this agreement may be capable of achieving such results, be final and binding upon all parties: *Provided, however*, That either the employers or employees may have the right to appeal from the decisions of the adjustment board to a board of review and appeal made up as follows: Three members to be named jointly by the United States Shipping Board Emergency Fleet Corporation and the United States Navy Department, and three to be named by the president of the American Federation of Labor.'

"The Shipbuilding Labor Adjustment Board as created consisted of Mr. Berres, appointed by Samuel Gompers, and Mr. V. Everett Macy, appointed by the President of the United States, and Mr. Louis A. Coolidge, appointed by the Navy and the Emergency Fleet Corporation. A decision and award was rendered effective February 1, 1918. Another decision and award was rendered effective August 1, 1918, which is the latest

award under the agreement. The decision provided that the award of August 1 should remain effective until March 31, 1919.

"The first award was handed down by the Macy Board in November, 1917, for the Pacific coast, but aroused so much discontent that an appeal was taken directly to the executive officers of the Navy and the Emergency Fleet Corporation. This award, which was retroactive to August 1, 1917, fixed a wage of $5.25 for skilled crafts. A temporary increase was granted by the executive officers of the Emergency Fleet Corporation, amounting to 10 per cent, and making the rate for skilled crafts $5.77½ per day. This increase was ratified by the Macy Board on February 1, 1918. The rate for laborers and helpers was raised in greater proportion than that for skilled crafts.

"The Macy Board was appealed to on August 1, 1918, for a review of the wage rates, and at that time a rate of $8 per day was demanded for skilled crafts. The Macy Board found that the increases asked for were not justified by the advances in the cost of living and a new set of rates was awarded, granting the skilled crafts $6.40 a day. Intermediate positions were granted a proportionate increase. An appeal was taken from the Macy Board's decision to the board of review and appeal. This board, after a hearing extending over 11 days, disagreed and dissolved without decision.

"It was the intent of those framing the Macy agreement that the appeal board should be evenly divided, because a decision overruling the Macy Board's decision should be granted only when there was most convincing evidence of the errors of its decision. Inasmuch as the men failed to have their appeal sustained, the Macy decision, as effective August 1, 1918, and expiring March 31, 1919, stands.

"The question that now arises is whether by reason of strength and perfection of organization the men in one district can dictate wages that are materially higher than those that the increased cost of living would justify. Justification for such action does not exist in the agreement and could not be taken account of by the Macy Board.

"The ship workers nobly acquitted themselves of their obligations during the war by adhering to the decisions of the board. It is only right that they should continue to adhere to their obligations until the agreement expires on April 1, two months hence.

"The Emergency Fleet Corporation can not deal with the men until they have gone back to work and until they have applied for a modification or amendment of the shipbuilders' labor adjustment (Macy) agreement through the regular channels established by the agreement."

CHARLES PIEZ.

WYOMING NATIONAL FOREST.

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1847) to authorize the addition of certain lands to the Wyoming National Forest, which was, on page 1, line 6, after "may," to insert ", with the approval of the Secretary of the Interior."

Mr. SMOOT. Will the Senator from Wyoming please explain to the Senate what the House amendment proposes or what change is contemplated in the bill by the amendment?

Mr. KENDRICK. The only change made in the bill as it passed the Senate is the insertion of the words "with the approval of the Secretary of the Interior."

The VICE PRESIDENT. The question is on concurring in the amendment of the House.

The amendment was concurred in.

HOUSE BILL REFERRED.

H. R. 15462. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1920, and for other purposes, was read twice by its title and referred to the Committee on Military Affairs.

BRITISH PROHIBITION OF AMERICAN PRODUCTS.

Mr. WEEKS. Mr. President, I ask to take from the table and that immediate consideration be given to the resolution which I submitted yesterday, relative to the prohibition of the importation of certain articles into Great Britain. I ask that the resolution be read.

The VICE PRESIDENT. The Chair lays before the Senate the resolution referred to by the Senator from Massachusetts [Mr. WEEKS], coming over from a previous day, which will be read.

The resolution (S. Res. 438) was read, as follows:

Whereas during the war with the Imperial German Government Great Britain placed prohibitions on the importation of certain American products; and

Whereas the British Government has recently placed a prohibition on the importation of additional American products to take effect on and after March 1, 1919, which is detrimental to the employment at their full capacity of our manufacturing industries; and

Whereas this action of the British Government is in direct conflict with point No. 3 of the 14 points of peace proposed in the message of the President of the United States to the Congress of January 8, 1918: Therefore be it

Resolved, That the Secretary of State be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition.

Mr. WEEKS. Mr. President, during the continuance of the war with Germany the British Government, as a war measure, placed a prohibition on the importation of certain articles into Great Britain which were largely manufactured in this country. As an example of this and as indicative of the list, a prohibition was placed on the importation of shoes. This country had had a large business in all European countries before the war in American-made shoes. We have for a great many years manufactured a better-fitting shoe and a better shoe than have other countries, and therefore, notwithstanding the disparity in the cost of manufacture in this country, we have been able to build up a very considerable trade. The exportation of shoes from the United States to Great Britain a year or two before the outbreak of the war—I do not recall the figures for the year immediately preceding the war—amounted to nearly $1,000,000. More than two years ago this prohibition on the importation of shoes was suspended; but now other articles are being included in that list, with the purpose, as stated by the British Government, of reconstructing and building up the industries of Great Britain until they have been restored to normal condition.

It is hardly necessary, Mr. President, for me to call the attention of Senators to the fact that this process of building up and reconstructing British industries has directly the reverse effect on our industries, because during the time all importations are prohibited into Great Britain we are going to manufacture less to the extent that the British industries are increased.

I had supposed that after the termination of the war, or at this time, such prohibitions would be suspended; and I was surprised to find three or four days ago that the list was greatly extended, so that it becomes a matter of vital importance to the manufacturing industries of this country.

I wish now to send to the desk and ask to have read from the Official Bulletin a list of the additional articles the prohibition of the importation of which into Great Britain will go into effect on the 1st of March.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

Aluminum, manufactures of.
Aluminum powder.
Apparel not waterproofed.
Baskets and basket ware.
Baths of metal, all kinds.
Cartridges, all kinds, and parts thereof.
Cement.
Diatomite, or infusorial earth.
Electrotypes.
Fatty acids.
Fire extinguishers.
Guns, carbines, and rifles.
Hats and bonnets.
Lawn mowers.
Linen yarns and manufactures thereof.
Machine tools and machinery driven by power and suitable for use in cutting, stamping, or working metal, including lathes, grinding machines, milling machines, boring and turning mills, drilling machines, power presses, planers, punching and shearing machines, shapers, forging machines, screw machines, cutting-off machines, chucking machines, gear-cutting machines, boring machines, centering machines, slotting machines.
Machinery driven by power and suitable for use in cutting, working, or operating on wood, including sawing machines of all descriptions, general joiners, mortise, tenon, boring machines, lathes and rounding machines, box and cask making machines, and all machines accessory thereto, scraping and sandpapering machines, wheelwright machinery, firewood making and bundling machinery; wood, wood fiber, and pulp machinery; saw sharpening and setting machines; saw stretchers; and brazing apparatus.
Machines for grinding, planing, or molding irons.
Mats.
Matting.
Methyl alcohol.
Mops.
Mouth organs.
Oilcloth.
Perfumery and toilet preparations.
Photographic apparatus.
Pictures, prints, engravings, and photographs.
Plaiting, all descriptions.
Plated and gilt wares.
Revolvers and pistols.
Salt.
Sewing machines.
Skins and furs, manufactures of.
Slide rules for engineers and draftsmen.
Stereoscopes.
Stoves and ranges.
Straw envelopes for bottles.
Soap.
Spectacles and eyeglasses complete, not containing gold.
Time-recording instruments of all kinds, and movements and parts thereof.
Vacuum cleaners.
Wringers and mangles.
Weighing machines, scales, and balances of all descriptions.

Mr. WEEKS. Mr. President, I do not introduce this resolution in any spirit of antagonism to Great Britain, but I do it for the purpose of calling to the attention of the Senate how very greatly our foreign trade may be affected by this additional prohibition, which includes the great variety of articles mentioned in the list just read. I think the time has come when we must give some attention to our own domestic affairs, when we must determine whether we are going to protect our foreign commerce. Possibly something is being done in connection with this subject by the State Department, but I think it is proper that the Senate should be informed what action, if any, has been

taken or is being taken relative to this action of the British Government. I do not charge that this action is aimed at the United States. It is general, if I am correctly informed; but it is a process of attempting to build up British industries, and, of course, at the expense of those who have sent similar goods into that territory.

I hope the resolution will not be opposed.

Mr. LEWIS. Mr. President, knowing that the Senator from Ohio [Mr. POMERENE] as chairman of the Elections Committee has an important matter to be brought up at once, I will not occupy the floor to his disadvantage. I beg the indulgence of the Senate for a moment, however, to say that my colleague [Mr. SHERMAN] and myself are in receipt of many protests from the manufacturing interests of the West against this embargo, particularly from those of the State of Illinois, which we represent. While the eminent Senator from Massachusetts says that he will not charge that this embargo is addressed against the United States, in which, of course, there is great merit, I deplore to say that in the West they have been able to point out that those particular articles which are the objects of the embargo in the majority are those that are manufactured in the Middle West, and which in great quantities heretofore have been shipped from the United States to England.

Mr. President, I concur with the Senator from Massachusetts in the trust that the State Department may make such appropriate investigation of the subject as it can, and make such reply to the resolution as will inform us what steps the State Department feels it proper and just, under the circumstances, to take. And now, Mr. President, I feel that it is not out of place for a Member of this body to invite at this time to the attention of England the delicate situation she is creating here in the United States. While the President is there in France, battling for principles which our country feels are to its welfare, to have one of the countries of the allies take a course so inimical to the welfare of the United States is calculated to arouse a sentiment of hostility from certain people in our country which will embarrass harmony in the United States upon whatever the President may conclude.

The Senator from Massachusetts is accurate when he calls attention to the fact that this embargo inveighs directly against the statement of the President of the United States opposing any policy which erects barriers to just trade between nations. Now, Mr. President, the English Government say that our policy is one of a protective tariff; that by a tariff we keep their goods out of our market, to build up our home market; that they have a right to keep our goods out of their market.

The parallel is not just. We levy a form of tariff, but we do not put an unconditional and unlimited embargo upon their goods. They need only pay that tariff to enter into our markets completely; but the policy of England is an absolute embargo, without qualification, and that embargo, as the western manufacturers have informed my distinguished colleague and myself from Illinois, particularly operates against the great Middle West.

Mr. President, I beg to submit the suggestion that Britain does this country a great violence at this time by pressing that embargo. First, she will awaken in the United States a sentiment that will make it very difficult for the President of the United States to succeed in those things with which all of our people wish him well, sir. Second, she will awaken hostility from a certain set of very estimable citizens in the United States, and, third, a war of protest from these against the policy undertaken by Britain. That war of protest will find its way to both Chambers of Congress, and will lead to retaliatory legislation on the part of the United States. Then before we know it we will have that economic condition of trade hostility between the United States and Britain; and then, sir, instead of having a calm peace of the world between ourselves and our allies we will have awakened an atmosphere of enmity, making impossible the very peace of the future for which we strive.

For myself I have one parting word which I dare offer to the British officials, knowing that the British plain people have a common sentiment for friendship and future harmony along with our plain people. It is this, that unless there is a very great necessity of self-preservation on the part of Britain I pray her official set to recall the struggle we had to enter upon in 1812 and 1814 to oppose English embargo to our impoverishment. We beg England not to unnecessarily reawaken the old resentful spirit of 1812 in the United States.

Mr. SMITH of Georgia. Mr. President, I desire to give my most cordial support to this resolution. While we are expressing our good feelings toward the people of all lands, and extending to them earnest sympathy and assurance of our desire for their happiness and prosperity, we must realize that the first duty of a government is to its own people, and I believe it to be our duty to take care of the United States and the people of the United States. Great commercial problems confront our people. We must guard their interests by wise and fearless action.

I support with pleasure the resolution of the Senator from Massachusetts.

Mr. REED addressed the Senate. After having spoken for some time,

Mr. BRANDEGEE. Will the Senator yield to me to make a suggestion to the Senator from Massachusetts?

Mr. REED. I yield.

Mr. BRANDEGEE. I wanted to suggest that if the Senator from Missouri is to proceed, this resolution will go to the calendar, unless the Senator from Massachusetts gets unanimous consent that it shall go over without prejudice until to-morrow.

Mr. REED. I hope that unanimous consent will be given.

Mr. WEEKS. I ask unanimous consent that the resolution may go over until to-morrow without prejudice.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and it is so ordered.

BOLSHEVIST PROPAGANDA IN WASHINGTON.

Mr. POINDEXTER. If the Senator from Missouri will yield for a moment, I should like to ask unanimous consent to take up another resolution which came over from yesterday.

Mr. REED. I will be through in three minutes.

Mr. POINDEXTER. I think this will occupy only a moment.

Mr. REED. Very well.

Mr. POINDEXTER. If there is any objection to it, of course I shall not insist on it. I ask that resolution 437 may be agreed to.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Secretary will state the resolution.

The SECRETARY. Senate resolution 437, calling upon the Attorney General for information as to what investigation is being made by the Department of Justice relative to certain meetings recently held in Washington City at which public speakers advocated the cause of the present Bolsheviki government of Russia.

The PRESIDENT pro tempore. The question is on agreeing to the resolution. Without objection, the resolution is agreed to.

There was no objection.

POST OFFICE APPROPRIATIONS.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

BRITISH PROHIBITION OF AMERICAN PRODUCTS.

The Senate resumed the consideration of Senate resolution No. 438, submitted yesterday by Mr. WEEKS.

Mr. REED. Mr. President, I do not know that anything I may say on this resolution will serve any other purpose except to keep it that many more minutes before the Senate. I want the resolution passed, but I do not want to see its passage regarded as a mere formality.

We have recently had a great deal of talk about the brotherhood of man, a great deal of talk that is in the teeth of all history. It is time we began to take a sane view of life, and this resolution will serve a useful purpose in giving us that jolt which is sometimes necessary to awaken an individual from a sound slumber even though it disturb the gentle course of pleasant dreams.

We as a Nation are suffering from voluntary autointoxication. We impose upon ourselves the idea that we are in love with all the world and that all the world is in love with us. We hypnotize ourselves with the charming thought that we have suddenly become perfectly good and perfectly unselfish, and that all the rest of the world had a change of heart at the same time we did. We are trying to convince ourselves that the day has come when the lion and the lamb may be observed serenely sleeping upon every hillside and when little children may be found leading the beasts of prey. But this dream will be rudely dispelled. Those who seek to impose it upon our people will in the end find they have done their country a disservice.

Every time a false doctrine is taught it brings bad results. No healing herb springs from the poison soil of falsehood. No general good springs from the denial of truth.

There were a lot of people who a few years ago went about preaching the doctrine in France that there was no danger to France from Germany. They declared that the frosts of selfishness in all human hearts had by the gentle spirit of Christ been transformed into sweet dews of kindness. They taught France

that she need not arm, alleging that no nation dare in the face of enlightened Christianity make war upon its neighbors. For a time France was lulled into a partial slumber. While she thus slept Germany was inventing deadly gases, forging and perfecting plans for the advance upon Paris she had so long contemplated. It was not until Europe shook beneath the tread of the embattled legions of the Kaiser in preparation for war that a French statesman and a few French publicists succeeded in arousing France to her danger.

Universal military training was adopted. It had not reached full development when the German invasion began. But for the fact that a few men did succeed in awakening the French from their dream of peace and security Paris would have been conquered and the Republic of France would now be under the foot of the German.

Just before war came an Englishman succeeded in awakening the English Government enough to cause her to equip her little army and to cause a partial mobilization of the English fleet. It required that preparation and sound foresight, added to the French awakening, to save England as well as France.

What is new about these cries we are hearing? Six or eight years ago the Carnegie Foundation, a concern that I unhesitatingly say ought to be dissolved, employed a generous part of its enormous fund to create a world-wide organization for the purpose of promoting eternal peace.

Mr. LODGE. The Senator is referring to the Peace Foundation?

Mr. REED. Yes; did I miscall the name?

Mr. LODGE. No; you simply left out the word "peace."

Mr. REED. This organization had had its branches in every country. The branches in countries outside the United States were comprised of the subjects of foreign countries. These aliens were severally and jointly conspiring to control the policy of their respective countries. They were likewise conspiring with the Carnegie Peace Foundation to control the policy of the United States. I do not hesitate to sharply raise the question of loyalty against any American organization that conspires with Germans or other foreigners to change the foreign or domestic policy of our Government. I gravely doubt the loyalty of that course of conduct.

Mr. KNOX. Mr. President——

Mr. REED. One moment. It might lead to any extreme, to any abuse, and it might end in a world-wide conspiracy to undermine the very foundations of the American Republic. I yield to the Senator from Pennsylvania.

Mr. KNOX. I merely wish to call the attention of the Senator from Missouri to the fact that it was disclosed before some committee of Congress several years ago that after the people of the United States, in the most significant and emphatic way, had expressed their opinion that we had the right to send our coastwise ships through the Panama Canal without paying toll, and after the three great political parties had written into their platform that proposition, and the three candidates for the Presidency of the United States had declared in favor of it on the stump, after the Congress of the United States had enacted it into law, and after the State Department had taken the matter up diplomatically with Great Britain, this Carnegie peace organization spent $25,000 or $30,000 in circulating literature to procure the repeal of that act.

Mr. REED. I thank the Senator for his historical sketch. I am wondering if the Senator can not also tell us whether it is a fact that the agitation for the repeal of the free-of-tolls law began with Canadian shipping or business interests?

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Colorado?

Mr. REED. I yield.

Mr. THOMAS. I think the statement of the Senator from Pennsylvania is just a little incomplete. I think he should have added that the literature circulated was the speech of the great New York Senator, Mr. Elihu Root, upon the floor of the Senate, in favor of that repeal.

Mr. REED. I know that is true; that is, I know that that was a part of the expense, but I addressed an inquiry to the Senator from Pennsylvania.

Mr. ASHURST. Mr. President, the failure of the Democratic Party to keep its platform to the people of the United States, which pledge plainly was to give freedom from tolls, did more to undermine the confidence of the people in the Democratic Party than any other act ever performed. It is the one thing which is a blot upon the splendid record of the Democratic Party. It was a shameful and foul betrayal of the people when we broke our platform on that point.

Mr. REED. "Shake not thy gory locks at me; thou canst not say I did it." The RECORD will show I voted against the repeal.

Mr. ASHURST. So did I.

Mr. THOMAS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield further to the Senator from Colorado?

Mr. REED. I yield.

Mr. THOMAS. My vote was cast against that right along, but I think it is well to remind the people that the vote which carried the measure was Democratic and Republican.

Mr. REED. I think that is only a fair statement; but I return to my interrogatory addressed to the Senator from Pennsylvania.

Mr. KNOX. I beg the Senator's pardon.

Mr. REED. I asked the Senator whether he was not able to inform us that the agitation for the repeal of the free-of-tolls law did not really originate with the shipping interests of Canada and was by them carried to the British Government and by it referred to Ambassador Bryce. I am going to be frank with the Senator. I am asking the question because I have been told the Senator has such information.

Mr. KNOX. My recollection is, and my recollection is quite clear upon the subject, that it began with a protest by the British Government filed by the counselor of the British Embassy in the absence of Mr. Bryce, who at that time was the ambassador. The matter was in process of adjustment, and I thought at that time, and think now, there could have been an amicable adjustment of the question with Great Britain, because we had represented to Great Britain diplomatically, in an elaborate note upon the subject, that the question of the passage of our own ships was a domestic question; that their ships were not entitled to enter into that trade at all. I think, and I thought then, that Great Britain would have withdrawn her protest until she was reinspired by the Canadian shipping interests. Then we offered to arbitrate the matter under the treaty that had just been signed between Great Britain and the United States but the ratifications of which had not been exchanged because of several amendments put upon the treaty by the Senate. We offered to ratify the treaty, notwithstanding those amendments, although they were not very acceptable to the Taft administration, but we concluded if we could settle the tolls question we had better waive our scruples upon the amendments, and we tendered to Great Britain the offer to exchange ratifications and arbitrate under the provisions of that treaty. Great Britain refused, and I think the reason why she refused was that the arbitration would have had to have been provided for by a treaty requiring a two-thirds vote of the Senate, whereas a repeal of the bill would only require a majority vote.

Mr. REED. That, I think, justifies me in asking the question.

Mr. MYERS. Will the Senator yield to me for a moment?

Mr. REED. I yield.

Mr. MYERS. I must take sharp issue with the Senator from Arizona [Mr. ASHURST] on the statement that the repeal of the Panama Canal toll exemption for our coastwise shipping affected the Democratic Party disastrously. That action was taken in June, 1914, and at the two general elections thereafter, the election of 1914 and the election of 1916, the Democratic Party was successful. It carried a majority of Congress in 1914, and in 1916 it reelected President Wilson with a Democratic majority in both branches of Congress. Not until 1918 did the Democratic Party suffer any reversal of its fortunes at the polls, but two successful elections intervened between that time and the time of the action on the Panama Canal tolls question.

Mr. ASHURST. Will the Senator from Missouri yield to me to respond?

Mr. REED. If for no other reason than that it illustrates the fact that there is still such a thing as contention in the world, I yield.

Mr. ASHURST. I do not want to take the Senator's time, but will say in reply to my friend from Montana that while we carried the elections in 1914 and in 1916, nevertheless the Democratic speakers were in an apologetic attitude when the question of tolls was presented. I do not think I made any votes, but I went up and down this country like a peripatetic volcano in 1914 and 1916 urging the people to vote the Democratic ticket, and I was frequently asked uncomfortable questions about our betrayal of the people on the Panama Canal tolls question. The people would have had firmer faith in the Democratic Party if it had kept its pledges on the tolls question. The fact that the Democratic Party was successful in two elections afterwards does not bring back the confidence of the people. A

promise to the people is a promise, a pledge in a Democratic platform is a pledge, and a violation of a pledge by the Democratic Party is a worse offense than by the Republican Party, because the Democratic Party knows better. [Manifestations of applause in the gallery.]

The PRESIDENT pro tempore. The Chair will state to the occupants of the galleries that any disorder in the galleries as well as on the floor is against the rules of the Senate, and the Chair will not hesitate to order the galleries cleared if it becomes necessary.

Mr. KNOX. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. REED. I yield.

Mr. KNOX. If the Senator will just permit me to make one observation in confirmation of the statement made by the Senator from Arizona [Mr. ASHURST], I wish to call the attention of the Senator from Arizona to the fact that the reason why it hurt him so bad was that President Wilson in his campaign speeches used his party's pledge to support that legislation in connection with his observation that the Democratic platform pledges were not molasses with which to catch flies.

Mr. MYERS. I will say that the President caught a reelection in 1916, though.

Mr. REED. Mr. President, we are getting away from the question I was trying to discuss, and having wandered this far into a June grass pasture, may I be permitted to pause long enough to remark: If you were seeking to ascertain to which party the honors on this question lay I think you would have some difficulty in deciding the case. This question had been settled by the action of Congress. Both political parties had ratified and approved the action. The question seemed to be at rest. It was resurrected by the great Senator from New York in a speech that will long be remembered for two reasons, first, for its power, and second, because it apparently required more than an ordinary amount of nerve to make it, for he was asking Congress to reverse its action, and the country to reverse its action, upon a matter which had been settled at a previous Congress.

The speech which he made was, as stated, circulated, I think, by some hundreds of thousands of copies all over the United States. A well-financed propaganda got under way; the ground was thus prepared. The President in his message stated to us, as I recall his language, that he did not know how to deal with certain difficult problems if this request was not granted. So both parties had to do with this business. I did not, however, intend to discuss that at all. It is a side issue.

But I do call attention to the existence of organizations that have for their business the intriguing with similar organizations in other countries to control the policy of this country. That is going on, and it was going on in this great prewar peace movement. If anybody wants to know what was the matter with our country, if there was anything at all the matter with it during the early days of the European war, he would have no difficulty in finding that a great lot of very good people had been going around this country preaching the doctrine that there never would again be any great war. They convinced many of our people, yet their teachings turned out to be absolutely false.

I remember that when Mr. Bryan wrote his celebrated peace treaties he had a lot of old Army sabers gathered together. He caused the blades to be cut off from the hilts. He then had the blades beaten into little plowshares and presented a plowshare to the representatives of each of the countries that had signed the treaties. He then presented the hilts of the sabers to the members of the Foreign Relations Committee. Thus we were literally carrying out the Scripture maxim, "They shall beat their swords into plowshares." I believe he did not furnish any pruning hooks, doubtless because there was no raw material in the shape of spears to be found.

Mr. BRANDEGEE. I understand there was a large amount of gun metal that was melted up into paper weights as souvenirs of those warlike weapons and presented to distinguished people throughout the country.

Mr. REED. Perhaps so; but I do not say this now to bring an embittered thought into this body against Mr. Bryan or against any of the good people who went up and down the world saying, "Behold now; turn your eyes to the East, where the glorious rays of the sun of the millenium are gilding the horizon and the full effulgence of the wondrous orb will soon break upon the earth." They were sincere and as enthusiastic as a new convert at a revival meeting. But, sir, while we were burning incense to the gods of peace Germany and other countries were molding cannon in the furnaces of Vulcan. While we were swinging censers and singing, "Peace on earth, good will to men," their mighty arms were forging the implements of destruction.

That dream slightly transformed is the one they are now trying to realize over in Europe—a supernation, a brotherhood, a unity of heart and soul, a common control of all the destinies of all the races of men.

We are perhaps to be asked to cross 5,000 miles of sea and land and take charge of Turkey. That is the suggestion. It may or may not come to pass; but if it does come to pass—and it has been seriously discussed in the international debating society now in session—if that does come to pass, then the American soldier can be sent over to Turkey for the purpose, I suppose, of shooting virtue and goodness into the hearts and brains of the Turks, of interfering with their method of living, with their kind of government, with their freedom. While I abominate the unspeakable Turk, I admit he has the right, so long as he does not interfere with other people, to set up the kind of government he wants in Turkey, just the same as we have the right to set up the kind of government we want in the United States. The imposition of our views and our methods of life upon him is no less repugnant to the principles of liberty than would be the imposition by him of his views and his civilization upon us.

Again, beyond any question, if we enter this witches' caldron, we shall be involved in the great eastern question; involved to an extent no human brain dare undertake to measure and no prophet dare venture to foretell.

What of the questions between China and Japan? Are we now to draw a line and say, "Upon the nether side of this Japan shall stop, and upon the hither side China shall be permitted to hold sway"? Are we thus to become embroiled in the ambitions, the hopes, the race prejudices, and the religious conflicts of those peoples? If so, in what way and to what degree?

Every man with common sense now admits that no regulation, no rule, no act of ours will be effective unless it is backed either by actual force or by a potential force that can be called upon. Are we, then, to send our sons to slaughter in the contests of these two oriental peoples? Who gave us the right to judge their rights? Like us, they are the children of God. He created and placed them upon the earth. They were old before our Nation was born. They have remained reasonably satisfied for thousands upon thousands of years. Can we not let them alone?

Mr. BRANDEGEE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Connecticut?

Mr. REED. I do.

Mr. BRANDEGEE. I want to ask the Senator a question right at that point in relation to the remark which he has just made as to the enforcement of the dictates of the international tribunal by military force. The latest outgiving that I have been privileged to read concerning the proposal now being concocted abroad is that the use of military force to enforce these righteous international judgments is to be purely voluntary on the part of the constituent members of the league, which, of course, would conduce to harmonious action; and also the methods to be employed as coercive are to be economic in their nature; not any rude force. What does the Senator think about the efficiency of that?

Mr. REED. I will discuss that in a moment; but let me just finish the thought I was on.

The Japanese have been there in their island homes, living in a manner satisfactory to them, agreeable to their hearts' desire, for many thousand years. Their civilization probably antedates that of the oldest existing European nation. The Chinese, the original pacifists of the earth, gave to the world a literature, a wonderful poetry, and a marvelous philosophy thousands of years before the Christian era. Before Christ came upon the earth a Chinese philosopher had given mankind the Golden Rule reversed—"Do not unto others that which you would not have others do unto you." The Chinese people probably are living more happily to-day under their own form of government than they could possibly live if they had an American republican government imposed upon them. Why? Because their form of government springs from certain habits of living and ethical principles which are a part of the very nature of the Chinese. Our Government, which springs from our habits of thought and living, does not fit those principles, because their forms of thought, their very systems of logic and of mathematics, their reasoning, all their methods of life, are different from ours. Ours do not fit and will not fit the oriental.

The reason the Chinaman has the religion he has is because he is a Chinaman; the reason he has the family relations he has is because he is a Chinaman; the reason he believes in the philosophy that has been taught to him by Confucius and his other great philosophers is because he is a Chinaman. If you.

were to remove him from the Orient to the Occident and force upon him our methods of life and government, he would immediately, upon being given his freedom, revert to his old habits, just as we would return to our old habits if we were given our freedom after being temporarily forced to adopt the habits and life of the Chinese.

It appears that we are to impose our Christian civilization, our peculiar type of civilization, to some extent upon these races and peoples. How far we do not know. If there is a revolution in China, are we to enter and become parties to it? Is this superstate, the government of which must be reposed in a few individual men of very limited intellect—for every man is a man of limited intellect, no matter how great he is; some of them do not know it, but God put limitations on all their brains—are these few men to set themselves up as the supermen of the world; are they to map out a course of conduct for all races, kindreds, and tongues?

That has been the old story of the ages. The Roman invaded other countries, and the Roman, better than any other nation on earth, unless it be England, knew how to invade countries and to leave their people reasonably content and prosperous. But Rome deemed it its business to force the Roman law, in a qualified sense, upon other countries, but only in a qualified sense. Then there came other nations not so wise, which undertook the work of conquest and endeavored to inculcate religion and morals with fagot, torch, and sword. They undertook to shoot their doctrines and laws into the quivering bodies of men and women who resisted to the death. They came over here from Spain and slaughtered the Aztecs of Mexico. They swept through the forests and mountains of South America, murdering in the name of the meek and lowly Jesus. But always while killing in the name of religion and civilization they were with greedy hands grabbing the gold of their victims.

If you ever set up a supernation it will be governed by somebody; it will either be some one great, dominant man who acts through the rest, or it will be the representatives of some one or two or three powerful nations who have combined to control. Human selfishness and greed will make themselves inevitably manifest. You will find them lurking in the twilight of the morning, conspiring in the midst of the day, and plotting in the stillness of the night.

Always with them there will come forth selfishness. The nations controlling the league will look out for themselves, and they will look out for themselves not as the common people or the common world or the ordinary nation, but they will look out for themselves as those who now possess the power, who have the international armies and the international courts.

Here is an illustration. It is, indeed, the fact that caused me to make these remarks: It appears that Great Britain, to whose rescue we came at the very moment when her marshal cried, "Our backs are to the wall. Britons, stand and die!"

It appears, I say, that Great Britain has no sooner extricated herself from the jaws of the German war monster than she proceeds selfishly to put up the bars of her trade against us.

Do I say this to arouse feeling against Great Britain? No. There is not a cleaner lot of sportsmen on this earth than the British; there is not a braver race of men than the British; there is not a more up-an-up, square-toed, hew-to-the-line class of men than the British; but these British are men with common sense, and when this war is over they are going to see to it that Great Britain is taken care of. If you set up a supernation you may be sure that Great Britain by herself, or in conjunction with other nations, will employ the powers of the league to her advantage and to the disadvantage of the rest of the world, and then will follow reprisal, and out of this thing organized for peace will come bloody war. This bed of peace will become a nest in which will be whelped litters of war dogs.

The way to keep men at peace is not to interfere with their rights; to let the ranchman have his ranch and keep his sheep, to let the owner keep his home, to let the merchant have his business, and not to interfere. When you seek to interfere you have fights. The way to have races live in peace is to let races alone and nations alone; let them run their own business; let them set up their own governments; let them manage their own affairs; let them keep within their own rights, and keep within your own, and then you will have some hope of peace. The moment interference begins, trouble starts.

If an independent nation wants to set up an embargo against the shipment of goods across its borders, well and good; other independent nations can, if they desire, get angry about it. It is like the high tariff and the low tariff, or free trade and protective tariff—it makes little difference. But I hope this embargo England has just laid against us will be a warning to those of you who have been walking with your heads in the stars, those of you who have been singing psalms to universal goodness and uttering praises to the sweetness and godlike qualities of your own and everybody else's soul. Those of you who have been saying "the world has become too good to be selfish" remember that before the echoes along the Rhine front have died away, before we can get our troops back to our shore, Great Britain, that you went yonder to save, is proceeding to gain every advantage she can. Where she admits your soldiers to save her she will not admit your goods that you would like to sell her for honest money, giving honest value.

Let us wake up. If we do not wake up now, if the dreamers dream on, and if extensive propaganda is carried on, dreaming on and preaching on and talking on about eternal peace and happiness, our people may be led to the point where this Nation will be obliged to extricate itself from a circle of intrigue, surrounded by a circle of steel and of fire formed by our enemies while we sleep.

Ah, Mr. President, let America take care of herself. She had to fight for that privilege in the first place—the right to take care of herself. It was thinking of that that Washington crossed the Delaware; the fathers wrote the Declaration of Independence; it was thinking of that the patriots froze and starved and died; it was thinking of that Jackson fought at New Orleans. It was to gain and keep national sovereignty and individual liberty. It was to gain and keep the right of self-determination; to make that right so inviolable that no power on earth could affect it; to have a sovereignty so complete that there was nothing above it save God and nothing to direct it but the votes of the American people.

The wicked purpose of this hour—wicked, though it be not so intended—is in part to destroy that sovereignty and yield it back to European monarchs or to European powers from which our fathers originally fled and to gain their complete liberty from which they afterwards fought and died. Who thinks that England will not levy an embargo every time it is to her interest is mistaken. Who does not know that England is busy in every shipyard, creating a vast fleet of vessels to capture the trade of the world, knows nothing. Who does not know that English financiers have already laid their plans to control not only the commerce but the business of the world, as far as they can, knows nothing. Who does not know that in the marts of trade France will meet us as far as she is able, and that competition for existence, for life, will be keenly waged, knows nothing. In that competition I want to see America independent, untrammeled by any ties save those of respect and good will toward all. I want to see this country made so great that she can maintain her place as big brother to the Western Hemisphere, so that she can exercise a beneficent influence upon all of the South American countries; so that she can keep Mexico decent, and, if she does not remain decent, make her to be decent; so that our lines of trade may extend into these undeveloped lands; so that our fleets, the shuttles of the sea, shall constantly stretch the threads of trade and commerce between the United States and South American countries, weaving them into a web of amity and good will that shall last through the centuries. Thus we shall build here a vast empire over which the influence of America will be dominant. Let it always be an influence of love and of respect. If we are to accomplish this sublime mission, we can not yield the Monroe doctrine.

It is idle to claim that we can interfere with the policy of China and Japan away yonder, and at the same time undertake to deny to them the right to say what shall happen on this side of the sea. Where we take, we must give. Where they yield, we must also yield, unless, indeed, we are to do that monstrous thing, viz, set up a tyranny of four or five nations over all the world, and thus crush and destroy the liberties that men have established and maintained.

Mr. LODGE. Mr. President——

Mr. REED. I yield to the Senator from Massachusetts.

Mr. LODGE. It is not to ask a question; but, if the Senator will permit me, I am reminded by what he has been saying of some lines that were written by a great English poet in 1806, when Napoleon had Europe at his feet; and they came into my mind because they so well illustrated what the Senator has been saying. I will read only the last part of the sonnet.

Mr. REED. I shall be glad to have the Senator do so.

Mr. LODGE. It was when England was left alone, confronting Napoleon:

'Tis well! from this day forward we shall know
That in ourselves our safety must be sought;
That by our own right hands it must be wrought;
That we must stand unpropped, or be laid low.
O dastard whom such foretaste does not cheer!
We shall exult, if they who rule the land
Be men who hold its many blessings dear,
Wise, upright, valiant; not a servile band,
Who are to judge of danger which they fear,
And honor which they do not understand.

Mr. REED. I thank the Senator.

Mr. LODGE. I think it illustrates one of the reasons of England's success in the world.

Mr. REED. I thank the Senator, Mr. President.

I have but a word to say in conclusion, for I did not intend to take the floor this morning. Physically I am not fit to occupy the floor.

There are under arms to-day in the world, according to the best figures I am able to get, still approximately 15,000,000 men. One million eight hundred thousand of these are our own troops in Europe, and approximately 800,000 in camps in America. I have the accurate figures in my desk, but not with me. England has over 3,000,000 men still in the field and, according to the figures given me by a reliable source, Germany has in substance and effect over 2,500,000 men still in the field. This enormous aggregate of men, which, for round numbers, I will call 15,000,000, are being held in the field awaiting the making of peace.

I do not know what a soldier in Europe is worth economically, but I believe that an American soldier draws on the average approximately $40 a month in wages, and I am very sure he can not be supported and supplied in France for $40 a month more.

Mr. KING. It costs $2,000 per annum per soldier.

Mr. REED. I am just told by the Senator from Utah that it costs $2,000 per soldier per annum. While those soldiers are away that enormous expense is going on.

But there is another side of the question even more unfortunate. While they are in the camp and the field they are not in the workshop; they are not on the farm; they are not in the countinghouse. They are not producing. Every one of them, speaking broadly, if he were home, would be producing an amount fully equal to his present consumption; and that economic loss falls upon the country and falls upon the world in addition to the outgo of which I have just spoken. What is true of America is true of the armies of the rest of the world to a greater or less extent.

What, now, is the situation? We all know that Europe is starving. We have been asked to contribute and have contributed $100,000,000 to be distributed in alms. While we are contributing to keep Europe from starving, Europe is expending countless millions of dollars, probably not less than $100,000,000 a day, in loss of money and in loss of labor on the armies of Europe. My calculations are being made now in my mind as I go along, but I think they are sufficiently accurate. Furthermore, as suggested by the Senator from Oklahoma [Mr. GORE], while they are clamoring for our money they are also clamoring for our food, and we are told that the American citizen can not have cheap food because it is necessary to send such large quantities of food abroad. Yet being withheld from the farm, from the workshop, from the place of production, are approximately thirteen and a half million European soldiers. What are they awaiting? Awaiting peace. An economic loss of not less than $100,000,000 every day—perhaps that figure is ridiculously low—and all awaiting peace. And what is peace awaiting? Peace is awaiting, not the settlement of the dispute between Germany and France and England and Italy and the United States; peace is awaiting the realization and development of glorious dreams that have to do with South Africa, with the farthest islands of the sea, with the remotest quarters of the globe, and that do not have to do with the conditions of this war, but have to do with a reorganization and a regeneration of mankind that can not be accomplished in 10,000 years from this date.

Before you can make a Hottentot understand the Constitution of the United States, and believe in the Christian religion, and in the other things that white men believe in, you have got to give God Almighty a chance to change the shape of his skull and the convolutions of his brain. While we are waiting, this expense goes on, this starvation goes on, these vast armies are held in camp and field. American boys are kept away from their mothers' embraces; and if you do not think they are heart hungry I hope you will get some such letters as I have received.

I recently read a letter from an American colonel, a man intellectually great enough to sit in this Chamber—yes, great enough, even, to occupy a position in the Cabinet. [Laughter.] He got himself ready to go into this war before the war began, because he saw it coming. He went in the first day. He is in there yet. He is as game as they make them anywhere, as uncomplaining and as gallant as American boys can grow; and that is simply saying, as good as God has ever made. He wrote me and said: "If anybody thinks that the American soldier wants to be kept over here in France while the destiny of the South Sea Islands is being settled, or a new scheme of civilization worked out, he has another guess coming to him. We want this war over. We want these Germans to pay the debts that they ought to pay. We want to come home and go to work. We want to see our mothers and our sisters, and some who have wives want to see their wives; and you had better get us home."

It was not the word of a petulant boy. He said: "Moreover, our Army is enduring more hardships to-day, in many respects, than it did during the war, for in many places the equipment has been so thoroughly taken away from us that we find it difficult at times to get up our supplies; and we are sitting here through these winter months waiting on what?" And he inclosed a clipping from an American newspaper in which it appeared that some duke or grand duke or some other thing of that kind—I never can keep track of them—who had been dethroned or toppled out of his place some years ago, was hovering about the peace conference and asking to have restitution made of his money lost some years before in some European brawl, and he said: "It is actually said in the newspapers, as a reason for halting the whole peace proceedings while his case is being considered, that this poor aristocrat actually has to work for his living!"

Mr. President, the thing to do is to settle our difficulties with Germany and Austria, impose the conditions of peace, and get American soldiers home; and then, in the name of George Washington and Thomas Jefferson and Andrew Jackson and Abraham Lincoln and common sense, having gotten them home, let us keep them home.

Of course, there is much that can be done that would be of value in preventing international disputes and wars—we all know that—but not in the way they are going at it. If we were to settle our difficulties with Germany and Austria, and at the same time we were to assist in setting up certain new countries that really are strong enough to maintain their liberties, provided they are given a little initial help, that is all right. I do not complain, although this business of setting up governments is a good deal like matchmaking. It generally turns out badly. Speaking by and large the only people who are worthy of a government or who can maintain a government are the people that are brave enough to set it up in the first instance. Such is the history of the world.

Mr. President, I am admonished that the time for a vote is nearly up, that the morning hour is about to expire; and if it is necessary to have a vote, I shall discontinue my remarks, though I wanted to speak about two minutes more.

Mr. KING. Mr. President, I want to state to the Senator that the resolution will not be passed between now and the hour of 2 o'clock. I have several amendments to offer and perhaps an observation to make.

Mr. REED. Very well; then I will be permitted, just briefly, to finish.

Mr. President, no nation ever yet has been picked up from the ground, where its people lay prostrate, and put on its feet that was ever able to stand.

I was saying, Mr. President, when I paused in order to give an opportunity for these proceedings to take place, that no nation or race has ever been picked from the ground and put on its feet by another nation or race and made great and self-sustaining. Where has it happened in all history? It has been attempted time and again, and a sort of a temporary government put up, but always under a protectorate, a government in fact that is a mere puppet government. What great, virile, strong, splendid government ever developed from a thing like that? It is stillborn; it is handmade. It does not possess the vital principles that must be found in a nation that is to continue. What are those principles? The love of liberty must burn in the hearts of men who are oppressed until its flames can no longer be endured, and until they are willing to die a thousand deaths to gain and keep their liberty.

When that spirit thrills their souls and burns their breasts they rise and strike and gain freedom. Such races and such men are the only ones of any account or that ever will be of any account on this earth. I, of course, except a conquered people who have been overthrown by overwhelming power and who find the conqueror has put its foot on their neck and deprived them of any chance to rise. But even in such case in the course of the ages it almost invariably transpires that a brave race will throw off the conqueror's yoke.

Mr. President, instead of staying in Europe to make Europe over, instead of staying in Europe to make Asia over, instead of staying in Europe to make Africa over, instead of staying in Europe to resurvey and provide a new government for all the archipelagos of all the oceans the thing to do is to settle our disputes with Germany—of course, honorably and in connection with our allies—bring our armies home, and let our soldier boys feel once more the kisses of mothers on their cheeks, the embraces of wives and sisters, the thrill of American air, the glory

of free American institutions. Let them go back to the great processes of creation and of recreation.

Mr. President, I remark in conclusion, strike the cobwebs of fancy from your brain, oh ye leaders of men. Turn your eyes from the golden clouds to the practical fields of life. Remember that men are men and women are women, and that men and women have always been largely guided by what they conceive to be in their own interest. Remember that as people are so are nations. Be not therefore surprised, be not therefore chagrined, if Great Britain, holding a smoking rifle in one hand, with which she has been defending herself and ourselves in common battle, shall turn with the other hand and snatch from us trade advantages and the command of the seas. Be not surprised at that. It is old Adam working still in the garden of the world, where he will work as long as man shall be man.

SENATOR FROM MICHIGAN.

Mr. FRELINGHUYSEN obtained the floor.

Mr. POMERENE. Will the Senator from New Jersey yield to me?

Mr. FRELINGHUYSEN. I yield to the Senator from Ohio.

Mr. POMERENE. I do not care to interfere with the Senator from New Jersey, but I had announced that I expected to call up Senate resolution No. 415 at the close of the morning business to-day. What has transpired since, it is not necessary for me to go into; but I shall call up that resolution at the earliest possible moment when I shall find it practicable to do so.

Mr. JONES of Washington. I suggest the absence of a quorum.

Mr. BRANDEGEE. Before that suggestion is made, allow me to ask what the Senator from Ohio said. We could not hear him on this side.

The PRESIDENT pro tempore. The Senate will be in order. The Senator from Ohio is asked to repeat his statement.

Mr. BRANDEGEE. I could not hear what the Senator said.

Mr. POMERENE. I said that I had expected to call up Senate resolution No. 415 this morning at the close of the morning business; that I was not able to do so because of what had occurred in the Senate; and that I would call it up at the earliest moment practicable.

Mr. BRANDEGEE. What is the subject of the resolution? I do not know it by number.

Mr. POMERENE. The Michigan contest.

Mr. BRANDEGEE. Oh, the Michigan senatorial contest?

Mr. POMERENE. Yes.

Mr. BRANDEGEE. Very well.

CALLING OF THE ROLL.

Mr. JONES of Washington. I rise to a point of order. I make the point that there is no quorum present.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Harding	McNary	Spencer
Borah	Henderson	Moses	Sterling
Brandegee	Johnson, S. Dak.	Myers	Sutherland
Chamberlain	Jones, N. Mex.	New	Thomas
Colt	Jones, Wash.	Nugent	Thompson
Culberson	Kellogg	Page	Townsend
Cummins	Kendrick	Pittman	Trammell
Curtis	Kenyon	Pomerene	Underwood
Dillingham	King	Reed	Wadsworth
Fernald	Knox	Saulsbury	Walsh
Fletcher	La Follette	Shafroth	Warren
Frelinghuysen	Lewis	Sheppard	Watson
Gerry	Lodge	Sherman	Wolcott
Gronna	McKellar	Smith, S. C.	
Hale	McLean	Smoot	

Mr. SHEPPARD. I wish to announce that the Senator from Louisiana [Mr. GAY] is absent on official business.

Mr. TRAMMELL. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK], the Senator from Kentucky [Mr. BECKHAM], the Senator from Wisconsin [Mr. LENROOT], and the Senator from Maryland [Mr. FRANCE] on committee service.

The PRESIDING OFFICER (Mr. SHEPPARD in the chair). Fifty-eight Senators have answered to their names. There is a quorum present. The Senator from New Jersey has the floor.

PROMOTIONS IN THE ARMY.

Mr. FRELINGHUYSEN. Mr. President, some days ago the senior Senator from Oregon [Mr. CHAMBERLAIN], by request, introduced a bill (S. 5278) which confers upon the President blanket authority to appoint to the Regular Army certain generals and lieutenant generals who have held such rank during the present emergency.

I do not know what action the Military Affairs Committee, of which I have the honor to be a member, will take on this bill.

The inspiration and suggestion for this legislation evidently come from the War Department—presumably from the Secretary of War and the Chief of Staff. I am reliably informed, Mr. President, that the proposed beneficiaries of this bill are Gens. Pershing, March, Bliss, Liggett, and Bullard.

In view of the importance of the subject and its relation to certain other dominating questions, chiefly the promotion of soldiers of lesser rank than those mentioned, I shall ask the indulgence of the Senate for a few moments while I make some observations in connection with this proposed legislation, upon promotions in general, and upon the treatment accorded minor officers and privates as well, who have rendered splendid service in their country's behalf, but whose interests seem to be entirely lost sight of in the chaos which at present prevails.

First, Mr. President, I wish to point out to the Senate the fact that in the entire history of our country the high rank of general has been only four times conferred, and in each instance for distinguished services and conspicuous gallantry in actual warfare.

To Washington, to Grant, to Sherman, and finally to Sheridan, and to no others, was this supreme distinction granted. In the case of Washington, the rank was fixed by direct vote of the Continental Congress, in 1775, at the beginning of the Revolution. After his retirement from the Presidency, when war with France threatened, in 1798 and 1799, he was placed at the head of the Army, but was given the rank of lieutenant general.

By special act of Congress in 1866 the grades of general and lieutenant general were recreated for the sole benefit of Grant and Sherman, and they were duly nominated and were confirmed by the Senate. By reason of Grant's elevation to the Presidency, the office of general was vacated, and he nominated Sherman as his successor. This was in 1869.

The rank of general being meanwhile dormant, Congress in 1888 created it anew in order that Sheridan, then lieutenant general, might be given the higher honor while he still lived, for he was then upon his deathbed. Congress has never held the honor cheaply, and has always preserved the right to confer it by special act, whereby the granting of it has been attended by all the solemnity incident to direct congressional authority.

It will be observed that, except in the case of Washington, this high honor was not conferred during hostilities nor immediately following the close thereof. As a rule, Congress has acted only after a sufficient lapse of time to permit the exercise of a calm and deliberate judgment, preceded by adequate inquiry and uninfluenced by public clamor.

I do not maintain that these officers should not thus be honored eventually, but I do assert that there are other promotions which should first be made in justice to the men who, for conspicuous and distinguished gallantry and service, have been recommended by their superiors for such promotion, which, however, has been denied by the very officials who now propose this legislation. In common justice they should receive that promotion before we confer higher and more permanent honors upon the officers I have mentioned.

Furthermore, the promotions embodied in this bill should not be made until we get a better perspective of the administration of our Army and the treatment by those in high command of its officers and men.

So far as Gen. Pershing is concerned, I am ready at any time to acquiesce in and agree to the bestowal of such distinction as a grateful country may deem him worthy of; but even in his case it may be best to await the complete fruition of his campaign abroad, that we may the more fully measure the scope of his achievements.

In a war of this character, our total unpreparedness compelling us to feverishly assemble an army of 4,000,000 men, it is not to be wondered at that grave injustices, blunders, and even scandals were developed. Some errors of judgment were inevitable, and must be treated with proper leniency, though it would be a fatal mistake to ignore them entirely.

No more splendid army, mentally, morally, and physically, ever marched to martial music than these 4,000,000 American freemen.

The placing of 2,000,000 of these magnificent soldiers on the fighting line in France, with only an inconceivably small loss, was an undertaking which makes the heart of every American patriot beat with justifiable pride.

The heroic achievements of that Army have added new luster to the pages of American history, already luminous with the magnificent deeds at Trenton, Princeton, Monmouth, Saratoga, Yorktown, New Orleans, Antietam, Gettysburg, and Appomatox. The

traditional valor of the American soldier was splendidly exhibited at Belleau Wood, Chateau-Thierry, St. Mihiel, the Argonne Forest, Verdun, the Meuse, Sedan, and the Hindenburg line.

In these great battles, waged on the fair soil of France for the same principles of civil liberty for which their forefathers had fought, the men in kahki have kept alive the glorious traditions of American determination and bravery. We want no cloud of scandal or injustice to dim the glory of America's part in the supreme conflict for democracy. We should be generous in rewarding the services of officers and men alike, but our action should be based upon complete justice to all, and our conclusions should be arrived at only after the full records of service are placed before us.

There are many things which are not clear, and Congress should demand an adequate explanation before bestowing military honors. Many things have been done that seem unjust, yet they may be promptly explained. Criticism, however, is widespread, and grave injustices, owing to faulty administration, are being daily brought to the attention of Members of the Senate and House of Representatives.

Serious charges come to us in every mail from parents and returning soldiers—stories that the cables have never told us, that the papers have never published, and our officials have never revealed. These allegations will not down, and it is our duty, in justice to our constituents and to our consciences alike, to sift them to the bottom and withhold honors from those higher up until these matters are explained to our satisfaction.

We have heard much during this war about "dollar-a-year men," "swivel-chair officers," "bomb-proof jobs," and so forth, in Washington and elsewhere. I do not altogether sympathize with or indorse these views. Undoubtedly there were such individuals in Washington, "slackers" in every sense of the word, yet I believe many of these men—most of them, perhaps—were patriotically doing imperatively important work back of the line and are deserving of the thanks of their countrymen for their services.

But there is a grave suspicion that there was studied favoritism shown by those in authority; that military politics was rife; that many officers of the National Guard and the National Army were discriminated against; and that Regular Army men were favored.

There is every reason, too, for the belief that promotions in America were more rapid, more the result of influence, than at the battle front. I do not suggest that these promotions at home were improper, but that promotions in France were tardy by comparison.

At an early stage of the war there was undue haste in according honors to leading officers, and for this the Senate was in part responsible.

The preliminary investigations made by the Senate Committee on Military Affairs in December, 1917, seemed to demonstrate unmistakably that three chiefs of bureaus had each failed as an effective administrator of his bureau, yet all of these were advanced to the grade of major general for the emergency, two of them being subsequently given permanent rank as major general of the line, reaping a high reward, and for what?

These officers had seen long service with honorable careers. Future investigation may absolve them from blame, but while the weight of criticism rested on them they were promoted.

On the other hand, let us look at Enoch H. Crowder, whom this Nation and the civilized nations of the earth generally should ever hold in grateful remembrance for the extraordinary celerity with which he mobilized America's great citizen army, that saved the world from autocracy's fatal grip.

He has with equal ability filled the dual rôle of Judge Advocate General and Provost Marshal General, and has received the reward only which was accorded all other chiefs of bureaus. If, however, he shall not be reappointed by the President when his term is completed, February 15, 1919, he will be relegated to civil life, with his rank taken away from him, or will take his place by reappointment as colonel in his own department.

Is that a just and proper distribution of military honors?

And let us not forget that last year when it was proposed by Congress to grant the rank of lieutenant general to Gen. Crowder, he immediately declined the suggested honor, for the reason that he did not desire to be singled out for special honors when the selective-service boards under him were working without hope of reward.

And what of Henry P. McCain, who for the first year and a half of the war as Adjutant General rendered extraordinarily efficient service in shaping the Army handed over to him by Gen. Crowder? For reasons which have never been divulged, he seems to have been summarily removed from his post some months ago, and, though he continues to hold by new appointment the rank of major general during the emergency, he reverts to the rank of colonel when the war shall end.

Again I ask, is that a just and proper distribution of military honors?

On the one hand, two officers who did not succeed have been made major generals for life, while two other distinguished officers who did not fail find themselves adrift or holding minor rank when the war is over. Why does not this bill, inspired by the War Department, provide proper recognition for Gens. Crowder and McCain?

There have been certain grave mistakes and blunders during the present war, mistakes and blunders which will never be forgotten, because the reason for their existence has never been explained, and the responsibility for them must be placed upon those who determined the policy of the War Department. Surely until they are explained those who may be responsible for these mistakes and blunders should not be further honored.

Of course the Secretary of War must assume responsibility for all the shortcomings and derelictions of those who are his subordinates. On the other hand, during the progress of this war the Chief of Staff has been vested with or has assumed extraordinary, almost autocratic powers, such as no other American military officer has ever been endowed with in the history of the Republic. From day to day he took to himself greater authority, until he was almost supreme, almost a law unto himself.

Under the circumstances the Chief of Staff must expect to be held responsible in a large measure for every phase of development of the Military Establishment and to have charged against him the delinquencies of his subordinates.

Throughout the entire war, until the signing of the armistice, November 11, the Senate Committee on Military Affairs exhibited the fatal weaknesses of the War Department program—inexcusable delay, unspeakable inefficiency, incredible extravagance. Such was the record unfolded from day to day.

As a result of the disclosures developed by that committee, many improvements in organization were inaugurated by the Secretary of War, and a greater degree of efficiency was manifest as the months passed by. But, as a rule, these changes were made too late to greatly affect the equipment of our forces on the fighting line, and, because of this delay, grave were the disasters which ensued.

I shall not dwell upon these pitiful details. Yet I would remind this Senate that, even up to the day hostilities ceased, in spite of the billion dollars we expended for aircraft, not an American-built battle plane or bombing plane was used by our Army in France. Except for the foreign-built planes, we had none at our disposal, except De Haviland fours, which were little more than armed reconnoissance planes.

Let us not forget what Gen. Pershing has informed us on this point. After dwelling upon the absolute lack of guns of heavy caliber, he reported:

> In aviation we were in the same situation. We obtained from the French the necessary planes for training our personnel, and they have provided us with a total of 2,676 pursuit, observation, and bombing planes. * * * As to tanks, we were also compelled to rely upon the French. Here, however, we were less fortunate, for the reason that the French production could barely meet the requirements of their own armies.

For weeks the German planes flew over our forces almost at will, without adequate opposition from our own aviators, hundreds of our men being the victims of Hun mastery of the air at those points.

Who was responsible for that lamentable state of affairs? Has this Senate forgotten the report of the President's own investigator, the Hon. Charles E. Hughes? Two Army officers were recommended for punishment, while the disciplining of another, Col. Deeds, was suggested.

What was the result? The President felt constrained to pardon the two officers in advance of trial, while Col. Deeds was "vindicated," so it was called, by the Secretary of War.

Whoever was responsible, directly or indirectly, for the tragedy of the aircraft fiasco, which resulted so disastrously to our brave troops in the field, should have been tried and, if found guilty, have been compelled to suffer the maximum penalty under the law, military or civil. That is the kind of "vindication" he or they should have received, not a certificate of character from the President or the War Department.

Furthermore, in spite of billions of dollars appropriated for ordnance, there was not a single American-built heavy gun at the front, except about a dozen 8-inch, and a few turned over to the Army by the Navy. What wonder is it that our boys were slaughtered like sheep in the Argonne Forest!

Upon this point I refer you to the recent speech of Gov. Allen, of Kansas, who has lately returned from the front, where he spent nearly a year. This scathing arraignment of those responsible for the carnage in the Argonne Forest, due to lack of artillery, has never been answered because it is unanswerable. It is a sanguinary page in our military history.

Concerning this matter, moreover, Gen. Pershing has reported as follows:

Our entry in the war found us with few of the auxiliaries necessary for its conduct in the modern sense. Among our most important deficiencies in material were artillery, aviation, and tanks. We accepted the offer of the French Government to provide us with the necessary artillery equipment of 75s, 155-millimeter howitzers, and 155 G. P. F. guns from their own factories for 30 divisions. There were no guns of the calibers mentioned manufactured in America on our front the date the armistice was signed. The only guns of these types produced at home thus far received in France are 109 75-millimeter guns.

Who is responsible for that wretched state of affairs—for that slaughter of the innocents in the Argonne Forest and elsewhere? The dead can not speak. Let us demand that the living shall make answer.

But I will not dwell upon these phases of the war. There is so much to be said regarding the lamentable failures of the War Department concerning almost every phase of the great struggle, and these will be touched upon at length upon some future occasion.

I now propose to comment briefly upon the order of the War Department issued November 12, 1918, the day after the armistice was signed, that no further promotions should take place, and that no more commissions should be issued.

That famous order has never been published, I believe. Here is a copy of it, supplemented by The Adjutant General's cablegram to Gen. Pershing:

Memorandum for The Adjutant General.
Subject: Suspension of recommendations for emergency promotion and appointment.

The Secretary of War directs that telegraphic orders issue to commanding officers of all tactical divisions in the United States, to commanding generals of all territorial departments, replacements, central officers' training schools, camp headquarters, depot brigades, ports of embarkation, and the commanding officers of all other units of independent command within the limits of the United States, the commanding general Philippines Department, and the commanding general Panama Canal Department in substance as follows:

Recommendations for emergency appointment and promotion under the provisions of G. O. No. 78 c. s. W. D. are suspended until further notice.

HENRY JERVEY,
Major General, General Staff, Assistant to the Chief of Staff, Director of Operations.

—

PERSHING.
Amexforce, Paris.

(C. of S.) No. 2191, November 14. Confidential.

War Department has adopted as a policy not to appoint or promote any further officers in the United States Army for the period of the emergency. This policy to be effective November 11, 1918.

MARCH.
HARRIS.

Some weeks since I wrote the Secretary of War, as follows, regarding that order:

The summary order putting an end to all promotions was of so drastic a nature that it has worked a hardship, an injustice, indeed, in innumerable cases. I trust you may conclude to set that order aside, to the end that promotions earned in actual service may be effected.

The Secretary made reply, as follows:

There is an evident misunderstanding as to the cause for the suspension of promotions in the Army after the conclusion of the armistice. Appointment to a military office, as to any other office, may properly be made only when a vacancy exists. Appointments and promotions were made throughout the war to fill vacancies as they occurred. As you know, demobilization of the Army was begun immediately after the conclusion of the armistice, and from that time, instead of there being any vacancies, we had a surplus of officers in all grades, which it was necessary to reduce by discharge. If additional appointments were made to any grade, there would be no proper employment for the appointee.

As for the suggestion which is sometimes offered that the appointments might be made but the appointee immediately discharged, I think this comes from a misconception of the nature of a military force. It is apparently thought of in the same way as a medal or decoration. It would be difficult to justify the appointment of any person, civil or military, when there is no expectation or intention that he shall perform any duties under the appointment.

For the reasons I have given, no appointments or promotions are being made for the purpose of active service. There can be no objection, however, to appointment to an office to which no present duties are attached, but which, nevertheless, has an actual legal existence. Immediately after the armistice, therefore, I directed that a commission in the Officers' Reserve Corps, with inactive status, be offered to every officer and enlisted man who had duly qualified for appointment. A lieutenant who was recommended for promotion to a captaincy can not receive such a promotion in active service, since we already have more captains than we can employ and are discharging many daily. This man, however, does receive a reserve commission as captain.

Mr. STERLING. Mr. President, will the Senator from New Jersey state who is the writer of that letter?

Mr. FRELINGHUYSEN. I stated that I had written to the Secretary of War, and that the Secretary of War had made reply, as follows.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Tennessee?

Mr. FRELINGHUYSEN. I yield to the Senator.

Mr. McKELLAR. Does the Senator know how many officers have been offered and have received places in the Reserve Corps?

Mr. FRELINGHUYSEN. I do not know that.

Mr. McKELLAR. Does the Senator know of any?

Mr. FRELINGHUYSEN. I think I know of one only.

This statement of the Secretary of War is quite clear, and we should be grateful to him for presenting his views so frankly. Yet, I did not agree with him. There has been no measure enacted by the Congress, so far as I am aware, which limits the commissions which the War Department may issue except in the Regular Army. Certain it is, prior to the armistice, such commissions were issued daily, and, to a very large extent, to those who never left the shores of America.

When hostilities ceased there had accumulated a large number of recommendations for promotion, and the commissions were all ready for the signatures of the appropriate officers. I understand that included in this list were thousands of the very flower of our Army in France, lieutenants, captains, majors, lieutenant colonels, colonels, and brigadier generals, who won imperishable laurels at Chateau-Thierry, St. Mihiel, the Argonne, Sedan, and so forth, but who were refused promotion under the drastic order of the Secretary of War.

I do not think this course was acceptable to the American people. It is my belief that they would gladly sanction such increased expenditure as might be involved, even though the total should reach $100,000,000, the amount we have appropriated, at the President's demand, for the purpose of feeding Europe's unemployed.

Furthermore, if in order to find places for some of these heroes of the bloody battle fields of France it should be necessary to make vacancies, let the Secretary of War get rid of 10,000 or more of the officers filling executive and clerical posts in Washington and elsewhere in America and supplant them with the battle-scarred veterans of Chateau-Thierry and the Argonne Forest.

The Secretary of War has recently seen a great light and has found it possible to reverse himself, at least partially. Under date of January 30 a cablegram has been sent to Gen. Pershing authorizing him to "make such promotions among officers of the line up to and including the grade of colonel as will give the officers who, in his judgment, deserve it rank equal to the command exercised by them."

It is but natural that we should ask why, in view of this latter conclusion, it was necessary to issue the order of November 12, which caused such a vast measure of disappointment to thousands of brilliant young officers on the fighting line in France, and why the Secretary felt called upon to indicate, as he did in his letter to me, already quoted, that further promotions were not practicable.

As a matter of fact, the reversal of the order suspending all promotions does not meet the situation and in some respects is worse than the original order. Better no promotions than the selection of a favored few.

I know the Secretary entertains rather curious views on the question of promotions. Only recently he stated to me that a promotion was not a reward for services performed, but a recognition of the need of an officer to fill a higher rank, and was granted solely because the officer was capable of performing the service in that rank. I can not entirely agree to that. Our whole military history contradicts it. Promotions come in recognition of experience, fitness, and courage in the lower grades, and you can not gainsay it.

Thousands of young officers have been recommended for promotion for conspicuous gallantry in action or efficient service rendered elsewhere. I claim that every worthy recommendation by superior officers of those who have served in the battle line should be approved and the advancements effected.

This partial remedy of the Secretary of War is unfair and unequal, and will exclude and relegate to private life unhonored thousands of officers as much entitled to promotion as the comparatively small number who are likely to be benefited by the recent order to Gen. Pershing. Justice to all is my demand.

In this connection I wish to present an illustration of the Government's lack of adequate recognition for services rendered. Very early in the war about 1,000 young American doctors were commissioned as first lieutenants in the Medical Corps, were sent to the English Army and were scattered along the entire front line as surgeons, assigned to that army, whose medical force had become depleted.

They were a very superior class of men and they rendered splendid service. Ten or 15 gave their lives; 35 to 50 were wounded, yet, except in a few cases, no recognition of any sort has been given to these men, I am told, though no par-

ticipants in the war more fully deserved promotion. They have been forgotten.

Now, I wish more particularly to present some points bearing upon certain of the psychological aspects of soldier life, and especially the treatment of our boys while overseas and upon their retirement from the Army.

Who is responsible for the inexcusable failures to deliver letters to our soldiers in France? This dereliction we must not charge against the much-censured Post Office Department which already has innumerable sins to answer for. The War Department established its own postal force, or pretended to do so. What a fiasco resulted! I doubt if there is a single Member of this Senate who has not received letters from disheartened parents complaining of the failure to deliver letters to loved ones overseas.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER (Mr. HENDERSON in the chair). Does the Senator from New Jersey yield to the Senator from Kansas?

Mr. FRELINGHUYSEN. I yield to the Senator from Kansas.

Mr. CURTIS. Mr. President, I should like in this connection, if it will not disturb the Senator from New Jersey, to call the attention of the Senate to a letter from a captain to a mother who had written him in regard to her son. The letter is as follows:

In reply to your letter dated October 3, 1918, would state that no word has been received at this station regarding your son.

2. The correspondence that has taken place regarding the above is becoming tiresome to this office. You were informed in our letter of August 17, 1918, that upon receipt of any word at this office you would be promptly furnished with the same for your information. With that assurance, and in view of the fact that the proper authorities have been notified to furnish a descriptive list of soldiers, it hardly seems necessary to constantly correspond regarding the same.

I want to call the attention of the Senate to this letter, because it was written by a captain to a mother who has not heard from her son since July last. She had written this officer in October and received this brutal answer. Mothers, fathers, wives, and relatives are entitled to receive courteous answers to letters about their dear ones whom they have given to their country.

I wish, as one, to join with the Senator from New Jersey in condemning such letters.

Mr. FRELINGHUYSEN. Mr. President, I desire to thank the Senator from Kansas for his contribution to the RECORD. I have a number; in fact, many hundreds of similar letters. Let me quote from one of the hundreds of such communications I have received, from Ernest L. Smithers, Maplewood, N. J., who writes as follows, January 17, 1919:

I attach herewith three envelopes which contained letters written to my son, Eric F., who is with his brother, a lieutenant in the Twenty-ninth Division, One hundred and fifteenth Infantry, American Expeditionary Forces in France. I may say that at least 25 letters sent to Eric by his mother, myself, and friends, written during the months of August, September, and October, have been returned to us, and they are still coming in. You will see the notation on the envelopes is "Sick. C. P. O. Directory Section."

The facts of the case are that my son was taken sick in August, 1918, and was in a hospital for two or three months, which was just the time when he needed his letters from home. We had been informed, like others, that it was vitally important to keep up the morale of the Army. With this point in mind, both Mrs. Smithers and myself and many of his friends forwarded letters regularly twice a week, only to have them returned, undelivered, and marked "Sick."

It certainly does seem like a great misfortune for letters to be returned in this manner, especially when a boy in the Army is taken sick and is in a hospital. Going through a period of this kind needs consolation, and the only consolation are his letters from his parents and friends at home.

My family is so distressed that letters written to our boy were handled in this way, and he was allowed to think that he had been entirely forgotten, that I feel it only right to bring this matter to your attention.

I feel constrained to cite another case from the hundreds which have been brought to my attention. R. Ireton, Camden, N. J., writes, January 23, 1919, as follows:

My son has received no mail of any kind for four months, although I am writing to him several times every week. Is there any excuse for this treatment? He received his last mail October 12, while in action at the front, with German shells falling all around him.

He was wounded October 21 and sent to a hospital at Blois, France, and since in a camp 12 kilometers from Le Mares, but has not had a piece of mail for four months now. Talk about German cruelty! Can you find much worse than wounded and sick men and their mail and pay kept away from them? He begs to know if we are living or dead with the "flu."

He has received no pay since July and we have not received any allotments since then, either. He can not even get the money we have sent him from home. He was wounded in August and received no mail for two months. He has not received his Christmas box, sent through the Red Cross. * * * Shouldn't they know that letters and a Christmas box from home are the most important things, next to life itself, to a wounded man thousands of miles away from home?

Here is a single paragraph from a communication from another constituent, Walter S. Smith, Jersey City, who inclosed the envelope of a letter sent a son, Corpl. Edwin E. Smith, in France, which came back marked "Sick." The writer says:

It is not my purpose to annoy you with needless complaints, but I would be obliged if you would take a look at inclosed envelope, which tells a story of a letter of cheer denied a soldier boy because he unfortunately was ill, and said letter dragged 3,000 miles back to the sender.

Words are literally inadequate to describe one's emotions in reading such letters from the parents of the boys overseas. It is incredible that the sick and wounded soldiers of a great Nation should be the victims of such brutality!

It must not for a moment be thought that I am presenting only rare cases. My files exhibit hundreds of letters of the same tenor, and I have no doubt every Senator on this floor can say the same. In other words, the postal service of the Army in France was lamentably inefficient, and not the slightest effort seems to have been made to improve it.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Oregon?

Mr. FRELINGHUYSEN. I yield.

Mr. CHAMBERLAIN. Mr. President, without undertaking to fix the responsibility—although I hope with the Senator that the responsibility will be fixed at some time—let me say that I hold in my hand a postal order which was bought by me here in Washington on the 22d day of June, 1918, and forwarded to a little nephew, who was not quite 18, and who was sick in a hospital in France. It was sent to him because he had received no pay during his service in France. This postal order was sent to him at his address at the hospital which was known. His unit was given, his name was given, and there was no question but that he could be easily identified if only an effort was made to do so. He was killed in action on the 18th of July. This postal order was received by me about 10 days ago, returned in the same envelope in which I sent it, marked "Not known."

There was absolutely no excuse for anything of that kind. His mother received a letter from him some time the latter part of October saying that he had recovered from his illness in the hospital and rejoicing that he had joined his unit and was going to the battle front. A few days after that she received a telegram from the office of The Adjutant General that he had been killed in action on the 18th or possibly the 20th of July; and two or three weeks after that, after I had taken the matter up here to try to trace up the matter, the mother received another telegram from the office of The Adjutant General wanting to know where she had gotten the information that her son had been killed in action.

Mr. WEEKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Massachusetts?

Mr. FRELINGHUYSEN. I yield.

Mr. WEEKS. I think it will not be without interest for me to say that when the Post Office appropriation bill was under consideration in committee, I asked some questions of the Second Assistant Postmaster General, under whose direction the Foreign Mail Service is conducted. In making some explanation about the responsibility for the poor service, he suggested that, as of course is known, the War Department was responsible for the service after the mail left the docks in this country. The next day some employees of the Post Office Department came to my office with a very considerable number of letters which had been mailed in this country more than six months before, and had gone to France. The envelopes were stamped "unknown," and the letters returned to this country about three months before they were brought to my office. I was informed by these postal employees that there were a large number of letters of that character in the office of The Adjutant General in Washington, which had been lying there for three months, with apparently no attempt to deliver them or return them to the writers.

Mr. FRELINGHUYSEN. Mr. President, we all know that the postal service of the Army in France was lamentably inefficient, and not the slightest effort seems to have been made to improve it.

Can anything more grossly stupid or heartless be imagined? Though accurately addressed to the soldier, with the name and number of his unit plainly indicated, the envelopes are marked "Sick," and the letters, instead of following the poor soldier to the hospital, are shipped back to America unread, unopened, undelivered.

Who is responsible for the delay in the payment of the soldiers' compensation? If any official dare assert that there is

no such delay, let him come to my office and I will place my files at his disposal. There is such delay, prolonged delay in numerous cases, delay that is inexcusable. In one of the letters from which I have just quoted is the statement "he has received no pay since July," seven months ago.

Let me briefly cite another case, which not only illustrates the War Department's slipshod methods in this matter but in certain others to which I shall invite attention in these remarks. Writing from Prospect Plains, N. J., January 20, 1919, M. V. Landmann, speaking of a certain case, says:

Perhaps the records in this department are something like those of the Casualty Division of the War Department, where Miss Bagley (Mrs. Falconer's secretary) was assured late in December that as they had no record of Pvt. Willard Snedeker's being wounded, his wound, if any, must have been a slight one. As a matter of fact, he was so severely wounded in action October 3 that his leg was amputated above the knee October 4, but the parents have never received any notification. He arrived penniless but cheerful—not having been paid for many months—in New York January 5, and through the kindness of the Salvation Army was able to send a postal to his mother to let her know of his arrival.

A grateful country, indeed! This soldier, minus a leg, unpaid for many months for his services in France, returned to his native land without a penny in his pocket with which to purchase a postal card in order to notify his mother of his arrival. How do we expect to develop patriotism in the minds of our young men in the years to come in view of these things?

Another constitutent of mine—Mrs. Robert Daly King, of East Orange, N. J.—writes me, January 17, 1919, as follows:

It has come to my actual knowledge that our soldiers are not receiving their pay, and I know of no way to remedy this disgraceful fact than to make known to those who represent us our displeasure at this condition, register our protest, and ask that justice be done. * * * The soldiers of France, to whom we give high praise, will not fight without pay. So with England, and doubtless with other lands; but our men give their lives with all bravery and never falter in their loyalty to their country, without a murmur of complaint at the rank injustice being done.

Another constituent of mine—Alfred V. C. Genung, jr., of East Orange, N. J.—writes me, January 25, 1919, to the following effect:

My son, Ralph C. Genung, private, of One hundred and twelfth Heavy Field Artillery, Battery C, Twenty-ninth Division, has been out of funds since October, borrowing right and left, we, in the meantime, endeavoring to get funds to him through the Guarantee Trust Co., of New York, all this due to his not being paid by the War Department. How long would civilians working for the Government go without funds as our sons have been forced to do? And Army rules force them to hold their tongues as to their properly due stipend, and that small, as you well know.

Mr. CURTIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Kansas?

Mr. FRELINGHUYSEN. I do.

Mr. CURTIS. With the permission of the Senator, I should like to read an extract from a letter from a soldier of the Third Trench Mortar Battalion, Ninth Division, Third Artillery:

Mother, I have been here for about seven months, and never have had a pay day yet, and we sure have been having a pretty tough time. It certainly looks like Uncle Sam has forgotten his boys in the trenches; but, oh, if he will carry me back to my dear mother he can have what he owes me.

I want to state in the same connection that the paper that prints this letter also prints an account of the death of this boy from pneumonia in France.

Mr. FRELINGHUYSEN. Mr. President, we Americans talk much of our liberality to our soldiers. Does it ever occur to us to get their viewpoint? Visit their camps, and this is the pessimistic song you will hear, sung to the tune of "Glory, Glory, Hallelujah":

All we get is thirty dollars,
All we get is thirty dollars,
All we get is thirty dollars,
But we don't get a blank blank cent.

Fifteen dollars for allotment,
Fifteen dollars for allotment,
Fifteen dollars for allotment,
And we only have fifteen dollars left.

Seven dollars for insurance,
Seven dollars for insurance,
Seven dollars for insurance,
And we only have eight dollars left.

Five dollars for a liberty bond,
Five dollars for a liberty bond,
Five dollars for a liberty bond,
And we only have three dollars left.

Three dollars for the laundry,
Three dollars for the laundry,
Three dollars for the laundry,
And we don't get a blank blank cent.

All we do is sign the pay roll,
All we do is sign the pay roll,
All we do is sign the pay roll,
And we don't get a blank blank cent.

As a matter of fact, our soldiers are returning to civil life absolutely penniless and in many cases with back pay due them. Furthermore, they are wandering about the streets in complete ignorance as to where they shall make further insurance and liberty bond payments in case they should earn sufficient money for that purpose, but there is absolutely no one in authority to enlighten them and no one who seems to care a picayune regarding their future in that respect.

Regarding this and similar matters, I understand Gen. Crowder, the Provost Marshal General, prepared a systematic plan whereby the various draft boards were to be clothed with jurisdiction in the premises, looking after the discharged soldiers, and furnishing them with aid and advice concerning their material welfare. This plan failed to receive the approval of the War Department, and now the soldiers to a large extent are at sea without chart or compass.

Never was there so much need of sympathy and care as at the present time, following the return of these boys to civil life. Gen. Crowder's plan was practical and would have prevented the unspeakable conditions that now exist.

The re-creation of these draft boards as Government agencies to meet and solve the soldiers' problems was an excellent proposition and would have restored normal conditions almost immediately, because the men would have come under the influence of the home atmosphere and their necessities would have been adequately appraised, understood, and adjusted.

But Gen. Crowder's proposals were, unfortunately, not adopted by the War Department.

We have provided 30 days' pay for the discharged soldiers, and the senior Senator from Arizona offered an amendment for 60 days' pay. This would have been very costly and would not have met the problem. The greater number of our soldiers do not want charity, particularly the men with jobs awaiting them. But the man out of employment wants to be helped until he gets on his feet, and meanwhile his family, if he has one, must be cared for.

Why not provide that these draft boards shall assist the men so situated to secure employment, supplying them and their families, if in actual need, with sufficient funds to sustain them for one, two, three, or even six months, until employment is obtained?

To return to the question of the ignorance of our soldiers concerning future payments on liberty bonds, and so forth, it is quite clear that under existing conditions such payments as have been made will, in many cases, be entirely lost to the soldiers, with the Government Treasury the gainer to the extent of hundreds of thousands of dollars.

In many cases, I understand, shrewd and unscrupulous speculators are hanging around the debarkation camps, buying up these bonds at greatly reduced figures, in effect, robbing our boys in khaki simply because they do not know in what direction to turn for advice and protection.

Who, Mr. President, is responsible for the gross delay in the payment of soldiers' allotments and allowances to mothers, wives, and other dependents? As unspeakably inefficient as the War Risk Insurance Bureau has been, much of the blame must rest upon the War Department.

As I understand the situation, the soldier's compulsory allotment is limited to $15, which is under the control of the War Risk Insurance Bureau. If the soldier voluntarily makes an additional allotment, the Quartermaster Department handles the job—or mishandles it. Since last June, when the War Department stepped in to assume charge of this branch of the allotment proposition, to the great confusion of the whole system, there has been nothing but delay, delay, and yet more delay.

Again, let me suggest, if any official of either the War Risk Insurance Bureau or the War Department questions the existence of these appalling delays, let him visit my office and my files will be placed at his disposal.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Tennessee?

Mr. FRELINGHUYSEN. I do.

Mr. McKELLAR. There is no question in the world about the statements of the Senator on that subject until recently, but I think the present Director of the Bureau of War Risk Insurance, Col. Lindsley, has considerably improved the situation recently.

Mr. FRELINGHUYSEN. I have observed no evidence of it. I still have the complaints coming in daily.

This whole question of procrastination on the part of the Government in the payment of allotments and allowances to suffering, starving mothers, wives, and children of soldiers constitutes the chief tragedy of the war, so far as America is concerned.

In this matter of the heartless conduct of the Government, let me quote a letter from a mother in my State, which, in simple language, speaks more eloquently than can I or any other Senator on this floor. Mrs. J. E. Romaine, Maywood, N. J., writes me as follows:

I am in receipt of a communication from the Treasury Department, Bureau of War Risk Insurance, stating that the allotment and allowance of my son made out to me, which was paid in full to me to September 30 for $25, had been overpaid by the Government, as he was killed on the 25th of September. The demand is made upon me to refund to the Treasury Department $4.17.

I was not aware that the soldiers were employed by the Government by the day or hour. If you, dear Senator, were employing a man by the month and he was away sick or had died a few days before his month was up, would you deduct from his salary these few days? I, as poor as I am, would feel that I was in honor bound to pay this trivial $4.17. Dear sir, what would you advise—return the $4.17 or not?

What a picture of pathos! And, too, on the other hand, what an exhibition of brutal asininity on the part of the Government! Has it become such a Cheap John affair that it must hound the heartbroken mothers of the land in cases like this?

I shall not detain the Senate by quoting further from the hundreds of letters in my files, begging for aid in securing expeditious action upon allotment-and-allowance claims. The pages of the CONGRESSIONAL RECORD would not suffice to present even a small fraction of them.

Who is responsible for the delays in reporting casualties, and why should months elapse before relatives in this country are informed of the wounding, the illness, or the deaths of loved ones in France?

Is there a Senator on the floor who can not produce hundreds of letters from constituents conveying heart-rending complaints of this kind?

Let me cite a case which has almost a comical phase. A young constituent of mine was wounded in France some months ago, lay in a hospital for weeks, recovered sufficiently to be sent to America, and reached his home in Jersey City. Here, after a time, upon answering a ring of the door bell, he was handed a telegram from the War Department, advising his mother that he had been wounded—an event which had taken place early in the fall.

Here is a typical letter, Mr. President; and if any Senator can listen to the reading of it without the blush of shame mantling his cheeks, then must he possess a heart of adamant. Martin J. Higgins, a member of the staff of the Sunday Call, Newark, writes me as follows:

There is a widow who has been in my election district—a Mrs. Ellen Sissons, 14 North Third Street, Newark—whose son, Pvt. George A. Sissons, Company L, Twenty-third United States Infantry, died as the result of wounds received in action on July 29, 1918. His mother was not notified of his death until New Year's Day. The soldier in his last letter to her informed her he had made out an allotment and had insured himself, making her the beneficiary.

This poor woman has never received a penny from the Government, and she is greatly in need. She is proud of the fact that she was honored by giving her only son for the cause of humanity, but thinks the Government is neglectful in not doing its part by sending her what is rightly hers—the allotment and insurance. It is nearly six months since the soldier died, and yet on January 4, 1919, the War Risk Bureau informed her that as far as they knew her son was alive and well, at the same time advising her to communicate with the War Department for "further information."

In the colloquial language of the street, can you beat it? This broken-hearted mother, after being kept in the dark six months concerning the fate of her only son, is finally, January 1, 1919, advised by the War Department that he died last summer, meanwhile allowing her to suffer for lack of the necessaries of life. Three days later the War Risk Bureau advises her that it knows nothing of the fate of her boy, and turns her over to the tender (?) mercies of the War Department.

> Can such things be and overcome us like a summer cloud
> Without our special wonder?

Multiply these cases by 50,000 and you can form some idea of the magnitude of the Government's dereliction in this matter, of vital concern to a vast army of patriotic yet sorrowing mothers, wives, and sisters in America.

Who is responsible for the total lack of adequate sanitary hospital facilities for our wounded and invalid soldiers who have recently been brought over, and who are largely distributed in various improvised hospitals, so called, throughout the country?

Why did not the War Department make adequate provision for the awful yet inevitable contingency? Did they expect this to be a bloodless war, a war of words only, a war of diplomatic "notes"? Did they expect the pen to prove mightier than the sword and that the President's brilliant fulminations of rhetoric and syntax would put the Huns hors du combat without the loss of life or the shedding of blood?

Fatal hope! Almost as fatal as the expectation that through the agency of a league of nations all future wars will be prevented.

While upon this unpleasant theme, let me ask, Why did not the War Department or other Government agency make some serious effort or take proper precautions to keep the influenza epidemic from our shores and from our camps last fall, the result being the death of tens of thousands of splendid young Americans, who deserved a better fate?

And who was responsible for the incredible neglect to provide proper hospital facilities to meet such contingencies? I shall not dwell in detail upon the horrors of that distressing period, but I can not refrain from mentioning a single incident.

One of my constituents died of the epidemic at Camp Humphreys, just below Washington. His body having been withheld from his relatives for nearly a week, I inquired the cause. The camp commander referred me to a near-by undertaker. The latter casually informed me that he had held the body until he could accumulate a carload for shipment, and a few hours previously he had shipped north 178 bodies.

Who is responsible for this lamentable state of affairs? Surely there can be no doubt upon that point. The same fatal policy of procrastination and unpreparedness characterizing every phase of the war, in its relation to the living, has been employed in dealing with the sick, wounded, dying, and dead. No such chapter of inexcusable neglect and inefficiency can be found in the pages of this or any other civilized nation's history.

Mr. McKELLAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Tennessee?

Mr. FRELINGHUYSEN. I yield.

Mr. McKELLAR. I have listened with a great deal of interest to the splendid speech of the Senator in dealing with these matters; but I can not help but wonder at the Senator's vote the other day in favor of turning over to this very department the settlement of two billion seven hundred millions of contracts. It seems to me that if this department is of the kind that the Senator describes, surely the Government ought not to turn over to it the right to settle these contracts, amounting to $2,700,000,000.

Mr. FRELINGHUYSEN. Mr. President, I quite appreciate that the Senator has asked the question in order to embarrass me.

Mr. McKELLAR. Not at all; quite to the contrary. I asked the question for this purpose, if the Senator will yield to me: I am intensely interested in seeing that every contractor in this country shall get every dollar to which he is entitled, but at the same time I am intensely interested in seeing that the Government's interests shall be protected in settling with contractors; and I believe that the Senator made a mistake in voting to turn over to this department, which he declares to be inefficient, the absolute power and right to settle this tremendous amount of money in contracts.

Mr. FRELINGHUYSEN. I will give the Senator entire credit, upon his statement, for sincerity and good faith in interrupting me. I know that he feels very strongly upon this question, and so do I; but let me point out to him—and I do not want to prolong this discussion; I simply want to finish my subject and get through with my speech, which I want to have go in the RECORD as a protest against the conditions which exist at the present time—but, answering the Senator, let me say to him that that measure which was enacted the other day provided that in the settlement of these contracts through the machinery of the War Department which has already been established, which has already been paid for by the taxpayers, if it failed in any way to do justice to the contractor, or failed in any way to do justice to the Government, there was an appeals commission, and it was provided that both the Government and the contractors could appeal to that tribunal.

Mr. McKELLAR. Mr. President, if the Senator will permit me again, I am glad to hear this statement of views on the part of the Senator, because I understand that in conference the appeals commission to which the Senator refers is about to be eliminated, and I feel sure that we will have the able assistance of the Senator in keeping in the bill that appeals commission, so necessary to protect the interests of the Government.

Mr. FRELINGHUYSEN. Mr. President, I am thoroughly in favor of the principle of the appeals commission. Of the method in which it was written in the bill I did not approve. I believed that the original jurisdiction should be in the War Department, a department to which has been appropriated $34,000,000,000 by the vote of the Senator from Tennessee, a department which has been intrusted with all the war materials and all the war supplies, and which has the facts and the machinery for the settlement of these matters. I believe that the primary jurisdiction should exist in the War Department, although I believe in many cases they have been inefficient.

Mr. McKELLAR. Does the Senator understand that this same inefficient department of which he is speaking now demands that the appeals commission shall go out of this bill.

Mr. FRELINGHUYSEN. I shall be very glad to support the Senator from Tennessee in seeing that it stays in the bill.

Who is responsible for the fact that many of our soldiers upon their discharge are compelled to turn in their best uniforms and go forth into the world, and back to their home towns and their family circles, wearing frayed, ragged, deloused uniforms, looking more like tramps than the trim defenders of a grateful country?

Mr. President, I have been handed a letter by a Senator from a western soldier returning home. He says:

Under separate cover I am sending you a pair of shoes. These shoes I have worn since last July in France, in the trenches, and upon my arrival in St. Louis they refused to give me a new pair. I was just wondering if this would be the treatment that the rest of the boys would receive when they return home after going through hell for Uncle Sam. I believe that if you Senators would put forth a little more effort looking up things of this kind, instead of a lot of things you do, you would be working in the right direction.

Mr. President, I do not want to be sensational, but I asked that Senator to give me one of that pair of shoes, and there it is [producing a shoe], and I will mark it "Exhibit 900,000" for the Senators on this floor to examine.

Who is responsible for the failure to adequately mark the graves of American soldiers in France? I am aware that there is an organization for this purpose, the Graves Registration Service, but I am convinced the work of that agency is not being properly performed, and that if existing methods are not improved, American families who have lost loved ones on the other side are doomed to receive a grievous shock.

A recent issue of the Washington Star contained a letter from Chief Justice Walter I. McCoy, of the District of Columbia Supreme Court, who lost a son in France. Judge McCoy states that his boy's grave is marked only with a wooden cross, and that the name, with initials omitted, which was written upon it, was almost obliterated by the rain and would soon have been indecipherable had not a visitor to the spot made it more legible. Judge McCoy concluded his letter as follows:

This communication may also warn those whose relatives are buried in France to take steps that will save them great distress of mind.

The judge says he attempted to have a simple stone placed on his son's grave, but this request was denied.

In behalf of the mourning kinsmen of those who made the supreme sacrifice in France I demand that the War Department take immediate steps to so mark the soldiers' graves that the names will not be obliterated by the spring showers, as they are likely to be under existing conditions.

Who was responsible for the condition of affairs at Walter Reed Hospital in this city, and similar institutions elsewhere, whereby crippled soldiers were compelled to do their own laundry work?

Who is responsible for the neglect of wounded soldiers on shipboard as set forth in a recent issue of the Washington Star, as follows:

According to the narrative of this witness, whose name can not be used because he is a soldier of the United States on reserve, no provision whatever is made for the care of one-armed and one-legged men. These must attend to their own wants or starve. No waiters are assigned them. No arrangements are made to help them into or out of their bunks, and no organized efforts are made to assist them in navigating the deck in bad weather.

"They must go to the mess room for their meals or go without them," said the returned soldier. "They are placed in the position of the hog who was told to root or die."

Who is responsible for the failure of camp and post commanders to comply with the instructions embraced in Circular No. 77, directing the discharge of any enlisted man who is "needed to resume employment in an industry or occupation in which there is urgent need of his services"?

A constituent of mine writes me as follows concerning the situation at Camp Dix, in my own State, where he has a son:

Camp headquarters company alone has at present about 350 soldiers, retained there for clerical work, with practically little to do. So little is doing, in fact, that the boys in khaki are instructed by their officers to pretend to be very busy whenever visitors appear upon the scene, whether there is anything in the nature of business or not. Such action, to say the least, is repugnant to the American ideas of honesty. My son informs me that less than a score of clerks could easily perform all the work. It therefore not only seems a shame but a rank injustice that this large force should be retained at camp headquarters, especially when it is known that the major part of them are high-salaried men at home, with their jobs open for them immediately upon their release from the United States Army.

I have a case before me of a young man at a post in North Carolina, who was employed as a draftsman by a shipbuilder, who now needs his services badly, and is urging his discharge. The commander of the post refuses, saying:

It is impossible at this time to discharge class A men, as this post is now below the minimum required for these defenses.

As a matter of fact, this corporal is a member of the band. Does the fort commander expect to maintain his "defenses" down in North Carolina by "soothing the savage breast" of the Tar Heelers with music, or is he merely figuring on sufficient dance music for the gallant defenders of that advanced post?

Meanwhile, the shipbuilder is denied the services of this expert draftsman, and the family of the latter is compelled to live on a corporal's meager pay.

The War Department, it is true, is discharging soldiers by the tens and hundreds of thousands; but a reasonable degree of common sense and judgment should be exercised, to the end that soldiers badly needed in the industrial world should be given instant release.

Who is responsible for the order designating silver chevrons for the officers and men whose service was confined to this country, while the men who served overseas wear gold chevrons? Why is this distinction made? Is there any degree in the quality of sacrifice made when men left their business, their families, and their homes to go to camp and undergo the menace of influenza, pneumonia, and other dread diseases, whether they went to France or not?

Was there anything in their contract with the Government which limited their service to this country? No; they were under orders to go wherever sent, and they so understood it, and almost to a man were anxious to join the overseas army.

Nearly 2,000,000 American soldiers never saw France. Two million more did, but of this number 1,300,000 were not actually engaged, only 700,000 having reached the firing line.

Yet 2,000,000 men will wear the gold chevrons for overseas service, while nearly as many more will wear the silver chevron, though quite as patriotic, quite as brave, and quite as willing to go overseas as their comrades in arms.

Why should the War Department put this badge of disappointment on any American soldier and compel him to wear it? Give them all gold chevrons or take them off altogether.

Let every man be given a button to indicate his military service, and if a distinction is to be made let it be in favor of those who were on the front line only in France and actually under fire.

Some one has thus phrased his criticism of the War Department's discrimination:

Darling, here's your soldier bold!
Silver stripes instead of gold
Shine upon his sleeve to-day,
'Cause he did not sail away.
But, my darling, do not bleat,
For he did not get cold feet;
Simply did as he was told:
Silver stripes instead of gold.

I might, Mr. President, extend almost indefinitely this catalogue of the War Department's delinquencies in the treatment of our soldiers, who have sacrificed all the comforts of home for the rigors and dangers of military life, actuated by motives of the highest character.

Let me conclude the list by asking who is to blame for the fact that our soldiers when released from the service are not given proper discharge papers such as have been employed in previous wars—something strong, attractive, and altogether worth while—parchment, if possible—something to be shown to friends and relatives, hung in frames, perchance, and handed down to their children and their children's children?

Instead, if I am correctly advised, they are given flimsy slips of cheap paper, typewritten or mimeographed, which, when carried in the pocket for a few days, shrivel up to nothingness and find their way into some convenient wastebasket.

This, I take it, is but another evidence not only of the Government's unpreparedness, but also of the War Department's utter lack of a definite policy regarding the treatment of our soldiers as human beings rather than as mere cogs in the mechanism of warfare. The psychology of life seems never to have been recognized as an element in our Military Establishment.

The last communication I shall present for the consideration of the Senate is one from a citizen of Newark, in my State, who has been discharged from the military service, and who, recently, has come in contact, to a very considerable extent, with soldiers just out of the Army. The views he presents are so pertinent, and so suggestive as well, that I shall ask the Secretary to read the letter:

The PRESIDING OFFICER (Mr. KING in the chair). The Secretary will read as requested.

The Secretary read as follows:

I trust it is not presumptuous on my part to write you about some of the matters that have been observed by me since I came home. I have been giving some assistance to the local city employment bureau endeavoring to find employment for soldiers and sailors who have been discharged from the service, and in this way have listened to a great deal of the soldier talk and sentiment.

There is considerable bitter talk about the Government and particularly of the War Department, and running with this is a lot of socialistic thought and expression, and mostly so from the men who have been across.

Their main complaint is that the Government took them away from their employment or vocations, has given them $30 a month for war service, and then as soon as the armistice was signed has dumped them back in their own towns without a dollar in their pockets, and with the bottom dropped out of employment.

And then they will sarcastically refer to the amount of wages that have been paid in the shipyards and elsewhere whilst they have been away, and to the fact that the Government is going to charge off $1,000,000,000 to profit and loss on the building of merchant ships, which never carried a ton of cargo or a single man across.

And the idea that has been suggested of giving employment to our soldiers in the construction of dams and reclaiming arid lands, or building roads—all unskilled labor work—has been somewhat repugnant.

The soldier that is coming back is generally a different man to what he was when he went away. I find, as a rule, he is very temperamental. He has had a peculiar experience. He was pampered until he felt that he was real man and one of the saviors of his country to be. He has been closer to his God than ever before. He has been away from newspapers and magazines and has been left a great deal to his own reflections; and the thoughts and ideas that have generated in the camps and trenches are the uppermost and most important to him, and a lot of his talk has been socialistic.

And then this soldier man knows of all that the British and French are doing for their returning soldiers, and he freely quotes the facts that the British and Canadians give 320 acres of land and loan $2,500 to any veteran who wants to farm, and that they are giving $750 to a veteran to finish a college course, and also that they are giving their veterans from two to six months' pay upon being discharged to purchase civilian clothes and give an opportunity to look around for employment, and he talks of the vocational schools that the French and British have established.

And the soldier man is sore because he has not been decorated, and he tells you that the British and French are all wearing their bars and medals, and he can not understand how it is that the Secretary of War is promoting officers who never left the camps, but can not promote those who were recommended for distinguished war service because the armistice had been signed.

And the soldier can not understand why civilian traffic managers and draft boards should be recipients of war medals when the man who has been in active service and under fire is not even suggested or thought of, except in such cases where the British or French Governments have decorated our men.

And I find that a large number of these soldier men have bought liberty bonds and don't even know how to get them—don't know who to apply to to have them delivered.

And the soldier man has been told to keep up his war-risk insurance by his officers and through orders and the press, but no one seems to know where he can pay the premiums after he is discharged.

These things in particular, but a whole lot of complaints about back pay and allotments which have been made public, seems to be the wail of the discharged soldier.

It was suggested at a meeting of service men held a few days ago in this city that the Government should authorize some kind of a button or distinguishing mark to be worn with civilian clothes by the veterans of this war.

I am writing this to you, knowing the interest you have taken in the American soldier, and knowing your aggressive spirit in behalf of justice and Americanism, and I feel sure that you will take some active measures to have something done to remedy these conditions.

It does not seem reasonable to me that the American Government should suffer in comparison with the British or French in the treatment of the men who have been fighting its battles, and the most unpleasant thought of all is that these millions of men should have any opportunity in the future to speak reflectingly upon the treatment accorded them after they had made the supreme sacrifice.

Mr. FRELINGHUYSEN. The remarkable letter which has just been read I commend to the careful consideration of the Senate, the War Department, and the country at large.

In this plain narrative, Mr. President, I have extenuated nothing, nor has aught been set down in malice. I may not only assert that the half has not been told, but may go further and declare that the one-thousandth part has not even been suggested or hinted at bearing upon the crassly neglectful and inconsiderate conduct of the War Department in its treatment of our gallant soldiers, especially those who have "fought the good fight" to the best of their ability, have won, many of them, imperishable honors in active service, but are now treated as little better than derelicts, for whom the Nation has no further use.

How far this deplorable state of affairs is due to actual inefficiency and how much to that monumental lack of foresight and forethought which have always characterized this administration it is impossible for me to say. But the facts which I have presented are nothing but facts, and we know that facts are very stubborn things.

It is all very well, Mr. President, for us to felicitate ourselves as a Nation that the United States played a major rôle, in the final analysis, in the winning of this war.

It is all very well for the President to break the precedents of a century and a third, that he may head triumphal processions in foreign capitals, sleep in the chambers of royalty, dine off of gold plates in the palaces of the modern Cæsars, and have his photograph taken standing in line with kings, queens, and princesses. Those are interesting and perhaps alluring pictures. But what of the American private who returns to his native shores, unhonored and unsung, dismissed from the service, frequently without a dollar in his pocket? Is he entitled to less consideration than an old dray horse, his days of usefulness over, who is turned out into a green pasture and told to eat his fill?

No, Mr. President, until the War Department rises to the occasion, realizes that the private soldier is a human being, actuated by the same emotions which dominate presidents and kings, I am not in favor of granting the honor accorded alone to Washington, Grant, Sherman, and Sheridan to any American soldiers now living.

When the privates and officers lesser than those referred to in the bill cited at the beginning of my remarks (S. 5278) are properly provided for, then I may consider the propriety of according higher honors to the heads of our Military Establishment.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. FRELINGHUYSEN. Certainly.

Mr. CHAMBERLAIN. The Senator speaks of it as the Chamberlain bill. If the Senator will examine the RECORD, he will find that at the time I introduced that bill I stated the fact, and it appears in the RECORD, that it was introduced at the request of the Secretary of War and not as emanating from me.

Mr. FRELINGHUYSEN. I will correct the RECORD by referring to it as Senate bill 5278. I stated in the beginning of my remarks that it was introduced by request.

Mr. President, I know it is a common practice to be intolerant in public criticism. I have endeavored to avoid this in my remarks to-day.

The Army has had a greater job than the Navy, and the difficulties have mounted high. Secretary Baker has done much to relieve serious situations. I believe that the War Department has been right intentioned, but conspicuously lacking in foresight.

I have endeavored to present to the Senate a picture of the situation affecting the common soldier that demands instant and drastic action. The Military Affairs Committee of this Senate and the Secretary of War should immediately confer and adopt some plan to alleviate existing conditions.

If in what I have said I can create a public sentiment and instill into the Secretary of War and Army officials a proper sense of their obligations to the men in the ranks, about to lay down their arms and return to civil life, I shall feel that I have rendered a public service.

In conclusion, Mr. President, I beg to repeat my opening assertion, that I am not willing to support the measure which has formed the text for my remarks, conferring the permanent rank of general upon the Chief of Staff and two other officers, and that of lieutenant general upon two or three more, until existing conditions in the Army are remedied—until adequate provision is made for subordinate officers who have rendered heroic service overseas, and for the rank and file of our splendid Army of fighting men.

Mr. BANKHEAD obtained the floor.

Mr. STERLING. I ask the Senator from Alabama to yield to me for just a moment.

Mr. BANKHEAD. I will yield.

Mr. STERLING. Mr. President, in connection with the very able address delivered by the Senator from New Jersey [Mr. FRELINGHUYSEN] and in connection with the correspondence which he has read and has had read at the desk, I wish to read an extract or two from a letter received from a lieutenant in France only yesterday. It calls attention to one particular phase of the failure of the Government to make payment to soldiers and discloses the reason for such failure. I read as follows:

The mail proposition has been the greatest curse to us all. A man can go without proper or sufficient food, march in wet clothing, or even fight without proper ammunition and equipment if necessary, but it is a mighty hard matter to keep up the morale of the men if they don't hear from home. Personally I went without mail for two months, during which time my wife was very ill. She sent me a cable October 22 that reached me December 6. I am in receipt of two letters to-day—

His letter is dated January 20—

written August 11 and September 12, respectively. Nor is this condition exceptional. The lad acting as my orderly at this time has not had a letter from his home in North Carolina since September 15; and I am certain that a good half of my company has been treated in like manner.

His reference to a cablegram reminds me of a cablegram sent under my own observation on the 15th day of January to a soldier boy belonging to the marines in France. It was plainly addressed, as many a letter had been addressed, to that young man. He writes a week later, and he had not yet received the cablegram announcing the death of his sister here in Washington.

Calling attention to that particular portion of his letter which refers to the pay and the reasons given for deferred payments, I read:

When a man is wounded the system demands that his service record be sent on to the hospital, and as it goes by mail it never reaches him, and as over half of this company has been through the hospitals nearly half of them are here without service record, as they have never reached here after being returned from the hospitals by mail. This means but one thing—every man who was wounded has not been paid since the last payment of his wages prior to receiving his wound. They do not pay a man who has no service record. A great percentage of our men have not been paid for over five months.

It is well known that there are temptations on all sides for the soldier, but I say most emphatically that if the morals of the boys have been affected no greater cause can be found than the deficient mail service. If the boy hears regularly from his mother he is better fitted to maintain his cleaner attitude toward life. In fact, Senator, this matter has grown to be a passion to me, because I have seen the effects first hand.

All I have to say further is that it will be a bad, a grievous, thing, indeed, if the boys who have enlisted with such a fine spirit of enthusiasm and patriotism and in a great cause should now have their morale imperiled and their ardor and patriotism cooled by reason of the fact that through this want of care, and one might almost say want of solicitude for their well-being, and want of supervision on the part of the War Department they have been and are yet denied the precious privilege of hearing from home.

Mr. KIRBY. Mr. President, having listened to the lamentations of the Senator from New Jersey [Mr. FRELINGHUYSEN] I am almost in doubt as to whether this country won the war or not. Did we win the war? How on God Almighty's earth did we win the war if the War Department is responsible for the mistakes, stupidity, and derelictions that have been charged and urged against it?

It is sometimes a wonder to me how we did accomplish this great achievement under the conditions that existed here in the United States Senate and in the Committee on Military Affairs of this body. At one time on that committee, I alone, of all the Democrats on the committee who attended its meetings, stood by the War Department against three of the most prominent Democrats on the committee, with the Republicans against it all the time, here on its legislative program on this floor.

Now, the Senator from New Jersey criticizes the War Department for what? For the alleged failure in mail service to deliver mail to the soldiers in the field; for the failure to pay the soldiers; for the failure to furnish hospital facilities; for the failure to pay insurance; for the failure to bury the soldiers and erect monuments, while the war was being waged and the Army was advancing, fighting victoriously.

All these things are charged, and what for? What can be accomplished now if there was proof of the allegations here and the charges made? Why is it all done?

The Senator has accused the War Department of being responsible for the severe winter last year. He has held the War Department responsible for the introduction of the epidemic of influenza into these United States and the failure to suppress it and to alleviate the condition of the people after it spread. Why is all that done, and where is there any foundation, in fact, for it?

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Will the Senator from Arkansas yield to the Senator from New Jersey?

Mr. KIRBY. I yield.

Mr. FRELINGHUYSEN. I criticized the War Department for failure to take preventive measures in time for the influenza. I should like to have the Senator answer whether he denies the fact that soldiers' pay is being delayed?

Mr. KIRBY. I do not deny the fact that some soldiers have not received pay promptly, but I do deny that the pay of the soldiers as a body has been delayed.

Mr. FRELINGHUYSEN. Does he deny the fact that the Postal Service has broken down?

Mr. KIRBY. I deny it.

Mr. FRELINGHUYSEN. Does he deny the fact that allotments are delayed?

Mr. KIRBY. I deny it, so far as it relates to the great bulk of them.

Mr. FRELINGHUYSEN. If the Senator will deal with facts, I am perfectly willing that he shall answer.

Mr. KIRBY. I shall answer you whether you are willing or not about the matter.

Mr. MYERS. If the Senator from Arkansas will yield, I desire to say a word. I give the Senator from Arkansas entire and unrestricted credit for standing for the War Department at all times in the Senate Committee on Military Affairs, but I desire to say whenever there was any voting done by the members of the committee, I was there and invariably voted with the War Department, because I thought it was doing the best it could under the circumstances. I do not wish the Senator to be misunderstood.

Mr. KIRBY. Mr. President, the criticism is not leveled at the Senator from Montana. The Senator from New Jersey criticizes the War Department for not furnishing trained nurses and physicians to men who have lost an arm or a leg and are coming home already recovered perhaps from the injury. He criticizes the War Department because of the lack of hospital facilities and beds here, when the papers say there are 50,000 more beds already provided than have been used by the returning soldiers. He criticizes the War Department for not sending the bodies of the boys who unfortunately died in camp home the next day or the day after. He criticizes the War Department for delay in the pay roll. He does not tell you, what all the country knows, that there were not enough trained nurses and not enough doctors in the great Capital City of the Nation even to take care of the sick people who were dying with influenza here. No; nor that there were not enough coffins to bury the dead here, regardless of conditions yonder on the battle front in France. Was the War Department responsible for that condition here? It seems that the Senator expected monuments to be erected at the graves of the soldiers there while the Army was on the march, advancing in the midst of the campaign, in the face of stubborn fighting.

He complains that maybe the soldier's name had been effaced by the elements from the rude boards that had been placed at his grave. He knows what the methods for identification of these graves are. He knows that the soldiers wear a metal tag upon the wrist and that there is a metal badge with his number on it put on the board at the head of the soldier's grave that connects him with all the information the War Department has about the soldier, from his enlistment to his burial.

Mr. FRELINGHUYSEN. The Senator has quoted it as my statement. I simply read the statement of Judge McCoy, who said that he visited the grave of his son and found it improperly marked, and asked that he might erect a stone monument there—a marker—and was denied by the War Department that privilege.

Mr. KIRBY. After the war is won, he charges that the soldiers have not been paid, that they have not had proper medical attention yonder in the hospitals, that they have not had the attention of nurses, they have been insufficiently fed, and that the graves of those killed in battle have not been properly designated by monuments, and then he criticizes the method of discharge of those soldiers returning home from overseas—says it is not done as it ought to be done. It is not done as he thinks would have been the best method of doing it. What is the trouble with the method that is being used now? They are being discharged, are they not? Just as soon as they were being discharged here in great numbers, as the War Department expected to do, there comes a protest from the great cities, saying, "You must not discharge these men in such numbers or about our places. You must take care of the interests of labor, and not discharge men to such an extent that it will interfere with the labor market and create a surplus of labor in the cities."

These are the conditions that have had to be met by the War Department.

Now, wherein is the War Department responsible for the epidemic of influenza that afflicted this country and the whole world? You would think it was directly to blame for it from the speech that has been made here on the floor to-day. How could it have been prevented? How could any one of these things been done better than it was done at that time? No man has risen on the floor and shown how it could have been done better than it was done.

It is easy enough to criticize when the entire program has been finished and when the war has been won. Yes; to say this, that, or the other might have been better done. From the sixty-three thousand four hundred and odd soldiers who went from the State of Arkansas to the war I have had complaints of about five who were not able to get letters from their homes at all; to be exact, I believe it was from only three. I have had only complaints from about a dozen or fifteen whose allowances have not been paid as they should have been paid and as they expected them to be paid, of the 63,400 of the Arkansas troops.

That is the sort of service which has been rendered, so far as I know. The people have not complained to me about these matters any more than to that extent. In the case of the four or five who had not been able to hear from their people for some time, notwithstanding the fact that their people here at home were hearing from them, I reported the matter to The Adjutant General, and he sent by courier across to the battle fields a message to the commanding officer, who was expected to deliver it to the soldier's company and to the soldier, telling

him that his family were well and were hearing from him regularly.

Mr. THOMPSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Kansas?

Mr. KIRBY. I yield.

Mr. THOMPSON. I will state to the Senator from Arkansas that when I was in France last summer I took occasion to investigate the mail matter to some extent, and I learned while there that 21 per cent of the letters which were written to soldiers were misaddressed and that 350,000 bags of mail had been sunk in the ocean, which fact might account for some of the letters which failed to reach the soldiers to whom they were addressed.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from New Jersey?

Mr. KIRBY. I do.

Mr. FRELINGHUYSEN. Will the Senator state what time of the year that was?

Mr. KIRBY. The Senator from Kansas stated that 21 per cent of the letters had failed of delivery because they were wrongly addressed and that 350,000 sacks of mail had been sunk at sea.

Mr. FRELINGHUYSEN. On what date was that?

Mr. THOMPSON. That was in July and August last.

Mr. FRELINGHUYSEN. Have any been sunk since?

Mr. THOMPSON. I am not advised as to that; but I think so.

Mr. KIRBY. Mr. President, if there were——

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Wisconsin?

Mr. KIRBY. I yield.

Mr. LENROOT. I should like to ask the Senator whether he is familiar with the fact that thousands upon thousands of letters written by parents to their sons have been returned to the writers, with the notation upon the face of the envelope that their sons were wounded, sick in base hospital, and so and so, and finally the letters were marked "Return to the writer"?

Mr. KIRBY. I did not know that; but I do not dispute it, if the Senator from Wisconsin states it to be the fact.

Mr. LENROOT. I am receiving such letters every day. The Senator says that nothing can be accomplished by protest; but I wish to say that I have received this morning a letter from the War Department—I having protested at some previous time—saying that orders had been given to discontinue the return of such letters to the writers, but to find the addressee and to deliver the letter to him.

Mr. KIRBY. I only mention these things because I thought something ought to be said here along the line on which I have been speaking. Some of these letters, it seems, have been returned to the writers here. What else was there to be done about them if they could not find the addressee on the other side? They have brought them back; but now they are again sending them across the ocean, it appears, in order that the addressee may be found. It may be that many of these things ought not to have been done—I am not saying as to that—but what shall be done now that the war is over? The soldiers are coming back; they are being discharged; and I assume that there is as much work and chance for employment in the United States to-day as there was before the war began. Certainly the number of returning soldiers is diminished by a much larger number than I thought it would be. Two hundred and sixty-three thousand of these soldiers will not be engaged in the same occupations in which they were employed heretofore. Of the 263,000, many of them are sleeping under the soil of France, having fallen on the battle field fighting gloriously for their country; others have been cut to pieces and crippled for life.

The industrial condition of the country still exists; its soldiers are here now, and it seems to me that they might be reabsorbed in industry within a reasonable time. It is said that we are more prosperous than we were before the war began, and that the only thing which now prevents the continuation of our industries as they ought to be operated is the failure by the War Department to adjust the existing differences between contractors whose contracts were canceled because the Government did not need the material contracted for, on account of the armistice, and necessarily had to close out the contracts; and because of the failure to adjust differences between those who had informal or invalid contracts, who had performed service and furnished materials for the Government and who ought to be paid for it. The War Department came to the United States Senate and to the Military Affairs Committee about three weeks ago asking authority to adjust these matters as they ought to be adjusted.

The industrial necessities and the commercial necessities of the country demand that these matters shall be settled as speedily as possible and as fairly as it can be done, both for the contractors and in the interest of the Government. The department suggested a method that would accomplish that. The subject was referred to the Military Affairs Committee, and they debated and wrangled and had subcommittees appointed.

Finally, after about three weeks, they came in here with a bill, of which only about four or five of the Democrats of the committee were in favor. Two of the prominent Democratic members have been fighting it all the way through since the bill came into the Senate. One of the Democrats asked the Senator who was making the speech, "Do you not think if the War Department has been as bad as you say it has been, if it has failed to perform its duties to the soldiers and to the Army, and has failed in service to the country, it would be a mistake not to establish a commission to settle these differences between the contractors and the Government instead of leaving the matter in the hands of the War Department, as you propose to do by your action?" He said, "No." Yet that Senator was the Republican who has raised all this howl about the deficiencies and shortcomings and failures of the War Department in the conduct of and winning the war. The other Senator making the inquiry was a Democrat, who expressed thereby his disapproval and distrust of the War Department to fairly settle for the Government's interest these claims, which must be settled soon.

I am not going to speak much longer, but it seemed to me some Senator ought to stand by the Government here after it has won the war; that some one ought to have an interest in the conduct of the soldiers on the battle field being properly presented, and in the country getting a correct view and having a proper appreciation of all the great objects which have been accomplished. If here and there a plan has failed or has miscarried, if here and there inconvenience, delay, and injury have resulted because of something not having been done as well at that time as it now appears it might have been done, why should it be made a record here as an everlasting monument to a single failure of the War Department, which, whatever else may be said, did win this war with the Army that it organized and with the Army that was sent abroad and which was furnished subsistence, munitions, and equipment by the War Department?

The soldier, of course, is entitled to vast consideration in the matter; he did the fighting and he won the war. The soldier's rights in the Army ought to have been regarded, and they were regarded by a Nation which had as great solicitude for its soldiers as had any nation now on earth or any nation that ever has been, which was shown by every single act done on the part of the Government to take care of the soldier's interest and to promote that interest while he was there part of the fighting machine on the battle front. The Government is still so disposed and attempting to do that.

Complaint is made about nonpayment of insurance of a man who had died; that his widow or his mother had not received the insurance. It has not been stated that the insurance had been demanded; it has not been stated that the War Department had been informed that the man was dead. It may be that such was not the case.

I took up a paper this morning, which is published down in my State, and noticed a report of a case where some soldier had gone home to his wife and his mother and found they had been collecting insurance on his life for the past five months. The War Department was a little too rapid in the payment of insurance in that case. The soldier was not dead, and yet the department had been paying insurance for five months to his mother and to his widow. I did not know anything about that until I saw it in the paper this morning.

Mr. CALDER. Will the Senator from Arkansas yield to me?

Mr. KIRBY. Yes.

Mr. CALDER. I know a case along the line of the Senator's statement, where a woman received her allotment five months after her husband had been discharged from the Army.

Mr. KIRBY. Well, the woman got both the allotment and a husband in that instance. She was fortunate as to her allotment. But that is, of course, an isolated case. I mentioned the other case, which was also an isolated case, to show that the criticisms generally are unwarranted.

Now, I am not going to talk further about that matter. I say the achievement of this country, going into war at the time we did, a war 3,000 miles across the sea from home, a war against a powerful enemy that must be fought in the air, on and under the earth and sea, an enemy that had whipped the other great nations of the Old World to a standstill, a war that must be fought with an army that had not been organized, that must be transported in ships that had not been built—I say the record

of our accomplishment has been marvelous under the conditions as they existed and as conclusively shown by the facts as they have been developed. The War Department, notwithstanding the criticisms that have been hurled at it here and there by the opposition on the other side of the Chamber and by some of the Democratic members of the Military Affairs Committee, is entitled to great credit and to the everlasting thanks of this country for its wonderful achievement, as is the Army for the glorious achievements upon the field of battle.

Mr. WEEKS. Mr. President, while the Senator from New Jersey [Mr. FRELINGHUYSEN] was making a speech a short time ago I referred to some correspondence which I had had with the Postmaster General. It was a rather lengthy letter, and I hesitated about putting it in the RECORD or having it read at that time; but I now ask that it be inserted in the RECORD, for it is a voice directly from the administration, which controverts one of the points recently made by the Senator from Arkansas [Mr. KIRBY].

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent that the letter presented by him may be printed in the RECORD. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

POST OFFICE DEPARTMENT,
SECOND ASSISTANT POSTMASTER GENERAL,
Washington, January 11, 1919.

Hon. JOHN W. WEEKS,
United States Senate.

MY DEAR SENATOR: You called my attention the other day to your experience with the mail to and from the American Expeditionary Forces in France, and asked if I could tell you just where the trouble at this time is.

I am inclosing herewith a letter from an Army officer which will interest you and which, I think, goes right to the heart of the trouble, namely, lack of supervision, or supervision by officers entirely unfamiliar with postal work.

Sincerely, yours,

OTTO PRAEGER,
Second Assistant Postmaster General.

[Copy.]

LA HAYMIEX, FRANCE, *December 1, 1918.*

MY DEAR MR. ———: Just returned from an all-day visit to St. Mihiel, whither I went this morning on postal business, and as most of what I saw and did relates to the Postal Service, I think that perhaps I have more or less of the right kind of inspiration for a letter to yourself this evening. It was a long, cold ride both ways in a "Henry Ford," but I have succeeded in getting my feet fairly well thawed out beside madame's comfortable fireplace, and, barring the fact that my room is cold and I am wearing a heavy overcoat, I am all set for writing.

Just returned last night from a two days' absence at divisional gas school and learned that there was a big pile of mail over at our A. P. O. at St. Mihiel that was being held up from delivery on account of insufficient address. Had a "hunch" that probably some of mine might be in the pile, as well as many letters for other officers of the battalian, so secured the major's permission to go over to-day and try my luck at locating our share. Had very good success, and returned with two big bundles of letters for the officers and another big bundle for such of the men as I knew. Got back just at supper time and found all the officers together at our mess hall, and had all the sensations of a real Santa Claus for a little while. The fortunate ones were those who have only recently been transferred to the division. I do not know who is responsible for the stunt, but the mail for both officers and men has been forwarded from their previous divisions simply to the "Thirty-fifth Division." Of course, no one at the A. P. O. knows anything about where any of us are, and I found 30 big tiesacks full of first-class mail waiting for some one to come along and claim it. Found one lone private plugging along separating it alphabetically on a table. Don't know what they hope to do with it after it is separated. I spent most of the day going through the mess, with results as above stated. Found six letters for myself, including one from Cherry of October 26. Was very glad to hear from him and will answer soon. However, what I found in the beginning led me to kind of look over the whole establishment, and I found it generally pretty rotten. Out in the mail room I found Bernard Bradley and two other men who had been in the service over in the "Etats-Unis." One was on the Fort Madison and the other on the west division of the St. Paul & Portal. Needless to say we had a very good visit. I found these boys doing their end of it very well, but discovered that there was absolutely no supervision. There is a first lieutenant in charge of the A. P. O., but he was visible for only 10 minutes of the entire day. Reminded me of a postmaster in a first-class post office in the States. Said lieutenant has had no previous experience in the Postal Service, and to all appearances is attaining no present experience. Upon my return I made a report of conditions to the major, and he asked me to make up a written report on the situation. I am very willing to make the report but objected to signing it, lest I might get myself wished into the job of running the A. P. O., so the major agreed that if I would draw up the report he would sign it and send it up. Found no preparations have been made for handling the Christmas packages, which will undoubtedly begin to arrive very soon. Also discovered that whereas the A. P. O. is allowed a personnel of 20 men, it is running with only 14, and that no immediate increase has been thought of, "stuck mail" and Christmas to the contrary notwithstanding. Fine dope, and especially at a time when we are doing everything possible to keep the morale of the men at top notch. Most of the boys are looking forward to a return to America, while the probability is that they will soon be going up into Luxembourg or Germany. But there is nothing that will help so much in keeping their minds off their troubles as a prompt and regular mail service. I know, believe me.

* * * * * * *

Drop a line whenever you have time, and pass the word along to everyone else in the same connection. I think I will have the A. P. O. shook up by the time the replies come along, so that the delivery will be entirely prompt. I am,

Very truly, yours,

———— ————,
American Expeditionary Forces, France.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. Mr. President, I am wondering how much longer my brother Senators are goiong to impose upon my good nature. I am going to ask them please to let us consider the business before the Senate, for a while at least, and see how much progress we can make. We were considering section 5 of the bill as amended. I now ask the Secretary to read the section as it has been amended, in order that the section may be adopted as amended.

The PRESIDING OFFICER. The Secretary will read the section as it has heretofore been amended.

The SECRETARY. Section 5, as amended up to this time, reads as follows:

SEC. 5. That the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, is hereby amended to provide that the term "rural post roads," as used in section 2 of said act, shall be construed to mean any public road a major portion of which is now used or forms a connecting link, not to exceed 10 miles in length, of any road or roads now or hereafter used for the transportation of the United States mails, excluding every street and road in a place having a population, as shown by the latest available Federal census, of 2,500 or more, except that portion of any such street or road along which the houses average more than 200 feet apart: *Provided*, That section 6 of said act be further amended as that the limitation of payments not to exceed $10,000 per mile, exclusive of the cost of bridges of more than 20 feet clear span, which the Secretary of Agriculture may make, be, and the same is, increased to $20,000 per mile.

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

Mr. KENYON. Mr. President, if we really are through with the speeches and are going to get down to business, I think we ought to have a quorum present. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Johnson, Cal.	Moses	Sterling
Bankhead	Johnson, S. Dak.	Nelson	Sutherland
Calder	Jones, N. Mex.	New	Swanson
Chamberlain	Jones, Wash.	Nugent	Thomas
Colt	Kellogg	Overman	Thompson
Cummins	Kendrick	Page	Townsend
Curtis	Kenyon	Penrose	Trammell
Dillingham	King	Pittman	Underwood
Fletcher	Kirby	Poindexter	Vardaman
Frelinghuysen	Knox	Saulsbury	Walsh
Gay	Lenroot	Shafroth	Warren
Hale	Lewis	Sheppard	Weeks
Henderson	Lodge	Smith, S. C.	Wolcott
Hitchcock	McKellar	Smoot	
Hollis	Martin, Va.	Spencer	

Mr. TRAMMELL. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK] and the Senator from Kentucky [Mr. BECKHAM] in attendance upon a committee of the Senate.

Mr. KENYON. I rise to announce the necessary absence of the Senator from Nebraska [Mr. NORRIS], who is detained in connection with the work of the Committee on Agriculture.

The VICE PRESIDENT. Fifty-eight Senators have answered to the roll call. There is a quorum present. The pending question is the adoption of section 5 as amended.

Mr. WOLCOTT. Mr. President, I offer an amendment to section 5.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to add at the end of the amendment as amended the following:

That said act be further amended by striking out all that part of the last sentence of section 4 thereof after the colon and inserting in lieu thereof the following: "One-fourth in the ratio which the area of each State bears to the total area of all the States; one-fourth in the ratio which the population of each State bears to the total population of all the States, as shown by the latest available Federal census; one-fourth in the ratio which the mileage of rural delivery routes and star routes in each State bears to the total mileage of rural routes and star routes in all the States at the close of the next preceding fiscal year, as shown by the certificate of the Postmaster General, which he is directed to make and furnish annually to the Secretary of Agriculture; one-fourth in the ratio which the amount of internal revenue paid to the United States by the tax-paying population of each State bears to the total amount of internal revenue paid to the United States by the tax-paying population of all the States at the close of the next preceding fiscal year, as shown by the certificate of the Secretary of the Treasury, which he is directed to make and furnish annually to the Secretary of Agriculture."

Mr. WOLCOTT. Mr. President, the amendment which I have offered——

Mr. THOMAS. Mr. President, may I ask if that is an amendment to section 5?

Mr. WOLCOTT. The amendment which I have offered is an amendment to section 5 as found in the committee print of the bill. My amendment undertakes to change the method of allotting this appropriation to the various States, and hence I have framed the amendment so as to make it an amendment of the original act of 1916. The amendment amends section 4 of the act of 1916 in so far as that section deals with the allotment of these funds to the various States.

The Senate will recall that, under the plan of allotment as defined in the act of 1916, the funds are broken into three parts; one third is allotted to the States upon a ratio of population, another third is allotted to the States upon the ratio of area, and another third is allotted to the States upon the ratio of rural and star route mileage in the respective States. The only change in the method of allotment that I would undertake by this amendment to effect would be to break the appropriation into four parts, so that one-fourth would be allotted according to area, one-fourth according to population, one-fourth according to mileage of rural and star routes, and—this is the new idea—one-fourth would be allotted according to the tax-paying contribution of the various States.

Mr. KELLOGG. Mr. President——

Mr. WOLCOTT. I yield to the Senator.

Mr. KELLOGG. By "tax contribution" in the States, what does the Senator include—income and excess-profits taxes?

Mr. WOLCOTT. "Internal revenue" is the language used in the amendment.

Mr. KELLOGG. What does that include?

Mr. WOLCOTT. That includes income, excess profits, corporation capitalization taxes, liquor taxes, tobacco taxes, and so on.

Mr. President, I am quite aware that if this appropriation were for a purpose that, to my mind, could properly be called a Federal purpose the sort of amendment I have offered would have no countenance at all before any reasonable man. The common burden of the Federal Government that belongs to all the States of the country must be borne by the people of the various States according to their ability to pay, regardless of State lines; but this burden which is attempted to be laid upon the people of this country, as I view it, is in no sense of the word a common Federal burden; this is a burden that the Federal Government takes upon itself in order to make a contribution direct to the State treasuries for local State purposes; and I say, that being the scheme, some attention ought to be paid, in the distribution of this bonus, to the amount of money the various States pay by way of Federal taxation.

According to the way I look at it, it is not an appropriation designed to meet a legitimate Federal need, I care not how it be described. We may call it, if we please, an appropriation to establish post roads, but that to me is a euphemistic term. I think, in the last analysis, it is an appropriation to the States to have them build roads, whether they are post roads or what not, although, of course, in order to justify the Federal appropriation, we must call them post roads. If it is a gift to the States direct, to the State treasuries, why, I ask, should it be that in the distribution of this money the equitable principle that those who pay ought to receive a proportionate benefit, at least in part, should be ignored?

Let me call the attention of the Senate to what is going to take place under this bill. I have made some figures here, which may be slightly, but, if at all, very slightly, inaccurate, because I have figured them hastily here at my desk.

The State of New York pays in internal revenue, or did during the fiscal year ending June 30, 1918, $835,761,852.62. The State of New York will receive over the whole five-year program, out of all this $275,000,000 for road purposes, the sum of $13,692,821. It will take her five years to get that $13,692,000, but in one year she pays to the Federal Government in internal-revenue taxes $835,000,000.

I have on my sheet here a list of nine States. I will read them:

Arkansas, Mississippi, Vermont, Wyoming, South Dakota, New Mexico, Idaho, North Dakota, and Nevada—nine States. They receive out of this road money, this $275,000,000, over the whole five-year period for their road purposes, $35,135,461. They paid $29,985,943 internal-revenue taxes in the year ending June 30, 1918.

Mr. President, this group of nine States receives from the Federal Government for these roads more money than it paid in 1918 in the shape of internal revenue, whereas the State of New York, which I have just mentioned, paid $835,761,852.62 in the year 1918 and gets $13,692,000. Now, as I figure it, the State of New York pays twenty-eight times as much money to the Federal Government in the shape of internal revenue in the year 1918 as do these nine other States, but these nine other States get back from the Federal Government two and a half times as much money as does the State of New York. Now, I repeat, when you consider this appropriation as a gift of money to the State—as pap, in other words, as pork—some attention ought to be paid to the proposition that those who receive this pork, and who largely pay for it, ought to get some portion of it on the basis of their payment.

The State of Pennsylvania paid in 1918 to the Federal Government $589,056,143.20 in internal revenue. She gets over the whole five years $12,632,849.94 out of the appropriated $275,000,000. As compared with the nine States I have mentioned, Pennsylvania pays in one year nineteen times as much, and they get two and three-quarters times as much out of the road appropriation; and so I might go through the list.

The most forceful illustration of the injustice and inequity of this method of distribution is discovered when we look at my own State of Delaware. Delaware is not the smallest State in point of area. Rhode Island is smaller.

Mr. McKELLAR. Mr. President——

Mr. WOLCOTT. I yield to the Senator from Tennessee.

Mr. McKELLAR. What was the disproportion, if any, as to the amount of war contracts that Delaware got as compared with the nine States with which the Senator is comparing now?

Mr. WOLCOTT. Mr. President, the Senator from Tennessee is a specialist on these contracts. He has been very laudably industrious in rooting out unconscionable contracts made with the War Department.

Mr. McKELLAR. I am talking about the conscionable ones now.

Mr. WOLCOTT. Just a moment. I defy the Senator from Tennessee to find an unconscionable contract made with any of these so-called profiteers that he has been hunting for that hail from Delaware. If they have made a contract it has been an honest contract, and they have given honest value for every dollar they have received.

Mr. McKELLAR. Mr. President——

Mr. WOLCOTT. Just a moment; I am going to answer the Senator. Furthermore, if the State of Delaware has gotten contracts from the Federal Government, I say that the State of Tennessee has not unduly contributed thereto in the way of taxes, nor have these other nine States, because the money did not, in the main, come from these States in the way of taxes to the Federal Government.

I now yield to the Senator from Tennessee.

Mr. McKELLAR. I was not talking about unconscionable contracts.

Mr. WOLCOTT. Well, is a legitimate contract an undesirable thing in war times?

Mr. McKELLAR. But I want to say to the Senator I believe that the amount of contracts that have gone from the National Government to citizens of his State shows quite as wide a discrepancy in favor of his State as this appropriation shows in favor of the States he has mentioned.

Mr. WOLCOTT. That may be true or it may not be true. I should like to have the Senator satisfy himself by figures that it is true before he makes the assertion; but, if it be true, what of it? It simply means that the State of Delaware has business brains there, has business energy, and business thrift that put it in a position where it is needed by the Federal Government in time of great emergency. That is all it means. It is not a disgrace to Delaware; it is quite to her credit.

Mr. McKELLAR. We are taxing the rest of the country, though, to pay for these contracts which have gone to the people of Delaware.

Mr. WOLCOTT. We are not taxing these nine States to get it. The State of Delaware pays to the Federal Government in internal-revenue taxes more than do these nine States all put together, and she pays more than any one of 27 States.

Mr. McKELLAR. Lately largely out of war profits.

Mr. WOLCOTT. If anybody has a complaint, it is New York and Massachusetts and Ohio and Illinois and other States that bear the great burden of taxation.

Mr. McKELLAR. The people of Delaware pay the taxes out of the war profits on contracts that have gone to the State.

Mr. WOLCOTT. Well, it is being spent in the State of Tennessee. While I have not the figures, Mr. President, I dare say that for every dollar that has been spent in the State of Delaware Tennessee has had $500. They have Army camps there, I believe; they have cantonments there; they are building great munition mills there. The Senator from Tennessee ought to be

the last to rise here upon this floor and assail the State of Delaware because it has gotten some business from the Federal Government. It is not to the discredit of the State of Delaware, but quite to her credit, if she can be of service to the Government in the time of her need.

Mr. LODGE. Mr. President——

Mr. WOLCOTT. I yield to the Senator from Massachusetts.

Mr. LODGE. I merely wanted to ask the Senator if it is not true that contracts went to Delaware because there were people there who were able to fulfill the contracts?

Mr. WOLCOTT. That is exactly what I said a moment ago.

Mr. LODGE. I did not hear the Senator say it.

Mr. WOLCOTT. I said that they went there because they had the people there who could fulfill them, and could furnish what the Government wanted, and could not get elsewhere.

Mr. LODGE. Precisely. The conception of the Senator from Tennessee seems to be that there will be a certain amount of money in the United States Treasury, and the purpose is to divide it among the States.

Mr. WOLCOTT. Well, if it were proper to divide it and it were done according to business merit and business ability to do things, by means of which the Federal Treasury receives its tax money, the basis of division would have some legitimate merit.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. WOLCOTT. I yield to the Senator.

Mr. LENROOT. Do I understand that the Government has spent or is now spending at Muscle Shoals, which I believe is in Tennessee, some $53,000,000, or nearly twice as much as the Senator states the nine States have contributed?

Mr. WOLCOTT. Yes; I thank the Senator for the contribution.

Mr. McKELLAR. Mr. President, I must say to both Senators that they should look up their geography. Muscle Shoals, unfortunately, is not in Tennessee.

Mr. WOLCOTT. Tennessee can very well afford to give up Muscle Shoals and then have plenty left.

I started to point out the unfortunate situation in the State of Delaware. Delaware is not the smallest State in area. Rhode Island is smaller. The State of Delaware is not the smallest in point of population. Wyoming and Nevada are smaller, I believe, in point of population. Delaware, however, gets the smallest sum out of this public pork that we are carving up here. I speak of it as pork for that is the way in which I regard it.

Mr. KING. We all think of it that way.

Mr. WOLCOTT. Delaware gets the large sum, over a five-year period, of $447,748.91.

The amendment that has been introduced here, as I caught it from the desk, allows the Federal Government to expend $20,000 a mile on these roads if that is matched by a State contribution of a like sum, which will be a $40,000-a-mile road. I may say that the last road I heard of as being built in Delaware cost $48,000 a mile. That was in war times. But let us say, if you please, that the roads will cost $20,000 a mile. Delaware, as a pacifier, is allowed $447,748.91, which, I think, at $20,000 a mile, will build her about 20 miles of road. Now, Mr. President, in one taxable year Delaware contributes to the Federal Government internal-revenue taxes of $32,943,383.27. Delaware contributes more than do all these nine States that I have mentioned. They contribute $29,985,943.56 in one taxable year as against Delaware's $32,943,383.27. She contributes nearly $3,000,000 more than do all these nine States; but when it comes to dividing the money, these nine States take $35,135,461.21 and hand Delaware $447,748.91. Delaware contributes in one year of taxes $3,000,000 more than they do, but they get eighty times as much out of the road money as does Delaware. Illinois contributes twelve times as much in annual taxes as they do, and they get nearly three times as much of the road money as she does. Ohio contributes ten times as much in annual taxes as they do, and they get nearly three and a half times as much of the road money as she does. Massachusetts contributes six times as much in annual taxes a they do, and they take over three and a half time as much of the road money as she does. I could not run my figures beyond that, to embrace a comparison with other States, because while compiling them the time for me to introduce my amendment arrived and necessitated stopping my calculations.

Mr. President, I am perfectly frank with the Senate. I am free to say that if my amendment is written into this bill I do not know that I will vote for this appropriation, because I am in sympathy with the idea that the time has come when we have got to think about the outgo in our operations and we have got to think about it seriously. Two hundred and seventy-five million dollars to me is a large sum of money.

Three and a half times that sum of money reaches approximately a billion; and only a short time ago a billion-dollar Congress was denounced in all the newspapers of this country as a most extravagant body, and a national campaign was fought upon the extravagance of that Congress. Here, toward roads, we propose at this time, when there is a great want of money, and untold and indescribable and inconceivable sums of money demanded, to appropriate as gifts to States, to help them do that which they ought to do themselves, $275,000,000.

Mr. JOHNSON of South Dakota and Mr. McKELLAR addressed the Chair.

Mr. WOLCOTT. As I say, if my amendment is written into this law, I am not sure that I will vote for it then; but I do say that, viewing it as I do as a contribution to the States, a gift and nothing more than a gift, to subserve a State and a local purpose, when we come to contribute the Federal money for that purpose let us pay some attention, at least to the extent of a fourth of it, to the proposition that the States that give the bulk of the taxes ought to get back their proportionate share of it.

Mr. JOHNSON of South Dakota. Mr. President——

Mr. WOLCOTT. I yield to the Senator.

Mr. JOHNSON of South Dakota. If I understand the amendment of the Senator from Delaware, it means that the States which pay a certain amount of the revenue shall get back a certain proportion of that revenue.

Mr. WOLCOTT. Out of one-fourth of it. It seems to me I am really more generous than I ought to be, entertaining the view of this appropriation that I do. According to my proposal, as embodied in this amendment, one-fourth should be apportioned according to area, as I have already stated; one-fourth should be apportioned according to population; one-fourth should be apportioned according to mileage of rural and star routes; and I am suggesting by my amendment that the other fourth be set aside to allow the operation of this equitable principle, namely, that those who pay as to that fourth ought to get their proportionate share back. That is the scheme that I offer.

Mr. JOHNSON of South Dakota. According to that doctrine, it would be poor encouragement for the western country, which has built up such States as Delaware, to continue along that line. I think a more proper way would be to base it on something like the mileage of the different States, because——

Mr. WOLCOTT. I want to call the Senator's attention to the fact that a fourth of it is based on mileage.

Mr. JOHNSON of South Dakota. If these Western States that built up such States as Delaware and New York and the rest of these States are not permitted to share fairly well in the road proposition, it will not be treating them equitably, in view of the fact that you could not have accomplished what you have in the past without their assistance.

Mr. WOLCOTT. The Senator is taking great credit to his western States, which he claims to have been building up Delaware and New York and other States. Delaware was living and thriving and doing quite well as a State in this country when the Senator's State was nonexistent; as a matter of fact, she was the first State to come into the Union. Her star was the first to appear in the flag's blue.

The Senator is entirely mistaken, however, when he assumes that there is no attention paid to mileage. Under the amendment I have proposed, ratio, based on mileage, is recognized. Three-fourths of this fund, under the amendment as I propose it, will be apportioned just exactly as the whole fund is apportioned by the committee. As to the remaining fourth, I introduce a new method of apportionment.

Mr. McKELLAR. Mr. President——

Mr. WOLCOTT. I yield to the Senator from Tennessee.

Mr. McKELLAR. I know that the Senator from Delaware is an absolutely fair man, and, as he said awhile ago, even a generous man. He mentioned Tennessee.

Mr. WOLCOTT. Not disparagingly.

Mr. McKELLAR. Not at all, and I thank the Senator; and I am not mentioning Delaware disparagingly at all. It is a great State. Her people are a great and prosperous people. However, I just wanted to call the Senator's attention to the fact that while it is true that the powder plant which he mentioned was built by the Government near Nashville, in Tennessee, the Delaware corporation that built the plant made enough in profits to pay nearly all of this tax, coming from Delaware, I imagine, quite a large amount of it, anyhow. You ought to be generous about it. The Government has been kind to Delaware in the matter of contracts. She ought not to complain about taxes.

Mr. WOLCOTT. I defy the Senator to establish that proposition. As a matter of fact, that corporation built that powder plant without a dollar of profit. According to the last contract I saw, they undertook to build it without making a dollar of profit. If they operated it, they were to be compensated. That was the contract as I saw it; but they never got to operate it.

Mr. McKELLAR. I have always understood that the compensation was pretty generous for war times. This Delaware corporation probably can get along and pay the tax, even including the tax on roads; and I am quite sure that it will be fair and just and equitable. I am not criticizing that corporation at all. I understand it built a very fine plant in Tennessee, though I have never had time to go out to see it.

Mr. WOLCOTT. Mr. President, I am not complaining of any tax that any Delaware corporation pays, nor is any Delaware corporation complaining. It is not a question of taxation at all.

The VICE PRESIDENT. The Chair is going to begin to enforce the rule. A Senator who yields the floor for any other purpose than a question is going to lose the floor.

Mr. WOLCOTT. I am very glad the Chair warned me that the rule would be enforced.

The Delaware corporation to which the Senator refers is not involved in this thing at all; and I assert that the Senator, before he makes the statement that he does respecting the operations of that corporation in the State of Tennessee, ought to have the facts before him; and when he gets them here I shall be prepared to make it clear to any man who is open to reason that that corporation has been the most patriotic and most effective corporation in the United States of America during this war.

I wish to say no more, Mr. President, on the amendment.

Mr. KELLOGG. Mr. President, did I understand that the Senator had yielded the floor?

Mr. WOLCOTT. I was about to do so.

Mr. SMOOT. Mr. President, I should like to ask the Senator from Delaware a question before he takes his seat.

I notice that the Senator provides in his amendment—I thought I could find the language here, but I can not do so at the moment—in substance that one-fourth of this money shall be distributed on the basis of the amount of internal-revenue taxes paid by the different States.

Mr. WOLCOTT. I can find it in the amendment if the Senator will hand it to me a moment:

> One-fourth in the ratio which the amount of internal revenue paid to the United States by the tax-paying population of each State bears to the total amount of internal revenue paid to the United States by the tax-paying population of all the States at the close of the next preceding fiscal year, as shown by the certificate of the Secretary of the Treasury, which he is directed to make and furnish annually to the Secretary of Agriculture.

Mr. SMOOT. I was going to ask the Senator why it would not be preferable to base that on the total assessed value of all taxable property within the State. I ask the question for this reason: It seems to me that the administration of it would be very much simpler if the wording I suggest were used instead of the collection of the tax by the Internal Revenue Bureau.

Mr. WOLCOTT. That would hardly be satisfactory. I would not care to accept that amendment, because if that suggestion be adopted we are getting back more or less to the idea of ratio based on area. It is very easy to ascertain from the Secretary of the Treasury the amount of internal revenue paid by each State. The commissioner's report shows it for 1918 and shows it for every year. I think the basis for arriving at the figures is absolutely definite and certain, and I am afraid that the method suggested by the Senator from Utah would approximate too closely to the apportionment on the basis of area.

Mr. SMOOT. No; I want to get away from that, and if the Senator will read my proposed substitute for this he will find out that I did get away from it, I think, by using the words "the total assessed valuation of all taxable property." That takes in every bit of property which is taxable within the State; and it seems to me that that is a much fairer basis than the amount of internal revenue collected.

For instance, many of the States now are "dry." Other States are "wet." They pay a great deal of taxes there in that way, and if the valuation of the property were taken as the basis it would take in not only the property in that State that was used for that purpose but it would take in property in another State that was used for other purposes, and take in every conceivable piece of property the value of which is assessed; and it would be, I think, a fair distribution of that amount.

Mr. WOLCOTT. I had not seen the Senator's amendment when I drew mine, but I thought the Senator took account of income taxes, which are derivable not directly from real estate or tangible property, under his scheme.

Mr. SMOOT. Under my scheme the valuation of the property that produced that income is the basis for the distribution of that one-fourth.

Mr. WOLCOTT. The great objection that I see to that is that there is much income that is not produced directly by property. It is produced by many other things.

Mr. SMOOT. It has to be produced by property in some form or other, however.

Mr. KELLOGG. Mr. President, I should like to invite the attention of the Senate for a moment to the basis of division or award proposed by the Senator from Delaware. He proposes, as a one-fourth basis, the internal-revenue taxes paid in the State. Now, the greater part of those taxes come from excess-profits and income taxes; and for two reasons nothing could be more unfair.

Let me illustrate: The income and excess-profits taxes of corporations are paid wherever they happen to have their general offices, and that is usually in New York, or some other big eastern city. Let me illustrate with the United States Steel Corporation. According to the latest report of the Internal-Revenue Department, the State of New York for the year ending June 30, 1918, paid, in round numbers, $685,000,000 of income and excess-profits taxes. Over $200,000,000 of it was paid by the United States Steel Corporation, and practically the only property it has in the State of New York is its office furniture. Now, where is that property situated? It owns many corporations, scattered over many States. In my State are situated the principal mines of the United States Steel Corporation, and they pay their taxes on all of their income in the State of New York, and it is credited by the revenue collector to the State of New York.

I have not access, of course, to the books and returns of the corporations and individuals in the office of the internal-revenue collector; but I think you will find that these big manufacturing and mining companies and railroad companies over the country pay their taxes at their general offices in the city of New York, in the city of Philadelphia, in the city of Boston, and in other cities. Such a division of the road fund, therefore, would be absolutely inequitable.

The State of Minnesota pays only $58,000,000, or did last year, of excess-profits and income taxes. I have not the slightest doubt that the mining companies on the iron range alone pay more than that. I have not the figures available, but I know something of the output of the mines in the State of Wisconsin, in the State of Minnesota, in the State of Michigan, and the big manufacturing companies whose offices are in the eastern cities, and it is more or less the same with all the Western States.

Mr. KING. Will the Senator yield?

Mr. KELLOGG. I yield.

Mr. KING. I am not sure that I apprehend the purpose of the Senator's argument or the point he is seeking to make, but I want to inquire if the State, regardless of the place where the taxes are paid, may not impose a tax upon the mines to which the Senator refers which would enable it to get a fair return for the product of the mine and the profit of the mine.

Mr. KELLOGG. The State taxes all the mines by a direct tax for State, county, and city purposes. I am not talking about the merits of the appropriation. I am talking about the basis of division.

There is another reason. Take the income taxes. The amount of income taxes actually paid in a State does not depend upon the average wealth of the State. That is a very small factor. It depends more upon the enormous wealth of a few great corporations and very rich men. That is perfectly evident. Take the State of Iowa. Per capita the State of Iowa is one of the richest States in the United States. It is like Minnesota, a great agricultural community. It has not the big mines that Minnesota happens to have, but the average wealth per capita in the State of Iowa is probably as great or greater than the average wealth per capita in the State of Pennsylvania or the State of New York.

But because there are large incomes and the income-tax provision takes a big percentage of those incomes above certain amounts, therefore this fund would principally go to those States where these taxes happen to be paid. Such a basis, it seems to me, can not be defended. I do not know but a better basis than the one in the original bill could be found. The basis is one-third based upon earnings, one-third upon population, one-third upon the mileage of the roads in the State. As

to those taxes not included within the income and excess-profits taxes, I am not able to say how fair that would be, but the internal-revenue taxes other than the excess-profits and income taxes are very small and would not be much of a factor in the distribution of this fund.

I ask permission to insert a table as a part of my remarks, so that it may be printed in the RECORD. Senators have asked to have it printed.

There being no objection, the table referred to was ordered to be printed in the RECORD, as follows:

Receipts, income, and excess-profits taxes, year ended June 30, 1918, by collection districts.

[Taken from the Annual Report of the Commissioner of Internal Revenue.]

INDIVIDUALS, PARTNERSHIPS, AND CORPORATIONS.

Alabama		$23,155,406.25
Arkansas		5,731,398.42
California:		
First district	$59,482,172.24	
Sixth district	17,743,915.34	
		77,226,087.58
Colorado		25,875,792.33
Connecticut		78,576,260.30
Florida		4,639,716.09
Georgia		16,230,449.09
Hawaii		8,961,868.47
Illinois:		
First district	251,576,061.33	
Fifth district	5,734,263.18	
Eighth district	9,614,816.16	
Thirteenth district	8,653,915.73	
		275,579,056.40
Indiana:		
Sixth district	21,576,167.87	
Seventh district	7,478,776.77	
		29,054,944.64
Iowa, third district		14,972,211.59
Kansas		25,943,912.41
Kentucky:		
Second district	2,056,616.23	
Fifth district	10,488,025.25	
Sixth district	3,340,394.94	
Seventh district	2,811,429.67	
Eighth district	2,250,482.72	
		20,946,948.81
Louisiana		21,807,341.85
Maryland		76,318,192.62
Massachusetts, third district		166,598,752.86
Michigan:		
First district	58,610,263.93	
Fourth district	12,451,044.19	
		71,061,308.12
Minnesota		58,218,134.48
Missouri:		
First district	43,956,247.49	
Sixth district	16,056,705.93	
		60,012,953.42
Montana		11,496,084.28
Nebraska		11,335,082.21
New Hampshire		21,924,598.54
New Jersey:		
First district	17,575,286.41	
Fifth district	54,236,198.47	
		71,811,484.88
New Mexico		7,982,321.53
New York:		
First district	36,196,347.30	
Second district	410,953,932.80	
Third district	123,502,045.03	
Fourteenth district	34,698,997.75	
Twenty-first district	23,952,084.38	
Twenty-eighth district	56,345,967.90	
		685,649,375.16
North Carolina:		
Fourth district	6,878,372.78	
Fifth district	13,369,662.96	
		20,248,035.74
North and South Dakota		4,307,830.15
Ohio:		
First district	40,994,666.73	
Tenth district	22,344,727.24	
Eleventh district	17,355,970.03	
Eighteenth district	160,332,285.66	
		241,027,649.66
Oklahoma		18,263,262.07
Oregon		10,070,079.46
Pennsylvania:		
First district	162,892,494.10	
Ninth district	14,626,597.40	
Twelfth district	25,904,964.11	
Twenty-third district	292,457,320.34	
		495,881,375.95
South Carolina		7,884,094.31
Tennessee		14,172,718.62
Texas, third district		30,313,161.81
Virginia:		
Second district	10,195,698.49	
Sixth district	11,209,519.80	
		21,405,218.29
Washington		19,575,384.13
West Virginia		45,548,830.46
Wisconsin:		
First district	31,434,390.72	
Second district	7,758,180.58	
		39,192,571.30
Total		2,838,999,894.28

Mr. THOMAS. Mr. President, it seems to me we would make time by considering section 6 and disposing of it before proceeding further with section 5. Let us determine first whether this plunder is to be voted. If we do not vote it, there is no need of spending time in quarrel about how it shall be divided. I consequently suggest that we consider section 6 first, in order that we may be able to get somewhere before adjournment to-day.

The VICE PRESIDENT. The question is on the amendment of the Senator from Delaware [Mr. WOLCOTT] to the amendment.

The amendment to the amendment was rejected.

On a division, the amendment of the committee as amended was agreed to.

The next amendment was, on page 37, after line 3, to insert the following as an additional section:

SEC. 6. That for the purpose of carrying out the provisions of said act, as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following additional sums: The sum of $50,000,000 for the fiscal year ending June 30, 1919, and available immediately; the sum of $75,000,000 for the fiscal year ending June 30, 1920; and the sum of $75,000,000 for the fiscal year ending June 30, 1921; and additional sums to be expended in accordance with the provisions of said act: *Provided*, That in the expenditure of this fund for labor preference shall be given, other conditions being equal, to honorably discharged soldiers, sailors, and marines.

Mr. THOMAS. I desire to submit a point of order upon section 6. Section 6 provides for an appropriation of $200,000,000 as an added sum which is in addition to the $75,000,000 appropriated two years ago for the building of good roads. It is admitted that this proposed increase was never submitted to the Committee on Appropriations. Subdivision 2 of Rule XVI reads as follows:

2. All amendments to general appropriation bills moved by direction of a standing or select committee of the Senate, proposing to increase an appropriation already contained in the bill, or to add new items of appropriation, shall, at least one day before they are considered, be referred to the Committee on Appropriations, and when actually proposed to the bill no amendment proposing to increase the amount stated in such amendment shall be received; in like manner, amendments proposing new items of appropriation to river and harbor bills shall, before being considered, be referred to the Committee on Commerce; also amendments to bills establishing post roads, or proposing new post roads, shall, before being considered, be referred to the Committee on Post Offices and Post Roads.

That subdivision refers to three matters—first, general appropriation bills; second, river and harbor bills; third, bills establishing post roads. This is a general appropriation bill. It is moved by the direction of a standing committee. It proposes to add a new item of appropriation of $200,000,000, and is therefore clearly within the provisions of the rule. I make a point of order against it.

Mr. BANKHEAD. What is the point of order?

Mr. THOMAS. The point of order is that this proposed appropriation was never submitted under subdivision 2 of Rule XVI to the Committee on Appropriations.

The VICE PRESIDENT. Amendments to the Post Office appropriation bill are referred to the Committee on Post Offices and Post Roads and not to the general Appropriations Committee. The point of order is therefore overruled.

Mr. BANKHEAD. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hollis	Martin, Va.	Smoot
Beckham	Johnson, Cal.	Moses	Spencer
Calder	Johnson, S. Dak.	Nelson	Sterling
Chamberlain	Jones, N. Mex.	New	Sutherland
Colt	Jones, Wash.	Nugent	Swanson
Cummins	Kellogg	Overman	Thomas
Curtis	Kendrick	Page	Townsend
Dillingham	Kenyon	Penrose	Trammell
Fletcher	King	Poindexter	Vardaman
France	Kirby	Pollock	Wadsworth
Frelinghuysen	Knox	Pomerene	Walsh
Gay	La Follette	Shafroth	Weeks
Hale	Lenroot	Sheppard	Wolcott
Harding	Lodge	Simmons	
Hardwick	McKellar	Smith, Ga.	
Henderson	McNary	Smith, S. C.	

The VICE PRESIDENT. Sixty-one Senators have answered to the roll call. There is a quorum present.

Mr. THOMAS. I wish to reserve the right, if I may do so under the rules, to renew the point of order in the Senate, which I have made heretofore unsuccessfully, to section 5 and section 6.

Mr. WEEKS. I send an amendment to the desk, and ask to have it read.

The SECRETARY. On page 37, after the word "act," on line 13, insert:

Provided, That 10 per cent of the cost of the construction of good roads which has been undertaken and completed by the several States since January 1, 1900, shall be paid to said States from the appropria-

tion provided in this section: *Provided further*, That such payments to the States shall be, within one year from the date of its receipt, expended for new construction in said States.

Mr. WEEKS. Mr. President, I am in general sympathy with the view expressed by the Senator from Delaware [Mr. WOLCOTT] relative to the distribution of this fund if a fund is to be distributed. My own judgment is that the building of good roads is of essentially local concern; that the States should build their own roads, or the counties, or the towns, I am not particular which, but they should be built by those who are directly benefited by their construction.

There are some States that have spent a great deal of money in constructing roads. Other States have spent comparatively little. This kind of legislation is a direct handicap on those States which have been diligent in providing for their own needs. They not only have constructed at their expense their own roads, but now they are asked to furnish money to construct the roads in States which have not undertaken it. It is an unfair proposition even if it is a wise one, and, in my judgment, some parts of this money should be returned to those States that have been progressive, that have been looking forward and have been providing for the needs of their own people by constructing the good roads which their people need. Therefore, I offer the amendment to the amendment.

Mr. BANKHEAD. Mr. President, I very much hope that the Senate will not adopt the amendment offered by the Senator from Massachusetts. This principle of national aid to roads has been very carefully worked out, and it has been adopted and acted upon by every State in the Union. While it may be true that some States have built better roads than others, while it may be true that they have been enabled to build better roads than other States, they can not overlook the fact that great, rich, powerful States like New York and Massachusetts have been drawing continuously for 50 years from the balance of the country, and thereby they have accumulated their wealth. The great State of New York has been the gateway through which the commerce of this whole country has passed, and it has been gathering in, going and coming. I do not object to that. I am glad that the State of New York and the city of New York and the other States have so prospered. They own everything in this country, practically. All our railroads are owned by these gentlemen.

I do not object to that; I am making no complaint about it; but my contention is that if the bill as we have reported it can be adopted, if these increases in the appropriations can be accepted and the law as amended and as it has been accepted by all the States of the country can go into operation, we will have an era of road building in this country such as we have never enjoyed before; and the result of all that will be that the States which have not heretofore been financially able to build good roads, for which they are being criticized, will be given an opportunity to build roads and develop their lands and develop their resources. They will then be much more able to contribute to the State of New York and the State of Massachusetts and add to their wealth than they have heretofore been, and we will make them immensely rich if they will allow us to do it.

I hope the amendment to the amendment will not be adopted. I do not think my good friend from Massachusetts is really serious about it.

Mr. WADSWORTH. Let the amendment be stated.

The VICE PRESIDENT. It will be again read.

The SECRETARY. Insert in section 6, after the word "act," where it occurs in line 13:

Provided, That 10 per cent of the cost of the construction of good roads which has been undertaken and completed by the several States since January 1, 1900, shall be paid to said States from the appropriation provided in this section: *Provided further*, That such payments to the States shall be, within one year from the date of its receipt, expended for new construction in said States.

Mr. WADSWORTH. I assume it is not the intention of the supporters of the committee amendment to accept any such amendment as that offered by the Senator from Massachusetts. The Senator from Alabama has just stated that this matter had been very carefully worked out. It certainly has.

Mr. BANKHEAD. Will the Senator yield to me for a moment? I desire to ask the Senator from Massachusetts a question?

Mr. WADSWORTH. Shall I lose the floor if I yield to the Senator from Alabama, Mr. President?

The VICE PRESIDENT. No.

Mr. WADSWORTH. I yield.

Mr. BANKHEAD. If the Senator should lose the floor by yielding, I shall not insist on interrupting him, but I simply desire to ask a question. I am not quite sure that I understood the amendment offered by the Senator from Massachusetts. Do I understand that the Senator means to go back to 1900 and to pay 10 per cent for 19 years?

Mr. WEEKS. I mean that of the money that has been expended by a State since 1900 in the construction of its roads—and, of course, it applies to all States—10 per cent of it shall be returned to those States and be used for additional road construction in those States.

Mr. BANKHEAD. I thought that was it.

Mr. WADSWORTH. Mr. President, there is one phase of this situation suggested by the amendment offered by the Senator from Massachusetts to which I wish to direct attention. Let me say before I embark upon a very brief discussion of it that I am not at all in love with the provincial character that this discussion has assumed. It is not particularly pleasant to talk about what State is getting the better of some other State, what State is getting too much money, and what State is paying the money. The poor old State of New York is constantly referred to as a source of riches and wealth. I am not going to comment upon that in particular, although I have some ideas about it.

Mr. President, the Senator from Alabama forgets a few things, or perhaps he is not informed of them, when he discusses the matter in the way in which he did a moment ago. The Senator from Alabama and other Senators seem to forget that the State of New York and some other States—but I happen to know about that State—tax themselves at an infinitely higher rate to make these internal improvements than do the people of other States who refrain from making any internal improvements. I say in all seriousness to the Senator and to any others who are interested in this problem that the State of New York is now faced with a most difficult and perplexing situation, for the very reason that it has gone ahead and spent approximately $150,000,000 upon its roads and nearly $150,000,000 upon its canals, and has embarked upon other great public improvements which have been demanded by the people of that State and have been sanctioned by referendums in many instances by the people of that State.

As the result of embarking upon these improvements, the people of the State of New York are actually faced with the highest local tax rate, in the aggregate, in the Union. While they are faced with that tax rate, the Federal Government steps in and makes it all the more difficult for them to arrange their finances by invading their field of taxation and duplicating the taxing efforts of the State by the imposition of certain kinds of Federal taxes. That may not excite any sympathy from the Senators who come from States which are not so rich in the aggregate as is the State of New York; probably this statement will not make a vote against the amendment of the committee, because it is perfectly apparent, as I have listened to some of this discussion, that there are Senators here who do not care about the local problems of certain other States in this Union.

The budget of the State of New York has grown since 1905 from $26,000,000 a year to a budget of $82,000,000 a year in 1918. The wealth of the State has not multiplied by any such ratio in that period; the population of the State has not increased by any such ratio during that period. This vast increase in the expenditures of the State is due to the fact that the people of New York determined to take care of their own affairs and agreed to tax themselves. We are to-day per dollar of valuation of property of all kinds in the State taxing our people at an infinitely higher rate than do the people of Alabama or the people of Nebraska or the people of Tennessee. But the limit has been reached.

It is a very grave question whether or not the State can develop any further sources of taxation. The Federal Government has invaded our field of taxation with respect to inheritances. We can not get another penny from inheritances. The Federal Government has duplicated the State tax in effect, and no longer can the State of New York, to meet its own local expenditures, hope to get any money from that source. The Federal Government steps in and puts its taxes on the incomes of corporations. The State of New York prior to that time, and, I think, still to-day, has the highest corporation tax of any State in the Union. If it has not the highest, it has one of the highest. So it goes from one thing to another in the matter of taxation.

Now this bill simply adds to the burden—it is one of the many bills that add to the burden—another $275,000,000 to be taken from the Treasury of the United States, and the taxes of the people of New York must be raised even higher than they are to-day, when they are already higher than the taxes of the average State in the Union.

The junior Senator from Pennsylvania [Mr. KNOX] described to me a rather interesting incident that occurred, I think, at Harrisburg during the recent inauguration of the governor of

Pennsylvania. I bring it to the attention of the Senate to show how this thing is drifting. I believe it was stated by the recently elected governor in his inaugural address that the money collected from the State of Pennsylvania by Federal taxes during the year preceding his inauguration was greater in amount than all the money required to support the State of Pennsylvania since it became a State in the Union.

Mr. PENROSE. Will the Senator permit me to interrupt him?

Mr. WADSWORTH. Yes.

Mr. PENROSE. The governor of Pennsylvania also showed that one-sixth of the Federal revenues are paid by Pennsylvania.

Mr. WADSWORTH. That is probably true.

Mr. PENROSE. A few days ago I had the statement put in the RECORD.

Mr. WADSWORTH. I know that comparisons are odious; I am not contending that because Pennsylvania pays one-sixth of the revenue she should have one-sixth of the roads, or that because New York pays 40 per cent of the revenue it should have 40 per cent of the roads.

Mr. STERLING. Mr. President——

Mr. WADSWORTH. I yield to the Senator from South Dakota.

Mr. STERLING. I want to ask the Senator if he can state what the average rate of State taxation is in his State; that is, the State and county taxation, aside from municipal taxation?

Mr. WADSWORTH. I was very familiar with those figures when the original act which this bill proposes to amend was before the Senate, and I gave them at that time. It was rather astounding, even to me—and I knew something of the high rate of taxation in New York at that time—to find that a dollar in value in New York was taxed much higher than a dollar in value in most of the States of the Union.

Mr. STERLING. Aside from municipal taxes, would the rate be as much as 3 per cent on the assessed valuation for county and State taxes?

Mr. WADSWORTH. We have to include in the average the municipal taxes also. They all come out of somebody's pocket.

Mr. STERLING. That is true, but——

Mr. WADSWORTH. I can not say what the percentage is, but I make the statement that it is infinitely higher than are the tax rates in many other States.

Mr. STERLING. The municipal tax rate, of course, involves the idea of the benefit of living in a city, and so forth; but take the average rate of tax paid by the farmers in the Senator's State—the county and State taxes—what will it amount to?

Mr. WADSWORTH. I could not tell the Senator the average, but I will guarantee that the rate is higher than that of other States.

Mr. WEEKS. Mr. President, I wish to call the attention of the Senator from New York to one of the reasons why the tax rates are higher in New York and in Massachusetts and why there is abundant reason, at least, for making a comparison with other States. In the expenditure of all these moneys for building roads and for other purposes State debts have been incurred, and they are particularly pronounced in the case of those two States. The total debt of all the States in the Union in 1913 was $403,000,000, and of this the State debts of Massachusetts and New York were $227,000,000; in other words, a greater State debt was incurred by those States in building roads and for other purposes than by all the other States in the Union together.

Mr. WADSWORTH. The statement of the Senator from Massachusetts, I am certain, is correct, of course, because he reads it from the accepted figures.

Mr. WEEKS. These figures are taken from a statistical abstract.

Mr. STERLING. I am not in a position to make comparisons between the rate paid in New York and the average rate of county and State taxes; but I am strongly of the impression that the rate is not so high as it is on our Western States—as it is in the State of South Dakota, for example. Taking the rate on personal property, farm property, and farm lands, I think it is higher on the assessed valuation than is paid on similar property in the State of New York.

Mr. WADSWORTH. I can not, of course, enter into any controversy with the Senator from South Dakota on that point, because I do not know the rates in South Dakota and for the moment I have not the New York rates before me; but I am of the very clear opinion, Mr. President, that the time is coming when some of the so-called rich States, instead of being rich, will be the poorest States in the Union from the taxpayers' standpoint.

Mr. McKELLAR. Mr. President——

Mr. WADSWORTH. Just one moment. I know the State of New York is now confronted, and has been confronted for the last two years, with perhaps the most difficult situation faced by any other State in the matter of raising money to pay its expenses, in spite of its alleged wealth.

Mr. McKELLAR. Mr. President, the same disproportion the Senator complains of exists in the Senator's own State. For instance, New York City pays taxes out of all proportion to the taxes paid by the remainder of the State. I know that is so in my own State. The city of Memphis pays one-sixth of all of the State taxes of the State of Tennessee, and that same proportion exists throughout our entire system.

Mr. WADSWORTH. The Senator is mistaken about the city of New York paying taxes out of proportion. It pays taxes in the State of New York in proportion to its wealth, and incidentally the proposal to incur the greater portion of these expenses, such as those for good roads—in fact, all the expenses under the good-roads item and under the barge canal item—was submitted to a popular referendum of the people of the State, and the city of New York voted overwhelmingly in favor of both projects.

Mr. THOMAS. Mr. President——

Mr. WADSWORTH. I yield to the Senator from Colorado.

Mr. THOMAS. The Senator has just been referring to the unfortunate financial condition of the State of New York and to the difficult problems confronting it. Upon the principle that misery loves company, I think I may assure him that if we keep on a little longer the Nation will be in the same condition.

Mr. WADSWORTH. My own opinion is that certain of the States will starve first and the Nation afterwards at the present rate of expending money. The Federal Government, of course, has the last opportunity to do the taxing, and it can supersede apparently, as laws are now framed and passed, the taxing powers of the States by one method or another. The States are gradually toppling under this continual increase of Federal appropriations, and one of the signs of the toppling is that more and more as the years go by do the people of the States ask the Federal Government to come to their aid and spend money out of the Federal Treasury, which, incidentally, according to my view of the matter, means the atrophy of local ambition, spirit, and civic pride. We are tending in that direction every day the Congress sits. We have commenced to starve some of the States—not all of them—in the matter of their local revenues, and we are spending the money in other States, and encouraging the appetite that is growing so fast in this country amongst millions of people for money from Washington. This is but one instance of it.

The amendment offered by the Senator from Massachusetts is germane to this exceedingly difficult problem. The State which I happen to represent in part has spent $150,000,000 on roads. It has spent that amount primarily for the benefit of its own citizens. They voted to do it and they bonded the State, and, in addition, the counties have also bonded themselves for large sums. We spent it also for the benefit of people passing through the State, whether it be for business traffic or pleasure traffic. We can carry that burden with perfect ease, I believe, if we have left to us the field and resources of taxation, but the Federal Government is taking them away from us with nearly every tax bill that passes Congress, and we have this great burden placed upon us. So the time has come when the people of that State, as I happen to know—and it has been reflected in public sentiment pretty strongly, Senators, for the last few years—are insisting that a halt be called to Federal appropriations; otherwise their local burdens, coupled with their Federal burdens, will break down their State finances. It can not be carried much longer.

It may seem to some a surprising suggestion that emanates from the Senator from Massachusetts, to wit: That some of the States be reimbursed for some of these public improvements. But the time may come when they will come here on their knees and beg you to give them money to help them. It is not a laughing matter; it is not a trifling suggestion of the Senator from Massachusetts, although it may be a little ahead of time; but the time will come when these burdens can not be borne any longer.

That is one of my objections to the proposal in this bill that at this time, when the people of my State, as well as the people of other States, are burdened with taxation to an extent never before known in this country and with no immediate outlook for relief, the Congress shall appropriate $200,000,000 more to add to that burden and give no benefit through the expenditure of this particular $200,000,000 to millions and millions of people who are suffering from heavy local taxation.

Mr. JONES of New Mexico. Mr. President, will the Senator yield for a question?

Mr. WADSWORTH. I yield.

Mr. JONES of New Mexico. I should like to ask the Senator if he means to intimate that the rate of Federal taxation is any greater in the State of New York than in any other State of the Union?

Mr. WADSWORTH. Mr. President, I did not say anything like that; I did not mention the rate of Federal taxation. I mentioned the local taxes.

Mr. JONES of New Mexico. As I understood the Senator, he was complaining of the special burden being put upon the State of New York by virtue of this provision of the pending bill.

Mr. WADSWORTH. No, Mr. President; the Senator is mistaken. I did not say that the rate of Federal taxation was greater in New York than in any other State. Of course, that would be absurd; it is not. I say the people of New York and of many other States have assumed of their own volition a very heavy tax burden, and when they assumed that burden they felt certain that their local sources of taxation would be reserved to them; but in recent years they find that the Federal Government has invaded their field of taxation and has made it literally impossible for them to raise any more money from those sources to meet their local bills, and the more money the Federal Government appropriates in the manner suggested by this bill, the heavier becomes the burden of those people.

Mr. JONES of New Mexico. I should like to ask the Senator if the Federal Government has invaded any field of taxation in New York which it has not invaded in every other State in the Union?

Mr. WADSWORTH. Mr. President, of course, the Federal laws are general in character, but not all the States in the Union by any means impose an inheritance tax; nor such a heavy inheritance tax as is imposed in New York. If the rate on inheritances in Ohio is the largest, perhaps New York is the second; but the inheritance tax in New York was a heavy tax, and was meant to be, to help pay the debts of the State; but along comes the Federal Government and doubles it. That means that New York can never get any more from that source. That is not the only instance; there are others; in fact, the starving process has started, and yet the burdens of taxation continue to rise. Had some of the States which are supposed to be wealthy known that this tendency in Congress was going to make itself so powerful, we would not of our own volition have shouldered this burden locally. We would have waited for Washington to give us the money, as other States have waited.

Mr. LODGE. Mr. President, if the Senator from New York will allow me a moment——

Mr. WADSWORTH. I yield.

Mr. LODGE. Of course, the rates of Federal taxation are the same everywhere; there is no question about that; but the rates of collection are very different. Federal taxes are collected with great thoroughness in some parts of the country and very imperfectly in others.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Massachusetts to the amendment reported by the committee. By the sound the noes seem to have it.

Mr. WEEKS. I ask for a division.

On a division, the amendment was rejected.

Mr. BANKHEAD obtained the floor.

Mr. SWANSON. Mr. President——

Mr. BANKHEAD. I yield to the Senator from Virginia.

Mr. SWANSON. Mr. President, I have an amendment which I want to offer to this section. I send it to the desk and ask to have it stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 37, at the end of line 15, before the period, it is proposed to insert a colon and add the following:

Provided, That so much of the appropriation apportioned to any State under the said act approved July 11, 1916, or under this section, for any fiscal year as remains unexpended at the close thereof shall be available for expenditure in that State until the close of the second fiscal year succeeding the close of the fiscal year for which such apportionment was made, except that amounts apportioned for any fiscal year to any State which has not a State highway department shall be available for expenditure in that State until the close of the third fiscal year succeeding the close of the fiscal year for which such apportionment was made.

Mr. SWANSON. Mr. President, I will say that the effect of that amendment is this:

Under the existing law the succeeding year after the apportionment is made, if the State or local authorities do not furnish their half, the money goes into the general fund for redistribution the next year. A great many of the legislatures will not meet this year to furnish, if this bill passes, the half that the States have to furnish. All that this amendment does, instead of confining it to the succeeding year, is to put the requirement for the second year one year later before the redistribution is made.

Mr. SMOOT. Mr. President, will the Senator allow the amendment to be printed and lie on the table and take it up the first thing in the morning?

Mr. SWANSON. Yes; that will be all right.

Mr. BANKHEAD. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 6, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 5, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in Heaven, exercise, we beseech Thee, Thy holy influence to safeguard the home-loving, peace-loving, law-abiding citizens throughout our Republic from the influence of evil-minded men and women, who, by their glib tongues and seductive harangues, are going over the country seeking to stir up strife, discontent, and hatred among their brethren who love the flag and all the sacred principles which it represents; whose objects are to overthrow our Government, that they may get something for nothing.

Inspire, we pray Thee, the legislative assemblies throughout every State in the Union and the lawmakers at the Capitol to pass laws which will drive them from our midst and keep them far from us.

Ours is a people's government and the people have it in their power to rectify mistakes and remove abuses without dynamite, fire, and the sword. So let us live in peace and harmony and practice the precepts enunciated by the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

BENJAMIN C. GREENE.

Mr. HASTINGS. Mr. Speaker, I present a privileged report from the Committee on Accounts and ask for its immediate consideration.

Mr. STAFFORD. Mr. Speaker, unless this is in order on Calendar Wednesday, I suggest that the motion be made to dispense with the business in order on Calendar Wednesday.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS.

Mr. PADGETT. Yes. I ask unanimous consent, Mr. Speaker, that the business in order on Calendar Wednesday to-day be dispensed with.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to dispense with Calendar Wednesday business for to-day. Is there objection?

Mr. MANN. We are to have a meeting of the Republicans in the House at 5 o'clock this afternoon.

Mr. PADGETT. Yes. The gentleman told me that yesterday, and I told him I would move to rise at 5 o'clock.

The SPEAKER. Is there objection?

Mr. LITTLE. Reserving the right to object, will the gentleman then move to go into the Committee of the Whole House on the state of the Union for the consideration of the naval bill?

Mr. PADGETT. Yes.

The SPEAKER. He will go into it as soon as he can. [Laughter.] Is there objection?

Mr. AUSTIN. Reserving the right to object, Mr. Speaker, there are only three Calendar Wednesdays remaining before the final adjournment of Congress. The call is on the Committee on the Post Office and Post Roads. The Committee on Public Buildings and Grounds has several important bills which can not be considered at this session of Congress unless an opportunity is given to reach them on Calendar Wednesday. For that reason, last night I objected to unanimous consent at the expense of Calendar Wednesday. In view of the fact that some of my constituents are interested in the relief proposed in one of these bills from the Committee on Public Buildings and Grounds, I feel it is my duty, Mr. Speaker, to object.

The SPEAKER. The gentleman from Tennessee objects.

Mr. PADGETT. Mr. Speaker, I move to dispense with business in order on Calendar Wednesday to-day.

The SPEAKER. The gentleman from Tennessee moves to dispense with business in order on Calendar Wednesday to-day. The question is on agreeing to that motion.

The question was taken.

The SPEAKER. In the judgment of the Chair, two-thirds having voted in favor of dispensing with Calendar Wednesday business to-day, the motion is agreed to.

BENJAMIN C. GREENE.

Mr. HASTINGS. Mr. Speaker, I have already sent up to the desk the resolution to which I referred.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 536 (H. Rept. No. 1034).

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to Benjamin C. Greene, clerk to J. F. C. Talbott, a Representative from the State of Maryland at the time of his death, the sum of $166.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

OFFICIAL REPORTERS OF DEBATES AND OFFICIAL STENOGRAPHERS TO COMMITTEES.

Mr. HASTINGS. Mr. Speaker, I now present House resolution 506, with a privileged report (H. Rept. No. 1033) from the Committee on Accounts, and ask for its immediate consideration.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House, until otherwise provided for by law, to each of the official reporters of debates of the House of Representatives additional compensation at the rate of $1,000 per annum, payable monthly, and to the assistant to the official reporters of debates, additional compensation at the rate of $500 per annum, payable monthly.

With the following committee amendment:

In line 3, after the word "debates," insert the following words "and to each of the official stenographers to committees," so that the resolution as amended will read as follows:

"*Resolved*, That there shall be paid, out of the contingent fund of the House, until otherwise provided for by law, to each of the official reporters of debates and to each of the official stenographers to committees of the House of Representatives additional compensation at the rate of $1,000 per annum, payable monthly, and to the assistant to the official reporters of debates additional compensation at the rate of $500 per annum, payable monthly."

Mr. HASTINGS. Mr. Speaker, in explanation of this resolution from the Committee on Accounts, permit me to say that the testimony before the committee was to the effect that the positions of official reporters were created in 1875; that at that time they received the salary of $5,000 per annum; that they are receiving the same salary now; and that that salary in the meantime, except that some extra compensation was given for two or three sessions of Congress, has not been increased. The testimony before the Committee on Accounts shows that a very largely increased amount of work has been done by these official reporters and official stenographers to committees, and, in the judgment of the Committee on Accounts, we felt that this increase was justified, and accordingly the committee recommended favorable action upon this resolution.

As Members of the House will see, this increases the amount of compensation $1,000 per annum. In 1875, when these positions were created, the Clerk of the House received $4,320. He receives now $6,500. At that time the Sergeant at Arms received $4,320; he now receives $6,500. The Doorkeeper received $2,592; he now receives $5,000. The Postmaster received $2,592; he now receives $4,000.

We submit in our report figures showing the number of pages in the CONGRESSIONAL RECORD at that time and the number now contained in the CONGRESSIONAL RECORD, indicating the increased amount of work. The total number of pages in the Forty-fourth Congress RECORD was 8,550. The total number of pages in the Sixty-fifth Congress RECORD to January 20 was 23,230.

In view of this increased amount of work, in view of the fact that the salaries have not been increased since 1875, and in view of the fact that the salaries of practically all the other employees of the House and of the Government, including Members of Congress, have been increased, the Committee on Accounts authorized a favorable report on this resolution.

Mr. STAFFORD. I wish the gentleman would yield me some time.

Mr. HASTINGS. How much time?

Mr. STAFFORD. Five or ten minutes.

Mr. HASTINGS. I will be glad to yield to the gentleman five minutes.

Mr. AUSTIN. I should like five minutes after the gentleman from Wisconsin concludes.

Mr. STAFFORD. Mr. Speaker, I do not rise to oppose the increase of salary to the official reporters of debates of the House, but I do rise to oppose the committee amendment to extend this increase to the stenographers to committees. We have four such stenographers receiving $5,000 a year. Their work is not to be compared with the work of the men here who take down the official debates and proceedings of the House. The position of the official reporters of debates is a very trying one. They have to be here long hours under stress and strain. The official stenographers to committees do not occupy near the time in their work that the official reporters of debates do. Years back, perhaps 15 years ago, there was a strenuous fight on this floor against granting them any such salary as $5,000 a year. Court reporters, doing the work that these reporters to committees do, do not receive any such salaries as $5,000 a year.

Mr. GARD. Will the gentleman yield?

Mr. STAFFORD. I yield to the gentleman from Ohio.

Mr. GARD. How much do court reporters in the District of Columbia receive?

Mr. STAFFORD. I can not give any information except as to my home city. These stenographers to committees are privileged to employ other reporters when the work is so heavy that they can not do it all themselves, and the work of these other reporters is paid for by the Government in addition.

I can see much reason for increasing the salaries of the reporters of the House. This matter was considered by the legislative subcommittee a year ago. Representatives of the official reporters' staff came before the subcommittee and presented the facts, and we were favorably impressed with the case they made, and believed that some relief should be granted to them. I do not know what may have been the impression of the other members of the committee, but for my part I was not impressed that it was advisable to increase the salaries of the stenographers to committees.

Mr. HOWARD. The gentleman stated that there were four official stenographers to committees.

Mr. STAFFORD. Yes.

Mr. HOWARD. And they are permitted to employ additional stenographic help, and those additional men are paid by the folio.

Mr. STAFFORD. Paid by the folio.

Mr. HOWARD. Now, the gentleman would not contend that the four official stenographers to committees could begin to perform the work incumbent upon them in these sessions of Congress?

Mr. STAFFORD. I am making no such contention. I am only calling the attention of the House to the facts. I am not saying that they could do all the extra work under any circumstances; I am only saying that the work of the two separate corps of stenographers is not comparable, and the situation is not comparable.

The taking of testimony in the committee room does not require the same expertness that is required here to report the debates on the floor of the House. A higher grade of men is necessary here. If we did not have the highest grade of efficiency here we would be in trouble continuously over the reports of our debates. I think it is a worthy and proper recognition of these expert men on the floor here to increase their compensation a thousand dollars, because of the continued long sessions and the high character of their work, but I have not been convinced that there is any need whatsoever of increasing the salaries of the committee stenographers. Court reporters in my city receive in the neighborhood of $4,000 a year.

Mr. HASTINGS. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. HASTINGS. The testimony before the committee was to the effect that these committee stenographers work much longer hours than the official reporters of the House. Committees sometimes meet as early as 9 o'clock in the morning, and a great many of them at 10 and 10.30 o'clock, and they work longer hours, they work continuously during the day; and, while they are permitted to call upon outside reporters to assist them, they are only permitted to call them in when all of the four officials are occupied.

Mr. STAFFORD. If the gentleman will go into it minutely, I venture to say that he will find, if he takes the number of hours that these men devote to their work and the number of hours that the official reporters occupy in the performance of their duties, comparing the number of hours, that the work here on the floor is more than one-third greater.

Mr. HASTINGS. The testimony before the committee was just the other way, in my judgment. They work longer hours.

Mr. STAFFORD. They begin earlier, but the sum total will not compare at all with the sum total of the work of the Official Reporters of debates.

Mr. HASTINGS. The testimony before the committee went to show that the committee stenographers work very long hours.

Mr. IRELAND. Will the gentleman yield?

Mr. HASTINGS. I yield to the gentleman from Illinois, who is a member of the committee.

Mr. IRELAND. I should like to say to the gentleman from Wisconsin that at first my viewpoint of the matter absolutely coincided with his; but the testimony brought before the committee, however, convinced me that the propositions were not divisible and that the committee stenographers should be dealt with on the same plane as the reporters of debates of the House. We found that the work of the committee stenographers extends over a greater period, over longer hours during the day even, than that of the reporters of debates of the House, and while, as the gentleman from Wisconsin says, their work may not be quite so arduous at the time and not require quite so much expertness as that of the reporters of debates of the House, yet most of the reporters of debates of the House have graduated from the positions of stenographers to committees, and they have all proven themselves worthy of that promotion, and it is regarded as a promotion. They are paid, however, the same salaries at present.

So far as the volume of work that comes before all of the committees is concerned, it is so much greater than it has been in previous Congresses that, coupled with the fact that they are all employed most of the time, we thought them not only entitled to the same raise in pay that we would give the House reporters, but that possibly there should be two added to their force. We have not by any means encouraged the securing of the best talent by the manner in which we pay the additional reporters to committees. I think the resolution, under the circumstances, is conservative. I very much appreciate the efforts of the gentleman from Wisconsin at economy. If I were not absolutely conscientious in believing in the merits of the raise to all of them, I certainly should not support it.

We pay the additional reporters to committees 15 cents per folio. The Senate pays 25 cents per folio. I am not sure about all of them, but I think that the departments down town—at least some of them—pay 30 cents per folio. When we fail to pay the same price that the departments down town and that the Senate pay, we can not hope to get the same grade of men for the additional force. It is my thought that we should grant the same compensation to these men that the Senate does.

I want to say further to the gentleman from Wisconsin that the committee report is unanimous, and taking all things into consideration, we firmly believe that the amendment proposed should be agreed to.

Mr. GOOD. Mr. Speaker, will the gentleman from Oklahoma yield me five minutes?

Mr. HASTINGS. I yield the gentleman from Iowa five minutes.

Mr. GOOD. Mr. Speaker, I am sorry to disagree with the gentleman from Wisconsin [Mr. STAFFORD]. I think there is no question about agreeing that the reporters in the House for a long time have been entitled to this increase in salary, and the same argument by which we arrive at that conclusion should convince us as to the necessity of increasing the pay of the four reporters to committees. The salaries of the reporters to committees were fixed a great many years ago, when we had one session of about three months and another long session of six or seven months. At this session of Congress, at least a month before the Congress convened, these reporters to committees were called upon to commence to take down the hearings of the various committees. This is especially true of the work in the Committee on Appropriations. For several weeks before Congress assembled the reporters to committees were called upon to attend the hearings and to report them. That is true when Congress is not in session. When a committee of the House finds it necessary to hold an important hearing, these reporters come, and come freely, and I can never yet recall a single instance when a committee was ready to proceed with hearings when a very efficient reporter was not there to do the work.

The work of Congress has grown so that it is not comparable with the work of 10 years ago or 15 years ago or longer ago, when we fixed the salaries of these reporters. The work of the various committees of the House has increased manyfold. And in like proportion the work of these reporters has increased. These reporters are called upon to commence their work at 10 o'clock in the morning. They work all day, sometimes until long after the dinner hour at night. They have had no increase in compensation, and it seems to me they ought to have an increase in compensation. I hope there will be no real, substantial objection to the amendment that is offered to the committee resolution. Let us be fair to these willing, efficient, and faithful employees, who have great responsibilities.

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were—ayes 55, noes 2.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 201, nays 71, answered "present" 6, not voting 151, as follows:

YEAS—201.

Anthony	Fairfield	Kiess, Pa.	Powers
Austin	Farr	King	Purnell
Bacharach	Ferris	Kinkaid	Ragsdale
Baer	Fess	Kraus	Raker
Beakes	Fisher	La Follette	Ramseyer
Benson	Fordney	LaGuardia	Randall
Birch	Foss	Lampert	Rankin
Blackmon	Foster	Langley	Riordan
Bowers	Frear	Lehlbach	Rodenberg
Brodbeck	French	Little	Rogers
Browne	Fuller, Ill.	Littlepage	Rouse
Browning	Gallagher	London	Rowe
Burnett	Gandy	Lufkin	Sabath
Burroughs	Gard	Lunn	Sanders, Ind.
Butler	Gillett	McArthur	Sanford
Byrnes, S. C.	Glynn	McClintic	Scott, Iowa
Campbell, Kans.	Good	McCulloch	Scott, Mich.
Campbell, Pa.	Goodwin, Ark.	McFadden	Sells
Cannon	Gould	McKenzie	Shallenberger
Cantrill	Graham, Ill.	McKeown	Sherwood
Carlin	Graham, Pa.	McLemore	Shouse
Carter, Mass.	Gray, Ala.	Magee	Slemp
Carter, Okla.	Green, Iowa	Maher	Sloan
Chandler, N. Y.	Greene, Mass.	Mann	Smith, Idaho
Church	Greene, Vt.	Mapes	Smith, Mich.
Clark, Fla.	Griest	Martin	Snell
Clark, Pa.	Hadley	Mason	Snyder
Classon	Haskell	Mays	Steele
Cleary	Hastings	Merritt	Steenerson
Cooper, Ohio	Hawley	Miller, Minn.	Strong
Cooper, W. Va.	Hayden	Miller, Wash.	Tague
Cooper, Wis.	Hayes	Montague	Temple
Copley	Hersey	Moore, Pa.	Tilson
Crago	Hicks	Moores, Ind.	Timberlake
Currie, Mich.	Hollingsworth	Morgan	Tinkham
Dale	Hood	Morin	Towner
Dallinger	Howard	Mott	Vare
Darrow	Hull, Iowa	Mudd	Volstead
Dempsey	Husted	Nelson, A. P.	Walton
Denison	Igoe	Nicholls, S. C.	Watson, Pa.
Dent	Ireland	Nichols, Mich.	Watson, Va.
Dewalt	James	Oldfield	Welling
Dill	Johnson, Wash.	Olney	Welty
Dyer	Juul	Padgett	Whaley
Eagle	Kahn	Parker, N. J.	Wheeler
Edmonds	Kearns	Parker, N. Y.	White, Me.
Elliott	Keating	Peters	Woods, Iowa
Ellsworth	Kelley, Mich.	Phelan	Zihlman
Elston	Kelly, Pa.	Platt	
Evans	Kennedy, R. I.	Porter	
Fairchild, B. L.	Kettner	Pou	

NAYS—71.

Alexander	Denton	Houston	Snook
Almon	Dickinson	Jones	Stafford
Ashbrook	Dies	Kehoe	Steagall
Aswell	Dillon	Key, Ohio	Stedman
Ayres	Dixon	Kincheloe	Stevenson
Barnhart	Dominick	Larsen	Sumners
Bell	Fuller, Mass.	Lobeck	Taylor, Colo.
Beshlin	Garner	Mansfield	Thompson
Black	Garrett, Tex.	Moon	Tillman
Bland, Va.	Gordon	Oliver, Ala.	Vinson
Blanton	Gregg	Overmyer	Walsh
Brand	Griffin	Overstreet	Watkins
Buchanan	Hamlin	Polk	Weaver
Caraway	Hardy	Quin	Wilson, Tex.
Connally, Tex.	Heflin	Rainey, H. T.	Wingo
Connelly, Kans.	Hensley	Robinson	Wise
Cramton	Hilliard	Romjue	Wright
Crisp	Holland	Rucker	

ANSWERED "PRESENT"—6.

Bland, Ind.	Flood	Huddleston	Reavis
Emerson	Harrison, Va.		

NOT VOTING—151.

Anderson	Chandler, Okla.	Donovan	Essen
Bankhead	Claypool	Dooling	Estopinal
Barkley	Coady	Doolittle	Fairchild, G. W.
Booher	Collier	Doremus	Fields
Borland	Costello	Doughton	Flynn
Britten	Cox	Dowell	Focht
Brumbaugh	Crosser	Drane	Francis
Byrns, Tenn.	Curry, Cal.	Drukker	Freeman
Caldwell	Davey	Dunn	Gallivan
Candler, Miss.	Davis	Dupré	Garland
Carew	Decker	Eagan	Garrett, Tenn.
Cary	Delaney	Esch	Godwin, N. C.

Goodall	Linthicum	Roberts	Sweet
Gray, N. J.	Lonergan	Rose	Swift
Hamill	Longworth	Rowland	Switzer
Hamilton, Mich.	Lundeen	Rubey	Taylor, Ark.
Hamilton, N. Y.	McAndrews	Russell	Templeton
Harrison, Miss.	McCormick	Sanders, La.	Thomas
Haugen	McKinley	Sanders, N. Y.	Treadway
Heaton	McLaughlin, Mich.	Saunders, Va.	Van Dyke
Heintz	McLaughlin, Pa.	Schall	Venable
Helm	Madden	Scully	Vestal
Helvering	Mondell	Sears	Voigt
Hull, Tenn.	Neely	Shackleford	Waldow
Humphreys	Nelson, J. M.	Sherley	Walker
Hutchinson	Nolan	Siegel	Ward
Jacoway	Norton	Sims	Wason
Johnson, Ky.	Oliver, N. Y.	Sinnott	Webb
Johnson, S. Dak.	Osborne	Sisson	White, Ohio
Kennedy, Iowa.	O'Shaunessy	Slayden	Williams
Kitchin	Paige	Small	Wilson, Ill.
Knutson	Park	Smith, C. B.	Wilson. La.
Kreider	Pratt	Smith, T. F.	Winslow
Lazaro	Price	Stephens, Miss.	Wood, Ind.
Lea, Cal.	Rainey, J. W.	Stephens, Nebr.	Woodyard
Lee, Ga.	Ramsey	Sterling	Young, N. Dak.
Lesher	Rayburn	Stiness	Young, Tex.
Lever	Reed	Sullivan	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. CAREW with Mr. GOODALL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. BOOHER with Mr. TREADWAY.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. HAMILL with Mr. KREIDER.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. FLOOD with Mr. CURRY of California.

Mr. SCULLY with Mr. DAVIS.

Mr. BYRNS of Tennessee with Mr. DUNN.

Mr. COADY with Mr. GARLAND.

Mr. COLLIER with Mr. HAMILTON of Michigan.

Mr. DONOVAN with Mr. HAMILTON of New York.

Mr. DOOLING with Mr. HUTCHINSON.

Mr. DOUGHTON with Mr. JOHNSON of South Dakota.

Mr. EAGAN with Mr. KENNEDY of Iowa.

Mr. CANDLER of Mississippi with Mr. KNUTSON.

Mr. GALLIVAN with Mr. PAIGE.

Mr. LEVER with Mr. HAUGEN.

Mr. HELM with Mr. ROSE.

Mr. HUMPHREYS with Mr. SANDERS of New York.

Mr. JACOWAY with Mr. SIEGEL.

Mr. LAZARO with Mr. SINNOTT.

Mr. LEE of Georgia with Mr. MCLAUGHLIN of Michigan.

Mr. LESHER with Mr. STINESS.

Mr. LINTHICUM with Mr. VESTAL.

Mr. MCANDREWS with Mr. MCKINLEY.

Mr. NEELY with Mr. NOLAN.

Mr. OLIVER of New York with Mr. OSBORNE.

Mr. PARK with Mr. RAMSEY.

Mr. JOHN W. RAINEY with Mr. WASON.

Mr. SANDERS of Louisiana with Mr. VOIGT.

Mr. SLAYDEN with Mr. WILLIAMS.

Mr. SMALL with Mr. WINSLOW.

Mr. THOMAS F. SMITH with Mr. WOODYARD.

Mr. TAYLOR of Arkansas with Mr. YOUNG of North Dakota.

Mr. RUBEY with Mr. WARD.

Mr. SIMS with Mr. ESCH.

Mr. WEBB with Mr. SWIFT.

Mr. O'SHAUNESSY with Mr. ROWLAND.

The result of the vote was then announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question now is agreeing on the resolution as amended.

The resolution was agreed to.

THE FRANKING PRIVILEGE.

Mr. MONTAGUE. Mr. Speaker, on the 1st day of the month the gentleman from Massachusetts [Mr. TREADWAY] contended that a certain statement sent out by the Comptroller of the Currency was unfrankable. I ask unanimous consent to put in the RECORD the statement of Mr. Williams which was asserted to be unfrankable, together with a letter from him to me inclosing the statement.

The SPEAKER. The gentleman from Virginia asks unanimous consent to print in the RECORD a letter and statement from the Comptroller of the Currency. Is there objection?

Mr. MANN. Reserving the right to object, is it the purpose of inserting the letter in the RECORD to make what was unfrankable before now frankable?

Mr. MONTAGUE. No; the purpose is simply that the Members of the House may determine that question themselves, whether they think it is frankable or not.

Mr. MANN. It becomes frankable as soon as it is printed in the RECORD.

Mr. MONTAGUE. I do not think that is the purpose.

Mr. MANN. I would not be surprised at anything he did.

Mr. MONTAGUE. I will not enter into any controversy with the gentleman at this time.

The SPEAKER. Is there objection?

There was no objection.

The statement and letter are as follows:

TREASURY DEPARTMENT,
COMPTROLLER OF THE CURRENCY,
Washington, February 1, 1919.

DEAR CONGRESSMAN: I thank you very much for calling my attention to the complaint made by Congressman TREADWAY to-day on the floor of the House, to the effect that the Comptroller of the Currency should have sent out, in franked envelopes, a copy of his press statement of January 23, which, in the opinion of the Congressman, was not properly frankable.

It is entirely true that copies of this press statement (embodying the proposal of a certain newspaper man which was prepared with a view to conducting a propaganda against this office and the Comptroller of the Currency) were sent by mail in the ordinary Treasury envelopes which are used for the distribution of all official mail.

Evidence in my possession showed that not only the Comptroller of the Currency personally but the administration of this bureau were being wantonly, maliciously, and unjustly attacked; and I believed it was to the interest of this bureau and its effective administration that the banks—which are under the supervision of the Comptroller of the Currency, and to which the regulations and instructions of this bureau are issued—should be informed as to the origin and character of the attacks which were being made upon it. In fact, I believed it to be my duty to inform the national banks of the sinister character of the efforts which were being put forth to destroy or impair the authority of and respect for the comptroller's office, which must be sustained if its service is to be effective, and if the results, which it is expected to accomplish, are to be secured.

The statement which was given to the press and mailed to the national banks showed that these attacks were being made deliberately and "disguised"; that the plan was to "get several bankers in on the deal"; that even the bankers who were to contribute to the expense fund were not to be told "who is to handle the publicity at the beginning"; and that everything was to be done "quietly at first." For supervising and conducting a shameless attack upon a public officer, against the integrity of whose administration the discredited newspaper man admitted he had never heard a complaint or criticism, he proposed—in the memorandum which accidentally fell into my possession—that his "charges" would be "$250 per week."

I do not believe that your colleagues in the House of Representatives would approve or condone, for one moment, such tactics, and I trust they will concur in the view I take, that the subject was one which I was justified in bringing to the notice of the national banks under the supervision of the Comptroller of the Currency.

In view of the complaint which Representative TREADWAY has made on the floor of the House, I hope that as a matter of fairness the press statement upon which he based his complaint (a copy of which I inclose) may also be printed in the CONGRESSIONAL RECORD.

Faithfully, yours,

JNO. SKELTON WILLIAMS.

Hon. A. J. MONTAGUE,
House of Representatives, Washington.

TREASURY DEPARTMENT,
COMPTROLLER OF THE CURRENCY,
Washington, January 23, 1919.

John Skelton Williams, the Comptroller of the Currency, to-day gave to the press the following statement:

"The origin of propaganda recently started against the Comptroller of the Currency and this office is explained by a document which came into my possession accidentally within the past few weeks, a photograph of which, in the interest of decent journalism and fair play, I feel it my duty to make public.

"The document is headed 'Memorandum for Mr. ———.' The name, typewritten in the memorandum, but which I prefer not to make public now, is that of an official of a banking institution (not national) which has been under serious criticism by the comptroller's office for months past for irregular, unlawful, and discreditable practices.

"Evidence in my possession shows that this 'memorandum' was prepared by a newspaper correspondent in Washington, who was the author of the recent stories sent out from Washington to various newspapers (to the effect that active opposition to the confirmation for a new term for the Comptroller of the Currency had been developed on the part of both Democratic and Republican Senators and criticizing the comptroller's administration) and who probably was the instigator of other articles of like tenor.

"This correspondent was sent for. He came to the Treasury last Monday and was asked whether he had sent out stories criticizing the Comptroller of the Currency. He first denied that he had done so, except to one newspaper in Buffalo, N. Y., of which he said he was the Washington correspondent; but subsequently he admitted that he had furnished the material for the story to various other newspapers in different parts of the country, including, among others, the New York Tribune, the Wall Street Journal, papers in Boston, Louisville, etc.

"Although he refused to admit that he had delivered the document mentioned above to the bank official to whom it was addressed, he confessed that he had been in consultation with that official in this connection on a number of occasions and had received his criticisms of this office, and that he had been carrying on negotiations with some one whose name he refused to divulge—but who was evidently the bank official to whom the 'memorandum' had been addressed—with a view to conducting a campaign to oppose the confirmation of the Comptroller of the Currency in the event of his renomination. He declined to affirm or deny his authorship of the 'memorandum.' His refusal to disclaim may be taken fairly, under the circumstances, as confession.

"He said he had not yet received 'a nickel' for his propaganda work, but subsequently admitted that he had, within the past few weeks, gotten money as a loan from the banker to whom his memorandum was addressed and who had been secretly attacking and criticizing the Comptroller of the Currency.

"He claimed that his negotiations as to the propaganda were only under way. In response to my question whether he had ever heard any breath of criticism directed against the integrity of my administration, he declared that he had not.

"He insisted that he had not yet consummated his negotiations for conducting his 'publicity campaign' and getting newspapers to print his 'disguised' stories, although he confessed that he had already given wide circulation to the yarns he had written in the effort to injure the comptroller.

"I am a little doubtful as to whether this newspaper scribbler (a discredit to a noble profession, seeking fees to defame a Government official) or the contemptible offender with whom he was conspiring should be dignified with public notice, but I think the people should understand the nature of some of the things appearing in the newspapers, so as not to be imposed upon and in order that they may distinguish paid-for propaganda from real facts.

"The following is a copy of the 'memorandum' referred to in the foregoing statement, a photograph of which memorandum by chance, but unfortunately for its author, has come into the possession of the Comptroller of the Currency:

"'Memorandum for Mr. ———.

"'If reappointed and confirmed, the present Comptroller of the Currency will remain in office for five years.

"'All that is needed is determination on the part of two or three Republican Senators. If they assume the responsibility, the Democrats are not apt to make a serious fight for Williams in the Senate.

"'A publicity campaign should be started at once, but should be run very quietly. Several papers will print stories if the stories are handed to them disguised.

"'Full publicity can come when the name is sent to the Senate and referred to the committee.

"'In the meantime a story here and there would help the Senators along.

"'Get several bankers in on the deal. Do not tell them who is to handle the publicity at the beginning. That is a matter strictly between you and me for the present, because I will want to work quietly at first, since when I have to come out in the open I will be sure to make some enemies in high places.

"'Since the fight promises to last only a few weeks, and in handling the publicity I will be sure to incur some enmities, the charges will be $250 a week. I am sure I can do some good work for the cause.'"

THE MEETING AT POLI'S THEATER.

Mr. DILLON. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. DILLON. Mr. Speaker, much has been said about a meeting on Sunday afternoon at Poli's Theater. The newspapers of the city state that I attended that meeting. I rise at this time to deny the statement. I was not invited; I did not attend and did not know of the meeting; never heard of the meeting until I read it in the newspaper accounts. [Applause.] It is a case of mistaken identity. The newspaper reporter in recording me as attending that meeting got his wires badly crossed.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MASON rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. MASON. To a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. MASON. Mr. Speaker, it has been stated in the same newspaper already referred to and in several others that at the meeting on Sunday, reading from the headlines of the paper and from comments made by a Member of another legislative body, there was urged a red America. Several gentlemen in both branches of Congress have been kind enough to quote from this paper the statement that I was present, and by inference and argument that I approved of the doctrine of anarchy or nihilism. I desire to make a statement in regard to that in my own defense.

The SPEAKER. How does it link the gentleman up with it? There might be 40 Bolsheviki meetings held and the gentleman not be connected with any.

Mr. MASON. One gentleman in another branch of Congress says that he will not use any names, but he afterwards uses my name, and it is printed in the headlines in the paper. The headlines are false, and the man who wrote them knew he was lying when he wrote them.

The SPEAKER. What the Chair wants to know is, Is the gentleman's name mentioned in the headlines?

Mr. MASON. It is.

The SPEAKER. Go on.

Mr. MASON. Mr. Speaker and colleagues, I am not going to take long, and I would not pay any attention to this burst of enthusiasm on the part of certain people who get excited when they read something in a newspaper if I was not deeply interested in the cause that brought it about.

The gentleman in another Chamber who uses my name by printing these headlines in the papers says, reading from the headlines:

Urge "red" America—Bolshevik speakers stir huge audience at Poli's Theater—City's radicals in throngs—Representative MASON charges plot to keep Slav funds in United States—Speaks from box after Albert Rhys Williams and others laud Soviets and tell of spreading propaganda in United States—"Suff" pickets take up collections—Adopt Johnson resolution now in Senate.

In order to connect me with it, and in order to air his own views of patriotism and hatred of the red flag, which we all hate and despise in this country, he said what he did.

And you want to understand, gentlemen, that in the city of Chicago we do not talk about anarchists, we hang them [applause], but we do it by action of the court when they advise violence and destruction of the law of this country. We people in Chicago believe that in all the American sky there is no room for but one flag, and that is the American flag. [Applause.] That is what we believe, and any man who tries to push his propaganda by insulting me and my record upon this case let him answer to his own constituency. I will answer to mine. I sat in my home the night the bomb was thrown by the anarchists that murdered the policemen in the city of Chicago, in the home I had worked for and earned with my own hands and my own brain, and if there is any place in the world where we believe in obedience to law and where we are against nihilists and anarchists it is in the great State of Illinois. We believe in obedience to law, and when I attended this meeting I went there, as I wish every Congressman in the United States had gone, simply to hear what the facts are from that side. When the man wrote this article that we were urging a "red" America, he states what is not true. Not one of the speakers there made any assault; they were all speaking of American ideals. I noticed, when I went in, some large decorations which were prominent in red, and I will admit it stirred me a little bit, because we do not like this doctrine of destroying law by force, and I felt like taking a fall out of the whole outfit, but when the speaker arose he said those decorations belonged to the side show, the theater, that was coming on in a few minutes. He said, "Our decorations are here," and he pointed to two American flags upon the platform. Now, Mr. Speaker, I should not refer to this except for the fact that there is a general disposition to work one end or the other in this present propaganda for and against.

As one of my colleagues stated, there is a propaganda in the United States to uphold the Bolsheviki government, and I believe that is true. I know also there is a propaganda going on in the United States to uphold the spawn of the Czar, who are trying to reorganize the government that will be controlled in a way that the bondholders will be sure to collect their interest on their bonds. But I am an American citizen, and I say, a plague upon both your houses. I say—and that is where this whole trouble arises—that we have got troops in Russia to-day without a declaration of war. As I showed the other day from a letter addressed to my colleague from Washington, 15,000 American boys are in Russia. I do not believe they should be there fighting on either side of this political scramble. As much as I hate the doctrine of anarchy and nihilism, a change of law by force, I hate and despise the doctrine of the Czar, and, as far as I am concerned, I do not care which one of them wins in Russia; but my people in Illinois are begging me to get their boys out of Russia. I had a letter from a blind man this morning who says that his boy is in Russia, and he wants him home; that he did not enlist to fight Russia. But a propaganda is running here not only for the Bolsheviki, not only for the anarchists and nihilists, but a propaganda is going on to get us into war with Russia. When I said that the other day a gentleman said, The idea of our declaring war! And yet this morning's paper, the same paper that publishes a lot of headlines about urging a red government in the United States, this same paper says in its editorial this morning:

The imperative duty of the allies lies in crushing the Bolsheviki by force of arms immediately and the organization of Russians to the exclusion of German intrigue.

Then he goes on to say that this is an enormous task, but it is not more of a task than the task of——

The SPEAKER. The Chair will suggest to the gentleman that what is going on over in Russia has nothing to do with the question of privilege.

Mr. MASON. Very well, Mr. Speaker; but I think it has. I think if I could be heard a minute on that, the Speaker might change his views. I am charged here by a man with advocating the disobedience to law and the destruction of law, and they charge here there is a propaganda going on by the Bolsheviki. My answer is that I am opposed to both the Bolsheviki and also the Czar reorganization, but I propose to show that those who are running this propaganda, who are making this false charge against me, believe that we should go to war with Russia, and they say it will not take more sacrifice——

The SPEAKER. The Chair knows; but on a question of personal privilege you can not go into the byways and highways of history and these various ramifications that are going on over in Russia. If you did, you never would get through with it. Now, if the gentleman has anything to say about his own case, the Chair will hear him.

Mr. MASON. I think, Mr. Speaker, I have stated my own case myself to my colleagues, and I will let it end with that for the present until I can have the time and comply strictly with the rules. You have all been more or less lied about by newspapers, and instead of having your condemnation I should have your sympathy when I say that I love this country; that I am opposed to force being used; that in Chicago we drink that in with the milk we get in our childhood. We are opposed to any change of form of government by violence, and the man who charges me, if some of these pulpheads—you know what a pulphead is? We have had pinheads and blockheads, and now the pulphead comes along, made of soft pulp with a little printing ink on it, and he reads an article that you are a bad man.

And the next moment you say, "Why, the gentleman from Illinois is a fine man." And then they will praise you and sing and shout your praise until the next morning, when some piece of pulp comes out with another piece of ink and the same "pulphead" begins to shout to down you.

Let me say before I sit down that I am sorry to say that many of my colleagues in both branches of Congress, instead of going to the meeting and hearing what was said, being too indolent physically to give a little time to consider and hear the facts, simply get the "pulphead" idea and say, "It is in the newspapers; it must be true."

I say to you the meeting was not in the interest of the "Reds." The young man and the young woman who spoke there spoke simply to give their ideas of what the truth was over there. There was not an insulting remark made, nor was there a suggestion made to change the laws of the United States.

That answers the gentlemen who so far have shown their characteristics of having pulp instead of brains and run off chasing wild rumors because some newspaper is interested in the propaganda of the spawn of the Czar.

CONTESTED-ELECTION CASE—DAVENPORT VERSUS CHANDLER.

Mr. TILLMAN. Mr. Speaker, I ask to call up the House resolution 523 and dispose of it. It is the report of the Committee on Elections No. 2, seating Mr. CHANDLER of Oklahoma, the sitting Member. It can be disposed of in a moment, I think.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 523.

Resolved, First. That James S. Davenport was not elected to the House of Representatives from the first district of the State of Oklahoma in this Congress and is not entitled to a seat herein.

Second. That T. A. Chandler was duly elected to the House of Representatives from the first district of the State of Oklahoma in this Congress and is entitled to seat therein.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

VALIDATION OF CERTAIN WAR CONTRACTS—CONFERENCE REPORT.

Mr. DENT. Mr. Speaker, I call up the conference report on the bill H. R. 13274.

The SPEAKER. The Clerk will report it.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

On the amendment of the Senate to the bill and to the title of the bill the conferees have been unable to agree.

S. H. DENT, Jr.,
W. J. FIELDS,
JULIUS KAHN,
Managers on the part of the House.

GEORGE E. CHAMBERLAIN,
DUNCAN U. FLETCHER,
C. S. THOMAS,
F. E. WARREN,
P. C. KNOX,
Managers on the part of the Senate.

Mr. DENT. Mr. Speaker, I move that the House agree to the conference report as read.

The SPEAKER. There is not anything to act on.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. The parliamentary motion in a case of this sort is to recede from the position of the House conferees and agree to the Senate amendment, is it not?

The SPEAKER. That is a preferential motion when the time comes to make it.

Mr. DENT. Mr. Speaker, let me state what the facts are, so that my motion may be understood. The Senate struck out all of the House bill after the enacting clause and inserted as one entire amendment a separate bill, so that the conferees had to bring back a report showing an entire disagreement. As a matter of fact, the conferees did reach an agreement practically on every proposition except that involved in section 7 of the Senate bill, which relates to mine and mineral war contracts.

Now, I am moving at this time to agree to the report of the conferees disagreeing to the Senate amendment. Then I shall follow that with a motion to agree to a further conference asked for by the Senate on yesterday afternoon.

The SPEAKER. The gentleman moves to further insist on the disagreement to the Senate amendment No. 7.

Mr. DENT. No. I move that the House further insist on its disagreement to the Senate amendment.

The SPEAKER. That is exactly what the Chair said, and was going to put it.

Mr. GARNER. Will the gentleman from Alabama yield for a question?

Mr. DENT. I will.

Mr. GARNER. If the House should agree to the conference report—that is, the statement of the committee—and further insist on its disagreement and agree to the conference, do the conferees still think they would be bound by the agreement they made to the House in the beginning as to section No. 7?

Mr. DENT. I will state to the gentleman that I propose, after we vote on the first motion I made, to adopt the conference report, to move to go into conference; and I shall state frankly and accurately the position of the conferees and await the different instructions the House may see fit to give.

Mr. HAMLIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAMLIN. At what period of these proceedings will it be in order to move that the House instruct the conferees to further insist on their disagreement?

The SPEAKER. The gentleman is making a motion to further insist.

Mr. HAMLIN. He is moving now to agree to the conference report as reported.

Mr. DENT. That is the motion, and the effect of that motion is that we insist on disagreement to the entire Senate bill.

Mr. MANN. Oh, no.

The SPEAKER. Here is the situation about it: If this motion of the gentleman carries, he asks for a new conference; and then, if the House agrees to a new conference, before the conferees are appointed the time comes to make a motion to instruct the conferees.

Mr. MANN. Mr. Speaker, if this motion is agreed to—and it is immaterial whether it is or not—then it will be in order for the gentleman to move that the House further insist upon its disagreement to the Senate amendment and ask for further conference.

Mr. DENT. That is what I stated to the House.

Mr. MANN. If that motion is agreed to, then it will be in order to instruct the conferees.

The SPEAKER. That is precisely what the Chair stated.

Mr. DENT. I thought I had stated that.

The SPEAKER. That is precisely what the Chair stated.

Mr. HOWARD rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. HOWARD. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. At any stage would not the preferential motion be for the House to recede from its position in disagreement and agree to the Senate amendment?

The SPEAKER. Yes. It is in order right now.

Mr. HOWARD. Then, Mr. Speaker, if it is in order, I move that the House recede from its disagreement to section No. 7.

Mr. MANN. The conference report properly ought to be disposed of first.

The SPEAKER. There is nothing to dispose of. He reports a disagreement.

Mr. MANN. That is a report of the conference committee. It is not important.

The SPEAKER. You do not have to act upon the report. There is no report. That is the truth.

Mr. MANN. Very well.

The SPEAKER. The gentleman from Alabama [Mr. DENT] moves that the House further insist on its disagreement to the Senate amendment, and the gentleman from Georgia [Mr. HOWARD] makes a preferential motion that the House recede from its disagreement and concur in the Senate amendment. Those in favor of the motion of the gentleman——

Mr. DENT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENT. Would not the effect of the motion of the gentleman from Georgia be to adopt in its entirety the Senate bill?

The SPEAKER. Of course it would.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. To make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HAMLIN. If the motion of the gentleman from Georgia is a preferential motion, on that motion how much debate will there be?

The SPEAKER. If somebody moves the previous question, there will not be any.

Mr. DENT. Mr. Speaker, I move the previous question.

The SPEAKER. The gentleman from Alabama moves the previous question. The question is on ordering the previous question.

The question was taken, and the Speaker announced that the ayes seemed to have it.

Mr. HOWARD. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 101, noes 68.

Mr. DENISON. Mr. Speaker, I ask for tellers on that vote.

The SPEAKER. Tellers are demanded. Those who favor taking this vote by tellers will rise and stand until counted.

Mr. MANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANN. I asked the Speaker whether the previous question was on the motion of the gentleman from Georgia. I understood it was.

The SPEAKER. It is on both.

Mr. DENT. It was only on the motion of the gentleman from Georgia.

Mr. HOWARD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOWARD. The part of the conference report that my motion of agreement was made upon was what is known as section 7 of the Senate bill, known as the Henderson amendment. The motion that I have made had no reference to any portion of the bill except that. If I can get a vote on that proposition, which includes these mining claims——

The SPEAKER. The Chair knows; but the gentleman can not argue that question now——

Mr. HOWARD. I want to make myself clear——

The SPEAKER. Until we get through with this vote. The gentleman from Alabama [Mr. DENT] says he did not include in his motion for the previous question anything but the motion of the gentleman from Georgia.

Mr. SLOAN. Mr. Speaker, let the amendment be reported. We can not understand it.

The SPEAKER. The House is dividing. Those who favor taking this vote by tellers will rise and stand until they are counted. [After counting.] Thirteen gentlemen have risen—not a sufficient number. The previous question is ordered on the motion of the gentleman from Georgia [Mr. HOWARD].

Mr. FIELDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. Is it in order to offer an amendment to the motion of the gentleman from Georgia?

The SPEAKER. The previous question is ordered on it.

Mr. FIELDS. I wanted to straighten out the situation, if I may be permitted to do so, by offering an amendment to the motion of the gentleman from Georgia.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Georgia.

Mr. SLOAN. Mr. Speaker, may we have the amendment read?

The SPEAKER. By unanimous consent it can be read.

Mr. SLOAN. I ask unanimous consent that the Senate amendment, in which the House is now asked to concur, be read.

Mr. FOSTER. I object. That is the whole amendment.

Mr. MANN. That is a matter of right, to have the amendment read under the rule.

The SPEAKER. The Clerk will read the amendment.

Mr. DENT. Mr. Speaker, I ask unanimous consent to make a statement of one minute's duration.

Mr. DENISON. I object. I tried to get tellers on this thing, and no one over there would stand for it.

The SPEAKER. The Clerk will report the Senate amendment.

Mr. HAMLIN rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. HAMLIN. I understood the gentleman requested only the reading of the amendment known as section 7 of the bill, and not the whole.

Mr. FOSTER. No. He demanded the reading of the amendment.

The SPEAKER. Not a word was said about section 7. It is not confined to that. The Clerk will read.

The Clerk read as follows:

Strike out all after the enacting clause and insert:

"That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation, or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure for the War Department, for the production, manufacture, sale, acquisition or control of equipment, materials or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government, but the agreement did not comply with statutory requirements, in every such case the Secretary of War is authorized and directed to waive, on behalf of the Government, such noncompliance: *Provided*, That he finds such waiver is not inconsistent with the public interest, and in this event the said agreement shall have the same validity and effect it would have had if such statutory requirement had been complied with: *And provided further*, That such waiver shall not validate such contract or procurement order in so far as any claim for unearned profits may be involved.

"That whenever, prior to said November 12, 1918, any individual, firm, company, corporation, or foreign Government has made any agreement, oral or written, express or implied, with, or has received any order or request, oral or written, from the Secretary of War, or any officer, agent, or agency as aforesaid, for any of the purposes aforesaid, and the same has not been reduced to contract form, or when the Secretary of War has not waived such noncompliance, but such individual, firm, company, corporation, or foreign Government has in good faith made expenditures, incurred obligations, acquired or furnished facilities, equipment, materials, or supplies, or rendered services, in reliance on such agreement, order, or request, in every such case the Secretary of War is authorized and directed, on behalf of the Government, to enter into such contract with such individual, firm, company, corporation, or foreign Government as will, under all the circumstances, fairly and equitably compensate him or it for the expenditures made, obligations incurred, equipment, materials, or supplies furnished or acquired, or services rendered, as aforesaid: *Provided*, That in no event shall such contract provide for compensation on terms more favorable than the terms, if any, for which the aforesaid agreement, order, or request may have provided.

"That whenever, prior to said November 12, 1918, the War Department, through its officers or agents, has taken possession of any land, or whenever the holder or owner of any land has removed from or removed any improvements from such land at the order or request of the War Department and no valid contract has been made with respect thereto, then the Secretary of War, if he finds that the public interest does not require the possession or occupancy of such land by the Government, is authorized to make compensation to the owner or holder thereof for the fair value of such improvements so removed and the expense incurred by such owner in removing therefrom or for the fair value of the use of such land of which the War Department has taken actual possession and for any expense or loss incurred by the owner or holder by reason of such possession.

"SEC. 2. That a commission is hereby created and established, to be known as the War Contracts Appeals Commission (hereinafter referred to as the commission), which shall be composed of three members, who shall be appointed by the President, by and with the advice and consent of the Senate, and shall continue in office for one year from the date of this act. One member of the commission shall represent the War Department, one member shall represent the Department of Justice, and one member shall represent the business interests of the country. None of the members of the commission shall be interested in any order, contract, or agreement within the purview of this act or have any interest in any firm or corporation having such orders, contracts, or agreements. Each member of the commission shall receive a salary of $7,500 a year, payable in the same manner as the salaries of judges of the courts of the United States. The commission shall choose a chairman from its own membership and may appoint a secretary, who shall receive a salary not exceeding $5,000 a year, to be determined by the commission and payable in the same manner as the salaries of the members of the commission.

"That there is hereby appropriated, for the purpose of defraying the reasonable expenses of the commission, including the payment of salaries herein authorized, out of any money in the Treasury of the United States not otherwise appropriated, available immediately and until expended, the sum of $50,000.

"That within 30 days of the date when the Secretary of War offers any contract or compensation as provided in this act or refuses to offer such contract or compensation, the party to whom said contract or compensation is tendered or refused, or the Government by a duly authorized officer from the Department of Justice may file with the chairman

of the commission a notice of appeal: *Provided, however*, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government, but settlement can be made at once. If the Secretary of War shall refuse to waive noncompliance with statutory requirements in respect to any agreement within the purview of the first paragraph of section 1 of this act or upon the expiration of 60 days from the date of the taking effect of this act shall have failed to waive such noncompliance, the contractor named in any such agreement may, within 30 days after such refusal or after the expiration of such 60 days, file with the chairman of said commission a notice of appeal. In all cases where an appeal is taken hereunder the commission shall proceed to examine and review the facts and circumstances of the case and make its award or finding thereon according to the justice and equity thereof. Upon giving receipt in full of all demands against the United States arising out of the transaction by reason of which the award is made, the appellant shall be entitled to receive the amount of any award so made, and the proper officer of the United States is hereby authorized and directed to pay the same, but if the appellant is dissatisfied with the amount so awarded he shall be paid 75 per cent of the amount awarded and shall be entitled to sue the United States in the Court of Claims to recover such further sum as added to said 75 per cent shall make up such amount as will be fair and just compensation as provided in this act, and the Court of Claims is hereby given jurisdiction to hear said suit and render judgment therein.

"That whenever the Secretary of War and the contractor shall fail to agree in the matter of the adjustment or settlement, or as to the interpretation or application of the terms, of any contract which has been made for any of the purposes set forth in this act, and in the execution of which there has been compliance with statutory requirements, or compliance has been waived as herein provided, the contractor or the Government by a duly authorized officer from the Department of Justice may give notice to the Secretary of War of intention to appeal to the commission, and provided notice of appeal is filed with the chairman of the commission within 30 days: *Provided, however*, That if the representative of the Department of Justice agrees with the action of the War Department there shall be no appeal by the Government but settlement can be made at once. On an appeal being taken the commission shall thereupon proceed to determine the questions at issue as set forth in said notice of appeal; and the contractor shall be entitled either to receive the whole amount of such award as may be made as in full of his claim on the questions submitted or 75 per cent of the same and sue the United States in the Court of Claims for any remainder, all as provided next above as to agreements otherwise within the purview of this act.

"That in executing the duties and powers conferred by this act the commission may make its own rules and regulations and may hear and determine issues informally. It shall be the duty of the Secretary of War to furnish to the commission such evidence, documents, or papers pertaining to transactions as to which notice of appeal has been filed as the commission may request. The commission is authorized in its discretion to appoint an examiner in any region or district when such region is within the United States where in its judgment the taking of additional testimony is necessary to the determination of any case. Such examiner shall be a resident of the region or district for which he is appointed, and shall not have any interest, directly or indirectly, in any contract or transaction coming before him or receive any compensation save and except such per diem compensation and expenses as shall be fixed by the commission. Whenever the commission shall refer to any such examiner any claim presented hereunder, the examiner shall proceed, under the direction of the commission, to hear the parties, take the proofs, and return the same to the commission with his recommendations thereon as promptly as possible: *Provided*, That in no case shall any award either by the Secretary of War, the commission, or the Court of Claims include prospective or possible profits on any part of the contract beyond the goods and supplies delivered to and accepted by the United States and a remuneration, which may include a reasonable profit, for expenditures and obligations or liabilities necessarily incurred in performing or preparing to perform said contract or order: *Provided further*, That the foregoing proviso shall not apply to any contract executed in compliance with all statutory requirements.

"SEC. 3. That nothing in this act contained shall be held to validate any such contract unless the officer who was at the time of the making of such contract the chief of the division or bureau, as the case may be, in which said contract was negotiated, or in the event that such officer was not responsible for the making of such contract, then the officer in such division or bureau who was so responsible, together with the officer who signed said contract, shall each severally make and subscribe to an affidavit in writing, giving the definite terms of such contract, the name or names within his knowledge, of any such officer or officers who took part in the negotiation or making of the same, and stating whether or not within his knowledge any officer aiding in such making was interested, directly or indirectly, in said contract, and in addition subscribing to an oath to be appended to said affidavit in substantially the following form and tenor:

"'I, ———, chief of the division or bureau (naming it) in which the contract hereinbefore mentioned was negotiated, at the time of negotiation thereof, and the officer in the division or bureau (naming it) responsible for the making of the contract hereinbefore mentioned, and I, ———, the officer who actually signed said contract, do hereby each severally swear that I am not and was not at the time of the making of said contract directly or indirectly interested in said contract.'

"That in respect to any such contract as to which any one of said officers can not take the foregoing oath, or after diligent search or inquiry by the contractor can not be found, or is at the time actually engaged in foreign service, or refuses to take said oath, then upon such facts and the fact required in the oath of such officer, appearing by an affidavit of the contractor, or of one of its partners, chief officers, or chief agents acting in its behalf, the Secretary of War shall promptly report such contract to the War Contracts Appeals Commission and furnish to said commission such evidence, documents, and papers pertaining to the transaction as may be within his control, and such commission may request, and original jurisdiction is hereby vested in, said commission to hear and determine said claim with the powers and upon the procedure hereinbefore described in this act. Said commission shall make its award or finding thereon, and deny said claim or grant it in whole or in part, according to the justice and equity thereof, and the award or finding shall have the same force and effect, and create the same rights as if made under the provisions of section 3 of this act. And it shall be the further duty of said commission in hearing, investigating, and determining such claim to find and determine whether any of such officers is or was at the time of the making of said contract directly or indirectly interested in said contract.

"SEC. 4. That nothing in this act contained shall be construed to validate any agreement, contract, or order procured by fraud or to relieve any officer or agent of the Government from prosecution under the penal statutes of the United States for any fraud, criminal conduct, illegality, or irregularity in connection with any of the agreements or orders referred to herein or the execution or signing thereof. In all proceedings hereunder witnesses may be compelled to attend, appear, and testify, and produce books, papers, and letters, or other documents; and the claim that any such testimony or evidence may tend to criminate the person giving the same shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person in the trial of any criminal proceeding.

"SEC. 5. That no settlement of any claim arising under the provisions of this act shall bar the United States Government through any of its duly authorized agencies, or any committee of Congress hereafter duly appointed, from the right of review of such settlement, nor the right of recovery of any money paid by the Government to any party under any settlement entered into, or payment made under the provisions of this act, if the Government has been defrauded, and the right of recovery in all such cases shall extend to the executors, administrators, heirs, and assigns, or any party or parties: *And provided further*, That nothing in this act shall be construed to relieve any officer or agent of the United States from criminal prosecution under the provisions of any statutes of the United States for any fraud or criminal conduct: *And provided further*, That this act shall in no way relieve or excuse any officer or his agent from such criminal prosecution because of any irregularity or illegality in the manner of the execution of such agreement: *And provided further*, That the names of such contractors and the amounts of such partial or final settlements shall be filed with the Clerk of the House for the information of Congress and printed in the CONGRESSIONAL RECORD, or as a public document, within 10 days after such confirmation.

"SEC. 6. That whenever, under the provisions of this act, the Secretary of War shall make an award to any prime contractor who shall have sublet any part of said contract for material, equipment, or supplies to any other person, firm, or corporation who has in good faith made expenditures, incurred obligations, rendered service, or furnished material, equipment, or supplies to any prime contractor, with the knowledge and approval of any agent of the Secretary of War duly authorized thereunto, the Secretary of War shall apportion the amount of said award justly due to each of the subcontractors of said prime contractors. Before payment of said award the Secretary of War shall require any prime contractor to present satisfactory evidence of having paid said subcontractors or of the consent of said subcontractors to look for their compensation to said prime contractor only; and in the case of the failure of said prime contractor to present such evidence or such consent, the Secretary of War shall pay directly to said subcontractors the amount found to be due under said award; and in case of the insolvency of any prime contractor the subcontractor of said prime contractor shall have a lien upon the funds arising from said award prior and superior to the lien of any general creditors of said prime contractor.

"SEC. 7. That the Secretary of the Interior be, and hereby is, authorized and directed to ascertain and determine the amount or amounts of money heretofore invested or contracted to be invested and obligations incurred by any and all persons and investors for producing or for the purpose of producing or preparing for producing, within the United States, to supply the urgent, published, and evident needs of the Nation during the war, any ores, metals, minerals, or mineral substances mentioned and enumerated in an act of Congress approved October 5, 1918 (Public, No. 220), entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be of an inadequate supply"; the production of which by any claimant or claimants was requested, or demanded, by personal solicitation of, or personal inducement to, such claimant or claimants made by the War Industries Board, the Shipping Board, or the Department of the Interior.

"And that said Secretary ascertain, determine, adjust, liquidate, and out of the moneys provided and appropriated by said act pay to the parties entitled thereto the amount of such losses and damages as he, the said Secretary, shall find and determine have been sustained and suffered or are likely to be sustained and suffered, by reason of having made such investments for said purposes or having produced surplus stocks of such materials; and that in each case he shall make such determination, provision, settlement, advancement, or final payment, and by agreement with owners and claimants make such other adjustment, or take such other action as he shall find and determine to be just, equitable, reasonable, and expedient; and that he make such provisions as he may deem necessary, advisable, and reasonable to prevent further losses pending final decision, settlement, and disposition in any case or cases; that the payments herein authorized be made to the claimant or claimants the said Secretary shall find to be morally, equitably, and justly entitled thereto; that in ascertaining and determining the losses and damages sustained or to be sustained, and the adjustments, settlements, payments, and provision to be made the said Secretary shall consider the prices and conditions existing at the time of each investment and the prices and conditions existing prior to the war, as well as those existing at the time of such determination, adjustment, and settlement, together with all of the circumstances and conditions of each case; that the final determination, decision, provision, disposition, and action of said Secretary in each case shall be conclusive and final; that all payments shall be made and all expenses incurred by the Secretary paid from the funds and appropriations provided and appropriated by said act of October 5, 1918 (Public, No. 220), and that said funds and appropriations shall continue to be available for said purposes until such time as the said Secretary shall have fully exercised the authority hereby granted and performed and completed the duties hereby provided and imposed: *Provided, however*, That said Secretary shall consider, approve, and dispose of only such claims as shall be made hereunder and filed with the Department of the Interior within three months from and after the approval of this act.

"That a report of all operations under this section, including receipts and disbursements, shall be made to Congress on or before the first Monday in December of each year.

"That nothing in this section shall be construed to confer jurisdiction upon any court to entertain a suit against the United States."

Mr. HOWARD. Mr. Speaker, I ask unanimous consent, for the purpose of simplifying this situation, to withdraw my mo-

tion that I previously made, and at the proper time the chairman of the Committee on Military Affairs will make a motion, and I will then ask the Chair to recognize me to make a motion to instruct the conferees on the particular section of the amendment, section 7, which will very greatly simplify the situation.

The SPEAKER. The gentleman from Georgia asks leave to withdraw his motion.

Mr. MANN. The gentleman has the right to withdraw it.

Mr. HOWARD. I will withdraw my motion.

The SPEAKER. The gentleman withdraws it.

Mr. DENT. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment.

Mr. CANNON. Mr. Speaker, we can not hear. I suggest to the gentleman from Alabama that he come down in front.

Mr. DENT. Mr. Speaker, I move that the House further insist on its disagreement to the Senate amendment, and agree to the further conference asked for by the Senate.

The SPEAKER. The gentleman moves that the House further insist on its disagreement to the Senate amendment and agree to the conference asked for by the Senate.

Mr. DOWELL. Mr. Speaker, I want to inquire of the chairman of the committee to what part of it the gentleman desires to disagree?

Mr. DENT. I intend to make a statement as to the situation, as briefly as I can, when I am recognized on my motion.

Mr. DOWELL. But the gentleman's motion is to disagree to all of the Senate amendments.

Mr. DENT. The Senate amendment is one entire proposition.

The SPEAKER. The Chair will take the liberty of stating to the House, as there has been a good deal of a muddle on this thing, that there is only one Senate amendment, though it contains several sections. The gentleman from Alabama [Mr. DENT] is entitled to one hour.

Mr. DENT. Mr. Speaker, as just stated by the Speaker, there is one Senate amendment, which is the bill the Senate adopted. The Senate struck out all of the House bill after the enacting clause and adopted a bill of its own. Consequently we had to come back to the House, under the promise that I had made to the House that we would ask for instructions in regard to section 7, before any final action was taken on the entire amendment. As a matter of fact the conferees have practically agreed on the bill in every particular with two exceptions. One is the Senate provision requiring that the contracting officer who happened to make the contract shall make an affidavit as required by law that the contract was beneficial to the Government and that he himself had no personal interest in the contract, and that this must be done before the claim can be considered. The other is section 7, which has brought up so much trouble here on the floor of the House, and which provides for the payment of claims arising out of the development of war minerals by the Shipping Board, the Secretary of the Interior, and the War Industries Board. The conferees on the part of the House refused to agree to that section. I think if the House will read that section there will be no question in the world that there ought to be a unanimous vote not to adopt it in the language in which it was adopted by the Senate. According to the construction that we placed upon it and which it is possible to place upon it, every person in the country who happened to own a piece of land with an undeveloped mineral deposit upon it, upon reading the statement of the Secretary of the Interior in the newspapers that he should develop these particular ores needed for war purposes, and who went to work to do it, would have a claim against the Government. Why, the language of section 7 of the Senate bill may be so construed as to authorize the Secretary of the Interior to recognize any moral obligation that he sees fit. I do not believe that there is a single Member of this House who is willing to let Congress go that far.

Mr. WINGO. Will the gentleman yield for a question?

Mr. DENT. Yes.

Mr. WINGO. On page 16 of the bill I find this language:

> The production of which by any claimant or claimants was requested, or demanded, by personal solicitation of, or personal inducement to, such claimant or claimants made by the War Industries Board, the Shipping Board, or the Department of the Interior.

How does the gentleman reconcile that language with his statement that the Secretary of the Interior would be permitted to settle these claims where a man simply read something in the newspaper?

Mr. DENT. That is not the only provision in section 7. Section 7 contains about three pages. The gentleman has read only one short paragraph of it.

Mr. WINGO. The question is, Does not that section limit the consideration of these claims to cases where there was personal inducement or solicitation to the individual?

Mr. DENT. I do not think so. I think that is one among many various clauses in it that are improper, and I do not believe in that sort of thing. It is a strange thing in legislation to provide that an obligation be recognized because of some personal solicitation. What does "personal solicitation" mean? Can anybody define it? Can anybody construe it? Does anybody know what in law the words "personal solicitation" mean? Is that language used in any statute in any State of the Union or by Congress at any time or anywhere?

Mr. DENISON. I want the gentleman to explain to the House, if he will, why he objects to settling claims that are merely moral obligations growing out of transactions with the Department of the Interior, and yet is willing to settle moral claims growing out of transactions with the Secretary of War? I want him to explain the distinction.

Mr. DENT. I will explain to the gentleman. I am glad he asked me that question, because I am coming to that. I have no objection—of course it would not make any difference whether we objected or not—but personally the conferees have no objection to being instructed. We would be glad to be relieved of that responsibility. I stated to the conferees of the Senate that I was willing to state on the floor of the House that if this bill was sent back to conference I would agree to a separate section giving the Secretary of the Interior the right to adjust, discharge, and settle contracts in exactly the same language that we have given that right to the Secretary of War, and that is as far as, I think, anybody ought to ask us to go.

Mr. HOWARD. Will the gentleman yield for a question right there?

Mr. DENT. Yes.

Mr. HOWARD. In order that the House may understand the gentleman's position, as a matter of fact the House passed what is known as the war minerals bill, carrying an appropriation of $50,000,000; that fund did not become available until after the armistice was signed, and the aggregate amount of those claims, as it is estimated, that could have been paid out of that appropriation was less than $8,000,000, and was so reported by the Secretary of Agriculture.

Mr. GORDON. Will the gentleman yield?

Mr. DENT. If I may have time.

Mr. GORDON. Nobody claims to have any contract under this war minerals law.

Mr. HOWARD. Well, let us see——

Mr. DENT. I decline to yield further.

Mr. HAMLIN. Will the gentleman yield to me for a question?

Mr. DENT. For a question. I should like to finish my statement, though.

Mr. HAMLIN. Is it not true that the claims embraced in the so-called war validating act which we have passed through the House every one of those claims included in that act is based upon a contract, either perfect or imperfect?

Mr. DENT. That is true.

Mr. HAMLIN. But not upon a moral obligation alone.

Mr. DENT. That is true.

Mr. HAMLIN. Is it not also true that the moral claims, called, are claims on no kind of an obligation, but simply moral ones?

Mr. DENT. Some of them may be.

Mr. FORDNEY. Mr. Speaker, I am going to ask that the gentleman be permitted to continue and not be interrupted.

Mr. SUMNERS. Will the gentleman yield for a brief suggestion?

Mr. DENT. Yes.

Mr. SUMNERS. If the gentleman would refuse to be interrupted and proceed to make an orderly statement——

Mr. DENT. That is a good suggestion, although I dislike to decline to be interrupted.

Now, I repeat that I am willing if this bill is sent back to conference to agree to support the section giving the Secretary of the Interior the right to adjust contracts in the same manner that we have given the right to adjust contracts made with the War Department. But I am not willing to agree to section 7 as it passed the Senate. I want to say to the House that ordinarily I would not be willing to go that far, because I do not think that this legislation is germane to the bill this House passed. The Senate has put on an amendment which is not at all germane to the subject matter of the bill as it passed the House, and I think a committee having jurisdiction of that subject, whatever it may be, should have had hearings and introduced a bill of its own. I do not think it is wise legislation on matters of this kind simply by amendment on the floor of the Senate when not a single committee of either House has had an opportunity to examine the question. [Applause.] But in order to get a bill—and this matter is urgent and pressing—in order to get a bill, I am willing to go as far as I have stated to the House, and that is to authorize the Secretary of the In-

terior to adjust contracts made under his department in the same manner and in the same form that we authorize the Secretary of War. I will now yield to the gentleman from Georgia five minutes.

Mr. GRAHAM of Illinois. Before the gentleman yields, will he yield to me for a question?

Mr. DENT. Yes.

Mr. GRAHAM of Illinois. I am asking for information. I have been informed by one of the principal chrome producers in the United States, who has been producing chrome during the war at the request of the Government, that if there was an embargo placed on the shipment of these rare minerals and substances into this country at this time, or if there was protection afforded by a proper tariff law, that these people could continue their present business in the production of these minerals, and claims would not be necessary.

Mr. DENT. The gentleman's question illustrates the point that I recently made, that all these things ought to be investigated by a committee.

Mr. CRISP. Will the gentleman yield?

Mr. DENT. Yes.

Mr. CRISP. Can the gentleman inform the House as to the total amount of claims involved in this amendment?

Mr. DENT. I can only say to the House that a representative of the Department of the Interior appeared before the conferees and stated that the total sum involved would be somewhere from four and a half million dollars to eight million dollars, but the number of claimants he did not give us.

Mr. GORDON. Will the gentleman yield?

Mr. DENT. I will.

Mr. GORDON. The representative of the Interior Department did not claim that any of these contracts had been made under this law?

Mr. DENT. He said some had been made.

Mr. GORDON. By whom?

Mr. DENT. The Secretary of the Interior.

Mr. GORDON. My understanding was that the Secretary of the Interior did not get a copy of the bill until after the armistice was signed.

Mr. DENT. Oh, no.

Mr. GORDON. I am talking about the war mineral bill.

Mr. DENT. The commissioners were not actually appointed until after the armistice.

Mr. KINCHELOE. Will the gentleman yield?

Mr. DENT. Yes.

Mr. KINCHELOE. I am asking for information. There is no doubt that the War Industries Board and the Fuel Administration all requested the coal people to go on and make investments for the output of coal, and a lot of fellows were exempted to go into the mines instead of fighting. The question I want to ask is, If a man did develop a coal mine at the request of the War Industries Board, got his hole in the ground and his tipple up about the time the armistice was signed, could he not come in under the provisions of section 7?

Mr. DENT. I think so.

Mr. WINGO. No; coal was not included in the rare-minerals bill. If the gentleman will read the bill, he will see that coal was not included.

Mr. DENT. Now, Mr. Speaker, I reserve the balance of my time and yield five minutes to the gentleman from Georgia [Mr. HOWARD].

Mr. HOWARD. Mr. Speaker and gentlemen of the House, here is the situation in a nutshell. I will ask not to be interrupted, because I have only five minutes. There was a great shortage in this country of pyrites, chrome, and manganese. Pyrites was wanted to make sulphuric acid for ammunition; chrome was wanted to harden the gun metal, and so was manganese. The lining of all the guns was of chrome steel, to make it efficient and durable. The Secretary of the Interior himself puts the stamp of his approval on this bill; he has practically dotted every "i" and crossed every "t," and we have led these men up to the very brink of bankruptcy by inducing them to go into the production of these war minerals, going to the banks and borrowing large sums of money to increase the output. These gentlemen up to this very minute have not received one single penny. The gentleman from Alabama says that there is no germaneness between this amendment and the former war-contract bill that we passed. He takes the position that the Government of the United States should not recognize the moral obligations on the part of the high officials of this Government.

Why, the man who stopped long enough to consider, to put his fingers to his forehead to get his mental equilibrium, to determine where this or that thing would lead him, was denounced as unpatriotic and a slacker. He was told that the Government needed him, and these patriotic gentlemen responded to this call, and now we want to force these men into bankruptcy and force them to carry these large loans in the banking institutions that have raised the rates of interest on them from 5 per cent to 6½ per cent. The Government of the United States induced them to produce it, and not a single unjust dollar is going to be paid under the provisions of this act to any single solitary man in the United States of America. We would have been impotent to conduct this war if England had cut off the entire manganese supply to the United States during the pendency of the war, if it had not been for the miners of manganese. These gentlemen responded, and section 7 gives to the Secretary of the Interior power to administer this fund, and if the war-minerals bill had become a law in time these gentlemen could have received the funds from the Public Treasury, but under the delay incurred in the passage of that bill, up to this good hour, these men who have invested their all in response to their Government's call have not received a penny, and yet gentlemen are willing now, after they have done their part and done it nobly and patriotically, to say to these men, "You can be dragged into a bankruptcy court; you can forfeit the savings of a lifetime, and your Government will permit you to suffer." That is the situation, and you appropriated $50,000,000 for this very purpose in the minerals bill, and at the very maximum, paying all of these claims under the provisions of this amendment, will not exceed $8,000,000. They are just. There is no looseness about it. There are limitations and restrictions put upon the powers of the Secretary of the Interior that amply protect the Government against fraud, and against those who did not enter into these undertakings in good faith, and I ask the gentlemen in the House to give these men who responded to their country's call in time of great peril justice and relief, and see to it that these claims are paid promptly and expeditiously. [Applause.]

Mr. DENT. Mr. Speaker, I have had so many requests for time that I ask unanimous consent that the time that I have at my disposal be extended for one-half hour.

The SPEAKER. The gentleman from Alabama asks unanimous consent to have his time extended half an hour. Is there objection?

There was no objection.

Mr. DENT. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. FERRIS. Mr. Speaker, I do not blame the gentleman from Alabama [Mr. DENT] for opposing legislation outside of and beyond the jurisdiction of his committee, added on by the Senate, but there are some things that go on in this House that make even that course sometimes necessary. It is absolutely impossible for anyone to collect 5 cents by way of a claim bill against the Government of the United States, and the House is largely to blame for it. We have a day for consideration of private claim bills on the Private Calendar about once every four years, usually considered at a night session, when unobjected claims only are taken up, usually with only about half a dozen Members present, when anyone can make the point of no quorum and break up the proceedings and all claims fail. This is exactly what happens.

Whether wisely or unwisely, on October 5, about one month before the armistice was signed we passed this bill, and I want to read two short paragraphs of it. It is in point. It is the thing on which this section 7 is based:

SEC. 2. That the President is authorized from time to time to purchase such necessaries and to enter into, to accept, to transfer, and to assign contracts for the production or purchase of same, to provide storage facilities for and store the same, to provide or improve transportation facilities, and to use, distribute, or allocate said necessaries, or to sell the same at reasonable prices, but such sales made during the war shall not be at a price less than the purchase or cost of production thereof.

That gave the President power to take a man's property away from him and to do whatever he wished with it. But we did not stop there. Section 4 penalizes the man if he does not submit to this performance. That section reads as follows:

SEC. 4. That any person who shall neglect or refuse to comply with any order or requisition made by the President pursuant to the provisions of this act, or who shall obstruct or attempt to obstruct the enforcement of or the compliance with any such requisition or order, or who shall violate any of the provisions of this act, or any rule or regulation adopted hereunder, shall, upon conviction, be fined not exceeding $5,000, or be imprisoned for not more than two years, or both.

Everyone knows that the President had nothing to do with it, but these several boards were given power to and did order men in before them, and said, "You come in here and turn over your business or I shall take it away from you by force and run it by the Government."

Mr. CARTER of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. In a moment. First we authorize that a man's business shall be taken away from him by a vi et armis proceeding, and, second, we propose to fine him $5,000 if he does not willingly submit to it, and now it is proposed that we shall not pay him anything for it if he does it. I do not say that this is the place to put this on; it may not be a good place to add legislation to this bill; but what I do say is that during war times, having by force of arms taken a man's property away from him and penalized him when he did not turn it over, then afterwards we ought to pay him for it. [Applause.] We at least ought to give him a chance to be heard. This does that and no more. Secretary Lane will protect it.

It has been current conversation around where I have been sitting that this bill did not pass until after the armistice was signed. That is not true. The bill was signed October 5, one month before the armistice. Some one may say that we knew the war was ending. We did not know the war was ending. We do not know that it is ended now, and judging from some of the performances that have been taking place around the Capitol the last few days it does not seem to be at an end.

Mr. SANDERS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. Yes.

Mr. SANDERS of Indiana. Does the gentleman know of a single instance where the property of these miners or mine operators was taken by the United States Government?

Mr. FERRIS. Oh, I have a brief on my desk that it would take all day to read showing what the proceeding was.

Mr. CARTER of Oklahoma. What minerals did the act of October 5 apply to?

Mr. FERRIS. The recital of them includes a whole paragraph, which I shall insert at this point:

Be it enacted, etc., That by reason of the existence of a state of war, it is essential to the national security and defense, and to the successful prosecution of the war, and for the support and maintenance of the Army and Navy, to provide for an adequate and increased supply, to facilitate the production, and to provide for an equitable, economical, and better distribution of the following-named mineral substances and ores, minerals, intermediate metallurgical products, metals, alloys, and chemical compounds thereof, to wit: Antimony, arsenic, ball clay, bismuth, bromine, cerium, chalk, chromium, cobalt, corundum, emery, fluorspar, ferrosilicon, fullers' earth, graphite, grinding pebbles, iridium, kaolin, magnesite, manganese, mercury, mica, molybdenum, osmium, sodium, platinum, palladium, paper clay, phosphorus, potassium, pyrites, radium, sulphur, thorium, tin, titanium, tungsten, uranium, vanadium, and zirconium, as the President may, from time to time, determine to be necessary for the purposes aforesaid, and as to which there is at the time of such determination, a present or prospective inadequacy of supply.

They are rare minerals needed for the linings of cannons, and in connection with munition plants, and this bill gave the Government plenary power to order a man in and take his property away from him whether he would or not. Section 4 provided a fine and imprisonment if he did not submit, and now it is proposed that we shall refuse to pay him for what we have taken and refuse to give him any tribunal to which he may appeal. It is not a square deal; it only affects the small men—the small miners. They can not afford to wait always for their pay. They can not afford to go into the courts and litigate this case; it is too much to expect; it is only common honesty; only common justice. We can not afford to do less. They served us well in this war. Let us so treat them that they would serve us again if emergency arose.

Mr. DENT. Mr. Speaker, I yield five minutes to the gentleman from Missouri [Mr. HAMLIN].

Mr. HAMLIN. Mr. Speaker, the other day, when this bill was sought to be sent to conference, I insisted that the conferees ought to give assurance to the House that this amendment of the Senate, known as section 7, should not be agreed to in conference without first giving the House an opportunity to know something about it. I did not at that time say, and do no now say, that all these proposed claims are without merit; that the Government is not under a moral obligation to make compensation in certain cases; but I did say that we ought not to establish a precedent in this House of subjecting $50,000,000 to the payment of claims, the validity of which the House had never for one moment considered one way or the other. Now, the trouble of the matter is that there is a wrong impression, in my judgment, in the House as to the character of claims which would come under section 7, as compared with those in the other portion of the bill.

There is not a single proposition included in what is known as the war-validating contract portion of this bill, and which bill was carefully considered by the House, that does not rest upon a contract of some kind, either a perfected contract under the law or a contract informally made by some one who had authority to make a formal and valid contract. But the Secretary of War is not authorized to compromise and settle a single claim that does not rest upon some such contract. That is the point. The difference between that class of claims and those embraced in section 7 is that no contracts were ever made with these mine owners by the Government, neither could have been made, for Congress had not authorized them. If the Secretary of the Interior had wanted to make a contract with one of these fellows he could not have done so, because he was not authorized by law to do it. Consequently not one single one of these claims mentioned in section 7 rests upon a legal foundation, but if they exist at all they must rest wholly on moral grounds, and the fellows who are pressing these claims recognize that fact to be true. Why, bless your soul, as soon as this war-validating-claim bill was introduced in this House these mine owners made a grand rush upon the Capitol that would do credit to any football team in existence and landed down here in the conference room of the Bureau of Mines. Not knowing exactly what they wanted they proceeded to organize themselves into a convention, and after proceeding while they finally concluded, as one of them expressed it, that since other people are being taken care of by the Government he could not see why they should not "get theirs"—that their claims were moral and the Government ought to acknowledge a moral obligation as well as a legal one. That is all there is to it. Now, it may be that there are certain circumstances surrounding some of these particular claims that would warrant the Government in paying them, but, gentlemen, we ought to safeguard that. If you are going to recognize so-called moral claims that have no foundation in law, then where are you going to stop?

Mr. DENISON. Will the gentleman yield?

Mr. HAMLIN. For just a question.

Mr. DENISON. Of course, the gentleman knows there are a great many of these war contracts that have no foundation of law at all, but are merely moral obligations?

Mr. HAMLIN. No; I do not know that.

Mr. DENISON. The gentleman is not informed about the bill.

Mr. HAMLIN. I am informed about the bill and every single one of the claims embraced—if I had time I could read here—are founded upon a contract. Here is the law in regard to the contract-validating bill:

That whenever during the war emergency and prior to November 12, 1918, any individual, firm, company, corporation, or foreign government has made an agreement with the Secretary of War, or with any officer or agent acting under his authority, or with any agency of the Government authorized to procure for the War Department, for the production, manufacture, sale, acquisition, or control of equipment, materials, or supplies, or for services, or for facilities, or other purposes connected with the prosecution of the war, and such agreement was reduced to the form of a contract or accepted procurement order and executed or signed on behalf of the Government, but the agreement did not comply with statutory requirements, in every such case the Secretary of War is authorized and directed to waive, on behalf of the Government, such noncompliance.

Mr. CANNON. Right there, will the gentleman yield for a question?

Mr. HAMLIN. Certainly.

Mr. CANNON. That requires a contract.

Mr. HAMLIN. Absolutely.

Mr. CANNON. Now, then——

Mr. HAMLIN. And no one questions the right upon the part of the Secretary of War to make such contracts.

Mr. CANNON. Now, then, am I right in the understanding that if this bill goes to conference again, that after section 7, Senate amendment, that you will write into it authority for the Interior Department exactly as we did for the other?

Mr. HAMLIN. I am not on the conference committee and can not answer that question.

Mr. CANNON. Are there no original contracts?

Mr. HAMLIN. There is not.

Mr. CANNON. I know how I am going to vote.

Mr. HAMLIN. Here is a brief filed by these people who have these claims.

The SPEAKER. The time of the gentleman has expired.

Mr. HAMLIN. I would like to have about five minutes more.

Mr. DENT. I am sorry, but I can not yield to the gentleman.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent that the time may be extended five minutes and I may have that time.

The SPEAKER. Is there objection to the request of the gentleman from Missouri? [After a pause.] The Chair hears none.

Mr. HARDY. Will the gentleman yield for just one question?

Mr. HAMLIN. I have here now—the gentleman from Georgia talks about the War Industries Board, the Interior Department, the Bureau of Mines, the Geological Survey, and so forth, insisting and demanding—and my friend from Oklahoma expatiated along the same lines—that these people produced these minerals on the request of somebody connected with the Government, and therefore there is a contract. The gentlemen overlook the fact that no one connected with the Government had any right to make a contract. Now, let us see. They have

set out here in a brief, which I take for granted is the strongest evidence they have on that point, and the first thing set out is an advertisement by the California Chrome Co. insisting that all the chrome producers produce all they can because the Government needs all the chrome; then next a bulletin from the Geological Survey says this:

Unfortunately for the United States, the present domestic supply of chromite is scarcely one-fourth of the quantity needed for war and domestic uses * * *

At present we are facing a deficit in the supply of chromite and we should spare no effort to increase the output in this country as well as that of adjacent countries.

Now, that is the statement made by the department; not promising to take care of them in any sense of the word, but asking them to redouble their efforts as patriotic men to produce over that which they had been producing in small quantities.

The Du Pont Powder Co. tendered to the Secretary of the Interior their advertising space in the magazines of the country, and he made an announcement of the pressing needs of the country for those minerals, just as the Food Administration and the President and everybody else were insisting that the farmers of this country plant more acreage, grow more wheat, more corn, raise more hogs and more cattle, because they said that "food would win the war." Does any man in this House believe that in doing that they were placing this Government under obligations to compensate these farmers for any loss they might sustain in case the war should end?

Mr. HOWARD. They did it to the extent of $1,250,000,000.

Mr. HAMLIN. They never paid them a cent nor made a contract until Congress had given them the authority to do so. That is exactly what we had not done in this case.

Mr. WINGO. Will the gentleman yield?

Mr. HAMLIN. Yes.

Mr. WINGO. The gentleman talks about newspaper advertising being the basis of this. Does the gentleman think the newspaper advertising has come within this limitation of law which says the claim shall be limited to where there was personal demand on the part of certain agencies of the Government?

Mr. HAMLIN. I am contending that the only pretense they have for any kind of claim upon the Government are the things they set out here themselves in the advertisements to the effect that the country would need this material.

Mr. WINGO. Does the gentleman state that was the only thing?

Mr. HAMLIN. I want to say——

Mr. WINGO. Does the gentleman say there were no personal letters?

Mr. HAMLIN. I want to say to my friend from Arkansas, who is a good lawyer, that he knows if they could prove that the War Industries Board, the Bureau of Mines, or the Geological Survey, or any other agency of the Government promised these people absolutely to indemnify them against any loss that that promise would not be worth the snap of your finger, because they had no authority to make it. Consequently if your claim has any foundation whatever, it must be wholly upon moral grounds.

Mr. WINGO. I have not been talking about that.

Mr. HAMLIN. The gentleman refers to that.

Mr. WINGO. I am trying to get the gentleman away from something that we all agree on to discuss something that is in issue.

Mr. HAMLIN. I can not yield any further.

The thing resolved itself into this one proposition, that there is no basis in law for these claims at all, none whatever, no contract made, and none could have been made. And the difference between this character of claims and those embraced in the balance of this bill is as great as night is from day. And, as the gentleman from Alabama says, this character of claims has no more business on this bill than a wart has on the nose of a prima donna.

Mr. GARRETT of Texas. Will the gentleman yield?

Mr. HAMLIN. I will.

Mr. GARRETT of Texas. I want to ask the gentleman if there is any reason, if these gentlemen have any sort of claim, why they should be put on a different basis than these others that have claims?

Mr. HAMLIN. I will say to my friend from Texas let them do what the people under the balance of this bill did. Let them have a bill introduced and let it go to the committee having jurisdiction of the matter and let that committee investigate it, and hold hearings, and let the House consider it as it considers ordinary measures. Let the Senate consider it as it considers ordinary measures. And then, if the Congress of the United States wants to throw open wide the doors of the Treasury to claims not based upon law, of course, then it will be all right to let the money be paid; but do not let us tack it as a rider on this bill without giving it any consideration. [Applause.]

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Indiana [Mr. SANDERS].

Mr. SANDERS of Indiana. Mr. Speaker, like the gentleman from Missouri, I am a member of the Committee on Mines and Mining. The chairman of that committee introduced a bill in this House which had practically verbatim the provisions of the amendment covered by section 7. That bill was introduced for the purpose of relieving the persons who had become operators in war minerals. We had no hearings on that bill, but it was taken and put on as an amendment to this bill.

I think the House ought to become aware of the fact that it is proposed here by an amendment to authorize the use to the extent of $50,000,000 of money already appropriated by this Congress. I was interested in the passage of what is known as the war-minerals bill, and the gentleman from Oklahoma [Mr. FERRIS] seemed to think there was something in the provisions of that bill that justified this proposed amendment. There is nothing in that bill which justifies it. That bill simply authorized the President of the United States to go out and purchase these war minerals. It authorized the President of the United States, if there was an idle mine, and a mine that was not operating sufficiently, to go out and take it over; but there was nothing in that bill to authorize any man under any of the provisions of this amendment to make a claim against the United States Government.

I do not claim that there may not be some men who engaged in the production of these war minerals who have a just claim against the United States Government, but it seems clear to me that the Congress of the United States would be very unwise, without the consideration by any committee of the House and without the consideration by the Committee of the Whole, to enact this legislation which authorizes a part of the executive department to pass upon claims without any law to guide him, without any rule to guide him, but simply upon the supposed proposition that there is a moral obligation.

I assert that there is not a Member of Congress who has considered this measure or who knows anything about the measure, that could rise in his seat now and tell us of a specific instance of a mine operator who has so invested his money as to have a just and valid claim against the United States Government.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. SANDERS of Indiana. Certainly.

Mr. RAKER. Is it not a fact that the Committee on Mines and Mining reported out section 7 to the Senate regularly and then simply placed it on this bill so as to insure its passage?

Mr. SANDERS of Indiana. I do not know what steps were taken to insure its passage.

Mr. RAKER. Now, one other question.

Mr. SANDERS of Indiana. I understand that there have been no hearings on this bill.

Mr. RAKER. Is it not a further fact that the Committee on Mines and Mining of the House sort of tentatively had an understanding that that committee would not dispose of the matter, but would let the Senate dispose of the matter in such manner as they saw fit?

Mr. SANDERS of Indiana. Not to my knowledge. Now, I can not yield further. I have only five minutes.

Mr. RAKER. All right.

Mr. SANDERS of Indiana. We have already been furnished with a brief on this subject. That brief was furnished by the men who suffered these great losses, and I certainly sympathize with them very deeply, and I hope there will be some remedy found for them. But that brief bases their claim largely on the fact that the executive departments of this Government violated a tacit agreement with them—with these ore producers—by permitting imports to come into the United States.

Now, I would like to know if that would form the basis of a moral obligation on the part of the United States? There is a provision in the war mineral bill to the effect that the President of the United States has the right to put on a tariff to protect these men. He did not do it. I would like to know if that is an instance of a violation of a moral obligation.

The SPEAKER pro tempore. The time of the gentleman from Indiana has expired.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GORDON].

The SPEAKER pro tempore. The gentleman from Ohio is recognized for five minutes.

Mr. GORDON. Mr. Speaker, I was trying to find in this brief of these claimants a statement which I am certain that I read in it, in which they expressly disclaimed having any contract with the Government. They disclaimed having invested a

dollar upon the faith of any statement of any official authorized to act or speak in the premises.

That is the real objection to this bill. Now, with sobs and tears, the gentleman from Oklahoma [Mr. FERRIS] read the provisions of this mining bill, and he read the provisions showing that it authorized the President to do a great many things. But he did not tell you that any of these claimants had acted under that authority of the President or under the authority of anybody authorized by the President, and the truth is that the President never did authorize any of these claimants, and no person acting for the President in that matter under this bill ever authorized anybody to spend a dollar under this legislation.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield?

Mr. GORDON. Yes.

Mr. HAMLIN. There is a statement in that brief there from Dr. Leaf stating that the bill spoken of by the gentleman from Oklahoma [Mr. FERRIS] was not operative, because it could not become operative if there was an overproduction, and he said there was an overproduction, and it could not operate.

Mr. GORDON. Yes. That is the fundamental objection to this bill. I call your attention to the fact that section 7—if you will get it and read it—which is now before the House does not require that these claimants should have been authorized by the President or anyone acting for the President. There is the vice in all this proposition. They take themselves right out from under the provisions of this mining bill, because this section 7 does not require that these expenditures which they made and these obligations which they incurred must have been made or incurred pursuant to the authority granted by the President or anyone acting in his behalf.

Mr. HAMLIN. Mr. Speaker, will the gentleman permit another interruption?

Mr. GORDON. Yes.

Mr. HAMLIN. I may be mistaken as to Dr. Leaf. My eye caught this: Mr. George L. Pratt says:

> It seems to me that anyone who can read English will see why this bill is inoperative. The Secretary of the Interior would have to complain of a shortage.

Mr. GORDON. Certainly. It never became operative.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. GORDON. Yes.

Mr. HARDY. The gentleman says this was not done at the suggestion of the President. It must have been done at the solicitation of one of the departments.

Mr. GORDON. The law does not authorize a department to do that.

Mr. HARDY. Does the gentleman know whether a citizen who is sent for by a department official would have any way of knowing whether that official was authorized or not?

Mr. GORDON. Oh, you can not take the authorization of every Tom, Dick, or Harry. This mining bill does not permit that. You can not do that.

Mr. HARDY. Is the head of this department one that could be called a Tom, Dick, or Harry?

Mr. GORDON. These dollar-a-year men go around and say to people, "Get busy and help win the war." Do you say that you can base a claim against the Government on the mere unauthorized statement of one of these officials or dollar-a-year men?

Mr. HARDY. Nobody has said anything about the dollar-a-year men. This bill does not embrace any of the men you are talking about.

Mr. GORDON. This mining bill upon which they are undertaking to base section 7 requires that a contract must have been made by authority of the President, and, as the gentleman from Missouri [Mr. HAMLIN] just stated and read out of the record, before the President is authorized to act in the matter he must find that there is a shortage of these minerals. There has never been any such finding, and neither the President nor anybody else had authority to act in the matter.

Mr. HARDY. The gentleman refers to these as activities entered upon at the suggestion of Tom, Dick, and Harry. But this bill limits it to "the production of which by any claimant or claimants was requested, or demanded, by personal solicitation of, or personal inducement to, such claimant or claimants made by the War Industries Board, the Shipping Board, or the Department of the Interior." Does the gentleman think that a private citizen of America, when called upon by one of these departments to do something for the Government, should go and make inquiry as to whether that department was authorized by the President?

Mr. GORDON. Of course; he must do that. He is bound to do it at his peril. This mining bill confers extraordinary powers on the President, but it limits and restricts the power of the President to commit this Government. The President must first find that there is a shortage of these minerals.

Mr. STEAGALL. Will the gentleman yield for a moment on that point?

Mr. GORDON. Yes.

Mr. STEAGALL. This bill does not limit these claims to those who were requested or solicited by the Interior Department, or the War Industries Board, or anybody. That is the section of the bill which deals with their investigation of claims; but the section which authorizes them to pay claims says they may pay anybody who went out for the purpose of producing something that might be needed, because they had read in a paper somewhere that the Government would need it.

Mr. GORDON. Certainly.

Mr. HARDY. I do not know anything about a paper, but I have in mind a particular case where a man was sent for by the Secretary of the Interior, who urged him to produce minerals——

Mr. GORDON. That does not justify any claim against the Government. You personally might go out and induce somebody to produce something for the Government. Do you mean to say that that would make any valid claim against the Government, or that it would bind the Government in any way?

Mr. HARDY. It would bind me if I induced you to do something, and, in my opinion, the Government is as properly bound and is under the same moral obligation to pay its just debts as an individual.

Mr. GORDON. You are entirely mistaken about that. You open the doors of the Treasury to everybody who has done anything which might be construed as helpful to the Government since this war started.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER. Mr. Speaker, the amendment of the Senate to the House bill is for the purpose of validating contracts which are not legal, and according to the decisions of the Comptroller of the Treasury not one of these $2,000,000,000 contracts could be paid unless the claimant should go into court and there be able to secure a judgment against the United States.

Mr. HAMLIN. Will the gentleman yield right there?

Mr. FOSTER. Just for a question.

Mr. HAMLIN. Is it not true that the ruling was based on the fact not that they were not contracts but that they were not formally reduced to writing and signed, as the law specifically requires?

Mr. FOSTER. The gentleman from Missouri is a good lawyer and has practiced law, and he knows the difference between a legal contract and an illegal contract and whether an illegal contract can be enforced in the courts or not. Now, these are contracts that could not be paid under existing law.

Mr. KAHN. If the gentleman will permit, that is only one of the kinds of contracts contemplated by the bill that is in conference. The case that the gentleman from Missouri names is only one phase of it. There are three other phases of it.

Mr. FOSTER. Here are a lot of men who were induced to speed up and do work in order to secure the war minerals that were necessary in prosecuting this war.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. FOSTER. No; I can not yield. I have only five minutes. I will yield later if I get more time. Men were asked to come to Washington on this matter of war materials. I hold in my hand a copy of a telegram sent to a man in Arkansas who came here and was urged to go back home and mine as much manganese as possible in order that it might be used for the war. He had two sons then in the Army and three more going, which made five sons who went to help win this war in Europe. He remained at home, and each week when his men were paid off he would make a speech urging them to work harder and longer in order that they might get out more of this material for the use of the Government and win the war quickly. To-day that man is a bankrupt, because he acted in good faith and did as he was urged to do.

Is this great Government of ours willing to say to its citizens, "When we urged you to go and put your money into a mine in order that you might produce the necessary material to win the war, now we are not going to pay you anything for it"? That man told me that before the war he was worth $100,000. To-day he has lost it all. Is the Congress of the United States going to say to these little fellows throughout the country, "We will not help you, but we will protect the men who hold the great contracts amounting to billions of dollars"? I say we should be ready to protect the little fellows, too. [Applause.] I voted for the bill to validate these contracts when the bill passed the House, because I believed this Government ought to settle up these contracts. Now, I believe we ought to settle

the contracts of these men who were urged by the Government to go out and produce these war materials. It is true that the bill which passed the House early in May went to the Senate and remained there until October before it came back, and was agreed to and finally signed on the 5th day of October. Before it was turned over to the Secretary of the Interior to administer it was too late to do anything with it. The Secretary, wisely in my judgment, refused to administer that law until further action was taken by Congress. Now, can we not trust Secretary Lane under this bill not to permit payment of illegal contracts that ought not to be allowed? I believe we can trust him, and I believe that we ought to agree that these small claims shall be settled along with the others, which amount to two or three billion dollars. Let us not forget the small men. [Applause.]

Mr. FIELDS. I yield five minutes to the gentleman from Arkansas [Mr. OLDFIELD].

Mr. OLDFIELD. Mr. Speaker and gentlemen, I want to tell you something about how this situation has worked out with regard to one of my constituents. Mr. W. H. Denison, from my home county, went into the manganese business in 1887. I know of no better citizen anywhere. Some 15 or 20 years ago the manganese industry ceased to be profitable, on account of manganese coming from South American countries; but when the war started Mr. Denison was sent for and came here at the solicitation of the War Industries Board, the Shipping Board, and the Interior Department, and was told what to do. He was a loyal citizen. He was anxious to do anything that his Government needed he should do to help win the war. He had three sons in the Army and two more to go. Five of those sons did go into this war. Three of them have returned. When those three sons went to war Mr. Denison was a man in good circumstances in our country, worth $100,000. When they returned he was broke, and he was broke because this Government told him what to do, and because he had done it, and now the Government, or some Members of Congress at any rate, seem not to want to carry out the understanding that the Interior Department and the War Industries Board had with him.

Mr. SANDERS of Indiana. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. SANDERS of Indiana. The gentleman is talking about a specific case, and that is what I have been wanting. The gentleman has mentioned the name of a person who produced manganese. What I would like to know is, What agency of the Government created this obligation, what particular officer of that agency dealt with this gentleman?

Mr. OLDFIELD. This man was not a lawyer, as the gentleman no doubt is. He did not wait for a legal contract as some gentlemen probably would. He was anxious to win the war and he wanted to win it before his sons were killed in France. Therefore all he knew was to do what the authorities at Washington told him to do. He said to them, "Gentlemen, take over my mines and operate them, I will be your superintendent until the war is over without a nickel of compensation; I have sent every boy I have to France." They said, "Oh, no; we do not want to take over the mines."

Mr. SANDERS of Indiana. Who are "they"?

Mr. OLDFIELD. The War Industries Board and the Shipping Board and the Interior Department. I do not know which particular one, but he did not want to take these chances. He said, "I have lost a great deal of money in the manganese game; I have saved up something like $100,000 in other business, and I would rather work for the Government for nothing than to take any chances." They said, "No; we can not do that, you go back and do it," and they intimated that if he did not do it he was a slacker. Now, gentlemen, that was a very bad name to call a man in my country. A man would rather do anything than be called a slacker in Arkansas. Therefore he went back and did it.

When these boys came home from France—and remember that these boys were in business with him before they went away; they are efficient young fellows and well educated. They were helping him run the various businesses, and he dispensed with their services. One of them resigned from a lieutenancy in a camp in Arkansas and went to France as a private in order to get into the war. He was at Chateau-Thierry, and he now comes back and finds his father and mother paupers because his father had enough confidence in the United States Government to do what they told him to do. Now, is not that a moral obligation?

Mr. GREENE of Vermont. Will the gentleman yield?

Mr. OLDFIELD. Yes.

Mr. GREENE of Vermont. Assuming it is a moral obligation in the broad and general sense, how would the claimant reduce to specific figures the exact measure of damages that he holds against the Government, there being no contract?

Mr. OLDFIELD. I assume that the Secretary of the Interior will adjust that matter, just as the Secretary of War is going to adjust those matters.

Mr. GREENE of Vermont. But these matters are matters of incomplete contracts; they have had a beginning, or they are proceeding under an old one.

Mr. OLDFIELD. The Secretary of the Interior knows that he can do it, and the War Industries Board knows that it is largely responsible for making paupers out of business men in the country. They think they can adjust these obligations, and I am willing to leave that to them.

Mr. GREENE of Vermont. But these are all generalities only.

Mr. OLDFIELD. Mr. Speaker, I desire to print in the RECORD a letter which I received from Mr. Denison:

Hon. W. A. OLDFIELD,
Congressman from Arkansas.

DEAR SIR: Below I quote the exact telegrams as passed between myself and the Mineral Division of the War Industries Board:

WASHINGTON, D. C., *March 15, 1918.*

MANGANESE DEVELOPMENT CO.,
Care W. H. Denison, Cushman, Ark.:

You are invited to attend a conference of producers of manganese ores with Mr. L. J. L. Replogle, of War Industries Board, and Messrs. Leigh and Spurr, of Shipping Board, meeting to take place Friday afternoon, March 22, at 2.30, room 716, National Defense Building, Eighteenth and D Streets, Washington.

POPE YATEMAN,
Raw Minerals Division, War Industries.

To which I replied, as follows:

CUSHMAN, ARK., *March 18, 1918.*

POPE YATEMAN,
Raw Minerals Division, War Industries Board,
National Defense Building, Washington, D. C.:

Your wire 15th, inviting me to attend conference producers manganese ore on 22d. Please wire nature of this meeting and who you expect to be present; will be there if possible.

W. H. DENISON.

Receiving the following:

WASHINGTON, D. C., *March 18, 1918.*

W. H. DENISON,
Cushman, Ark.:

Meeting to get views of producers, with a view of stimulating production and cutting off part of imports to release shipping for war needs. Manganese producers from all over the country will be present.

POPE YATEMAN,
Raw Minerals Board.

I attended the meeting, offered the Government my mines free, also my services without compensation, for the duration of the war, as I at that time had two sons in the Army and three more going. I wanted to do anything to win the war, and win it quick.

The sense of our meeting with the war boards here was that we must speed up production. I hastily returned to Arkansas, invested every dollar I had, and induced many others to do likewise, also borrowed, along with my associates, over $50,000, and put it into the manganese-mining business.

Without the pending relief measure, I am bankrupt, will lose every dollar I have, and my credit also.

Respectfully,

WALTER H. DENISON.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. DEMPSEY].

Mr. DEMPSEY. Mr. Speaker, I am going to try and speak simply on the legal aspects of this bill. Gentlemen have addressed themselves to a brief that has been filed by some claimants—what claimants they do not say. They have talked about a brief as being involved in the bill, but that brief can have no possible relationship to the bill before us. The question is not what the people said in the brief, but the question is, What are the provisions of this bill? The chairman of the committee started the discussion by saying that anyone in the United States who has a piece of land upon which or under which there are minerals can prosecute a claim against the United States and enforce it, and then he says that it provides for the adjustment of simply moral claims.

Now, that is the general line of discussion here. The question is, Are these two things true? Can any man who has a piece of land with underlying minerals present and enforce a claim, and, secondly, does this bill provide for the adjustment of claims which have no basis except a moral basis?

I say neither of these things is true. Let us turn to the bill and see; and I am going to read all that is important, and I ask if you will be good enough to follow my reading.

Section 7 is as follows:

SEC. 7. That the Secretary of the Interior be, and hereby is, authorized and directed to ascertain and determine the amount or amounts of money heretofore invested and obligations incurred by investors for producing, to supply the urgent, published, and evident needs of the Nation during the war, any ores, metals, minerals, or mineral substances mentioned and enumerated in an act for encouraging the production of ores necessary in the prosecution of the late war and which have formerly been largely imported, or of which there is or may be an inadequate supply.

Then follows a provision in the first section of the act limiting the claimants to those who have been requested by three agencies of the Government—by the Shipping Board, by the War Industries Board, by the Secretary of the Interior—to produce these metals as to which we passed this act.

It does not provide that any man who has some land under which manganese may lie may present a claim, but only those men who have been requested to produce this metal in pursuance of this act by these three agencies of the Government. They are not subordinate officers, they are not dollar-a-year men, they are not Tom, Dick, or Harry, they are not second lieutenants or captains. They are the responsible agents of the Government. What more responsible agency of the Government can you mention than the Secretary of the Interior? During a time of national peril, what more important and responsible agency of Government can you name than the War Industries Board? During a time when it was important and necessary to transport our ships and materials to France, what more responsible agency of the Government could you suggest than the Shipping Board? Having provided that only those who are authorized by the Secretary of the Interior, by the War Industries Board, and by the Shipping Board can present these conditions, what is the next provision? The next provision is that for payment. Does it provide, as gentlemen have claimed, that only moral claims or claims based upon a moral obligation alone shall be adjusted? No. Let us take the language and see.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. DEMPSEY. Yes.

Mr. HARDY. Is not a moral obligation upon an honest man binding upon him?

Mr. DEMPSEY. Surely it is, and I am not decrying the force of a moral obligation, but I am saying that gentlemen are wrong when they say that it is possible under this act to adjust a claim which has its only basis in moral obligation, and I point to the act itself, which reads thus:

> That payment herein authorized be made to the claimant or claimants the said Secretary shall find to be morally, equitably, and justly entitled thereto.

What is the meaning of "equitably"? I have turned to the dictionary and I find the following to be the definition of "equity":

> Equal justice; in practice, the impartial distribution of justice.
> 2. The application of principles of right and justice to the legal adjustment of differences, where the law, by reason of its universality, is deficient.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Speaker, as I understand a moral obligation against myself, it is an obligation that I ought in good conscience to pay, and I feel that I should pay a moral obligation just the same as I should a legal obligation; and I feel that my Government should recognize and pay a moral obligation—an obligation which in good conscience it ought to pay—just the same as it ought to recognize and pay a legal obligation. When the war-contracts bill was before the House I was in favor of the settlement of those claims. I voted against the bill, because I did not approve of the method of settlement proposed by the bill. That bill has been so changed in the Senate that I think it has been very materially improved, and I can support the bill as it comes from the Senate. As to these war mineral claims, I want simply to say this: These men who owned the mineral lands and the mines have invested their money on the request of the Government and with the faith that the Government would see that they could sell their product. They did it at a time when the Government needed their product for war purposes, and when the Government had stopped the supply of such products from coming into the country from other countries. On the faith of that understanding, that promise, that request, of the Government, they have invested their money. If the Government could or would give them protection against ruinous competition from other countries, so that they could continue their business and sell the product of their mines, all of these gentlemen, I dare say, would be satisfied. I have talked with a number of them, and they say if they could go ahead with their business and sell the product of their mines, they would make their money back and be satisfied. But the present administration will not give them protection, so they can never get back the money they have expended at the request of the Government and for the good of the Government in any other way, so far as I can now see, except in the manner provided in this bill. If I could have my way about it, I would give them protection against competition with other countries where the cost of production is so much cheaper than in this country. That would enable them to continue operating their business and let them get their money back in that way; but I can not have my way about that, and I do not intend, if I can help it, to let this Government make those men lose the money they have invested for the benefit of the Government and not get it back from some source.

Mr. HARDY. The gentleman would not induce a man to perform such labor for himself without compensating him?

Mr. DENISON. Certainly not.

Mr. HARDY. Is the gentleman willing to have his Government repudiate an obligation which he as an individual would recognize?

Mr. DENISON. I am not.

Mr. DECKER. Who made this promise to these miners?

Mr. DENISON. The Secretary of the Interior and the War Trade Board.

Mr. DECKER. Where did they get their authority to do that?

Mr. DENISON. The war minerals bill passed the House several months before the war ended, and the country was given to understand that the bill was going to become a law. It passed the House promptly, and was held up, it is true, for a long time in the Senate, but the country was given to understand that it was going to become a law; we all recognized the absolute necessity that it should become a law, and on the faith of its becoming a law some of the departments of the Government went ahead and induced these men to invest their money.

Mr. DECKER. Does the gentleman mean to say that these men, with enough intelligence and information and money to run a mine, did not understand that the Secretary of the Interior could not make such a guaranty as that?

Mr. DENISON. They not only had enough intelligence and money, but they had enough patriotism. [Applause.] And they did go ahead and put their money into these investments in order to help win the war.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield?

Mr. DENISON. Yes.

Mr. HAMLIN. The gentleman said awhile ago that he was in favor of his Government keeping its moral obligations.

Mr. DENISON. Yes.

Mr. HAMLIN. I think we all agree with him upon that.

But the gentleman does not mean to convey the impression that an adverse vote here to-day would mean the Government would not keep its moral obligation, if there is any?

Mr. DENISON. I do not mean to say that; I do not know whether it will or not. I am saying, as far as I am concerned, that the Government ought to meet these obligations, and ought to do it in the manner provided in this bill, if it will not do so by giving them enough protection to enable them to continue operating their mines and plants.

The SPEAKER. The time of the gentleman has expired.

Mr. HAMLIN. Does not the gentleman think a bill ought to come in in the regular way and let the House consider it?

Mr. DENISON. That would be preferable, of course; but just now there does not seem to be any chance to get a bill through Congress in that manner. Besides, if we are going to authorize the War Department to settle the moral obligations they have incurred, we ought with equal justice to let the Interior Department settle the moral obligations they have incurred. In either case, it is claimed, the obligations were properly incurred in the prosecution of the war.

Mr. FIELDS. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, I am in favor of the provision for two reasons. One of them is that I believe it is the duty of the Government, the same as an individual, to meet its moral obligations. The other reason is a practical one from the standpoint of the Government. The gentlemen arguing against this proposition ask, Why do not you bring in a separate bill? If you vote down this proposition to-day and there is not some provision made for the settlement of these claims, mark my prediction, these valid contracts that no man can investigate and honestly say that the Government ought not to pay will be used as a wedge by which bad claims will get into this House during the next 15 or 20 years, and sooner or later you are coming in with an omnibus bill that will carry many times the few millions of dollars that will be paid out under this bill. I did not like to vote for the original bill, but I finally came to the conclusion it was to the interest of the Government from a monetary standpoint to clean these matters up now while the issues are fresh, while the officials are present, and while all the evidence is available to get them out of the way. Now, what is involved in this? The only question it involves is this: Are you going to undertake to meet the moral obligation of an informal contract, ille-

gal contracts, if you please, made by one department of the Government, attached as a provision on a bill providing for the same kind of contracts in another department of the Government? If I had my way about it I would write a general bill which would require all these claims of every class to come in and be presented within the next six months and thus clean them up and get them out of the way and not consume the time of this Congress during the next 20 years in undertaking to consider the claims. Some gentleman said, "What authority did these gentlemen have to make these claimants do what they did?" I will tell you what they had, the strongest authority that ever existed in this country, the authority which existed during this war and that was the fear of your Government, the fear of being called a slacker. Why I know of one instance where one of these representatives went to a farmer who had a small deposit on his land and he said, "You must either go to work and get this out or we will take charge of your farm." He said, "By what authority am I required to do that?" He had a copy of the bill that this House passed months before, and he said, "This bill is still pending in the Senate, and the President has written a letter for it. It is going to pass. You will either do this or we will take away your property." Tell me, is that not the strongest authority that any man would recognize during these trying times, the demand of his Government to do something for the prosecution of the war?

Oh, but the gentleman says these claims are based on newspaper advertisements. I deny it. I am opposed to allowing such claims, and the pending proposal excludes them by limiting relief to claims based upon personal solicitations, personal inducements, and personal orders of Government representatives. I wish to God that every contract that will be settled under the War Department provision will be as clean as the contracts that Mr. Lane will settle under section 7. Gentlemen talk of the original bill that passed this House—the war-contract bill—covering only those cases where they had a contract of some kind a little bit informal. Oh, no; you are going to take care of cases like this where a man, a department employee, sits here in Washington and calls up contractors and orders without limit their output. "What is your price? We are not fixing any price; send in the goods and your cost sheets and then we will fix your price." They will settle claims where there was not even a price agreed upon, in some instances. You tell me you are going to settle these claims and pay the bill and talk about the authority to settle claims with the little mine owners throughout the country. I have not one in my district of which I know. I would be ashamed of our Government if it should say it would settle the claims of these big war contractors and then say to a man like the old man Bill Oldfield talked about, "There is no legal obligation; nothing but a moral obligation; and the Government does not meet its moral obligations." A government that will not meet its moral obligations falls into contempt.

The SPEAKER. The time of the gentleman has expired.

Mr. FIELDS. Mr. Speaker, I yield two minutes to the gentleman from Pennsylvania [Mr. GARLAND].

Mr. GARLAND. Mr. Speaker and gentlemen, I am opposed to this bill because of section 7. Section 7 came before the Committee on Mines and Mining. It was taken away from there. It came in the form of a bill. It was taken out and attached to this bill. There have been no hearings on this. As a matter of fact, section 7 opens up the possibility of any man to come in with a claim that he had developed, or tried to develop, a mine, and although he did not give one single pound of ore to the Government he still was attempting to produce the ore that was provided for development in the bill we passed on December 5, 1918.

Mr. DENT. Will the gentleman yield for a question?

Mr. GARLAND. Not now. An attempt was made in this bill to pay everybody, whether they produced material or not. It seems to me that claims of that kind are not any more just than the claims of those who are abroad now and who lost all of their business. I met men on the other side and in this country who had gone into the Army at the call of war and who lost all of their business. Have they not just as much claim because of the fact that they had to go to war and forsake their business? They are coming back now without anything to which to go.

This bill that we passed on November 5 provides also that the President of the United States can issue a protective tariff to take care of these men and their business. He has refused to do it.

The SPEAKER. The time of the gentleman has expired.

Mr. GARLAND. And I want to say that I believe when the Republicans come in that they will pass a tariff bill to take care of them.

Mr. FIELDS. Mr. Speaker, I yield five minutes to the gentleman from Alabama [Mr. STEAGALL].

Mr. STEAGALL. I am not opposed to this Government's paying its honest debts, whether they be in such shape as meets the technical requirements of the law of contracts in every case or not. Of course, in the haste with which we have proceeded in the conduct of the war there has been unavoidable waste. That was not unexpected in the unusual situation that confronted the country. But we ought by all means to throw every possible safeguard around the allowance of claims not supported by clear and well-established contract. I am willing to take care of the sort of obligations that seem to be contemplated by those who support the Senate amendment No. 7. But while I hesitate to differ from the able lawyers on this floor who have contended otherwise, I am thoroughly of opinion that the chairman of the Committee on Military Affairs [Mr. DENT] is eminently correct when he states to the House that this amendment would embrace claims where there has never been even any semblance of a contract or obligation on the part of this Government, and where there has never been any sort of request or demand or solicitation upon any claimant for any particular production to support such claim.

Mr. SNYDER. Will the gentleman yield right there?

Mr. STEAGALL. No. I have not the time.

This amendment will open up a flood of claims from every corner of the country, if people desire to bring them in, as they may be expected to do under its blanket provisions. The chairman said they had had an estimate from one party only as to the amount of claims that would probably be presented. I believe he said the Secretary of the Interior had suggested that they would amount to about four and one-half millions. I take it that he had in mind such claims as he had information about, or in connection with which his department had been asked to accept responsibility. But we have not heard from the Shipping Board nor the War Industries Board nor any others. No man can tell what these claims will amount to nor how high they will mount. The only limit we know of is that payments can not be made in excess of $50,000,000, as provided in the other bill, out of which appropriation it is proposed that payments shall be made.

Mr. CARAWAY. Will the gentleman yield?

Mr. STEAGALL. I regret that I have not time to yield.

I wish to discuss for a moment the legal effect of the language used in this amendment, which is the purpose for which I arose. I ask those who have discussed this phase of the bill to follow me for a moment while I call attention to the language used. The first paragraph of the amendment authorizes and directs the Secretary of the Interior to ascertain and determine the amount or amounts of money that may be claimed, and so forth. This paragraph merely authorizes and directs the Secretary of the Interior to investigate claims, and it is this paragraph which contains the limiting clause which it has been argued restricts payment to such claims as are based upon production, which was requested or demanded by personal solicitation to, or personal inducement to, such claimant or claimants, made by the War Industries Board, the Shipping Board, or the Department of the Interior. The limitation seems to have been shrewdly drawn to apply only to the clause which directs and authorizes the Secretary of the Interior to make investigation of claims. The investigation which he is directed to make, as provided in the first paragraph of the amendment, is safeguarded by the limiting clause referring to production requested, demanded, or solicited by department officials, but this paragraph of the amendment carries no authorization for the payment of money to claimants. The succeeding paragraph is the one which authorizes the payment of claims. This paragraph also directs the Secretary of the Interior to ascertain, determine, and adjust claims and directs that they be paid to parties that he may determine are entitled thereto such losses and damages as he may decide have been sustained or suffered or that may be sustained and suffered. This paragraph which directs payment does not carry the limitation set out in the first paragraph, which directs the Secretary of the Interior to make investigation of claims. I think it is clear that no such limitation applies to payments to be made under any recognized rule of construction of the language used in the amendment. In any event, it is surprising to me that any man in this House should be willing to support this amendment, so carelessly worded as it is in its present form. I think if such legislation is to be carried in this bill it should at least be carefully framed and its meaning made clear. I do not for a moment question that the bill

will be administered in perfect good faith and with all due regard to the obligation resting upon those who will represent the Government in all adjustments involved. But I think it is due them, as well as the Government, that their duties should be clearly defined and the interest of the Government safeguarded as far as possible against all unjust and unfair claims. [Applause.]

Mr. FIELDS. Mr. Speaker, how much time is there remaining?

The SPEAKER. Twenty-three minutes.

Mr. FIELDS. Mr. Speaker, I will yield to myself eight minutes.

Mr. Speaker and gentlemen of the House, when the conferees went into conference upon this bill they went in, practically, instructed upon this proposition. The chairman of the committee had stated to the House that he would bring the matter back to the House before taking action upon it. We therefore felt that we were instructed upon the proposition.

Now, I do not believe that there is a Member of the House who wants section 7 of the Senate amendment in its entirety. I do not believe, on the other hand, that there is a Member of the House who wants the Government to repudiate any honest, moral obligation. If the conferees are instructed, why, of course, I as one of the conferees shall abide by the instructions given us. If we are sent to conference with a free hand, I as one of the conferees will do all in my power to help to amend the provision so that it will take care of moral obligations and at the same time protect the Government against unjust claims.

I am not in favor of recognizing the claim of every man who says that he enlarged his operations because he read an advertisement in the newspapers that the Government wanted him to do so. On the other hand, where the Government or any of its agents in charge of the prosecution of the war, or in preparing the means for the prosecution of the war, induced men to invest their money and produce these materials, the claims of these producers are just as legitimate as the claims of any other producers, and that class of producers should be cared for. I am not in favor of individuals growing rich by reason of special favors extended to them by the Government.

On the other hand, I am not in favor of bankrupting honest men and destroying legitimate business by the strong arm of the Government. I realize that a great deal of amendment must be made to this provision before it should be accepted; and, if given a free hand in conference, I shall do all in my power to help to perfect the amendment, so that it will do justice to the Government on the one hand and to the honest, legitimate business man on the other.

I believe that it would be a mistake to instruct the conferees. If you instruct them to disagree to this amendment in its entirety, it must go out of the bill. If you do not instruct the conferees to disagree, the amendment can be revised or amended in conference. Therefore, instructions would mean that the amendment would be accepted as it passed the Senate or rejected in its entirety. I think that either course would be a mistake. On the one hand it would give advantage to men who have no just claims, and on the other it would defeat many honest obligations. Therefore, I hope the conferees will be permitted to work out a provision that will take care of honest and legitimate claims.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. FIELDS. Yes.

Mr. HARDY. Will the gentleman tell me where, under section 7, any man would have a legitimate claim except where they were asked to do work by one of these departments?

Mr. FIELDS. I am not in favor of recognizing a claim which has as its only basis the fact that a man read in a newspaper that the Government wanted him to produce these minerals.

Mr. HARDY. Can the gentleman show me, under section 7, where such a claim could be made?

Mr. FIELDS. I think it could be done. But I would put such safeguards into the amendment as would prevent that.

Mr. HARDY. Is the gentleman in favor of putting in the bill a provision authorizing the payment of all persons who at the solicitation of these departments had invested their money and made an expenditure?

Mr. FIELDS. I said a moment ago that I am not in favor of this Government, because of its ability to do so, bankrupting any honest, legitimate business man.

Mr. HARDY. Then I take it that the gentleman is in favor of paying the moral obligations of the Government.

Mr. FIELDS. I am absolutely in favor of the Government paying its moral obligations. I have no patience with the individual who will look for legal or technical excuses to get away from moral obligations.

Mr. HARDY. I believe the gentleman wants to see justice done. Does not section 7 require that every claim under it should show that the work done was done at the request of one of these departments?

Mr. FIELDS. There is some difference of opinion on that, and I think that the conferees should be careful to throw proper safeguards around it.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. DENT. Mr. Speaker, I yield the balance of my time to the gentleman from California [Mr. KAHN].

Mr. RUCKER. Mr. Speaker, before the gentleman does that and closes debate, I would like to have five minutes on this bill. I wondered if the gentleman would object if I would ask unanimous consent for five minutes, not to be taken out of the gentleman's time?

Mr. DENT. I will not object.

Mr. KAHN. I believe the time has been agreed to by the House. I have no objection to the gentleman asking for further time.

Mr. DENT. I understand one gentleman yielded back two minutes of his time, and if the gentleman from California [Mr. KAHN] is willing, I will yield those two minutes.

Mr. KAHN. And I will yield to the gentleman from Missouri three minutes of my time.

The SPEAKER. The gentleman is recognized for five minutes.

Mr. RUCKER. I am recognized for five minutes. If there is any controversy about it, that settles it.

Now, Mr. Speaker, I am not a member of the committee that has charge of this bill or of any committee that deals with this or any kindred question, and the most I know about the pending measure is derived from the debate I heard here to-day. I understand this bill, especially section 7 of the Senate amendment, provides a method by which certain claims may be presented against the United States, allowed, and paid. Gentlemen say the claims provided for in the Senate amendment are founded upon a moral obligation, not founded upon a legal obligation.

Mr. HAMLIN. Mr. Speaker, will the gentleman yield right there?

Mr. RUCKER. Yes. Make your question short.

Mr. HAMLIN. Section 7 does just what the gentleman says, and makes the findings of the Secretary of the Interior absolutely final.

Mr. RUCKER. I am greatly obliged to my colleague, but I hope I shall not be interrupted any more, because I want to say in the time given me what I have in mind. Gentlemen say—and my good friend the gentleman from Texas [Mr. HARDY] has put everybody to the test by inquiring, "What is the difference between a moral and a legal obligation between honest men?" Everybody should answer, "There is no difference." Ought not the Government to pay its moral obligations as well as its legal obligations? My answer is, "Yes." But I want to suggest another thing. I am surprised to hear gentlemen argue strenuously here—as has been done eloquently by gentlemen from Arkansas [Mr. OLDFIELD] and from Georgia [Mr. HOWARD] and Texas [Mr. HARDY], and the Lord knows who else, because there are many of them—in the behalf of paying everything asked for by men and corporations of great wealth, who have large claims against the Government, but say nothing in behalf of the poor man or the man of moderate means who has suffered a loss. Is it possible that the time has come when before the Congress of the United States the millionaire's claim will get the ear of Congress while the poor man's claim can never force itself through the doors which exclude him from this floor?

Let me suggest that I am in favor of doing what is morally right, but let me also suggest to the gentleman from Texas [Mr. HARDY] and to these other advocates of complying with and discharging moral obligations—let me suggest to them that when you give ear to the rich you should go clear down the line and enter into the humble homes of the millions of people who have lost, just as these manufacturers and other rich men have lost, and carry a little sunshine into the homes of the poor. Oh, you say, "They do not pay the taxes nowadays, because under a Democratic administration, thank God, we have made the wealth of this Nation pay a large part of the revenues by levying an income tax upon the rich." That is true. But the poor pay their part—not the bulk of it. But I tell you again, that when Old Glory was in danger, when she was waving in the air and flying in the breezes, and the summons came to the boys to respond to the call to arms, most of the boys came from the

homes of poor men, because there are more poor men than there are rich men, and although the poor men individually have less dollars than rich men, everybody knows that poor men have the larger number of boys.

What are you advocates of the "moral-obligation" doctrine going to do in a case like this?

The Government asked the farmers of the country to plant more corn and to sow more wheat, and the farmers responded nobly and patriotically. They relied upon having the services of their sons on the farms to help harvest the increased crops; but before the corn matured, before the golden grain waved in the sunshine and the breeze, another draft law came along and took the 18-year-old boy and the man 32 years old and up to 45, and, by reason of the draft law, the farmer was deprived of his help to harvest his crops. Storms came, and the wheat fell and rotted in the field. Ought you not, as a moral obligation, to determine how much you owe that man and pay him? And what about the young man, like one from my district, who had been progressive and industrious, honest, sober, and frugal, who had exercised great business sagacity and accumulated property of considerable value, who was part owner of a bank, cashier in the bank, owner of a large hardware store, owner of four or five hundred acres of land and the stock upon it, who was drafted into the service? The summons came to him, "You must leave your bank counter, abandon your hardware store, turn your farm over to tenants, sacrifice your stock and crops, and go to war." Such a man is to-day at the front, where the firing line recently was in France. He has a mortgage debt of over $30,000 on his property and has an interest rate of $5 or $6 a day to meet. He was taken away from a profitable business and put in the trenches with a gun in his hand to fight back the enemies of democracy. Would it not be fair and morally right to pay that man his salary as bank cashier and refund to him the interest he has paid? The Government prevented him from earning money to pay it and, therefore, is morally obligated to reimburse him. Oh, before you attempt to be morally fair with millionaires, for God's sake be morally fair to the poor men of my country. [Applause.]

Mr. DENT. Mr. Speaker, I yield the remainder of my time to the gentleman from California [Mr. KAHN], and when he has concluded his remarks I shall move the previous question.

The SPEAKER pro tempore. The gentleman from California is recognized for 12 minutes.

Mr. KAHN. Mr. Speaker, I favor the principle involved in section 7 of the Senate amendment. Now, let us look at the situation in all fairness. We were getting manganese and chrome and pyrites, minerals absolutely necessary for the manufacture of our ordnance and ammunition, from Rhodesia and South Africa. On account of the exigencies of war our supplies from those sources were cut off, and the various departments and bureaus of our Government that were called upon to furnish the ordnance and ammunition for our country necessary to the winning of the war looked with apprehension upon a serious situation. Thereupon the Secretary of the Interior called to Washington some of the owners of land on which these minerals could be found and explained to them the situation. He appealed to their patriotism to put the necessary mining machinery upon their lands in order to develop the mines situated thereon. In all good faith these owners of the land proceeded to meet the requirements of the Government. It has been said here that if they had not done so they would have been denounced as "slackers." That is probably true. If they had refused to help their country they certainly would have been subject to the charge of being unpatriotic. Therefore I deem it proper to review the situation that was pending in this country. We were in the midst of war. I was informed this very morning by Gen. Lord that our expenses for the whole of that war, up to January 1, 1919, averaged $24,879,202.32 a day. But I feel confident that toward the close of the war the expenses of this Government were probably nearer $40,000,000 a day. The sudden closing of the war was undoubtedly a happy surprise to most of the people of this country. They feared a longer struggle. One day more of this war would have cost this country at least $24,880,000. Now, the sum total of the claims involved in this paragraph, as stated to the conferees by Mr. Manning, of the Mining Bureau, would at the outside be $8,000,000, and possibly $4,500,000 would be nearer the correct figure.

When these gentlemen who owned the mining properties came to Washington to consult with the Secretary of the Interior and other Government officials and were told the situation, they went honestly and patriotically to work to produce the ores that were needed by our Government in order to manufacture those materials that were essential to the winning of the war.

Mr. BLACK. Will the gentleman yield?

Mr. KAHN. No; I can not yield. I am sorry, but I have not the time. If the war had continued for any considerable length of time, these people could and would have delivered to the Government every pound of ore they produced, and could and would have received their pay for it. And no one would have objected. That is the truth of the matter. But the armistice, coming as suddenly as it did, found these men almost at the beginning of their operations. They paid out of their own pockets in good faith hundreds of thousands of dollars to develop these mines, and I say they undoubtedly have an equitable claim upon the Government. Oh, the gentleman from Missouri [Mr. RUCKER] got up here a moment ago and waxed eloquent about the poor farmer not getting anything. Let me call the attention of the Members of this House to the fact that there will be reported into the House in a few days, I understand, from the Committee on Agriculture, a provision that will pay the farmers of this country $1,250,000,000 to guarantee the price of $2.26 a bushel for wheat. Some of the members who are violently opposed to this pending proposition will readily vote for that enormous sum for the farmers. Are not these other men, who valiantly came to the aid of their Government in the hour of its stress, entitled to something? Would you say to them, "We know that you came to the assistance of the Government, but you ought to pocket your loss; this is a poor country; you ought not to come in here and ask to be reimbursed even for the moneys that you expended in developing your plants, but the farmers are entitled to $1,250,000,000 out of the Public Treasury to maintain a fictitious price for their wheat?" Evidently in the minds of some Members it is entirely a case of whose ox is being gored.

There are some gentlemen in this House who think that every man who has a claim against this country is a crook. Thank God I do not believe that of my countrymen. [Applause.] I believe that there is as much honesty in the United States as you will find anywhere on the globe. I recognize the fact that every safeguard ought to be thrown around a provision of this kind. I feel confident that the conferees on the part of the House will endeavor to throw around the legislation every safeguard, so that claims that can not be fully substantiated will be rejected and thrown out. And I want to say one thing in that regard: This section of the bill would be under the jurisdiction of the Secretary of the Interior. Parenthetically, I do not believe that it is a good thing to add a legislative provision of this sort to a measure that embraces a subject that is of a somewhat different nature. You could not do it in the House, because our rules forbid it. But they can do it in the Senate. We can not circumscribe their action; we can not formulate their rules of action. The Senate put that provision on this bill. It is going to be enforced, if the House adopts it, either in this form or a modified form, by the Secretary of the Interior, Mr. Lane. I happen to have known the Secretary of the Interior for many years. He is an honored citizen of my State. There is not a man, woman, or child within the confines of California that could for a moment think of Frank Lane doing a dishonorable thing. [Applause.]

I am willing for one, knowing the man as I do, to let him pass upon these claims. I know that justice will be done to the Government and also to those men who in good faith came to the assistance of the Government in furnishing these minerals that were so necessary to win the war.

As I said, there are only three minerals involved. They are pyrites, chrome, and manganese. They are found in a few sections of the country. We have not been able in recent years to mine these minerals profitably. The people abroad have produced them so much cheaper than they could be produced in this country that the market for these minerals in this country was practically destroyed. But the feeling that actuated the American people was that we must win the war at any cost. To win it we had to have these minerals. We could not get them from the foreign countries that have been hitherto sending them to our shores. Therefore we had to get the men in this country who have the properties on which these mines are located to produce for us the ore that we required. They went to work in good faith for the Government, and they are entitled to relief. I hope that the House will send this bill to further conference and instruct the conferees to include the principle of these provisions of section 7 in their final report.

The SPEAKER. The time of the gentleman from California has expired, and all time has expired.

Mr. DENT. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Alabama to further insist on the House disagreement on the Senate amendments and agree to the conference.

The question was taken, and the motion was agreed to.

Mr. MANN. Mr. Speaker, is it now in order to instruct the conferees?

The SPEAKER. It is.

Mr. HOWARD. Mr. Speaker, I move that the House instruct the conferees on the part of the House to agree to section 7 of the Senate amendment.

The SPEAKER. The gentleman from Georgia moves that the House instruct the House conferees to agree to section 7 of the Senate amendment.

Mr. KAHN. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. KAHN. If that is adopted, would it bind the conferees to the express language of section 7 as it now stands?

The SPEAKER. Of course it does. They are instructed to agree to section 7 of the Senate amendment. They can not juggle around and bring in something equivalent.

The question was taken; and on a division (demanded by Mr. STAFFORD) there were 56 ayes and 102 noes.

Mr. CURRY of California. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from California makes the point of no quorum, and evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 71, nays 226, answered "present" 4, not voting 128, as follows:

YEAS—71.

Austin	Elston	Keating	Rankin
Ayres	Evans	Kettner	Rogers
Bell	Farr	Kinkaid	Rowe
Benson	Ferris	La Follette	Shouse
Bland, Va.	Foster	Langley	Sinnott
Brodbeck	French	Lea, Cal.	Slemp
Campbell, Pa.	Glynn	McArthur	Sloan
Caraway	Goodwin, Ark.	McKeown	Smith, Idaho
Church	Hadley	Mays	Snyder
Classon	Hardy	Miller, Wash.	Taylor, Colo.
Collier	Hawley	Moores, Ind.	Tillman
Connelly, Kans.	Hayden	Neely	Timberlake
Cooper, W. Va.	Hayes	Oldfield	Walton
Curry, Cal.	Heflin	Osborne	Welling
Denison	Hensley	Overstreet	Welty
Doolittle	Howard	Platt	Wilson, La.
Dyer	Humphreys	Raker	Wingo
Eagle	Johnson, Wash.	Randall	

NAYS—226.

Alexander	Eagan	Knutson	Rouse
Almon	Elliott	Kraus	Rucker
Anthony	Ellsworth	LaGuardia	Sanders, Ind.
Ashbrook	Fairchild, B. L.	Lampert	Sanders, N. Y.
Aswell	Fairchild, G. W.	Larsen	Sanford
Bacharach	Fairfield	Lazaro	Saunders, Va.
Baer	Fess	Lehlbach	Scott, Iowa
Barkley	Fisher	Little	Scott, Mich.
Beakes	Flood	Lobeck	Sells
Beshlin	Focht	London	Shackleford
Birch	Foss	Lonergan	Shallenberger
Black	Frear	Longworth	Sherwood
Blackmon	Freeman	Lufkin	Sisson
Bland, Ind.	Fuller, Ill.	Lunn	Small
Blanton	Fuller, Mass.	McClintic	Smith, Mich.
Brand	Gallagher	McCormick	Snell
Browne	Gard	McCulloch	Snook
Browning	Garland	McFadden	Stafford
Buchanan	Garner	McKenzie	Steagall
Burnett	Garrett, Tex.	McLemore	Stedman
Burroughs	Good	Magee	Steele
Butler	Gordon	Maher	Stephens, Miss.
Byrns, Tenn.	Gould	Mann	Sterling
Campbell, Kans.	Graham, Ill.	Mansfield	Stevenson
Carlin	Gray, Ala.	Mapes	Stiness
Carter, Mass.	Green, Iowa	Martin	Strong
Carter, Okla.	Greene, Mass.	Merritt	Sumners
Clark, Pa.	Greene, Vt.	Miller, Minn.	Sweet
Claypool	Griest	Montague	Tague
Cleary	Griffin	Moon	Temple
Coady	Hamlin	Moore, Pa.	Tilson
Connally, Tex.	Harrison, Va.	Morgan	Tinkham
Cooper, Ohio	Haskell	Morin	Towner
Cooper, Wis.	Hastings	Mott	Treadway
Crago	Hersey	Mudd	Venable
Cramton	Hicks	Nelson, A. P.	Vestal
Crisp	Holland	Nicholls, S. C.	Vinson
Currie, Mich.	Hollingsworth	Oliver, Ala.	Voigt
Dale	Hood	Olney	Volstead
Dallinger	Huddleston	Padgett	Walsh
Darrow	Hull, Iowa	Parker, N. J.	Ward
Davis	Hull, Tenn.	Parker, N. Y.	Watkins
Decker	Husted	Peters	Watson, Pa.
Dempsey	Igoe	Phelan	Watson, Va.
Dent	Ireland	Polk	Weaver
Denton	James	Porter	Webb
Dewalt	Johnson, Ky.	Powers	Whaley
Dickinson	Jones	Purnell	Wheeler
Dies	Juul	Quin	White, Me.
Dill	Kahn	Ragsdale	Williams
Dillon	Kearns	Ramsey	Wilson, Tex.
Dixon	Kelley, Mich.	Ramseyer	Wise
Dominick	Kelly, Pa.	Rayburn	Wood, Ind.
Doremus	Kennedy, R. I.	Reed	Woodyard
Dowell	Key, Ohio	Robinson	Zihlman
Dunn	Kincheloe	Rodenberg	
Dupré	King	Romjue	

ANSWERED "PRESENT"—4.

Cannon	Emerson	Fields	Reavis

NOT VOTING—128.

Anderson	Flynn	Lesher	Sabath
Bankhead	Fordney	Lever	Sanders, La.
Barnhart	Francis	Linthicum	Schall
Booher	Gallivan	Littlepage	Scully
Borland	Gandy	Lundeen	Sears
Bowers	Garrett, Tenn.	McAndrews	Sherley
Britten	Gillett	McKinley	Siegel
Brumbaugh	Godwin, N. C.	McLaughlin, Mich.	Sims
Byrnes, S. C.	Goodall	McLaughlin, Pa.	Slayden
Caldwell	Graham, Pa.	Madden	Smith, C. B.
Candler, Miss.	Gray, N. J.	Mason	Smith, T. F.
Cantrill	Gregg	Mondell	Steenerson
Carew	Hamill	Nelson, J. M.	Stephens, Nebr.
Cary	Hamilton, Mich.	Nichols, Mich.	Sullivan
Chandler, N. Y.	Hamilton, N. Y.	Nolan	Swift
Chandler, Okla.	Harrison, Miss.	Norton	Switzer
Clark, Fla.	Haugen	Oliver, N. Y.	Taylor, Ark.
Copley	Heaton	O'Shaunessy	Templeton
Costello	Heintz	Overmyer	Thomas
Cox	Helm	Paige	Thompson
Crosser	Helvering	Park	Van Dyke
Davey	Hilliard	Pou	Vare
Delaney	Houston	Pratt	Waldow
Donovan	Hutchinson	Price	Walker
Dooling	Jacoway	Rainey, H. T.	Wason
Doughton	Johnson, S. Dak.	Rainey, J. W.	White, Ohio
Drane	Kehoe	Riordan	Wilson, Ill.
Drukker	Kennedy, Iowa	Roberts	Winslow
Edmonds	Kiess, Pa.	Rose	Wodds, Iowa.
Esch	Kitchin	Rowland	Wright
Essen	Kreider	Rubey	Young, N. Dak.
Estopinal	Lee, Ga.	Russell	Young, Tex.

So the motion to instruct the conferees was rejected.

The result of the vote was announced as above recorded.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BYRNES of South Carolina with Mr. CANNON.

Mr. BANKHEAD with Mr. CHANDLER of Oklahoma.

Mr. BOOHER with Mr. HAMILTON of Michigan.

Mr. CANDLER of Mississippi with Mr. COPLEY.

Mr. CLARK of Florida with Mr. EDMONDS.

Mr. DAVEY with Mr. ESSEN.

Mr. GODWIN of North Carolina with Mr. HEATON.

Mr. KITCHIN with Mr. FORDNEY.

Mr. LITTLEPAGE with Mr. BOWERS.

Mr. POU with Mr. MASON.

Mr. RIORDAN with Mr. WINSLOW.

Mr. SEARS with Mr. NOLAN.

Mr. RUBEY with Mr. STEENERSON.

Mr. SLAYDEN with Mr. SWITZER.

Mr. THOMAS F. SMITH with Mr. VARE.

Mr. HENRY T. RAINEY with Mr. WILSON of Illinois.

Mr. CANNON. Mr. Speaker, I would like to vote "no."

The SPEAKER. The vote has already been announced. The gentleman may vote "present."

Mr. CANNON. Well, I shall vote "present," if I can not vote "no." I made arrangements to be sent for from the committee room.

The name of Mr. CANNON was called, and he answered "Present."

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill. Pending that I would like to see if we can agree upon a limitation to general debate.

Mr. BROWNING. Mr. Speaker, what has the gentleman to suggest?

Mr. PADGETT. I was in hopes that we might conclude it this afternoon, between now and 5 o'clock.

Mr. BROWNING. Mr. Speaker, I can not agree to that. I have requests for 2 hours and 10 minutes upon this side. I do not know what the gentleman from Tennessee has, but I told him that if he would take one hour to-morrow morning after the House goes into the Committee of the Whole House, I would be willing then that the general debate cease.

Mr. PADGETT. Mr. Speaker, I was very anxious to conclude it this afternoon.

Mr. BROWNING. So was I; but the other business has taken up too much time.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that general debate may conclude in one hour after the House goes into the Committee of the Whole House on the state of the Union for the consideration of this bill to-morrow.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, that sort of an arrangement always cuts some one off at the last minute who has been promised time, because various amounts of time are wasted, and the gentleman in charge of time can not tell under that arrangement how much he may yield. I suggest that the gentleman fix the time for general debate so that we may know exactly.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that general debate may close in two hours and three-quarters.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that general debate upon the bill shall not run longer than two hours and three-quarters. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Speaker, pending the motion, I also ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow morning.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Tennessee that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. IGOE in the chair temporarily in the absence of the gentleman from Tennessee [Mr. GARRETT].

The CHAIRMAN. The Clerk will report the bill.

The Clerk reported the title of the bill.

Mr. BROWNING. Mr. Chairman, I yield 20 minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, the American Congress is always ready to protect American rights in every land and on every sea with whatever arms and armaments are necessary, according to the judgment of the representatives of those who pay America's taxes, whenever the House has before it the facts that demand such consideration. The outstanding feature of this proposed legislation is an expenditure of $520,000,000 for 39 battleships and cruisers at a time when we have no enemy in the world, at a time when America already dominates the destinies of mankind. As a result of the great war, every American family now goes staggering down the halls of time burdened with a mortgage of $1,500, to which this bill would add $35. No necessity for such an appropriation is even suggested and no argument for its passage is even presented here. We are only told we should give the Navy $520,000,000, because some somber and mysterious message that can not be confided to the greatest parliamentary body the world ever saw, has come across the seas with gloomy and menacing prophecy of our future, at the very moment when our transports bring home the heroes whose gallant deeds have given our Republic the foremost place among all the military and conquering nations whose achievements are recorded on the pages of history. Mr. Chairman, as I stand here on the floor of the House of the people's representatives I can catch the murmur of a message as mysterious, but more menacing, more authoritative, which seems to whisper—as yet—"Look out, look out, that's my money you are spending."

At this very moment the United States has an Army of more than 4,000,000 of the very best soldiers who ever marched on a battle field, and our place among the countries is such that we could almost discharge them all, put every ship out of commission, and go to sleep in safety with open doors for the next 10 years. Under our present circumstances to invest $20,000,000 each in a dozen big iron pots that hardly dare venture outside harbor protection for fear they be sunk by tiny submarines as suddenly and as easily as a rattlesnake can strike down a champion athlete would seem to be as unnecessary, as defenseless, as futile as to appropriate the money for a wireless to Mars.

If the Paris conference will this day enter into an agreement that from now no State shall add another ship of war to its navy, that conference will do more good than has been accomplished by any body of men since the Cross of Christ was raised on the Mount of Calvary. Should Woodrow Wilson secure from the Paris conference treaties which arrange that the navies of the world ride just as they are without the spending of another dollar for more armed denizens of the waters that have long since been chased off the seven seas by little submarines, I would cheerfully and proudly vote to present to him and his heirs and assigns forever the cost of a battleship, and history would acclaim it a proper reward for a useful, honorable, and wonderful service. At the very moment when the clock of destiny strikes the auspicious hour for the beginning of the disarmament of mankind these naval and military experts come before the committees of the House seeking monstrous appropriations that would plant a soldier or sailor on every American taxpayer's back for a thousand years to come.

The greatest military system ever organized on the planet challenged modern civilization, and America responded with 4,000,000 men from its homes and $30,000,000,000, from its exchequer. Before the assaults of our quickly trained, disciplined Americans, nonprofessionally commanded by 90-day officers, the cohorts of professionals disappeared like chaff before the wind. The appearance of our armies on the battle fields of Europe marked the termination of the career of a tyrant who had Christendom by the throat. Eighteen months after we entered the struggle, unarmed, unequipped, undrilled, the professionals say, our troops brought it to an abrupt conclusion. Why did we destroy this military caste that ruled the German Empire and threatened the existence of modern society—to build another? The nations of the world stand at our door asking for justice and inspiration for the future. The Department of the Navy responds by demanding that we authorize them to expend $520,000,000 to crowd the sea with ships of war that would menace the rights of every small nation.

Before the terms of peace are finally signed our taxpayers will be paying more than a billion of dollars of interest per year. In order to reach the position at which we now stand you have placed upon the labors of every person in our country a charge of $10 per annum and upon every family a requisition for $50 each year to pay the interest alone upon your investment to bring peace to a half-wrecked world.

What have we accomplished? Where do we stand? What is the value of our victory? What benefit do we derive therefrom? Why, we get the splendid privilege of investing five hundred and twenty millions of borrowed money in floating steel castles to overawe a waiting world that earnestly seeks our friendship. Of what avail all this sacrifice, if the menace still exists, and if the demand upon our resources still continues? If this appropriation is actually necessary, then our enterprise was useless, our expenditures futile, and lost lives in vain. With this $30,000,000,000 we could have built 1,500 of these great battleships and rule the world without having lost a man, if the naval experts are correct in their views. We could have done this, saved every boy we lost, and been absolutely secure.

What danger awaits; what country threatens America? For a moment lay aside the British Empire. The fleets of America outrank the combined navies of France, Italy, and Japan. The armaments of the rest of the world are negligible at sea, and ours can match the combined sea power of all the rest of the world in battle except the British Empire, even if such a combination could be imagined. What difficulty will we have in keeping ahead of Japan? This bill is not designed for that purpose——

Mr. GORDON. Will the gentleman yield?

Mr. LITTLE. In just a moment. We should continue sufficient appropriations to maintain a lead over Japan and other possible opponents. That requires no such tax upon our revenues as is suggested, for many years to come, and probably never. Why this call upon the House by the naval department? They point out no enemy, they suggest no possibility of danger. This would appear to be nothing but the vain dreams of professional seamen obsessed with their own theories of the importance of their profession, who have no practical experience in collecting or conserving revenues, but simply think that they hold Aladdin's lamp in their hands and have but to rub it. Who is to provide all this money? Do they contribute?

Said Glendower, "I can call spirits from the vasty deep."

"Aye, so can I, and so can any man," said Hotspur; "but will they come; but will they come?"

Have they in mind to challenge the naval supremacy of the British Empire? The safety of our cousins' confederacy depends upon the safety of the British Isles, and that depends up n the capacity of their fleets to protect those isles. If Great Britain loses the possession of the Suez Canal her empire collapses, and before long England and Holland will be pointing to the glories of the past side by side. They have a decided lead in the strength of their navies, and it is idle to suggest even that they will allow us to build ships that will make us their equal on the seas. However feverishly we might endeavor to equal them, still more frantically will they labor to hold their lead.

What have we to fear from them? The minute war should be declared our coasts would be blanketed with mines and submarines, as was the coast of Germany during this war. Not once did any of that much vaunted master fleet approach the cities or the shores of Germany. On this floor a gentleman said yesterday that New York would be an immediate object of attack in case of such a war by that great fleet which never dared venture within sight of the outlines of the German coast.

We could have nothing to fear from England's imperial assembly of steel-clad monsters. Within 24 hours of the sound of the first gun our troops would be far into Canada, and in 10 days they would command every Province of the Dominion of Canada and its Provinces would be forever States of the Union from the time the treaty of peace should be made. England, Scotland, and Ireland could not go to war with a Republic which has no distant possessions of value upon which its existence depends as long as Britain's most charming daughter lives right at our door. For more than a hundred years these two sisters of the Anglo-Saxon race have lived side by side in amity and concord, with no gun mounted upon either frontier, with no fortress located on either border, and with no armed vessel on the Great Lakes between us.

When Dewey sailed into Manila and was threatened by the German admiral, it was the Britisher who notified the Kaiser's representative that he would come to America's aid if needed. Kitchener of Khartoum told me that when the British fleet advanced to the bombardment of Alexandria and the suppression of Arab massacre, the admiral ran up the signals warning the ships of other nations to withdraw, as they all did, the last to go being an American ship of war which skirted the entire English fleet drawn up in battle line, his flag signaling as he swept by, "I have a notion to go in with you anyway." Where is any man on this floor who will venture to even suggest we need further arm against England, Scotland, Wales, Ireland, Australia, South Africa, and Canada? Why spend five hundred and twenty millions against them? There is no reason tendered, and yet we hear this eternal, hoarse cry for means to slay those who have no intention to fight us. "Give, give, said the horseleech's daughter."

Who are these men that come without rhyme or reason to make this demand upon the American Congress and the American taxpayers? What is their attitude toward the men who produce the revenue, and the legislative body that appropriates it? But a few days ago, the captain commandant at the Great Lakes Naval Training Station actually issued in his official bulletin an order that any man whose application for a discharge from the Navy was supported by facts presented by a Member of this Congress should be punished and penalized therefor. What wonder that such men feel that they can call upon us for anything and get it without proof or argument.

Almost yesterday that official bulletin denounced the crown princes of the Republic, the heirs of Abraham Lincoln in the Middle West, as liars and perjurers, so anxious to escape from the service in which they volunteered that they had invented enough dying grandmothers to indicate that an epidemic of bubonic plague or Persian pox must be sweeping the Middle West. When these men, so-called naval experts, have so little comprehension of the responsibilities of the American Congress, so little respect for the character of the American youth, why should we give an hour's serious consideration to demands which they present without any facts, without any reasons why they should be granted? Why should we trust our millions with men who can not respect our sons? What standing should they have in this court?

The principal development of sea warfare in the last four years has been the submarine, which has supplanted a battleship as certainly as the wireless has surpassed the mustang mail carrier of the plains. How does it happen that in all the data presented in these hearings they gave us no estimate of the comparative fighting value of the submarine and the battleship? Why was it that when I challenged the orator of the Committee on Naval Affairs to tell me, from all the information accumulated by that learned committee, of the relative value in war of the sea wasp and the sea elephant, he answered, "I don't know"?

Gentlemen, did the American people authorize us last November to spend $520,000,000 of their money before we have had any information at all as to whether the big ships have been junked by the submarine? Oh, when I asked the gentleman from Michigan about that yesterday I know the gallant tar from the raging Ohio informed us that as long as a $20,000,000 battleship could maintain a steady gait of 15 knots an hour no submarine could harm it. Does our ability to dominate the seas depend upon our capacity for outrunning our foes? Is this $500,000,000 navy they want us to furnish to seek safety in flight every time one of these little sea devils shows its periscope above old Neptune's kingdom? The eloquent gentleman from Michigan answered me yesterday that the submarine and the battleship were not comparable. Oh, that does not answer the question as to which would be the victor. Neither are the polecat and the lion comparable, but everybody knows which has the right of way when they meet.

Mr. COOPER of Ohio rose.

Mr. LITTLE. I will be glad to yield to the gentleman later. The lion and the battleship depend upon their speed for their safety. Shall the next John Paul Jones, when called upon to surrender, cry gallantly back, "Oh, I haven't begun to run yet; just watch my smoke." Should Lawrence have murmured as he fell, "Don't give up the ship as long as we can make 15 knots an hour"? What would you think of the American Navy if history recorded that when the *Constitution* met the *Guerriere* Capt. Isaac Hull had signaled to the Britisher, "We challenge you to a foot race. We can go 15 knots an hour, and fear you not"? Shall we discard all the splendid literature of seagoing warfare and strike battleship medals bearing the motto, "The bumblebee stepped on the elephant's toe and hurt the poor thing so he scarcely could go; the elephant said with great tears in his eyes, 'You coward, you, why don't you take one of your size'"? The mastery of the Roman Empire was lost because Mark Antony and Cleopatra could outsail Octavius Cæsar. Can anyone imagine old Farragut figuring on which ship should have the better pair of heels? The victory in sea battles in the future, as in the past, will depend upon the valor, the skill, and the equipment of him who stays to fight, not upon the speed of him that runs away. In every naval contest the only value of speed is the power it gives to circle and maneuver. The ancient hulk of *Old Ironsides*, as she lies in Boston Harbor, would decline in contempt to remain side by side by these lubbers of the sea that flee from the wasps of the ocean, and would put to sea in the greatest storm that ever broke upon a Yankee coast if the motto of our future $500,000,000 Navy is to be, "We can outrun any submarine that ever stuck its periscope above the waves."

This bill asks us to expend $15,000,000 in building 14 submarines, and to put $520,000,000 into 39 battleships and cruisers. For $520,000,000 we could build 500 high-grade submarines. A dozen of them at each end of the Panama Canal, a dozen of them in front of New York Harbor, a dozen at each of our great ports, with a properly situated line of mines, and our coast would be impregnable to attack. England had the greatest fleet in the world within a few miles of the German shores. Germany was prepared with mines and submarines, and the English sailors never ventured within gunshot of the German coast or dared invade the Baltic Sea with serious intent. The German fleet possessed the Baltic and never dared attack the Russian coast for fear of mines and submarines. The gentleman from Washington and others suggested that the big English Navy dominated the North Sea and the German Navy never dared come out. They did come out and fought the English major fleet on the high seas, and went home and announced a victory, and the English had to think it over a week before they had decided they won the fight. Both of them, scared stiff, scuttled home without reaching any decisive result, and that is all the good the big fleets did anywhere around the real zone of war. The fact is that the great navy of England never dared venture a hundred miles from the shores of the British Isles for fear a smaller German fleet would assail the English shores. The little fleet of Germany held the big fleet of England right at one place, and if the Germans had won the war, the fleet could have boasted that while they lay in the Kiel Canal they were winning the war just as well as the English could boast that their fleet did. The real fact is that none of them dared to venture far from land for fear of a submarine.

The disparity in cost between the submarine and the battleship is too great to permit the matching of a battleship against a submarine. Who will peril $20,000,000 worth of steel for the chance of sinking $1,000,000 worth of submarine. We can build 39 battleships and cruisers or 500 submarines with this $520,000,000. Is it possible that there is anybody so lacking in perception, even a naval expert, that he will tell us that 39 battleships is a better protection or a better weapon of assault than 500 submarines? I think not. The gentleman from Michigan inquired who controlled the surface of the sea. Is there any man in the world will tell us that 500 submarines would not chase 39 battleships off the ocean? Why, no ship of war could keep afloat anywhere in the world for 90 days out in the ocean if we had 500 submarines ranging the seas, and not a warship on the waters would venture across the ocean to attack a coast on which 100 submarines lay in wait. The men who advise such expenditures for these battleships, and only want $15,000,000 for 14 submarines, which is what this bill provides, absolutely have no comprehension of the development of modern war at sea.

During nearly all this war the greatest fleet the world ever saw was tied up in a Scotch harbor behind a blanket net for fear a little submarine would nose in and tie a can to the tail of a $20,000,000 ship and sink it to the bottom of the harbor. Those little vessels found their way across the Atlantic, into the

Mediterranean, into the harbor of Constantinople, and haunted the dreams of sailors all over the world. Gentlemen, if you are intending to appropriate that money, let us spend it in the full light of intelligent comprehension of modern civilized warfare on the element where John Paul Jones, Stephen Decatur, Oliver Hazard Perry, and David Farragut floated our flag in triumph and glory. If you are to spend this money, spend it in a practical way; put something afloat that can take care of itself and guard the seas.

Mr. GORDON. Did the gentleman notice the dispatch from Paris yesterday to the effect that the peace conference has outlawed the submarine and was going to stop their use for all purposes?

Mr. LITTLE. Oh, yes; I saw that this was done by the advice of these naval experts who wanted the battleships. I know a submarine is no place for a well-dressed man. These fellows are all brave enough, but they like to fight in clean clothes, not down in some dirty semidungeon in oily trousers and greasy blouses. Besides, the submarine is no place in which to hold a reception.

Mr. COOPER of Ohio. A few moments ago you stated the submarine controlled the seas——

Mr. LITTLE. Wherever they go.

Mr. COOPER of Ohio. If that is the case, how do you account for the United States moving 1,900,000 troops to France?

Mr. LITTLE. The gentleman from Ohio [Mr. LONGWORTH] explained it yesterday. The transports showed better pairs of heels than the submarines and outran them. Can you tell us of any battleship that lingered behind the transports to fight it out with the submarines? They tell us now that there never were more than 35 of these submarines in the Atlantic at one time. Why was it that the magnificent Navy of England could not be located through a third of the war? The two big fleets never met, except by mistake, fought without result, and flew for home, Germany sending out word that England was defeated, and we afterwards learned that England had won.

Mr. LAGUARDIA. If that was so, why did not the German fleet leave its port and come out?

Mr. LITTLE. Because the English fleet was big enough to demolish it eventually, because they lay in port and held the English fleet in port.

Mr. LAGUARDIA. And held them in.

Mr. LITTLE. Certainly. The English fleet never saw the coast of Germany during the war.

Mr. LAGUARDIA. But they dominated the North Sea.

Mr. LITTLE. Oh, the submarines dominated the North Sea.

Mr. MILLER of Washington. If the English fleet kept the German fleet within the German zone, why do you accuse the British fleet of cowardice?

Mr. LITTLE. I never dreamed of such a thing. From the day of Drake and Blake till now nobody ever accused the English sailor of cowardice.

Mr. MILLER of Washington. Of uselessness?

Mr. LITTLE. Why, no; they simply had the good sense to realize that they could not afford to pit a $20,000,000 ship against a million dollar submarine, when the probabilities were that the wasp would sting the elephant to death.

Mr. LAGUARDIA. But the gentleman does not mean to say that the English fleet did stay in?

Mr. LITTLE. Yes; of course.

Mr. LAGUARDIA. The gentleman is misinformed.

Mr. LITTLE. Oh, no; I am not. There never was a time when the Baltic Sea was not all tied up by the German fleet. Very infrequently even the North Sea had the pleasure of the English fleet's company. If they did go out, where did they go and what did they do? Why did they not attack the German coast or venture into the Baltic and fight the Germans there or aid the Russians? Do you mean to say the English fleet kept the German fleet in harbor?

Mr. LAGUARDIA. Absolutely.

Mr. LITTLE. But the Germans came out and fought a big battle and advised the whole world they had won it and never lost control of the Baltic Sea.

If these naval men had any data that would be useful on the success or failure of the submarine, it should all go before the House. I asked for the information yesterday. Oh, I know that the submarine is no place in which to hold a social reception, but that does not interest me. What I want to know is why you do not spend this $520,000,000 for the best possible purpose, if it is to be spent at this stage of the proceeding, and why the submarine is not the better weapon, if they think that is the fact?

Oh, yes; I would like to see the submarine outlawed and abolished, but you might as well attempt to abolish the rifle. Every time a nation gets into serious trouble it will build and send to sea the best defense possible, and you can not stop it. When a man is fighting for his life he will hit below the belt or fight from any angle. This Banquo's ghost will never cease to rear its periscope, the lineal descendant of the sea serpent, and eye the distant horizon with glassy and menacing gaze. I wish that it were not so, that all wars might cease.

> Would that some sweet bird from the south
> Might build its nest in the cannon's mouth;
> Till the only sound from its rusty throat
> Were the wren's or the bluebird's silver note.

Of all countries America could most easily profit by the submarine. It is hardly imaginable that any nation will again violate the rules of war by sinking defenseless ships and women and children. But a flock of submarines along our coasts would make them free from the possibility of attack. America has less to gain and more to lose by their discontinuance than any other nation.

Before the last of these great ships is finished the first completed will be rendered of no value by some more modern development. Who are these men that demand our people's money? Last week they insulted the sons of the taxpayers and ordered the Congress of the United States to venture no suggestions to them. Who are they to pass upon the disposition of the people's revenues and the laws that Congress shall enact? America went into the war to break down militarism forever, and who are these that would steal the stakes from the table when we have won? What actual, intelligent evidence have they tendered that they have such knowledge as would warrant us in following their suggestions? Do you think 4,000,000 American mothers sent 4,000,000 of their sons to the rendezvous with death across the seas that some noncombatants here in Washington who never paused to consider whether this war had changed the rulers of the ocean could squander $520,000,000 of their fathers' hard-earned money on big steel coffins as obsolete as the mummy of Rameses?

Mr. WILLIAMS. Will the gentleman tell us what would have been the result of the war if England had not had that fleet?

Mr. LITTLE. The Germans would have bombarded the English coast and sunk the transports unless the English, French, and Americans had covered their coast lines with mines and sent flocks of submarines to sea to run the Germans back to the Kiel Canal as I now urge this Congress to spend what money we do appropriate. They would have otherwise attacked the English ports.

Mr. WILLIAMS. And won the war?

Mr. LITTLE. This war was won at Cantigny, Chateau-Thierry, Verdun, and the Argonne, where American soldiers, drilled for three months often, by 90-day trained officers, disdained the trenches, left the big guns behind, charged the machine guns, violated every rule of these experts, threw European methods to the wind, fought as their fathers fought from Concord to Guiguinto. They swept on the German ranks like the prairie fire, captured the trenches they had held for four years as if they were street barricades, and saw the military system that scientific noncombatant general staffs had been building for 50 years crumble into atoms as they struck it. They demonstrated forever the futility of technical professionalism as compared with the inspired soldiery of free men, as the French revolutionists, unclad, unshod, undisciplined, beat all Europe. They proved that 90 days makes a high-class officer for fighting purposes, and that good officers make good fighting soldiers in a few weeks, if need be, as I have told you many times on this floor could be done. They broke all their technical rules of war, turned the tide of war, saved Paris at the last gasp, saw the German military caste vanish before them like breath into the frosty morning air, and brought almost within our sight the golden day when the nations of the world can reduce the equipment of war to a minimum and enjoy the maximum of peace and harmony.

Mr. WILLIAMS. Does the gentleman think there is a possibility that the war would have been over before the soldiers got there if it had not been for the English fleet?

Mr. LITTLE. The English fleet was practically no protection for a transport against the submarine, against which it could scarce protect itself. The most it did was to keep the German fleet at home, as English submarines could just as well have done. If the English had 500 submarines for every 39 battleships, no German ship of war would have ever traveled a hundred and fifty miles from port, and the big fleet would never have been missed. We waited six months to get the first drafted man into camp, and but for these experts we would have had a million men under arms in 60 days, have borrowed the English transports, and begun to send them across in four months, and had a million there by last Christmas. The war was won by

the valor of American soldiers fighting according to the methods of American fighters for a hundred and fifty years, and with sufficient submarines to convoy them they would have been without fear of any big ship's attack.

But, gentlemen of the House, did we destroy German militarism simply to transplant its theories to America? Are we to begin by adding $500,000,000 to our debts when our Nation has achieved the very pinnacle of victory and power? Let the Paris conference agree to limit military expenditures and discontinue these drains upon the prosperity of the nations. We entered this war, we said, to protect our sons, their homes, and our taxpayers. Let us now begin to reap the fruits of victory. The American soldier fought for the perpetual insurance of the rights of man, and the substitution of the cross of Jesus Christ for the crown of Julius Cæsar, as the standard of civilization.

This Congress owes it to the record it wishes to leave on the scrolls of time, to the shades of the mighty dead who founded and reared this great Republic and now hang over the battlements of heaven to see their sacrifices bring the achievement of their highest hopes, to the gallant lads who risked their lives in arms, and to the fathers and mothers on whose aching backs these billions will be borne for centuries to come, to not be now entrapped in the meshes of the military system they have destroyed, but to raise instead this standard of civilization which marks forever the termination of the reign of Julius Cæsar and the beginning of the dominion of Jesus Christ.

Mr. BROWNING. Mr. Chairman, I yield 30 minutes to the gentleman from South Dakota [Mr. DILLON].

Mr. DILLON. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

A VISIT TO THE IMPORTANT MILITARY CAMPS IN THE VICINITY OF NEWPORT NEWS, VA.

Mr. DILLON. Mr. Chairman, on January 28 I made a trip to Newport News for the purpose of inspecting the military camps in that vicinity. At the boat landing at Old Point Comfort I found waiting a brand-new street car, No. 311, a car of the latest type, marked on the side:

Property of the United States Shipping Board Emergency Fleet Corporation.

Inside the car were numerous cards advertising private and commercial institutions and the statement:

White passengers leave by front door, colored passengers by rear door.

The Virginia "Jim Crow" law for the separation of white and colored people was operating in cars owned by the Government, for signs stated that colored people were to occupy the rear seats and white people the front seats.

These cars were being operated on street railway lines said to be owned and operated by a private corporation. There were a number of these cars on the Old Point Comfort line. Fifteen cents fare was charged from Old Point Comfort to Newport News. From Newport News the Government has extended this privately owned line to Morrison Aviation Field. The extension is between 2 and 3 miles long and is called the Virginia Avenue line.

The Government also built a cement highway from Thirty-fourth Street, Newport News, to the Morrison Schoolhouse, a distance of about 6 miles. It was commonly reported by the soldiers and civilians that arrangements had been made to complete this highway to Lee Hall and Yorktown. Negro soldiers were repairing the road in front of Headquarters 43, Motor Truck Division. Statements were frequently made that the soldiers had been detailed to repair this highway.

It is common rumor that the Government is to build a concrete road from Old Point Comfort to Yorktown via Newport News, and there is every indication that this is true, because I saw soldiers working on this road. This highway runs through country that is largely flat and swampy.

The Morrison Aviation Field was located on low ground and had to be abandoned because it was unsuited for aviation purposes. Numerous buildings remain upon the field, vacant and unused. Two steel water tanks on high steel towers were erected on these grounds.

Along the extended street railway, Virginia Avenue line, and the new cement highway is found the town of Hilton, about 2½ miles from Newport News. It is in a low, swampy place, with water standing in pools everywhere. The streets were impassable because of the mud and water.

In this town are about 500 cottages and buildings of the most modern construction. All of the houses have slate roofs and were built of first-class material, and had all modern conveniences. Nobody lives in these houses except a few workmen who are finishing some of the buildings.

It is stated that they were built by the Emergency Fleet Corporation. It was also stated that the intention was to fill in around these houses, fill the streets and pave them, and build 15 miles of sidewalk. Also, that arrangements were being made to build 800 more similar houses there. The location of Hilton is wholly unsuited for town purposes, the whole surrounding country being swampy.

Numerous large ditches are to be seen in this vicinity, built for the purpose of draining this locality. It is said that the colored soldiers stationed in this vicinity did work in the construction of these ditches. Between Hilton and the Government warehouse is found a malaria drainage ditch, said to be 14 feet deep, 21 feet wide at the top, and 4½ feet wide at the bottom. This is only one of many ditches constructed, or in the course of construction, in the territory between Newport News and Morrison Schoolhouse.

OPEN-AIR STORAGE.

About 1 mile out on the Virginia Avenue line in a low, swampy place is located what is locally known as the Old Stevedore Camp, now a part of Camp Alexander. It is now being used for open-air storage. Here are found numerous abandoned buildings, many of them approximately 20 by 133 feet in dimensions. They are low, one-story, rough, frame buildings, and officers told me they cost in the neighborhood of $2,660 each.

At this place are stored in the open air about 400 caterpillar tractors and 14 finished armored motor tanks, standard 6-ton tank, model 1917, fully equipped with machine guns and ammunition. Officers informed me these armored tanks, complete, cost $55,000 each.

Mr. FESS. Mr. Chairman, will the gentleman yield there?

Mr. DILLON. Yes.

Mr. FESS. Do I understand they are in storage there?

Mr. DILLON. Yes. Right in the mud; exposed to the rain and the sunshine.

Mr. FESS. What did they cost?

Mr. DILLON. Fifty-five thousand dollars apiece. For each of these tanks is a large canvas covering said to cost $75 each. Many of these canvas coverings had been pulled off and lay in the mud and water. In passing, people frequently walked on them. I had to do so myself in order to get through one place in that open-air storage camp.

There were also thousands of motor trucks, trailers, and ammunition trucks, some of them set up and some in crates. Hundreds of iron and steel wheels equipped with new 36 by 10 dual Firestone solid-rubber tires, said to have cost $250 each, were lying around in the mud and water. An officer said some of this material had been in open storage for six months. There were also hundreds of ammunition wagons and passenger automobiles packed in crates.

Mr. SLOAN. Mr. Chairman, will the gentleman yield right there?

Mr. DILLON. Yes.

Mr. SLOAN. Was there any place where they could be stored?

Mr. DILLON. Yes. I will come to that in a moment and show that there were numerous warehouses and also empty buildings all around this open-air storage.

In this open-air, salt-air storage this equipment and material is in mud and water, exposed to the elements.

About a mile away are found 24 warehouses, approximately 150 by 250 feet in dimension, with fire walls and cement floors, and all said to be empty except one.

Mr. ADOLPHUS P. NELSON. Mr. Chairman, will the gentleman yield?

Mr. DILLON. Yes.

Mr. ADOLPHUS P. NELSON. Are those warehouses now filled so that the material can not be stored?

Mr. DILLON. No. They are empty, so I am told.

On one side of the warehouses is the street railway and concrete highway, on the other side a railroad, and the warehouses have fine cement loading platforms. On the platform outside warehouse No. 20, which was said to be empty, stood a large number of crated automobiles.

Between these storage houses and the camp just mentioned are found corrals, operated by the animal embarkation division, Newport News, which contain several thousand horses and mules. It was reported that some of these animals had been there since August, 1918, and had cost the Government about $240 each. The horses were in mud several inches deep, and there was nothing but mud for them to lie in.

Along the paved highway and street railway is found a big concrete tank about 14 feet high and 30 to 40 feet in diameter, said to have been built by the Government at a cost of $220,000.

On the Boulevard street car line between Newport News and Hampton is a concentration camp, where they are now erecting some hospital buildings. These hospitals are being built on ground that is being filled in by use of a suction pipe. A centrifugal pump was operated on a dredge in the bay, and pipe carried in the sand and mud to fill in under some of these buildings.

At Old Point Comfort was being constructed a cantonment of several hundred buildings. Some of the buildings in this cantonment were located in the water, and a pumping plant was pumping sand to fill in around these buildings. Some of these buildings rested on cement piers, some 4 or 5 feet high, and standing in the water. A noncommissioned officer told me the buildings were occupied by 36 soldiers.

Fifteen carloads of Gramm motor trucks from Lima, Ohio, were standing on the track at Fortress Monroe. At Old Point Comfort were several hundred ammunition trucks and tractors stored in the open, exposed to the salt air and the elements. These were brand new and from some the covering had not been removed.

At this point I want to state that 40 Garford 3½-ton trucks left Akron, Ohio, under their own power for Baltimore last Saturday. At 3 p. m. Saturday 40 International 5½-ton trucks arrived in Baltimore.

Everyone knows that salt air will cause rust and corrosion on all metal parts, and all the machines so stored in the open will be absolutely ruined in a short time.

In Newport News, on Thirty-fifth Street, between West and Virginia Avenues, are six apartment houses built by the War Department. They contain eight apartments of four rooms each and are used by the officer clerks of the port authorities and by employees of the Shipping Board. They are said to be built on land owned by the Newport News Shipbuilding & Drydock Co. They are stucco buildings with slate roofs, and have all modern improvements. On West Avenue, at the foot of Thirty-fourth Street, are four buildings of similar character and similarly occupied.

The president of the Newport News Shipbuilding & Drydock Co. is Homer L. Ferguson. He is a brother of Gen. Frank K. Ferguson, the commanding officer of the territory in that Army district. Lieut. Col. H. Clay M. Supplee is chief of staff. Col. W. B. Scales is executive officer. Capt. L. G. Thom is assistant to executive officer and is in charge of labor department.

It will thus be seen that this family controls practically the commercial and governmental activities at Newport News, and also the military activities in that entire Army district. Thus they cooperate among themselves and with various Government activities, and have mutual interests in the upbuilding of that community, including the phantom city, Hilton, in the swamp.

I have just received a letter from the Emergency Fleet Corporation, which reads:

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
Philadelphia, Pa., February 4, 1919.

HON. CHARLES H. DILLON,
House of Representatives,
Committee on Interstate and Foreign Commerce,
Washington, D. C.

DEAR SIR: Answering your letter of February 1, 1919, relative to Hilton village, Warwick County, Va., I beg to submit the following information:

The land on which Hilton village is being constructed was purchased by the Newport News Shipbuilding & Dry Dock Co. and sold to the Shipbuilding Realty Corporation, a subsidiary company, for stock of said realty company. We have not the record of the person or persons from whom said land was purchased.

It comprises 80.20 acres, more or less, and cost approximately $40,100. The project consists of 472 houses, 2 apartment buildings for 10 families, and 5 stores, which will accommodate 964 shipyard workers, or 2,410 persons.

It is estimated that the gross cost of this project will be $3,595,966.71, including all public utilities and street improvements. Loans in the total amount of $105,130 ($38,000 to Newport News & Hampton Railway, Gas & Electric Co. for electricity and $67,130 to Newport News Water Co. for water) are included in the gross estimated cost and will, when repaid, constitute a credit against the same.

The Emergency Fleet Corporation holds a first mortgage on this property and improvements to the amount of $3,550,000. The Newport News Shipbuilding & Dry Dock Co. has assigned all stock of the Shipbuilding Realty Corporation to the Emergency Fleet Corporation as collateral for its guaranty. By the terms of the mortgage the Emergency Fleet Corporation holds the right to approve not only the sale price of the houses but also the rental price. The mortgage carries interest at the rate of 5 per cent per annum.

If any further information is desired we would be glad to procure same upon receipt of your further request.

Very truly, yours,

J. MILLISON SMITH,
Manager Passenger Transportation and Housing Division.

This 80.20 acres of land is said to have cost $40,100. So help me God, fellow Members, I would not pay $10 an acre for that land.

Mr. BUTLER. How much an acre did they pay?

Mr. DILLON. They paid $40,100 for 80.20 acres.

This Shipbuilding Realty Company is evidently a straw company. It does not appear to have any real holdings. I judge the Emergency Fleet Corporation's only security is the stock of this straw company for the loan of $3,550,000, which would also include the buildings on the premises.

In passing, let us hope that this phantom city, notwithstanding its unholy conception, will be governed in years to come by God-fearing officials, of whom it may be said:

In him none ever any baseness saw;
His rule was honor, and his word was law.

Is there anyone on this floor who can justify this wanton waste? Is the War Department acting like a prudent business man in thus caring for the property belonging to the Government? How long would any of you continue in your service an agent who would allow property worth many millions of dollars to remain from month to month in the open air, in mud, water, rain, and sun, when you have provided ample storage facilities? You would immediately discharge such an employee as grossly inefficient and unworthy of employment.

It is absolutely inexcusable that this property should be stored in the open in an abandoned camp, where it may be lost, stolen, or looted. Especially so when there are ample facilities for storing it in warehouses and thus give it protection from all destructive elements.

Is it prudent management to allow thousands of horses and mules to remain for months in the insanitary conditions in which they are cruelly kept? They are eating away their value while the water meter is daily recording the water taken from the water company's plant which the Government so generously helped to build.

Such wanton, criminal waste and carelessness tends to support the rumor that these war activities are operated in the interest of a few private individuals who seek to improve their own property at the expense of the Public Treasury.

It will not do to say that the Secretary of War and his assistants have no knowledge of these facts. It is his duty to know them, and if he is ignorant of the facts it is only further proof of the inefficiency of the War Department.

Since there is no assurance that these matters will be efficiently handled, it becomes the duty of Congress to appoint a committee on liquidation to see that the property of the Government is not wasted. Every Congressman should find time to visit some of these camps and storage places, and thus gain first-hand information about the reckless waste of Government property.

The American people want to know the facts, and they will justly hold the Congress responsible for a failure to make provision for the salvage and disposal of the billion of dollars' worth of war material now owned by the Government.

A letter from the Passenger Transportation and Housing Division of the Emergency Fleet Corporation states that the street railway passenger cars were furnished for Newport News and Hampton Railway, Gas & Electric Co. in order to furnish transportation service between Newport News Shipbuilding & Drydock Co., at Newport News, and Hilton village housing project. Also that the cars cost $11,413.75 each, and were leased to the street railway company at 5 per cent per annum on the investment, and that after the termination of the war the railway company will purchase the cars at a price to be determined by three arbitrators, one to be selected by the railway company, one by the Fleet Corporation, and these two to select a third, and the decision of these three arbitrators shall be final and binding.

There is certainly no necessity for furnishing transportation service between Newport News and Hilton village housing project, because no shipyard workers live in Hilton and it is doubtful if any of them will ever live there.

These cars are used and operated from Old Point Comfort. These cars are operated under a lease until the termination of the war, which means the ratification of the peace treaty. Then the railway company is required to buy the cars, which will be sold as second-hand cars and sold at a time when material and labor are much cheaper. This means that this second-hand property will be sold at probably one-half price. This illustrates the business sagacity of the Government's representatives.

The letter referred to is as follows:

UNITED STATES SHIPPING BOARD,
EMERGENCY FLEET CORPORATION,
Philadelphia, Pa., January 31, 1919.

HON. CHARLES H. DILLON,
Committee on Interstate and Foreign Commerce,
House of Representatives, Washington, D. C.

MY DEAR SIR: In reply to your letter of January 29, I would advise that the Emergency Fleet Corporation financed the purchase of 10 street railway passenger cars for Newport News & Hampton Railway, Gas & Electric Co., which is the company referred to in your letter.

These cars were provided in order to furnish transportation service between Newport News Shipbuilding & Drydock Co. at Newport News, Va., and Hilton village housing project constructed by the Emergency Fleet Corporation to house shipyard workers.

The operation of the cars is at the sole expense and risk of the railway, and the railway is under agreement to save the Fleet Corporation harmless from any liability of any kind and nature arising out of the operation of the cars.

These cars were purchased from the J. G. Brill Co., car builders, Philadelphia, and cost $11,413.75 each. They are leased to the street railway company, which pays interest at the rate of 5 per cent per annum on the investment of the Fleet Corporation in the cars.

The contract provides that after the termination of the war the railway company shall purchase the cars and the equipment thereof, the amount of the purchase price to be determined by a board of three arbitrators, one to be selected by the railway company, one by the Fleet Corporation, and these two to select a third, and that the decision of these three arbitrators shall be final and binding.

The purchase price determined by the board of arbitrators will be repaid in five equal annual installments, with interest at 5 per cent per annum. Until the purchase sum, together with all interest thereon, is fully repaid, title to the 10 cars remains in the Fleet Corporation.

Trusting that this will give you the desired information, I am,

Yours, very truly,

C. B. COOKE, Jr.,
Assistant Manager, Passenger Transportation and Housing Division.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. DILLON. Yes.

Mr. FESS. There is a little confusion of mind among some of our colleagues here. Did we understand the gentleman to say that the president of this company was the brother of the commanding officer down there?

Mr. DILLON. That is as I understand it.

Mr. BUTLER. One Ferguson is the president of the shipbuilding company and the other Ferguson, the general, is the military commandant of the district?

Mr. DILLON. Yes, sir.

Mr. TILSON. Mr. Chairman, will the gentleman yield right there?

Mr. DILLON. Yes.

Mr. TILSON. Does the gentleman know that Gen. Ferguson was relieved at that station a few days ago? Has that had any connection with what the gentleman is speaking about?

Mr. DILLON. I have no information as to why the change was made.

I print a letter received from the Division of Military Aeronautics, War Department, relative to the Morrison Aviation Field:

WAR DEPARTMENT,
DIVISION OF MILITARY AERONAUTICS.
February 1, 1919.

Hon. C. H. DILLON,
House of Representatives, Washington, D. C.

MY DEAR MR. DILLON: Permit me to acknowledge your inquiry of January 29 relative to the land on which is located the Morrison Aviation and Concentration Camp, in Warwick County, Va.

Our records show that this land has never been purchased by the Government, but is leased up to June 30, 1919, in sections, as follows:

	Acres.
Warwick on the James (Inc.)	189.62
Anna G. Hamm	55.73
H. O. Brown	9.12
J. P. Logan	14.5
Warwickshire Land Corporation	19.76
Mary Ham Barrow	6.01
Total	294.74

Total rental on this land is $1,762.60 per year, which averages about $6 per acre. All leases contain options as to yearly renewal of these leases up to June 30, 1921. The Government also holds an option to purchase this land at about $250 per acre. On this 294 acres of land the Government improvements have amounted to approximately $2,134,589.15

I trust that the information given above covers all questions on this subject, and I assure you that if further information is desired I will be glad to hear from you.

Very sincerely,

W. L. KENLY,
Major General.
By JOHN B. REYNOLDS,
Major, Air Service, Assistant Executive.

Here is an aviation field containing 294.74 acres rented for $1,762.62 per year, being about $6 per acre. This would seem an extravagant price for rental of land wholly unfit for aviation purposes. Upon this the Government has made improvements to the extent of approximately $2,134,589.15. As stated before, this aviation field, with all its improvements, had to be abandoned. It represents the reckless wanton expenditures of money in improving property that is wholly unfit for the purposes intended.

From all over the country come complaints that subordinate officers are not carrying out the instructions of the War Department to discharge enlisted men who have dependents and who have opportunities to secure their former employment. The charge is made that these officers are seeking to keep their names on the pay roll, and in order to do so it has become a common practice to reject the applications for discharge without any consideration.

The War Department claims that instructions have been given to the officers directing the discharge of enlisted men on their own application when they have dependents or when they are needed in civil employment. If the War Department is acting in good faith, why are not the officers compelled to carry out the orders? This is further evidence of the inefficiency of the department.

Mr. TILSON. Mr. Chairman, will the gentleman yield right there?

Mr. DILLON. Yes.

Mr. TILSON. Is the gentleman going to speak of the discharge of enlisted men?

Mr. DILLON. Yes.

Mr. TILSON. I wish to ask the gentleman a question which he may be able to answer in this connection, in regard to what might be termed another "lost battalion," lost not on the battle fields of France, but apparently in darkest Africa, "somewhere in Virginia." I have information to the effect that at Newport News, or somewhere in that vicinity, is what is called a reserve labor battalion, made up of drafted colored troops. If my information is correct, these men are being worked as common laborers alongside of civilian laborers who receive more than $3 a day, and that the soldiers are denied the privilege of even making an application for discharge.

Information I have is also to the effect that when one of these men is permitted to ask for a discharge he is required to furnish affidavits which cost him from ten to fifteen dollars. Does the gentleman know anything about the existence of conditions such as I have described, or did he see any colored troops there?

Mr. DILLON. Oh, yes; there is a large number of them who have been marched out through the mud, and they were complaining about their treatment.

Mr. BUTLER. Did they find the "lost battalion," though?

Mr. DILLON. I do not know anything about the "lost battalion." Some of the men ran away, and they were driven back.

Mr. TILSON. Were they colored troops?

Mr. DILLON. They were colored troops.

Mr. TILSON. Were there any considerable number of them?

Mr. DILLON. Yes.

Mr. TILSON. The information I have is that the Four hundred and seventh Reserve Labor Battalion, made up of colored troops, are being kept there in what amounts to involuntary servitude, or slavery, because they are unable to get away; at any rate, that they are not given an equal opportunity with others to apply for discharges for industrial or family reasons.

Mr. DILLON. There were a great many claims made as to their compulsion in working under those circumstances.

Numerous cases have been brought to my notice by soldiers who could not get action on their applications, although they had followed the instructions given in the orders. Thousands of these soldiers are seeking relief since their services for military purposes are no longer required. If the Secretary of War and his assistants are unable to bring relief to these soldiers in the United States, steps should be taken by Congress to release them so that they may go home.

The following, taken from an official order issued January 15, 1919, indicates the number of officers in the Three hundred and fourth Stevedore Regiment, Corps of Engineers, and shows to what lengths they are going to find places for officers, so that their services may be continued.

I have here an official order, stamped with the official stamp upon it, showing the number of officers who are attached to each company:

Companies A, B, and C, Three hundred and fourth Stevedore Regiment, and Company A, Three hundred and fifty-fifth Labor Battalion; Companies A, B, C, and D, Four hundred and fourth Reserve Labor Battalion; Companies A, B, C, and D, Four hundred and fifth Reserve Labor Battalion; and Companies A, B, C, and D, Four hundred and thirtieth Reserve Labor Battalion, the 16 companies comprising the four battalions of the Three hundred and fourth Stevedore Regiment, Corps of Engineers, had, on January 25, 1919, 29 captains, 27 first lieutenants, and 29 second lieutenants. Besides these, each battalion had a commanding officer, one being a major and the other three captains. Then, also, there were regiment and headquarters officers, composed of 1 major, 10 captains, and 8 first lieutenants.

Taking some individual companies we find that Company A, Three hundred and fourth Stevedore Regiment, had 1 captain, 3 first lieutenants, and 2 second lieutenants; Company A, Three hundred and fifty-fifth Labor Battalion, had 2 captains, 4 first lieutenants, and 1 second lieutenant; Company A, Four hundred and fourth Reserve Labor Battalion, had 2 captains, 3 first lieutenants, and 1 second lieutenant; Company B, Four hundred and

fourth Reserve Labor Battalion, had 2 captains, 2 first lieutenants, and 2 second lieutenants; Company A, Four hundred and thirtieth Reserve Labor Battalion, had 2 captains, 2 first lieutenants, and 2 second lieutenants.

These five companies have together 9 captains, 14 first lieutenants, and 8 second lieutenants.

History does not record such an array of captains and lieutenants. As the companies are being demobilized, places must be found for the officers, hence they must be transferred, and while the drilling of soldiers has largely ceased and the number of privates in each company decreased by demobilization, the quota of officers to each company is increased. While demobilization releases the privates so that they may go home, the officers go marching on cashing their monthly pay checks.

THE NEGRO SITUATION.

It was stated that there have been for some months past several thousand colored troops stationed in the vicinity of Newport News, designated as comprising various units of labor organizations; that these colored soldiers from time to time in varying numbers have been used as laborers on private, municipal, and county work, such as construction and repair of streets, roads, drainage ditches, and water works, throughout a large area of country around Newport News, as far north as Lee Hall, a distance of about 19 miles, and east as far as Old Point Comfort; and that most of this work has been performed under most distressing conditions, the colored soldiers often working in mud almost to their knees. Complaints were made by these colored soldiers concerning the character of work they were required to do, that their allotments had been withheld, and that they could not secure discharges.

Some of our bravest soldiers on the battle fields were colored men. They were ever ready to march against the common enemy in an effort to overthrow him, and our Nation owes to all our gallant soldiers, both white and black, an everlasting debt of gratitude. There is no justification for the treatment meted out to the colored soldiers in some of the camps.

Mr. SHALLENBERGER. Does the gentleman know whether these colored men were drafted men?

Mr. DILLON. They were drafted.

Mr. CRISP. Will the gentleman yield to me?

Mr. DILLON. Yes.

Mr. CRISP. Was this work which these soldiers were required to do on the public utilities for the benefit of the Army or was it for the benefit of these private municipal corporations?

Mr. DILLON. The information came to me that it was possibly both. The Army used the highways, but they were putting in cement highways and making various improvements which were largely beneficial to these private beneficiaries.

Mr. CRISP. But the only reason the Government did it was for the benefit that the management of the Army got out of it.

Mr. DILLON. Yes. Complaints were made by these colored soldiers concerning the character of the work they were required to do.

Mr. FESS. Will the gentleman yield?

Mr. DILLON. Yes.

Mr. FESS. We understood from the gentleman's statement that there were many more captains there than there were companies?

Mr. DILLON. Yes.

Mr. FESS. Has the gentleman made any analysis of that to show how many captains were attached to any particular company?

Mr. DILLON. Yes; I will have all in my extension of remarks.

Mr. FESS. Three or four or five?

Mr. DILLON. Yes; sometimes five officers to a company.

Mr. FESS. That was stated to me. Now, another question: Did the gentleman make any inquiries as to the commutation of heat, light, and quarters, whether these captains in addition to their regular salaries had four rooms, some of them, and also so much for heat and light in addition, and living in these houses built by the Government?

Mr. DILLON. That is true, but I did not specially investigate it. I understood it to be so.

Mr. FESS. It was stated to me that it amounted to $304.

Mr. DILLON. The following is a résumé of the report covering those members of Companies A, B, C, and D, Four hundred and fifth Reserve Labor Battalion, who reported on January 7 and 8 that the persons to whom they had made allotments were not receiving the money due. The number in each of these companies so reporting is as follows: Company A, 77; Company B, 56; Company C, 75; Company D, 78. The total number reporting is 286. Of this number 119 reported that the persons to whom they had made allotments had received nothing, although allotments had been made from 5 to 13 months previous to January 8, 1919, and that during that time the amount of the allotment had always been deducted from their pay.

Mr. SHERWOOD. Deducted from their pay?

Mr. DILLON. Deducted from their pay. Of the remaining 167 about one-half reported that the persons to whom they had made allotments have received payments of from $5 to $90 during a period of time extending from four months to one year, while the balance reported allotments due for one to four months.

As examples, I cite the following individual reports, which represent neither extreme:

Dawson, Hit. No. 2992628. Dawson, Hannah (sister), Ashland, Ky. Allotment, $15. Allottee has never received any payments. Allotment made out in the month of March, 1918. Enlisted March, 1918. Allotment is still being deducted from soldier's pay.

Donalson, James. No. 2859630. Donalson, Bell Maggie (sister), Kee, Ark. Allotment, $15. Allottee has never received any payments. Allotment made out May, 1918. Allotment is still being deducted from soldier's pay.

Ivory, Marshall. No. 2811766. Ivory, Obie (brother), Pittsburg, Tex. Allotment, $15. Allottee has only received the amount of $30. Allotment made out in April, 1918. Enlisted March 29, 1918. Allotment is still being deducted from soldier's pay.

That this treatment of the colored soldiers was not confined to this particular camp is evidenced by a statement made to me by a former officer who was stationed at Camp Johnston, Jacksonville, Fla., in command of a labor company of colored soldiers.

This company consisted of 200 drafted colored men, and the ages ran from 21 to 40 years even at the time when 31 years was the draft limit. Twenty or twenty-two of them received no pay on pay day, the reason stated being that they had been brought in as deserters and $50 paid to some officer who had brought them in. This payment had been charged against the soldier, which left him indebted to the Government.

None of these alleged deserters could understand why that charge was placed against them, all claiming that they had in no way evaded service, that they had continued in their customary work, continued to reside in the same place, had not changed their names, and had at all times held themselves in readiness to answer the summons of the local board when they should be called to the service.

This charge of desertion was not for any action committed after they were mustered into the military service, but because they were said to have been delinquent in not reporting for service within the time or date required by the notice sent them by the local board. As a matter of fact, they all claimed that no notice had ever been received by any of them, although the local board knew of their whereabouts.

One of these colored soldiers said that he had come to the camp of his own free will as soon as he learned of his order to report. When asked if no one had come with him to the camp at Johnston, he replied that the postmaster's brother had come with him, but that he had paid his own fare as well as the fare of his companion, who told him that he was going to Jacksonville anyway, and as an accommodation would go to the camp with him and show him who to report to. Nevertheless, the charge of desertion was placed against him, and the $50 paid to the man who brought him in and charged up to the soldier to be taken out of his pay.

Another, who lived in Georgia, stated that he registered in June, 1917, and then learning that there was need of labor in the shipyards at Jacksonville had gone there and secured employment. After arriving in Jacksonville he notified his local board of his change of address by letter and told them to mail his notice to him there. He worked a few weeks in the shipyards and then got employment with the Government in the post exchange at the camp. While he was thus employed by the Government, within the military camp and under his proper name, a policeman came out from town and arrested him as a deserter and, escorting him about two blocks to camp headquarters, collected $50.

This payment was accordingly charged against the soldier and deducted from his pay in spite of the fact that he had conducted himself in accordance with the draft regulations, and that this was the first knowledge he had of any notice calling him into the military service.

These are merely two cases illustrative of the whole number of alleged desertion cases in this one company of colored soldiers, none of whom had received, through the mail or otherwise, the customary notice sent by the local boards advising them that they had been called into the military service.

Why was there no investigation of this practice of bringing in these men as deserters when they had received no notice calling them into the military service? It was because certain influential men and their friends were making considerable money by bringing these men in and collecting $50 for each. One of these is said to have collected as much as $800 in this questionable manner.

How was this done? It was done in this way. These colored men got nothing through the mail in the form of a notice calling them into the military service. That was the method used by the local boards in giving notice, and since these cards giving notice were not returned to the local boards as undeliverable the draftees would be listed as deserters if they did not appear on the date set at the place specified in the notice.

The notices were sent out by the local boards but the postmaster did not deliver them as addressed, but held out certain ones and kept them until the draftee was one day delinquent. Then he would hand them to a marshal or policeman, who would go out and make arrests and collect $50 for each one apprehended.

In spite of this unjust and unlawful practice the charge of desertion remains against them and can not be removed until they complete paying the $50 charge. Neither can they be discharged as long as they owe the Government money, but must remain in the service until the indebtedness is canceled.

Mr. Chairman, while the war was going on we could not expect that every dollar spent in our war activities would be well invested. We expected that many mistakes would be made in conducting the war. The sole purpose controlling the heart of the American people was to win the war in the shortest possible time. Yet the American people did not expect the officials to be guilty of wanton and criminal waste.

But now that the war is over and demobilization is going on the people do insist that all officials and public servants should be held to a strict accountability. They must be efficient; they must be honest. It is the duty of Congress to guard and protect the rights and interests of the people who pay the taxes and support the Government.

Every day that passes brings stories of the privations and sufferings of our brave soldiers fighting in Russia, that foreign land of ice and snow. Thousands of American mothers are in deep sorrow, asking themselves how long this Nation will require their sons to lay down their lives fighting a nation against which we have not declared war.

There is no justification for sending these 15,000 brave soldiers to fight, bleed, and die in that far-away land. These boys should be brought home immediately. It is a cruel wrong to keep them there.

Every soldier in the foreign service except those in the army of occupation should be immediately returned to their homes amidst the applause of a grateful people. When the peace treaty is signed every soldier on foreign soil should be allowed to come home. We should have nothing to do with the intrigues, the quarrels, the jealousies, and the ambitions of the countries of the Old World, nor should we be required to police these countries. Let them employ their own policemen for their own protection, while we turn our attention to the welfare of our own people.

Every enlisted soldier in the United States should at the earliest possible date be released from the service. They have performed every duty required of them. They have helped carry the flag on to a successful victory, and a grateful Nation can bestow no greater blessing upon them than to send them home to their loved ones.

Let our unconquerable Army bring back our flag. It represents our longings and is the symbol of our liberty and equal rights. The poor and the rich, the weak and the strong, will ever sustain it; our willing feet will ever follow it; our strong hands will defend it; our hearts will ever cherish it; and our dying lips will bless it.

May God speed the day when the people of the world may lay down their weapons of war and follow the Prince, the Prince of Peace, that they may abide in that perfect love that knows no evil. [Applause.]

Mr. BUTLER. Where did the gentleman get all of this information?

Mr. DILLON. I went down to Newport News and looked up these matters for myself.

Mr. BUTLER. The gentleman appears to have had a very good time and to have obtained a great deal of information.

Mr. DILLON. I wish some more of you would go down there and investigate for yourselves.

The official order making the assignment of officers referred to above is as follows:

HEADQUARTERS CAMP ALEXANDER,
Newport News, Va., January 15, 1919.

General Order, No. 3.

1. For administrative purposes, and to secure more uniformity in work to be performed, all units of the stevedore and labor organizations hereinafter mentioned are placed under the jurisdiction of the Three hundred and fourth Stevedore Regiment, C. E., and are assigned to provisional battalions, as follows:

First Provisional Battalion: Companies A, B, and C, Three hundred and fourth Stevedore Regiment, C. E.; Company A, Three hundred and fifty-fifth Labor Battalion.

Second Provisional Battalion: Companies A, B, C, and D, Four hundred and fourth Reserve Labor Battalion.

Third Provisional Battalion: Companies A, B, C, and D, Four hundred and fifth Reserve Labor Battalion.

Fourth Provisional Battalion: Companies A, B, C, and D, Four hundred and thirtieth Reserve Labor Battalion.

2. With the exception of the Third Provisional Battalion and Companies A and C, Four hundred and fourth Reserve Labor Battalion, and Companies C and D, Four hundred and thirtieth Reserve Labor Battalion, now on detached service, all companies of the stevedore and labor organizations will in future render ration returns, requisitions for clothing, supplies, etc., through regimental headquarters instead of through battalion headquarters, as heretofore.

3. All property now held by battalion headquarters will be turned in to camp supply officer, and present battalion supply officers will obtain clearance therefor.

By order of Maj. Bridges.

L. D. HARVEY,
Captain, Quartermaster Corps, Camp Adjutant.

HEADQUARTERS CAMP ALEXANDER,
Newport News, Va., January 15, 1919.

Special Order No. 14.

1. The following officers, Quartermaster Corps, are relieved from their present duties, in so far as they conflict with following assignments, and are assigned to duty as follows:

Maj. Earl Eikenberry, executive officer and commanding officer 304th Stevedore Regiment, Engineer Corps.
Capt. L. D. Harvey, camp adjutant.
First Lieut. Joseph H. Coggins, assistant camp adjutant.
First Lieut. B. A. Trohn, camp personnel adjutant.
Capt. A. F. Yambert, prison officer.
Capt. F. W. Jackson, assistant prison officer.
Capt. J. J. Dougherty, police officer.
Capt. O. B. Barnes, insurance officer.
First Lieut. Colin W. McClennon, judge advocate.
First Lieut. Joseph Eros, jr., exchange officer.
First Lieut. M. R. Galvin, labor officer.
First Lieut. F. D. McCabe, United States Army, chaplain.

Three hundred and fourth Stevedore Regiment, C. E.: Capt. Chas. Davis, adjutant; Capt. Thomas H. Martin, assistant adjutant; Capt. W. W. French, personnel adjutant; Capt. Wm. Day, supply officer; First Lieut. M. L. Murphy, assistant supply officer; First Lieut. M. J. Mahoney, commanding wagon train; Capt. Birdie E. Sauers, commanding white enlistment station.

First Battalion: Composed of Companies A, B, and C, 304th Stevedore Regiment, and Company A, 355th Labor Battalion; Maj. C. A. Bunkley, commanding.

Company A, 304th Stevedore Regiment: Capt. Richard A. Hill, First Lieut. John T. Gannon, First Lieut. George A. Kerner, First Lieut. C. J. Dougherty, Second Lieut. Charles L. Gwyer, Second Lieut. Jerry P. Quirk.

Company B, 304th Stevedore Regiment: Capt. John A. Herzing, Capt. John P. Twomey, First Lieut. F. A. McLean.

Company C, 304th Stevedore Regiment: Capt. Spurgeon B. Allen, Capt. Franko E. Greene, First Lieut. Ed. Alexander, First Lieut. Samuel D. Mangum, Second Lieut. John E. Ferrick, Second Lieut. William C. George.

Company A, 355th Labor Battalion: Capt. Thomas O'Connor, Capt. A. K. Lincoln, First Lieut. Anthony J. Foley, First Lieut. Irving Achmoody, First Lieut. Charles Hayes, First Lieut. John S. Skees, Second Lieut. F. S. Brennan.

Second Battalion: Composed of Companies A, B, C, and D, Four hundred and fourth Reserve Labor Battalion, Capt. C. R. Mann, commanding.

Company C, Four hundred and fourth Reserve Labor Battalion: Capt. Leon Haimer, Capt. T. W. Lincoln, First Lieut. Charles H. Crosby, First Lieut. Thomas H. Reavis, First Lieut. Robert H. Cain, Second Lieut. Harry P. Nawn.

Company B, Four hundred and fourth Reserve Labor Battalion: Capt. H. L. Hardwick, Capt. W. A. Carns, First Lieut. John F. Ranges, First Lieut. Allen G. Jones, Second Lieut. B. H. Cook, Second Lieut. Phil McMahon.

Company C, Four hundred and fourth Reserve Labor Battalion: Capt. Morris Einstein, Capt. Burr H. Hyde, First Lieut. B. F. Whalen, Second Lieut. Lawrence Symmers, Second Lieut. N. A. Schwab.

Company D, Four hundred and fourth Reserve Labor Battalion: Capt. F. Wollman, Capt. LeRoy Roper, First Lieut. F. H. Pettit, First Lieut. Charles B. Lohmiller, Second Lieut. R. H. Barker, Second Lieut. H. V. Flick.

Third Battalion: Composed of Companies A, B, C, and D, Four hundred and fifth Reserve Labor Battalion; Capt. Nicholas O. Hansen, commanding; First Lieut. Frank M. Hippert, adjutant; Second Lieut. John W. Gannon, supply officer.

Company A, Four hundred and fifth Reserve Labor Battalion: Capt. Louis H. Albrand, First Lieut. Glenn Stewart, Second Lieut. Joseph N. Whitfield, Capt. Nelson Stuart.

Company B, Four hundred and fifth Reserve Labor Battalion: Capt. H. T. Baker, First Lieut. Charles J. Ahern, Second Lieut. M. A. Cutley, Second Lieut. George W. Trafton.

Company C, Four hundred and fifth Reserve Labor Battalion: Capt. Cleveland Elkins, First Lieut. Richard Tunney, First Lieut. James H. Craggs, Capt. Fred Jensen, Second Lieut. William McGuigan.

Company D, Four hundred and fifth Reserve Labor Battalion: Capt. Leroy Hanna, Capt. Otto Rosie, First Lieut. Fred O. Barker, Second Lieut. Clyde G. Beardsley, Second Lieut. H. R. Zimmerman.

Fourth Battalion: Composed of Companies A, B, C, and D, Four hundred and thirtieth Reserve Labor Battalion, Capt. Milton B. Adler, commanding.

Company A, Four hundred and thirtieth Reserve Labor Battalion: Capt. W. C. McKinney, Capt. Walter Ervin, First Lieut. James R. Goodrich, First Lieut. James F. Ryan, Second Lieut. J. Y. Morgan, Second Lieut. William D. Hancock.

Company B, Four hundred and thirtieth Reserve Labor Battalion: Capt. Herman Logan, Capt. John J. Murphy, Second Lieut. H. C. Wyche, Second Lieut. James Noonen, Second Lieut. Clegg D. Richards, Second Lieut. Charles G. Gross.

Company C, Four hundred and thirtieth Reserve Labor Battalion: Capt. Edgar Combs, Second Lieut. William J. Mooney, Capt. Ora V. Gilbert, Second Lieut. James P. Owen, Second Lieut. Joseph Patrick Collins.

Company D, Four hundred and thirtieth Reserve Labor Battalion: Capt. Charles A. Boyde, Second Lieut. Peyton B. Burkhalter, First Lieut. George Baur, First Lieut. Peter Scery, Second Lieut. C. V. Pregaldin.

By order of Maj. Bridges.

L. D. HARVEY,
Captain, Quartermaster Corps, Camp Adjutant.

Mr. DILLON. Mr. Chairman, a number of letters have reached me relative to the treatment accorded our soldiers in court-martial proceedings and in the military prisons. I have not made any personal investigation of these alleged abuses, but information comes from so many sources that there must be some foundation for the charges. I append a statement just received through the mail entitled "Examples of brutalities, tortures, and deaths to political prisoners under military régime":

To Congressman DENT,
Chairman House Committee on Military Affairs,
Washington.

HONORABLE SIR: At your request I beg to submit a résumé of inhuman treatment of military and political prisoners, which I respectfully recommend for your kind and immediate consideration and action, as some are already dead, others dying by inches, while all are more or less in constant jeopardy of life or health:

1. Jacob Wipf and the three Hofer brothers, religious objectors, with families, served one year in Arizona prison for failure to register. Transferred to Spanish dungeon of Alcatraz, San Francisco Bay. Stripped to underwear. "Strung up" for 36 hours. Five days without food; 1 glass of water every 24 hours. Slept on cold, damp floor in the stench of their own excrements, beaten, and otherwise manhandled. Contracted scurvy. Sent to Fort Leavenworth, from a temperate to a cold climate; put in solitary on bread and water; "strung up" nine hours per day seven days per week; slept on the bare floor with cold drafts passing over their emaciated bodies; two contracted pneumonia and died; one was sent home with the bodies. Jacob Wipf is on a hospital cot when telling this story. These men were all married and have one or more children, therefore should not have been drafted at all. (Report carried to Theo. H. Lunde, president American Industrial Co., of Chicago, by an Army officer.)

2. Clark Getts, Chicago attorney, graduate of Wisconsin University, conscientious objector, was given two periods, two weeks each, in solitary confinement on bread and water at Fort Leavenworth for smuggling to the outside world information of the cruelties practiced upon him and his confreres, after which he was put in the ward for the violently insane by Capt. Chambers; in constant jeopardy of life and mind, as the inmates are not confined in cells but mingle promiscuously. Writer's son, who with others (including officer who carried the information) vouch for Getts's mental condition, in defiance of Capt. Chambers, implores me to do something for this unfortunate man. Writer in person brought the case under the personal notice of Secretary Baker, who promised to investigate it, but whose general attitude did not impart any hope of results. The chains of the solitary are humane as compared with the physical danger and torture of a sound mind in such environments.

3. Howard Moore, conscientious objector, an efficiency expert, winner of the Carnegie medal for bravery and $500 for saving a girl from drowning; in solitary at Fort Leavenworth after much suffering at Fort Riley.

4. David Eichel, conscientious objector, statistician, formerly with prominent life-insurance company, in solitary at Fort Leavenworth. Went through 10 days' reign of terror at Camp Funston.

5. Francis X. Hennessy, Hyman Block, Stein, Haugan, all conscientious objectors, put in the insane ward at Fort Leavenworth, which can only be interpreted as camouflage for the benefit of inspector from Washington, being that none are insane, and that if Hennessy is possibly a little affected it is the result of the brutalities accorded him and the others at Fort Riley, where he was "strung up" and given the "water cure," and at Camp Funston, where he went through the "10-day reign of terror," under Capt. Gustave Taussig.

6. Seventh Day Adventists have been put in solitary for refusing to work on Saturday, their Sabbath.

7. Mennonites have been put in solitary because their religion forbade them to put on uniforms or prison clothes.

8. Fischer was beaten so severely that he became a raving maniac.

9. John A. Burch, No. 12358, of Wolfrun, Ohio, not a conscientious objector, enlisted July 28, 1917, and was sent to Camp Gettysburg Pa., having failed to claim exemption though he had a wife, and four children under 8. Having been refused by Capt. Hardman to see his dying mother, he took "French leave," was picked up by detectives, was refused to go home for his papers and railroad ticket which he had bought to go back to camp, was forcibly filled up on whisky, turned over to sheriff of Steubenville County, where he was kept 60 days; sent to Columbus Barracks for 30 days then to Camp Green, Charlotte, N. C. (whither his battalion had moved); taken before a court-martial which held the entire enforced detention against him, and gave him a sentence of 10 years at Fort Leavenworth. While there, his wife and two children died, and, though he offered to pay the fare of a guard to go with him, Commandant Rice refused his request for leave to see his dear ones before they were laid away.

Told by a Regular prisoner, railroaded to the detention barracks at Fort Leavenworth.

10. Peters, No. 14589, Mennonite, from Fort Oglethorpe, Ga. Lieut. Masey, when reading sentence, told him he was no longer a citizen, and therefore not entitled to hold his religious belief. Ordered to work at the point and prodding of the bayonet. Put in solitary under roof in barn, with only a small, square window for air, under a blazing August sun, on bread and water. Refusing to eat for five days, he fainted, was revived, and put back. Later taken to hospital totally demented and a wreck of a former splendid physique. Pneumonia, influenza, heart trouble, and a general breakdown. Finally discharged as mentally deficient.

Davis, No. 15582, was also a witness to this treatment.

Peters, mentioned above, saw the two following instances:

11. Detention camp, Fort Oglethorpe. Captain ordered soldiers to put C. O. waist deep in feces of latrine pit, splash him all over with the filth, sergeant in charge leaving him to be pulled out by his fellow C. O's.

12. Same captain, same time, ordered C. O. Schwargengraben taken by the heels and dipped to his eyes in the feces of latrine pit. Sergeant proceeded to put him "away in." Peters warned him of danger of killing by suffocation before filth could be removed from mouth and nostrils.

13. Polish drafted deserter brought to Fort Oglethorpe during August. Had yellow jaundice. No food or medical attention for two days. Provost sergeant ordered him out to work under curses and oaths. Too sick to work. Sergeant ordered him to stand up, tried, but fell back on bunk. Sergeant grabbed and beat him; too exhausted. Sergeant called prison officer, Lieut. Masey, who grabbed and shook him viciously and ordered guard with fixed bayonet to force him out. Pole, leaning against wall for support, was jabbed 4 times in back with bayonet, until exhausted, he fainted away. Taken to guardhouse and left on bunk for 2 days, until chaplain, Father Shear, came to call the mail. Duncan called the rev. father's attention to Pole's condition; he was horrified; said Lieut. Masey should be court-martialed, and threatened to prefer charges. He only "bawled him out," preferring no charges.

The Pole later died in the hospital as a direct result of cruel treatment.

Duncan saw most of this, as did Davis.

14. Case of supposed spinal meningitis in this hospital. Doctor took too large culture from spine; patient now a raving maniac in barred room across hall from me, probably mentally unfit for life. Attendant who saw operation and has medical knowledge said it should have been taken in two portions.

15. Erling H. Lunde, Chicago, graduate with honors from the University of Chicago; three years engineering at Armour Institute of Technology; was refused deferred classification on accusation of having married to evade draft. Was appointed inspector of materials on the Santa Fe, but was refused furlough and sent to camp. Application withdrawn when motive questioned. Did voluntary work at Fort Leavenworth; earned good will of Capt. Laird for establishing harmony between officers and conscientious objectors. Resented coercive measures and intolerable conditions at Fort Riley, put in solitary, court-martialed at Camp Funston, sent to Fort Leavenworth for life, commuted to 25 years in disciplinary barracks, conditions of which are so dangerous and intolerable as to cause a yearning for solitary again. Now in hospital convalescing from scarlet fever. Was declared a sincere conscientious objector by Judge Mack's commission. Author of Defense of Conscientious Objectors to war.

16. Harold Gray, son of President Gray, of the Detroit Red Cross. Took Red Cross post in England, but soon found he belonged among the conscientious objectors; returned to America and joined the others in suffering and solitary.

17. Evan Thomas, a minister, and brother of Dr. Norman Thomas, of New York, cosufferer with the above, whose sufferings in solitary were much accentuated due to his height, which compelled a stooping position when chained to the bars of the double-decked solitary cell.

18. Charles P. Larsen, artist, at Fort Leavenworth. Suffered with others the intolerable conditions at Fort Riley. Underrationed, food attacked by flies from near-by latrine used by venerally diseased soldiers. Protest punished by imprisonment in guardhouse cell in basement, dark, air foul, deprived of toilet articles, breathing sweepings, etc. Protest brought solitary confinement. Later taken to Camp Funston and was a cosufferer during 10-day reign of terror.

19. Abraham Gelerter, vegetable dealer, orthodox Jew, Camp Upton to Fort Jay, April 11. Is greatly surprised and thanks his God for having survived the terrible punishments received for merely objecting to murder. The brutal sentries beat him until he was unable to recognize himself and encouraged the other prisoners to do the same. Commandant declared that all conscientious objectors deserved to be killed. September 15 I arrived at Fort Leavenworth, and, being a vegetarian, had to go twice on hunger strike to get proper food, though far from adequate. Two periods of two weeks in solitary, handcuffed to cell nine hours per day. Compelled to bathe and shave on Saturday, my Sabbath. Dragged to the bath, knocked down, forcibly undressed, held under shower, and scrubbed with coarse soap. The brutalities of the soldiers made me scream with pain. I was taken out of the hole to the hospital November 22 for observation.

20. J. E. Haugen, sheet-metal worker, Lutheran, conscientious objector, shared the intolerable conditions at Fort Riley. Guardhouse, court-martial, transfer to Fort Leavenworth, with solitary and accompanying cruelties.

21. The so-called "mutiny" at Fort Leavenworth: The "crusher gang," composed of physically unfit, were ordered to do twice as much work as formerly. Refusing, the "punishment gang" was sent over; but, seeing how matters stood, they also refused.

All were ordered into solitary, and Acting Warden Fletcher started after them with a bat. A prisoner, Stratton, shouted, "Don't do that," for which he was beaten into unconsciousness lasting 50 hours. When Stratton spoke, the warden drew a pistol, tried to fire at him, but cartridge failed to explode. Stratton raised a stool to protect himself, and, in fear of his life, threw it at the warden.

Floyd Ramp received a double compound fracture of the skull.

After being locked in solitary, two big brutes—Wingfield and "Mack," the former with a bat and the latter with a piece of pipe—were set to task of beating them. Ray and Axuara were beaten unmercifully, and two besides Stratton were unconscious for a long time. Many were handcuffed to doors, feet barely touching the floor. Hodges, Baskett, and Plahn were sick, and prison doctor ordered mattresses, which warden later removed. On the third day they were taken down so the prison inspector should not see them.

UNJUST AND UNFAIR COURTS-MARTIAL.

No. 12135 overdrew his bank account a couple of dollars on a $40 check, but reimbursed bank. Still, court-martial gave him six years at the disciplinary barracks.

No. 13055 took $4,000 from canteen and food; admitted guilt and was sentenced to one year at disciplinary barracks. He has the money still.

No. 13054, a friend of the above, was convicted of having helped 13055 spend the money and having been his accomplice, although 13055 testified on the stand that 13054 knew nothing about the steal at all. He got one year at the disciplinary barracks.

No. ———, in sixth wing, got 25 years for being late 25 minutes on a 48-hour pass. W. McLeod (No. 14694) knows him.

A captain stole $100,000 from Q. M. fund; got six months at the D. B. and a dishonorable discharge.

A captain grafted $500,000 in an Army contract; was given a light sentence here and after one month was put in a battalion for restoration to duty.

The son of a colonel at Fort Oglethorpe, who took $10,000 from soldiers' mess fund when he was mess sergeant of his outfit; tried and found guilty by court-martial and given 10 years. Through influ-

ence of his father was reduced to 6 months. After spending 90 days in the guardhouse, son was set free.

No. 14112. Sentenced to 20 years for 9 days' absence without leave; another, 18 months for almost 5 months' absence without leave.

No. 14149. Train delayed by storm; got one year. Capt. Waggoner, of Fort Riley, "had it in for him."

A lieutenant who became intoxicated at a colonel's party got out by mistake and "tore up the town." At trial the same colonel had to make an example of him and sent him to Fort Leavenworth under a heavy sentence.

Many of these young men I have met and spoken with in camp and hospital, and I pronounce them as fine and noble human material as a Government has ever exposed to abuse and destruction.

Respectfully and urgently submitted.

THEO. H. LUNDE,
President American Industrial Co.,
811 Rees Street, Chicago.

WASHINGTON, D. C., *January 13, 1919.*

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WAR DEPARTMENT,
Washington, January 6, 1919.

MY DEAR MR. BROWN: In reply to your letter of January 3, I have to tell you that we have been informed that Clark Getts is no longer in the ward for mental cases at the disciplinary barracks at Fort Leavenworth. I hope you understand that he had been assigned there on the recommendation of the psychiatrist for observation and not as arbitrarily as your letter makes it appear. Thank you for your suggestions on general conditions in the barracks.

Very truly, yours,

(Signed) F. P. KEPPEL,
Third Assistant Secretary.

Mr. ALBERT PAUL BROWN,
2524 Jones Street, Omaha, Nebr.

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2524 JONES STREET, OMAHA, NEBR.,
January 10, 1919.

Mr. F. P. KEPPEL,
Assistant Secretary of War,
Washington, D. C.

DEAR SIR: I thank you for your kind acknowledgment of my letter of the 3d instant, and am glad to note its contents that the authorities at the United States Disciplinary Barracks, Fort Leavenworth, are able to report the remedying of the conditions surrounding Clark Getts. As to what those conditions were, I still have every confidence that I reported them correctly. The authorities had a number of C. O.'s under "observation," and I have seen the room in which they were confined, while they were there, several times. I know that Getts was not confined there. If all that was desired was to place him under observation, there would have been no object in placing him in a ward with insane men.

I know that Getts sent out the appeal for help, as I told you. The other conscientious objectors held under observation had nothing to complain of except lack of reading matter. Again I ask, if "observation" was all that the authorities aimed at, why should Getts be differently treated? Personally, I should feel inclined to substitute "intimidation" for "observation."

I understood at the time that it was due to the orders of the psychiatrist that Getts was confined with the insane, and it struck me then as a rather strange method of "healing the mind."

From this and other incidents it becomes evident that the authorities can cover almost any kind of treatment by a camouflaging phrase, even as Mr. Taussig now says that the conscientious objectors at Funston were given several showers a day "as a disciplinary measure" and made to sleep without beds "as a sanitary precaution"; and I do not doubt, sir, that the officials at Fort Leavenworth reported to you that Getts had been confined in the ward for mental cases as a "mental precaution." Only when the light of public opinion can reach these cases can the truth be assured. Trusting that I have helped contribute to that end, I am,

Yours, respectfully,

A. P. BROWN,
Officer in Charge of Bureau of Designing and Drafting,
United States Engineering Corps, at Disciplinary Barracks.

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JANUARY 17, 1919.

My Chicago office just informs me that one of our returned employees, drafted and stationed at Fort Oglethorpe, confirms brutalities committed against the conscientious objectors there.

THEO. H. LUNDE.

Mr. BROWNING. I yield to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Chairman, if the House will indulge me, I desire to read a letter I received yesterday from one of my constituents; and as this letter contains some very startling statements and charges, I believe I ought to explain to the House who sent me the letter and what kind of a man he is. It is from a young lawyer in my district who is entirely reliable, and who would not make any statement, if he knew it, that is not within the facts. I see by the papers that he is at this moment engaged in the trial of a lawsuit as counsel for the defense involving over $1,000,000. He is in the habit of examining testimony and evidence, and drawing conclusions from statements of fact, and he would not be taken off his feet by any charge that might be made that was not well founded. This letter to me is dated January 3, 1919. He says:

CANTON, OHIO,
January 3, 1919.

Hon. ROSCOE C. MCCULLOCH, M. C.,
Washington, D. C.

MY DEAR MR. MCCULLOCH: The writer has had so many complaints relative to the treatment received by soldiers in Company H, Second Battalion, Three hundred and thirty-second Infantry, now stationed at Cattaro, Dalmatia, Austria, that he felt it his duty to bring it to your attention. Briefly the complaints are that the soldiers are being fed upon Italian rations and are not receiving sufficient food; in fact, several soldiers, writing to their parents, and who are personally known to the writer, and whose honor, honesty, and integrity could not be questioned stated that the food was so scarce that it was necessary for them to steal food in order to exist. They also complained that they have received no clothes of any kind since early last fall, and that they have mended and patched their clothing until it will hardly hold together. One soldier stated that the only suit of underwear he had was the suit he was wearing and that it couldn't be washed because it wouldn't hold together. Another complaint is that all the commissioned officers located at this point, with the exception of one lieutenant are drinking to excess and are drunk practically all the time, and that their actions are so disgusting and disgraceful that the officers of the English, French, and Italian Armies look down upon them with disgust.

Another complaint is that the soldiers have not received any pay for a number of months. These complaints are from letters which I have read, and it is incomprehensible that our boys must be fed upon horse meat, spaghetti, and macaroni, without sufficient clothing, and officered by drunkards. This is a matter that should not be delayed by a red-tape investigation but should be relieved at once, and because of your activity and the elegant results you obtain for the people of your district, I believe that you will make things hum to obtain the necessary relief.

Yours, very truly,

HOMER E. BLACK.

That letter is signed by Homer E. Black, an able, honest, truthful young lawyer in my home town. I showed this letter yesterday to a newspaper man. He evidently sent out an item about it, because I received a telegram a few moments ago, brought to me on the floor of the House, on the same subject. It was sent from Warren, Ohio, a town outside of my district, to-day at 1.30 p. m. It is as follows:

Letter received from son in Second Battalion, Three hundred and thirty-second Regiment, says shoes worn out, seat of pants out, underwear worn out. Push investigation. Will mail copy of letter.

I have been deeply interested in the perfect case that has been made out by the gentleman from Illinois [Mr. MANN] through the complaints he has submitted day by day, contained in letters he has received from his constituents and others in regard to misconduct—and I use that word advisedly, because it is misconduct—upon the part of the War Department relative to important and vital matters affecting our soldiers and their dependents and the American people.

I was interested the other day in the speech of the gentleman from Massachusetts [Mr. GALLIVAN], in which he eloquently portrayed the condition of the soldiers from his home town, but I was particularly interested in his statement that if something was not done by the leaders of this House soon in this matter, he himself would try to get some action. That was about two weeks ago, but still nothing has been done. When I received this letter and read the startling statements it contains, my first thought was to introduce a resolution calling for an investigation. I sent my clerk to the folding room, and she came back with 15 resolutions that had been introduced in the House and Senate during the last two months calling for investigations of the various phases of this very subject. They were all referred to the appropriate committee, ordered printed, and there they slumber the sleep that knows no waking.

Out of curiosity last night I looked over the CONGRESSIONAL RECORD to get some idea of the number of speeches made by the Members of this House dealing with this particular subject. calling attention to complaints detailing conditions that would bring tears to the eyes of any person who had a heart, and I estimate that over a hundred speeches have been made upon this one subject; and, with all these hundred or more speeches, no action has been taken, and not a thing has been done by this House.

Mr. GORDON. Will the gentleman yield?

Mr. MCCULLOCH. When I have finished my statement. Have we no power? Of course we have power. The fathers of our country, in their great wisdom, placed in the hands of the Representatives of the people—and that means this body—the most powerful weapon that was ever exercised by any body of men, legislative or otherwise, anywhere by any Government in all the world. But we do not function. That is the trouble. We talk and do nothing. That is what is wrong. It would seem that this House has developed into a mere debating society, and I want to say that if you continue to do nothing but talk, and do not exercise the power you have, you have failed in your duty and you can not explain it in the light of the case made by the gentleman from Illinois on the complaints he put into the RECORD and the evidence he submitted.

What is this power we have? The framers of the Constitution in their wisdom—and we have had no wiser men in recent years than they, for their works have stood the test of time—the framers of the Constitution placed in the Representatives of the people, and particularly in this body, the power to exact from the people by taxation money, and by that same Constitution they gave us the power to distribute that money by appropriation to the executive branches of the Government to be

expended for Government needs. Now, do you suppose they would place upon us that responsibility, great as it is, and not give us the power to check up that branch of the Government to which we give this money and the power to punish misconduct on the part of officers of the Government? Of course not. They placed in our hands the right to invoke the power of impeachment for misconduct. Now, I have a suggestion to make. It may be a very impracticable one, but I am perhaps impracticable enough as a Member of this House to want at least to be practical and to be able, when complaints come to me from my people, to act, or else I do not want to have the responsibility.

Now, as I say, I have a suggestion to make: This House should immediately send to France and to Belgium and to Italy, and everywhere that American soldiers are or have been located, a committee made up of the representatives of the people to make an investigation and make a report to this House. This should be done at once. If I had my way, a committee would start to-night. Their report should enable us to reach the men who are responsible for the acts of omission or commission which, in my judgment, are acts of misconduct. If they are acts of misconduct we can and should invoke the power of impeachment.

It has been decided time and time again, as I recollect it, although I am not prepared now to make a legal argument upon the subject—it has been decided time and time again that we can invoke the power of impeachment for misconduct. The provisions in regard to impeachment do not mean that the officer must be guilty of a felony or misdemeanor to be punished, but only of misconduct. If a committee should go abroad and get the facts and bring them back and report them to us recommending the dismissal of a dozen officers—brigadier generals, majors, and colonels—and the Secretary of War should refuse to dismiss them, I have got the nerve, to use a homely but effective word, to rise in my place on this floor and, exercising my constitutional right, make the necessary motion and present the necessary articles of impeachment, if need be, calling for the impeachment of the Secretary of War.

This Congress appropriated $100,000,000 the other day for Herbert Hoover to spend as he sees fit to feed the starving peoples of Europe—peoples we know nothing about and really care less, a lot of them; peoples who do not speak our language; peoples who are not in accord with our views on anything and have not our moral perspective; peoples whose real necessities we do not know about and never will know about; peoples who, perhaps through their ignorance, know nothing at all about us and care nothing about us except what they can get from us. And our own soldiers, our own boys, are permitted to go half naked and are being fed on horse meat. What Member of this House can ever justify inaction in the face of such testimony as the gentleman from Illinois has put into this RECORD and in the face of such charges as are contained in this letter? The trouble is that the American people do not know that the American Congress is sitting here idle, doing nothing but talk, when it has a weapon in its hand and the power to force this executive department to do its duty or turn the job over to some one else.

The Congress should be something more than a debating society. The Congress should do something more than talk. I say that it is our duty to investigate these cases, to investigate these complaints, and then let the report be made. If it exonerates the War Department, well and good; if there are conditions over there which are beyond control, or if there has been no negligence, if the charges are not well founded, then let the War Department be exonerated; but if they are guilty of misconduct then it is our duty to act, since we have the power to act, and see that those who are guilty are punished.

Ours is a representative form of government. One of the purposes of the framers of the Constitution was that the people should be in close touch with the Government through their representatives. The people have no place to turn to secure effective results except to their Representatives in Congress and their Senators. It is well known that the executive departments pay little or no attention to complaints that are made to them by the people. They seldom, if ever, answer a letter unless a Member of Congress intervenes. Therefore, the people look to us to remedy conditions and to secure for them justice. As I have said, the framers of the Constitution placed in our hands the power to punish misconduct upon the part of the officers of the executive branch of the Government. If the representatives of the people turn a deaf ear to the appeals that are made to them by those who have been mistreated and injured by the executive branches of the Government, the people are powerless. That situation makes our duty doubly great. During this war, and in fact for some time prior to the war, the executive branch of the Government has been encroaching upon the perogatives of the legislative branch. It has become common talk throughout the country that Congress jumps when the Executive cracks the whip. If we are honest with ourselves, we know that that is true. It was true during the war because the Members did not want to be in the attitude of doing anything or refusing any request that might lessen in the slightest degree our chances for winning the war. The attitude of the Members of Congress in that regard should be highly commended, but the war is over and, in my humble judgment, it is time for the Congress of the United States to assume its proper functions which it was contemplated by the Constitution that it should exercise and force the executive branch of the Government to do its duty and to punish any misconduct by the officials of this Government. It would only be necessary for the Congress to invoke once the power of impeachment in order to compel a proper respect not only for the Members of the Congress, but for the people they represent, which is much more important.

Why, it is a well-known fact that if a Member of Congress wrote a letter recommending a soldier whom he knew for promotion or asking a furlough that he might go to the bedside of a dying relative or for any other preferment, that that soldier was likely to be disciplined, simply because he asked the assistance of his Member of Congress in his difficulties. It has been the policy of the Military Department of the Government to instill into the minds of the officers a contempt for the representatives of the people, which, in fact, means instilling into their minds contempt for the people themselves. If one-third of the facts set out in the complaints that have been submitted by the gentleman from Illinois are true and the Members of this House pass these complaints by without notice, without any action, and without even an investigation, their action is, to say the least, inexcusable, and should meet with the prompt punishment that only the people in their power can administer at the ballot box, because, when all is said and done, this is a government of the people, for the people, and by the people.

Feeling keenly as I do and as I have upon this important subject, I have discussed it with the leaders and with many Members of the House. Some have said that by giving publicity to the charges the executive branch of the Government may be stirred up to a realization of its duty. I have not any faith in our ability to build a fire under any department of the Government with burning words. Too much talk without action breeds contempt, and properly so. Results, after all, are what count, and you will only get real results by invoking all the power that the Constitution has placed in your hands.

I do not care to encumber the RECORD by submitting the hundreds of letters I have received from my constituents complaining that the soldiers were not paid; that the allotments were not paid; that the Government had taken from the pay of soldiers the amount they had allotted for the support of their dependents and the money was held by the department for months while the dependents of the soldier were the objects of charity; complaints about the transmission of mail to and from the soldiers abroad; complaints about the transmission of information in regard to casualties, where soldiers who have given their lives in action under the Stars and Stripes were apparently forgotten, and this great Government did not even take the trouble to notify their parents and their friends that they were dead; but I desire to include in connection with my remarks and to have printed in the RECORD a letter which I wrote to the Secretary of War on December 22, 1918, and I also desire to submit a letter that I have received from a constituent pleading with me to secure information in regard to their boy, whom they had not heard from since he embarked for France in September, 1918, they having learned from a comrade in January, 1919, that he had died on a transport in October, 1918, had been buried, and the parents were never notified. Think of it! The parents of a soldier of the Republic who had given his life to the cause for which we were fighting had to learn from a comrade months after he was buried that their boy was dead. Such conduct is a shame and a disgrace.

In conclusion I want to say that the patriotism of the American people in this war has no parallel in the history of the world. Their response to every call for money and assistance, their silent acceptance of the burdens of taxation, their willingness to meet every demand has given this Nation, from the altruistic view, a place among the nations of the earth that has no equal. The Congress of the United States has given to the executive department without question—and in many instances without the presentation of sufficient information as to the necessities—billions of dollars to spend in this war as the executive department saw fit. The people have done their part, the Congress has done its part, the time for an accounting by the executive department has come, and the sooner the Congress

gets busy, exercises its prerogative, and demands that accounting the sooner they will have discharged their obligation to the country.

DECEMBER 22, 1918.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

DEAR MR. SECRETARY: I have been receiving complaints constantly from the parents of soldiers and their friends in regard to the transmission of information about the condition of wounded soldiers and the delay in the notification of parents when soldiers have been killed in action or have died from wounds or disease in hospitals.

Recognizing the difficulties that confront your department in the handling of these matters, I have refrained from entering any formal protest, other than to call your attention to individual cases up to this time. But I feel, because of the facts in a number of cases which are now before me, that there must be something radically wrong with the system that has been followed by your department in the handling of these most important matters. And my purpose in writing you now is to protest on behalf of my constituents who have suffered as a result of what appears to me to be nothing more nor less than incompetency or negligence upon the part of responsible officers in your department in handling and transmitting this information.

WORD IS DELAYED.

I need but refer to one case of the many which have been brought to my attention. Notice was received on October 3 stating that a certain soldier "was severely wounded in action August 13. Department has no further information." On November 11 a notice was received that this soldier was "reported under date of October 23, 1918, in Evacuation Hospital No. 4, American Expeditionary Forces, under treatment for severe gunshot wound in both thighs." On the request of the mother of this soldier my office on November 29 was informed that he had received "a slight gunshot wound in both thighs while in action. His condition reported fair." Efforts made at a later date by my office to secure information were to the effect that no further word had been received in regard to the soldier's condition. On December 15 the mother received the first word from your department, advising her of the death of her son, which telegram says: "Your son died October 16 from wounds received in action."

This soldier, who was in a hospital under the control of the Government, died on October 16, and it took two months, or until December 15, for your department to advise this mother of the death of her boy. Your department can not offer the excuse in this case that the delay was caused by lack of facilities for identification or because the soldier was in action, for the reason that this boy was in a hospital, identified, under the care of physicians, and your department had been notified months before that he was wounded in August; and yet it takes two months for your department to advise his family of his death.

WANTS INVESTIGATION.

I believe that every patriotic citizen is willing to concede to your department every valid excuse which might cause delay in the transmission of information. The patriotism of the American people in this crisis has no parallel in the history of the world; but it seems to me that your department should make an effort to reduce to the minimum the anguish and the suffering of parents who have given their sons as the supreme sacrifice in this war.

While I am on the subject, I want to call your attention to another situation which, to my way of thinking, is little less than criminal. The delay in mail to and from soldiers abroad will constitute a black page in the history of our war activities; and those who are responsible for these delays should be brought promptly to account, and it shall be my purpose to assist in every way possible in the bringing about of an investigation that will fix the responsibility for the delay in the transmission of mail to and from the soldiers in France. It is as little as this great Government can do to relieve the minds of the boys at the front and the minds of their parents and their friends at home to the extent that is possible by seeing to it that their letters are promptly transmitted.

Everyone recognizes that men who are on the firing line, moving from place to place, can not receive mail as promptly as they would be able to do otherwise, but the complaints have been so general and the cases have evidenced so often an utter lack of interest and effort upon the part of the Government to take care of this most important matter of the transmission of the mail that I have become convinced that somebody is negligent, and, therefore, responsible for the conditions that have existed.

I have had complaints where parents have written as many as 50 letters to soldier sons in France, and not one of the letters have been delivered. I have cases before me where parents have not received word from their boys since they left for France, covering a period of as many as three and four months. In some cases the letters were returned without any notation—just sent back. In other cases the soldiers write, pleading to hear from home, when letters by the dozens have been written and mailed but never reached the soldiers. The parents of some have died and the soldier was the only one who did not get the information as to the death, because the letters sent were not delivered. In one instance a soldier died gallantly in action, feeling that he had been forgotten, as his last letter to his mother showed, although his mother had written him twice a week, but her letters never reached him.

CASES ARE NUMEROUS.

If these cases were not numerous I would think that the delay might be due to the particular circumstances of the individual case, but the complaints have been so numerous that it amounts to almost a general complaint upon the part of parents and friends in regard to the mail service.

I am sure that everyone in this country would approve of the sending of special transports, if necessary, in order that the boys who have borne the burden of the battle might have their mail and that the parents at home who have given them to the cause might hear from them.

Two resolutions are now pending in the House for an investigation, and while I shall do everything in my power to bring the investigation about, yet I trust your department will even at this late date take some action that will relieve the situation.

I am transmitting all of the data and information in regard to the case I have referred to in this letter. Also, a memoranda in regard to other cases, the circumstances of which will sustain the statements I have made in this communication.

Sincerely, yours,

ROSCOE C. MCCULLOCH.

WOOSTER, OHIO, *January 12, 1919.*

Representative ROSCOE C. MCCULLOCH,
Washington, D. C.

DEAR SIR: I am writing you concerning my nephew, Pvt. Donald Orr, whom we have never heard from since he sailed for France on or about the 18th or 19th of September, except from a returned wounded soldier whose name is Carl Murray, Orrville, Ohio, who said he saw him die on the boat on the way over. He said he died October 2. His mother receives her allotment each month as if he were alive. They have written the Red Cross and War Department, and they can as yet find no trace of him. His address is as follows: Pvt. Donald Orr, Three hundred and ninth Ammunition Train, Eighty-fourth Division, American Expeditionary Forces. Serial No. 2476447. Captain's name is Jay Shaffer.

He left Camp Mills, N. Y., by railway, on the 16th or 17th of September for Hoboken, N. J., from where he sailed by way of Nova Scotia on the ship *Nester*. Now, who is the fault of us not being notified of his death, or of our finding no trace of him since his death, and where is the rest of his allotment going to? Three months after a soldier's death and not being notified is a long time.

Anything you can do, or advise us to do, toward getting some definite information from him will be deeply appreciated.

Yours, very truly,

JEFFERSON P. CARSON.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. GRAHAM].

Mr. GRAHAM of Illinois. Mr. Chairman and gentlemen of the committee, I have all of my life been in favor of a large Navy. I have always believed that it is the part of wisdom for this people to have a Navy sufficiently large to protect its extended seacoast at any time against any enemy on either side. I still am of the same opinion. I think that the program proposed by the bill is not extraordinarily large; is not too large, perhaps, for the safety of this people in the future. While I have always believed in a large Navy, I have never believed in a large Army, and do not now believe in a large Army. I think an Army in time of peace should be an organization of volunteers, sufficiently constituted so that in time of war, by conscription methods, we may raise sufficient military forces to protect the Government. I do not believe this is true with respect to the Navy, however. I have not believed it for years, and I do not believe it now. I say to you freely and frankly that I do not place enough confidence in the rumors that we may disarm to justify me in believing that we ought to relax our efforts along this line. The time may come when the nations of the world will be willing to take their ships and sink them in the seas, but I do not believe that time has yet arrived. Recently, while talking with many men upon the other side of the water who were interested in British affairs, I became quite thoroughly convinced that the British mind, so far as I was able to weigh it, was along the same line. Therefore, I can consistently and shall vote for the naval increase provided for in this bill. But, Mr. Chairman, it is a matter of humiliation to me personally that in doing so I may appear to be animated by the whip and spur that is being administered by the President of the United States to this Congress to-day, the spur that we feel in our side. In my advocacy of a large Navy, I advocate it because I believe in it, but I do not believe that those who are presenting this program to this House do actually believe in the program as it is advanced. If I had anything to say about it, I would cut out the proviso in the section which gives to the President of the United States the right to say whether we shall or shall not have this Navy, and I shall vote for that if the opportunity occurs. It has been a matter of extreme humiliation to me, believing as I do about these matters, to see coming into our councils here this covert threat which has been sent to us by the President of the United States, under which I believe a majority of this House to-day is acting and under which it will act.

When the chairman of the Committee on Naval Affairs was on the floor I interrogated him, as did many others of the House, and he said that a message that had come from the President of the United States had come to the Secretary of the Navy, that it had been by the Secretary whispered to him, Mr. PADGETT, the chairman of the Committee on Naval Affairs, and that he, Mr. PADGETT, had whispered it to the members of that committee, and that whispered information thus conveyed from across the seas had induced this committee to make a unanimous decision to bring in a unanimous report. That is what he said. Believing and confiding in the truthfulness of Mr. PADGETT, which I have never had cause to question, I believe that is the situation, and similar information has come to me from other members of the committee. That being true, we have before us a report that was induced by some threat or statement or information sent by the President which you and I, as representatives of the people of this country, can not have the advantage of, but which we must act under or be perhaps put under the ban of being against the administration in the

carrying out of this policy. It is an unfair advantage to take of this House; it is an unfair advantage to take of the country and one that is not justifiable in the light of the President's stand. When he delivered his address here upon the so-called 14 terms of peace he used language to which I wish to direct your attention. He spoke of "open covenants of peace openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view." That is, that the cards shall be on the table and that anyone can see at any time how they stand anywhere along the line and know what is going on, and most of the American people perhaps approved of that. I know that I did in my simplicity of mind. Before he went to Europe he said this, as called to our attention yesterday by the gentlemen from Ohio [Mr. LONGWORTH]:

I shall be in close touch with you and with affairs on this side of the water and you will know all that I do.

Yet the only information we have is a little communique that comes to us once a day that tells us what somebody has done somewhere, that conveys no information, and nothing more do we know, and even the information upon which we are called upon to pass is whispered by the Secretary of War to the chairman of the Committee on Naval Affairs and in turn whispered by him to the members of his committee, and you and I are expected to sit here like bumps on a log and vote without knowing what we are voting for.

Mr. GARNER. Will the gentleman yield?

Mr. GRAHAM of Illinois. Well——

Mr. GARNER. Just for a question.

Mr. GRAHAM of Illinois. Well, just for a short question.

Mr. GARNER. I agree with the gentleman. I want a large Navy and a small Army, and if we can accomplish that by getting this secret information, ought the gentleman and I to complain?

Mr. GRAHAM of Illinois. Here is the point about that sort of thing. I say that the position of the President is manifestly inconsistent, and he has no right to put the Congress of the United States in the position of possibly doing something under this whip and spur when he does not think us of sufficient importance that he can tell us what the reasons are. I have only a little while and I can not yield further; the President has evidently changed his mind on this theory. He went to Europe stating everything is going to be open and above board. He has changed his mind. Long back through the years of Woodrow Wilson's life, before and ever since he was President of the United States, he has been a mind changer. If he ever advocated any single principle that he did not change his mind on I have yet to find it out, until it has induced in my mind the belief that President Wilson has been right on more subjects than any public man I ever saw in my life, because he has been on both sides of all questions. He believed, perhaps, in open diplomacy when he went across, but if he does believe it now, he does not practice it. My attention is called in this connection to what happened some years ago when he first was elected President of the United States, and when the Democratic Party was pledged to a certain program as regards Panama Canal tolls. I was not here at the time, but some of you gentlemen were, and when this thing had been pledged by your great party in its platform and when you were individually in honor pledged, he came to Congress and he said to you these words on the 5th of March, 1914, in the special message which he delivered to the Congress:

I ask this of you in support of the foreign policy of the administration. I shall not know how to deal with other matters of even greater delicacy and nearer consequences if you do not grant it to me in ungrudging measure.

And the Congress granted it to him in ungrudging measure. And what was the mysterious reason that made that necessary? What was it, can anybody tell? I have heard rumors and I have heard things said in the lobbies and other places about the supposed reasons for it, but nobody knows, not even the leaders of the Democratic Party, what the President had in his mind when he came here and asked you to repudiate your pledges and give him this thing in ungrudging measure. And to-day we have the same thing again.

The President evidently considers this war as a personal war and the peace he is making as a personal peace, in which no one else is intimately concerned except himself. The Constitution authorizes him to make treaties "by and with the advice and consent of the Senate." Yet in his peace commission he fails to appoint any Member of the Senate to consider the draft of the treaty with him. The other members of the peace commission take their orders readily from the President. When he went to England on December 26 last, when welcomed at Dover, he displayed fully his ideas of his mission in Europe:

It is therefore with emotions of peculiar gratification that I find myself here. It affords me the opportunity to match my mind with the minds of those who, with a like intention, are purposing to do the best that can be done in the great settlements of the struggle.

There is here no sense of appreciation that he goes to Europe as the representative only of our people, but a statement that he is matching his mind against some other minds.

Along the same personal lines is the purported language of the telegram that came to the committee, as published in the press, where he says that unless Congress passes this bill it will be "fatal to my negotiations."

It is evident that he considers this peacemaking as personal to himself and a matter regarding which Congress need not be informed.

And it is in furtherance of his general ideas that this is his personal matter that he cables Congress to pass the bill and will not tell them any reason why except that he wants it so.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GRAHAM of Illinois. Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Chairman and members of the committee, the report of the Committee on Naval Affairs outlining the policy that, if carried out, may place the United States very near the level of Great Britain in naval power, which might suggest that it is the policy ultimately to become her equal or her superior, leads me to call the attention of members of the committee to just a few facts with reference to the evolution of the nations to the first rank. It might be quite a surprising announcement to Members who have not refreshed their memory on the history of the nations' development to know that when Christopher Columbus found America that the greatest naval power, the greatest maritime power on earth, was Portugal. It is quite difficult for us, viewing Portugal to-day as we do, to realize that at that time she was the primate of all the maritime powers of the world. Portugal came into a tremendous conflict with Spain in the ambition for colonies, so prominently carried on when these two countries were vying with each other in developing new worlds.

This contest went on for years, until Portugal lost the supremacy of the sea to Spain, which took such a large place in colonizing America and extending her power on the sea until she became a sea power and, under the régime, as many of you will recall, of the Duke of Alva, overran the Netherlands and overcame the tremendous growing power of the Dutch Republic as they were entering with increasing commercial significance upon the sea. The struggle was not confined to Portugal and Spain, but extended itself to the Dutch Republic on the north. However, Spain became the great leader finally, whose argosies were found on every sea, and whose leaders were quoted and feared in every land, and not until the Spanish armada met her fate in the English Channel, which is a very historic fact of the evolution of national superiority, did Spain's primacy go down. That conflict, as you will recall, was between Spain and Britain. It was the climax of a growing rivalry which was decided on the sea. That does not put Great Britain in the lead because another country, vigorous and wondrously aggressive, the country that Guizot said in that wonderful history of his, which held that almost every original idea of modern civilization had found birth within its borders—I refer to France, of course—was rapidly contending with Britain. One of the most remarkable facts of history to me is that the period of 127 years beginning with 1688, at the time of the famous English revolution, when modern England began to be, up to 1815, when Napoleon Bonaparte was defeated and banished—a period of 127 years, there were 12 wars fought between Great Britain and France to establish the primacy of the sea. Some of those wars were as long as 12 years in duration; 64 of the 127 years were spent in actual warfare. This struggle, comprising a series of wars covering over 100 years, is looked back upon as one of the titanic contests between two nations striving for the first place on the sea. In the evolution of England, or rather Britain, as the mighty sea power, so wonderfully displayed in this world war, no period of her history is more suggestive than the one which gave her the position she now holds, which began at the fall of Napoleon.

Among these wars was the famous French and Indian War, in which we as a young country, not yet born as a Republic,

were greatly interested. It is known in Europe as "The Seven Years' War." We call it here "The French and Indian War," because of the prominence taken in it by our own colonies. And while we speak of that war as of interest to us, it was primarily a fight between France and Britain, and is one of the series of the 12 wars to indicate which of the two countries, or, better yet, which system of government, would come to be the ruler of the sea, because that war really was a struggle between two systems of government. One was rather Anglo-Saxon, and leading toward democracy; the other was Latin, and at that time was not leading toward democracy but to an ecclesiasticism, as all of you are well aware. And after the French and Indian War, which virtually decided that France must cease to be an American force and must give up her American colonies, Great Britain, having won in that war, invited some new problems. It was the Frenchman who said, "This war has given to Britain the first promise of a great contest in the new world by a new nation which in time will rival the old." The statesmen of France resented the provisions of the treaty of Paris and declared it to be the foundation of a new nation that would ultimately test the power of the mother country. That was as late as 1763. Already events were rapidly tending toward trouble with England.

From 1761, when the "Writs of Assistance" so deeply offended the colonies, relations became strained, until we got into a difference with the mother country, which reached open and armed resistance in what the world remembers as the famous American Revolution. Our revolution, although known in history as a very important war from any angle viewed, was not a conflict of rivalry of nations like there had been between France and England, or between the other nations which had contended for the sea supremacy, but it was a fight for certain principles. We say it was a fight against taxation without representation, or legislation without representation. The real fact is that our contention was much deeper than that expressed in that phrase; we wanted to cut out of this modern, growing, constitutional government of Britain certain effete ideas or governmental policies, one of which was the feudal system; another was life tenure in office; another was the hereditary system, by which men came to office by birth rather than fitness; another was the primogeniture system; and still another was the entailed-estate system. Those were all fastened upon European governments, especially the Anglo-Saxon, and we here had planted a young country, in only two of the States of which we had the primogeniture system and entailed-estate system, but which we desired to eliminate, and which we ultimately cut out by the sword.

So this American Revolution, which was a contest of the young country with the mother country, was to cut out of the old system certain elements that we could not permit to be planted here. And while that was not one of the 12 wars which marked the contest of sea power, it probably was the greatest war the mother country ever fought. Notwithstanding the fact that it went against her and lost to her her colonies, yet the English statesmen to-day refer to the American Revolution as the one instance in English history that they have all agreed to mention just as infrequently as it is possible to do. Since that day the British Empire has grown apace until it has reached its proud position in the world.

Now this is why I rose to speak. I desired to refresh your minds of this evolution of sea power. First it was Portugal, then it was Spain. For a little while it looked like Holland. And then the conflict came and raged between Britain and France, and for 127 years, as I have reminded you, during which 12 wars were waged, the struggle finally ended in Britain's favor, as you will recall, in the banishment of Napoleon Bonaparte. While the "Mistress of the Sea" increased, the young Republic also grew.

From 1815 up to the present time, this young Republic, growing apace in friendship with the mother country, alike in blood, alike in language, alike in law, alike in religion, alike in customs, and yet different in some ways, different in certain principles, this Government has come along until in 1878, I think it was, Gladstone in substance made the statement—although I am not sure that the date is right, but that is not important—that as the British constitution was the most subtle instrument that had ever been given to mankind, so the American Constitution is the most wonderful instrument ever stricken off by the brain and purpose of man at any one time.

Here is a nation of 110,000,000 people. Cosmopolitan in birth, but rapidly becoming a unit in all that makes for nationality, a population greater, not than the British Empire, but greater by double the population speaking the English language under the British Empire. And we have a wealth that is easily double the wealth of Great Britain. Indeed, it has been estimated that our annual income is almost half of the total wealth of Great Britain.

And I simply want to make this suggestion: For the first time since before the Civil War we see America going on the sea, a tremendous power in a merchant marine, which alone points to the position of a competitor of the mother country; and we see her building a Navy that promises also to rival that of the mother country. May we say to take care of the merchant marine? We may have a problem in front of us as to the superiority of nations. I simply propound this question in the light of history as a possible interpretation of the naval program. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield 15 minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, students of the psychology of history have frequently remarked the occurrence of a period of levity following one of extreme and unusual national stress such as is occasioned by great pestilence or a fierce and devastating war—a period marked by curious and extraordinary, and sometimes grotesque, evidence of the reaction from the tremendous worry and strain of a period of calamity and heroic sacrifice. Any student of history will recall periods of that character. It is entirely unnecessary for me to particularize them.

Certain occurrences of the more or less recent past have furnished striking evidence that this tendency and disposition of mankind is to be a part of our experience as we emerge from the gloom and horror of the great war. In the limited time at my disposal I shall not be able to furnish all of the various illustrations that occur to me of this disposition and tendency, which is perhaps to be welcomed as a part of the reaction from the worry and anxiety of the recent past—a pleasing evidence of the swinging of the pendulum which betokens a reasonably early return to a normal spirit of optimism and hopefulness.

My purpose on this occasion is simply to call attention to perhaps the most striking evidence which has been presented to us of the introduction of the playful spirit of levity into the most serious and sober affairs of life, into the very body and substance of perhaps the most sober and solemn thing next to a declaration of holy writ, a legislative enactment. I refer to the provision contained in this bill which starts out with a declaration of national purpose of expansion touching the Navy, which would do credit to Falstaff himself, and ends up with a cooing assurance that this bold and bristling front is mere stage play, worthy of Bottom the Weaver in his best moments.

It is no doubt true that the American people as a whole have not as yet become so thoroughly imbued with that light-hearted, care-free, jocund spirit to which I have referred as to thoroughly appreciate at first blush this bit of comedy intended to add to the gayety of the Nation and liven the dull, drab pages of the naval bill. Furthermore, the personality of the honorable and distinguished gentlemen responsible for this introduction of the spirit of a Pinafore stage navy into the legislative provisions for a real navy is not such as to lend itself to the prompt and immediate recognition of the farce-comedy character of the provision.

That such ordinarily dignified, not to say solemn, gentlemen should incline themselves and turn their attention to these little touches of farce, subtly intended to lighten the strain of legislative cares, comes as a refreshing evidence that the saving sense of humor, though little suspected, may still have its abiding place in the minds and hearts of the ordinarily most sober and solemn of men. [Applause.]

It is true that whatever other qualities and attributes may have been charged to or claimed for the honorable Secretary of the Navy, he has not heretofore been generally considered a "joker." Therefore it requires a little adjustment of one's preconceived notions to clearly recognize this quality in that distinguished gentleman.

Our esteemed friend and colleague, the chairman of the Committee on Naval Affairs, has heretofore been rather more distinguished for his honest earnestness than for a light and blithesome spirit of persiflage. It comes as a welcome discovery to his friends and well-wishers that a vein of genuine humor, hitherto unsuspected, occurs among his splendid endowments of heart and mind.

Then there is our dear President. There is no end to the encomiums that have been heaped upon him, along with other expressions of opinion. He has been endowed by his friends with every virtue of the mind that is the heritage of man. But I think no one has up to this time claimed for the President a disposition to deal in the spirit of light and frothy pleasantry with the serious affairs of statecraft. However, as we have understood the President enjoys the light and frisky embel-

lishments of the drama, it is not perhaps to be wondered at that we have discovered in him this vein of subtle humor. This light touch of farce comedy may be likened to the enlivening and cheerful activities of the ballet in the intervals of a serious and heavy drama.

It is true that we have not altogether lacked evidences of presidential humor in dealings and communications of the past, though, in the main, they have been so naïvely expressed and so subtly stated as, for the time, to generally escape public appreciation of their Pickwickian character. [Laughter.] I have in mind, for instance, the presidential pleasantry which resulted in Congress reversing itself on the subject of the Panama tolls. I know it was taken seriously at the time, owing to the lack of the proper sense of humor in Congress, but as no one has ever been enlightened as to what the "matters of greater delicacy and nearer consequence" were, and in view of the fact that if they related to anything tangible the President's passion for "open covenants" and "pitiless publicity" would long since have resulted in a disclosure of their meaning, it now becomes clear that this was a mere persuasive pleasantry of Executive intercourse with Congress.

There has been much interest evidenced as to a certain alleged presidential cablegram, or aerogram, which is said to have found its way into the secret and sacred precincts of the Committee on Naval Affairs, influencing those earnest and faithful gentlemen to play their part in the little one-act farce interlarding the otherwise heavy passages of the drama of the naval bill.

For myself, I have bridled whatever curiosity I might have with regard to that matter, realizing that too much realism is fatal to the enjoyment of any enlivening and diverting pastime on or off the stage.

Let us assume that our enjoyment of this brief respite from the daily grind of serious and sober things may be unalloyed; that there was a message; that it contained this, that, or the other thing, depending upon the kind and character of a message which our varying fancy may deem most appropriate to fit into and round out the mirth-provoking scenes and incidents of the play.

Some folks have called this provision in the naval bill a "bluff." No such mistaken notion will be harbored for a moment by anyone who has enjoyed the suppressed excitement that surrounds the launching of a "bluff" in that educating pastime in which the "bluff" is so frequently a thrilling part of the procedure. Whether or not the President is familiar with the game in which the "bluff" is so essential a part of the entertainment I do not know, but undoubtedly sufficiently so to enable him to realize that a bluff accompanied by a stage whisper which reveals its real character and purpose to all who are sitting in the game ceases to be a "bluff" and becomes a "joke." [Laughter.]

Of course, there is such a thing as carrying a joke too far. The inclination and disposition not to do so distinguishes the intelligent and discerning from the bumpkin and the yokel. This being so, we assume our dear friends, the Secretary, the chairman, and the President, having, with the assistance and the playful and good-natured cooperation of the committee, had their little fling of pleasantry, will before the curtain rings down on the drama of the naval bill, after the approved fashion of farce comedies, drop the lion's skin and roar and imitating what was, until this present performance, the most delightful farce comedy on the boards, remind us that this is but a midwinter night's dream, and present themselves and their bill entirely divested of the evidences of their humorous interlude.

I know that there are some very seriously minded folks who are perturbed because they fear that some people may be inclined to take this little performance seriously. They say that having declared in the person of our distinguished spokesman, now officiating on his own appointment as our representative at the peace table, that we are a peace-loving folk, opposed to great armaments and pledged to their reduction, and having but yesterday, according to the dispatches, through this same distinguished spokesman, given our assent and approval to such reductions, our action in seeming to propose the greatest naval establishment ever conceived or projected may be misunderstood.

I hasten to reassure such trembling and timid souls. It is true that our English cousins sometimes require to have a joke labeled and diagramed. Evidently the authors of this little comedy had that weakness of humorous perception in mind, for between the little skit itself and the very illuminating inquiries that have been centered upon it the diagram and explanation is complete. "Ba jove," "Deuced clevah," "Dontcha know!" [laughter] may be as far as English appreciation may find favorable expression, but how our French friends, who have a fine sense of humor, will enjoy it. As for the folks at home, once recovered from the shock of discovering real humor in the executive departments and Congress, their enjoyment of the episode will be limitless; possibly I am justified in saying hilarious. The balance of the world will view this serious attempt at legislative farce comedy according to their various capacities for the enjoyment of a funny situation; but, at any rate, I think we may safely say that it will add to the gayety of the nations.

Of course, it is true that a humorous situation may be pressed too far. The humorist who spreads banana peels, rocks the boat, or snaps a supposedly unloaded blunderbuss at a near and dear friend may come to grief. Such things have happened. There have been folks rude enough to suggest that people who trifle with matters that may lead to serious consequences ought to be incarcerated or have meted out to them the condign punishment that is due to him who thoughtlessly, possibly cunningly, lays schemes that may breed disaster.

But, of course, our friends of the Naval Committee are going to do nothing of that sort. Of course, we do not want them to so reveal the genesis of the plot of their little game or the real character of the crude costuming under which they present this front of Jove, with all of his thunderbolts, as to dull the edge of our keen relish of their little byplay.

At the proper time, toward the close of the consideration of the bill, this little farce-comedy provision having served its jocund purpose, the committee will, of course, strike it from an otherwise most excellent piece of legislation and give us an opportunity to vote for the bill without having the people imagine that we do not know a joke when we see it. [Applause.]

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes, and had come to no resolution thereon.

EXTENSION OF REMARKS.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. JOHNSON of Washington. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

DEMOBILIZATION IN THE NAVY.

Mr. PADGETT. Mr. Speaker, the question has been asked time and again about the methods and what the department was doing and what the orders and procedure are about demobilizing the Navy. I have a letter from Admiral Blue giving full particulars and details, and I wish to have it published in the RECORD.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to have published in the RECORD a letter from Admiral Blue. Is there objection?

There was no objection.

Following is the letter referred to:

NAVY DEPARTMENT,
BUREAU OF NAVIGATION,
Washington, D. C., February 5, 1919.

Hon. LEMUEL P. PADGETT,
Chairman House Naval Affairs Committee,
House of Representatives, Washington, D. C.

MY DEAR MR. PADGETT: With reference to your telephone communication of to-day, the situation in regard to the demobilization of men is as follows:

The department has up to date directed the release of 40 per cent of the reserves, 40 per cent of the men who enlisted for the war only, and 20 per cent of the regular four-year men who enlisted since the beginning of the war.

In making these releases, commanding officers of ships and stations were directed to give preference, first, to men who have families dependent upon them, and, second, to young men desiring to complete their education. In case of there being more applicants than can be released under the authorized percentages, those to be released will be decided by lot. Naturally the demobilization must be handled by the commanding officers on general orders from the bureau, as it would be impossible for the bureau to handle the individual cases.

In addition to this, orders have gone out during the last few days to release all the Naval Reserve men and men enlisted for the war

only who are now undergoing training at the training stations and at trade schools, if they so request.

We have also ordered the release of 20,000 men of the Naval Reserve and men enlisted for the war who are performing shore duties at the various naval districts.

The bureau is very desirous of completing the demobilization as soon as possible, but it is confronted with the proposition of placing in commission some 38 to 40 large vessels to be used as transports in bringing home troops from France. A number of cargo ships belonging to the Shipping Board are also being manned. As you can readily understand, the present activities of the Navy, as well as those in prospect, have to be carefully provided for, otherwise they would have to cease.

It is hoped that by the 20th of February we will have demobilized at least half of the remaining personnel on shore after the releases above described have taken place. From February 20 to March 1 we will obtain detailed statements from all stations in regard to the number of men remaining available. This we shall have to do in order to ascertain where we stand in regard to personnel.

In the meantime we are recruiting men as fast as our facilities will permit. They seem to be coming in now at the rate of about 1,600 a week. This will of course help us out in the matter of demobilization, but naturally we will not really feel the effect of this for several months, for the reason that the new men coming in are recruits and must be trained before being sent to the ships.

Trusting that this information will enable you to understand the situation, I am,

Very sincerely, yours, VICTOR BLUE.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House, pursuant to the order previously made, adjourned until to-morrow, Thursday, February 6, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the Secretary of the Treasury, transmitting copy of communication of the Secretary of War submitting a supplemental estimate of appropriation required for completing the west breakwater at Kahului Harbor, Hawaii (H. Doc. No. 1765), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the joint resolution (S. J. Res. 214) authorizing and directing the accounting officers of the Treasury to allow credit to the disbursing officer of the Bureau of War Risk Insurance in certain cases, reported the same without amendment, accompanied by a report (No. 1035), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (S. 2910) providing for an additional judge for the northern district of California, reported the same without amendment, accompanied by a report (No. 1036), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LARSEN: A bill (H. R. 15635) to provide for the purchase of a site and the erection of a Federal building at Eastman, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15636) to provide for the purchase of a site upon which to erect a post-office building in the city of Eastman, in the State of Georgia; to the Committee on Public Buildings and Grounds.

By Mr. BROWNING: A bill (H. R. 15637) to increase the cost of the public building at Woodbury, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. FULLER of Massachusetts: A bill (H. R. 15638) authorizing the Secretary of War to donate to the city of Malden, in the Commonwealth of Massachusetts, one German cannon; to the Committee on Military Affairs.

By Mr. DICKINSON: A bill (H. R. 15639) to increase the cost of the public building at Harrisonville, Mo.; to the Committee on Public Buildings and Grounds.

By Mr. COX: A bill (H. R. 15640) to purchase a post-office site in the city of French Lick, Ind.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15641) to purchase a post-office site in the city of Tell City, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Idaho: A bill (H. R. 15642) to acquire an addition to the site of the Federal building at Boise, Idaho; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 15643) granting additional compensation, according to length of service, to the officers and enlisted personnel of the Army, Navy, and Marine Corps; to the Committee on Military Affairs.

By Mr. KNUTSON: A bill (H. R. 15644) to donate two cannons of obsolete pattern to the State forestry board of Minnesota; to the Committee on Military Affairs.

By Mr. McKEOWN: A bill (H. R. 15645) providing for the erection of a public building in the city of Drumright, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. WHEELER: A bill (H. R. 15646) authorizing the Secretary of War to donate to the city of Staunton, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15647) authorizing the Secretary of War to donate to the city of Girard, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15648) authorizing the Secretary of War to donate to the city of Carlinville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15649) authorizing the Secretary of War to donate to the city of Virden, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15650) authorizing the Secretary of War to donate to the city of Hillsboro, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15651) authorizing the Secretary of War to donate to the city of Litchfield, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15652) authorizing the Secretary of War to donate to the city of Pana, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15653) authorizing the Secretary of War to donate to the town of Gillespie, Ill., two German cannon or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15654) authorizing the Secretary of War to donate to the city of Taylorville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15655) authorizing the Secretary of War to donate to the town of Williamsville, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15656) authorizing the Secretary of War to donate to the city of Springfield, Ill., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. FREEMAN: A bill (H. R. 15657) to authorize the acquisition of a site and the erection thereon of a Federal building at Stafford, Conn.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15658) authorizing the Secretary of War to donate to the city of Rockville, Conn., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 15659) authorizing the Secretary of War to donate to the village of Manhasset, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STINESS: A bill (H. R. 15660) authorizing the Secretary of War to donate to the town of North Kingstown, R. I., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. FOSS: A bill (H. R. 15661) to authorize the acquisition of a site and the erection of a Federal building at Lake Forest, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. BENJAMIN L. FAIRCHILD: A bill (H. R. 15662) increasing the limit of cost for the construction of a public building at Yonkers, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. DENTON: A bill (H. R. 15663) authorizing the Secretary of War to donate to the city of Princeton, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15664) authorizing the Secretary of War to donate to the city of Mount Vernon, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15665) authorizing the Secretary of War to donate to the city of Evansville, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15666) authorizing the Secretary of War to donate to the city of Petersburg, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15667) authorizing the Secretary of War to donate to the city of Rockport, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15668) authorizing the Secretary of War to donate to the city of Boonville, Ind., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUSTED: A bill (H. R. 15669) authorizing the Secretary of War to donate to the village of Larchmont, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15670) authorizing the Secretary of War to donate to the village of Mount Kisco, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15671) authorizing the Secretary of War to donate to the village of North Tarrytown, N. Y., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15672) to provide for the emergency arising out of the demobilization of soldiers, sailors, and marines, and the discharge of workers from war industries and other occupations, etc.; to the Committee on Appropriations.

By Mr. STEDMAN: A bill (H. R. 15673) to provide for the purchase of a site and the erection of a public building at Mount Airy, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15674) to provide for the purchase of a site and erection of a public building at Greensboro, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. JONES: A bill (H. R. 15675) to fix the time of holding court in the Amarillo division of the northern district of Texas; to the Committee on the Judiciary.

By Mr. HELM: A bill (H. R. 15676) to provide for the erection of a public building at Stanford, Ky.; to the Committee on Public Buildings and Grounds.

By Mr. ROUSE: A joint resolution (H. J. Res. 404) relieving enlisted men and honorably discharged soldiers, sailors, and marines from payment of war tax on theater tickets otherwise furnished them free of all charges; to the Committee on Ways and Means.

By Mr. CARAWAY: A resolution (H. Res. 551) to investigate cotton exchanges; to the Committee on Rules.

By Mr. STEELE: A resolution (H. Res. 552) providing for the consideration of S. 3079; to the Committee on Rules.

By Mr. WEBB: A resolution (H. Res. 553) to make in order the consideration of certain Senate and House bills providing for additional Federal judges; to the Committee on Rules.

By the SPEAKER: Memorial from the State of Oregon, urging appropriation by Congress of sufficient funds for completing steel and wooden ships now under contract; to the Committee on the Merchant Marine and Fisheries.

By Mr. HAWLEY: Memorial from the Legislature of the State of Oregon favoring the appropriation by Congress of $1,000,000,000 for reclamation of and drainage of lands in the western portion of the United States; to the Committee on Appropriations.

Also, memorial for the passage of an act ceding to the State of Montana the military reservation located in Montana known as Fort William Henry Harrison, to be used as an adjunct of the State industrial accident board for a rehabilitation institute for the education and maintenance of persons injured in the industries of Montana; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Oregon, urging upon Congress the passage of the Sinnott bill, for reconstruction work, and an appropriation for development of arid lands in the lower Umatilla River Basin; to the Committee on Irrigation of Arid Lands.

Also, memorial of the Legislature of the State of Oregon, favoring the passage of Senate bill 4987 (educational bill); to the Committee on Education.

Also, memorial of the Legislature of the State of Oregon, favoring the passage of Senate bill 4283, relating to Crater Lake National Park; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Oregon, favoring the passage of Senate bill 5001, regarding immigration and naturalization; to the Committee on Immigration and Naturalization.

By Mr. MILLER of Minnesota: Memorial from the Legislature of the State of Minnesota urging the Congress of the United States to grant a gratuity of three months' pay to honorably discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: Memorial of the Legislature of the State of Idaho, urging the enactment of the woman's suffrage amendment; to the Committee on Woman Suffrage.

Also, memorial of the Legislature of the State of Idaho, favoring the enactment of legislation providing for additional Federal aid for the construction of post roads; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CAMPBELL of Kansas: A bill (H. R. 15677) granting an increase of pension to Archibald T. Lea; to the Committee on Invalid Pensions.

By Mr. DALE: A bill (H. R. 15678) granting an increase of pension to Jason Johnson; to the Committee on Invalid Pensions.

By Mr. SCOTT of Michigan: A bill (H. R. 15679) granting a pension to Charles Grunert; to the Committee on Pensions.

By Mr. STAFFORD: A bill (H. R. 15680) granting a pension to Katharina Bamberg; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BIRCH: Petition of sundry citizens of the fifth district of New Jersey, in re national ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNE: Petition of Columbia College Teachers' Association, in the interest of Senate bill 4987; to the Committee on Education.

By Mr. EMERSON: Petition of city council of Cleveland, Ohio, urging the changing of the name of Yellowstone National Park to Roosevelt National Park; to the Committee on the Public Lands.

By Mr. ESCH: Petition of Black Hills Mining Men's Association, Deadwood, S. Dak., urging Congress to take prompt action to grant full relief to the gold-mining industry of the Nation; to the Committee on Mines and Mining.

By Mr. GORDON: Petition of Fred. Brocker and 112 others in support of Government ownership and operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. GRAY of Alabama: Petition of Retail Merchants' Bureau, Mobile Chamber of Commerce, protesting against luxury tax embodied in revenue bill; to the Committee on Ways and Means.

By Mr. GRIFFIN: Petition of New York State Legislature favoring the dams bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Produce Exchange, New York City, favoring removal of all price fixing on foodstuffs; to the Committee on Agriculture.

Also, petition of Alexander Bros., New York City, relative to H. R. 13274; to the Committee on Military Affairs.

By Mr. KING: Petition of Jacobi Bros. & Mack and 18 other retail firms of Galesburg, Ill., protesting against luxury tax and holding same unjust, unreasonable, and impracticable; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania: Petition of Rotary Club of McKeesport, Pa., favoring continuance of Government control of wire systems until proper legislation can be enacted by Congress; to the Committee on Interstate and Foreign Commerce.

By Mr. KNUTSON: Petition of Baudette (Minn.) Board of Trade urging Congress to take such steps as may be deemed best for an early enlarged canalization of the St. Lawrence River by joint arrangement with Dominion of Canada; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORES of Indiana: Petition of Indianapolis Branch of the American Protective League, for deportation of undesirable persons until recently enemy aliens and for the restoration of immigration; to the Committee on Immigration and Naturalization.

By Mr. POLK: Petition of Harrington (Del.) Lodge, No. 241, International Brotherhood of Maintenance of Way Employees, favoring continued control of railroads for five years by the Government; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: Petition of Boise Council, Knights of Columbus, urging enactment of legislation to make available to the returning soldiers land upon which they may establish a home; to the Committee on Military Affairs.

Also, petition of Rotary Club, of Boise, Idaho, urging change of name of the Isthmian Canal from the Panama Canal to the Roosevelt Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of Pocatello (Idaho) Lodge, International Brotherhood of Boiler Makers, Iron Ship Builders, and Helpers of America, urging enactment of legislation providing Govern-

ment ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. TAGUE: Telegrams relative to the proposed revenue bill (H. R. 12863) now in conference; to the Committee on Ways and Means.

By Mr. STINESS: Petition of John Mitchell Literary Association, of Providence, R. I., favoring passage of legislation endorsing self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. TILSON: Petition of Ellen Lodge, No. 420, International Association of Machinists, of New Haven, Conn., favoring extension of Government control over industries to ensure Federal Wage Board wages; to the Committee on Interstate and Foreign Commerce.

By Mr. YOUNG of North Dakota: Petition of Minot Association of Commerce, Minot, N. Dak., urging the deportation and debarment of all enemy aliens; to the Committee on Immigration and Naturalization.

SENATE.

THURSDAY, *February 6, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast given to us a voice in the council of the nations. We come before Thee that we may have the grace to justify the position in which Thou hast placed us in Thy providence. We pray that every thought may be subjected to the will of God; that every purpose that we have as a Nation may take in the divine program; that we may labor together with God for the establishment of that order which Thou hast ordained shall come into the earth. Bless us this day in the discharge of the sacred and holy duties of this office. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House further insists upon its disagreement to the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have been made in the manner required by law, agrees to the further conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DENT, Mr. FIELDS, and Mr. KAHN managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. LA FOLLETTE. I present a joint resolution adopted by the Wisconsin Legislature, which I ask to have read.

The resolution was read and referred to the Committee on Foreign Relations, as follows:

Joint resolution 14.

A joint resolution memorializing the Congress of the United States to cooperate with the Dominion of Canada in the enlarged canalization of the St. Lawrence River for the passage of ocean-going vessels into the Great Lakes.

Whereas the Dominion of Canada has provided for the improvement of the Welland Canal, connecting Lake Ontario and Lake Erie, so that such canal will accommodate ships of 25-foot draft, 800-foot length, and 80-foot width, work on which improvement was suspended during the war and is now again being taken up and will be completed in the near future;

Whereas the St. Lawrence River between Montreal and Lake Ontario can not be used by vessels of over 14-foot draft and 270-foot length; and

Whereas it is deemed to be a matter of great and vital importance to the United States that the St. Lawrence River be so improved that larger vessels may be accommodated and may move between the Great Lakes and the ocean: Now therefore be it

Resolved by the senate (the assembly concurring), That we earnestly and urgently petition the Congress of the United States to take such steps as may be deemed best and most expeditious looking to the early improvement of the St. Lawrence River by joint arrangement with the Dominion of Canada.

Resolved further, That a copy of this resolution, duly attested by the signatures of the presiding officers and chief clerks of the two houses, shall be transmitted to the President of the Senate, to the Speaker of the House of Representatives, and to each of the Senators and Representatives in Congress from this State.

RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.
EDWARD F. DITTMAR,
President of the Senate.
D. G. MUNSON,
Chief Clerk of the Senate.

Mr. NEW. I send to the desk and ask that there be printed in the RECORD a series of resolutions adopted at a meeting of the Indianapolis Branch of the American Protective League. The resolutions discuss the future treatment of all alien enemies now in prison in this country and restrictive legislation as to future immigration.

There being no objection, the resolutions were referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

Resolved by the Indianapolis Branch of the American Protective League (numbering about 1,000 citizens of this community who have served the United States Government throughout the war through the Department of Justice), That the Congress of the United States be, and it is hereby earnestly urged to take such steps as lay within its power to cause all alien enemies who have been interned during the war just ended to be deported to the respective countries from which they came at the earliest practicable time; and

Resolved further, That the Congress of the United States be, and it is hereby earnestly urged to enact such restrictive legislation as to future immigration as will make it certain that should the misfortune of another foreign war come upon the country its citizenship shall not be honeycombed with disloyal enemy propagandists, as it has been during this war; and

Resolved further, That copies of these resolutions be transmitted to the junior Senator from Indiana and to the Representative in Congress from this congressional district, with the request that they be spread upon the records of the Senate and House of Representatives of the United States.

The resolution of which the foregoing is a true copy was passed at a meeting of the Indianapolis branch of the American Protective League held February 1, 1919.

SAMUEL D. MILLER,
Chairman of the Executive Committee.

FEBRUARY 3, 1919.

Mr. GRONNA. I send to the desk a brief letter with resolutions from the Board of Agriculture of the State of Pennsylvania, which I ask to have read.

There being no objection, the resolutions were read, as follows:

FEBRUARY 4, 1919.

Hon. ASLE J. GRONNA,
Washington, D. C.

MY DEAR SIR: I am inclosing herewith copy of resolution adopted by the Pennsylvania State Board of Agriculture at their annual meeting held in this city on January 22 last.

Yours, very truly,

FRED RASMUSSEN,
Secretary of Agriculture.

Report of committee on resolutions.

Whereas many of the destitute people of Europe are suffering for want of food and are looking to America for sustenance until their 1919 crops mature; and

Whereas many of our farms have not produced maximum crops because of the lack of sufficient experienced farm laborers, and as the same condition will prevail the coming year unless it is definitely known within a short time when the farm laborers serving in the United States Army will return, so that proper arrangements and plans can be made for the coming year's crops: Therefore be it

Resolved by the State board of agriculture, in session at Harrisburg, Pa., this 22d day of January, A. D. 1919, That the authorities at Washington be informed of the seriousness of the situation, so that legislation or regulations be adopted placing farm laborers in the most essential class and steps taken for their immediate discharge of all such men serving in the Army at home and abroad.

Whereas in the great readjustment that will take place shortly in the economic conditions of all classes of life it is important that the labor standards and prices of commodities be kept at a parity so that the farmer's portion thereof be just and equitable: Therefore be it

Resolved, That we are opposed to any of the proposed schemes of land grants and Government-aided farmers, because we believe there is a grave danger of the same disastrous results which took place after the War of the Rebellion, when the Government stimulated increased farms and would-be farmers caused such an overproduction of farm products that prices of farm crops were below cost of production, corn becoming cheaper than coal was used for fuel, this violation of the unchangeable laws of supply and demand causing deprivation, misery, and the failure which overwhelmed the farmers of the East and West, and in addition causing the depletion of the soil fertility to much land throughout the great West that is beyond redemption.

Whereas the results of our war activities have shown that much of the waste of time, treasure, and life has been caused by our unpreparedness and our mistaken sense of security through our supposed isolation and material prosperity: Therefore be it

Resolved, That we are in favor of a system of universal military training similar to that known as the Swiss.

JOHN A. WOODWARD,
DORIS L. FULKMAN,
J. N. GLOVER,
NORRIS G. TEMPLE,
A. C. CREASY,
Committee.

Mr. GRONNA presented a memorial of the Association of Commerce of Minot, N. Dak., remonstrating against the return to the United States of Germans and Austrians who formerly lived in this country, and praying for the deportation of all enemy aliens now interned here, which was referred to the Committee on Immigration.

He also presented a petition of sundry ministers of the Reformed Church of America, praying for the independence of Armenia, which was referred to the Committee on Foreign Relations.

He also presented a petition of Commodore Barry Council, No. 533, Knights of Columbus, of Brooklyn, N. Y., praying for

the freedom of Ireland, which was referred to the Committee on Foreign Relations.

He also presented a petition of James River Lodge, No. 322, Brotherhood of Railway Carmen of America, of Jamestown, N. Dak., and a petition of Local Lodge No. 2, International Association of Machinists, of Devils Lake, N. Dak., praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

He also presented a petition of Local Lodge No. 789, International Association of Machinists, of Grand Forks, N. Dak., praying for the adoption of certain amendments to the bill providing for Government control of railroads, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Northwestern Lumbermen's Association, in convention at Minneapolis, Minn., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

Mr. TOWNSEND. I send to the desk and ask to have read a resolution adopted by the House and Senate of the Michigan Legislature with reference to good roads, which I ask to have read.

The resolution was read, as follows:

MICHIGAN STATE SENATE,
Lansing, February 4, 1919.

Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have the honor to advise you that the Senate and House of Representatives of Michigan have adopted the following concurrent resolution:

Indorsing pending legislation in Congress providing for appropriations for Federal aid in highway building.

Whereas the Committee on Post Roads and Post Offices of the United States Senate has reported favorably on the so-called Bankhead bill, carrying an appropriation of $200,000,000 for Federal aid in highway building, to be apportioned among the several States; and

Whereas said appropriation would aid Michigan to the extent of nearly $5,500,000 in the building of highways: Therefore

Resolved by the senate (the house of representatives concurring), That the United States Senators and Representatives from Michigan be, and are hereby, requested to give this measure their hearty support; and be it further

Resolved, That a copy of these resolutions be forwarded to each Senator and Representative in Congress from this State.

Yours, truly,

DENIS E. ALWARD,
Secretary of the Senate.

Mr. TOWNSEND. I also send to the desk and ask to have read a resolution adopted by the senate of the Legislature of Michigan relative to the suffrage amendment, which I ask to have read.

The resolution was read, as follows:

SENATE, STATE OF MICHIGAN,
Lansing, Mich., January 2, 1919.

Hon. CHARLES E. TOWNSEND,
United States Senate, Washington, D. C.

SIR: I have the honor to transmit herewith a resolution this day adopted by the senate of the State of Michigan, as follows:

"Senate resolution No. 17.

"Whereas an amendment to the Federal Constitution providing that 'the right of citizens of the United States to vote shall not be denied or abridged in the United States or any State on account of sex' has passed the House of Representatives and is now pending in the Senate; and

"Whereas during the war, in recognition of the value of woman's war service the Parliaments of Great Britain and Canada enfranchised the women of those countries, and those of France and Italy have virtually promised the same act of political justice; and

"Whereas immediately after signing of armistice autocratic Germany and Hungary gave women the ballot; and

"Whereas in our own country women vote on same terms as men in 15 States and have some voting rights in 20 others, laboriously acquired during a struggle of 40 years; and

"Whereas the electors of Michigan defeated woman suffrage five years ago by 96,000 votes; two months ago it carried by nearly 35,000 votes, an indication of the great change in sentiment throughout the State; and

"Whereas the leaders of all political parties, major and minor, have demanded the passage of this amendment and the national committees of the major political parties have earnestly indorsed it: Therefore be it

"*Resolved*, That we the members of the Michigan senate, in recognition of the justice of women's demands and of their contribution to society in war and in peace, hereby call upon the Senate of the United States to pass the woman suffrage amendment and give the States opportunity to ratify the same."

Very respectfully,

DENNIS E. ALWARD,
Secretary of the Senate.

Mr. HALE presented a petition of sundry citizens of Waterville, Me., praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. BORAH. I present a joint memorial from the Legislature of the State of Idaho with reference to the so-called Susan B. Anthony suffrage amendment to the Constitution. I understand that my colleague [Mr. NUGENT] on yesterday had a similar memorial read to the Senate, so it is unnecesary for me to read this one. I ask, however, that it be referred to the Committee on Woman Suffrage.

The VICE PRESIDENT. Without objection, the memorial will be so referred.

Mr. CURTIS. I have here a telegram from the governor of Kansas, showing the action of the Kansas Legislature in regard to the pending proposal for the Government to aid in the construction of highways, which I desire to have read.

There being no objection, the telegram was read, as follows:

TOPEKA, KANS., *January 29, 1919.*

Senator CHARLES CURTIS,
Washington, D. C.:

Kansas Legislature to-day adopted resolution requesting Congress to pass bill granting additional Federal aid for construction of highways. This is vital to the plans for immediate employment of returning soldiers.

HENRY J. ALLEN, *Governor.*

TAX ON FRUIT AND BERRY JUICES.

Mr. JONES of Washington. Mr. President, I understand the conference report on the revenue bill has not yet been presented. I do not know whether it has been agreed upon or not; but I have a resolution from the legislature of my State with reference to one question involved in that bill, which is among the questions being considered by the conference committee. Being a memorial from the legislature, I ask that it may be read. I do not understand that there is any way of referring matters of this kind to the conference committee, but in this way I can bring it to their attention.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

Senate concurrent resolution 13.

Whereas there is now pending before the Congress of the United States an act "to provide revenue, and for other purposes," commonly known as the 1918 revenue bill; that section 68 of this bill as passed by the House of Representatives contained a provision in section 628 thereof authorizing the collection of a tax of 20 per cent of the selling price on all fruit and berry juices produced in the United States, according to a ruling of the Treasury Department of the United States in construing a similar provision in the revenue act of October 4, 1917; and

Whereas said provision of the bill was amended by the Senate of the United States so as to exempt from the operation thereof fruit and berry juices, and afterwards passed by said body as amended; and

Whereas a conference committee appointed by each House of Congress is now considering the amendment as adopted by the United States Senate, and according to information received by the manufacturers of grape, loganberry, and apple juices in this State intends to submit a report to each House of Congress recommending that the bill be amended so as to impose a tax of 10 per cent of the selling price of such fruit and berry juices; and

Whereas the imposition of such a tax would render valueless great manufacturing industries which have been built up in the States of Oregon, Washington, and elsewhere at a cost of vast sums of money; and

Whereas a large portion of the most fertile agricultural land in the Northwest is now devoted to the growth and culture of grapes, loganberries, and apples, which are manufactured into grape, loganberry, and apple juices, thereby giving permanent employment to thousands of our citizens, which could not continue under the burdens of such tax; and

Whereas the taxation of the grape, loganberry, and apple juices as contemplated by said revenue bill, and the consequent destruction of our manufacturing and agricultural industries, would deprive this State of giving employment to the returning soldiers, sailors, and marines now in the service of their country; and

Whereas grape, loganberry, and apple juices as manufactured in the Northwest are food products rather than beverages and thereby should not be classified with synthetic concoctions, such as root beer, ginger ale, pop, etc., as is proposed by said pending bill: Therefore be it

Resolved by the senate (the house concurring), That the Senators and Representatives in Congress be, and they are hereby, memorialized and requested to use their utmost endeavors to procure the passage of said revenue bill with the elimination of grape, loganberry, and apple juices from taxation therein as passed by the Senate of the United States; that copies of this concurrent resolution be forthwith forwarded to each member of the conference committee of the Senate and House of Representatives in Congress, and also copies to the Senators and Representatives from the States of Oregon and Washington.

REPORTS OF COMMITTEES.

Mr. MYERS, from the Committee on Public Lands, to which was referred the bill (H. R. 5559) to authorize a preference right of entry by certain Carey Act entrymen, and for other purposes, reported it with amendments and submitted a report (No. 686) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7236) to amend an act to permit the use of the right of way through the public lands for tramroads, canals, and reservoirs, and for other purposes, approved May 11, 1898, reported it without amendment and submitted a report (No. 687) thereon.

Mr. SAULSBURY, from the Committee on Pacific Islands and Porto Rico, to which was referred the bill (S. 5343) to authorize the Governor of the Territory of Hawaii to ratify the agreements of certain persons made with the commissioner of public lands of the Territory of Hawaii, and to issue land

patents to those eligible under the terms of said agreements, reported it without amendment and submitted a report (No. 685) thereon.

Mr. ASHURST, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 5516) to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," reported it without amendment.

FRANCIS STEWART.

Mr. MYERS. From the Committee on Public Lands, I report back favorably, without amendment, the bill (S. 4743) for the relief of Francis Stewart, and I submit a report (No. 689) thereon.

This bill was introduced by the Senator from New Mexico [Mr. FALL], and is one of the bills validating title to a homestead where there was some technical flaw. It is recommended by the Secretary of the Interior. In this particular case the claimant lived near the Mexican line and was not able to live on her homestead claim all the time the law required because she was driven away by Mexican marauders and invaders. Quite a number of bills of a similar character have passed the Senate, and they are now in the House. Very shortly there is to be an omnibus bill in the House, combining all bills of this character, and, if this bill is passed now, it will stand some show of being made an amendment to that omnibus bill. If not, it will never see the light of day in the House. I promised that, in the absence of the Senator from New Mexico [Mr. FALL], I would give it some attention. So with this statement I ask that the bill be read, and I ask unanimous consent for its immediate consideration.

Mr. ASHURST. Mr. President, I hope the Senator will not ask unanimous consent for the present consideration of the bill. No doubt it is a good bill; but it will lead to other requests of the same character.

Mr. MYERS. Yes; I ask unanimous consent, and I have one more bill for which I am going to make a similar request.

Mr. ASHURST. I will not object to the consideration of the bill just reported by the Senator.

The VICE PRESIDENT. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent to Francis Stewart for the southwest quarter of section 33, township 28 south, range 7 west, New Mexico meridian.

Mr. GRONNA. Mr. President, I should like to ask a question or two in regard to the bill. I am not a member of the Committee on Public Lands, as the Senator knows, but I have had considerable experience with public-land affairs, and I wish to ask the Senator if there were any adverse claims in this particular case?

Mr. MYERS. None whatever. If there had been, I would not have favored the bill and would not now be asking unanimous consent for its consideration.

Mr. GRONNA. Is it a unanimous report?

Mr. MYERS. Yes; it is.

Mr. GRONNA. I have no objection to the bill.

Mr. MYERS. I have no personal interest in it; I am simply asking for its passage on behalf of the Senator from New Mexico [Mr. FALL].

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOMESTEADS FOR SOLDIERS AND SAILORS.

Mr. MYERS. Mr. President, from the Committee on Public Lands I report back favorably without amendment the bill (H. R. 13353) to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies, and I submit a report (No. 688) thereon.

This bill was introduced in the House of Representatives by Mr. FRENCH, of Idaho, and gives to the soldiers and sailors who fought in the war with Germany and those who were on the Mexican border during the Mexican troubles the same rights in connection with taking up homesteads that are given by existing law to the soldiers of the Civil War, the Spanish-American War, and the Philippine insurrection.

I introduced in this body and had favorably reported from the Committee on Public Lands of the Senate a bill which is substantially identical with this; but this being a House bill, I ask its passage by the Senate, and if it is passed I will move to indefinitely postpone the Senate bill. That is all there is to this bill; it is to give the soldiers and sailors of this war and those who served on the Mexican border the same rights in connection with the homestead laws as have heretofore been accorded to the veterans of the Civil War, the Spanish-American War, and the Philippine insurrection. I therefore ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. TOWNSEND. Mr. President, I think the bill ought to be read. I should like to have the bill read.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The VICE PRESIDENT. The bill does not seem to be with the report.

Mr. MYERS. There ought to be a bill with the report.

The VICE PRESIDENT. There is; but it is all stricken out. It is the House Calendar bill, and the entire bill is stricken out. All there is is the title to a bill.

Mr. MYERS. I think there must be a bill accompanying the report. However, I ask leave to withdraw the report. I thought there was a copy of the bill with it. I ask to be allowed to withdraw the report. I do not care to make it at this time.

The VICE PRESIDENT. The report is withdrawn.

Mr. MYERS subsequently said: Mr. President, I now renew my request in regard to House bill 13353, which I again report from the Public Lands Committee, with the explanation I made a while ago. I ask unanimous consent for its immediate consideration. The report is now accompanied by a copy of the bill. I ask that the bill be read.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That, subject to the conditions therein expressed as to length of service and honorable discharge, the provisions of sections 2304 and 2305, Revised Statutes of the United States, shall be applicable in all cases of military and naval service rendered in connection with the Mexican-border operations or during the war with Germany and its allies as defined by public resolution No. 32, approved August 29, 1916 (39 Stat. L., p. 671), and the act approved July 28, 1917 (40 Stat. L., p. 248).

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. MYERS. I move that the bill (S. 5071) extending the benefits of sections 2304, 2305, and 2309, Revised Statutes of the United States, to those who rendered military or naval service during the Mexican-border troubles and the war with Germany and its allies, being Order of Business 617, and of which I am the author, be indefinitely postponed.

The VICE PRESIDENT. The bill will be postponed indefinitely.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. POMERENE:

A bill (S. 5543) to increase limit of cost of a public building at Akron, Ohio; and

A bill (S. 5544) authorizing and directing the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a suitable site and cause to be erected thereon a suitable building for the use and accommodation of the post office and other governmental offices at Canton, Ohio, at a cost not to exceed $630,000, and to sell the present building and site; to the Committee on Public Buildings and Grounds.

By Mr. McLEAN:

A bill (S. 5545) authorizing the Secretary of War to donate to the town of Enfield, Conn., three German cannon or field-pieces; to the Committee on Military Affairs.

By Mr. BORAH:

A bill (S. 5546) for the relief of Aaron Kibler; to the Committee on Military Affairs.

By Mr. TOWNSEND:

A bill (S. 5547) granting a pension to Joseph E. Dearborn (with accompanying papers); to the Committee on Pensions.

By Mr. KELLOGG:

A bill (S. 5548) to provide for the purchase of a site for and the construction of a public building at Ely, Minn.; and

A bill (S. 5549) to provide for the purchase of a site for and the construction of a public building at Rochester, Minn. (with accompanying papers); to the Committee on Public Buildings and Grounds.

By Mr. GORE:

A bill (S. 5550) granting a pension to James A. Cox; to the Committee on Pensions.

By Mr. CALDER:

A bill (S. 5552) providing that the United States may be made a party defendant in the same manner as a private person in certain legal processes dealing with real property; to the Committee on the Judiciary.

TRANSPORTATION FOR AGRICULTURAL LABORERS.

Mr. GRONNA. I introduce a bill which I send to the desk, and I ask unanimous consent to have it printed in the RECORD. It is very short. I have prepared a short statement to go with it, giving the reasons why the bill should be passed, and I also ask that it be printed in the RECORD.

The bill (S. 5551) providing for a reduced rate for the transportation of laborers when traveling on the railroads of the United States under the direction and control of the United States Employment Service of the Department of Labor was read the first time by its title, the second time at length, and referred to the Committee on Interstate Commerce, as follows:

Be it enacted, etc., That the United States Railroad Administration is hereby authorized and directed to inaugurate and establish a special rate of 1 cent per mile for the transportation of agricultural laborers engaged in the planting, cultivating, and harvesting of farm crops and the care of live stock when such agricultural laborers are traveling under the direction and control of the United States Employment Service of the Department of Labor.

The United States Railroad Administration and the United States Department of Labor are directed jointly to prepare and promulgate such rules and regulations as may be necessary to make effective the provisions of this act.

An emergency existing, this act shall become effective immediately following its enactment into law.

Mr. GRONNA. I ask that the statement I have referred to be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

REASONS FOR REDUCED RATE ON RAILROADS FOR AGRICULTURAL LABORERS.

To restore peace in the world we must provide the people with food and we must provide employment for labor at reasonable wages.

Many towns and cities of this country are reporting large and increasing numbers of unemployed.

An unquestioned shortage of farm labor for 1919 will prevent farmers from producing normal crops of all foodstuffs.

The farm-labor needs for this year are so serious that the farms of this country can furnish homes and employment for at least 2,000,000 men during the days of business reconstruction.

At present prices of crops on the farms and present excessive cost of railroad transportation farmers can not compete for labor, and transient farm labor can not profitably travel to the sections where most needed.

Many reports show that the men engaged in harvesting the wheat crop of 1918 will not return to assist in the harvesting of the 1919 crop, because of the fact that the cost of transportation consumed practically all of their earnings.

The experience of railroads in years past shows that the apparent loss on passenger earnings will be more than offset by the freight earnings as a result of increased crops.

The 1-cent railroad rate prevails in Canada, and is a material inducement in attracting labor to the farms, and has resulted in drawing thousands of skilled American farm laborers to the Canadian fields.

This is not class legislation, because of the two fundamental purposes: First, relieving the towns and cities of an increasing number of unemployed; and, second, the production and harvesting of increased crops which must result in benefits to all concerned.

RIVER AND HARBOR APPROPRIATIONS.

Mr. CALDER submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

HEARINGS BEFORE THE COMMITTEE ON INDIAN AFFAIRS.

Mr. WALSH submitted the following resolution (S. Res. 441), which was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Indian Affairs, or any subcommittee thereof, be authorized during the Sixty-fifth Congress to send for persons and papers and to administer oaths and to employ a stenographer, at a cost not to exceed $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee; that the committee may sit during the sessions or recesses of the Senate; and that expenses contracted hereunder shall be paid out of the contingent fund of the Senate.

ADDRESS BY HON. FRANKLIN K. LANE.

Mr. MYERS. Mr. President, almost daily we have in this body discussions of international questions, particularly discussions of a world league of nations. I believe in a reasonable discussion of those subjects. I believe on the subject of a world league of nations the sentiment of this country should be crystallized. I myself like to hear discussions of that important subject from different viewpoints; for while, with certain restrictions and under certain conditions, I favor a world league of nations, I have not entirely determined in my own mind as to all of the details of which should be incorporated into an agreement for such a league. I feel that I need enlightenment.

I have here a very able and interesting address, of moderate length, which was delivered on the subject of a league of nations in New York recently by Hon. Franklin K. Lane, the very able and distinguished Secretary of the Interior. With much of it I agree; all of it is illuminating, and I ask unanimous consent that the address be printed in the RECORD. It will be well worth anyone's reading.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

"Mr. Chairman and gentlemen, in talking upon this subject the temptation would be to paint a picture of what Europe is, but I know that your heartstrings have been touched to the limit and that it is not necessary for me to present to you any reason why war should be made to cease or why war should be made less likely to happen.

"The President of the United States is in Paris not by your order but to carry out your wish. For the business men of the United States have by a referendum vote declared what their desire is. They do not wish merely a peace, the settlement of the immediate problem, but they wish something more lasting, something more fundamental, something that has been entitled 'A League of Nations'—something that really is, in essence, nothing more than international cooperation. And in this time, when that man stands before the world preeminently as the representative of this great people, he is entitled to the support of every American because he is the President of all of us.

"He is there, to be sure, as the representative of an ideal, but it is an ideal that is not his own ideal alone; it is the ideal of the chambers of commerce of the United States, the ideal of the statesmen of this time and of statesmen for many centuries.

"The business man wants peace because war is expensive. When this war came to an end we were spending $50,000,000 per day. Not only is it expensive but it is unreasonable. I do not say that all wars are unreasonable, or that all wars have no justification. But war is unreasonable, certainly in 99 per cent of the cases, for the reason that it gets nowhere. It will not stand the pragmatic test; it does not work; it does not solve the difficulty in the end. But there is a greater reason why you gentlemen are for some plan by which mutual guaranties can be given, and that is because you believe in a greater America, and we can not spend our time nor our boys' time in thinking of war when we have other things to think of that are much greater than the destruction of life.

"We have a continent that we have still to master. We have resources that we have still to bring forth. Our days of pioneering have largely passed. They passed, I believe, with the beginning of this century, but now we have come to a time of intensive development—a new America in the abundance and variety of its resources, physical, intellectual, spiritual.

"The question arises in every mind, Is such a plan practicable? And there are men who will say that it can not be made to work.

"America my friends is not the product of a philosophy of despair; America is the creature of optimism and confidence.

"At present we are in an eddy; the great stream is flowing on, but in the United States we are in a bit of back current. You feel it, I feel it, the country expresses it.

"In a certain sense the war came to an end too soon, because we, in our minds, had prepared for a war that would last until next summer, and then great things would be done, and the enemy forced to surrender. But you know just what happened. Far off on the eastern end, where the war had begun, there suddenly came a drive through Macedonia, and then there came the magnificent effort on the west front, and before we knew it Bulgaria had surrendered, Austria had put in her plea, Germany had thrown up her hands in surrender, and the armistice had come.

"But in a time such as this, when we are naturally feeling a reaction from the stress, strain, struggle, and sacrifice of heroic effort for two years and more, you can not judge of the American mind. A league of nations is demanded by the peoples of the world, and something in that order will result, because it is expressive of a great impulse, a great desire, a real world demand.

"Why should anyone say that such a league can not be? The man who wrote the greatest study of America is Mr. Bryce. He stands for it stanchly. The man who brought England into this war for an ideal as well as for self-protective reasons, Lord Grey, is for it. The man who stands at the head of the British Government and who has recently been almost unanimously indorsed and commended by his people, who has carried this war on in behalf of his country to a successful conclusion, Lloyd George, believes in it. You and I agitated for it before the war came upon us. We knew that something in the way of international cooperation must be evolved or else the world would be doomed to live in a state of unending fear. Men of imagina-

tion all over the world have been writing books about it until it has come to be that people have thought that it was merely a dream, a utopian vision, something by which in a strange and magical way the millennium was to be brought about. Why should international cooperation be impossible? What is the growth of society except the growth of cooperation?

STANDS FOR COOPERATION.

"What is this association that I am addressing and the thousand associations like it in the United States—what are they but cooperative effort? What is this city in which you club together for the purpose of getting sewerage and water systems and streets? And the State and the Nation—what are these but expressions of cooperative effort? The distinctive movement of our day is away from an intense individualism in business and toward gathering together, seeing eye to eye, sitting across the table and talking out difficulties, exchange of thought, of method, of purpose. So that those who stand against international cooperation are standing against the very trend of business life, the trend of labor organizations, the trend of scientific effort, the trend of the centuries. Why, gentlemen, there were 135 international conferences held the year before the war. We have in existence already machinery of one kind and another which directly touches international effort, such as the Postal Union, a union that spreads throughout the whole world.

"No one can say, therefore, that this thing is a mere vision; that it is a dream that can not be made true. It is, of course, possible to believe that the thing that we want is a thing that can not be perfected at once; that it can not spring full-fledged out of the mind of any statesman.

"Political machinery, like all other machinery, is a dream first and then passes through phases of valueless crudeness to phases of perfecting utility—and perhaps never becomes perfect. And who are we to say that in a day when men are drawing nitrogen out of the air by electric process, in a day when you can talk to a man 5,000 feet above you by wireless telephone, the inventive mind of man has stopped. Why, the Constitution of the United States itself was the first invention along practical lines of politics in a thousand years.

"International law is filmy, founded upon unrelated precedents, without certainty, precision, or definiteness. We should know the law between nations as we know the law within nations. Some day it must be drafted and by some one. Why not now at the Paris conference? Some body of men must meet and out of the experiences of the nations find those rules of international conduct which have been generally accepted by the most advanced of the nations and crystallize them into form and give them sanction. An international code commission is needed to declare the accepted law (if it can be said that there is any accepted international law) and to present to the nations for their ratification such new laws as may be needed both in the promotion of intercourse, commerce, and peace, and in the conduct of war. This would be the foundation of a league of nations.

"Here would be an agreement, between those who chose to make it, that they would accept definite rules by which they would be governed as between each other. Such a commission would not be an international or supernational legislature. All that it did would be referred for approval and adoption to the nations; those who joined in its drafting and those which had not done so. A code so formed would grow as all law has grown, from a simple presentation of a few rules or principles into a more complex and elaborate body as time went on. This surely would not be revolutionary; it would not offend national pride or set at naught national sovereignty. We could cover such matters as we wished, and only such matters as we wished, in such a code.

"But in that code there should be incorporated one agreement, binding on all who signed it, that it must be the law between the nations, and if controversies arose as to the matters dealt with in the code that they would be submitted to a judicial tribunal formed by the nations for the interpretation and application of the law and would abide by the decision of that court.

"That agreement would call for a surrender—a surrender on the part of all the members of the league—of the right to go to war over a matter which they had agreed should be a matter for decision by a court. Such agreements are not uncommon among business men. There is hardly a contract of consequence drawn to-day that does not contain such a provision. And the history of nations each year grows richer with the record of cases where differences between nations as to specific matters are relegated to just such tribunals. Sir Frederick Pollock has gathered the fact that since the year 1815 there have been more than 150 cases arising out of international conflict of interest which have been submitted to the decision of chosen arbitrators, and in no case has war resulted from the decision rendered.

"This most pregnant fact must be regarded here that in the code itself there would be eliminated from controversy a great volume of matters over which disputes might arise. For instance, the parties to the league would definitely state and agree upon the territorial boundaries of the countries affected. There would be a settlement, clear and distinct, of this most prolific cause of trouble. There might well be a setting forth of the rights of nationals in foreign lands, another abundant source of difficulty. And the rights of nations to enforce the claims of private individuals for loans made to foreign governments might be dealt with in such manner as to make clear and unequivocal the nature of the remedy that the individual making the loan would have. In a word, the code itself would eliminate from the field of uncertainty a not inconsiderable percentage, perhaps an overwhelming majority, of the causes of international trouble and make a resort to the court unnecessary.

"If, however, there developed a controversy which one or both of the parties would not submit to the court, or after a court decision one or both would not accept it, what method of enforcement could there be?

"The league could have a weapon which the world has never tried but which, I do believe, would prove more coercive than any plan that has been devised, as cruel in some ways as war itself, and devoid of any of those meretricious calls which make war so often popular. In harsh, undiplomatic language this process would be called international boycott—the severance of every tie that connected the nations of the league with the offending nation. Cut the railroads at the border, the telegraphs, telephones, postal service, steamboat lines, all communication; allow no one to have ingress or egress; allow no bank to deal with any bank in that country; no cattle, no coal, no steel, no food, no letters; cut off all life; let the nation be as one that did not exist to the rest of the world. It is hardly thinkable that any nation would refuse to submit a controversy to a court's decision if it knew of such a possible punishment. But if it still was obdurate war must follow. An international police force would, however, not be a necessity, for nations have learned to cooperate under a unified command in the past year and national forces might again be united to carry out a common pledge.

"This does not seem to me an impossible, impracticable, unreliable plan. It does not prevent war; it makes it unlikely, most improbable. Of course, if such a plan were inaugurated and by its means the world was brought through difficulties the plan would gradually prove the lessening need for great armaments and disarmament would slowly come about.

"There are difficulties to be overcome in instituting any such plan. Who are to constitute the league? I should answer those whose territories are clearly defined, who have a settled form of constitutional government under which they are living in peace, and who are so behaving themselves as to be worthy of a place at the table of the family of nations.

"Would it not imperil the interests of the greater powers if they had to be subject to the will of the smaller? It has never been proposed that all nations should have an equal vote in the league. The one stable tribunal organized by The Hague conference was the international prize court, in which the United States had 20 votes as against a single vote for most of the smaller nations. This was arrived at by considering population, wealth, ships at sea, volume and value of sea traffic, and other elements. It was arrived at by a process known to you as the weighted average.

"Would not the Monroe doctrine be surrendered by the formation of such a league? The answer to this is that the Monroe doctrine is a declaration that the territorial integrity and national independence of the nations on this hemisphere shall not be invaded by any European power. That doctrine might well be written into the code to which the nations would subscribe, and it has so long been accepted that I doubt if the right to have it made a part of the code would be challenged. In fact, the very first of the proposals made by the President for such a league is the declaration of this very doctrine. Here are his words:

"A general association of nations must be formed under specific covenants for the purpose of affording mutual guarantees of political independence and territorial integrity to great and small nations alike.

"But the right to enforce this doctrine might be taken from the United States. True, that burden might not remain exclusively our own. And yet there is no reason why in the formation of the league there could not be a recognition that certain principles and doctrines would be within the care of certain subordinate groups—a pan-American league, if you please, as

to matters of all American concern and perhaps a district sub-organization for Europe and another for Asia.

"Thought—sympathetic thought—will solve many problems. If we wish international cooperation to stop wars and to make more free and sure the intercourse of the peoples of the world, we can find the machinery by which it can be brought about. The whole difficulty now rests in prejudice and fear and suspicion. Why not in our fine American way rather say that the thing that should be done can be done. The engineers of our Army have adopted as a motto these words: 'It can't be done. Here it is.' We may find, gentlemen, that this motto is that of the peace conferees in Paris. They may return saying to all doubting Thomases, 'It can't be done. Here it is.'

"My appeal is that you then give to those who represent you the strength of your support and believe that the inventive mind of man has not ceased functioning. Let us believe that something will come out of the dreams that you and others have had.

"I can visualize President Wilson in his entrance to Paris as he goes down the Champs de Elysees with the cheering crowds and, crossing the bridge to Napoleon's tomb, he looks down upon the sarcophagus that holds the body of the greatest warrior of the world, who spread his power across Europe and dared to think of spreading it across the whole of the world between the Atlantic and the Pacific.

"The President goes out the door of that church down the boulevard until he comes to another monument, a monument that more nearly represents the spirit of our new day, the monument to Pasteur.

"Pasteur is sitting above, looking down. On three sides of the base are figures representing what he did for France, a boy with sheep and a man with oxen, a girl with grapes, indicating his cure of the phylloxera. Then in front is the main group, a girl wan, weak, exhausted, emaciated, has risen from her couch and is leaning against her mother, who is looking up into the eyes of Pasteur above with a look of ineffable gratitude as a figure of death slinks around the opposite side.

"Woodrow Wilson goes to Europe not as a conqueror. He goes for the healing of nations; he goes to add greater glory to the name of America."

SHIP WORKERS' STRIKE.

Mr. THOMAS. Mr. President, on yesterday the senior Senator from Washington [Mr. JONES] inserted into the RECORD two documents bearing the signature of Mr. Charles Piez, Director General of the United States Shipping Board Emergency Fleet Corporation, and referring to a strike at Seattle which, I think the Senator said, might be by this morning State wide in its operation.

I received a telegram this morning from one Morris D. Leehey from Seattle, a very long telegram, which I shall not read in its entirety, but which I shall hereafter ask to insert in the RECORD, that in some respects is the most remarkable document I have ever received.

This telegram, which probably has been duplicated to other Members of this body, embodies a statement published in a Seattle paper yesterday morning which informs me among other things that those now engaged in the strike at Seattle will feed the people; that they have 12 great kitchens which have been offered and from them food will be distributed by the provision trade at low cost to all; also that labor will care for the babies of the State; that milk-wagon drivers and laundry drivers are arranging plans for supplying milk to the babies, invalids, and so forth; and that the washing of hospital linen will be permitted; also that the stopping of cars will keep some people at home; also that the strike committee is arranging for guards; and while a few hot-headed enthusiasts complain that the strikers only should be fed and the general public left to endure severe discomfort, that is too inhumanitarian to be considered. Then follows a very strong and caustic criticism of the order of Mr. Piez, and the telegram concludes with the following warning:

> If the strike continues labor may feel led to avoid public suffering by reopening more and more activities under its own management; and that is why we say that we are starting on a road that leads no one knows where.

Mr. President, the announcement of Mr. Piez informs us that between the Government and these men are existing agreements and boards which have been recognized for the settlement of all further disputes which may arise during the operation of the shipyards. It also informs us, what people perhaps know generally, that the rates of wages paid at these yards are greater than have ever been paid before and fully commensurate with all the requirements due to the advanced cost of living, and so forth.

Mr. President, if I interpret this telegram correctly, it means that certain private organizations have taken over the governmental functions of the city of Seattle, and that they will administer them so that there will be as little suffering as possible consequent upon this very much-disturbed condition.

I imagine that if the packers of Chicago should for the purpose of advancing their prices announce that none of their supplies would be served to the public until their demands for advanced prices were recognized and conceded, and in the meantime they would feed the babies and take care of invalids and exercise general police regulations of the great city of Chicago, everyone would recognize in it the assumption by that great combination of governmental powers for the purpose of enforcing a private demand, and the indignation and protests of American citizens would be universal. I see no difference, Mr. President, between such conduct by such an organization and that which, if this telegram is interpreted correctly, is now prevailing in the city of Seattle.

If this strike is to become State wide, as the Senator from Washington [Mr. JONES] fears, I think it is safe to assume that State governmental functions will also be assumed, and for similar reasons. There, then, will not be an imperium in imperio, but a usurpation of governmental authority.

I think, therefore, that it is easy for any reflecting man to conclude where all this leads to. It leads either to the overthrow of established government in that section of the country, or it will tend to bring it into deserved disrespect and disrepute. It means, Mr. President, the experiment of bolshevism upon the northwest coast of America, and is preceded by a disregard of solemn agreements, which indicates that the binding force of compromise is not recognized in that section of the country.

Mr. President, I am by nature pessimistic and may take a gloomier view of conditions like this than the facts warrant; but they are another indication, to my mind, of the extremely sinister features of the social and industrial conditions in America, particularly in the great community centers of this country, and that it is the symptom or early manifestation of a situation the gravity of which we do not fully appreciate.

I have denounced, and I shall continue to denounce and to criticize all invasion of governmental prerogative and individual right by combinations of capital and finance. I recognize fully that the work of these combinations has caused, and are causing much of the resentment which finds expression in this manner; and I assert that the duty of the Government is to control and to curb the one, just as much as it is its duty to control and curb the other; but its duty in each direction is manifest. In this country, Mr. President, there is no need that any person or association of persons complaining of or suffering from abuses should resort to violence or lawlessness for the purpose of righting his or their complaint. This is a Government of the people. It furnishes ample machinery for the enforcement of right and for the redress of wrong through the agencies that machinery provides.

I believe that these immediate manifestations of coming trouble require that they be met with a promptitude and efficiency by the authorities charged with the duty of asserting the Government's power to safeguard life and property, and, as well, recognize and enforce the rights and remedy the wrongs of all.

A soup line or a bread line is, in any event, a deplorable thing in a country like this—we have had too many of them—but a soup line or a bread line provided by those who are engaged in disregarding or overriding the established authority and for those who are helpless because the Government will not perform its functions and take care that the laws are properly enforced is an anomaly in civilization everywhere, yet that seems to be the situation in Seattle. Mr. President, I have no doubt, at least, I hope, that the authorities of that great municipality and the executive of the State will be sufficiently appreciative of their duties at this time to vindicate the requirements and the majesty of republican government in that city and in the State if further developments require it.

Mr. President, America must be for Americans. By that term I do not mean those who are native born, but every man who believes that the institutions of his country are worth preserving and respects the reign of law and order must do his bit toward their preservation. The time has come, indeed it has been apparent to me for some time, when little, petty, partisan differences, the struggles for party advantage, must be subordinated to the supreme duty of vindicating the majesty of the laws and the Constitution of the United States and of the States. This Seattle affair is an object lesson of our disregard of that supreme duty, of our indifference to the welfare of the country, and of our proneness to fall back upon that old system of laissez

faire which trusts to luck, with an indifference that will lead us to the precipice and which assumes that things will right themselves as they go along.

The time has come, it is here, Mr. President, when every man and woman in the United States who believes that this country is worth preserving and the best and freest in the world, and who feels that the war which we have just won is only a step in the right direction, should by their acts manifest their faith and stand by the country's institutions now, be the sacrifice what it may, when domestic insurrection is raising its head and threatening them more seriously than it has in the past.

I ask that the telegram from which I have read may be inserted in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The telegram is as follows:

SEATTLE, WASH., *February 5, 1919.*

Senator CHARLES H. THOMAS.
2300 Sixteenth Street, Washington, D. C.:

The following appeared on the first page of the Seattle Daily Union Record under date of Tuesday, February 4, 1919: "On Thursday at 10 a. m. there will be many cheering, and there will be some who fear; both these emotions are useful, but not too much of either. We are undertaking the most tremendous move ever made by labor in this country, a move which will lead no one knows where. We do not need hysteria; we need the iron march of labor. Labor will feed the people. Twelve great kitchens have been offered, and from them food will be distributed by the provision trades at low cost to all. Labor will care for the babies and the sick. The milk-wagon drivers and the laundry drivers are arranging plans for supplying milk to babies, invalids, and hospitals and taking care of the cleaning of linen for hospitals. Labor will preserve order. The strike committee is arranging for guards, and it is expected that the stopping of the cars will keep people at home. A few hot-headed enthusiasts have complained that strikers only should be fed and the general public left to endure severe discomfort. Aside from the inhumanitarian character of such suggestions, let them get this straight: Not the withdrawal of labor power but the power of the workers to manage will win this strike. What does Mr. Piez, of the Shipping Board care about the closing down of Seattle's shipyards, or even of all the industries of the Southwest? Will it not merely strengthen the yards at Hog Island, in which he is more interested? When the shipyard owners of Seattle were on the point of agreeing with the workers it was Mr. Piez who wired them that if they so agreed he would not let them have steel. Whether this is camouflage we have no means of knowing, but we do know that the great eastern combinations of capitalists could afford to offer privately to Mr. Skinner, Mr. Ames, and Mr. Duthie a few millions apiece in eastern shipyard stock rather than let the workers win the closing down of Seattle's industries, as a mere shutdown will not affect these eastern gentlemen much. They could let the whole Northwest go to pieces as far as money alone is concerned, but the closing down of the capitalistically controlled industries of Seattle while the workers organize to feed the people, to care for the babies and the sick, to preserve order—this will move them, for this looks too much like the taking over of power by the workers. Labor will not only shut down the industries, but labor will reopen under the management of the appropriate trades such activities as are needed to preserve public health and public peace. If the strike continues, labor may feel led to avoid public suffering by reopening more and more activities under its own management, and that is why we say that we are starting on a road that leads no one knows where."

MORRIS D. LEEHEY.

Mr. JONES of Washington. Mr. President, I shall not attempt to add to what the Senator from Colorado [Mr. THOMAS] has so well said. He has expressed my sentiments much better than I could express them myself. I wish I could present a statement showing that conditions are not so bad in Seattle as the information which we have had would indicate; but I can not do so. I have not gathered the force of the telegram, from which the Senator from Colorado has read; but I know the gentleman who signed it. He is one of the leading attorneys of Seattle. I have a telegram, however, from which I desire to read a line or two, which I received this morning from Seattle, from a gentleman whom I know there, as follows:

Conservative opinion regards strike situation presents serious possibilities. Strikers openly advised to take what they want, and robbery becoming frequent. Believe Government should prepare to furnish troops without moment's delay, if requested.

I am not advised as to what steps the local or State authorities have taken. I believe they will act promptly and effectively to protect life and property and to see that peace and order are maintained. On yesterday, in presenting the statement of Mr. Piez, I stated that possibly by that time the strike had become State wide. I was mistaken as to the time. The time fixed for a State-wide strike was this morning at 10 o'clock. It may be that it has now been consummated. I wish I had full information to give to the Senate; but this is all that I have.

I have here two additional statements made by Mr. Piez. I do not believe that they add very much to the facts contained in the statements which I presented yesterday, but they do present some additional facts; and I think it well that we should have the full statements available.

Probably there may be another side to this question. If so, I shall be glad to present the same to the Senate. This is a statement, however, by the representative of the Government. The statement gives the agreement made by the men and the treatment that has been accorded by the Government to them. This controversy is really between them and the Government and not between the men and the shipyard owners. Mr. Piez points this out. I think, Mr. President, that I shall ask that these two statements may also be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The statements are as follows:

Second statement by Charles Piez, Director General Emergency Fleet Corporation, Philadelphia, published as an advertisement in the Pacific coast newspapers.

The future of the shipbuilding industry lies with the men and the management. It is as much the problem of the one side as of the other. Increased output and lower costs can be secured by more intelligent direction and effort without sacrifice to either side.

But it can be done only by sympathetic and intelligent cooperation between the ship workers and the yard owners; never by strike and strife.

The strike is not only a breach of an agreement with the Government, but, with the future of the industry hanging in the balance, it is a colossal business mistake.

Congress authorized the President of the United States to spend $5,500,000,000 for the construction of ships, and the President selected the Emergency Fleet Corporation as his agent to carry out this program. The German submarine was at that time sinking vessels from four to five times as fast as English and American yards were producing them.

It was America's job to beat the submarine. Old shipyards were expanded and new yards were built on both the Atlantic and the Pacific coasts.

Contracts were placed for wood ships, composite ships, concrete ships, and steel ships—for any ship that would float, propel itself, and serve any kind of a useful purpose—because we were building a fleet for an emergency.

Wages were increased. Overtime and Sunday work were ordered. Carloads of necessary material were sent by express. Three hundred thousand men were added to the 50,000 ship workers, and the Government bore the expense of transporting them and training them. The Government paid these beginners high wages while they were acquiring skill and experience, for the Nation needed ships and was willing to pay the price.

The yards of the Pacific coast and the Great Lakes responded nobly, for they had been longer in the game and had a larger number of experienced ship workers to draw from. Even the new yards created since the war was declared began deliveries.

Then the armistice was declared and the shipbuilding situation was changed overnight. The Nation began figuring the costs.

And the Emergency Fleet Corporation was asked, "If you were building a lot of ships for an emergency, why don't you quit now that the emergency is over?

"Ships are costing the Government from two and a half to three times what they cost three years ago, and 50 per cent more than they can be bought in England at the present time. So quit building till the costs go down to where we can compete."

The Emergency Fleet Corporation thereupon took account of stock. It found that it was building more wood ships than it could use or sell, and so it canceled those that hadn't been begun.

It found that a merchant marine was something more than an aggregation of ships. It had to be a well-balanced fleet, that provided a certain proportion of fast passenger ships, of slower-going passenger and cargo carriers, and of many ships built especially for certain lines of trade.

And upon review of the numbers and types of vessels building under the emergency program, the Emergency Fleet Corporation decided to suspend work on a portion of it so, in case Congress decided to permit us to spend the money authorized, it could substitute more desirable and necessary types of ships for those suspended.

It is impossible to build a perfect "ready to use" merchant marine. Parts of it, at least, must be built to suit the needs of business that will develop through the effort and enterprise of the future.

It is necessary, therefore, to proceed more slowly than heretofore in the completion of the present program. Overtime and Sunday work and other expenses due to speed have therefore been cut out.

And we are calling on the managements and the ship workers to cooperate in such a way as to make high wages and low labor costs possible in the shipyards as it has been made possible in the automobile industry.

Let me cite three examples of how high wages and reduced output per man have increased the labor costs of vessels. One of the best producing yards on the Pacific coast shows that the average output per man is 70 per cent of that of two years ago, and the average rate of pay 70 per cent higher. This means a labor cost two and four-tenths times greater than two years ago.

Three Atlantic coast yards show labor costs from two and a half to three times higher than two years ago.

We can look for more output per man as the new men in the yards grow in experience, but in the meantime the future of the industry is in the balance.

Foreign orders can not be secured until costs go down, and even the Government can not continue shipbuilding indefinitely if every ship shows a heavy loss.

I am presenting the facts as they are before the United States Shipping Board and the Emergency Fleet Corporation, and my advice to the men is: Go back to work and get together with the owners to see what can be done to put the shipyards in shape to compete for the world's business in shipbuilding.

CHARLES PIEZ,
Director General United States Shipping Board Emergency Fleet Corporation.

PHILADELPHIA, *February 3, 1919.*

Interview sent out for Pacific coast newspapers for publication Tuesday morning, February 4.

Charles Piez, Director General of the Emergency Fleet Corporation, to-day authorized the following statement in regard to the strike of the ship workers on the Pacific coast:

"In all fairness the men who have broken their obligations, under the Macy award, and walked out, demanding higher wages, should consider the economic menace imposed upon the Nation by their action.

"They should give consideration to the fact that the war is over and that the emergency to meet which the United States Government entered upon its great shipbuilding program is a thing of the past. Our shipbuilding enterprise was started and carried to this point under very unusual circumstances. Congress appropriated $3,500,000,000 to build a fleet of merchant vessels with which to meet the emergency of war, and the President designated the Emergency Fleet Corporation as

his agent to carry out this construction program. At the time this enterprise was started the rate of sinkings by German submarines indicated that 13,000,000 tons of shipping would be sunk during the year 1917. This rate was not maintained, but, nevertheless, 9,000,000 tons of shipping actually were sunk during that year.

"America's job was to beat the German submarines by new construction. No money was spared. Every means for expanding the shipbuilding facilities of the country was utilized. The existing yards were expanded to the very limit of their capacities and vast new yards were constructed.

"We started out to build ships of all types. Steel, wood, composite, and concrete vessels were ordered constructed at the highest possible speed. We needed ships, and were not particular what type was constructed, so long as we got vessels that would float. Anything within reason to help meet the emergency was undertaken.

"To quicken completion of this gigantic task the Government met every demand for increased pay that was consistent with the rising cost of living, and gave the shipyard workers opportunity for additional earnings by encouraging overtime and Sunday work at increased rates. Speed, not economy, was the goal. When ship construction was delayed by lack of materials, we even resorted to the costly expedient of sending steel by express to the yards.

"In the extremity which the Nation faced we called for and obtained the services of 300,000 new men to bolster the force of 50,000 employed in the shipyards when this enterprise was started. The Government transported these men to their jobs at its own expense and undertook to train them in the crafts of shipbuilding. Not only that, but it paid them high wages while they were learning their trades.

"In the emergency of war all this expenditure, which would rightly be called extravagance in peace time, was not only justified but was absolutely imperative. It was just as much to the interest of the shipbuilder that the emergency fleet be constructed on time as to the interest of the Government at Washington. It was the Nation's effort, and every man, woman, and child in the country was benefited by our victory over the submarine.

"Remember, at the time of which I am speaking we were not building ships primarily for trade purposes but to meet a dreadful danger that was daily becoming more threatening. The lives of millions of soldiers were at stake and the outcome of the war largely depended upon our success in this emergency shipbuilding program.

"Now the conditions are changed. The war is over and we must turn our attention to the economic needs of the Nation. The necessities of war-time construction brought the labor cost per ship to such a high figure that to-day it represents a large part of the total cost of a steel vessel. This is not all due to the increases in rates of pay. It is due largely to a decline in labor efficiency, due to dilution. We are getting less to-day in return for the high wages paid to shipbuilders than we got at the comparatively low pay which obtained in the shipyards two years ago.

"In the most efficient shipyard in the Seattle district the average pay is 70 per cent more than it was two years ago and the output about 70 per cent of what it was two years ago. Wages have increased from 50 to 100 per cent in the shipyards of America, but there has not been a corresponding increase in output. This situation to-day threatens to throttle the shipbuilding industry. It must be corrected if the industry is to live.

"High wages are not at all inconsistent with low costs, and American labor always has been able to compete with the lower-paid foreign labor by making up through efficiency and quantity output the difference between the respective rates of pay. I have no doubt that American shipyard labor to-day can continue to compete with foreign shipworkers on the same basis. But to increase the wage scale before increased experience and improved output have been attained is sheer folly. It would result simply in forcing America out of the shipbuilding industry.

"Now that we have peace we must have assurance that the profits earned by a ship will pay for the cost of the ship. Otherwise, our merchant-marine project is doomed in advance to failure.

"The time has come to build larger and faster steamers for trade purposes. That is the problem of the Emergency Fleet Corporation. There rests upon the shipyard workers an obligation equally as important as that which the Emergency Fleet Corporation faces. It is the duty of these men—a duty they owe to themselves, to their communities, and to the Nation—to increase their average output and justify their present high wages by efficient work. To demand pay without such justification is wrong in principle and impossible in practice.

"I do not believe the present situation is hopeless, although the economic aspects of our program are most discouraging at this time. An extreme case may be cited in three Atlantic coast yards which show a labor cost from two and one-half to three times higher than two years ago. Now, the output of these yards will be greater when the new men become experienced. I have an unshakable faith in the ability of American labor to make good on this test provided they refuse to listen to radical counsel and abide by their own agreements. Meanwhile, frankly, the future of the whole industry is in the balance.

"To-day England, with lower labor cost and higher efficiency, can build ships much cheaper than we. We can not hope to obtain foreign orders until our costs go down.

"The future lies with the men and the managements. They must get together and cooperate for more intelligent direction and effort. This can be done without sacrifice to either side. I believe that sympathetic and intelligent cooperation between the yard workers and the yard owners will solve the problem, but it can not be solved by strikes and strife.

"The strike not only was a breach of faith with the Government, but in the light of present conditions in the shipbuilding industry was a colossal business blunder.

"CHARLES PIEZ."

Mr. VARDAMAN. Mr. President, may I ask the Senator from Washington how many of these men are on strike?

Mr. JONES of Washington. I understand that some thirty or forty thousand went on strike a short time ago.

Mr. VARDAMAN. Is the strike confined to the shipbuilders?

Mr. JONES of Washington. No; it has been spreading. The Central Labor Council of Seattle, I understand, has indorsed the strike, which I suppose would be termed a sympathetic strike; and several of the labor organizations have indorsed it. I am advised by a telegram which I received day before yesterday from a point outside of Seattle, as I construe the telegram, that a State-wide strike would be inaugurated this morning at 10 o'clock in sympathy, of course, with the shipyard strike.

Mr. VARDAMAN. That includes all the labor organizations, I presume?

Mr. JONES of Washington. I apprehend that it goes very far. I do not know, however, as I say, how far it goes. I have not received, I am sorry to say, very much detailed information from the State. In fact, about all I have had is what I read from the telegram this morning, except the telegrams which I received the other day, which simply stated that the situation was serious and that probably a State-wide strike would be inaugurated this morning at 10 o'clock.

Mr. ASHURST. Mr. President, I call for the regular order.

The VICE PRESIDENT. Concurrent and other resolutions are in order.

AMERICAN TROOPS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, I desire to call up Senate resolution 411, introduced by me on January 13, 1919, and I ask the Chair to lay it before the Senate.

Mr. POMERENE. I was not able to hear what the resolution is about.

Mr. JOHNSON of California. It is Senate resolution 411, introduced on the 13th day of January, 1919, and reads as follows:

Resolved, That in the opinion of the Senate the soldiers of the United States as soon as practicable should be withdrawn from Russia.

The VICE PRESIDENT. That resolution is on the calendar.

Mr. JOHNSON of California. No, sir; I beg the pardon of the Chair.

The VICE PRESIDENT. It is on the table; I see. Is there any objection?

Mr. KING. I object.

Mr. JOHNSON of California. Mr. President, a parliamentary inquiry, if you please. May not a resolution of this sort that lies on the table be called up?

The VICE PRESIDENT. By unanimous consent it may be taken up on the first day following, upon the request of the Senator who introduces it. If it lies here for a month or two, it can be taken up by unanimous consent, or, if unanimous consent is not granted, it can be taken up on motion.

Mr. JOHNSON of California. Then, Mr. President, I move that this particular resolution be taken up by the Senate.

Mr. TOWNSEND. Mr. President, I suggest the absence of a quorum.

Mr. SMOOT. Will the Senator withhold that motion?

Mr. JOHNSON of California. Yes.

Mr. TOWNSEND. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Hollis	Martin, Va.	Simmons
Bankhead	Johnson, Cal.	Moses	Smith, Ga.
Borah	Johnson, S. Dak.	Myers	Smith, S. C.
Calder	Jones, N. Mex.	Nelson	Smoot
Colt	Jones, Wash.	New	Sterling
Culberson	Kellogg	Nugent	Sutherland
Cummins	Kenyon	Overman	Swanson
Curtis	King	Page	Thomas
Dillingham	Kirby	Penrose	Thompson
Fernald	Knox	Pittman	Townsend
Fletcher	La Follette	Poindexter	Trammell
France	Lenroot	Pollock	Underwood
Frelinghuysen	Lewis	Pomerene	Vardaman
Gay	Lodge	Reed	Wadsworth
Gerry	McCumber	Saulsbury	Walsh
Gronna	McKellar	Shafroth	Warren
Hale	McLean	Sheppard	Weeks
Henderson	McNary	Sherman	

Mr. SUTHERLAND. My colleague, the senior Senator from West Virginia [Mr. GOFF], is absent on account of illness. I will let this announcement stand for the day.

Mr. GAY. I wish to announce that the senior Senator from Louisiana [Mr. RANSDELL] is detained on official business.

Mr. TRAMMELL. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK] and the Senator from Kentucky [Mr. BECKHAM] on official business.

Mr. MARTIN of Virginia. I wish to announce that the Senator from Arkansas [Mr. ROBINSON] is absent on official business. I wish also to announce that the Senator from Maryland [Mr. SMITH] and the Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

The VICE PRESIDENT. Seventy-one Senators have answered to the roll call. There is a quorum present. Is there further morning business?

Mr. JOHNSON of California. Mr. President, I renew the motion that was made a brief period ago, that Senate resolution 411 be laid before the Senate and be taken up at present.

Mr. LEWIS. Mr. President, if the Senator desires to press that motion at this time, I shall have to ask for the yeas and nays upon the vote. At this particular time it would displace

important matters which it was already arranged should be taken up.

The VICE PRESIDENT. The Chair understood that the Senator from Utah objected.

Mr. KING. I did.

The VICE PRESIDENT. The Chair is ruling that as soon as the hour of 1 o'clock shall have arrived——

Mr. LEWIS. Two o'clock.

The VICE PRESIDENT. The Chair is saying 1 o'clock—that until the hour of 1 o'clock has arrived only by unanimous consent can anything other than the usual morning business be transacted.

Mr. BORAH. Mr. President, in the confusion I could not catch the ruling of the Chair. I understand the ruling of the Chair to be, however, that until 1 o'clock the motion is not in order.

The VICE PRESIDENT. Or until the morning business has been concluded. That is the plain rule. The Chair will refer to it, if desired. It is Rule VII, section 3:

> Until the morning business shall have been concluded and so announced from the chair, or until the hour of 1 o'clock has arrived, no motion to proceed to the consideration of any bill, resolution, etc., shall be entertained.

It is only five minutes. We will get through by that time, I guess. Are there other bills or joint resolutions?

BRITISH EMBARGO ON IMPORTS.

Mr. WEEKS. Mr. President, I ask unanimous consent to take up for present consideration Senate resolution 438, which was under consideration when the morning hour closed on yesterday.

The VICE PRESIDENT. Is there any further morning business? There being no further morning business, the Chair, understanding that the resolution went over yesterday without prejudice——

Mr. LODGE. It did.

The VICE PRESIDENT. It is therefore laid before the Senate.

The Secretary read Senate resolution 438, introduced by Mr. WEEKS on the 4th instant, as follows:

> Whereas during the war with the Imperial German Government Great Britain placed prohibitions on the importation of certain American products; and
>
> Whereas the British Government has recently placed a prohibition on the importation of additional American products to take effect on and after March 1, 1919, which is detrimental to the employment at their full capacity of our manufacturing industries; and
>
> Whereas this action of the British Government is in direct conflict with point numbered 3 of the 14 points of peace proposed in the message of the President of the United States to the Congress of January 8, 1918: Therefore be it
>
> *Resolved*, That the Secretary of State be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. KING. I move to amend the resolution by striking out the third whereas in the preamble, which reads as follows:

> Whereas this action of the British Government is in direct conflict with point numbered 3 of the 14 points of peace proposed in the message of the President of the United States to the Congress of January 8, 1918.

Mr. WEEKS. While I may not object to striking out those words, I should like to ask the Senator from Utah if he does not think that is a correct statement?

Mr. KING. No; I do not; quite the contrary. I do not think the action alleged to have been taken by Great Britain is at all in contravention of any of the points stated by President Wilson.

Mr. WEEKS. I am in direct disagreement with the Senator on that point. I thought it added to the force of the resolution, but I really do not care whether it goes out or stays in.

The VICE PRESIDENT. The question is on agreeing to the amendment to the preamble proposed by the Senator from Utah.

The amendment was agreed to.

Mr. KING. Mr. President, just one word concerning the resolution. I express no opinion in regard to the criticisms made yesterday of Great Britain and the economic policy which it is alleged she is now pursuing. Neither do I express any opinion as to the wisdom or lack of wisdom in laying embargoes upon imports under the circumstances in which nations now find themselves. I am, though, somewhat surprised at the attitude taken by the Senator from Massachusetts. He belongs to that school of political thought which teaches that high tariffs and embargoes are the panacea for all our industrial and economic ills. He belongs to the party that has advocated for so many years not only a restrictive tariff, but too often a tariff alleged to be a protective tariff but which in practice was a prohibitive tariff; a party that has exhibited a vast amount of solicitude for rich manufacturers who were the beneficiaries of the protective system and who profited by exploiting labor and overcharging the American consumer.

If it be a fact that Great Britain has imposed an embargo upon certain products, she is merely giving to the world a practical illustration of the doctrine which forms the corner stone of Republicanism, and the application of which should prove a source of joy to the Senator from Massachusetts. Indeed, it is a sort of apothesis of the protective system. It constitutes a Chinese wall which restricts trade and commerce, but it is a wall around a country with which we seek commercial relations. Where is the "home market," then, which has served as the battle cry for so many years of the Republican Party? The Senator from Massachusetts is now crying out for the markets of Great Britain. His position shows the fallacy of Republican protectionism.

But, Mr. President, I do not care to be led into a discussion of that question at this time. My information is that Great Britain, like our own country, has, as the result of the war, an accumulation of products purchased or made for war purposes and which must be disposed of quickly in order to prevent immense losses to the Governments holding the same. These accumulations, it is believed, can be absorbed within a very short time by the domestic trade, and Great Britain, France, and other belligerent nations are desirous of having a short "breathing space," if I may employ this term, to absorb these products. Our Government is in the same situation, but not to the same extent as Great Britain or France.

But we have hundreds of millions of pounds of wool, as well as other products, raw and manufactured, which we would be glad to absorb.

Let me call attention to a question familiar to all Senators which should be considered when we are impliedly criticizing Great Britain for her temporary policy of laying embargoes.

A few months before the armistice there was considerable anxiety over the scarcity of potash, chrome, manganese, pyrites, and other metals. The people of the West were importuned by the officials of the War and Interior Departments, as well as the War Industries Board, to develop mines and produce these metals, so imperatively needed for war purposes. In various parts of the country the patriotic people responded to these pleas, and at great expense and confronted with almost insurmountable obstacles they succeeded in producing great quantities of these metals.

The Government purchased but a fraction of the same, and the producers now have on hand these accumulations. When the armistice was declared the Government ceased purchasing. Spain produces pyrites much cheaper than we mined them during the war. She is anxious to ship her surplus pyrites to the United States. Brazil has great quantities of manganese, and desires this market for her surplus.

The same situation prevails with respect to long-staple cotton, to which the Senator from Arizona [Mr. SMITH] referred a few days ago, and in a modified form the wool presents a similar condition. Last year the wool men of the West were importuned not to dispose of their lambs or their ewes but to carry them over until this year, notwithstanding the high prices which they could have obtained for the same. The reason given was that we must have wool in order to supply our soldiers and sailors with needed supplies. The wool men patriotically kept their flocks and herds, and purchased corn and cottonseed meal and hay at very high prices in order to keep the sheep during the winter. Moreover, they employed labor at high prices, and entered upon the winter campaign of caring for their sheep under the war-price standards.

Mr. POINDEXTER. Mr. President——

Mr. KING. I yield to the Senator.

Mr. POINDEXTER. To add to the examples that the Senator from Utah has given I might mention the case of magnetite. In the State of Washington a great deposit of magnetite has been discovered, and in view of the representations of the administration and the purpose as a war industry large investments were made in the development of it. The people who made those investments are now prepared to furnish all the magnetite this country can consume. It is a material that is used in making fire-proof crucibles and linings of steel furnaces. The only competitor that they have is in the enemy country. The only other large deposit of magnetite which is capable of competing substantially with this industry in the State of Washington is a deposit in Austria.

Under all these circumstances, in view of the low wages paid in Austria compared with the high wages in the United States and the situation in which our investors find themselves, I am in

favor of continuing in effect for a reasonable length of time, in order to enable this industry to get on its feet, the embargo which is now in effect against the importation of magnetite from foreign countries.

Mr. KING. The example which the Senator has just given could be multiplied almost without limit. Potash furnishes another familiar illustration of conditions existing here, which find some parallel to the situation in Great Britain. Before the war we imported large quantities of potash from Germany. We needed it badly, and a number of loyal Americans made heavy expenditures at the earnest request—indeed, I might say the command—of various agencies and instrumentalities of the Government and have produced a very large supply. Now other countries seek to export their potash to the United States and sell at prices which would be ruinous to American producers.

Mr. President, the question arises, Shall we undertake in some way to offer some temporary relief to the Government and to those who have thus responded to the Nation's call? Shall we do as it is claimed England is doing—lay a temporary embargo upon those articles which were produced under the conditions, or similar ones, just referred to—in order that the holders of the products, whether the Government or private individuals, shall have an opportunity to dispose of the same in the domestic market? There would seem to be some justice in this course, otherwise the Government might be called upon to meet the loans, though there is perhaps only a moral obligation upon its part to pay the same, charging them as a part of the war costs. However, I am not pressing that question now and am not expressing a settled view as to the course to be pursued.

Many petitions have been addressed to the War Trade Board, the War Industries Board, the War Department, and other agencies of the Government praying for relief from the burdens which those who patriotically served the Nation in the manner above referred to now resting upon them. The War Trade Board has been literally besieged and demands have been made that an embargo for a limited period be placed upon the products which I have mentioned as well as many more, in order that an opportunity might be afforded for the domestic market to absorb these accumulated supplies. During the war we placed embargoes upon many articles and established a licensing system which greatly interrupted free commerce. After the armistice the embargo was continued for some time, and even now, I am told, it is continued to cover a considerable number of articles, or at least there are such impediments to exports and imports that as to some products it can be said there is an embargo.

Mr. McCUMBER. Mr. President——

Mr. KING. I yield to the Senator.

Mr. McCUMBER. I wish to ask the Senator if he does not also believe that it will be necessary for us to maintain an embargo against Canadian grains being sold upon our market that we may be able to uphold the price which we have guaranteed for our grains, and can we make any complaint against another nation for doing exactly what we are bound to do?

Mr. KING. Obviously that is true, unless the Government is willing to lose hundreds of millions of dollars.

So, Mr. President, there are many of our own citizens asking our own Government to do just what the Senator from Massachusetts complains that England, in a modified form, has done or has suggested should be done. England has stated that it is not a permanent policy with her; that her present restrictive policy is not permanent, but only to enable her to absorb the accumulated stocks. Now, it is to be noted that the embargo is general. It even extends to the dominions under the British flag. There is no discrimination against this or any nation.

England could not maintain as a permanent policy the one now temporarily employed. Her position forbids it. The United States is in a much better position than is England to resort to embargoes and trade restrictions. Her manufacturing plants would soon starve and want and ruin would come to the people of Great Britain if she erected tariff walls against imports, particularly certain raw materials and agricultural products. We are in a better position, industrially and otherwise, to maintain embargoes and high tariffs than Great Britain. Please keep in view the point that I am not urging embargoes and high tariffs nor any trade policy or the economic fallacies of prohibitive tariffs. I am only calling attention to the facts which have influenced England's transient policy, and also to the fact that we are pursuing a similar course.

If the War Trade Board refuses to continue this policy, Congress may feel constrained to aid, by embargoes similar to those employed by England, those who have accumulated the surplus products mentioned.

If we pass this resolution, it will be construed by some as a criticism of England for doing just what we have done and are imploring our Government to continue to do. It seems to me it would be imprudent and unwise, in view of our situation, in view of the attitude which our Government is taking, for us to pass the resolution submitted by the Senator from Massachusetts.

Mr. WOLCOTT. Will the Senator yield for a question?

Mr. KING. I yield the floor. I do not want to take further time this morning.

Mr. WOLCOTT. I have read the resolution, and I fail to find in it any criticism of the British Government. Will the Senator point out to me what language in the resolution he thinks is tantamount to a criticism of the British Government?

Mr. KING. When we ask our Department of State to request the British Government to modify or suspend such prohibition I think it might at this time be regarded as a complaint against England's policy, and an unwarranted interference with her domestic affairs. Of course, if conditions were normal, if we were not linked together as allies in a great war—and Senators will remember that technically we are still at war—a wholly different situation would then be presented. The State Department often takes up with foreign nations trade questions and seeks amelioration from trade conditions conceived to be harsh and oppressive to American manufacturers—exporters and importers.

Mr. WOLCOTT. Well——

Mr. KING. I am sure, if the Senator will pardon me, there are some among us who would regard it as an impertinence if in the Parliament of Great Britain there should be introduced a resolution of similar character inquiring of the Secretary of State or the Secretary of Commerce what steps had been taken with a view to ascertaining the policy of the American Government in respect to embargoes which had been placed upon the importation of articles into the United States.

Mr. WOLCOTT. May I call the Senator's attention to the fact—and I believe it is a fact—that last winter a department conducting international relations did request one nation to take up with another a question which concerns that nation, to see if it could not secure a modification of some contemplated action?

Mr. KING. I do not recall the matter; but the abnormal situation now, it seems to me, renders inapplicable the general rule to which the Senator has referred. We know that England is doing this only for a temporary purpose, as we are for a temporary purpose maintaining an embargo on a number of articles. It must be remembered that we laid an embargo first and are still continuing it in effect, to a limited extent at least, and I feel confident that insistent demands will be made by Americans for a more extensive application of the embargo until the present precarious industrial and economic condition has passed away.

Mr. SMITH of Georgia. Will the Senator allow me to ask him how does he know that is true? Why not get this information? I do not understand that we express condemnation of what Great Britain is doing. We are simply seeking information.

Mr. KING. I know it, I think, from the same source the Senator from Massachusetts obtained his information—the public press—and that has stated very clearly, notably the New York Times, the purpose for which this was done and the limited object which it had in view.

Mr. McCUMBER. I wish to ask the Senator a question, if he will allow me, because it is just in line with what he has said. The resolution asks the Secretary of State to inform the Senate "what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition." If that means anything, it means that we ought to ask Great Britain to suspend such prohibition. It is an invitation, at least, to do it. I think the Senator is absolutely right when he says that it is a matter of impertinence, and we would regard it as such if Great Britain should so speak of any tariff levy that we might make.

Mr. FLETCHER. Mr. President, it is not so much the expression of views in the resolution that might be claimed to be disagreeable, not to say offensive, but the implication is unfortunate, in my judgment, and the discussion that has taken place on the resolution has been still more unfortunate. The Senator from Utah referred to an editorial in the New York Times. I do not know whether he mentioned it in detail or not.

Mr. KING. No; I did not.

Mr. FLETCHER. I have before me an editorial in the New York Times of February 3 which seems to be quite pertinent, and especially the portion of it which I will read:

The guardians of American interests who discover enmity in the embargo placed on our exports at the week end are under equal necessity to remark the friendship shown in the removal of that embargo in November. The fire eaters in the commercial war should remark that the embargo placed on our goods was also placed on Canadian goods,

and for the same reason. England must have time to arrange payments for the goods dumped upon her under her liberality toward trade; it is troublesome to maintain the rate of exchange at the figure which is desirable in the interest of all.

I think we must recognize conditions over there as well as here.

Mr. WEEKS. Mr. President, I do not know that I am not willing to recognize conditions in Great Britain. I do not know enough about this matter to state whether I do or not. I did not obtain my information from the public press about it, but I obtained it from those whose industries were being affected by it. While I knew there were some people in this country who were not giving any attention to our own domestic affairs or the reasonable promotion of our interests, or the interests of our people, I am surprised to see Senators rise in their places on this floor and urge that we give no attention to our industries; that we make no provision for the employment of our idle labor; or that we in every way neglect those matters which we are in Washington to represent.

Mr. KING. Will the Senator yield?

Mr. WEEKS. I will yield for a moment.

Mr. KING. I want to ask the Senator if in the criticism which he has just made he was leveling those remarks at anything submitted by the Senator from Florida [Mr. FLETCHER] or myself, because the question of idle labor was not suggested, and the question of failing to look after our domestic interests was certainly not suggested. On the contrary, I was insisting that we were looking after our domestic interests, and the policy of the Senator from Massachusetts was a negation of that policy.

Mr. WEEKS. Mr. President, the question of idle labor was not mentioned, but the question of idle labor is involved. If we are to have an embargo placed upon the products of our manufacturing industries, it is going to lessen to that extent the amount of work our people can do in this country, and Senators will find that there will be a demand, and a positive demand, in my judgment, from the industries in their own States that they be not impaired by any such action.

Mr. POINDEXTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Washington?

Mr. WEEKS. I yield.

Mr. POINDEXTER. Does the Senator take the position that if the Government of Great Britain, in the management of its own affairs, tries to place an embargo upon importations into that country, and that embargo applies to all the world alike, and there is no discrimination against the United States——

Mr. WEEKS. I know it. I so stated yesterday.

Mr. POINDEXTER. Does the Senator feel that it is proper for the Government of the United States to question the action of Great Britain in that regard?

Mr. WEEKS. Mr. President, I think it proper for the State Department to inform the Senate what information it has on that subject, and whether it has contemplated taking any action which will modify this condition.

Mr. President, I want to say one word further in reference to a comment made by the Senator from Utah [Mr. KING]. He said the Senator from Massachusetts is a member of a party which advocates embargoes and prohibitive tariffs, and all that sort of thing. I wish to say that I never voted for or advocated an embargo or never voted for or advocated a prohibitive tariff; but I want to hold out this warning signal to the Senator from Utah and all other Senators. Under the conditions which prevail in this country the probabilities are that every patriotic man will find it necessary, in order to protect our labor, to vote for a higher tariff than the Republican Party has ever advocated. It is in sight, and the time has come when we have got to protect our domestic interests; and, unless we do, we are going to have a continuance of matters that are brought to the attention of the Senate every morning—of men out of work, of strikes, and disorders of various kinds. We have got to give that matter our first attention, and one of the actions which may properly be taken is to obtain this information from the State Department.

Mr. SMITH of Georgia. Mr. President, I agree with the Senator from Massachusetts. The resolution he asks us to pass does not criticize the action of Great Britain. It does not condemn it. It is a resolution which seeks information.

Now, a most important interference with our commerce has taken place by the embargo placed upon us by Great Britain. It may be all right; when we hear the facts we may conclude that it is in line with action we ourselves will take to protect some of our industries; but so important an act, reaching to such an extent against our industries, ought not to pass unstudied; it ought not to pass without official consideration. It may be that we will place an embargo on Canadian wheat. Does anyone doubt, if we do so, that Great Britain would inquire about it? No important act takes place here affecting the commerce of Great Britain that is not very carefully considered by her Government.

Mr. President, I like the idea of our watching the business interests of our country. I believe it is our duty to study not only our industries resulting from manufacture but the products of our soil; I believe it is our duty to watch our foreign markets; and I am glad to join the Senator from Massachusetts [Mr. WEEKS] in supporting a resolution indicating the duty on the part of the Senate at least to ask for information with reference to the serious interference with our foreign markets. There are markets that I am interested in, or in which my immediate constituents are interested, which are closed. My views upon that subject are not limited to my immediate constituents, although I may know more about their interests than I do of those of New England. I readily support a resolution looking to an inquiry with reference to the industries of New England as to those of any other part of the country. I believe we should realize that, if our foreign commerce is to be properly guarded, it must require from us and from the administration thoughtful and constant attention.

Mr. LEWIS. Mr. President, if I fancied from the reading of the resolution now before the Senate that it could even be considered by the Government of Great Britain as a criticism of this Government upon its purely internal policy, or a criticism by the Senate upon an act of Great Britain without even investigation, however much it might be presumed to be against our interests, I would move to lay the resolution on the table and would do all I could to see that success followed my motion.

But, Mr. President, I am impelled to the view that what the eminent Senator from Utah [Mr. KING] has said and what the Senator from North Dakota [Mr. MCCUMBER] has said will either be justified completely or to their own minds disclosed to be without foundation when they have heard from the Secretary of State, in response to the resolution, just what are the facts.

I take it, sir, that the resolution has no other purpose than to ask of our own Secretary of State as to any steps taken by that department as to the two things, either the modification or the suspension of any part of the embargo. If nothing has been done, that is the response; if anything has been done, then a description of it; that is the response.

Mr. President, I wish for myself to say that I trust that in these discussions no national prejudices shall ever cloud the fair presentation of an economic question. Britain has a right to her economic policy, and no ancient prejudices or, indeed, present political grievances, if such existed, should be urged in this body to wrongly color or to influence wrongful accusation against her. She has a right to whatever policy she wishes to undertake. We have a right to whatever policy we shall undertake. So, as the resolution merely inquires of our Secretary of State for information for the benefit of the body, I am unable to see that the strictures of the eminent Senators are appropriate. It is only because it is an inquiry addressed to our own Government for information that I give it my support.

Mr. KING. Mr. President, just a word. The Senator from Illinois [Mr. LEWIS] yesterday regarded the action of Great Britain in laying a temporary embargo as of great importance; indeed, as I understood him, he felt that perhaps this was the beginning of a trade war, and in the closing sentence of the Senator's speech he practically told Great Britain to beware of the War of 1812. He evidently regarded the conduct of Great Britain as provocative of criticism, and possibly as the beginning of an economic war and fierce rivalry between the two nations; and possibly, because of the warning note that he sounded, he regarded the action of Great Britain in laying this embargo as a grievance that might result in either trade wars or possibly in a more serious controversy. Certainly if England so intends this policy, then she might regard our questioning her policy as a criticism, in view of the fact that we began the practice and are not yet free from it. However, I have no such idea concerning England's attitude toward the United States. She wants the most cordial and friendly relations with this Government and with the American people. She expects to be and will continue to be our most valued foreign purchaser.

The Senator from Georgia [Mr. SMITH] adjures us to look after our business interests and domestic affairs. In his earnest appeal we all join. It is important that every possible course be adopted to increase our trade and commerce. Our Nation can not live only for herself. Important as is our home market, we must find in the world around us markets for billions of dollars of products annually. Our prosperity depends upon this.

Mr. POINDEXTER. Mr. President, if this resolution only inquired for information, as seems to be assumed by those who have supported it, possibly there would be no serious objection to it; but the resolution goes much further than that. It reads:

Resolved, That the Secretary of State be, and he is hereby, requested to inform the Senate, if not incompatible with the public interest, what steps, if any, have been taken by the Department of State to request the British Government to modify or suspend such prohibition.

That is not a request for information as to the facts, as to the conditions upon which this embargo was based, but it is a request for information as to what action has been taken by the Secretary of State to carry out a policy in opposition to the policy which has been decreed by Great Britain in this matter.

Mr. WEEKS. Mr. President, may I suggest to the Senator from Washington that if no action has been taken the reply would be to that effect, and if some action has been taken it would outline the course which the State Department had followed in the matter. It does not commit the Senate to anything, but it merely asks for information as to what the State Department has done, if anything, with relation to the embargo which is being placed upon American and other products.

Mr. POINDEXTER. Mr. President, I think it would be much more dignified, if I may use that word, for the Senate to announce some policy of its own in a matter of this kind, instead of merely seeking to ascertain whether the Secretary of State has undertaken to mark out a policy for the American Government in opposition to the deliberate action of the Government of Great Britain in a matter so important as an embargo undoubtedly is.

Mr. WEEKS. Mr. President, may I suggest to the Senator that it would be a difficult matter for us to adopt a policy which Congress should follow until we have all the facts relating to the case? Presumably we may get some facts from the State Department on which we can base a policy.

Mr. POINDEXTER. As I understand, the resolution contains an implication that the Secretary of State ought to have taken some action of this kind. That necessarily would be implied.

Mr. MOSES. Mr. President——

Mr. POINDEXTER. I yield to the Senator from New Hampshire.

Mr. MOSES. Does the Senator wish to imply that there would be any impropriety in the Secretary of State taking such action or making an inquiry of the British Government to that effect?

Mr. POINDEXTER. That is a matter of opinion, a matter of policy. In answer to the Senator I will say that my own personal opinion is that it would be a mistaken policy for the Secretary of State to make such inquiries, unless he is in possession of information that has not been presented to the Senate as to the nature of the embargo. The mere fact that Great Britain has laid an embargo upon certain importations certainly is not sufficient ground for the Government of the United States to put itself in opposition to that policy and to take official action to oppose a policy which Great Britain has a perfect right to adopt, and which she has applied to all the world without discrimination.

Mr. MOSES. Mr. President, if that is so, then the unbroken policy of the State Department has been improper and groundless, because it has been the continuous policy of the State Department, as I know from personal experience, to keep watch over all governmental action of the kind here described, and to instruct our diplomatic representatives in the various foreign capitals to take immediate steps in protestation against governmental action which may be detrimental to the extension of our foreign trade. I happen to have passed through some episodes of that kind myself, where, by the interposition of the State Department, I was instructed not only to make representations at the foreign office, but to use minatory language toward the government to which I was accredited in cases exactly like this. The archives of the State Department and the archives of every diplomatic commission of the United States in foreign countries are full of instances of that kind, and the unbroken policy of the State Department has been certainly to take immediate action in such cases. The resolution of the Senator from Massachusetts simply asks what has been done under the policy which we know to have existed for a long time in the State Department.

Mr. POINDEXTER. Mr. President, I thought the Senator rose merely to ask a question. I might comment on the fact that the case which he has in mind, if I am correctly informed, where the Senator, at that time occupying a diplomatic position under the Government, was instructed to use minatory language, was the case of a small, weak country.

The Senator was never instructed to use minatory language toward a great power such as Great Britain. That has been quite a marked line of demarcation in the foreign policy, I may say in the recent years, during the present administration, of the Government of the United States. We pursue quite a different policy toward Costa Rica and Haiti from the policy we followed upon the sinking of the *Lusitania* by the German Empire. There is quite a marked distinction; because when the Senator who now graces a seat in this body from the State of New Hampshire was minister to Greece he was instructed to use minatory language on account of some action which Greece had taken—which I presume it was entirely within the rights of Greece to take—I am somewhat surprised to note the suggestion apparently implied in his remarks that the Secretary of State would be exercising a wise discretion to use minatory language in this case toward the Empire of Great Britain.

Mr. MOSES. Mr. President, the mere fact that the policy of using minatory language was applied to a small government does not change the principle of the thing at all. The fact is that the policy of the State Department has been to protest—I suppose the instructions to its diplomatic representatives were couched in different terms, according to the conditions at the seat of government where the representative was a resident—but the policy and the practice have remained exactly the same, that wherever action was taken in a legislative body or by ministerial decree which threatened the market for American products our diplomatic representatives have been instructed to make representations; and in many cases it will be found from a reading of the dispatches that the diplomatic representatives did not wait for instructions, but, knowing that to be the policy of the State Department, have made their representations to the foreign office in advance of any instructions from Washington. The resolution of the Senator from Massachusetts, as I gather its sense, merely asks what has been done.

Mr. POINDEXTER. I decline to yield to the Senator now for a speech.

Mr. MOSES. I beg the Senator's pardon.

Mr. POINDEXTER. I will take my seat in just a moment.

Mr. TOWNSEND. Mr. President, may I ask the Senator from Washington a question?

Mr. POINDEXTER. Yes.

Mr. TOWNSEND. I do not understand the word which the Senator used. Is it "miniature" language, or what is it? I did not quite catch it.

Mr. POINDEXTER. It sounds very much like that word. I was only quoting the Senator from New Hampshire.

Mr. TOWNSEND. Well, does the Senator understand what the word means? I am at a loss to know.

Mr. POINDEXTER. I think a great deal of "miniature" language has been used. I think the Senator knows what that means. It means just the opposite, however, of what the Senator from New Hampshire undoubtedly described by the word "minatory."

There is not any doubt at all, Mr. President, that the President of the United States has, in the absence of legislation, the initiative in conducting the foreign affairs of the country, and the Secretary of State is exercising part of the powers that are vested by the Constitution in the executive branch of the Government. Under him are the ambassadors, the ministers, and consular agents; but the question of the mere propriety or legality of an action is a very different thing from the question of the wisdom of it or the propriety of it, if you use the word "propriety" in the sense of whether or not it is a wise policy.

I want to say in regard to the action of Great Britain and of France, which I have heard criticized a good deal in recent weeks in several different particulars, that in cases where they were exercising that prerogative of a people to take care of their own interests, I have rather admired them for it, even in cases where the action was more or less detrimental to certain interests in the United States. It is highly desirable, also, that we should protect our interests. I admire Great Britain for taking the step if it tends to protect her business interests. It might be that when we know what the facts are, after we have had an opportunity to examine the case, the Senate would decide that the United States would be justified in requesting Great Britain to modify her attitude, because of its injurious effects upon the industries of the United States. But I do not think we ought to take such action, either expressly or by implication, unless we are sure that we are justified in doing it, and that the interests involved are of sufficient importance to cause us to question for a moment such steps as Great Britain has seen fit to take within her legal rights, without discrimination against the United States, to foster her interests. That is especially true because of the situation in which Great Britain finds herself at the end of a four years' struggle for her exist-

ence, when her resources have been taxed to the utmost; when her industries have been absorbed in the manufacture of munitions, have been dislocated, and in many instances destroyed; when her economic situation has been revolutionized; when supplies have been accumulated; and when new means for readjusting industrial life may be found necessary.

Mr. WEEKS. Mr. President——

Mr. POINDEXTER. I yield to the Senator.

Mr. WEEKS. I think I have something of the same sentiment with regard to what Great Britain is trying to do in protecting the interests of her own people; and it is the unanimous sentiment of the business interests of Great Britain that such a course should be taken. I have not seen a single statement for months which has not been along that line.

If the Senator will pardon me for just a minute, I want to read—for I have in my hands an account of the meeting of the Bradford Dyers' Association—something that was stated two years ago by the president of that association in connection with the trade conditions. He says:

> In conclusion, may I be permitted to say that in my opinion the greatest hope for the future lies in our ceasing to act in the interests of party or class, and in the recognition that after the war we should be ready and determined to judge every question from the standpoint of imperial interests only. The problems which will confront us after the war are such as seem to demand a government representative of all parties and classes, devoting its attention almost entirely to the effective organization of all the resources of the Empire.

Mr. POINDEXTER. I think Great Britain is justified in such action as that; and, looking upon her conduct in as impartial a spirit as possible, I admire the wisdom of her government in taking such steps to enable her industries to recuperate from the exhaustion of this war. I am informed that both France and Great Britain have been prudent and diligent during the war in preparing for the continuation of their foreign trade and commerce and their domestic industry at the close of the war. In that respect they compare very favorably with the United States; and the comparison is to the disadvantage of the United States, because we have neglected what they have diligently sought.

I noticed a few days ago that representatives of the administration, representatives of the Federal Trade Commission, were speaking in different parts of the country urging the American people not to seek to acquire foreign trade in competition with France and Great Britain, saying that it would be taking advantage of our allies in their exhaustion after this great war; that we ought not to interfere with the foreign trade of our competitors. From other sources in the administration, from the highest sources, we have seen statements that the United States ought not to profit by this war; that we ought not to come out of the war with any advantage—an altruism that is almost superhuman—the argument that although we have been forced into a great war by Germany, although we have exhausted our resources in the defense of our institutions and of the lives and rights of American citizens, though we are right and our enemy wrong, we should not ask for reparation or for indemnities. Our allies are asking for them; but those who are in control of the American Government are set in their policy that the United States, which shared the expense and the sacrifices, shall ask for no indemnity.

Mr. President, there is no idealism that is worthy of the name, there is no spiritual development that is admirable, that has not its foundation in material things. You can not develop the mind and the morals of a man unless he has some of the material necessities and comforts of life. You have to minister to the physical prosperity and well-being of a nation in order to build upon that foundation any sort of spiritual exaltation, or this ideal spirit of altruism that now seems to govern our affairs. We ought to look out for our interests. France and Great Britain are justified in looking out for theirs, and I think that before we pass this resolution, asking the Secretary of State if he has protested against this embargo, we ought to inquire into the conditions and satisfy ourselves whether he would be justified, under the circumstances, in interfering with this action of Great Britain in the management of her own affairs.

Mr. KIRBY. Mr. President, I see no reason why we should not ask for the information as proposed in this resolution; and, so far as I am concerned, I am going to support it.

I am only going to speak because of some observations made by Senators who apparently fear that the passage of this resolution might militate against some contemplated action on the part of the Government hereafter that they may think would be desirable to protect the potash manufacturers and the wheat growers.

It seems to me that it is about time that it is understood in the United States of America that the Government is not going to guarantee a price of $2.26 a bushel for the entire wheat crop of 1919, when the winter crop had not all been planted to the date the armistice was signed, and of spring wheat one-half the entire crop has not been planted yet, and when neither of the crops will be harvested under the same conditions that existed when this guaranty was proposed, before the war ended.

I am not at all in favor of these embargoes and restrictions talked about here, and that are expected, on the part of the Government, to protect one part of the people of the United States at the expense of all who must eat in this country of ours; I am not in favor of such a policy at all. If these potash manufacturers, who have been spoken of here as having made potash at the request of the Government at a great loss to themselves, were encouraged by the Government to do that under such conditions that the Government ought to pay them for any loss they may sustain, it is well to have the Government do it, and not to levy a burden upon all who must use potash in production of crops in this country in order that it may be done; and the same thing is true about this wheat crop. Not half of it has been planted yet, and it will all be harvested under entirely different conditions than those existing at the first planting even, and the Government ought not to be expected, under such conditions, to make all the people who must eat pay prices of this sort hereafter for the benefit of wheat growers.

Mr. WOLCOTT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Delaware will state it.

Mr. WOLCOTT. I desire to inquire what disposition was made of the amendment offered by the junior Senator from Utah [Mr. KING].

The PRESIDENT pro tempore. The third section of the preamble, the Chair is informed, was stricken out.

Mr. McCUMBER. Mr. President, I should not have been greatly surprised if I had heard the voice of a free trader strongly in support of this resolution; but I confess it does surprise me somewhat to find a dyed-in-the-wool protectionist offering a resolution that does, no matter how much we may put on the soft pedal, criticize another Government for adopting a policy of protection to its own citizens.

Whatever you can say of this resolution, it is a resolution inviting the Secretary of State to inquire for a purpose, and that purpose is to request the British Government to modify or suspend this prohibition. What right has the legislative assembly or Congress or Parliament of one country to request of another country that it modify its own domestic policy with reference to importations? What would be the sentiment of the United States Congress if the British Parliament should introduce and pass a resolution protesting against a tariff levied by the American Congress? We would resent it, and we would resent it, I think, truthfully and earnestly.

If the Senator from Massachusetts should simply inquire of the Secretary of State what steps he had taken to meet any condition that was against our interests, or what inquiry he had made, it would present an entirely different question; but this, Mr. President, is not an inquiry for the purpose of determining what Great Britain has done or purposes to do. It is simply an inquiry to determine why we have not protested against the action of the British Government. For my part I do not consider it a very appropriate thing to do, especially in the face of the fact that we as Republicans, we as protectionists, are in favor of levying such a prohibitive tariff as will enable the American producer to produce anything that can be produced in the United States as against any foreign competition.

We have seen the prices of dyestuffs mount some thousand per cent in a very few months on account of this war. We are now starting in this country the manufacture of dyestuffs to supply the American manufacturer of cotton and silken fabrics. I hope that we will put a duty on dyestuffs sufficiently large to enable the American producer to get on his feet; and I would not care, Mr. President, if it went so far as to operate as an absolute prohibition of any importation.

Again, for the purpose of prosecuting our war, which we expected in all probability might last over another year, and to secure food for ourselves and our allies, we voted, by a very large majority, at least, that we would fix the price of bread and flour for the next year considerably above the market price. Now, there is just one way in which we can maintain that. I do not care whether we maintain it by a direct congressional embargo or under the system of a license now adopted. We will keep out Australian wheat, we will keep out Canadian wheat, during the year 1919. Then why may we not expect a protest from Canada against such an embargo? Would the Canadian Parliament for a moment think of questioning our right to place an embargo, under the conditions, against Canadian grain?

Mr. SHERMAN. Mr. President——

Mr. McCUMBER. Here is a little country, one-third the size of the State of Minnesota, with 35,000,000 people to take care of. She must import everything upon which she places the hand of labor from every section of the earth, and then reexport it again from Great Britain. With her very life depending upon her ability to manufacture and to give work to her labor, we criticize her; and I am not saying that so much in reference to the Senator's resolution as in reference to the remarks which were made yesterday, in which we threatened that she would meet the spirit of 1812 if she dared to place an embargo against the importation of articles into Great Britain, while she must do so in order to protect her own citizens.

I for one, Mr. President, protest against our criticizing any nation that is doing exactly the same thing that we have been doing in the past and that we shall be compelled to do in the future.

Mr. WEEKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield; and if so, to whom?

Mr. McCUMBER. Pardon me; I yield to the Senator from Illinois, who first rose.

Mr. SHERMAN. I wish to inquire if the Senator does not think the billion and a half recommended by the late Secretary of the Treasury to establish credits for the purchase of raw materials might not have prompted a spirit of gratitude on the part of Great Britain?

Mr. McCUMBER. The question answers itself. I yield now to the Senator from Massachusetts.

Mr. WEEKS. I do not know that finally I will be in a position to criticize Great Britain for the action which has been taken, but the Senator from North Dakota very truly says they are trying to protect their industries and keep their people employed. I said two or three times that very action prevents us from employing our people in this country. When I see men walking the streets in the Massachusetts shoe cities because the trade with Europe has been cut off, the million dollars of business we were doing in that line with Great Britain was stopped suddenly two years ago, and the embargo has not been removed, I say that I prefer, if one is necessary, to see the workmen of Great Britain walking the streets rather than the workmen in this country.

Mr. McCUMBER. Let me answer the Senator. When we put 60, 70, and 100 per cent duty on woolen goods we did not ask the question whether as a result of that it would compel British workmen to walk the streets. We were looking after American interests. I agree with the Senator. We are both good protectionists. I believe in protecting our people, but I do not believe in criticizing another country for doing exactly the same thing that we are doing.

Mr. WEEKS. The Senator from North Dakota is far too keen a man not to see the difference between prohibition and protection. This embargo is prohibition. It stops all trade.

Mr. McCUMBER. So an embargo against wheat will be a prohibition. It will stop all importations of wheat and we have got to stop it all from coming into this country?

Mr. REED. Why?

Mr. McCUMBER. Simply because we have so provided in our law, as a war measure.

Mr. REED. That wheat shall not be shipped in?

Mr. McCUMBER. Certainly.

Mr. REED. Where is that clause in the law?

Mr. McCUMBER. I will tell the Senator where the clause is. We have done this: We have provided that we will fix the price——

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 13308.

Mr. WEEKS. I ask unanimous consent that the resolution may go over without prejudice.

Mr. POMERENE. I object.

The PRESIDENT pro tempore. Objection is made, and the resolution will go to the calendar.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. When the Senate adjourned yesterday evening we were considering an amendment offered by the Senator from Virginia [Mr. SWANSON] to the committee amendment inserting section 6. That amendment is now before the Senate, I understand.

Mr. KELLOGG. If the chairman of the Committee on Post Offices and Post Roads will listen to me for a moment, that amendment was offered for printing and to lie on the table. I should like to offer an amendment to section 6, which has been printed for several days, if the Senator does not object at this time. I do not think there is any serious objection to the amendment.

Mr. BANKHEAD. I have no objection in the world to the amendment. I think it is a very proper one.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Minnesota [Mr. KELLOGG] to the amendment will be read.

The SECRETARY. In section 6, page 37, line 13, after the word "act" insert the following proviso:

Provided, That where the constitution of any State prohibits the same from engaging upon internal improvements, or from contracting public debts for extraordinary purposes in an amount sufficient to meet the monetary requirements of the act of July 11, 1916, or any act amendatory thereof, or restricts annual tax levies for the purpose of constructing and improving roads and bridges, and where a constitutional alteration or amendment to overcome either or all of such prohibitions must be submitted to a referendum at a general election, the sum to which such State is entitled under the method of apportionment provided in the act of July 11, 1916, or any act amendatory thereof, shall be withdrawn by the Secretary of the Treasury from the principal fund appropriated by the act of July 11, 1916, or any act amendatory thereof, upon receipt of the certification of the governor of such State to the existence of either or all of said prohibitions, and such sum shall be carried by the Secretary of the Treasury as a separate fund for future disbursement as hereinafter provided: *Provided further*, That when, by referendum, the constitutional alterations or amendments necessary to the enjoyment of the sum so withdrawn have been approved and ratified by any State, the Secretary of the Treasury, upon receipt of certification from the governor of such State to such effect, shall immediately make available to such State, for the purposes set forth in the act of July 11, 1916, or any act amendatory thereof, the sum withdrawn as hereinbefore provided: *And provided further*, That nothing herein shall be deemed to prevent any State from receiving such portion of said principal sum as is available under its existing constitution and laws.

Mr. KELLOGG. Mr. President, I have submitted this amendment to the chairman and several members of the committee, and I am informed by the members of the committee that it is entirely satisfactory. There are two or three States, I am informed by the road department, which have a provision in their constitutions, some of which are now being amended, which would prohibit them from taking advantage of the full amount of this appropriation, and the object is simply that so much thereof as can not be taken advantage of immediately shall be set aside by the Treasury and not paid over to the State until the constitutions are amended. That is the condition in my own State, where a constitutional amendment is being submitted at this time. I understand the chairman has no objection to this amendment.

Mr. BANKHEAD. I think it is a proper amendment.

Mr. SWANSON. It can not be adopted at present, because the amendment I offered to the amendment must be disposed of first.

Mr. KELLOGG. I understood that the amendment of the committee is subject to amendment now.

Mr. SWANSON. The amendment I offered yesterday has not been disposed of.

Mr. KELLOGG. I offered this amendment before the Senator from Virginia offered his amendment, and it has been lying on the table.

Mr. NELSON. Will the Senator from Virginia allow me? This amendment is to the same section as the amendment offered by the Senator from Virginia.

Mr. SWANSON. I have no objection to the amendment. I think it ought to be adopted.

Mr. KELLOGG The Senator does not object to its being considered at this time?

Mr. SWANSON. But when the Senate adjourned yesterday my amendment was under consideration and it should be disposed of. I think there is no objection to my amendment, which was under consideration when the Senate adjourned, and it should be disposed of first.

The PRESIDENT pro tempore. The Chair is informed that the parliamentary situation is that the amendment of the Senator from Virginia was pending at the time the Senate adjourned, and therefore it is in order at this time.

Mr. KELLOGG. Then I offer this as an amendment to the amendment of the Senator from Virginia.

Mr. SWANSON. I have no objection to it.

Mr. LENROOT. I wish to ask the Senator whether the language of his amendment would not prevent a State from receiving any of this money where under its constitution it would be entitled to receive and expend a portion of it, but not to the amount that is provided in the bill?

Mr. KELLOGG. No; I have added a proviso. A proviso at the end takes care of that. The State may receive any sum which it can under its constitution allow.

Mr. SMOOT. The Senator offers his amendment, I understand, to the amendment offered by the Senator from Virginia. That would be an amendment in the third degree. The amendment of the Senator from Virginia is an amendment to the amendment of the committee.

Mr. KELLOGG. Then I will withdraw my amendment for the present.

The PRESIDENT pro tempore. The amendment is withdrawn. The question is on agreeing to the amendment of the Senator from Virginia to the amendment of the committee.

Mr. VARDAMAN. I ask that the amendment to the amendment be read.

The PRESIDENT pro tempore. The Secretary will read the amendment to the amendment.

The SECRETARY. At the end of line 15, strike out the period, insert a colon and the following words:

Provided, That so much of the appropriation apportioned to any State under the said act approved July 11, 1916, or under this section, for any fiscal year as remains unexpended at the close thereof shall be available for expenditure in that State until the close of the second fiscal year succeeding the close of the fiscal year for which such apportionment was made, except that amounts apportioned for any fiscal year to any State which has not a State highway department shall be available for expenditure in that State until the close of the third fiscal year succeeding the close of the fiscal year for which such apportionment was made.

Mr. LENROOT. Mr. President, I am opposed to this amendment. I do not think it ought to be adopted. The only justification that we have for making these tremendous appropriations for roads at this time is to take care of unemployment that exists or may exist throughout the country. This amendment changes the existing law in this respect. The present law provides that if the amount allotted to a State is not expended by the State during the year for which it is allotted it may be carried into the next fiscal year. In other words, it gives a State two years in which to expend the money that is allotted to it under the law. The pending amendment proposes to extend that one year and give them three years in which to expend this money.

Mr. President, what is the situation before us? In view of the condition of the Treasury, it seems so plain that Congress ought not to be making appropriations for unnecessary improvements, desirable though they may be, unless it be for the purpose of taking care of unemployment. I believe that is necessary. I believe an appropriation for roads is one of the best means we can use for taking care of this unemployment. But, Mr. President, this appropriation ought not to be considered as a grab bag by each State to get its share, and if it does not use it now, when unemployment exists, that it may use it two or three years later.

It ought to be treated as an unemployment question. That is not a local question. That is a national question. If we have 500,000 unemployed men walking the streets in three States like Illinois, New York, and Pennsylvania, that is not a local question to those three States. The unemployment of that half-million men affects every State in the Union, and we ought to take care of that unemployment in some such way as this. So I am in favor of appropriating $100,000,000, $125,000,000, or $200,000,000, if necessary, for the purpose of taking care of this unemployment and at the same time receiving a benefit in the way of improved roads in this country.

Mr. WADSWORTH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from New York?

Mr. LENROOT. I yield.

Mr. WADSWORTH. I am impressed by what the Senator from Wisconsin says about the necessity for taking care of unemployment. May I ask him to give me his opinion of the proviso at the end of this section, to which it is now sought to add a second proviso? I have reference to the proviso which provides that preference shall be given to honorably discharged soldiers, sailors, and marines. Is it not a fact that if there were 500,000 men who are now unemployed, with the exception of a small percentage they are soldiers, sailors, and marines?

Mr. LENROOT. I think that is true. I do not think the proviso, so far as unemployment is concerned, will be very material, although I see no harm in it. I take it for granted that, in so far as employment can be provided, private industry is going to give preference to our returned soldiers and sailors. But, aside from the question of providing employment, how can these appropriations be justified?

The Senator from Tennessee [Mr. MCKELLAR] said yesterday, when he was asked where we would get the money to pay these vast appropriations, "We will take it out of the profiteers." I wish to call the attention of the Senator to the fact that in the revenue bill, the conference report of which will soon be presented, the Democratic side of this aisle unanimously voted to reduce for 1920 the excess-profits tax, thereby reducing the revenue $2,000,000,000. I wish to call the attention of that side of the aisle to the fact that while the provisions they have made for 1920 will bring only a revenue of $4,000,000,000, the estimates made now, not including appropriations of this character for 1920, amount to $8,000,000,000.

Where are we going to get the money? Are we going to continue to vote bond issues in time of peace? If not, where is the money coming from? The eminent chairman of the Committee on Post Offices and Post Roads was asked that question the other day, and this was his reply:

Mr. KING. Has the committee having this bill in charge taken into account the ways and means by which the revenue is to be obtained to meet these rapidly increasing expenditures?

Mr. BANKHEAD. That is the business of the Ways and Means Committee of the House and the Finance Committee of the Senate. They will attend to that.

According to the Senator's idea there is no responsibility upon Senators and Members of Congress who are not members of the Finance Committee or the Committee on Ways and Means with reference to the expenditures of the Government; "they will attend to that."

Mr. President, one of the reasons why the party on that side of the aisle will be in the minority instead of the majority soon is just because of that attitude upon their part, not only now but in the past, treating the United States Treasury as one of boundless resource, seeking to get all the dollars they can get for their own States, irrespective of the national needs or of the condition of the Treasury as a whole.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. LENROOT. I yield.

Mr. THOMAS. I am in full sympathy with the Senator's criticism, but I am unable to perceive any difference, either of opinion or conduct, on this question on either side of the Chamber.

Mr. LENROOT. There is this difference, I may say, and I called attention to it a moment ago: While that side of the aisle is continuing and proposing tremendous appropriations, that side of the aisle is attempting to fix a fiscal policy for 1920 reducing the revenues of the Government $2.000,000,000. That side of the aisle is responsible for that and not this side.

Mr. THOMAS. That is true, Mr. President. This side of the aisle at present is in charge of such legislation. Nevertheless, I believe the amount of revenue which we propose to raise by that bill is just as much as the business and producing energies of the country now can stand; and I do not believe after the Senator's party comes into power it will augment the amount of revenue very much by additional revenue bills.

I may also say that members of the Finance Committee representing the other side of the Chamber, where there was no partisanship, so far as the discussion of items of the bill was concerned, were quite as willing to consider and act upon the proposed reductions as members upon this side.

Mr. LENROOT. I am very glad the Senator from Colorado does not at all agree with the chairman of the committee that we may go on and make these endless appropriations and trust to the Finance Committee of the Senate to find the revenue.

Mr. THOMAS. I said so the other day—I think Saturday morning—and expressed myself along that line as well as I could.

Mr. LENROOT. I am fully in accord with what the Senator from Colorado stated the other day.

Mr. MCCUMBER. Mr. President, I should like to ask the Senator if American industry is at such a low ebb that it can not give employment to the hundreds of thousands of men, how that American industry, through an income tax or any other kind of tax, is going to pay for the enormous additional expense of cutting down hills and digging up trees by the roots?

Mr. LENROOT. I can not answer the question. The Senator should address his question to some one upon the other side of the aisle, who is taking the position that we can make appropriations in unlimited amounts and still the revenue in some way will be forthcoming to meet them.

I wish to say again that I believe it is necessary to provide for unemployment during the next year. I believe that the improvement of roads is one of the best means which can be found to take care of that unemployment, because in the building of roads we have as high a percentage of labor cost as in any other public work in which we might engage.

Mr. McCUMBER. May I ask the Senator does he not think there is a much better way, and that is to take such action as will put our industries on a prosperous course and allow the industries to earn money and to give the employment?

Mr. LENROOT. The Senator from North Dakota knows even much better than I that between now and the 4th of March it will be impossible for Congress to legislate in any such way as that. He knows it will not be done, and the fact that there ought to be legislation, in which I fully concur, does not excuse Congress if it shall fail to do what it can temporarily do to take care of this unemployment.

One of the reasons given by the Senator from Virginia [Mr. SWANSON] for the introduction of this amendment was that there were some legislatures which would not be in session this year, and the States would not, therefore, be able to take advantage of this appropriation, and therefore it should be extended so that those States in which the legislature does not meet this year might later on avail themselves of the appropriation.

Mr. President, in this crisis of the country if there is any State in the Union whose legislature is not willing to be called in special session by their governor to do their part toward meeting this situation, instead of saying to Uncle Sam, "We think you ought to do it all," that State is not entitled to a dollar of these appropriations. Each State ought to assume at least a portion of the burden of solving these questions, and it ought not all to be left to the National Government. I would say that any State which has an unemployment situation, or any State which has problems of readjustment, if their legislature will not meet in special session and avail themselves of this appropriation, if it shall be made, is not entitled to any appropriation at all. On the other hand, if the amendment be adopted we will find this situation in those States undoubtedly. They will take the position, "the building of roads costs more now than it will a year or two from now, so we will not build roads in this State now. We have the money from Uncle Sam. We will let it pile up, and we will wait two or three years and get it then, when we can build more roads for the same amount of money than we can build to-day."

Oh, Mr. President, it can not be justified, and this appropriation can not be justified for a single moment, except alone upon the theory of providing for unemployment.

Mr. SWANSON. Mr. President, I am for this appropriation because I believe it is a wise policy. It should be a national law. Travel is national, State, and local. Travel being national, State, and local, the appropriations for road improvements should be similar.

England has had a system, local in character, as suggested by some Senators, for centuries. She would never have builded such roads as she now has had she left the local settlement of the question to the counties and local authorities there. When she appropriated money out of the national treasury to aid the local, England began to have a splendid system of roads. France had a similar experience. There has been good improvement in those States where the State has aided the local authorities. When the Federal Government has a vast travel over State roads, it is but right that it should pay its part of the burden.

Congress appropriates vast sums a year to carry mail over the railroads, and yet when you come to carry mail over the post roads a great many people do not want to pay anything for that privilege. If it is right to pay to carry mail over the railroads, it is right and proper to pay a just and fair sum to improve the roads that the Federal Government uses for its mail. It is strange some people will antagonize every proposition to pay for carrying mail over country roads and yet never offer any antagonism to paying for carrying mail over the railroads.

If there ever was a time when this Government can afford to go into road building it is now. We have millions and hundreds of millions of dollars' worth of material in the Army and Navy that could be utilized for this purpose—trucks, road-building material, and machinery of all kinds—which will be wasted and useless unless this appropriation is made and that material made available and turned over to the Federal and State Governments, thus permitting the Federal Government to do its part in constructing these roads.

It is a wise national policy. It is a policy that the country is entitled to have.

The same antagonism was offered to the rural delivery, the same criticism was made, the same objection was made that is now offered to road improvement. I was a Member of the House and was on the first committee which reported the first $10,000 for rural delivery. We were antagonized for contending for rural delivery, as we are now for insisting on national aid to public roads. It grew. It had a hard and strenuous fight, but to-day nothing has done more for the country than rural delivery, and there is nothing to the repeal of which there would be more objection than the great system of rural delivery.

What is this amendment of mine? Under the present law, if the money is not made use of by the local authorities or State authorities the succeeding year it is divided among all the other States. This is an increased appropriation that is being made, and some of the State legislatures are not in session. You would have to call them suddenly into session in order to avail themselves of this money. This amendment provides that if the money shall not be used in the succeeding fiscal year it may be used in the second fiscal year in order that a great many of the States in which the legislatures are not now meeting may have time to meet and provide for this matter.

It seems to me to be but right that the States should have this opportunity to get their part of this appropriation. I think it helps to give employment, but I am not for this legislation solely because it gives employment. I favor it as a national system of road improvement. I believe we will never have a fine, good, splendid system of national roads until the Federal Government, the State government, and the local communities bear a just and fair share of the burden.

Mr. LENROOT. Mr. President——

Mr. SWANSON. I yield.

Mr. LENROOT. The Senator has just stated that the Government has millions of dollars' worth of equipment that it might utilize for this purpose. I wish to ask the Senator whether it is not a fact that under the bill and under the law now existing the Government could not use a single truck for the purpose of constructing these roads?

Mr. SWANSON. This bill turns over to be used on these roads such material as the War Department will not need in the Army to be used in road construction. There is an amendment carrying that. I think if there ever was a time when the National Government can start on this work efficiently, start on it well, it is this time. You will have a great many engineers and a great many people who have been employed on road construction for the Army and for the Navy in France and here, and if there ever was a time when the Government could economically and well enter upon a national policy of the constructing of public roads now is a good time.

This amendment is not material, but it does seem to me to be just. The latter part of it provides something with reference to States which have not highway commissions. I think every State now has a highway commission. That is simply carrying out the provisions of the law which existed before. I am willing for that portion to be eliminated.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from North Dakota?

Mr. SWANSON. I yield.

Mr. McCUMBER. I desire to ask the Senator a question for information. The Senator has stated that these roads are all national roads. Well, that is true in my own State and in every Northern State of which I know. One can there go anywhere and use the public roads; but I find that if I go down the Shenandoah Valley I have to pay 5 cents a mile for driving over the public road; at least, that has been my experience in the last few years, though I do not know whether or not that has been the policy in the last few months. I want to ask the Senator from Virginia whether the United States Government in delivering mail on the Shenandoah Valley road pays tolls?

Mr. SWANSON. I should think that was formerly so, because that road was built by a turnpike company, which was a corporation in which the State of Virginia was a large stockholder. I think now the State of Virginia has taken that road over and made it a State road. I am satisfied that no tolls are now being collected; but originally that road was constructed by a corporation, in which, as I have said, the State of Virginia was a large stockholder.

Mr. McCUMBER. And after the State of Virginia gets a nice little sum to build her roads she will at least stop charging the Nation for going over them.

Mr. SWANSON. I think every tollgate has been taken off since the State of Virginia took that road over. The State of Virginia did not get any dividends from the money previously collected on the road, but, as I understand, it was all spent on its improvement.

Mr. McCUMBER. I am not saying anything in criticism of it, but I simply want to know whether the Government of the United States has been paying tolls, as private individuals have been doing.

Mr. SWANSON. I should think it has been, although I do not know. It was a corporation which built this road—the Valley Turnpike Co. Some private individuals had stock in the company, and the State of Virginia was a stockholder. Now, I think the State of Virginia has taken over this, that it is a State road, and that there are no tollgates on it.

Mr. McCUMBER. Then we, who pay about four-fifths of the taxes for the purposes of these roads, will be entitled, I presume, to drive over them as freely as we now drive over other roads.

Mr. SWANSON. The Senator from North Dakota says, "We who pay about four-fifths of the taxes." These roads are to be constructed by Federal aid.

Mr. McCUMBER. No; I say we who have paid four-fifths of the taxes for the construction of the roads now to be built under this appropriation.

Mr. SWANSON. There is no payment of four-fifths under this bill by anybody. The Federal Government simply pays one-half upon the roads upon which it carries its own mails.

Mr. McCUMBER. I understand that.

Mr. SWANSON. How the Senator can say anyone pays four-fifths, I can not understand.

Mr. McCUMBER. I say that of the sum which will pay this one-half four-fifths will come from the Northern States. That is what I mean.

Mr. BANKHEAD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Alabama?

Mr. SWANSON. I yield to the Senator.

Mr. BANKHEAD. In answer to the question of the Senator from North Dakota [Mr. McCUMBER], I desire to say that if he will read the bill he will see that it expressly provides that no part of this appropriation shall go to roads where tolls are charged. That language is in the original law; it has always been in the law; and the road to which he refers has never received a cent of this money, and never can if it charges tolls.

Mr. McCUMBER. Anything that will knock down the poles across my drive in going through Virginia I shall look upon with great favor.

Mr. SWANSON. They have disappeared, I will say to the Senator.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Virginia yield to the Senator from Minnesota?

Mr. SWANSON. I do.

Mr. KELLOGG. If the Senator is willing to eliminate what I understood to be the latter part of the amendment as to three years, I think, as the Senator from Wisconsin says, the law now takes care of two years, and so does not need any amendment at all.

Mr. SWANSON. The law says "succeeding year," and my amendment says "the second year."

Mr. KELLOGG. The "succeeding year" is the second year.

Mr. SWANSON. I will explain it to the Senator. If the appropriation is confined to this year or is made to expire in the first part of the next year the legislature would have to meet in the meantime in order to secure the benefit of this legislation. Some legislatures do not meet except once in two years, and they would be compelled to hold an extra session in some States in order to get the funds to comply with this law.

Mr. KELLOGG. I think the Senator from Virginia is entirely mistaken, because this law applies to this appropriation, and this appropriation is not going to be made in the last fiscal year, but in this fiscal year. Then any sum not appropriated will go over to the next year, just as the Senator from Wisconsin has stated. I think the law now takes care of it. If the Senator will look it over I am sure he will see that it does.

Mr. SWANSON. My attention was called to the matter by the highway commissioner of Virginia, who stated that our legislature would not meet this year. It was at his suggestion that I offered the amendment. Other States are similarly situated.

Mr. KELLOGG. Do I understand that the Senator has eliminated the last part of his amendment?

Mr. SWANSON. The last part of the amendment may be eliminated, because every State has a highway commission now.

Mr. SMOOT. Mr. President, I trust that this amendment will not be adopted by the Senate. The existing law would authorize as to the $50,000,000 provided for, for the fiscal year ending June 30, 1919, the legislature of any State to provide for the same amount for building these roads any time until June 30, 1920. With the amendment it means that the appropriation of $50,000,000, which is asked for at this time, based upon the fact that it is to be used primarily for giving employment to the unemployed of this country; that the legislature of a State, if this amendment is adopted, need not even draw the money from the Government until June 30, 1922, the second appropriation of $75,000,000 until 1923, and the third appropriation not until June 30, 1924.

Then, under this amendment—although I understand now that the Senator from Virginia is perfectly willing to eliminate it—if a State does not have a highway commission there can be one year more added to the years to which I have already called attention.

I think, if there is any justification for making these appropriations, they ought to be made for this year, if possible; that the expenditure of the money ought to begin as quickly as possible, and let a future Congress take care of the $75,000,000 for the fiscal year ending June 30, 1921. The next Congress or the Congress two years hence will know very much more, Mr. President, about the condition of the Treasury of the United States and the ability of the people of this country to pay taxes than we do at this time. We should not at this time be obligating the Government of the United States to pay hundreds of millions of dollars when we scarcely know how we are going to meet the expenses of the Government for the coming fiscal year.

Reference has been made to-day to the amount of taxes which will have to be raised for the fiscal year ending June 30, 1920, or the coming fiscal year. Why, Mr. President, if we should take every dollar of profit of all the businesses in the United States it would not be sufficient to pay the obligations which the Government will be under for the next fiscal year. Ten billion dollars will not cover those obligations.

I say now that if it is undertaken to collect more than $4,000,000,000 out of the business of the country for 1919 by way of taxation the business interests of the country can not stand it; there will be failures from one end of this land to the other, and the panics which we have had in this country in the past will have been as zephyrs compared to a cyclone. So I want the American people to know now that they have got to purchase bonds next year—not this year alone but next year as well—not millions or hundreds of millions of dollars' worth but billions of dollars' worth. If Congress is going to appropriate money for the building of roads now, I think it ought to make one appropriation, and that it ought to require the money to be expended, if the States take advantage of this law, at the very earliest possible date.

I intend to offer an amendment, if no other Senator does, as soon as the pending amendment is disposed of, to strike out $75,000,000 for the fiscal year ending June 30, 1921. That means, Mr. President, under the pending amendment, if adopted, the States need not provide money or expend money upon these roads until the year 1924.

The Senator from Virginia says that we have been perfectly willing to pay the railroads for carrying mail over their roads, but that we were not willing to pay for carrying the mail over the country roads. Why, Mr. President, there is not a letter or a package being carried over the country roads wherever mail is carried that is not paid for by the Government. We have the rural route delivery; we have men employed by the tens of thousands for that purpose. I will admit that in the past they have not always been paid what they ought to have been paid for that service, and I am glad to see that there is some provision made here to take care of those men who labor in season and out of season, in all sorts of weather, and under all sorts of conditions, and that they are being recognized in this bill. However, the mail carried over the country roads costs the Government of the United States more, of course, in proportion than does the carriage of mail over the railroad lines, and it ought to do so. Nobody is objecting to that; but I do not want to hear arguments used in this Chamber that nothing is paid for that service.

Mr. President, all I shall ask is that the Senate record its judgment on this amendment. I think the present law which gives one year's time for the State to decide whether they desire to build a road or not, or to decide upon what roads the money shall be spent, affords a long enough time during which the Treasury of the United States should be bound. I hope that the amendment will be defeated.

Mr. JONES of Washington. Mr. President, the Senator from Wisconsin [Mr. LENROOT] has expressed my views in reference to these appropriations. I can justify such appropriations for the first year and possibly for two years, but I do not believe that the general terms of the existing law should be changed. This ought to be treated and considered as an emergency appropriation to care for the emergency that everybody fears is impending. So, Mr. President, I make the point of order against the amendment on the ground that it changes existing law. That seems to be conceded by everyone.

The PRESIDING OFFICER. Does the Senator from Virginia care to be heard on the point of order?

Mr. SWANSON. I will leave it to the Chair to decide whether the point of order is well taken.

The PRESIDING OFFICER. The point of order is sustained.

SENATOR FROM MICHIGAN.

Mr. POMERENE. Mr. President, I rise to move the present consideration of Senate resolution 415.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum is suggested. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Henderson	Martin, Va.	Sherman
Bankhead	Hollis	Moses	Simmons
Calder	Johnson, S. Dak.	Myers	Smith, S. C.
Colt	Jones, N. Mex.	New	Smoot
Culberson	Jones, Wash.	Nugent	Sutherland
Cummins	Kellogg	Page	Swanson
Curtis	Kendrick	Pittman	Thomas
Dillingham	Kenyon	Poindexter	Thompson
Fernald	Kirby	Pollock	Townsend
Fletcher	Knox	Pomerene	Underwood
France	La Follette	Reed	Vardaman
Frelinghuysen	Lenroot	Robinson	Wadsworth
Gay	McCumber	Saulsbury	Warren
Gerry	McKellar	Shafroth	Watson
Hale	McNary	Sheppard	Weeks

Mr. SHEPPARD. I desire to announce that the Senator from Kentucky [Mr. BECKHAM], the Senator from North Carolina [Mr. OVERMAN], and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

The PRESIDING OFFICER. Sixty Senators have answered to their names. There is a quorum present. The question is on the motion of the Senator from Ohio that the Senate proceed to the consideration of Senate resolution 415, which will be read.

The Secretary read the resolution (S. Res. 415), as follows:

Whereas a petition has been filed with the Senate of the United States by Mr. Henry Ford, of Michigan, contesting the election of Mr. Truman H. Newberry, of Michigan, as a Senator from said State, and asking for the preservation and recount of the ballots, and the investigation of the unlawful expenditures of money alleged to have been made by and on behalf of the said Mr. Truman H. Newberry, and notice thereof has been given; and

Whereas information has been received to the effect that in certain localities within the State some of the ballots are being destroyed, and that others are likely to be destroyed unless they are taken possession of by the Senate for the purpose of preserving and recounting the same: Therefore be it

Resolved, That the said petition and the papers and the documents accompanying the same be, and they are hereby, referred to the Committee on Privileges and Elections for investigation and report thereon.

Resolved further, That the said Committee on Privileges and Elections of the Senate, or any subcommittee thereof, be, and it is hereby, authorized and empowered to take possession of the ballots, poll books, tally sheets, and all other documents and records relating to the said election held for United States Senator in the State of Michigan on the 5th day of November, 1918, and that the Sergeant at Arms of the Senate be, and he is hereby, instructed to carry out the directions of the said Committee on Privileges and Elections, or any subcommittee thereof, in that behalf, and that the said Committee on Privileges and Elections, or any subcommittee thereof, be, and it is hereby, directed to proceed with all convenient speed to take all necessary steps for the preservation of the said ballots, poll books, tally sheets, and other documents, and to recount the said ballots, and to take and preserve all evidence as to the various matters alleged in the said petition and notice, and of any alleged fraud, irregularity, and unlawful expenditure of money in the said election and primaries, and to the intimidation of voters, or other facts affecting the result of said election.

Resolved further, That the Committee on Privileges and Elections, or any subcommittee thereof, be authorized to sit during the sessions of the Senate and during any recess of the Senate or of the Congress, to hold its sessions at such place or places as it shall deem most convenient for the purposes of the investigation, and to have full power to subpœna parties and witnesses, and to require the production of all papers, books, and documents, and other evidence relating to the said investigation; and to employ clerks and stenographers at a cost not to exceed $1 per printed page, to take and make a record of all evidence taken and received by the committee; and to keep a record of its proceedings; and to have such evidence, records, and other matter required by the committee printed.

Resolved further, That the Sergeant at Arms of the Senate and his deputy are hereby required to attend the said Committee on Privileges and Elections, or any subcommittee thereof, and to execute its directions; that the chairman or any member of the committee be, and is hereby, empowered to administer oaths; that each of the parties to said contest be entitled to representatives and attorneys at the recount and the taking of evidence; that all disputed ballots or records be preserved, so that final action may be had thereon by the full committee and the Senate; that the committee may appoint subcommittees of one or more members to represent the committee at the various places in the making of the recount and the taking of evidence, and the committee may appoint such supervisors of the recount as it may deem best; and that the committee may adopt and enforce such rules and regulations for the conduct of the recount and the taking of evidence as it may deem wise, not inconsistent with this resolution; and that the committee shall report to the Senate as early as may be; and from time to time, if it deems best, submit all the testimony and the result of the recount.

Resolved further, That the expenses incurred in the carrying out of these resolutions shall be paid from the contingent fund of the Senate upon vouchers ordered by the committee, or any subcommittee thereof, and approved by the chairman of the committee.

Mr. POMERENE. Mr. President, I would not rise to present this motion if I were not impressed with the fact that it is necessary under the conditions as they exist in the Michigan contest. It is not the idea of the committee that this Senate should finally decide upon the merits of this case. We understand, of course, that even if we attempted to do that it would not be binding on the succeeding Senate. I agree that unless there are extraordinary circumstances, which I do not have in mind now, the commission which is issued by the governor of the State is prima facie evidence of title, which would give the contestee the right to the seat temporarily or until the case shall be finally decided, but the issue goes beyond that.

This election was held on the 5th of November. The primaries were held in August or September. It appears of record in the State of Michigan that in this particular primary there was collected by a committee which had in charge the Newberry campaign $178,000, and that it expended $176,000 in that campaign. It is charged that the expenditures were perhaps two or three times this amount. I do not know what the fact is in that behalf. Suffice it to say that that amount, of which we have record, is an extraordinary amount, a sum largely in excess of any amount that has ever been expended in any State, so far as we have any record.

A notice of contest has been filed. It appeared before the committee that after this expenditure of money became known to the public, and particularly to the people of the State of Michigan, efforts were made to get Mr. Newberry to withdraw, but, it seems, without avail.

After this petition came into the Senate on January 27, 1919, this resolution asking for an investigation was favorably reported to the Senate. About the time that report was made, or a little later, a communication was sent to the United States Senate signed by the attorney of Mr. Newberry, Judge Murfin, who, I understand, is a very reputable lawyer, in which he makes certain countercharges against Mr. Ford, the contestant. I do not know what the purpose of the presentation of this communication was, but its effect upon my mind was to confirm me in the conviction that it was very necessary to inquire into all of the facts connected with the senatorial election. A full opportunity should be given both to the contestant and the contestee at the earliest moment possible to show the facts, whatever they may be; and I have faith that, after the facts are shown, the Senate will decide the contest in accordance with the law and the facts. It ought not to be otherwise, and I do not believe it will be otherwise.

Now, perhaps, Senators will inquire as to the necessity for beginning these hearings now; and I wish to address myself to that branch of the subject for a few moments. Bear in mind that the charges here are fraud, excessive expenditures in violation of the law, State and national. If anyone has been guilty of any charges of this kind, there are those, if we are to judge by what we know to be the usual experience in such cases, who are willing to get rid of the testimony.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. POMERENE. For a question.

Mr. KNOX. I only wish to inquire of the Senator from Ohio if there is any allegation on the record that any testimony is likely to be lost except the testimony of the ballots?

Mr. POMERENE. Yes, Mr. President; and I will address myself to that in a few minutes; but I want to lead up to it in the regular order.

There are about 2,200 precincts in Michigan. There is a statute which provides for a recount, generally speaking; but on five or six different occasions the Supreme Court of Michigan has held that in the case of contests, as for a seat in Congress, the State authorities do not have the power to order a recount, because they took the position—and I think erroneously—that inasmuch as the Constitution made the Senate or the House, as the case may be, the judge of the qualifications and elections of a Senator or a Representative, therefore the State authorities could not intervene; and the court has taken that position, even assuming that the commission had been issued where there was palpable fraud or a palpable mistake; so that the only thing that could be done in order to bring about a recount was to present the subject to the United States Senate.

Before it came here a proceeding was begun by the contestant in the United States courts in Michigan asking for a temporary injunction or restraining order for the preservation

of the ballots. A temporary restraining order was issued. Later on the contestant and contestee appeared before the committee and an arrangement was made looking to the preservation of the ballots. Let me say that before the notice of injunction was served upon the defendants in at least two cases the ballots at Marquette and at Saginaw Bay were destroyed, and one of the clerks—I think the clerk in the city of Saginaw—who had charge of these ballots made a statement to the effect that he had disposed of the ballots in that city for junk.

Mr. President, after some conferences here a stipulation was entered into by the counsel representing the contestant and the contestee. Later on an injunction was entered continuing the temporary restraining order. The committee was advised by Judge Murfin, representing Mr. Newberry, on January 21, as follows:

GRAND RAPIDS, MICH.,
January 21, 1919.

Hon. ATLEE POMERENE,
United States Senate, Washington, D. C.:

Pursuant to stipulation between Messrs. Ford and Newberry made in Washington Saturday, final court orders have been entered in both eastern and western districts in Michigan in the Federal court whereby ballots and boxes are now indefinitely preserved. This means they will be available 1 month, 1 year, or 10 years hence if a showing should ever be made making the Senate feel they wish to examine these ballots.

J. O. MURFIN,
Attorney of Record for Thurman E. Newberry.

Now, I shall not charge that Judge Murfin intentionally misrepresented the scope of this investigation; but I have before me a copy of the journal entry, and a copy of the stipulation was read into this journal entry. That reads:

The parties, by their counsel, will, and they do hereby, stipulate in the two cases between the parties pending in the eastern and northern districts of Michigan, respectively, that orders may be entered, and shall forthwith be entered, if the courts approve, that the injunctions shall be continued in full force as heretofore granted until such time as the Sergeant at Arms of the United States Senate may and shall take possession of the ballots and all the contents, records, and the like in the ballot boxes, including poll books, tally sheets, etc.

That the procedure of the taking possession by the Sergeant at Arms shall be fixed by the United States Senate, and the representatives of each party shall be present when the transfer of the ballots and papers shall be made from the boxes to the custody of the Sergeant at Arms.

It is understood that action shall be taken to transfer the ballots, etc., from the boxes in time so that the boxes may be used at the approaching April elections.

It is understood that this stipulation does not foreclose or prejudice either party as to the matters contended for by them respectively.

Signed by the parties, by their respective attorneys.

And the court being advised, it is hereby ordered that the restraining order heretofore entered and issued out of this court on the 28th day of December, 1918, be, and the same is hereby, continued in full force as heretofore granted until such time as the Sergeant at Arms of the United States Senate may and shall take possession of the ballots and all the contents, records, and the like, in the ballot boxes, including poll books, tally sheets, etc., relating to the November 5, 1918, election for United States Senator for the State of Michigan, and until the further order of this court.

Mr. TOWNSEND. Mr. President, a parliamentary inquiry. As I understand the rule, the Senator moving to take up a matter of this kind is not permitted to discuss the merits of the measure. I am not objecting to that, however; but my inquiry is, Will other Senators be debarred from discussing it in answer to what the Senator is saying?

Mr. POMERENE. Why, Mr. President, if that question is addressed to me, I surely will have no objection. I have understood that under the rules of the Senate a motion of this character, made after 2 o'clock, was debatable.

Mr. TOWNSEND. The motion to take it up is debatable; but the debate on the question itself, I have understood, has always been decided the other way. As I say, however, I am not making objection to it, except that if the Chair should rule as I have indicated, in case a point of order is made when an answer is attempted, I should feel obliged to invoke the rule now.

The PRESIDING OFFICER. Does the Senator raise the point of order? [A pause.] The Chair will say to the Senator that the motion is debatable, but the main question is not, under the rules of the Senate, as the Chair understands them.

Mr. TOWNSEND. That is my understanding—that the motion is a debatable one, but not the merits of the matter.

Mr. POMERENE. I have been in the Senate for eight years, and I have never heard of any restrictions being placed upon debate. I wish the rules might be so changed that there would be restrictions placed upon it.

Mr. TOWNSEND. I have no doubt that that is the rule. As I said, I have no objection to it myself; but I do not want to be debarred from replying, if a point of order is raised by anybody else, as I fear it will be. Then we would have an ex parte statement, and that I do object to.

Mr. POMERENE. I want to say to the Senator from Michigan that I hope no one will raise that point of order, if there is anything in the point of order.

Mr. TOWNSEND. I have no doubt at all of the good faith of the Senator from Ohio. I have no doubt about it; but if the Chair should rule, when a point of order was made, that it was not debatable and an answer could not be made, I can readily see where an unfair proposition would be presented to the Senate.

Mr. POMERENE. Mr. President, I shall be among the first to protest against anything unfair being done in this matter.

Mr. TOWNSEND. I think I will rely upon the good faith of the Senator, and not make a point of order.

Mr. REED. Mr. President, there is not any question on earth about the fact that when the Senator from Ohio takes his seat any Senator in this Chamber can be recognized, and he can speak in answer to the Senator from Ohio, or he can speak on any other question that he sees fit, provided he keeps within the rules.

Mr. TOWNSEND. That is not my understanding of the rule. My understanding of the rule is that in a case of this kind, on a motion to take up a bill or resolution, it has to be debated on the question as to whether it will be taken up to supplant another measure.

The PRESIDING OFFICER. The Chair has stated the rule; but he will apply the rule in exactly the same way to both sides, as far as the present occupant of the chair is concerned.

Mr. POMERENE. The last paragraph of this journal entry reads:

It is further ordered that the foregoing order shall not prevent the use of the aforesaid ballot boxes by any of the other defendants when necessary for lawful election purposes, and that this court reserves authority to permit the use of said boxes for lawful election purposes.

I read this to point out that notwithstanding the assurance which Judge Murfin gave to the committee and which I have no doubt, knowing his reputation as I hear it to be, was made in perfectly good faith at the same time, the order does not give the protection to these ballots which he suggested in the telegram.

Let me add further, in this connection, that while the statutes of Michigan provide that after the election the ballots shall be returned to the ballot box and sealed up and preserved, there is no stated time for this preservation, and the practice has been to keep them only until the next general election, and then they are destroyed; and the next general election will be sometime in the first week in April, as I am informed.

Mr. TOWNSEND. Mr. President, will the Senator yield for a question?

Mr. POMERENE. I yield for a question.

Mr. TOWNSEND. Does the Senator know that this week a bill passed the Michigan Legislature, and has become a law, providing for the preservation of these ballots at the petition of either of the parties or of anybody desiring a recount?

Mr. POMERENE. Mr. President, I did not know that the bill had passed. A form of a bill was presented to the committee, and it was said that it would be presented to the general assembly.

Mr. TOWNSEND. That bill has become a law.

Mr. POMERENE. I was not aware of that fact. Now, Mr. President, it may be that that law will provide for some further protection to these ballots. I hope it does.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. THOMPSON in the chair). Does the Senator from Ohio yield to the Senator from Missouri?

Mr. POMERENE. I do.

Mr. REED. Will the Senator permit me at this time to ask the Senator from Michigan whether he has with him a copy of that bill as passed?

Mr. TOWNSEND. I have.

Mr. REED. In the Chamber?

Mr. TOWNSEND. Yes, sir.

Mr. REED. I presume the Senator will present it, then, at the proper time?

Mr. TOWNSEND. I shall. I am going to have it read to the Senate.

Mr. POMERENE. Now, Mr. President, what I have said refers to only one of the questions involved in this contest.

The statement was made before the committee that shortly after publicity was given to these expenditures and the possible results, the correspondence belonging to the committee having in charge the Newberry campaign was taken out and burned. I think, in the present state of the record, I am justified in making the statement that there were large bank accounts, and that the checks which were drawn upon these accounts are also likely to be destroyed, if they are in existence now. More than that, it appears that some time, perhaps in November or December, possibly earlier than that, an inquiry into the question of these ex-

penditures was begun by the United States grand jury in the city of New York.

The corrupt-practices act provides that an itemized statement of the receipts and expenditures of the primary, as well as the general election, shall be filed with the Secretary of the United States Senate; but this act provides further that the deposit of this affidavit in the United States mail shall be construed as a compliance with the provision of the act requiring it to be filed with the Secretary of the Senate. The affidavit in this case was made and mailed by Mr. Newberry in New York, where he has a temporary residence, and it later reached the United States Senate.

These facts, it is believed, gave to the Federal court in New York City jurisdiction. Witnesses were subpœnaed to appear before the grand jury. I am basing my statement in part upon the briefs filed in the United States Supreme Court. Men who had charge of this campaign appeared before the grand jury and refused to testify, and presented as a reason for their refusal a written opinion which was furnished them by a lawyer to the effect that the Federal corrupt-practices act was unconstitutional.

I have had some experience in trial work, and never until this case did I ever hear that it was the privilege of a witness in a grand inquest, conducted by a grand jury, to plead the unconstitutionality of a statute. I understand, of course, that a witness is always privileged to refuse to answer a question where the answer might tend to incriminate him or subject him to disgrace. The witnesses in that case, after refusing to testify, were adjudged guilty of contempt, and the case is now pending in the Supreme Court.

Mr. President, the charges in the petition or memorial filed on the part of the contestant charge fraud and violations of the law. The charges filed in the memorial which is presented to the United States Senate on behalf of Mr. Newberry charge likewise extravagant expenditure of money and violations of law.

Under the circumstances, ought the United States Senate sitting now go forward and try to secure the evidence, such as it may be, or ought we to wait until the sitting of another Congress? That is the point; and in my judgment the Senate of the United States will be derelict in its duty if it does not take all the necessary precautions in order to preserve this testimony both for and against Mr. Newberry and for and against Mr. Ford.

It is to be assumed, of course, that the witnesses who will be called will be sworn, that they will be examined by the attorneys of either party, and perhaps by the members of the committee who may be sitting to hear the evidence. If any false testimony is procured on behalf of either party, then between this and the next session there will be plenty of opportunity to investigate it. If the testimony is true, then Senators as well as contestant and contestee ought to welcome it.

I am not concerned as to the outcome of this contest. I am concerned that the members of the committee and of the Senate shall do their duty as I think I see it, and see it clearly, so that it may not be said that an injustice has been done to either one party or the other because of the law's delay.

Mr. President, I want to take the time of the Senate for just a few minutes longer.

These charges do not come here alone from persons who are immediately interested, but the charges of corruption were made in the State of Michigan before the primary was held. A communication was sent to the Senate by Mr. Elbert H. Fowler, who, I understand, had charge of the Ford campaign, and in connection with it is a letter by the lieutenant governor of Michigan, Hon. L. D. Dickinson, dated August 22, 1918, in which he discusses conditions as they were during the preprimary campaign. I read a part of this letter:

> Men of all walks of life, who have the best interests of our State at heart, believe the men who are conducting your campaign for United States Senator are conducting one that will bring one of the greatest scandals on our State that Michigan politics ever saw, and have asked me to take the lead in attempting to rid our State of this blight.
>
> I note by your statement that you say you do not know of these things.

This letter was written prior to the primary.

> In giving you the information I will give you the terms that I hear everywhere in the 62 counties in which I have been recently. I have always had the highest regard for you, and must believe you will relieve the Republican Party and the State of a campaign that is now being likened to the notorious Lorimer campaign of Illinois a few years ago. The terms "boodle" and "rotten" seem to be general terms that I hear.

Another paragraph:

> Every section of the State shows evidence of an expensive newspaper campaign, costing thousands and thousands of dollars. Thousands of men are liberally paid for work at many more thousands of dollars, an expensive suite of offices with a large force sending out hundreds of thousands of letters to influential voters at more thousands of dollars, thousands of autos already engaged for use on primary day at many more thousands, that practically every opponent of the primary system is backing your campaign, and that hundreds of the experts who have figured in or conducted for money the wet campaigns of the past are among the most active of your supporters.
>
> Conservative estimates say everywhere from $250,000 to $500,000 is being used. The good people of the State are apparently powerless to give the voters these matters on short notice. In case you get the most votes, you must expect to have the placing of your name on the election ballot contested. If by technical reasons you succeed, then you must expect every church and moral organization to work until election night to keep our fair State from the baneful influence that success following such methods would leave for years to come.

It was said by one of the attorneys representing Mr. Newberry before the committee that notwithstanding that letter the Republican lieutenant governor supported Mr. Newberry.

Mr. Dickinson was reelected lieutenant governor at the same election by from 115,000 to 118,000 majority. Mr. Newberry's plurality was, on the face of the returns, 7,500. The conditions of Michigan were such that when Mr. Dickinson was inaugurated lieutenant governor of his State in an address to the State senate he said, among other things:

> Primary elections will call for action on your part. * * * More communications on this line asking for legislative action have come to me by far than all others combined, and almost without exception Republican, not only from all parts of Michigan, but from other States. This, you know, is the outgrowth of a candidacy that doubtless cost more money than ever before was paid for a nomination for office in all the world's history. * * * The individual or even party interests are of little note when the sanctity of the ballot and safety of democracy are at stake. From almost every part of the State come to me pleas that this legislature make it impossible in the future to witness the sale of a public office on the auction block, but rather that the laborer, the farmer, the business or professional voter, however humble but able and respectable, may have a chance with the man of millions.

If this statement came from an adversary, if it came from one of the opposite political faith, it might well be questioned, but when it comes from the lieutenant governor of a sovereign State, who was reelected by an overwhelming vote at the same election at which Mr. Newberry presented himself as a candidate for the United States Senate, it speaks volumes.

If this is the way in which this subject appeals to the official class of Michigan, and, I add, to the good citizenship of that great and good State, ought we to delay? When the lieutenant governor is appealing to the legislature of his State for additional legislation in order to prevent a recurrence of this situation, will the United States Senate sit silently by while this testimony may, in part, at least, be where we can not get at it if it is needed, if some future Congress insists that there ought to be an investigation and we do not?

If the situation is one-half as bad as described in the lieutenant governor's letter and his address to the Michigan Senate, does not the Senate of the United States owe it to itself to inquire what the facts are?

Statements are filed with this committee giving the names of reputable witnesses who, it is said, will be able to show that Mr. Newberry was in constant touch with his campaign committee. I shall await with interest the testimony on that subject. I do not care, and I shall not prejudge. Mr. Newberry makes the statement, as appears in the record in the office of the Secretary of the Senate, to the effect that he spent nothing in this campaign, that he received no contributions, and I think I quote him correctly when I say that his language was, in substance, that nothing was either received or expended to his knowledge. He does make a statement in one of the affidavits which was filed to the effect that he had heard some reports about the activities of some of his friends, but that they were purely voluntary. The letter which Mr. Dickinson, the lieutenant governor, first wrote to him was written to and received by Mr. Newberry a number of days before the primary was held, advising him as to the conditions that prevailed.

Let us look at the other side of the proposition. It is stated by Judge Murfin, on behalf of Mr. Newberry, in substance, that Mr. Ford and his friends conducted a campaign of very great extravagance and that they had violated the law. My answer to this charge is, if both have violated the law, then neither of them ought to sit here in the Senate.

And now, Mr. President, I wish to repeat very briefly that those Senators who favored this investigation and favor it now, lest the evidence be dissipated, do not ask and will not ask that this Senate shall attempt to pass judgment upon the title of either party to a seat in this Chamber. We are simply taking such steps as we believe are required of the Senate sitting now. Now should be the accepted time to take the testimony. It is not an unheard-of thing to begin proceedings for the preservation of testimony. The code of civil proceedure and the common law itself provide for methods to do this, and we are simply following the precedents in that behalf when we ask that the Senate authorize the committee to take up this subject and order the investigation now.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Pennsylvania?

Mr. POMERENE. I yield.

Mr. KNOX. I should like to make an inquiry, and I should like to have an answer if the Senator from Ohio is willing to make one. Suppose this investigation is pending and testimony is being taken at the time of the organization of the next Senate, what effect, in the judgment of the Senator from Ohio, would that fact have upon Mr. Newberry taking his seat under his credentials from the State of Michigan?

Mr. POMERENE. In my judgment, none whatever, unless some facts might develop, which I do not anticipate.

Mr. KNOX. I should like to know, if the Senator is willing to answer, what he means by facts developing. Facts of what nature developing, in respect to what particular phase of the matter?

Mr. POMERENE. Mr. President, I had nothing special in mind. I think, without an exception, so far as I now know, when a Senator presents his credentials in legal form at the time he seeks to be qualified, the Senate would have to seat him. The question can be taken up afterwards and determined as to whether he shall be unseated.

Mr. KNOX. In other words, as I understand the Senator from Ohio, the merits of the contest would have no bearing upon the right of the Senator to take his seat under his certificate?

Mr. POMERENE. I should think not.

Mr. President, I dislike very much to interfere with the consideration of the bill that is before the Senate, but I have felt an effort was being made to prevent the passage of this resolution at this session and to block the taking of any of this testimony, and I feel it a duty that I owe to myself, to the Committee on Privileges and Elections, as well as to the Senate to place briefly before the Senate the issue as I understand it, and then the Senate must take the responsibility.

Mr. TOWNSEND. Mr. President, I regret exceedingly that the Senator from Ohio [Mr. POMERENE] feels it is wise and best at this time to take up this Michigan senatorial controversy. He has admitted, to begin with, that this Senate has nothing to do with the qualifications and election of Mr. Newberry; that the next Senate has the power of deciding these questions, and, further, that any action which might be taken by the committee at this time might be absolutely ignored by the next Senate, and all the expense and time and trouble will have been wasted.

I wish to say at the outset that I am no more in sympathy with the illegal or extravagant expenditure of money than is the Senator from Ohio, and at the proper time, before the proper tribunal, if there shall be a basis of fact for investigation, I shall not oppose it.

I believe the proposed procedure in this case is wholly unwarranted and absolutely unnecessary. For the contestant, Mr. Ford, I have no ill feeling; I understand he has always been my friend, and I have no personal animosity against him. As a citizen and business man he has my great respect, but it is well for the Senate to understand the history of Mr. Ford's candidacy for the Senate and the circumstances which actuated and promoted it.

Some time in June of last year some practical Democratic politicians of Michigan, of whom the attorney for Mr. Ford in these proceedings was the principal advisor, as he is his advisor now, recognizing the fact that Michigan is normally strongly Republican, set out to defeat the party by indirection through the primaries. Mr. Ford was sent for by the President and went to the White House. He tells the result of the interview practically in this language:

> I do not feel qualified to act as Senator, have no disposition to be a Senator; but the President asked me to be a candidate in Michigan and I accepted that request as a command, and I am going to be a candidate.

When asked what party he was to represent, he said he had no particular choice; he was not a partisan man, but he consented to be a candidate on both tickets, the Republican and the Democratic. The fact that Michigan is strongly Republican makes it easy for our Democratic friends to go into the Republican primaries and nominate the man whom they would like to defeat. They have done it in the past. This time they endeavored to select the Republican nominee, not to defeat him but to defeat the Republican choice.

The Democrats joined in the Republican primaries for the purpose of trying to put upon that party Mr. Ford as their candidate as well as ours, because, while under the Michigan law a man can not run on two tickets for election, but must make his choice as to which one he will accept, it was arranged that he should refuse to accept the nomination on the Democratic ticket and abide by the privilege that was granted him to run as a Republican.

In the primaries he was defeated for the nomination on the Republican ticket but was nominated on the Democratic ticket. It is the campaign for the primary about which complaint is made, for I venture the assertion that if it were not for the primary there would not even be an allegation that there was any fraud in the election. It was the primary in Michigan that created the greatest disturbance.

In spite of the charges of rival candidates, Mr. Newberry was nominated by a substantial majority in the primaries and went on the Republican ticket as its candidate. The election was held, and something over a month after it occurred, and after the time had expired for filing a notice of a demand for a recount under our statute, Mr. Ford announced through his attorneys that he was satisfied with the election and should make no contest. Under our laws there is no provision for the preservation of ballots after the official count, the returns of the State board of election canvassers, and the certificate of election has been issued. Mr. Ford made no complaint at that time and for nearly a month thereafter.

The Senator from Ohio has referred to the fact that there is danger of the destruction of the ballots and that ballots had been destroyed. Mr. Ford in his petition to the Senator's committee set out that ballots had been destroyed, some of them at that time; but no notice had been given that a contest was even expected. These ballots were destroyed in accordance with the ordinary custom. They were destroyed in Marquette because there was an election in December following the November election, and they had to be destroyed in order to use the boxes. No one thought that they would ever be called for and there was not the slightest suggestion that these ballots were to be treated differently from the way ballots theretofore had been treated. I understand that is practically the situation in Saginaw and Port Huron. But it can not be shown, as I am informed, that there were any ballots destroyed after Mr. Ford had given notice or even suggested that he wanted a recount. The ballots have been preserved.

Now, mark you, sir, it was Mr. Ford who invoked the Federal courts of Michigan for preservation of those ballots. He secured a temporary restraining order in the two Federal courts of our State. Before the time for a hearing on those orders had arrived the representatives of Mr. Ford and Mr. Newberry appeared before the Committee on Privileges and Elections, and the legal representative of Mr. Ford expressed some doubt as to the validity or the power of the court which he had invoked. Therefore the two parties stipulated that the temporary restraining orders should be made permanent. Mr. Newberry's attorney went home, according to instructions, and appeared before the two courts and had those restraining orders made permanent, and they are so to-day, and the ballots are in the possession of the courts.

Notwithstanding that fact and realizing that possibly there would be a conflict between State and Federal authorities, I want to say here, by way of parenthesis, that I do not believe those Federal courts or this Senate can legally take possession of those ballots against the law of the State of Michigan, although there has been no action and no disposition manifested to interfere in the least with the preservation of the ballots, because Mr. Newberry, if there is to be a recount, is, I believe, more interested in the preservation of them than is Mr. Ford, as I shall attempt to show if this resolution is to be considered; but, notwithstanding this fact, Mr. Newberry's friends caused a remedial law to be enacted in Michigan to provide for the preservation of ballots, if invoked.

Mr. FLETCHER. Mr. President——

Mr. TOWNSEND. I yield to the Senator from Florida.

Mr. FLETCHER. I merely wish to inquire of the Senator, as he made reference to restraining orders issued by the court ordering those ballots to be preserved and retained, whether there was any modification of any of those orders to the effect that they would be held in reserve until the next election, or words to that effect?

Mr. TOWNSEND. Not at all. I have the orders here. I shall put them into the RECORD a little later so the Senator may see just what they were. They were in compliance with Mr. Ford's attorney's request to preserve the ballots.

Mr. FLETCHER. I understood there was some modification of one of those orders to the effect that they would be retained until the time came to use the ballot boxes again in which those ballots were placed.

Mr. TOWNSEND. I will put the restraining orders in the RECORD in just a moment when I come to them so the Senator can see just exactly what the orders were. They provide for preserving the ballots indefinitely.

I am making these preliminary remarks because this is a question which is going to require a great deal of time, if the

Senate sees fit to lay aside its legitimate business to take up the work of the next Senate. This proposed action admittedly will not be binding upon the next Senate. If Senators wish to do this they can, but the facts must be disclosed, although I shall be willing to yield at any time for the purpose of taking up the legitimate business of this Congress.

But to get back to the procedure, it was doubted by some, as I have said, that this power of the Federal court would be effective in restraining the destruction of the ballots; that they belong to the State and that the State would possibly ignore some order that might be issued which they regarded as unconstitutional, and therefore a bill was introduced in the senate and house of representatives at Lansing as soon as it was possible to prepare one, and at the earliest possible moment, not losing a single day, both houses passed the bill unanimously. Mr. Ford's attorney knew that this action was to be taken, and as I understand it he approved it. I have received a telegram from our governor, dated February 4, as follows—

House enrolled act No. 1, being an act to provide for the preservation of ballots cast for office of United States Senator in cases of contested elections or in cases where notices of contested election may be given, etc., has this day received my approval and is now a law in full force and effect in the State of Michigan.

ALBERT E. SLEEPER.

I shall put that bill into the RECORD. It provides that Mr. Ford may go into the Supreme Court, and to cover any possible question of jurisdiction it is provided that in the circuit court of the county of Ingham he may petition to have these ballots preserved, and provides the way in which it can be done, and everything has been done to preserve the ballots, and that was the only thing of any serious consequence that was presented to the committee showing that there was danger that something might happen to embarrass the investigation of this case by the next Senate.

But this is not the whole story of this proceeding. After Mr. Ford had been placed in the race in Michigan by the President of the United States, after the people of our State had decided in the primary that he was not the Republican nominee, and this after the Ford committee had published every one of these things which the Senator has brought out here, spread them before the people in the campaign for election, the people decided by a majority vote that Mr. Newberry was Michigan's choice for Senator. The Ford party or the Ford committee simply covered our State with advertisements, many pages of advertisements in the newspapers, calling attention to the fact that Mr. Newberry had expended $176,000 in the primary campaign and then, in connection therewith, statements showing that Mr. Ford spent $3,000,000 to build a hospital, and further stating that Mr. Ford, who had millions of dollars' worth of contracts with the Government, proposed to give his share of the war profits back to the Government. Those things were all published to the people. The people passed upon them.

Mr. Ford reached the voters several times during that campaign. His committee reports—and I shall have something to say about that later—or the Democratic State central committee reports, that it spent about $53,000. His own committee expended something like $1,500 or $1,800. Yet, Mr. President, when this question comes up I shall show one pamphlet that was sent out by the Ford people that must have cost at least $80,000 to print, mail, and distribute—one pamphlet alone. It is what was known as the pamphlet de luxe.

It is well that Senators should know all about this case and what influences may be inspiring it. Mr. Ford gave an interview for publication the other day in Los Angeles, Cal., stating that he spent no money for the nomination or election, but he would spend a million dollars, if necessary, to keep Mr. Newberry out of the Senate.

I can understand somewhat of this propaganda that is being urged, and I do not charge with indirection or bad faith the chairman of the Committee on Privileges and Elections, for whom I have the greatest respect; but he does not know it all. The thing has been misrepresented to him. He has asked that we lend the influence of this body, which has nothing to do with Mr. Newberry's primary or election, for the purpose of molding a public sentiment before trial in the next Senate, which may influence its action in regard to the seating of Mr. Newberry.

The Senator admits for the first time that Mr. Newberry's credentials, being proper and regular, he will be entitled to be sworn in on the day of the next session when he shall present himself to the Senate.

Then, I say, if the Senator, who will probably be on the Committee on Privileges and Elections, or any other Senator, feels, after looking over all the facts that have been presented, that an investigation for fraud or for any other purpose that would invalidate Mr. Newberry's seat should be made, he will not find me opposing him in his position; but, Mr. President, not only is there a determined and powerful influence at work to prevent the seating of Mr. Newberry, but I believe that there is the widest misrepresentation of facts connected with the election or the primary of which it is possible to conceive.

There is another incident, Mr. President, that ought to be borne in mind: The Senator from Ohio has referred to the grand jury proceedings in New York. After the primaries and in the very midst of the campaign for election, in October grand jury proceedings were instituted in New York City, a thousand miles, more or less, from Michigan.

That proceeding was instituted for the purpose of showing that the friends of Mr. Newberry and Mr. Newberry himself had violated the corrupt-practices statute of the Penal Code. Mr. Newberry's most influential friends were subpœnaed and haled down to New York, as well as all of the gentlemen from whom the Senator from Ohio has made quotations against Mr. Newberry—ex-Gov. Chase S. Osborn; Lieut. Gov. Lurin D. Dickinson; Grant M. Hudson, superintendent of the Anti-Saloon League; James Sweinhart, representative of the Detroit News; Louise De Lamater, stenographer; and Jay Hayden, representative of the Detroit News.

Then they called the following Newberry people: H. A. Hopkins, director of publicity for the Newberry committee; Paul R. Dailey, attorney; Milton Oakman, ex-county clerk, Wayne County; Guy Ingalls, city treasurer elect, Detroit; C. L. Sibben, stenographer; Margaret Nevin, stenographer; and Florence Shapiro, stenographer.

All of these people testified before the grand jury which was called for the purpose of investigating the charges of fraud which Mr. Dickinson and Mr. Osborn had made against Mr. Newberry. Finally they called upon Mr. Frank W. Blair. He was treasurer, as I believe, of the Newberry committee and is president of the Union Trust Co., of Detroit. They also called upon Mr. Allan A. Templeton, president of the Seamless Steel Tube Co., of Detroit, and Mr. Thomas P. Phillips, editor of the St. Clair Republican. Those three men refused to testify under advice of their attorneys, as I understand, believing that they were not compelled to do so under the law.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Does the Senator from Michigan yield to the Senator from Ohio?

Mr. TOWNSEND. Certainly.

Mr. POMERENE. May I ask the Senator who the attorney was who gave that advice?

Mr. TOWNSEND. To what attorney does the Senator refer?

Mr. POMERENE. To the attorney for Mr. Newberry.

Mr. TOWNSEND. I think it was the Hon. Martin W. Littleton. I do not think he was Mr. Newberry's attorney.

Mr. POMERENE. Was he the attorney who advised these witnesses?

Mr. TOWNSEND. My understanding is that the attorneys advised them with regard to this matter.

Mr. POMERENE. I do not care to interrupt the Senator's statement, but I want to call attention to another fact. As I understand, Mr. Newberry in the summer and fall of 1918 was living temporarily in New York?

Mr. TOWNSEND. He was. He was the commander in the third naval district. One of his sons was in the Army and the other was in the Navy. I am glad the Senator from Ohio asked me that question. Mr. Newberry was stationed in New York, and did not go into Michigan during the campaign, although some affidavits are with the committee to the effect that the commander was in Michigan. The affiants were mistaken.

But they called all these people down there to testify, and these three men refused to do so. I understand that Mr. Truman Newberry and Mr. John Newberry, the brother who had subscribed the largest amount of the campaign money, were in New York and were not even called upon to testify. Immediately the three men who refused to testify were committed for contempt of court. They were released on a writ of habeas corpus. The writs were contested before Judge Clayton, the circuit judge. He dissolved them and remanded the men to jail. An appeal was taken to the Supreme Court of the United States, and it was argued last week here in that court. Its decision will determine the validity of the corrupt-practices act, so far as it relates to senatorial primaries, and may settle the contention of this case.

Meanwhile the grand jury, which had all the facts that have been alleged in the statement by the Senator from Ohio, refused to return a true bill, and that fact was kept secret. Representatives of the Department of Justice held it secret with the hope, I verily believe, that it would have its effect upon the voters in Michigan just the same, because Mr. Newberry was practically being tried for corruption, but hoping that that trial would be considered as still in existence after

the grand jury had been dismissed. One of the jurymen, however, stated the fact that the jury stood 16 to 1 unopposed to any action against Mr. Newberry. That was published finally in the State of Michigan, and that juror was haled into court for contempt, but was afterwards dismissed.

Mr. POMERENE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Ohio?

Mr. TOWNSEND. Yes.

Mr. POMERENE. The question I assume was, as I understand the issue in this case, as to whether or not this was a correct affidavit. Necessarily the members of the committee would have some information touching those incidents.

Mr. TOWNSEND. I do not know to what the Senator from Ohio refers.

Mr. POMERENE. The witnesses who were found guilty of contempt did not testify before the grand jury.

Mr. TOWNSEND. No.

Mr. POMERENE. So that the grand jury did not have the benefit of whatever information they may or may not have had.

Mr. TOWNSEND. No, Mr. President, these three witnesses did not testify. It was a test case on these three witnesses, but all the people who had to do with the fund or the management of the campaign outside of the office, and some of those in the office, did testify, and they testified to all these statements of complaint. Mr. Ford's friends called the men by whom they hoped to prove those alleged facts and had them sworn, but the jury found no cause for action; yet, I repeat, that fact was held secret until by accident it came out that Mr. Newberry was relieved of the charge that was made against him of having indulged in corruption—either he or his friends.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New Hampshire?

Mr. TOWNSEND. Yes.

Mr. MOSES. Will the Senator from Michigan be good enough to state by whose orders this secrecy was maintained?

Mr. TOWNSEND. I can not tell; I do not know by whose order it was done. I simply know secrecy was employed. The Senator may imagine that I am indulging in suspicion when I put 2 and 2 together; but when I remember the origin of Mr. Ford's candidacy and close it with his statement in Los Angeles the other day, that he would spend a million to keep Mr. Newberry out of the Senate, I can understand that this may have been a part of the scheme to defeat Mr. Newberry in that election which was being waged at the time, and, failing in that, to keep him out of the Senate.

Mr. POMERENE. Mr. President——

Mr. TOWNSEND. If the Senator desires to deny that, I will yield.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield; and if so, to whom?

Mr. TOWNSEND. I will continue to yield to the Senator from New Hampshire.

Mr. MOSES. Does the Senator from Michigan know the name of the presiding judge in these proceedings—whether he was a judge for the district in which the proceedings were held, or whether he was an outside judge who had been brought in there to hold this term?

Mr. TOWNSEND. I think Judge Clayton does not belong to the southern district of New York; and he was the presiding judge.

Mr. MOSES. Does the Senator from Michigan know from what judicial district Judge Clayton comes?

Mr. TOWNSEND. He comes from the Alabama district, whichever that is. I do not remember the number of the judicial district which includes Alabama.

Mr. MOSES. Had Judge Clayton been sitting regularly in the court when this proceeding was had?

Mr. TOWNSEND. I do not know.

Mr. MOSES. I do not wish to break in upon the Senator's argument, but I have heard that judges from outside jurisdictions are frequently called to sit in the Federal courts in New York for reasons which it may be improper to discuss here, but which in cases like this would justify many deductions.

Mr. POMERENE. I am not able to hear what the Senator from New Hampshire is saying.

Mr. TOWNSEND. I yield to the Senator from Ohio.

Mr. POMERENE. My understanding was that one branch of this case was tried before some judge who is resident in New York and another branch of it came before Judge Clayton. Judge Clayton is one of the judges who is constantly ordered into other jurisdictions to try cases.

Mr. TOWNSEND. He was ordered into this jurisdiction, anyway; that is certain.

Mr. POMERENE. And it is hardly a fair inference, knowing Judge Clayton as we do, to suggest that he would be guilty of any improper conduct on the bench.

Mr. TOWNSEND. I am not suggesting it.

Mr. POMERENE. Allow me to make a further suggestion. I know nothing about the so-called secrecy of the proceedings to which the Senator refers, but I do know a little something about the practice which prevails. Where a criminal case is not pending on a transcript, it is not usual to give publicity to any grand-jury proceedings, so that even if these proceedings were secret, it was simply the practice which prevailed in every other inquiry.

Mr. TOWNSEND. It fitted pretty well in this scheme, if there was a scheme. I disclaim any——

Mr. POMERENE. The Senator, of course, can draw any inference he desires.

Mr. TOWNSEND. One moment. I disclaim any attempt or disposition to discredit Judge Clayton, with whom I served in the other House and for whom I have great respect. I am simply reciting the facts. The Senator from New Hampshire asked me who presided, and I told him.

Mr. President, as I stated a moment ago, this case is going to take a long while to present. I have some papers which I wish to produce at the proper time and read to the Senate, touching the Ford activities in the campaign, touching the classes of advertisements that were used, and everything that was done, as well as what was done by Mr. Newberry and his friends.

I ought to say, in answer to one statement of the Senator from Ohio, that I doubt if he has any affidavit or any statement worthy of the least credence which shows that Mr. Newberry's friends have tried to destroy any evidence. There is evidence—and I shall present it to the Senate—in the form of affidavits that the Federal Government, through some of its representatives, indulged in the most unconscionable and improper methods imaginable to get evidence against Mr. Newberry, but obtained nothing of value. I shall be able to show to the Senate that representatives of Mr. Ford, but claiming to be representatives of the Federal Government or of some agency of the Government, went to various county clerks who had the custody of the ballots and the election records and sought to investigate or to look into those ballots, and in some cases took the records out of the office and carried them away into some secret room.

I have in mind one case in particular, where they came into the clerk's office when there was a girl in charge, the clerk being out, and represented to her that they were legal officers of the Government, entitled to all of the papers connected with the election. So she handed over to them the election returns, the tally sheets, and everything of that kind, and they took them out of the office. When the clerk returned, he went out after the records and brought them back, but not until these agents had had them for some time. If there has been any effort to tamper with the ballots and election returns in Michigan, it has not been exerted by Mr. Newberry's friends.

I think I speak for Mr. Newberry when I say that he courts the fullest investigation as to the election and as to the primary, if an investigation as to the primary shall be held valid, at the proper time and by the proper court. He joined with Mr. Ford's attorney to preserve the ballots. He it was who instituted the proceedings providing for a State law to preserve the ballots, for fear the objection might be raised that the Federal court did not have jurisdiction over the matter. He stands ready now, as do his friends, to disclose the facts before the proper tribunal; but, Mr. President, this Senate shall not with my consent—and if it is done it must be done with my utmost opposition—go out and investigate this case ex parte for the purpose of trying to shape public sentiment that may be able to operate upon the next Senate, which is to convene after March 4.

Mr. REED. Mr. President——

The PRESIDING OFFICER (Mr. SWANSON in the chair). Does the Senator from Michigan yield to the Senator from Missouri?

Mr. TOWNSEND. I yield.

Mr. REED. The Senator used the expression "this Senate shall not with my consent go out and investigate this case ex parte." Does the Senator mean that anybody proposes to go out and conduct an investigation where both sides shall not have the privilege of being represented?

Mr. TOWNSEND. I have no faith in an investigation that would be made at this time. I will say that to the Senator.

Mr. REED. That is highly complimentary to the membership of the Committee on Privileges and Elections.

Mr. TOWNSEND. It has been represented here by some Senators that all they wanted to do was to preserve the testimony, which was likely to be lost. That is not the attitude of the Senator from Ohio. He desires to go out and take all the testimony he can in reference to this case. Now, necessarily there is not enough time to take all the testimony before the Congress ends. I feel sure, however, that an effort will be made to make a case against Mr. Newberry. So far as the ballots are concerned, of course they could not be counted in a year, if that is what is intended. Those 438,000 ballots, in 2,166 ballot boxes scattered all over Michigan, could not be counted in a year, and it is not the intention to count them. The Senator says he wants to preserve some of those stub checks in Detroit. Oh, they will all be preserved; there is no disposition to destroy them. The very witnesses who, it is stated, did not testify are among the very highest class of gentlemen in the State of Michigan.

Mr. POMERENE. Mr. President——

Mr. TOWNSEND. I yield to the Senator.

Mr. POMERENE. Is the statement correct, that I made on the authority of representations laid before the committee, to the effect that the correspondence of this campaign committee had been burned?

Mr. TOWNSEND. I presume so—a good deal of it. Does the Senator know a campaign committee on earth that preserves all of its correspondence which has accumulated during a campaign? Does the Senator do that?

Mr. POMERENE. Yes, Mr. President; I have all of my correspondence, or did have, for a considerable time after the election.

Mr. TOWNSEND. That is the most remarkable statement I ever heard in my life. I have had some experience in campaigns——

Mr. POMERENE. I never had anything to cover up.

Mr. TOWNSEND. No; probably not. That induces me to say something that comes into my mind, but I guess I will not do so.

Mr. POMERENE. I do not want that to be misunderstood. I did not mean that as referring to the Senator, of course.

Mr. TOWNSEND. I know that it is absolutely true that campaign committees do not keep their correspondence for months after an election where there has not been the slightest suggestion that there is any part of it which will ever be needed. It can not be done, and it is not done. But there will be nothing more destroyed. If you want anything that has not already been destroyed, as the Senator suggests, you can enjoin through the State courts the destruction of anything that is necessary in this proposed hearing or investigation.

I believe that the Senator is laboring under a great misapprehension if he believes that there is anything in this campaign on the part of Mr. Newberry and his friends that they want to cover up. I believe that they made a truthful statement as to the expenditure of money. It was too much money, but they believed they had a right to spend what they did in advertising. Why did they feel that way?

Mr. Ford is probably the best-advertised man in the United States outside of public life, and is better advertised than most men in public life. He spent hundreds of thousands of dollars in 1916 advertising his peace propaganda and the reelection of Mr. Wilson. He has advertised in every section of the United States, and especially in Michigan. He has a Ford agency in every little hamlet in our State, and I shall show from the affidavits here that those agencies generally were Ford's headquarters during both the primary and the election campaign. I shall show that, while the records disclose, according to his report in Wayne County, that only about $1,800 were subscribed to his personal campaign fund by his friends—and his friends constitute those who have business relations with him, the men who contract to furnish him wheels, auto bodies, and other parts for his cars—contributed generously to the Democratic State central committee, and that committee employed its efforts largely to elect Mr. Ford.

I repeat that one pamphlet alone issued by the Ford people in his campaign is reported to have cost more than is returned by the Democratic State central committee and the Ford senatorial committee put together.

I am not using this as an argument to excuse Mr. Newberry if he has violated the law, because I know that it is no excuse for a wrongful act that some one else has done a similar thing; but I am thinking of the candidate who was running against him. That candidate was advertised all over the State of Michigan. He has spent hundreds of thousands of dollars in accomplishing it. He had 45,000 employees, and those employees were notified by their superintendents that Mr. Ford was a candidate for the Senate.

Mr. Newberry had the Federal employees against him. There probably were 10,000 of them in Michigan. For some strange reason——

Mr. REED. And the State employees for him and the county employees for him, I presume?

Mr. TOWNSEND. I do not know about that; some of them probably were, but they were legitimately interested in the campaign, but I am talking about the forces arrayed against Mr. Newberry. Another strange thing that I wish to suggest is this: The President put Mr. Ford into the race for Senator. The President had openly opposed the election of the junior Senator from Wisconsin [Mr. LENROOT], because he thought that Senator had not always supported his war measures. The President went into the State of Georgia to defeat the junior Senator from that State [Mr. HARDWICK], because he alleged that Senator was not loyal; he went into Mississippi to defeat the junior Senator from that State [Mr. VARDAMAN] for the same reason. Yet, he took up Mr. Ford in our State, who had approved of all of the opposition that was made to the war measures and would not be able to stand the acid test of any war proposition, and asked the people of our State to nominate that man as Senator from Michigan. Mr. Newberry had those influences against him.

There is another strange thing, which I shall show at the proper time. We have a list of the subscribers to the Ford campaign fund filed in Michigan. I think something over 100 postmasters subscribed to the fund; that is, to the fund of the Democratic State central committee, which was in reality the Ford fund. A peculiar thing occurred in regard to that. In looking over the list I found subscriptions of $33.33, $61, $70, and all kinds of peculiar sums, which I thought were very strange to be put down on a subscription blank. I had some of them figured out. In one county, for instance, it was found that all of the subscriptions were exactly 1½ per cent of the salaries paid to those officers. In another county the subscriptions paid by the postmasters subscribing to the fund amounted exactly to 3 per cent. There was method in it; there is no doubt about that.

Mr. Newberry had all of those influences against him. His committee believed that under the law they could advertise and circulate any amount of publicity literature in the State of Michigan. Mr. Newberry's friends believed that could be done legally, and they did it; but I am informed and believe that not one dollar was expended to corrupt a voter.

Mr. Ford advertised his influence. He advertised his benefactions. He advertised the assumed fact that he was going to turn over his profits out of his war contracts to the Government. Why, you and I know that under the bill that is now pending 80 per cent of those profits will be taken in taxes anyway by the Government. But he now states in his interview in California that he can not control the minority members of the company, and he does not know what they are going to do with their share of the profits, but it is his share, of course, that he is disposing of for political purposes; and 80 per cent of that already has the Government lien upon it.

Mr. President, I mention this not as an excuse for any improper expenditure of money, because if it has been improper I shall not countenance it; but I am thinking of the kind of a campaign they had in Michigan. It was not the campaign of a poor man against a rich one.

It was the campaign of a man of the greatest influence, the best-advertised man in our State, against a man who was not personally known by our people. During the Spanish War he enlisted in the Navy and served through it. He was afterwards made Assistant Secretary of the Navy, and then, by Mr. Roosevelt, made Secretary of the Navy. When the late war broke out, he enlisted in the Navy again, and was made a commander in the third naval district. His boys entered the service, as I have stated. His life has been honorable and distinguished by exalted service to his country. His high character has never been questioned. His honor and integrity have never been impeached. He has, however, never mixed politically with our people. He became a candidate for Senator while he was serving in the Navy, and the only way that he could reach the people, as against the influence of Mr. Ford, was through the press; and his friends used that press most liberally. There is, however, very little difference between the amount of advertising space he occupied and that which was occupied by Mr. Ford. The only difference is that Mr. Newberry's committee reported $176,000 expenditures, and Mr. Ford reported through his committee $53,000.

So, Mr. President, if this Senate feels that in a matter over which it has no proper jurisdiction it wishes to occupy the time which should be devoted to the business of this Senate, it can do so; but before we are through here the hundreds of affidavits which I have that bear on this subject shall be presented to the Senate, because, as I said before, Mr. Newberry has been attacked in the Senate, and the other side must be shown. I be-

lieve in fair play, and if public sentiment is sought it must be intelligently bared.

That is my position, Mr. President. I do not wish anybody to understand that I wish to stand in the way of rapid, speedy, intelligent consideration of legislation that the country needs. The Post Office appropriation bill, which it is proposed to displace by this political measure—because, I care not what you say about it, it is nothing else than that—should be considered and completed.

Great emergencies growing out of reconstruction, the problems which are on our hands for solution, have no business to be laid aside for the purpose of making an investigation that may be ignored by the next Senate. It may absolutely ignore the whole of your work and have another committee investigate, and we will have spent thousands of dollars in a vain thing, the result being simply to incite partisan feeling and possibly prejudice, when there should be no prejudice in the trial of a case before the next Senate.

Mr. President, I have said this because I have felt that some of these facts should be known. The statement of the Senator from Ohio has compelled me to say this much in reply. I shall be more explicit if the resolution is taken up. I have prepared this case in due form, systematically, having affidavits bearing upon all the points which I desire to present to the Senate, and if it is your pleasure to take up this resolution now and displace all of the proper legislation of the Senate, I am prepared to go ahead with it.

Mr. President, I ask consent to insert as a part of my remarks the temporary restraining order and the permanent injunction order issued by both our Federal courts, and also a copy of the Michigan statute which was passed this week.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

House enrolled act 1.

An act to provide for the preservation of ballots cast for the office of United States Senator in cases of contested elections, or in cases where notices of contested elections may be given, or in cases where any judicial proceedings may have been instituted preliminary to contesting elections to the office of United States Senator.

The people of the State of Michigan enact:

SECTION 1. Whenever the election of a United States Senator is contested before the United States Senate, or notice of a contested election for United States Senator may be given, or whenever any judicial proceeding may be instituted preliminary to a contested election involving the right to a seat in said United States Senate from the State of Michigan, and it shall be made to appear to the Supreme Court of the State of Michigan that there is danger that the ballot boxes used in the election of said United States Senator within said State will not be properly preserved, the seals upon said boxes interfered with, said ballot boxes opened or the ballots therein interfered with or destroyed, such supreme court shall grant a restraining order directed to the officers having custody of said ballot boxes within said State restraining them and all other persons from interfering with said boxes, seals, or locks thereon, or the ballots therein except as therein provided.

SEC. 2. Application for such restraining order may be made by any candidate for such office and shall be made by petition duly verified under oath setting up the material facts relative to the election and the election contest involved. Such petition shall be heard in open court, and the court shall give such notice of the hearing on such application as it shall deem sufficient to the candidates for the office of United States Senator in the election concerning which the application was filed and to such persons as shall be named in such application. Pending such hearing any justice of the supreme court may, in his discretion, grant a temporary order restraining any interference with said ballot boxes or the ballots therein.

SEC. 3. Service of any restraining order may be made personally, as in the case of the service of other process of said court, or such service may be made by registered mail. In cases of emergency, notice of the issuance of a restraining order may be given to the officers to whom the same is directed by telegraph or by telephone in advance of the actual service of said order, and after such notice, whether by telegraph or telephone, said officers shall be charged with the same duty with regard to the preservation of said ballot boxes and the ballots therein as after the service of said order.

SEC. 4. On being served with a copy of a permanent restraining order issued by said court, it shall be the duty of all officers having the custody of ballot boxes containing ballots cast at said election for said office forthwith to deliver the same to the county clerks of the counties in which such officers reside. It shall be the duty of said county clerks to receive such ballot boxes containing such ballots and to receipt therefor to the officers so delivering them. Said county clerks shall thereupon deposit said ballot boxes containing said ballots in some secure place to await the action of the commissioners herein provided for.

SEC. 5. Upon issuing permanent restraining order as herein provided, the supreme court shall name three commissioners who shall proceed to the offices of the several county clerks as soon as may be, open said ballot boxes, remove the ballots therefrom, place them in packages securely wrapped and sealed and so marked as to show in what voting districts such ballots were cast.

SEC. 6. Such packages shall be sealed by said commissioners and redeposited with said county clerks, and it shall be the duty of said county clerks to again place said packages of ballots in some secure place pending the further order of the court. It shall also be the duty of said commissioners to make a statement, duly signed by them, to be included within each such package, as to the character and condition of the ballot boxes when opened by them as herein provided, and of the condition of the ballots within such boxes. Each county clerk shall thereupon notify the several officers of election within the county that such ballot boxes have been released and direct such officers of election to appear and secure said boxes.

SEC. 7. The commissioners, as herein provided for, shall give public notice of the time when they will appear at each county seat for the purpose of removing the ballots from the ballot boxes, as herein provided, and such removal shall be publicly made in the presence of the county clerk and judge of probate in the office of the county clerk during office hours.

SEC. 8. It shall be the right of each candidate to the office of United States Senator at such election to be present in person at such removal, or to be represented thereat.

SEC. 9. The compensation of the commissioners herein provided for shall be fixed by the Supreme Court and such court shall allow such traveling and personal expenses of such commissioners as it may deem proper. All allowances to commissioners shall be taxed by the court as costs in the proceeding.

SEC. 10. Any officer who shall violate the terms of any such restraining order shall be in contempt of court and shall, in addition to such penalty as may be imposed thereby, be liable to a fine of $1,000.

SEC. 11. Instead of filing the petition for relief provided for in this act with the Supreme Court of the State of Michigan application may be made in like manner to the circuit court for the County of Ingham, and when application is so made such court shall have full jurisdiction to make all orders, name the commissioners, and otherwise exercise all necessary authority to carry out the purposes of this act.

SEC. 12. It is the intention of this act to furnish a speedy and effective means for the preservation of evidence of the intention of voters in the case of elections to the office of United States Senator. It is remedial in character and shall be construed in such manner as fully to carry out the intention herein expressed.

This act is ordered to take immediate effect.

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[United States of America. In the District Court of the United States for the Eastern District of Michigan, Southern Division. In equity.]

Henry Ford, plaintiff, *v.* Truman H. Newberry, Richard Lindsay, William P. Rutledge, Delos Newcomb, Herbert Gay et al., defendants. No. 287.

The plaintiff herein by his counsel this day presented his verified bill of complaint with affidavit attached thereto (filed herein Dec. 30, 1918), wherein prayer is made for the preservation of the ballots cast in the eastern district of Michigan for the office of United States Senator at the general election held in the State of Michigan on November 5, 1918, and likewise for the preservation of the ballot boxes containing said ballots, together with all poll books and tally sheets relating to such election;

And it being made to appear that Hon. Arthur J. Tuttle, United States district judge for the Eastern District of Michigan, is now absent from said district;

Now, upon motion of Lucking, Helfman, Lucking & Hanlon, attorneys for Henry Ford, the above-named plaintiff, and pursuant to the power vested by section 264 of the Judicial Code of the United States:

Ordered, That Truman H. Newberry, Richard Lindsay, William P. Rutledge, Delos Newcomb, and Herbert Gay, and all other city clerks, township clerks, village clerks, and officials in the various cities, townships, villages and voting districts in the eastern district of the State of Michigan having in their possession or custody ballots cast in their respective cities, townships, villages, or voting districts in the November 5, 1918, election held in the State of Michigan for the office of United States Senator from the State of Michigan, and the boxes containing such ballots and the poll books and tally sheets relating to such election, show cause, if any there be, in this court on the 9th day of January, 1919, at 10 o'clock in the forenoon of said day, why an order of injunction should not issue herein restraining them, and each of them, and their agents, servants, employees, attorneys, and those in active concert or participating with them, from opening, destroying, or injuring the ballot boxes containing the ballots cast in the eastern district of Michigan for the office of United States Senator at the general election held in Michigan on November 5, 1918, and from removing, interfering with, or destroying the ballots cast at the November 5, 1918, election held in Michigan for the office of the United States Senator, and the poll books and tally sheets relating thereto, until the further order of this court.

It appearing to this court that there is danger that the ballots, ballot boxes, poll books, tally sheets, and election records relating to the election held in the eastern district of Michigan on November 5, 1918, for the office of United States Senator from said State of Michigan, will be destroyed, removed, injured, or tampered with, if no restraining order issue, without notice to the defendants prior to the return date of the aforesaid order to show cause, and that if service of notice be required and a hearing had upon the prayer for an injunction herein before issuance of any injunction or restraining order herein, immediate and irreparable injury, loss, and damage will result to the aforesaid Henry Ford, plaintiff herein.

It is hereby ordered that Truman H. Newberry, Richard Lindsay, William P. Rutledge, Delos Newcomb, and Herbert Gay, and all others city clerks, township clerks, village clerks, and officials in the various cities, townships, villages, and voting districts in the eastern district of the State of Michigan having in their possession or custody ballots cast in their respective cities, villages, townships, or voting districts in the November 5, 1918, election for the office of United States Senator from the State of Michigan, their agents, servants, employees, attorneys, and those in active concert or participating with them refrain from opening, destroying, or injuring the boxes containing the ballots cast at the aforesaid election of November 5, 1918, until the further order of this court, and further refrain until further order of this court from injuring, removing, interfering with, or destroying the ballots cast in the eastern district of Michigan at the November 5, 1918, election held in Michigan for the office of United States Senator, and that they and each of them do carefully preserve and safeguard the said ballots in the original ballot boxes in which they were deposited on said election day under lock and seal, together with all poll books and tally sheets relating to said election until further order of this court.

It is further ordered that notice of the issuance of this order may be served upon any and all custodians of said ballots and ballot boxes and records by personal service of a copy hereof or by registered mail or by notice actually given.

It is further ordered that a copy of the bill of complaint herein and of this order be served personally on or before Friday, January 3, 1919, upon each of the defendants, Truman H. Newberry, Richard Lindsay, William P. Rutledge, Delos Newcomb, and Herbert Gay.

The foregoing orders are granted, subject to requirement of plaintiff forthwith to present a bond of indemnity in the sum of $500 and conditioned upon the payment of such costs and damages as may be in-

curred or suffered by any party who may be found to have been wrongfully enjoined or restrained by the provisions of this order.

Approved for entry at Cincinnati, Ohio, this 31st day of December, 1918, at 4.15 o'clock p. m.

J. W. WARRINGTON,
United States Circuit Judge for the Sixth Judicial Circuit.

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[United States of America in the district court of the United States for the western district of Michigan, southern division.]

Henry Ford, plaintiff, *v.* Truman H. Newberry, Joseph C. Schinkman, et al., defendants. No. 1896. In equity.

At a session of said court held in the city of Grand Rapids, Kent County, Mich., on the 21st day of January, A. D. 1919.

Present: The Hon. Clarence W. Sessions, district judge.

On reading the stipulation which has been entered into between complainant and Truman H. Newberry, reading as follows, viz:

"In the Senate of the United States re petition of Henry Ford, in re senatorial election in Michigan.

"The parties, by their counsel, will and do hereby stipulate in the two cases between the parties pending in the eastern and western districts of Michigan, respectively, that orders may be entered and shall forthwith be entered, if the courts approve, that the injunctions shall be continued in full force as heretofore granted until such time as the Sergeant at Arms of the United States Senate may and shall take possession of the ballots and all the contents, records, and the like in the ballot boxes, including poll books, tally sheets, etc.

"That the procedure of the taking possession by the Sergeant at Arms shall be fixed by the United States Senate, and the representatives of each party shall be present when the transfer of the ballots and papers shall be made from the boxes to the custody of the Sergeant at Arms.

"It is understood that action shall be taken to transfer ballots, etc., from the boxes in time so that the boxes may be used at the approaching April elections.

"It is understood that this stipulation does not foreclose or prejudice either party as to the other matters contended for by them, respectively.

"(Signed) HENRY FORD,
"By ALFRED LUCKING,
"His Counsel.
"HENRY E. BODMAN,
"Counsel for Truman H. Newberry."

And the court being advised in the premises, it is hereby ordered that the restraining order heretofore entered and issued out of this court on the 28th day of December, 1918, be, and the same is hereby, continued in full force as heretofore granted until such time as the Sergeant at Arms of the United States Senate may and shall take possession of the ballots and all the contents, records, and the like in the ballot boxes, including poll books, tally sheets, etc., relating to the November 5, 1918, election for United States Senator from the State of Michigan, and until the further order of this court.

It is further ordered that the foregoing order shall not prevent the use of the aforesaid ballot boxes by any of the other defendants when necessary for lawful election purposes, and that this court reserves authority to permit the use of said boxes for lawful election purposes.

Approved for entry.

C. W. SESSIONS,
United States District Judge.

O. K. LUCKING, HELFMAN, LUCKING & HANLON,
Attorneys for Henry Ford:

This order is satisfactory and I will be in court at the opening session, Tuesday, January 21, 1919, to ask that it be entered.

J. O. MURFIN,
Attorney for T. H. Newberry.

THE UNITED STATES OF AMERICA,
Western District of Michigan, Southern Division, ss:

I, Chas J. Potter, clerk of the District Court of the United States for the Western District of Michigan, do hereby certify that the foregoing is a true and compared copy of the order continuing restraining order in force as approved for entry in the proceedings of said court in said entitled cause and of the whole thereof.

Witness my official signature and the seal of the said court at Grand Rapids this 29th day of January, A. D. 1919.

[SEAL.] CHAS. J. POTTER, *Clerk.*
By CHAS. L. FITCH, *Deputy.*

Mr. REED. Mr. President, I can follow the Senator's example by expressing regret, as he did, at the attitude taken. He expressed regret at the attitude taken by the Senator from Ohio [Mr. POMERENE], and I must express regret at the attitude taken by the Senator from Michigan.

If I can have the attention of the Senate, I want to state my position on this case.

As everybody knows, I am a Democrat. I am a member of the Committee on Privileges and Elections. After the primary in Michigan, and before the election, an effort was made to cause an investigation of the Michigan case. A great deal of talk and comment was had in the newspapers with regard to the large expenditure of money in that State. I took a pronounced position against having an investigation at that time, because it seemed to me that, while clearly within the jurisdiction of the Senate under some of its powers, such an investigation would have the inevitable effect of influencing the election, and that, if it was tried in an artful way, one side might be presented to the voters before the election and the other side have no opportunity to be heard. Therefore I took the position that it was not fair at that time to investigate, although I believed that we had the absolute right to investigate that question, if under no other power, under the broad right that the Senate has, through any of its committees, to investigate any public matter which may demand public legislation, a right which we are exercising every day, and under which a half dozen committees are at this moment proceeding.

After the election was held I took the position, and I still take the position, that, assuming that the credentials of Mr. Newberry are in proper and legal form, upon their being filed here with the Senate he is entitled, at any time after the 4th of March, to take his oath of office and to take his seat, and to retain that seat until and unless the Senate of the United States, upon proper proceedings, shall oust him therefrom.

I make this statement because I want it understood that, so far as I am concerned, I have tried to assume, if it is possible for me to assume, a judicial attitude—the attitude that ought to be assumed by every Member of the Senate, not only now, but throughout the course of these proceedings, until the final vote. It may be too much to expect from flesh and blood, although, since all the world is to become good and perfectly unselfish, possibly a little modicum of it might get into the Senate Chamber.

But now the case takes another phase. A contest, or protest in the nature of a contest, is duly filed with the Senate, and that is referred to the Committee on Privileges and Elections for such proper action as it may see fit to take. The committee met, called before it the counsel of the two contending parties, and these gentlemen agreed, first, that they were willing to preserve the ballots, and agreed upon orders of court which were to be entered prohibiting the destruction of the ballots; and until last evening I had assumed, and assumed upon the strength of telegrams that had been sent to the committee, that those court orders broadly preserved the ballots intact until such time as the Sergeant at Arms of the Senate of the United States should take them into his possession. But it now appears that, at least in one district, the order, while reciting the conditions I have just stated, added this clause, in substance and effect: That the ballots must be taken by the Sergeant at Arms before the next election, and as the next election occurs early in April, the situation presented is that the Sergeant at Arms has no authority to take those ballots, and will have no authority to take those ballots, until after the next election, unless this Senate shall grant him that authority by the passage of this resolution, and orders to be issued thereunder. That is to say, if we do not pass this resolution between now and next April and take possession of these ballots between now and next April, the ballots will, in the judicial district to which I am referring, be destroyed, because another election is to be held.

Mr. SWANSON. Is that a Federal judicial district?

Mr. REED. A Federal judicial district—one-half of the State, I assume. There is an eastern and a western district, if I am correctly informed.

Mr. TOWNSEND. The same injunction is in force by both courts, in both districts.

Mr. REED. The same exception is invoked, then.

Mr. President, that presents this question: In order to preserve these ballots this Senate must take action. Now, I am taking a statement that was made to me as to the contents of this decree. I have not myself examined the original decree, but I saw what purported to be a copy, and I guess it will be found that I am not mistaken. Therefore, the question which lies at the threshold is, Shall these ballots be permitted to be destroyed for want of a Senate resolution giving authority to investigate, and authority, under the investigation, for the Sergeant at Arms to take possession of the ballots?

It is true that we are now told, and it is the first information I have had—and, of course, I accept the word of the Senator from Michigan—that the legislature has passed an act which allows certain proceedings to be taken, and which, it is assumed on the face, can authorize some method of saving the ballots; but we do not know whether or not the jurisdiction there will be challenged, whether or not the principle of law will be invoked that has once been invoked in Michigan, namely, that the State authorities have no jurisdiction or control over the election of men to the United States Senate, which I understand to be the rulings of their courts. If that principle is invoked, the question may arise, and very likely will arise, whether this statute is itself constitutional.

Therefore the only safe thing to do, the only prudent thing to do, is to get possession of these ballots. All that I have said now, with reference to getting possession of the ballots applies to any other kind of documentary evidence, and it applies also to any class of evidence which is likely to be lost or destroyed.

Mr. LODGE. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from Missouri yield to the Senator from Massachusetts?

Mr. REED. Certainly.

Mr. LODGE. Do I understand that the Senator thinks that a State has no right to preserve ballots cast in the State for a State officer?

Mr. REED. Oh, for State officers, yes.

Mr. LODGE. They are all on one ballot.

Mr. REED. That is true; but, as I understand the law—and the Senator will permit me to say that I only heard the proposed bill read before our committee some weeks ago—that bill gives to the aggrieved party, or a party claiming to be aggrieved, the right to go into court; and the party in this instance would be the candidate for the United States Senate. Now, I do not say that that point is accurate. I did not rise here to argue the legal question. It is a matter upon which I might change my own mind. I am now discussing the question of the propriety of saving this evidence, the fact that it is the safe method to pursue; and I am here to claim not only that it is the proper thing to do, but that every honest man ought to want to help keep this evidence.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri further yield to the Senator from Massachusetts?

Mr. REED. I do.

Mr. LODGE. I never heard of this law of Michigan until I heard it stated by the Senator from Michigan on the floor this afternoon, but I now have it in my hand. It is—

A bill to provide for the preservation of ballots cast for the office of United States Senator in cases of contested elections, or in cases where notices of contested elections may be given, or in cases where any judicial proceedings may have been instituted preliminary to contesting elections to the office of United States Senator.

And then comes the bill, which is quite a long and elaborate one, and which seems, as well as I can tell by glancing at it, to cover everything pretty thoroughly. I should think it would be well to have it printed in the RECORD, where we could all see it.

Mr. TOWNSEND. Mr. President, I want to say that I propose to have that bill, together with these orders, inserted in the RECORD. That bill has an amendment to it which gave it immediate effect, and which does not appear on the copy which was sent to me. That is all the difference there is. The bill takes immediate effect, and I am going to ask to have it put in the RECORD.

Mr. REED. I understand the statement of the Senator from Massachusetts with regard to the bill, but the point I am making is this, and I am simply suggesting it. I am not giving it as an opinion, for I have had no opportunity to examine the Michigan authorities. It has been stated to me—indeed, it was stated in argument before the committee—that the courts of Michigan had held that they had no authority over any contest or over any election concerning a Congressman or a Senator, and that that was a question of jurisdiction.

Mr. LODGE. Mr. President, on that point I see that this bill provides, in section 11, as follows:

Instead of filing the petition for relief provided for in this act with the Supreme Court of the State of Michigan, application may be made in like manner to the circuit court for the county of Ingham, and when application is so made such court shall have full jurisdiction to make all orders, name commissioners, and otherwise exercise all necessary authority to carry out the purposes of this act.

I assume that that is the circuit court of the United States, is it not?

Mr. TOWNSEND. No; the provision is that the application may be made to our State circuit court.

Mr. LODGE. It is the State circuit court, then.

Mr. REED. I shall probably have these decisions before I take my seat, and I shall be glad to return to that subject.

Mr. President, I am indifferent to that question. I repeat what I said, that every honest man ought to want to have the honest evidence in this case before the Senate at the proper time for its consideration, and that every scrap of that evidence should be preserved. Now, there may be differences of opinion between honest men as to how the evidence should be preserved and who should preserve it, but as to the main question I repeat that no honest man wants anything except all of the evidence in this case preserved and presented at the proper time.

That brings us to the question of what is the proper time to get the evidence. Every man who has ever tried half a dozen lawsuits knows that the proper time to get the evidence is just as soon after the occurrence as you can get on the ground with legal authority to act. The recollections of witnesses are fresh; the documents have not been destroyed or forgotten; perjury has not yet been devised, generally speaking; and the opportunity to get at the truth is so much greater, because of the proximity to the time, that unless there are overmastering difficulties time should never be allowed to lapse. Particularly in a case involving fraud or crime I have often remarked that I would give more for the first 10 days than for the next 10 years in the matter of investigation; so that from the practical standpoint the proper time is as soon as possible.

That brings us, then, to the question of who has the right to take this testimony and preserve it. I grant that it would be unfair for the present body of Senators to undertake to pass upon the qualifications of a man whose term begins on the 4th of March. Indeed, we are powerless to pass upon that question, because he does not formally present his credentials until that time. But is it possible that the Senate of the United States does not possess the power and jurisdiction to preserve the evidence in regard to a matter which concerns its very make-up and existence? Is there anybody who believes the Senate is so helpless as that?

In the first place, we are a continuing body; and, like other bodies that have brains, we take judicial notice of public events. We not only have judicial notice, but we have official notice, that an election has taken place in Michigan; and we not only have public information of which we can take judicial notice, but we have direct notice that Mr. Newberry has had his credentials issued, and that they will be presented; and we have filed, I assume, with the Secretary of the Senate, the expense accounts of the candidates for this office; and we have the right to investigate those expense accounts and find out whether the affidavits back of those expense accounts are true affidavits or are false affidavits; whether perjury is being attempted to be foisted upon this body by either one of these candidates or by anybody in their behalf. The jurisdiction of this body now to investigate any affidavit filed with its Secretary and to investigate the truth of that affidavit can hardly be denied by anybody. It seems to me inconceivable that it should be denied.

But, Mr. President, counsel for both sides in this case appeared before the committee and each of them protested that he desired to preserve all of the evidence in the case. I am taking no side in this case. I am simply insisting upon the right and duty of the Senate to preserve this evidence and to get it as soon as possible, but I say the only proper thing for lawyers to do and for Senators to do, whether they represent merely as friends or partisans, or whether they represent as paid counsel—and of course Senators do not do that; I do not mean that—either one of these contestants, the only proper attitude for honest men to take is that they want the truth, the whole truth, and nothing but the truth. Any man who gets in any other attitude than that will go far toward convincing me and toward convincing others that his client or his friend or the man whose cause he advocates has to hide from the truth.

Now, why have these attempts been made to delay? I say it with a good deal of sorrow, but I have witnessed tactics here that seem to me like the tactics of lawyers playing for a continuance in a bad case. Particularly when you get near the end of a term of court, you frequently find that the attorney for the defendant comes into court and has a bad cold that morning, and will they not please put off the case until the next day? The next day some little trifling thing happens and the next day something else, and finally the term of the court has expired.

Is it possible that any man would take the position or does take the position that this present Senate will not get the evidence honestly, and therefore they can not be trusted to get the evidence honestly? Let us see. Under this resolution, if it is passed, the Committee on Privileges and Elections will proceed probably through a subcommittee of three or five or seven men. The majority in this case would undoubtedly be Democrats, and there would be the usual minority representation for the Republicans. The committee would proceed to take the evidence. If the committee took the evidence without giving proper representation to both sides, the Senate, which would meet to pass upon that evidence, would throw it out as unworthy. If the committee refused to hear evidence that could be properly considered, the committee of the Senate that convenes after March 4 would supply that evidence. If the committee did anything that is unjust or unfair or improper, then the Senate can correct its conduct or entirely throw out the evidence. Nobody can be harmed.

A Republican Senate, organized upon the very vote of one of the contestants, and by his vote alone—that is, his vote being the determining vote—will organize the next Senate and will try the case from the evidence that is now to be gathered. If that evidence has not been properly or fairly gathered, I repeat, that body thus organized, that Committee on Privileges and Elections then organized, with that majority of Republicans greater than the Republicans have in the Senate, will proceed to consider the evidence that may be taken and submitted by the Senate.

Mr. LODGE. There would still be one vote. Strictly speaking, his vote would not be the determining vote.

Mr. REED. I stand corrected. It is not important.

Mr. LODGE. I do not think it is important.

Mr. REED. No; it is not important on the point. So no man can claim that this is an unfair proceeding unless he boldly claims that the Committee on Privileges and Elections as now constituted would do a very scurvy piece of investigating.

Mr. LODGE. May I ask the Senator a question in that connection?

Mr. REED. Certainly.

Mr. LODGE. It is not in connection with the character of the committee, of which I have no doubt whatever. Does the Senator think that the committee of a Congress which has died—an expired Congress—can go on until the new Congress comes in and investigate or do any work?

Mr. REED. I have not the slightest doubt that the Senate can appoint a committee now with authority to investigate during the session of the Senate or during the recess, and that committee will continue to be a live, working committee until the next Congress is convened and organized. This is a continuing body.

Mr. LODGE. Yes; I agree.

Mr. REED. We can proceed in that way always.

Mr. LODGE. That would be a special committee, the Senator means?

Mr REED. No; not a special committee. The Committee on Privileges and Elections, if this resolution is passed, will be proceeding under the authority of the resolution. The resolution would authorize it to proceed to investigate.

Mr. LODGE. Then the present Committee on Privileges and Elections could go right on after the 4th of March?

Mr. REED. Unless we are called together. If we are called together, then, of course, the new organization would take its place. That would displace the committee because a new committee would then be organized.

Mr. LODGE. Our rules require that the committees shall be appointed at the beginning of a Congress. I only want to know if the Senator meant that this committee would continue its investigation.

Mr. REED. No; not after the organization of the Senate.

Mr. LODGE. No; after the 4th of March? Of course, it could not act after the new organization, because there would be a different committee.

Mr. REED. After March 4, if we are not called together in extra session, and it ought.

Mr. President, I think I have said enough to make it plain that no injustice can be done.

I am sorry the Senator from Michigan has stepped out, because I wanted to reply to some things he just said. Will some one ask him to come in?

Mr. TOWNSEND entered the Chamber.

Mr. REED. I thank the Senator for coming in. The Senator from Michigan spoke of an attempt to create a political atmosphere about this investigation. As nearly as I am able to interpret or gather the Senator's thought, it is that if we began the investigation now it would have some effect upon the ultimate decision of the Senate. I beg to say that whenever this evidence is taken, whether it be taken by the present committee of the Senate or whether it is taken by a committee organized after the 4th of March, it is going to take a certain length of time to get the evidence. The minute you begin gathering the evidence, no matter what committee takes it, the effect that the Senator spoke of will follow, that is to say, the public discussion of the evidence from day to day will have its effect upon the public mind. That is a thing that is inevitable in a discussion or in an investigation and can not be escaped in any investigation unless you have it behind closed doors, and since we have "open covenants openly arrived at" I presume that will be followed even in the investigation of an election in Michigan.

Mr. President, the Senator from Michigan [Mr. TOWNSEND] with all his great power and force told us about things that Mr. Ford had done and gave us pretty clearly to understand that he expected to prove when this investigation proceeds that Mr. Ford's statement of expenses is untrue, or that his committee's statement is untrue—I do not know which made the statement—that many improper things were done by Mr. Ford. The moment it was suggested that anybody had any charges to make against Mr. Ford the chairman of this committee, the Senator from Ohio [Mr. POMERENE] caused this resolution to be amended so that the jurisdiction of the committee would extend to cover all the irregularities in the election.

So far as I am concerned I am in a position to be the justest judge and the most disinterested individual in the world as this trial proceeds. I am told that one of these gentlemen is a rock-ribbed simon-pure Republican who never puts a pencil across the name of a Republican on a ballot. I am told that the other gentleman never wittingly voted for a Democrat. I confess I can not see much political choice between them. I am told, in fact, I read the statement of Mr. Ford after he was nominated, that he was neither a Republican nor a Democrat, and I confess as between a man who is neither a Republican nor a Democrat and a Republican, I lean toward the Republican.

I am not interested, sir, in the protection of Mr. Ford nor in the protection of Mr. Newberry. I am interested in the protection of the American ballot box where the American voter has the one chance of a freeman to express his choice. If those ballot boxes are contaminated by the use of money or fraud or force, I do not care who is the guilty party, we owe it to ourselves, we owe it to the Senate, and we owe it to our country and to posterity that the gentleman should be brought to book. If anybody has filed any false affidavits here that fact ought to be known and nobody ought to try to cover the facts up. I do not charge that has been the case.

It seems that up in the State of Michigan we have this peculiar sort of thing. The Republicans nominated a very wealthy man, the Democrats nominated a very wealthy man, and you have got a race of two rich men for an office. I do not like it myself. I do not think riches ought to bar a man from office, but if there is no better reason for a man to run for office than that he has great riches it would be better that he should remain in private life. When you get men with great fortunes competing for these great offices you are liable to get overenthusiastic lieutenants who spend vast sums of money. It just so happens in this world that the average man who has accumulated a good many million dollars gets it into his head as an ordinary proposition that every other man has his price, and that somehow or other his money will command the souls, and consciences, and bodies of men. It is not much wonder that 1,800 years ago Jesus Christ told us that "it is easier for a camel to go through the eye of a needle than for a rich man to enter the kingdom of God." I do not make indiscriminate attacks upon wealth. I am stating my position here to-day very plainly and very bluntly. When the only reason why men are picked out to run for the United States Senate is because they have a large bank account, the man who picks out that sort of a man, if he picks him out for that sort of a reason, does a disservice to his country.

Mr. President, there have been very serious charges made in this case, too serious for the Senate to postpone action; too serious for delay. There have been some things done of a very suspicious character; that is, it is charged that they have been done.

The Senator from Michigan states that it is customary to burn the papers of a political committee after an election. I do not know about that.

Mr. TOWNSEND. I said the ordinary correspondence.

Mr. REED. Yes; I do not know about that. So far as I am concerned, I have in boxes put away, I think, every political letter I ever received, and if you have any idea of writing me one that I can not dig up on you some day you had better hesitate about writing it. That is not because I am suspicious, but it is because those letters constitute the record of those times, and one never knows when he may want to go back to find out an event or to fix the name of some one who did him a service or a disservice.

It may be, however, that some committees and that, generally, committees, within a short time after an election, destroy their correspondence. But I will tell you what they do not do. They do not lock letters up in a vault and put a guard over them, and keep them locked up in that way until they have an opportunity to burn them, and then burn them; and it is charged that is exactly what took place here. I never knew of the political correspondence of an honest committee being of such a dangerous character that it had to be locked up in a vault behind a time lock and guarded until the match could turn it into ashes and the wind blow it away.

Mr. TOWNSEND. Do I understand the Senator to say that any such thing as that happened or has been charged in this case?

Mr. REED. It was charged.

Mr. TOWNSEND. They allege in their petition that these papers were destroyed before they gave any notice that there would be a contest or that they would be needed.

Mr. REED. That does not answer.

Mr. TOWNSEND. They had been already destroyed.

Mr. REED. It was charged before the committee that certain papers of this committee were kept under lock and key and guard until such time as they could be burned. They may have been perfectly innocent; it may be that this is not a fact; I am

not trying this case; I am only trying to impress upon Senators the seriousness of the charges.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. REED. Yes.

Mr. TOWNSEND. Can the Senator conceive of any reason for putting the ballots under lock and key when there had been no question of suspicion? Could they not have destroyed them at any time? Why would they need to put them under lock and key?

Mr. REED. Now the Senator is inviting me into the field of psychology. I do not know what was in their mind. I can conceive of circumstances, though, that would make this exactly the course to be followed. There may be a settlement coming yet between some of these gentlemen who had handled the accounts; some of these papers may have been essential for that; and it may have been essential that they should be preserved long enough for the settlement to take place, and then very desirable that they should be burned. I simply give the Senator that as one illustration that comes to my mind at this moment.

Another charge that is made is that while $176,000 is admitted to have been expended in a State—what is the population of the State of Michigan, I will ask the Senator from Michigan?

Mr. TOWNSEND. Something like 3,000 000.

Mr. REED. In a State of about 3,000,000 population it is charged that, in addition to this, it is pretty thoroughly known that $160,000 on the outside was expended. It is charged that one of Mr. Newberry's relatives expended $99,900, all, I apprehend, in the interest of moral progress and reform. But I do not say that this took place; I hope that it will be disproven. It is charged, Mr. President, that there is evidence of a systematic and deliberate preparation for the making of false returns—a very ugly and nasty charge.

Mr. TOWNSEND. Mr. President, does not the Senator from Missouri also know that those same charges are made against the elections in Nevada, in Montana, in Kentucky, and in Georgia?

Mr. REED. No; I never heard of this particular charge that I am speaking of in any election, except in the Michigan election.

Mr. TOWNSEND. Some of those charges are before the committee.

Mr. REED. Of course we could not try those other cases in this particular resolution, but if anybody will bring to the Senate substantial reasons for investigating other elections, I shall be ready to investigate them all.

Mr. TOWNSEND. I simply mentioned that for this reason: Every charge of fraud is accompanied with such statements. As I said before, I do not believe that anybody seriously believes that any of those practices were employed in the election in Michigan. I do not believe that there is a question about that. Those are stock terms that are used in condemnation usually of a proceeding of this kind.

Mr. REED. No, Mr. President; I am not speaking of general stock charges. I am speaking of a charge to the effect that letters can be produced showing that responsible parties, acting for Mr. Newberry or for his committee, sent out letters to men who were handling money, so phrased as to indicate to them that they were to return as expended by them only a certain amount of money, whereas in truth they had expended a much larger sum of money.

It is claimed—I do not say truthfully—that this was a system, and that it was widespread. If that is true, it would afford the most abundant reason for locking the records in a vault or for burning them quickly.

Now, the statement is made that Mr. Ford got out a pamphlet that cost eighty or ninety thousand dollars, and that the cost of that is not returned. Mr. President, if Mr. Ford got out a pamphlet that cost eighty or ninety thousand dollars and did not return it as an honest man should, unless he could very clearly show that he did not know about it, I would say that he was not fit to sit in the Senate. I will say exactly the same thing about anybody else. No man has a right to come in here with tainted title; no man has a right to enter this Chamber with an affidavit in his hand containing perjury. But this is the first time I have heard that charge. Let us find out whether Mr. Ford did it, just the same as we find out whether Mr. Newberry did certain things; and let those of you who naturally desire to have an additional colleague upon that side of the Chamber take the position we will take. Let us take the lid off, and take it off now; look at the contents and make a record, and let the results, be what they may, only so long as they accord with the facts of the case.

Mr. TOWNSEND. Mr. President, I desire to state that I have not charged that Mr. Ford got out this pamphlet. I verily believe that neither Mr. Ford nor Mr. Newberry knew personally of much that was going on in their campaigns. I said that the pamphlet was issued in Mr. Ford's behalf and circulated—probably 500,000 copies of it—by first-class letter postage over the State of Michigan, in addition to the vast numbers that were circulated on the street corners of almost every city in the State of Michigan.

Mr. REED. Well, I am glad to know that that reflection is not made on Mr. Ford, as I am glad to know that no direct reflection is made on any man. I do not want any man besmirched unless he is guilty.

It is charged that Mr. Newberry filed a disclaimer with regard to any knowledge of any moneys that were expended—I think I state that correctly—and it is charged again that Mr. Newberry was in intimate and close connection with his campaign, and that he did know what was going on the same as the ordinary candidate would know. That is a question of fact to be tried. I do not know what the fact may be; but I do know that if it should transpire that Mr. Newberry had misrepresented the facts and said he did not know when he did know, that would be a very important circumstance bearing upon his right to a seat in this body.

In this connection, while I do not desire to take much of the time of the Senate, I am reminded that there is on file with the committee a document which contains this purported copy of a letter from Gov. Chase S. Osborn to Mr. Newberry. Let me read it; it is very significant. The letter is dated December 17, 1918, and is as follows:

MY DEAR COMMANDER: I have read your letter. Thank you for your sentiments. I shall support you. Already I have straightened out entanglements that would have been hurtful to your success. I am not interested in you personally a particle. The entire matter is so far beyond personal consideration and transcends individual proportions to an extent that only public welfare may be thought of. You can be elected; no doubt you will be. My idea is that the thing for you to do is to honestly confess that you broke the law and that you knew all about the campaign, but that you did not realize the enormity of your offense.

Mr. TOWNSEND. Who wrote that?

Mr. REED. Chase S. Osborn, who is governor, is he not, of Michigan?

Mr. TOWNSEND. At one time he was governor.

Mr. REED. Very well. The letter proceeds:

In such a position you would be intrenched in honesty, I fully believe. And an indulgent people would forgive you and fight for you, because of the past services they think you have given and what they have been told you are giving now. In addition this action would make for your name an honorable place in the history of Michigan. Otherwise the future will curse you.

The plea can not be honestly made that you spent money in excess because you were fighting Ford, because you had begun your reckless campaign long before Ford was mentioned and had already transgressed the law. Nor can you plead "you did not know." That would prove you to be both an ass and a liar, which I choose to think you are not. I am for you only to save the Nation and the State from the curse of Fordism. A vote for Ford is a vote for the Kaiser right now, as I view the case.

Yours, truly,

CHASE S. OSBORN.

Mr. TOWNSEND. Mr. President, does the Senator understand that Mr. Osborn was called before the grand jury at New York and testified, as did Mr. Dickinson, and that the letters which have been dwelt upon by the chairman of the committee, and to which the Senator from Missouri has referred, from ex-Gov. Osborn and Lieut. Gov. Dickinson were the basis of this charge, made in the midst of a campaign, Mr. Osborn having been a candidate for the Senate at that primary and defeated?

Mr. REED. No; I do not know the political history of Michigan. I have not followed it; but it does not appear to be an unfriendly letter, because I find, a few days before that, this letter from Mr. Newberry to Mr. Osborn:

NEW YORK CITY,
Sunday, September 1, 1918.

MY DEAR GOVERNOR: Your cordial telegram assuring me of your earnest support is all that was needed to insure the defeat of Ford in November. I fully realize that my personality is submerged in the issues that confront our party in our State. Many times in the past few months I have envied your ability and privilege to talk, and when your voice rang clear and strong throughout State and Nation on the menace of Ford I wanted to wire you godspeed in your patriotic work.

Your deeply appreciated telegram of support helps me to visualize the statesman, the sportsman (hunter), and gentleman that I have always known you to be.

Cordially, yours,

TRUMAN H. NEWBERRY.

Mr. TOWNSEND. Mr. President, the Senator perhaps does not have—I do not think it has been submitted—the telegram

which Gov. Osborn sent to Mr. Newberry congratulating him unreservedly upon his election. The letter which the Senator has just read from Mr. Newberry was then sent, and the letter of Mr. Osborn was the result.

Mr. REED. No; I have merely these two letters.

Mr. TOWNSEND. Mr. Osborn's telegram should go before Mr. Newberry's letter.

Mr. REED. From these two letters, assuming that Mr. Newberry is of the high character that he should be, it would appear that he at least on the 1st of September certifies in most flattering terms to the high character, the intelligence, the patriotism, the public service, and so forth, ad infinitum, of one Osborn, and that 24 days later the said Osborn wrote him a very friendly and cordial letter advising him to tell the truth about these campaign expenses. It is entirely possible that Osborn may have become transformed in those 25 days from a sportsman and a thoroughbred into a sneak, who was trying to undermine his friend, but I am compelled to take the documents at their face value.

Mr. President, there is another peculiar thing about this case, and I confess it does not leave a very good taste in my mouth. Always I have maintained in elections and matters of that kind that no man ought to fear publicity; that no man ought to fear investigation. Is it not a very peculiar circumstance that when a grand jury in New York, being in the opinion of the legal advisers of the United States within its jurisdictional rights, shall undertake to investigate an election and witnesses are brought there to testify these witnesses are advised by the attorney of Mr. Newberry to defy the grand jury and to refuse to testify upon the ground that the grand jury is without jurisdiction?

Some 35 years—and I am getting old—I have practiced law somewhat actively. In all that length of time I never knew a witness to refuse to testify before a grand jury except on the ground that his evidence would tend to incriminate him or subject him to public contempt and obloquy.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. REED. I do.

Mr. TOWNSEND. Did the Senator ever know before of a grand jury that was so clearly called and used for political purposes?

Mr. REED. Mr. President, I do not know anything about this grand jury, except that a grand jury was duly called in a Federal court, impaneled and sworn according to law, and that it was proceeding under the direction of a Federal judge and under the guidance of a district attorney who had sworn to uphold the Constitution and faithfully and impartially to administer the laws. That is all I know about it; but if everything is clean, if everything is fair, if everything is honest, I want to know what objection there was by these witnesses to telling the facts? And why should they, called upon only to tell the facts of their knowledge, be in consultation with the attorney of Mr. Newberry? Why should the attorney of Mr. Newberry be advising these witnesses to put padlock upon their tongues and to take jeopardy of jail rather than tell the truth? Nobody could compel them to tell anything but the truth. What was there in the truth that made it necessary for these men to place themselves in jeopardy of jail, in jeopardy of court contempt? Why this secrecy and putting off?

I hope the Senator from Michigan did not mean it, but he used some expressions here to-day which in the old days we thought always were a notice of a filibuster. I hope the Senator from Michigan did not mean to say that he proposes to read a hundred or a thousand affidavits here, at this time, on the floor of the Senate, in the consideration of this resolution. I frankly say that if the other side of this Chamber are determined that this resolution can not come to a vote at this session they can filibuster it over. We are now within 20 working days of the end of this session. Any four or five able-bodied gentlemen can hold the Senate in session and can tie up all the great supply bills.

Mr. LODGE. We are not tying them up now.

Mr. REED. I will answer that in a moment. If the Senator from Michigan proposes to read a thousand affidavits or a hundred affidavits and proposes to say to us that this question can not come to a vote, he has it in his power to put this matter over.

Mr. HARDWICK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Georgia?

Mr. REED. I do.

Mr. HARDWICK. I simply wanted to know if a filibuster was in progress?

Mr. REED. Now?

Mr. HARDWICK. Not now.

Mr. REED. There is one threatened. Did the Senator from Massachusetts want to interrogate me?

Mr. LODGE. I wanted to ask a question, but the Senator has gone away from the point about which I wanted to ask him a question.

Mr. REED. I will come back to it.

Mr. LODGE. I wanted to ask him if those witnesses in New York refused to answer on the ground that they would incriminate themselves?

Mr. REED. Oh, no; I do not think so.

Mr. LODGE. Well, I know that they did not ask it on that ground.

Mr. REED. That is exactly the point. If they had asked it on that ground there would have been some excuse for it.

Mr. LODGE. I do not want to interrupt the Senator, but I think, without any design or desire whatever to filibuster, it would be only fair to give some explanation of that case which the Senator has made appear so very black.

Mr. REED. That is all right. That can be done.

We have had some smiling about filibustering here. The Senator from Ohio [Mr. POMERENE] opened this matter with a statement of the facts, not overlong, and the Senator from Michigan [Mr. TOWNSEND] followed with a statement of his views, which was not overlong, and I have taken about the same length of time; and so far as we are concerned upon this side, we are ready to vote. But if the Senators upon the other side tell us that we can not have a vote, that they propose to hold this matter here and filibuster it to death, or discuss it for days, we know that the business of the Senate can not be held in that way, and with a frank statement of that kind we will not press this motion; but we do ask for a vote.

Mr. TOWNSEND. Mr. President——

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Michigan?

Mr. REED. I do.

Mr. TOWNSEND. I do not indulge in any camouflage at all about the matter. The Committee on Privileges and Elections once decided that they had no jurisdiction of this matter. Some other matters have come up which have made it absolutely necessary, in my judgment, that this full case be presented to the Senate. It has been presented time and time again by the affidavits of the people who have made charges, and only those people. We have, I think, thousands of affidavits which, if this Senate is going to act, if this Senate is going to proceed with this investigation, it should have.

Mr. REED. But let me ask the Senator a question. Does he refer to affidavits which the Senate should have read here in the Senate or affidavits which it should have presented to the committee that is to investigate the matter?

Mr. TOWNSEND. Affidavits which it should have presented here in the Senate for the purpose of determining whether this committee, or the next committee, shall investigate this question.

Mr. REED. That is to say, affidavits that were made in the State of Michigan?

Mr. TOWNSEND. Yes, sir.

Mr. REED. As to the facts of this election?

Mr. TOWNSEND. Yes, sir.

Mr. REED. The Senator thinks that those affidavits, being read here in the Senate, will enable the Senate to determine whether it is the present Senate or whether it is the succeeding Senate which should make the investigation?

Mr. TOWNSEND. It will enable the Senate to determine whether or not it wants any investigation at all of this question, and I think they will have to be presented. Now, I do not want to interfere with what I conceive and what the committee has conceived to be the work of the Senate. Anything that you have here that is in order, and ought to be considered, I am ready to consider, and I am ready to lay this aside, so far as I am concerned, for that purpose; but if the majority of the Senate say that they want to take up this question, to the exclusion of the supply bills, if they want to do that, they must know all the facts before they do it.

Mr. REED. But that is not the question, and it can not be put in that way. The majority of the Senate are not going to say that they want to take up this resolution to the exclusion of the supply bills. The proper discussion of this question could certainly be had in a few hours. There may be legal arguments to be made against it; but affidavits, a thousand affidavits, made in Michigan as to the merits of this election can have nothing whatsoever to do with the question as to whether an investigation should be had; and when the Senator says that he proposes to present them to the Senate we know

what he means. We know that he means that he is going to read a thousand affidavits to the Senate, so that the Senate can not pass this resolution unless it does it at the expense of holding up all of the supply bills for this session. In other words, it is the boldest, clearest-cut threat of a filibuster I have ever heard uttered on the floor of the Senate, and I have heard several. Now, just let us understand it.

Mr. President, we ask for a vote; and if the Senator wants to begin reading his affidavits, let him proceed.

Mr. LODGE. Mr. President, I have no desire or intention of entering upon any filibuster of any kind. We have sat here in silence and heard all sorts of charges made against Mr. Newberry, whom some of us believe to be an honest man. We know that he has served his country in both wars and that his sons have served his country. Before this matter is decided I shall want to say something. It will not take very long; but I have the same objection to the use of millions of money in elections that the Senator from Missouri has.

Mr. REED. I know it.

Mr. LODGE. I feel about it just as he does. But there is something larger and deeper than even the spending of money in elections, and that is the influence of a colossal fortune like that of Mr. Ford, and the way it has been used, not merely in this election but in all sorts of directions. Before this case is remitted to the Committee on Privileges and Elections those of us who feel quite as strongly about Mr. Ford as you do about Mr. Newberry propose to lay before the country their views on him, and I should like about an hour in which to do it.

Mr. REED. Will the Senator permit me to say, if he misunderstood me, that my remarks about fortunes applied just as much to one of these gentlemen as to the other and just in proportion to their wealth.

Mr. LODGE. When the Senator said that he was an absolutely just judge in this case, I fully agree with him. I believe he would be absolutely just in this case. While he was speaking his remarks reminded me of what was said of a distinguished judge in Massachusetts who resigned from the supreme court, and they said he resigned from the supreme court because he was unable to decide against both parties in every case. [Laughter.] So that I do not question the Senator's justice at all.

Mr. REED. I might be able to do that here.

Mr. LODGE. Possibly; but I do not think it is fair to discuss Mr. Newberry and give an impression about his campaign to the country, here in the Senate, and leave it wholly unanswered and unreplied to in the same place where the charges have been made, and not behind committee doors.

Mr. BANKHEAD obtained the floor.

Mr. REED. Will the Senator yield for a moment? I was going to suggest to the Senator that perhaps we could agree on voting some time to-morrow.

Mr. LODGE. Mr. President, I have not this matter in charge. I am not on the committee, and I am not a Senator from the State of Michigan, and I am not going to undertake to make any arrangements about it. I think it is our duty to go on with the supply bills and not to discuss an election case which comes before the next Senate, over which we have no jurisdiction, as the Senator admits.

Mr. REED. I think we have jurisdiction, absolutely, to take the evidence.

Mr. LODGE. We have jurisdiction to preserve evidence, perhaps.

Mr. REED. I have no doubt about that proposition—that we have jurisdiction.

Mr. LODGE. Between preserving evidence and taking evidence I think there is a distinction.

Mr. REED. Well, taking and preserving are both the same thing.

Mr. TOWNSEND. Mr. President, may I suggest that I have no objection to a provision which will preserve evidence that is in danger of being lost. We answered every request that was made in the stipulation. We followed out the course that was instituted by Mr. Ford's attorneys. He entered the courts. He ought not to be heard to complain now that they do not have jurisdiction; but we went even further than that. We have placed in their hands the power of the State courts, so that they can go in and preserve every scrap of evidence that they require. Now, if you need anything further that that, I have no objection to its being passed by the Senate; but I do object to going out and taking testimony on an ex parte statement, practically, that has been made to the country from the Senate; and I insist that the facts on both sides shall be presented to the country from this body at the same time.

Mr. REED. If the Senator will pardon me just a moment, the Senator speaks about the decree of the court being the decree that Mr. Ford wanted. I am not in this case as Mr. Ford's representative. I believe it is the duty of the Senate to find out and preserve the facts. The decree of court, however, as I called attention to when the Senator was out, does not make these ballots secure.

Mr. TOWNSEND. I think it does, Mr. President.

Mr. REED. Do I understand the Senator to mean now that he would consent to the passage of the resolution if it was limited merely to the preservation of documentary evidence?

Mr. TOWNSEND. I would. I am perfectly willing that that should be done.

Mr. REED. That is to say that the subcommittee would preserve the ballots and call for and receive and preserve any other documentary evidence?

Mr. TOWNSEND. I have no objection to that if that is properly arranged as the stipulation provides. We must know how they are going to be taken and how they are going to do it. I want provision made for doing that.

Mr. REED. You want it done with the attorneys present and a proper representation of the parties.

Mr. TOWNSEND. If the Senator, after reading the law that has passed in Michigan, finds that it covers the ground, so that these people can go into the court there and get all the relief they want, what more does the Senator wish?

Mr. REED. I do not want anything except I want this evidence saved. I do not want it destroyed. I think we are getting to a point where we may be able to agree upon it. Of course, we can not do it very well, standing on the floor of the Senate in this way.

Mr. TOWNSEND. I am asking the Senator to read the State law, with the provision that it is given immediate effect, and to see if that does not furnish all the relief which this Congress or Mr. Ford has a right to ask.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BANKHEAD. Mr. President, we have had this bill before the Senate for five days, and I think about four and a half hours have been spent in its consideration. I am now going to move to adjourn until to-morrow, but I want to state that beginning to-morrow, after the morning hour, I shall insist that this bill shall be kept before the Senate to-morrow and to-morrow night and the next day and the next night until the bill is passed.

Mr. THOMAS. Mr. President, I have been waiting to hear a statement like that for some time. I hope the Senator will do as he states, and I hope that those having charge of other bills that we must dispose of before Congress adjourns will insist upon a similar proceeding.

THE REVENUE.

Mr. SIMMONS. Mr. President, with a view to facilitating action upon the revenue bill when it is reported to the Senate, I wish to state to the Senate that there will be a conference report filed in the House, and that the bill as amended by the conferees has been printed. These documents can be had by applying at the Document Room.

As a further aid to Senators in getting ready so that we can dispose of the report without delay, I am going to ask that the conference report be printed in the RECORD in order that those Senators who desire to do so may examine it in advance of its regular presentation to the Senate.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The Chair suggests to the Senator from North Carolina that the conference report will be printed in the House proceedings of to-day, and that it would not be competent for the Senate to make an order for printing the report in advance of receiving the report.

Mr. SIMMONS. The Chair did not understand me. I am not proposing to present the report of the conferees on the part of the Senate. I am simply asking that the report which has been made to the House by the House conferees be printed in the RECORD.

Mr. SMOOT. I ask the Senator if, when the report is presented to the House, it will not be printed in the RECORD?

Mr. SIMMONS. I do not think so, but I am not quite sure about that.

The PRESIDING OFFICER. The Chair understands the Senator from North Carolina to request that if the conference report does not appear in the proceedings of the House when presented to the House the same shall be printed in the RECORD of the proceedings of the Senate.

Mr. SIMMONS. That is what I request.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection.

Mr. WARREN. I wish to ask the Senator in what form the matter is going to appear, so that the public at large may know what the bill itself provides for in its entirety.

Mr. SIMMONS. I have stated that the bill as amended by the conferees has been printed. It is already printed, so that with the report of the conferees any Senator can tell exactly what has been done.

Mr. BANKHEAD. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock p. m.) the Senate adjourned until to-morrow, Friday, February 7, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 6, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Oh Thou, to whom we are indebted for all things, God our Heavenly Father, without whom we are nothing, illumine our minds, quicken our conscience, that we may see clearly the way and act fearlessly, nobly, our part in the great drama of life, under the spiritual leadership of Thy son Jesus Christ, the world's Great Exemplar; and Thine be the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

UNEMPLOYMENT OF MINE WORKERS.

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter and a resolution passed by the United Mine Workers of America. I want to say that in Ohio alone there are 15,000 mine workers who have not worked a day this year and the other 30,000 have worked only about 50 per cent.

The SPEAKER. The gentleman asks unanimous consent to incorporate in the RECORD a letter and resolution. Is there objection?

Mr. STAFFORD. Will the gentleman yield?

Mr. SHERWOOD. Yes.

Mr. STAFFORD. Has this lack of employment or the small number employed in the output of coal been the result of the action of the mine owners so as to keep up the high price of coal, or what has been the purpose?

Mr. SHERWOOD. I will have the resolution read, if the gentleman desires.

Mr. STAFFORD. I thought the gentleman had the information as to the reason why these men are out of employment, when the price of coal is three times what it was in peace times.

Mr. SHERWOOD. There is nothing in the resolution about that.

The SPEAKER. Is there objection?

There was no objection.

The letter and resolution are as follows:

UNITED MINE WORKERS OF AMERICA,
Columbus, Ohio, January 30, 1919.

Hon. ISAAC R. SHERWOOD,
House of Representatives, Washington, D. C.

DEAR SIR: We have just made a tour of the coal-mining districts of Ohio and find conditions extremely bad.

There are 15,000 coal miners in this State that have not worked one day this year, the other 30,000 have worked less than 50 per cent time and have no assurance of any immediate relief.

The people living in the mining communities have lost all confidence in themselves and everyone else, including the Government, and because of this lack of confidence people are only buying what they absolutely can not get along without.

Because of this, the merchants are buying nothing from the wholesale houses and everyone is affected all along the line.

There is only one remedy that we can see at this time that will bring relief and restore confidence and that is for the Government to inform all operators and coal consumers that the price fixed by the President in 1917 would maintain in 1919, and that fuel purchased by the Railroad Administration would take the same price as other consumers are required to pay and that all coal purchased by the Railroad Administration for fuel purpose or Government use should be as near equally distributed among all the mines as is possible, thus assuring to the men employed in and around the mines an equal opportunity to earn a dollar during this reconstructive period.

I appeal to you as a citizen and statesman from this grand old Buckeye State to use your power in Congress and with the Fuel and Railroad Administration to the end that a public statement will emanate from Washington to the effect that the price of coal fixed by the President would maintain during this year.

The effect of an order of this kind will bring immediate relief, because large consumers are not purchasing coal at this time because they have coal in stock and are using their stock in the belief that prices will be reduced.

If they had the assurance that prices will not be reduced, instead of consuming their stock coal, they would from time to time purchase part of their daily consumption so that will, to that extent, increase production and increase the earnings of the men employed in and around the mines.

You will kindly give this question the serious consideration that it merits and advise us of any information or relief that you may be able to secure.

Thanking you in advance for giving this matter your personal attention, we beg to remain,

Sincerely,

JOHN MOORE,
President Ohio Miners.
G. W. SAVAGE,
Secretary-Treasurer Ohio Miners.

UNITED MINE WORKERS OF AMERICA,
Columbus, Ohio, January 31, 1919.

Hon. ISAAC R. SHERWOOD,
Member United States Congress, Washington, D. C.

DEAR SIR: The following resolution was unanimously adopted by the delegates representing fifty thousand (50,000) coal miners in the thirtieth annual convention of Ohio miners, District No. 6, United Mine Workers of America.

Trusting you will give this matter your early consideration, I am,

Respectfully,

G. W. SAVAGE,
Secretary.

Resolution.

To the representatives of the Ohio Mine Workers, thirtieth annual convention assembled:

Whereas the Government agents representing the Railroad Administration are using every effort possible to reduce the price of railroad coal per ton to less than the price set by the President of the United States, Hon. Woodrow Wilson, for the duration of the war; and

Whereas during reconstruction period, in order to prevent disaster in our industrial affairs, it is absolutely necessary to have all industries in our country operate to provide employment for those who must work for a living; and

Whereas if the policy of reducing the price of railroad coal is adopted, it will cause many of the mines to close down and throw thousands of our miners out of employment, which would cause hardships among the miners and their families; Therefore be it

Resolved, That we, representing approximately fifty thousand (50,000) mine workers in Ohio, want an equal division of the work, and who, because of the enormous high cost of living, appeal to the authorities at Washington and our Government to insist that the price per ton for coal for railroad fuel be the same as the price made by the Government, and which every other consumer is required to pay; and be it further

Resolved, That as a solution to prevent the closing of some of the mines, while others are in operation, the miners demand that each mine in operation be given the opportunity to supply coal for railroad fuel, and that the tonnage be divided among the various mines in proportion to the tonnage produced; and be it further

Resolved, That the secretary be instructed to send copy of this resolution to Members of United States Congress from Ohio, to Hon. Woodrow Wilson, President of the United States; Hon. Walker D. Hines, Director General of Railroad Administration; Hon. H. A. Garfield, Fuel Administrator; Hon. Felix Frankfurter, War Labor Policy Board; Hon. W. B. Wilson, Secretary of Labor; and Hon. Ellison D. Smith, chairman, Senate Committee on Interstate Commerce.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5342. An act providing for the appointment of an additional district judge for the northern judicial district of the State of Texas.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 1847) to authorize the addition of certain lands to the Wyoming National Forest.

THE REVENUE.

Mr. KITCHIN. Mr. Speaker, I present a conference report on the revenue bill, H. R. 12863, and ask that it be printed under the rule.

The SPEAKER. The gentleman presents a conference report on the revenue bill, which will be printed in the RECORD under the rule.

Mr. MANN. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. MANN. Is it proposed to have the revenue bill printed in any way, as it will read if the conference report is agreed to?

Mr. KITCHIN. Yes.

Mr. MANN. Either before or after the conference report is agreed upon?

Mr. KITCHIN. Yes. We have the bill already printed as agreed upon by the conferees, and any Member of the House can send over to the room of the Committee on Ways and Means in the House Office Building and get a copy to-day. Of course, copies will be printed to-morrow and be in the document room, but Members can get copies to-day by sending over to the room of the committee.

Mr. MANN. The committee have had it printed for the use of the committee, but it would not be printed for the document room, would it?

Mr. KITCHIN. Not until to-morrow.

Mr. MANN. It would not be printed for the document room at all unless there was a special order made.

Mr. KITCHIN. I forgot to say that I have a motion with reference to that which I am going to present immediately.

Mr. MANN. If the conference report is agreed to, of course the bill will be signed eventually by the President; but I apprehend that it will not be practicable for the President to sign the bill probably until he returns home.

Mr. KITCHIN. Yes.

Mr. MANN. It seems to me it will be very important to assume that the President will sign the bill if the conference report is agreed to, and that meanwhile people ought to know what it is going to be, so they can begin to prepare to make their returns.

Mr. KITCHIN. I will tell the gentleman our intention. I have an order reading this way:

Ordered, That there be printed for the use of the House document room 2,500 copies of the bill (H. R. 12863) to provide revenue, and for other purposes, agreed to in conference.

I will offer that in a moment. Then, after the conference report is agreed to by the House and the Senate I will try to get an order to print it in pamphlet form, so that it can be sent out to the people, and the House and Senate can have the privilege of getting copies. Of course, it will be unsigned, but it will be exactly as the bill passed.

Mr. MANN. When does the gentleman intend to call up the conference report?

Mr. KITCHIN. Saturday.

Mr. RAMSEYER. I have just come in. Has the conference report been agreed upon?

Mr. KITCHIN. It has been agreed to by the conferees. I have just presented it for printing in the RECORD. Any gentleman can get a copy of the report as agreed upon and the statement of the conferees on the part of the House by sending to the Committee on Ways and Means in the House Office Building at any time to-day.

Mr. Speaker, I present the motion which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Ordered, That there be printed for the use of the House document room 2,500 copies of the bill H. R. 12863, an act to provide revenue, and for other purposes, agreed to in conference.

The motion was agreed to.

CASUALTIES IN THE PENNSYLVANIA NATIONAL GUARD.

Mr. VARE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a newspaper article concerning the casualties in the Pennsylvania National Guard.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to insert in the RECORD a newspaper article.

Mr. FOSTER. I did not understand what it is about.

Mr. VARE. It is an article from the Philadelphia Press, which gives the casualties of the members of the National Guard of Pennsylvania.

Mr. FOSTER. Does the gentleman think we ought to commence to print the casualty lists in the CONGRESSIONAL RECORD?

Mr. VARE. This makes some comparisons which show the very important part taken by Pennsylvania troops.

Mr. FOSTER. All the States have had a good many casualties, and if we begin printing these lists every State ought to have the right to do the same thing, it seems to me.

Mr. VARE. I have yet to see the time on this floor when there was objection made to printing anything calling attention to the important part that any gentleman's State may have played in the war.

Mr. FOSTER. I know that all the States have played an important part, and we are all proud of them.

Mr. VARE. I do not doubt that a bit.

Mr. FOSTER. But I do not believe we ought to publish these lists in the CONGRESSIONAL RECORD.

Mr. MANN. I do not understand this is a proposition to publish the casualty lists.

Mr. FOSTER. That is what I understood.

Mr. VARE. Not the names of individuals. This is simply a newspaper article——

Mr. FOSTER. Oh, I misunderstood the gentleman.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is it the object to show by comparison that Pennsylvania had a larger casualty list than organizations in other States?

Mr. VARE. No. It does not make a comparison with the rest of the States.

The SPEAKER. Is there objection?

Mr. STAFFORD. Reserving the right to object, how long an article is it? Is it all that the gentleman has in his hand?

Mr. VARE. No; it is a part of it.

Mr. STAFFORD. It is a small part. I have not objection to that.

The SPEAKER. Is there objection?

There was no objection.

WOUNDED MARINES AT CHELSEA HOSPITAL, MASS.

Mr. OLIVER of Alabama. Mr. Speaker, there have been some erroneous reports published in reference to the payment of wounded Marines at the Chelsea Hospital, near Boston. I ask unanimous consent to insert in the RECORD some official correspondence and reports relating to the matter.

The SPEAKER. The gentleman from Alabama asks unanimous consent to insert in the RECORD some official correspondence and reports in regard to wounded marines in the Chelsea Hospital, near Boston. Is there objection?

Mr. GARD. Reserving the right to object, how long is the correspondence?

Mr. OLIVER of Alabama. It is short, it will not take, I think, over a page of the RECORD, embracing official correspondence and reports relating to the matter in question.

The SPEAKER. Is there objection?

There was no objection.

The correspondence and reports are as follows:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 6, 1919.

Gen. GEORGE RICHARDS, United States Marine Corps,
Washington.

MY DEAR GEN. RICHARDS: My attention has been called to a report, appearing recently in the New York World, to the effect that 25 United States Marines have been without any pay for about eight months. A letter was written on this subject by Senator LODGE to Gen. Lauchheimer, which letter with the reply thereto was submitted to the House Naval Affairs Committee.

I understand that later you made a thorough investigation of this report, and I would appreciate your sending me copies of the correspondence between Senator LODGE and Gen. Lauchheimer, and any reports that you may have submitted in connection therewith. I learn that recently this erroneous report has been circulated among some of the Members of Congress, and for this reason think that it should be corrected by setting out the facts in the CONGRESSIONAL RECORD.

Yours, sincerely,

W. B. OLIVER.

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HEADQUARTERS U. S. MARINE CORPS,
PAYMASTER'S DEPARTMENT,
Washington, D. C., February 6, 1919.

MY DEAR MR. OLIVER: Replying to your letter of even date relative to a report printed in the New York Evening World, to the effect that there were a number of wounded marines in the naval hospital, Chelsea, Mass., who had received no pay for eight months or more, this office would state that this report as to these wounded being without pay, it appears, was first published in New England newspapers some time in November last, as brought to attention here by Senator LODGE of Massachusetts. If you will refer to the printed hearing of the Marine Corps, before the Naval Committee of the House December 19, 1918, you will see there certain correspondence between Senator LODGE and Gen. Lauchheimer on this subject; copies in full are inclosed herewith, from which it will be seen that the statement that these men had received no pay was found to be untrue.

Later the same report was republished in the New York Evening World of December 27, 1918, in connection with a notice that a benefit ball, to occur at the Cambridge Armory on New Year's eve, was being arranged for by public-spirited citizens to supply these wounded marines with funds to purchase needed comforts. Again this matter was reinvestigated at the direction of these headquarters. You will find inclosed a copy of the report made by this office on January 9, 1919. You will see in examining this paper that it was found as a result of that reinvestigation that not a single one of these wounded marines in the naval hospital at Chelsea who wished their pay failed to receive pay immediately after their admission to that hospital.

Trusting that this information is sufficient for your purposes and thanking you for this evidence of your interest in the welfare of the enlisted force of the Marine Corps, believe me to be, with kindest regards,

Faithfully, yours,

GEORGE RICHARDS,
Brigadier General,
The Paymaster, United States Marine Corps.

Hon. WILLIAM B. OLIVER,
Washington, D. C.

—

UNITED STATES SENATE,
COMMITTE OF PRIVATE LAND CLAIMS,
November 9, 1918.

MY DEAR GEN. LAUCHHEIMER: I should be very much indebted if you would let me know whether there is foundation for a report which has come to me that a number of our marines who were wounded in France and are now undergoing treatment at the naval hospital at Chelsea, Mass., have received no pay from the Government for many months and are unable to obtain any. I do not know the names of these soldiers at Chelsea, but a constituent of mine has written me in their behalf, sending me a statement from one of the Boston newspapers in regard to the matter. For any information that you may give me I shall be greatly obliged.

Very truly, yours, H. C. LODGE.

Brig. Gen. C. H. LAUCHHEIMER,
The Adjutant General, United States Marine Corps.

—

HEADQUARTERS MARINE CORPS,
November 11, 1918.

NAVY YARD, BOSTON, MASS.

For marine barracks: Investigate and report immediately if any wounded marines in naval hospital, Chelsea, have received no pay for many months and are unable to obtain pay period. Attention is called to instructions August 17 covering subject payment wounded marines, also to more specific orders October 8, requiring detailed reports covering cases of wounded marines unpaid for many months.

MARCORPS.

NOVEMBER 12, 1918.

MY DEAR SENATOR LODGE: Your letter of the 9th instant, bringing to my attention report that there are a number of wounded marines at the naval hospital, Chelsea, Mass., who have received no pay for several months and are unable to obtain any, has been received. This matter has been taken up by wire with the commanding officer Marine Barracks, navy yard, Boston, Mass., that the precise facts may be developed, action taken, and proper information supplied you.

As to whether there is any foundation for the report, let me say that we already know that the commanding officers of some of the units of the Marine Corps in France, did, in April last, suspend regular payments to their commands for reasons of a military nature; also, that later, when some of those units went under fire, the wounded men were evacuated through the British and French evacuation and base hospitals, situated in something more than 75 widely scattered localities.

Immediately the officers of the Paymaster's Department, Marine Corps, in France, made every effort to reach our wounded who needed funds; there are two letters inclosed herewith, as well as an official report of the Paymaster, Marine Corps, that cover details. In addition, Col. John H. Hughes, Inspector General, United States Army, in France, reports under date of September 6, 1918, the following:

"Paragraph 3, page 7, General Order 111, General Headquarters American Expeditionary Forces, 1918, requires that in case marines are sent to hospital their service records be sent direct to paymaster, United States Marine Corps, Paris. There are now about 6,000 of these service records in this office. All men away from organizations are supposed to have their records at the Paris office. There are men whose records have been lost, and in some cases records are said to have been destroyed by shell fire. In such cases these men are paid from data available on cards in Paris office. The duplicate service record must be secured from the United States. Maj. Wills has made during August a round of all hospitals west of a line north and south through Paris and paid each man 100 francs. At the same time he left cards with the men by which they can inform him of any change of address. He paid about 1,300 men. He left Paris about September 3 to make a similar trip through eastern France, and on his return will have much valuable data as to the whereabouts of the men to be paid from his office. On future trips it is the intention to pay men full amount due them. It is impracticable to take these trips by railroad due to the great loss of time in getting from place to place and the short stay at each place."

When some of these wounded began arriving within the United States general instructions were issued August 17, 1918, to all posts of the Marine Corps on the eastern coast, so that the needs of these men, in the matter of funds, might further be met, and in connection therewith specific reports were required to be furnished these headquarters covering such cases as you describe.

In these circumstances your inquiry may now only be answered to the effect that no reports have been received here as to any such cases in the naval hospital at Chelsea, Mass., and in the absence of such reports the rumor is probably incorrect. As indicated above, you will be informed as to the result of our investigation. In the meantime let me express my appreciation to you for bringing the matter so promptly to our attention.

With kindest regards, believe me to be,
Faithfully, yours,

C. H. LAUCHHEIMER.

Senator H. C. LODGE,
United States Senate, Washington, D. C.

—

UNITED STATES SENATE,
COMMITTEE ON PRIVATE LAND CLAIMS,
November 12, 1918.

MY DEAR GEN. LAUCHHEIMER: I am very much obliged for your letter of the 12th and for the information which you give me. I knew, of course, that everything possible was being done by the Marine Corps to extend financial aid to our wounded marines, but I was anxious to ascertain from you just what was being done in that direction in order that I might make intelligent reply to those who have written me about it.

With kind regards and many thanks, I am,
Very truly, yours,

H. C. LODGE.

Brig. Gen. C. H. LAUCHHEIMER,
Headquarters United States Marine Corps, Washington, D. C.

—

NOVEMBER 14, 1918.

MY DEAR SENATOR: In further reference to our previous correspondence with regard to wounded marines not receiving their pay, I have the honor to quote for your information the following telegram which has just been received from the commanding officer marine barracks, Boston, in reply to telegraphic orders which were sent to him on the 11th instant to investigate this matter:

"All wounded marines at Chelsea (Boston) hospital have been able to draw pay when desired, except Pvt. Leroy Barbee, who returned Monday from sick leave. Status of his pay accounts was forwarded Tuesday to assistant paymaster, 291 Broadway (New York), and he should receive payment by to-morrow. Barbee was last paid to and including 31st May."

You will note from this that we are taking all possible steps to see that wounded marines returned to this country do not have their pay held up, and if any such cases have occurred they are exceptional cases, which we are endeavoring to guard against.

Again expressing my appreciation of your interest in the welfare of our men, and with the assurance of my high regard, believe me,
Sincerely, yours,

C. H. LAUCHHEIMER,
Brigadier General, Adjutant, and Inspector.

Hon. HENRY CABOT LODGE,
United States Senate, Washington, D. C.

—

JANUARY 9, 1919.

From: The Paymaster.
To: The Major General Commandant.
Subject: Personal letter from Brig. Gen. C. S. Radford, assistant quartermaster, Marine Corps, to Brig. Gen. C. H. Lauchheimer, inclosing clippings from newspapers in re alleged nonpayment of wounded marines.

* * * * * * *

1. Pursuant to reference (a), this office got in communication with the assistant paymaster at New York, by telephone, and directed him to make an investigation and submit report relative to nonreceipt of pay by wounded marines. This was on December 31, 1918. The assistant paymaster at New York on that date informed this office that so far as known to him all men in the naval hospital at Chelsea who desired funds had been paid. The same date this office had a telephonic communication with the commanding officer, marine barracks, Boston, Mass., and was advised by him that the statement contained in the clipping from the Evening World was untrue.

2. In addition to the foregoing, a telegram was prepared for the major general commandant addressed to the commanding officer, marine barracks, Boston, which read as follows:

"Referring to article in New York Evening World headed 'Eight months unpaid but don't whimper,' and dated Boston, December 27, regarding benefit ball to raise funds for 25 marines in Chelsea hospital. Investigate and report immediately to the major general commandant all the facts in detail with a list of the names of wounded marines in the Chelsea hospital with dates and amount of last payment, and if not paid since arrival the reason for nonpayament. Attention is again called to instructions August 17 and October 8 requiring payments and detailed reports covering cases of this kind."

3. Under date of January 2, 1919, this office received a report on this subject from the assistant paymaster, New York, N. Y., dated December 31, which is quoted for your information, as follows:

"Subject: Payment of wounded marines in United States Naval Hospital, Chelsea, Mass.

* * * * * * *

"1. In connection with references (a) and (b), there is transmitted herewith a list showing the names of all men to whom this office has any knowledge as being patients at the United States Naval Hospital, Chelsea, Mass. This list has been prepared from the pay roll of the Marine Barracks, Boston, Mass., for the month of November, 1918.

"2. This office notes that no emergency payment has been made in the cases of Pvt. George H. Tower and Sergt. Arthur Clift. No request from the commanding officer of the Boston barracks has been received in this office requesting an advance.

"3. Reference (e) will explain the reason no advance has been made to Daum.

"R. E. DAVIS."

4. The report from the commanding office marine barracks, navy yard, Boston, Mass., reference (d) on this case, the original of which is attached hereto as well as the report from the assistant paymaster, Marine Corps, New York, quoted herein, shows that statements contained in the clipping from the New York Evening World, referred to in this correspondence, were without foundation in fact. Particular attention is invited to the following paragraph from the report of the commonding officer Marine Barracks, Boston, Mass.:

"3. With reference to the benefit ball, a Mr. George Baker, an employee of the Washburn-Crosby flour agency at Boston, came to see me about two weeks ago with reference to this ball. Mr. Baker stated that he has for many years been a firm friend of the Marine Corps. Nevertheless, I declined to accede to Mr. Baker's request for permission to use my name in connection with the proposed ball, or to take action which would give the ball an official status; and without hurting Mr. Baker's feelings, in view of his expressed friendly sentiments, I endeavored to discourage the project of a benefit ball, as I felt that an erroneous impression might be created. I also informed Mr. Baker that the wounded marines in Chelsea Hospital were being well looked out for financially and in all respects, under special orders from the major general commanant."

The fourth paragraph of the report of the commanding officer Marine Barracks, Boston, Mass., reading as follows, is further evidence of the absolute untruth of the contents of the clipping from the New York Evening World:

"4. The instructions of 17 August and 8 October, 1918, referred to in reference (a) have been carefully complied with by this office. Almost daily inquiry has been made at the Chelsea Hospital in order that every case might receive careful and prompt attention."

In this connection special attention is invited to the fact that the commanding office at Marine Barracks, Boston, Mass., has been making almost daily inquiry at the Chelsea Hospital, evidencing that that commanding officer has taken a very active interest in the matter of looking after the wants and needs of all wounded marines in that hospital.

5. This final report in this case was held here awaiting the receipt in this office of the report from the commanding officer Marine Barracks, navy yard, Boston, Mass., reference (d), which appears to have been received at these headquarters on January 3, 1919, but was not received in this office until January 8, 1919, five days later.

GEORGE RICHARDS.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

Mr. HARRISON of Virginia. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. The gentleman from Virginia makes the point that no quorum is present. Evidently there is not. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 265, nays 0, answered "present" 2, not voting 162, as follows:

YEAS—265.

Alexander	Bankhead	Blackmon	Brodbeck
Almon	Barkley	Bland, Ind.	Browning
Ashbrook	Barnhart	Bland, Va.	Buchanan
Aswell	Beakes	Blanton	Burroughs
Ayres	Bell	Bowers	Butler
Bacharach	Beshlin	Brand	Byrnes, S. C.
Baer	Black	Britten	Caldwell

Campbell, Kans.	Garner	Lobeck	Rucker
Campbell, Pa.	Garrett, Tenn.	Lonergan	Sabath
Cannon	Garrett, Tex.	Longworth	Sanders, Ind.
Carter, Mass.	Glynn	Lufkin	Saunders, Va.
Carter, Okla.	Good	McArthur	Scott, Iowa
Cary	Goodwin, Ark.	McClintic	Scott, Mich.
Chandler, N. Y.	Graham, Ill.	McCormick	Sells
Chandler, Okla.	Gray, Ala.	McCulloch	Sherwood
Clark, Pa.	Green, Iowa	McKeown	Shouse
Classon	Gregg	McKinley	Siegel
Claypool	Griest	McLaughlin, Mich.	Sinnott
Cleary	Hadley	McLaughlin, Pa.	Sisson
Connally, Tex.	Hamlin	McLemore	Slemp
Connelly, Kans.	Hardy	Magee	Sloan
Cooper, Ohio	Harrison, Va.	Maher	Smith, C. B.
Cooper, W. Va.	Haskell	Mann	Smith, T. F.
Cooper, Wis.	Hayden	Mansfield	Snook
Copley	Hayes	Mapes	Snyder
Crisp	Heflin	Martin	Stafford
Currie, Mich.	Hensley	Mason	Stedman
Dale	Hersey	Mays	Steenerson
Dallinger	Hicks	Merritt	Stephens, Miss.
Darrow	Holland	Miller, Minn.	Stevenson
Dempsey	Hollingsworth	Miller, Wash.	Strong
Denison	Hood	Montague	Sumners
Denton	Houston	Moon	Tague
Dies	Huddleston	Moore, Pa.	Taylor, Colo.
Dill	Hull, Tenn.	Moores, Ind.	Temple
Dillon	Humphreys	Morgan	Tillman
Dixon	Husted	Mott	Tilson
Dominick	Igoe	Mudd	Timberlake
Doughton	Ireland	Neely	Tinkham
Dowell	Jacoway	Nelson, A. P.	Towner
Dunn	James	Nicholls, S. C.	Treadway
Dupré	Johnson, Wash.	Oldfield	Vare
Dyer	Jones	Oliver, Ala.	Venable
Ellsworth	Juul	Oliver, N. Y.	Vestal
Elston	Kearns	O'Shaunessy	Vinson
Evans	Keating	Overstreet	Voigt
Fairchild, B. L.	Kehoe	Padgett	Volstead
Fairchild, G. W.	Kelley, Mich.	Parker, N. J.	Walsh
Fairfield	Kennedy, R. I.	Parker, N. Y.	Walton
Farr	Kettner	Peters	Wason
Ferris	Kless, Pa.	Phelan	Watkins
Fess	Kincheloe	Platt	Watson, Pa.
Flood	King	Polk	Watson, Va.
Fordney	Kinkaid	Porter	Weaver
Foss	Kitchin	Purnell	Welling
Foster	Knutson	Quin	Welty
Francis	Kraus	Ragsdale	Wheeler
Frear	La Folette	Raker	White, Me.
Freeman	LaGuardia	Ramseyer	Wilson, La.
French	Lampert	Randall	Wilson, Tex.
Fuller, Ill.	Langley	Reed	Wingo
Fuller, Mass.	Larsen	Riordan	Wood, Ind.
Gallagher	Lazaro	Rodenberg	Wright
Gallivan	Lea, Cal.	Rogers	Zihlman
Gandy	Lehlbach	Romjue	
Gard	Linthicum	Rouse	
Garland	Little	Rowe	

ANSWERED "PRESENT."—2.

Emerson London

NOT VOTING—162.

Anderson	Edmonds	Lee, Ga.	Scully
Anthony	Elliott	Lesher	Sears
Austin	Esch	Lever	Shackleford
Benson	Essen	Littlepage	Shallenberger
Birch	Estopinal	Lundeen	Sherley
Booher	Fields	Lunn	Sims
Borland	Fisher	McAndrews	Slayden
Browne	Flynn	McFadden	Small
Brumbaugh	Focht	McKenzie	Smith, Idaho
Burnett	Gillett	Madden	Smith, Mich.
Byrns, Tenn.	Godwin, N. C.	Mondell	Snell
Candler, Miss.	Goodall	Morin	Steagall
Cantrill	Gordon	Nelson, J. M.	Steele
Caraway	Gould	Nichols, Mich.	Stephens, Nebr.
Carew	Graham, Pa.	Nolan	Sterling
Carlin	Gray, N. J.	Norton	Stiness
Church	Greene, Mass.	Olney	Sullivan
Clark, Fla.	Greene, Vt.	Osborne	Sweet
Coady	Griffin	Overmyer	Swift
Collier	Hamill	Paige	Switzer
Costello	Hamilton, Mich.	Park	Taylor, Ark.
Cox	Hamilton, N. Y.	Pou	Templeton
Crago	Harrison, Miss.	Powers	Thomas
Cramton	Hastings	Pratt	Thompson
Crosser	Haugen	Price	Van Dyke
Curry, Cal.	Hawley	Rainey, H. T.	Waldow
Davey	Heaton	Rainey, J. W.	Walker
Davis	Heintz	Ramsey	Ward
Decker	Helm	Rankin	Webb
Delaney	Helvering	Rayburn	Whaley
Dent	Hilliard	Reavis	White, Ohio
Dewalt	Howard	Roberts	Williams
Dickinson	Hull, Iowa	Robinson	Wilson, Ill.
Donovan	Hutchinson	Rose	Winslow
Dooling	Johnson, Ky.	Rowland	Wise
Doolittle	Johnson, S. Dak.	Rubey	Woods, Iowa
Doremus	Kahn	Russell	Woodyard
Drane	Kelly, Pa.	Sanders, La.	Young, N. Dak.
Drukker	Kennedy, Iowa	Sanders, N. Y.	Young, Tex.
Eagan	Key, Ohio	Sanford	
Eagle	Kreider	Schall	

So the motion of Mr. PADGETT was agreed to.

The following pairs were announced:

Until further notice:

Mr. CLARK of Florida with Mr. EDMONDS.

Mr. HENRY T. RAINEY with Mr. WILSON of Illinois.

Mr. SLAYDEN with Mr. SWEETZER.

Mr. SEARS with Mr. NOLAN.

Mr. BOOHER with Mr. HAMILTON of Michigan.

Mr. LEVER with Mr. HAUGEN.

Mr. CAREW with Mr. GOODALL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. HARRISON of Mississippi with Mr. REAVIS.

Mr. HAMILL with Mr. KREIDER.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. CANDLER of Mississippi with Mr. CHANDLER of Oklahoma.

Mr. BENSON with Mr. ANDERSON.

Mr. LITTLEPAGE with Mr. AUSTIN.

Mr. CARAWAY with Mr. BROWNE.

Mr. BYRNS of Tennessee with Mr. DAVIS.

Mr. DENT with Mr. KAHN.

Mr. DONOVAN with Mr. FOCHT.

Mr. DOOLING with Mr. GOULD.

Mr. CANTRILL with Mr. KENNEDY of Iowa.

Mr. HELM with Mr. HUTCHINSON.

Mr. HELVERING with Mr. KNUTSON.

Mr. SUMNERS with Mr. MCFADDEN.

Mr. MCANDREWS with Mr. MCKENZIE.

Mr. OLNEY with Mr. MADDEN.

Mr. OVERMYER with Mr. OSBORNE.

Mr. PARK with Mr. PAIGE.

Mr. POU with Mr. RAMSEY.

Mr. PRICE with Mr. SANDERS of New York.

Mr. RUSSELL with Mr. SANFORD.

Mr. SANDERS of Louisiana with Mr. SMITH of Idaho.

Mr. SCULLY with Mr. SNELL.

Mr. SIMS with Mr. ESCH.

Mr. SMALL with Mr. GILLETT.

Mr. STERLING with Mr. WILLIAMS.

Mr. TAYLOR of Arkansas with Mr. WINSLOW.

Mr. WEBB with Mr. WOODYARD.

Mr. COADY with Mr. GREENE of Vermont.

Mr. COLLIER with Mr. MONDELL.

Mr. BURNETT with Mr. STINESS.

Mr. THOMAS with Mr. SMITH of Michigan.

Mr. WHALEY with Mr. HAWLEY.

Mr. DELANEY with Mr. CRAGO.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GARRETT of Tennessee in the chair.

The Clerk reported the title of the bill.

Mr. PADGETT. Mr. Chairman, before we proceed I desire to make a statement. About one hour and a few minutes remain of general debate. It is our desire to finish this bill by to-morrow night, and for that purpose, if it is necessary, I shall ask the House to sit to-night. I hope it will not be necessary. I hope that we can make such progress during the day that it will not be necessary. If it should be necessary to have a night session in order to complete the bill by to-morrow night, however, I shall ask that that procedure be pursued. The gentleman from North Carolina [Mr. KITCHIN] gave notice this morning that he would call up on Saturday the conference report upon the revenue bill, and we desire to have this bill out of the way by that time.

Mr. BROWNING. Mr. Chairman, I yield such time as I have to the gentleman from Virginia [Mr. SAUNDERS], and, as I understand it, the chairman of the committee has agreed to yield to him part of his time.

Mr. PADGETT. Yes, Mr. Chairman; I yield to the gentleman 20 mihutes of my time.

The CHAIRMAN. The gentleman from Virginia is recognized for 25 minutes.

Mr. SAUNDERS of Virginia. Mr. Chairman: The forces of liberty, right, and justice, in a contest in which civilization was at stake, achieved a great triumph in the world war, now happily concluded. To that high enterprise our country made a notable contribution. Imperial Germany is prostrate, Austria is in the dust, Turkey is a shapeless ruin, great Russia is a formless mass of jarring and discordant elements. Thrones, principalities, and potentates have been overthrown. Nowhere do the powers of autocracy rear their insolent heads to threaten the peace of the world. Nowhere may be seen the menace of any danger to the United States. Having these conditions in mind we are moved to ask why it is, that at this time the most prodigious naval bill in the history of our country, has been reported to this body, and why in face of the admitted facts Congress should approve the recommendations of the Naval Committee? Is it the logic of the situation that as dangers recede, our preparations for war shall multiply? Is it true that in proportion to the declining power of the arrogant autocracies that aspired to the overlordship of the world, this mighty, free, and secure Republic of ours must multiply the agencies of

destruction under the pretense that they are required for necessary defense?

A few days ago there came to us news of the most tremendous significance that was ever borne to the expectant peoples of the earth, since this old world of our started spinning down the ringing grooves of change. That news was to the effect that the congress at Paris had agreed upon a league of nations, and that the terms of the agreement provided for the disarmament of the nations, the reduction of military forces, and the abolition of conscription for the maintenance of armies—in a word, for the destruction of those agencies which throughout the ages have agitated, perturbed, and filled with dire alarms the free and liberty-loving peoples of the earth. If that news be true, then certainly there is no necessity for the action recommended to be taken, and if it be not true, then I will ask some spokesman for this bill, to tell me and to tell this committee what are the dangers against which we are asked to prepare, who are the possible enemies likely to confront us, and why it is that in addition to the inevitable burdens entailed by the great war, we are now asked to assume burdens in the way of a larger Army and a larger Navy, far greater than were deemed necessary for the national defense in the period that preceded our declaration of war? Emerging as victors from a short but bloody participation in a war that has served to make the world secure for the citizens of this Republic, have we only succeeded in laying greater military and naval burdens on our country? Does it fairly follow from our victory, that the dangers to the peace and security of the United States have been so greatly magnified, that upon a calm review of the world situation we are justified in concluding that we must increase both our Army, and our Navy to the dimensions proposed, to adequately safeguard our national interests? If we look for information on this material inquiry, to the report of the Naval Committee, what do we find? Not a word in the way of explanation, or justification of its recommendations.

After giving a number of details related to the great expenditures proposed, the report contents itself with saying that it is agreed that we need an adequate Navy—a magnificent platitude but hardly an illuminating statement. Whatever may be our divergent views as to the size of the Navy, we are all agreed that we favor an adequate Navy. But this body of intelligent representatives of the American people is justified in asking the Naval Committee to advise us as to the dangers which it deems are reasonably to be apprehended, and the impelling reasons for the policy which it recommends? May I ask, what is an adequate Navy? Is the answer, a sufficient Navy? If so may I ask, what is a sufficient Navy? Unless we are apprised of the dangers reasonably to be apprehended, how can we determine the size of the Navy required to repel those dangers? A few days ago one of our admirals testified before the Committee on Naval Affairs. His testimony appears in the hearings. He testified somewhat after this fashion, that whatever may be the extent of our naval construction, it will not be equal to the Navy needs. Further, that now is the appropriate time for this country to make the suggested enhancements and enlargements, because the world expects us to take this action. And still further, that there never has been any period in the history of the United States when our country needed greater naval preparation than at this good hour. There are three statements of fact involved in this testimony that every man on this floor, I believe, will instantly challenge.

The cryptic and mysterious utterances that come from time to time from members of the high command, serve only to agitate, confuse, and alarm the public mind. For the purposes of intelligent action, we would like to have some definite recital of facts to support the statements made by this witness, some definite information afforded from which the Congress can determine what ought to be done with respect to any emergency likely to arise. [Applause.] I ask the Members on both sides of the Chamber, intelligent and patriotic representatives of the people who have shown throughout the dread emergency that has confronted the country during the last two years, that there was nothing that you were not prepared to do in support of the public cause—I ask you, my colleagues, in view of that proud and ineffaceable record of public achievement, if you are not entitled to be told by your Naval Committee why it is, that at this time when our enemies are prostrate, we should increase the public burdens in the name of national defense? What are the dangers that render necessary these prodigious preparations? [Applause.]

When the admiral referred to, stated that the world expected us at this time to increase our Military and Naval Establishment, upon what did he base that statement? Are we not entitled to know? If we look abroad to ascertain the facts required for intelligent action as representatives of the people, what do we find?

England has deferred her naval program. Neither in France, Italy, or Spain, do we find any lurking dangers, or any quickening activities that would cause anyone to conclude that this country is so seriously endangered that our Navy must be enlarged, and our standing Army increased. Germany is in sackcloth and ashes. Look to Japan, China, South America, take in the whole circle of the world, and tell me where you find the evidence of any present, or prospective preparation so extensive, and so alarming, as to make it necessary for this Congress to proceed with feverish haste to establish new armaments in the name of proper and adequate defense. The other governments of the world are anxiously striving to bring about a reduction of the burdens entailed by the war. The heaviest of these burdens are their overgrown military and naval establishments. Why should those nations which are all agreed that armaments must be reduced, expect us at this time to multiply our burdens, to establish larger armies, and more powerful navies, unless our country is in greater danger, than in the ante-bellum period? It is not enough for this admiral to make the statements that he did as a witness before the Naval Committee. He should communicate to that committee, and they in turn to us, the facts upon which he based that statement. Again he declares that at no time in our history has there been as great need for preparation as at present. Against what menace is this proposed preparation, this supplementary naval program intended to protect us? Is it some alleged danger? Then what danger? In what quarter is it reasonably to be apprehended?

What nation threatens us with naval activities likely to put in jeopardy a single right, or a single interest of the American people? Where are those activities to be found? A few days ago the Scientific American—and surely no one will take that journal as erring on the side of what is called little navyism—stated in a leading editorial that to-day in dreadnaught power this country is equal to that of any three nations in the world, excepting England. The modern dreadnaught strength of the United States as stated by that journal and nowhere denied, is equal to that of Japan, France, and Italy combined. This being so, where then is the danger reasonably likely to arise, and sufficient in extent, to justify this Congress in hastily authorizing the gigantic supplementary program proposed by this bill? The naval program of 1916 was the most prodigious ever adopted in any country at any time. Construction under this program has hardly begun. Our present dreadnaught strength, including three dreadnaughts practically, though not actually complete, is 19 great battleships. The three nations I have recited, Japan, France, and Italy, have 21 modern dreadnaughts.

The statement of the Scientific American in this connection is as follows: "In the Scientific American of December 28, 1918, we made known the very gratifying fact, that with the elimination of the German Navy, the United States Navy moved into second place. We showed also that because our allies lost many of their capital ships, and stopped work during the war upon those they were building, our Navy is so strong a second that it is equal in dreadnaught strength to the three navies of France, Italy and Japan. The United States possesses 19 dreadnaughts, Japan 9, France 7, and Italy 5. We found also that because of the superior gun power, armor protection, and displacement of our vessels, our 19 ships were fully a match in strength and fighting power, for the 21 ships of the nations enumerated. Our total of 19 United States dreadnaughts was based on the statement of the chief constructor, to a congressional committee to that effect.

"The end of the world war finds the allied powers war weary and eager for relief from the burden of maintaining huge armaments both on sea and land. Americans returning from the other side, whether they be officers of the Army or Navy, or civilians, tell us that all of our allies, now that the German threat is gone, are prepared to make a pro rata reduction of their armaments."

Excluding England, the three nations just mentioned are the three greatest naval powers of the world who may be treated as our possible adversaries. But if our present battleship strength is equal to that of these possible adversaries, and these adversaries show no indications of activity in new naval construction, are we justified at this time in burdening our people, and alarming the world, by hastily authorizing the immense addition proposed to our present Navy? We should deal with this situation as intelligent Representatives, having in mind dangers reasonably to be apprehended, not mere possibilities. Any nation, or combination of nations, may be considered as a possible enemy, but we should not establish our national policy upon a theory of possibilities. I am unable to say, and no one in this body is able to say, what the future holds in the way of possibilities. At some time in that unknown and unexplored future it is possible that we may have to fight an embattled world. Our possible adversaries may be England,

France, Italy, Germany, rejuvenated Russia, Japan, and every other free nation, and autocratic government on earth. Who can say? The combination of nations I have suggested, may not be excluded as a possible adversary, but who would be willing to vote money to establish and maintain a navy sufficient to protect this country against so unlikely and remote a combination? In the realm of speculation we may not be able to exclude the possibility of such a combination of adversaries, but we would be all agreed that the likelihood of danger from such a quarter, would be so remote that no sane man would concern himself to provide against it.

Armies and navies, when not needed for the national defense, are per se burdens, and are not to be voted lightly upon the country. They should be established with exclusive regard for internal and external safety. To the extent they exceed the national requirements in either direction, they are merely mischievous extravagances. The determination of an appropriate military and naval policy is a purely legislative function, and should be determined, as other legislative problems, in the exercise of our best judgment.

Mr. LONGWORTH. Will the gentleman yield for a question?

Mr. SAUNDERS of Virginia. Just for a question.

Mr. LONGWORTH. Is the gentlemen familiar with the cablegram recently sent by the President to certain Members of the House?

Mr. SAUNDERS of Virginia. I am not. Is the gentleman?

Mr. LONGWORTH. I happen to be.

Mr. SAUNDERS of Virginia. Very well, what of it?

Mr. LONGWORTH. I want to ask the gentleman whether he thinks it makes for wise legislation that some Members of the House should be in possession of certain information and others not?

Mr. SAUNDERS of Virginia. That inquiry has nothing whatever to do with the inquiry whether the policy proposed by this bill is wise, or unwise. Concede that the answer to your question should be no, and what then? The immediate inquiry that concerns the members of this committee, is whether in the discharge of our duty as prudent and discreet legislators we should follow the recommendations of the Naval Committee, and enact the legislation which it recommends. If it is made clear to us that our national security requires the construction of the additional battleships, and cruisers proposed, then nothing remains to be said. The necessary credits should be voted before the rising of to-morrow's sun. Salus reipublicae est suprema lex. I have stated, Mr. Chairman, that looking the world over to-day, and always excepting England, there is not a naval power, viewing the nations in succession as possible antagonists, either singly, or in likely combination, that threatens, or menaces the naval supremacy of the United States even on our present basis of naval strength, and excluding the program of 1916 which, in the main, remains to be constructed. I admit that with respect to our strength upon the high seas our Navy as at present constituted, or even with the completed program of 1916, would not be as powerful as the British grand fleet.

But it has never been proposed that our fleet should match the British fleet. I am familiar with the arguments that have been advanced in this body during the last 12 years, and during that entire period it has always been maintained that in determining the naval policy of the United States, we could always exclude Great Britain as a factor in the problem. Both in the debates in the House, and in the testimony before the committee, it has been agreed that a proper building policy for this country was in no wise to be determined or affected by the extent of the English activities.

I quote again from that big Navy organ, the Scientific American:

"We find that there is a practically unanimous conviction that the strength of the British Navy is warranted by her island position and the scattered condition of the British Empire, and that it is sufficient that we should be a powerful second. Particularly strong is this conviction among the officers of the battle squadron which you recently reviewed on its return from cooperation with the British fleet in the North Sea.

"If there is anybody of expert opinion that is qualified to judge whether the British fleet is a menace to the peace of the world, it is to be found surely, among these American officers, who have spent a whole year with that fleet in the most intimate intercourse and cooperation. They frankly express their conviction that the British Navy is regarded both by ojcers and civilians of Great Britain as a purely protective force, built up and maintained for the sole purpose of keeping open the trade routes between Great Britain and her widely-scattered colonies.

"The persistent advocacy, even before the peace conference has opened, of huge increases in the United States Navy has filled all thoughtful people, not merely among our allies, but here in America, with amazement and deep-seated concern."

I would like to be advised whether as one result of a war waged to free the world from the menace of an autocratic power which sunk our ships, and murdered our citizens on the high seas, a war in which we fought shoulder to shoulder with Great Britain, and so fighting, won a glorious and never to be forgotten victory, we are to treat our whilom comrade as a possible enemy, and viewing him, as we aforetime viewed Germany, order our policy accordingly, and proceed to build battleships upon a scale of surpassing magnitude in order to protect this country against the menace of this new adversary. [Applause.]

New ties have been established by the sorrows and the sufferings of this war, jointly endured by the Anglo-Saxon nations. I had fondly believed that the experiences of the fiery furnace of trial through which we had jointly passed had served to draw us more closely than ever to that mother race from which we spring, and that the peace between the two nations which has been unbroken for over a century now be fairly considered as perpetual and infrangible. The burdens of this war are surely heavy enough, without the suggestion that as another outcome of this frightful strife, we must regard our only English-speaking ally as a possible enemy in the determination of our future naval policy.

If that is to be true, then assuredly the war has brought us new burdens. In the effort to establish our security by the overthrow of the one power that menaced it, can it be that we have succeeded in some mysterious fashion in placing the one power that we have heretofore excluded from consideration in all of our computations of naval construction, and all our estimates of probable enemies, in the category of possible antagonist, and for the future must consider her programs of naval construction as carrying a possible menace to this country. Having fought as allies to destroy the menacing power of autocracy, must we now part company, and at this very time when the pæans of victory resound in our ears, begin with feverish haste to prepare for the day of conflict with our whilom ally? If we exclude England from contemplation, as we have excluded her during the last three decades, then what fleet, or fleets of possible adversaries, require us to establish this supplementary program?

Mr. BRITTEN. Will the gentleman yield for one question?

Mr. SAUNDERS of Virginia. One question.

Mr. BRITTEN. Does the gentleman recall the secret treaty entered into between Great Britan and Japan that gave to Japan the islands in the Pacific, some of them surrounding our great naval base, in the last three years?

Mr. SAUNDERS of Virginia. I suppose the implication that the gentleman intends to convey by that question is that this country should construct its future fighting fleets with reference to Great Britain as a possible adversary. If his implication does not mean that, then what does it mean? If that is what the Naval Committee, and the naval experts have in mind, then they should be manly enough, and frank enough to say to the American people that as one result of the great war, our relations with Great Britain have been so altered that we must reverse the attitude of the past, and so far from excluding that country from the category of nations proper to be considered in the determination of our building program, we must in the future consider the menace of her fleet in ascertaining the number and strength of the ships required for adequate national defense. If it is considered that a new factor has been projected into the problem of national security, and if that factor is the menace of England's fleet, then that fact should be plainly announced so that the Congress may act intelligently, and reach its own conclusions upon the necessity for this supplementary program. The cryptic and mysterious intimations of the gentleman from Illinois are not enlightening. Give us the facts, so that we may act advisedly, and intelligently. [Applause.]

Now, Mr. Speaker, there is another feature of the situation——

Mr. KELLEY of Michigan. Will the gentleman yield?

Mr. SAUNDERS of Virginia. I prefer not to yield at this time, if the gentleman will wait until I finish the statement of what I now have in mind.

Mr. KELLEY of Michigan. I was rather interested in suggesting one question to the gentleman.

Mr. SAUNDERS of Virginia. Well, I will yield.

Mr. KELLEY of Michigan. My recollection is that the gentleman from Virginia in the past has generally had great faith that America never would need even the Navy we have now.

Mr. SAUNDERS of Virginia. I have always favored a Navy sufficient to protect this country against all dangers reasonably to be apprehended.

Mr. KELLEY of Michigan. Because my recollection is that the gentleman almost invariably voted against the increase in the Navy.

Mr. SAUNDERS of Virginia. I have always been against unreasonable and unnecessary increases.

Mr. KELLEY of Michigan. Is the gentleman so sure of the future, based upon his past prophecies, as to the needs of America?

Mr. SAUNDERS of Virginia. Far more sure.

Mr. KELLEY of Michigan. Please state why the gentleman now is——

Mr. SAUNDERS of Virginia. I will so state with a great deal of pleasure. I have never favored a policy of nonresistance either on the land, or the sea. I have always favored a Navy that, so far as I could determine from my study of the available authorities, the experts, if you choose to call them so, would be equal to the Navy of any other country that could reasonably be regarded as a menace to this country. Great Britain was always excluded by the naval experts themselves from the list of possible enemies.

Within the past few months the one country that really threatened the peace of the world, the one country that has been continually used by the naval expansionists to alarm this country into voting for new construction on an extensive scale, has been completely eliminated as a naval power. Her entire fleet is in the hands of her adversaries, and at their mercy. The present plan is to destroy every one of these ships.

Mr. KELLEY of Michigan. We are getting away from my question.

Mr. SAUNDERS of Virginia. Not at all. I am proceeding to show you that our present Navy secures us against any danger reasonably to be apprehended, and in that connection I referred to the passing of Germany as a naval power. I have given the figures of the combined dreadnaught strength of France, Italy, and Japan. Is France a menace to this country? Is she building new navies? Are her yards humming with new construction?

What of Italy? Do you really think that we need additional ships to protect our interests against danger from that quarter? Does the naval strength of Japan alarm you? Is she an adversary reasonably likely to attack this country? If so, having in mind the relative strength of the navies of Japan, and the United States, what do you imagine would be the outcome of a naval war between this country, and the island empire? How and in what way does the navy of Japan menace the peace and security of the United States? [Applause.]

You ask me what I have to say with respect to my attitude in the past. I can answer in a few words.

I would not retract a single vote that I have cast on the naval programs. I was against the naval program of 1916, holding that it was not needed for the national defense. Subsequent events have vindicated that attitude. If not a single great ship had ever been built under that program, and none so far has been constructed, this war would have been won, just as it has been won. If the ships provided by that program had been in being, and ready to go to sea when war was declared, I mean the great battleships, they could not have been used.

Mr. KELLEY of Michigan. We would not have won it.

Mr. SAUNDERS of Virginia. We helped to win it. I am discussing our contribution to the war. It was a material contribution but not in the form of battleships.

Mr. KELLEY of Michigan. Is the gentleman willing that we should always accept the assistance of others?

Mr. SAUNDERS of Virginia. We did not require assistance. We went to the assistance of others, with torpedo boats, mine sweepers, and light cruisers, not with battleships. Upon what theory do we build a Navy? Why upon the theory that it is needed for the maintenance of our safety and interests. We have never undertaken to build a Navy as great as that of Great Britain, for the simple reason that it has never been considered that our interests required a Navy of that size.

The naval program contemplated by the act of 1916 has played no part whatsoever in the present war, for the simple reason that it has never come into being. With Germany eliminated we may safely omit the construction of much of that program, not to speak of the supplementary program provided in this bill. We played a notable part in the recent war, but it was with our lighter ships that were on hand when war was declared. To these should be added the ships completed during the progress of the war, the destroyers, submarines, mine layers, mine sweepers, and other small craft.

Mr. KELLEY of Michigan. Did the gentleman vote for any of the warships or battleships that are now in the water?

Mr. SAUNDERS of Virginia. Oh, yes.

Mr. KELLEY of Michigan. How many of them?

Mr. SAUNDERS of Virginia. I do not know. I can not say. You do not know in the aggregate how many you voted for. [Laughter.] In all likelihood when you voted for four, I voted for two, and when you voted for two, I voted for one. Possibly there were occasions when I did not consider that any additional construction was needed, having in mind the ships in being, and the additional ships that had been provided for in previous authorizations.

But at all times I had in mind to provide our country with an adequate Navy, one that would be sufficient to make her secure against all dangers reasonably to be apprehended. No vote that any so-called little navy man has cast in the last decade has left our country unprepared to play an adequate part in the recent hostilities. The little navy men so called have favored a larger construction of submarines, torpedo boats and swift cruisers, and fewer great dreadnaughts. Our material contribution to the recent naval war was in the way of small craft, not in ponderous and expensive battleships. The heavy ships never went into action, many of them never went across. Our present dreadnaught strength is ample for our adequate protection against the dreadnaught strength of other nations, always excluding England. Should the other nations begin new programs of dreadnaught or other naval construction, I rather fancy that we can build as fast as they can.

Mr. KELLEY of Michigan. In other words, won by the strength of other powers.

Mr. SAUNDERS of Virginia. Not at all. It was won with our help, but not with our dreadnaughts. The bulk of these great ships swung idly at their anchors on this side of the Atlantic. Our dreadnaughts were not needed, for the simple reason that England's supply was more than sufficient. I ask again, who, and where are the adversaries that we are supposed to be arming against? If conditions are such that more ships are not needed for national defense, is it suggested that this body in a merely grandiose spirit shall impose upon the American people burdens that will soon amount to a thousand millions of dollars a year for the maintenance of the Navy, not to speak of the cost of construction. Certainly I do not favor such a policy. I am in favor of building as large an American Navy as our interests, and just considerations of urgency require.

Now tell me how large that Navy should be? What is your test, what is your standard. If we had potential enemies when this war began, assuredly the most menacing and dangerous of those enemies has been destroyed. Does the fact of his elimination render us less, or more secure? If we are more secure, why new armaments on an expanding scale? Suppose the present war had been confined to a death grapple on the high seas between this country and Germany. Does anyone on this floor, knowing the facts in reference to the strength of the present American Navy, doubt that we would have emerged as victors from that strife?

Mr. Speaker, I do not wish to weary the House with unnecessary details. I would not object to this naval program if it were merely a fantastic conception dealing with fantastic and unreal dangers and not requiring action on our part, or calling for vast sums of money. Not at all. The gentlemen might dream their dreams undisturbed. But I know full well that the burden proposed to be laid upon this country for armaments, first for a Navy of the minimum size proposed by the gentleman from Michigan [Mr. KELLEY], and second for an Army of the minimum size proposed by our General Staff, will retard our national development, will withdraw countless thousands of men from useful and productive activities, and will erect obstructing barriers in the way of the full enjoyment of life and liberty, and the pursuit of happiness by the American people. [Applause.]

I am asking you, gentlemen of the committee, to point out the necessity for this program, and if you can establish that necessity, I will join you as an ally, and fight under your banner.

When war was in progress, no one voted more willingly than I did for the legislation that was necessary for the maintenance of American interests and the winning of the war. No man in this House voted more readily than I did, for the imposition of the burdens that this country will carry to remote generations, but I was moved to this action by the fact that the success of the American cause depended upon the funds that this legislation afforded. I am as ready as any Member of this body on either side of the House to do whatever may be necessary for American security, American rights, and American interests. I would not hesitate for one moment to vote for this program, if it was essential to our security and the maintenance of our vital interests. But I ask the Naval Committee to tell us something more than it has told us in the elaborate report which it has filed.

The report tells that "an adequate Navy is necessary." That sheds a great light upon the situation, does it not [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. McCORMICK. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for five minutes more.

The CHAIRMAN. The time of general debate has been limited by the House.

Mr. PADGETT. I can not agree to an extension of the time. The House has fixed the time, and the committee can not extend it; but I will yield five minutes to the gentleman out of my time.

Mr. SAUNDERS of Virginia. I thank the gentleman.

The CHAIRMAN. The gentleman from Virginia is recognized for five minutes more.

Mr. SAUNDERS of Virginia. Mr. Chairman, I maintain this proposition, that an intelligent program of national defense must be directed by intelligence, and that no one can act intelligently unless he has the information necessary for action. No one can determine what an appropriate military and naval program should be, unless he is put in possession of all of the necessary facts. I take it that in the determination of a national policy we should not be controlled by the ambiguous, not to say unintelligible assertion, that our country needs an adequate Navy. This body is as competent to act intelligently upon the whole facts as the committee. In this connection I desire to call the attention of the House to the fact that according to the contention of the naval experts, we are $700,000,000 short of an adequate Navy. If the House is expected to follow the experts, the question may well be asked, Why did not the committee follow them? These experts gave their judgment as to what was needed for an adequate Navy, and fixed it at $1,414,064,090.15.

With great apparent satisfaction the committee calls attention to the fact that the Secretary of the Navy, who himself is not an expert, reduced the estimate for the program submitted by the naval experts by several hundred millions of dollars. Proceeding further, the committee, a nonexpert body, have reduced the figures of the nonexpert Secretary of the Navy, and reported a bill that is over $650,000,000 short of the amount required to provide adequate naval protection, in the judgment of the naval experts. Does the committee think that the bill which they report, and which flouts the recommendations of the Secretary of the Navy and of the naval experts, will afford the country a really adequate Navy? If the committee can reduce the recommendations of the experts over $650,000,000 may not the Members of this House, in the exercise of an intelligent judgment, effect a further reduction in this gigantic bill, and still afford the country adequate protection? [Applause.] Are we not entitled, as custodians of American interests, to use a like discretion to that used by the members of the committee? [Applause.]

Mr. Chairman, I will submit one final request, and that is that in the course of this debate some one gentleman, speaking for the committee, will tell us what are the dangers reasonably to be apprehended by this country, and against which we must prepare on the tremendous scale proposed, and if this spokesman can not tell us what are the dangers reasonably to be apprehended, will he at least advise us as to the cloud shapes of danger that rear their turbulent and menacing heads above the rim of the horizon of the future? That much at least, we are entitled to know. [Applause.]

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. PADGETT. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. WILSON].

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

[Mr. WILSON of Texas addressed the committee. See Appendix.]

During the delivery of the speech of Mr. WILSON of Texas favoring the proposed three-year naval building program, and while discussing the telegram from the President in which he recommended the authorization of such program, the following transpired:

Mr. CAMPBELL of Kansas. Now, will the gentleman yield for a question right there?

Mr. WILSON of Texas. Yes.

Mr. CAMPBELL of Kansas. On the day that the President's telegram was made public in the United States he made a speech in the French Chamber of Deputies in Paris in which he congratulated the deputies there assembled and the world that there would now be a diminution of armaments throughout the world, relieving the people of that great burden. Now, as a Member of this House, I want to know his impelling reason—why at the same time he is congratulating the rest of the world that they could disarm he should be urging us to arm? Can the gentleman give us the reason for that?

Mr. WILSON of Texas. In order that the speech of the President be not misconstrued, I am going to ask permission now to print it in full in to-day's RECORD.

The CHAIRMAN. The gentleman asks leave to extend his remarks as indicated. Is there any objection?

There was no objection.

Mr. WILSON of Texas. Our President needs no defense from anyone, but, since this question is raised, it is proper that his speech should go into the RECORD while we are considering this bill, in order that it may be reconciled with his recommendation by gentlemen who want to, and in order that excerpts from it may not be taken and used by anyone to create confusion and misunderstanding and the impression that the President is not consistent. The speech was made in the Chamber of Deputies at Paris the 3d day of this month, with official France present, the Associated Press dispatch, including the speech, being as follows:

PARIS, *February 3.*

President Wilson this evening delivered an address in the Chamber of Deputies, having as auditors President Poincare, the presidents of the Chamber and the Senate and large numbers of members of both Houses of Parliament and the personnel of the French cabinet.

The President was accompanied to the Palais Bourbon by President Poincare, who called for him at the Murat mansion. Premier Clemenceau and M. Dubost, speaker of the Senate, also were in the party.

Military honors were rendered by the republican guard, resplendent in new uniforms and their full regalia. The presidential party entered the Chamber amid a fanfare of bugles and the rolling of drums.

Mrs. Wilson, Mme. Poincare, and Mme. Deschanel had seats in the presidential gallery.

CHEER FOR FIVE MINUTES.

As President Wilson rose and walked toward the tribune with a quick step, the deputies, senators, and others rose and cheered and applauded for fully five minutes. The audience insisted on hearing the President's address standing. M. Poincare, Clemenceau, and Dubost also stood. This seemed to embarrass President Wilson, who made gestures that the deputies remain seated, but they shouted: "Standing! We will hear you standing!"

President Wilson turned to M. Deschanel, begging him to request that the deputies be seated, but the president of the Chamber shrugged his shoulders, as if helpless, and President Wilson began in a low voice, which gained force as he proceeded.

There was a ripple of applause now and then as he was speaking, but the majority of the deputies and senators were unable to understand English clearly, thus the enthusiasm did not break out until the interpreter translated the speech. Then deputies and senators gave full vent to their feelings. President Wilson spoke as follows:

PRESIDENT'S SPEECH.

"I am keenly aware of the unusual and distinguished honor you are paying me by permitting me to meet you in this place and to address you from this historic platform.

"Indeed, sir, as day has followed day and week has followed week in this hospitable land of France I have felt the sense of comradeship ever become more and more intimate, and it has seemed to me that the making of history was becoming singularly clear.

"We knew before this war began that France and America were united in affection. We knew the occasions which drew the two nations together in those years, which now seem so far away, when the world was first beginning to thrill with the impulse of human liberty, when the soldiers of France came to help the struggling little Republic of America to get on its feet and proclaim one of the first victories of freedom.

"We had never forgotten that, but we did not see the full meaning of it. A hundred years and more went by and the spindles were slowly weaving the web of history. We did not see it to be complete, the whole of the design to be made plain.

DIVERGING LINES MEET.

"Now, look what has happened. In that far-off day when France came to the assistance of America, America was fighting Great Britain. And now she is linked as closely to Great Britain as she is to France. We see now how these apparently diverging lines of history are coming together. The nations which once stood in battle array against one another are now shoulder to shoulder fighting a common enemy.

"It was a long time before we saw that, and in the last four years something has happened that is unprecedented in the history of mankind. It is nothing less than this—that bodies of men on both sides of the sea and in all parts of the world have come to realize their comradeship in freedom.

"France in the meantime, as we have so often said, stood at the frontier of freedom. Her lines lay along the very lines that divided the home of freedom from the home of military despotism. Hers was the immediate peril. Hers was the constant dread. Hers was the most pressing necessity of preparation, and she had constantly to ask herself this question: 'If the blow falls, who will come to our assistance?'

"And the question was answered in the most unexpected way. Her allies came to her assistance, but many more than her allies. The free people of the world came to her assistance.

AMERICA PAYS HER DEBT.

"And in this way America paid her debt of gratitude to France by sending her sons to fight upon the soil of France. She did more. She assisted in drawing the forces of the world together in order that France might never again feel her isolation; in order that France might never feel that hers was a lonely peril, and would never again have to ask the question who would come to her assistance.

"For the alternative is a terrible alternative for France. I do not need to point out to you that east of you in Europe the future is full of question. Beyond the Rhine, across Germany, across Poland, across Russia, across Asia, there are questions unanswered, and they may be for the present unanswerable.

"France still stands at the frontier. France still stands in the presence of those threatening and unanswered questions—threatening because unanswered; stands waiting for the solution of matters which touch her directly and intimately and constantly; and if she must stand

alone, what must she do? She must put upon her people a constant burden of taxation. She must undergo sacrifice that may become intolerable.

NATIONS MUST BE READY.

"And not only she but the other nations of the world must do the like. They must be ready for any terrible incident of injustice. The thing is not inconceivable.

"I visited the other day a portion of the devastated region of France. I saw the noble city of Rheims in ruins, and I could not help saying to myself, 'Here is where the blow fell, because the rulers of the world did not sooner see how to prevent it.'

"The rulers of the world have been thinking of the relations of governments and forgetting the relations of peoples. They have been thinking of the maneuvers of international dealings, when what they ought to have been thinking of was the fortunes of men and women and the safety of home and the care that they should take that their people should be happy because they were safe.

"They know that the only way to do this is to make it certain that the same thing will not always happen that has happened this time, that there never shall be any doubt or waiting or surmise, but that whenever France or any free people is threatened the whole world will be ready to vindicate its liberty.

"It is for that reason, I take it, that I find such a warm and intelligent enthusiasm in France for the society of nations—France with her keen vision, France with her prophetic vision.

IS MANKIND'S NEED.

"It seems to be not only the need of France, but the need of mankind. And France sees the sacrifices which are necessary for the establishment of the society of nations are not to be compared with the constant dread of another catastrophe falling on the fair cities and areas of France.

"There was a no more beautiful country. There was a no more prosperous country. There was a no more free-spirited people. All the world had admired France, and none of the world grudged France her greatness and her prosperity except those who grudged her liberty and her prosperity. And it has profited us, terribly as the cost has been, to witness what has happened, to see with the physical eye what has happened, because injustice was wrought.

"The president of the chamber has pictured, as I can not picture, the appalling sufferings, the terrible tragedy of France, but it is a tragedy which could not be repeated. As the pattern of history has disclosed itself it has disclosed the hearts of men drawing toward one another. Comradeships have become vivid. The purpose of association has become evident.

BROTHERHOOD PLAN NEARS.

"The nations of the world are about to consummate a brotherhood which will make it unnecessary in the future to maintain those crushing armaments which make the peoples suffer almost as much in peace as they suffered in war.

"When the soldiers of America crossed the ocean they did not bring with them merely their arms. They brought with them a very vivid conception of France. They landed upon the soil of France with quickened pulses. They knew that they had come to do a thing which the heart of America had long wished to do. When Gen. Pershing stood at the tomb of Lafayette and said, 'Lafayette, we are here!' it was as if he had said, 'Lafayette, here is the completion of the great story whose first chapters you assisted to write.'

"The world has seen the great plot worked out, and now the people of France may rest assured that their prosperity is secure because their homes are secure; and men everywhere not only wish her safety and prosperity, but are ready to assure her that with all the force and wealth at their command they will guarantee her security and safety.

"So, as we sit from day to day at the Quai d'Orsay, I think to myself we might, if we could gain an audience of the free peoples of the world, adopt the language of Gen. Pershing and say, 'Friends, men, humble women, little children, we are here; we are here as your friends, as your champions, as your representatives. We have come to work out for you a world which is fit to live in and in which all countries can enjoy the heritage of liberty for which France and America and England and Italy have paid so dear.'"

Mr. PADGETT. Mr. Chairman, I believe I have 20 minutes.

The CHAIRMAN. The gentleman has 20 minutes remaining.

Mr. PADGETT. Mr. Chairman and gentlemen of the House, I do not know that I shall consume all of the 20 minutes. I thought it proper to refer to some matters adverted to heretofore. The gentleman from Virginia [Mr. SAUNDERS] referred to the chaotic condition in Russia and in Germany, the disintegration of Turkey, and we read in the papers about the spread of bolshevism, the breakdown of organized government, and the weakness and inability there of constituted authority to maintain peace and order and international relations and international obligations.

I readily concede that a condition almost of chaos and anarchy exists in all that great part of the world, involving many hundreds of millions of people. And as I stand before you I ask you seriously and solemnly in the face of that condition, involving one-half of the population of the world, Are we not going to look at our preparation, are we going to turn our backs to the past, and close our eyes to the future and make our ears deaf to any suggestion that the great people of the United States do not desire, purpose, or intend to make themselves a protectorate of any other country of the world?

We have a condition to-day and for the future that is different from what it has ever been before. It is true we have the same great coast line on two oceans, extending for thousands of miles; we have great cities, with disturbed and uncertain conditions abroad; we have resting on us the obligations as to our international duties, a responsibility to our citizens when they travel abroad; we have it to maintain toward the citizens of other countries that may come here. With all of these diversified duties and obligations mingled and mixed with all these conditions, I repeat, Is there not to us in the very suggestion of the gentleman a duty that we shall not neglect our own protection and our own care? [Applause.]

Again, I want to call attention to the fact, and I want to make it plain, that we are not building against any nation; we are building for the United States—not that we loved Ceasar less, but that we love Rome more; or, if I may bring it down from the expression of ancient days, we are not preparing against any nation toward which we entertain or maintain any spirit of hostility or enmity, but looking with love, with patriotic devotion to the great and diversified interests of the United States, prompted by a desire to preserve and be ready at all times to protect the interests of the United States. It is our country that we love, and no other country do we hate. That is the purpose and the spirit and the intent that has moved the Committee on Naval Affairs in submitting to you for your consideration and asking your approval of the proposals that are contained in this bill. I believe that we can address it to your intelligence, to your judgment, and to your patriotism, and spurn to appeal to any sense of enmity, ill will, or jealousy of any other country in the world.

Mr. McCORMICK. Mr. Chairman, may I interrupt there with a single question?

Mr. PADGETT. Yes.

Mr. McCORMICK. How does this plan comport with that one of the 14 points which proposes the reduction of armaments to the lowest point consistent with domestic security?

Mr. PADGETT. I will be very glad to answer that, and I want here to pay tribute to my confidence and my firm belief and conviction in the sincerity of our President, who is abroad, laboring to accomplish, if it can be done, that result. [Applause on Democratic side.] Yet, let me say that when the President stood in yonder place and spoke to the Senate and the House he used this language:

I earnestly recommend the uninterrupted pursuit of that policy of continued naval program. It would clearly be unwise for us to attempt to adjust our programs to a future world policy yet undetermined.

I do not know what is going to come out of the league of nations; I do not know what is going to issue out of the contention and the work to bring about a disarmament; but I do know that if there is any league of nations established that that nation which has a predominant sea power will exercise a predominant influence and control in that league, and I do know that I want the United States to be able, for her dignity, for her honor, for her glory, and for the performance of her international duties and obligations, to be prepared to make in that league of nations a contribution equal to that of any other country, so that in the partnership we will be an equal partner and not a minority stockholder. Let us face the issue fair and square. It brings me back to the statement I made a moment ago. With our great merchant marine, with our seacoast, with the transformation of the financial centers of the world, and all these duties and obligations that rest upon us, I want the contribution of the United States to equal that of any other country.

Mr. BUTLER. Mr. Chairman, I desire the gentleman from Tennessee to set me straight, as he has often done heretofore on other matters, about one matter to which I desire to direct his attention. I am somewhat confused. I have heard the chairman of the committee speak of the necessity of increasing our armament to a certain size because of our extensive sea borders. That seems to be in conflict with what the President of the United States said when he opened the convention abroad, because the President is then reported to have spoken as follows:

In a sense the United States is less interested in this subject than the other nations here assembled. With her great territory and her extensive sea borders, it is less likely that the United States should suffer from the attack of enemies than that other nations should suffer.

I can not understand that.

Mr. PADGETT. Mr. Chairman, I shall answer the question of the gentleman from Pennsylvania as I understand it. I do not think the President meant to be understood that with a long seacoast we are not liable to be attacked.

Mr. BUTLER. I could not tell about that. I simply read what the President said, and at the time it impressed me as a contradiction of our views in recommending the naval program.

Mr. PADGETT. I do not think the President is to be understood as meaning what the words there, as the gentleman has submitted them, may be interpreted to mean.

Mr. BUTLER. I can not understand it. He says with our great territory——

The CHAIRMAN. Does the gentleman yield?

Mr. BUTLER. Oh, I am not doing this for the purpose of in any way criticizing anything that the President may have said. I do not quite understand it—

With her great territory and her extensive sea borders, it is less likely that the United States should suffer from the attack of enemies than that other nations should suffer.

Mr. PADGETT. I could not answer that. I do not know whether that is a correct quotation of what the President said. I do not know the connection in which it was said, but there is one thing certain and that is that with the great seacoast we have, we all know that in time of war it would be an exposure to danger.

Mr. McCORMICK. Mr. Chairman, will the gentleman yield?

Mr. PADGETT. Yes.

Mr. McCORMICK. A moment ago the chairman of the committee suggested, as I understood him, that the power which possessed the greatest fleet would dominate the councils of the league of nations to enforce peace—not that power which had the greatest population or whose cause was the most just, but that which had the greatest armament. If that be true, Mr. Chairman, does not the gentleman from Tennessee suggest that the league of nations to enforce peace is an invitation to arm in order that you may have assets to control its deliberations and to determine the decision of the "justicable disputes"?

Mr. PADGETT. I know that there are two phases of the question, and it is assumed that in the league it may rightly be assumed that in many phases of it the idea advanced by the gentleman would be the predominant idea, but there are——

Mr. McCORMICK. But the idea was advanced by the gentleman from Tennessee that if you would be heard and carry weight within the league you must arm.

Mr. PADGETT. I know this to be true, that in every combination of human energy and human effort, in stock companies, in banks, in corporations, and all sorts of organizations the fellow who is the majority stockholder exercises the power and the influence. I know another thing, that in the big States of the Union there is influence that counts, and I would suppose that in the league of nations, if in the frailty of human nature, in the weakness or in the heat of passion, there should come a decision in that league, the gentleman would not want the United States to be a minority stockholder or to be under the protectorate of some other country.

Mr. BUTLER. But we do not want to hold all the stock.

Mr. McCORMICK. The President suggested it is to be a peace of the common man and not of the majority stockholders.

Mr. PADGETT. We want the United States as one of the common stockholders to own an equal share with others. Now, then, another matter I want to call attention to is this, that the Navy is the proper, logical, and sensible defense of the United States. Separated as we are from other countries with an ocean on either side, a Navy upon the high seas protects us from an army coming upon our shores, and as long as we have a Navy we can dispense with an Army. I am not going to consume the time of this committee in attempting to recite the splendid performance of our Navy in this last war. It is known of all; it is approved of all; it is a source of pride, satisfaction, and glory to the American people. My friends, one other thought: Let us be consistent; let us pursue the policy that we adopted in 1916 of not building haphazard, but to look at a program embracing several years and live up to it and meet the duties and the obligations that rest upon us.

Mr. STAFFORD. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. STAFFORD. As I understand the present existing program, the yards will not be able to complete it for three years?

Mr. PADGETT. That has been our contention all along.

Mr. STAFFORD. Now, we are proposing a program that can not take any form until three years in the future?

Mr. PADGETT. Oh, no.

Mr. STAFFORD. I mean as far as building is concerned?

Mr. PADGETT. No; we can lay down two of each type of ship along about next May of the fiscal year for which we are providing.

Mr. STAFFORD. My information was that nothing could be done for at least two and mayhap three years in the future?

Mr. PADGETT. No. We can begin the laying down of them in the latter part of the fiscal year for which we provide.

Mr. STAFFORD. When is it contemplated that this program will be completed?

Mr. PADGETT. It will take about seven years, and I will explain that to the gentleman.

Mr. STAFFORD. Congress is not intended to be in adjournment during that period, is it?

Mr. BRITTEN. Will the gentleman yield?

Mr. PADGETT. Let me finish this. This is a three-year program for 10 battleships and 10 scout cruisers, and it is suggested in the bill that during the first fiscal year of the three we start the construction of two battleships and two scout cruisers. It will take not less than three years to complete those. In the second-year program they would start four battleships and four scout cruisers. It would take three years from the starting of them to finish the battleships. That would run it for four years. Then you take the next one, the third year you start them; you take the remaining four battleships and remaining four scout cruisers and it will take three years to complete the battleships. That runs it up to six years, but as we do not begin them until in 1920 it would run until 1926 before they were completed, and this authorization we made of $412,000,000 would be distributed and divided up in the seven years in which construction would be carried on.

The CHAIRMAN. The time of the gentleman has expired; all time has expired.

The Clerk read as follows:

GENERAL EXPENSES.

The Secretary of the Navy shall send to Congress at the beginning of its next regular session a complete schedule or list showing the amount of money of all pay and for all allowances for each grade of officers in the Navy, including retired officers, and for all officers included in this act and for all enlisted men so included.

Mr. LONDON. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for 10 minutes. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object—and I do not propose to object—but I would like to ask the gentleman from Tennessee whether the gentleman proposes to allow during consideration of the bill under the five-minute rule general discussion of the naval policy, with extensions of time, when any Member takes the floor?

Mr. PADGETT. I have no objection to a reasonable extension of time for the purpose of discussing the matters in the bill, but I do not want to extend time with reference to outside matters that do not relate to the bill. Is the gentleman going to discuss the bill?

Mr. LONDON. I will discuss the policy—the naval policy.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. LONDON. Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. LONDON. Mr. Chairman, we have before us a bill appropriating for the purposes of the Navy a sum of money which only a short time ago was considered sufficient for all the purposes of the Government, a sum of money larger than the total annual prewar appropriations of all European countries combined. We are asked to impose upon the people this heavy burden after the war has been won.

We thought we were through with the world crisis. We were evidently mistaken. It looks as if the armies and navies of the allies have won the war, but as if the people have lost the war. Instead of general rejoicings such as one would expect after the conclusion of a great struggle there is fear, restlessness, uncertainty, and anxiety—anxiety as to the present and anxiety as to the future. I shall attempt to explain it. It is a sad fact that this country has had no definite international policy and that it has none now. This is certainly true as far as the two political parties—the Republican and the Democratic Parties—are concerned.

In 1916 the majority party in Congress was elected on a platform of "He kept us out of war." The charge has been made by Republicans since that the Democrats were insincere in 1916. But the Republicans had nothing to offer in 1916. They knew then that there was a Kaiser in Germany. They knew then that Belgium had been invaded in 1914. They, the Republicans, did not demand in 1916 that the country enter the war. On the contrary, they sought to avoid the issue of war. When pressed for an answer to the question, "What would you have done?" the presidential candidate of the Republican Party finally picked up enough courage and declared that he would have taken possession of the German ships interned in American harbors. That was as far as he would go.

About six weeks before the country declared war the President had asked for armed neutrality. If you will read the speeches delivered during the discussion of the armed-neutrality bill you will find that almost every man who spoke for it argued that it was sure to keep us out of war. Everybody professed anxiety that the country be kept out of war. That was in the beginning of March of 1917. The armed-neutrality bill failed of passage in the Senate.

In April Congress declared war by an overwhelming majority. The legal ground was the invasion of the right of Americans to travel on the seas without danger to their lives. America's

right to freedom of the seas had been invaded. During a short address which I delivered in February, 1917, I asked this question: "What will the United States win if it wins the war? Italy will get 'Italia Irredente,' France will get Alsace-Lorraine, Russia will get Constantinople; Germany, if she wins, will have destroyed a great commercial rival; England, if she wins, will succeed in strengthening her world empire. What will the United States win if we win?" The answer was that we would win the right to unmolested travel on the seas in the next war, because in peace times that right was not disturbed.

As things stand now, the very phrase "freedom of the seas" is yet to be interpreted. Immediately after the declaration of war there was a general feeling that the fight for the right to travel on the seas unmolested during the time of war, and for that only, would not appeal to the heart of the American people. So new slogans were created. I do not say that they were created dishonestly. On the contrary, I do wish the President of the United States success in his work. I believe that he is right in being where he is now, trying to get the best he can for America and humanity out of this crisis. [Applause.] I am not saying it in criticism. I would readily give my life to promote the things he has announced he stands for.

The truth is that he has more loyal and genuine support in the socialist movement of the world than among the tories and plutocrats and munition manufacturers of Europe and of America. There is no doubt about that. I know you would not have the courage to applaud that statement, because there is too much truth in it. But it is a fact anyway.

The President announced a new slogan, "We will make the world safe for democracy; we will try to get rid of the Kaiser and do away with autocracy." Of course, the country knew that at one time there was a Czar in Russia, and the Czar of Russia was not a bit better than the Emperor of Germany. The country knew that there was a Sultan in Turkey, and no effort was made to democratize his peculiar institutions. But the slogan was proclaimed, "We are going to make the world safe from the evils of autocracy."

Well, that was not strong enough. Then the President and all other statesmen came out with the slogan, "We are going to make this the last war." Mothers were told that their boys were being sent across to France so as to make this the last war. This did appeal to the hearts and souls of men. And the most radical of radicals, the most extreme of extreme Socialists and revolutionists said, "Oh, yes; that is something worth while fighting for. We will make this the last war." And, as I pointed out in my speech in January, 1918, the President's 14 points—which, by the way, were proclaimed by the entire press of the country as a new Sermon on the Mount, a new and noble code of international ethics—there was not a Republican newspaper that criticized those 14 points. On the contrary, the custom was then to praise anything that the President said as the greatest and the grandest and the profoundest thing that has ever been said by any human being. And those 14 points were proclaimed to be the wisest thing that ever came from the brain or lips of man. I started out to say that in a speech which I delivered on the floor of this House on the 11th of January, 1918, I pointed out the fact that these 14 points were in substance the 15 points presented by the revolutionary movement of Russia.

We are now told that these 14 points are not what we have been fighting for.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LONDON. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent for five minutes more. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, I would like to know at the outset of the consideration of the bill under the five-minute rule what is to be the policy of the chairman as to the consideration of the bill and how long it is his intention to run to-night?

Mr. PADGETT. I announced this morning that I want to finish the bill by to-morrow night, and I want to run as late to-night as necessary, and see if we can finish it to-morrow.

Mr. STAFFORD. If that is the policy, if you are going to allow everybody unlimited time under the five-minute rule, you could run until midnight to-night and to-morrow night and not finish the bill. I do not think it is fair to the membership to grant these unlimited extensions of time.

Mr PADGETT. I will have to object.

Mr. JOHNSON of Washington. We can stay here until midnight. I hope the gentleman will not object.

Mr. PADGETT. I will not object now, but let me say that hereafter I will object.

Mr. DIES. I want to say to the chairman, before he makes that statement, that I have not taken up any time heretofore in the debate, but I shall want 10 minutes as soon as the gentleman gets through.

Mr. PADGETT. On the bill itself?

Mr. DIES. Yes; on the bill itself.

Mr. PADGETT. I am willing to allow full discussion on the bill itself.

Mr. BUTLER. On the bill and on the policy involved.

Mr. DIES. Otherwise I may make a number of five-minute speeches. But if I can get 10 minutes I think in that time I can get out of my system what I have to say. [Laughter.]

The CHAIRMAN. The gentleman from New York is recognized for five minutes more.

Mr. LONDON. Mr. Chairman, many of our statesmen are now opposed to the very things that the President has informed the world this country stands for; the very things on which he bases his appeal to the conscience of the world—disarmament, the doing away with conscription, the establishment of some arrangement among the nations of the world which will substitute moral force or, in the worst stage, the economic boycott for physical force. These very things are repudiated as visionary. A league of nations may be impracticable; it may be impossible of immediate realization. But the effort should be made by thinking men. The moral appeal of the President to the world is strong, and yet in this country the big moral principle, that new ethical code that he proclaims to the world, is ridiculed as nebulous and absurd.

What remains? There remains a war that has been won by the armies and the navies, not by the people. The people have been fighting for disarmament. They can not get that. The statesmen say it is not worth while. The people have been fighting for a world federation. The statesmen say it is not worth while—that it is a joke; that it is not worth trying. There is a lack of a definite international policy. There is a lack of support for the President who speaks in behalf of the people. He has plenty of difficulties over there. The secret treaties, the existence of which has heretofore been patriotically denied, are now made the basis of conflicting claims.

The old-style statesmanship is bankrupt.

The Washington Post credits Sir Arthur Balfour, foreign secretary of Great Britain, with the statement that pacts entered into by the nations will not be affected by the constitution of the league of nations. In other words, all the sinister schemes involving the spoliation of territory, secret treaties—treaties to which neither the people nor the Government of the United States was a party—will stand, in spite of the league of nations.

They may give you a new phrase; they may make you a "mandatory." [Laughter.] They may give you some new expression; but the substance of what the people of the world, the common masses, think the league of nations should be, the people are not going to get. That is why there is fear; that is why there is restlessness. The sum and substance of my complaint is that we have had no definite international policy heretofore, and that we have no definite international policy to-day; that we are drifting; that we do not know "where we are at." That is the sum and substance of my complaint. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. DIES. Mr. Chairman, as nearly as I can make out, the complaint of my Socialist friend from New York is that the world has not repealed the law of human nature. I had not expected that to occur. The discussions of the chairman of the Committee on Naval Affairs on this floor rather disclosed the fact that that imaginary happening is not expected to be a fact, because he said we need the enactment of this naval program, which, I may say, is the largest in the history of the world, because we want to go into the league of nations with a bigger stick than anybody else has who comes into the league. [Laughter.]

That is a very commendable thing, of course, to go in with a better army than the other folks. Naturally Great Britain cherishes the same desire; likewise Italy and France.

Now, I do not want to pay any respects to the Kaiser nor to Hindenburg nor to Bernhardi, but if I read Bernhardi's book "The Next War" intelligently, he was in entire accord with the chairman of the Committee on Naval Affairs; that is, that force eventually determines the course of nations.

But I did not rise to talk about that phase of the naval appropriation bill. I have been under no delusion. All these phrases and nebulous speeches here and elsewhere have not deceived me. I have known all the while that human nature is just now what it has always been, and will probably remain so until the end of time. Nor do I sympathize with the defense of the President by the Socialist Member from New York. I know he is an internationalist. I am an American. [Applause.]

I am a selfish American. I believe in my country, and I want to promote its prosperity and its glory. I say with the poet:

This is my own, my native land.

And all of this international, socialistic, maudlin sentiment that is being propagated over the world is childish and academic. It is the spawn of those philosophers who learn human nature on the fifth story and not of those who have learned it from flesh-and-blood men. The point I want to inquire about is this: Who knows where we are going to get all the money to respond to all these cablegrams and all of these schemes and chimerical propositions for the uplift of mankind? Every Cabinet minister is busy with pencil and pad of paper showing how he could spend hundreds of millions of dollars to raise mankind to a state of bliss, and the head of every department and every committee is working overtime devising ways and means to spend sums of money which less than a decade ago were regarded as colossal expenditures. Now it is the building of homes for the poor. Now it is the purchase of lands for the homeless. Now it is railroads. Now it is telephones. Now it is an expenditure for the Navy of the United States which, I am told, exceeds the expenditure of Germany, England, and France for almost a decade before the war. Where are all these billions and billions coming from? Now, let me tell you. I understand every eleventh man in the United States pays an income tax. I am reliably informed that that is practically the entire source of our income, looking to the future. We will have no more whisky tax; we will have no great tariff tax of consequence, for it has dropped to $150,000,000 in the last fiscal year. I am told you are going to get it by the income tax. That is where you will get the money to build this Navy. Now, my friends, there are many hard-headed business men here, and I submit to you gentlemen you must do your own thinking about this question. Where are you going to get the billions to do these numerous things? I believe we have a per capita circulation of about $55. That would make a total of $5,500,000,000. But what is $5,500,000,000 considering the activities of the Government of the United States? Are you going to take every dollar there is in the United States out of the pockets of the people every six months? Why, you ought at least to allow it to go back into their pockets again and let them feel of it three or four times before you take it away again. [Laughter and applause.]

Now, here is what you are going to do: You take an income tax from every eleventh man, and you buy a little boat or a little railroad, or build a little house for the poor, or something else, and the other 10 fellows say, "That looks to me like pretty good business." Of course the eleventh fellow feels badly about it; but naturally, as long as these incomes hold out, you are going to have every sort of paternalistic suggestion. You are going to have socialistic doctrines and Government ownership preached from every rostrum. You are going to have attic philosophers telling the people that they ought to be supported by the Government; but is that all you are going to do? Oh, no. The day is coming, and it is not going to be long in coming at the rate we are traveling, when you will milk the incomes of the United States dry. Every man with the brain and the brawn and the will to work 12 or 14 hours a day to build a fortune will be driven out of business, and you will destroy the initiative of the American spirit which has builded up this great Nation of a hundred million people, the wealthiest in the world. Gentlemen do not earn incomes merely to have them taken from them by some dreamer of internationalism to build houses for some lazy fellows who will not work enough and save enough to build their own houses. [Applause.] Mr. Chairman, I have inquired diligently now for several months for somebody who says this Government and this people are able to carry on these colossal undertakings and bear these colossal burdens. You go to the chairman of the committee and ask him in vain. He does not know who in this Republic says that we can carry on these colossal undertakings and inflict upon the business of this country these tremendous taxes and not bring to the people of this country the greatest panic the world has ever seen. We are inflating the currency in order to get more money so that we can tax more money from the people, and the result is that inflation means high prices of the things that folks eat and the things that folks wear. Have a care! You have used up largely the accumulated wealth of Europe by absorbing their securities. You have placed a colossal mortgage upon the future of the destiny and the property of the people of the United States. You have done that, and you have spent the money, but you can not keep on writing these first, second, third, fourth, and fifth mortgages against the property of this country. The people of the United States might as well face the question.

After all these academic speeches over the world it requires as much labor now to produce steak and pork chops and eggs and food generally and clothing generally as it did before this war began. So when you get right back to the proposition, we might just as well tell the folks that these appropriations have got to stop, or that you are going to stop business, because you will make it worthless to the man who engages in business. Do you suppose any man wants to go out and engage in manufacturing enterprises or in farming operations, or in milling or mining, to make an income, for no other purpose than to have some dreamy-eyed socialist suggest that it be spent to uplift mankind? I hope I am a bad prophet, but you are the body that under the Constitution is responsible for revenue legislation.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. IGOE. I ask unanimous consent that the time of the gentleman be extended five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman from Texas be extended five minutes. Is there objection?

There was no objection.

Mr. DIES. You are responsible, not the President in Paris; you under the Constitution as the coordinate branch of government are clothed by the Constitution with the power to originate revenue legislation. And every Member of this body has his own responsibility, and you ought to ask yourselves and give yourselves an intelligent answer, Where are the billions to come from to pay these colossal expenses? Mark you, gentlemen of this Congress, you are doing more than expending billions, you are teaching the American people a doctrine of paternalism that will curse them and their generations yet unborn in this country. If you only threw away and wasted and squandered the billions of money taken from taxation and business, if you only brought on industrial panic, the people could recover from that. Poverty and panic are not the worst things in the world, but you are spending billions taken from every eleventh man in a way to teach the American laboring man, the farmer, the railroad owner and the telephone owner, that the Government owes them a duty to support them and to lend them money and finance their operations and take charge of them.

The Government consists of nothing except the people in the aggregate. The Government is a pauper, has not a dollar except it taxes it from the people.

We see a strange tragedy here to-day—Dr. Jekyll and Mr. Hyde. Dr. Jekyll demands the people to lend him money, and Mr. Hyde is telling the people that he is going to give them money to help them out of want and poverty. Dr. Jekyll says to the people of the United States, "Buy liberty bonds and war-saving stamps, and if you do not you will have to sign a yellow card that you are not a true patriot." And Mr. Hyde says, "We are going to build homes for the farmer, buy railroads, telephones," and so forth. Wonderful consistency! Do you know we need two political parties in this country, Mr. Chairman? We need one party that stands for the Constitution and liberty by law; that stands for America and for representative democracy and for a conservative Government. Let the radicals get to themselves. The misery of this situation is, the pitiful tragedy of politics in America to-day is, that we have two political parties vying with each other as to which can offer the most to the radical vote and get it in the largest quantity. [Applause.] The Republicans proceed to enact radical legislation, and we Democrats go you one better and advocate more radical legislation. [Applause.] There comes a time in this country, with bills like this, where we appropriate money that no sensible man knows where it comes from, bills threatening the industrial safety of this Republic. You have to have a conservative party to run the Government and hold in check the radical party.

Mr. Chairman, I wish some voice might cry out in the wilderness to tell the people of this country that it is their duty to support the Government and not the Government's duty to support them. The first two fundamental principles of government, and they are worth more than all the balance combined, are the protection of life and the protection of property. If there is no protection of property protection of life is worthless, because, in the language of the Merchant of Venice, "you may as well take my life as to take the means whereby I do sustain it."

They have more liberty in socialistic Russia to-day than they know what to do with. [Laughter and applause.] A man can absolutely yell at the top of his voice in a meeting house; he can shoot; he can do anything on earth except to retire to his

home castle and say "This is my citadel and I and my wife and children are safe." He can not do that. He can do anything on earth in Russia except to make a crop with the assurance that he can gather his own crop. He has all the liberty that a wild ass on the prairie has [laughter and applause] without the mule's security. [Laughter.]

What we need in this country is for the laboring man, the farmer, the banker, the people of the United States, to return to the old-time religion of Lincoln, of Jefferson, of Grover Cleveland, and the democracy of the country. Why do we not tell the people honestly and fairly that it is none of the Government's business whether they have a farm or not, it is the business of the individual to depend on himself. [Applause.] Do you know we are binding the hands and the arms of the people to their sides by the socialistic enactments. If you want a man's arm to wither, bind it by his side and give him no use of it. I think the most hateful doctrine in the world is the doctrine of socialism. I had rather have anarchy than socialism, because you recover from it more quickly. Anarchy is a good deal like a violent attack of pneumonia—the crisis may pass in three or four days; but socialism is the galloping consumption of the Nation [laughter and applause], where you linger and languish and perish away. I would say to the people who advocate socialistic legislation to rise a little earlier; if you are a farmer, save fertilizer more diligently; if you are an artisan, learn to have a little saving laid by, because depending on the Government will never get you into competency. That about completes what I have to say.

Mr. BURNETT. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BURNETT. In view of the very able speech of my colleague, is he going to vote for this three-year proposition?

Mr. DIES. Why, no; I already have all upon my conscience that I care to carry with me out into the security of private life when I retire from Congress. [Prolonged applause.]

The Clerk read as follows:

Contingent, Navy: For all emergencies and extraordinary expenses, exclusive of personal services in the Navy Department, or any of its subordinate bureaus or offices at Washington, D. C., arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, $150,000.

Mr. RANDALL. Mr. Chairman, I offer the following amendment which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. RANDALL: Page 4, line 10, after the figures "$150,000," insert—

"*Provided*, That the Secretary of the Navy be, and he is hereby, required to furnish the adjutant general of each State, or to the officer thereof exercising corresponding functions, after requisition therefor, the names, home addresses, and rank attained and the date and reason for termination of service of the men of such States who served in the United States Navy or Marine Corps during the war between the United States and the Imperial German Government."

Mr. PADGETT. Mr. Chairman, on that I reserve the point of order.

Mr. RANDALL. Mr. Chairman, I hope the gentleman will not make the point of order. I appreciate the fact that it is subject to a point of order, but the object of the amendment is to enable the communities, the various cities in the States of this country, to secure the names of the men who served from the various local communities in the present war. A similar amendment, if this be permitted, will be offered to the Army bill. It requires no particular expense, but makes it possible for the local communities in the States to secure from their own adjutant general the honor roll of their own communities.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. Yes.

Mr. McKEOWN. I will state to the gentleman that the Legislature of the State of Oklahoma has passed a resolution requesting this same matter in reference to the Army and Navy.

Mr. RANDALL. I am informed by the chairman of the committee that these States can get this information at the present time, but I desire to say that the only information that can be secured is the names of the men who enlisted from the State, but not their home addresses or any information of a local character.

Mr. GARD. Are not those facts known in the several States?

Mr. RANDALL. They are known so far as the draft lists are concerned, but volunteers often enlist from points outside of the State.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. Yes.

Mr. STAFFORD. Has the gentleman taken pains to ascertain what additional cost this will entail, if the department undertakes it at the present time?

Mr. RANDALL. I will say to the gentleman that I understand there is a great surplus of clerks in the War Department at the present time. There would not be any extra expense incurred in connection with it.

Mr. STAFFORD. Mr. Chairman, the gentleman has stated that it is his understanding that there is a surplus of clerks in the War Department. In the preparation of the legislative, executive, and judicial appropriation bill The Adjutant General appeared before the subcommittee having that bill in charge and stated that he himself would need $3,000,000 alone for clerical work in his bureau to do the work that has been planned, which he regards as pressingly needed.

Mr. GARD. Mr. Chairman, will the gentleman yield?

Mr. RANDALL. Yes.

Mr. GARD. Will the gentleman advise us what is the condition with respect to the Navy, whether their clerical force is overworked or underworked?

Mr. STAFFORD. As to the Navy, though I have not heard the chairman of the committee mention what action they have taken upon it, it was suggested that if they were permitted they would continue during the next fiscal year the employment of yeomen and yeowomen in clerical positions, and still they would not have a sufficient force unless we authorized them to employ more than provided on their statutory roll. We allowed them a lump-sum appropriation of over $1,000,000, distributed to the various bureaus for clerical services in these respective bureaus, and that was predicated somewhat upon the idea that they would continue a large contingent of yeomen and yeowomen in the service next year. They testified that they were going to go before the Naval Affairs Committee and ask for an authorization for the utilization of yeomen and yeowomen for the next fiscal year. Whether the committee has seen fit to grant that, I do not know.

Mr. PADGETT. The committee has not granted it; and on the declaration of peace the yeomen and yeowomen will go out.

Mr. STAFFORD. I wish to compliment the committee on taking that position.

The CHAIRMAN. The time of the gent' from California has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that his time be extended for three minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STAFFORD. I do not think we would be justified in continuing in the service, when the war is at an end, the yeomen and yeowomen for clerical positions when there are plenty of clerks to be obtained to fill those positions from the civil-service register.

Mr. PADGETT. Mr. Chairman, the department tells me that under this bill they are going to be exceedingly pressed for clerical help. They are claiming that they will not have help enough to do the work that will devolve upon them. This would necessitate a good deal of extra work and considerable expense. I insist upon the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read, as follows:

Aviation, Navy: For aviation, to be expended under the direction of the Secretary of the Navy for procuring, producing, constructing, operating, preserving, storing, and handling aircraft, establishment and maintenance of aircraft stations, including the acquisition of land by purchase, donation, or condemnation for erection of a factory for lighter-than-air machines; and for experimental work in development of aviation for naval purposes, $25,000,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for drafting, clerical, inspection, and messenger service for aircraft stations shall not exceed $300,000: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft: *And provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of continental United States.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. CONNELLY of Kansas. Mr. Chairman, I move to strike out the language on page 4, line 25——

The CHAIRMAN. A point of order has been reserved which will have to be first disposed of before amendments may be offered. Does the gentleman insist upon the point of order?

Mr. PADGETT. Mr. Chairman, what is the point of order?

Mr. STAFFORD. Mr. Chairman, I reserved the point of order partly to obtain information about some new phraseology. I wish first, however, to ascertain what is the purpose of providing $25,000,000 for aviation purposes for the Navy, now that the war is at an end. I think some explanation should be made

of that tremendous amount which it is suggested shall be appropriated for the Navy for that purpose in peace times.

Mr. PADGETT. The original appropriation submitted was for $225,000,000.

Mr. STAFFORD. That was based, if the gentleman will permit, on the idea that we were to continue in the war?

Mr. PADGETT. Yes; I understand. Now, I will give the gentleman the history of it. When the bureau chiefs came before us they set forth in the hearings the demand and necessity as they estimated for $85,000,000, and the Secretary of the Navy in his hearing arbitrarily reduced that to $36,000,000. The committee in considering it has reduced it to $25,000,000. I want to say to the gentleman that I doubt very much if $25,000,000 will carry on the activities of the Navy with reference to the ships and the limited number of shore stations. We put in a proviso there limiting the shore stations to not exceed six in the continental limits of the United States. Now, I have a letter here from the Secretary to which I desire to call your attention. He says:

NAVY DEPARTMENT,
Washington, January 11, 1919.

MY DEAR MR. CHAIRMAN: I beg to acknowledge receipt of your letter of the 10th instant, in which you request that the committee be furnished with a full and detailed statement of the items, the usages, and purposes for which the $36,000,000 is desired in the item "Aviation—Navy," as it appears on page 11 of the first draft of the naval appropriation bill.

The following is a detailed statement of the estimate of expenditures covering the $36,000,000 recommended:

Aircraft (heavier than air):		
Machines for experimenting and development purposes		$3,774,000
Engines for above		2,338,000
		6,112,000
Aircraft (lighter than air):		
Craft for operation of stations now built	$2,005,000	
Craft for experimenting and development purposes	7,500,000	
Engines for above	701,000	
		10,206,000
For development of instruments and accessories, including radio sets and kite-balloon winches	650,000	
Operation of coastal and training stations already built	8,500,000	
Experimental work not otherwise covered (such as Argon gas and landing attachments aboard ship	2,000,000	
Large rigid dirigible construction, experimental and development station	8,200,000	
Clerical, drafting, and technical force	300,000	
		19,650,000
Total		35,968,000
Estimate		36,000,000

It will be noted from the above statement that there is no estimate for new coastal stations, except a new station for a rigid-dirigible factory. It is impossible to construct a rigid-dirigible factory near the present heavier-than-air factory in the Philadelphia Navy Yard because of lack of space.

A larger appropriation for lighter-than-air aircraft is requested because in this respect Navy aviation is not as far developed as in the heavier-than-air aircraft.

The development of aviation and progress of the art is such that it is strongly recommended that the appropriation be made in a lump sum, as recommended, so that the department may experiment and develop aviation along lines that from time to time may seem most advantageous to the naval service.

Inclosed you will please find a copy of a report on aviation by Admiral Mayo, commander in chief of the Atlantic Fleet, and particular attention is invited to the concluding paragraph wherein he cites the experiments and development in the rigid-dirigible type of aircraft of other countries.

Very sincerely, yours,

JOSEPHUS DANIELS.

HON. L. P. PADGETT,
Chairman Committee on Naval Affairs,
House of Representatives, Washington, D. C.

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UNITED STATES ATLANTIC FLEET,
U. S. S. PENNSYLVANIA, FLAGSHIP,
November 23, 1918.

From: Commander in Chief.
To: Secretary of the Navy (Operations).
Subject: Report on development of rigid and nonrigid airships and plans for future developments (British Navy).

1. The failure of the Zeppelins in the raids over Great Britain and the destruction of several Zeppelins over the North Sea by planes carried on cruisers, and on one occasion by a large American flying boat, has induced the belief in the minds of many officers that the lighter-than-air ship has been definitely displaced by the heavier-than-air machines.

2. Those officers who have had most to do with the lighter-than-air type contend that the destruction of Zeppelins in raids does not prove that these ships are not valuable for other purposes. They contend that Zeppelins (of the type of those destroyed) should not have been used for raiding, as, due to their small capacity, they could not climb high enough to avoid antiaircraft guns or fighting planes, and, due to the inflammable gas (hydrogen) with which the bags were filled, they were helpless against attack.

3. The improvements in lighter-than-air ship design have been such that the latest German rigid airship has a speed of about 70 to 80 miles per hour, a ceiling of 24,000 feet, and a rate of climb superior to any plane. With these characteristics a rigid is comparatively safe against attack from antiaircraft guns or heavier-than-air machines. Additional safety has been assured to the lighter-than-air ship by the development of a noninflammable gas (heliun), of which the United States possesses almost limitless natural resources.

4. The airship's chief value in naval warfare is in scouting and in keeping large areas of sea under observation. This work may be divided into two general classes:

(a) Antisubmarine and convoy-escort work.
(b) Work in scouting in conjunction with the fleets.

5. Much work of class (a) has already been done by nonrigid airships in Great Britain and in the United States. The nonrigid type of airship is not suitable for any activities where it is subject to attack by airplanes, for the construction features of this type prevent building airships of a size large enough to obtain sufficient speed, ceiling, or climbing ability. Nonrigid airships can never have a sufficient radius of action to make them satisfactory for distant scouting. The latest British nonrigid airships are probably nearly as efficient as any future design of that type for the performance of the tasks which this type is fitted to perform.

6. For work of class (a), where enemy planes or antiaircraft guns may be encountered, and for work of class (b) the rigid type of airship is essential to the highest efficiency.

DEVELOPMENT OF HEAVIER-THAN-AIR AND LIGHTER-THAN-AIR CRAFT DURING THE LAST FOUR YEARS.

7. The development of rigid airships has been even more rapid than that of heavier than air. In 1914 the average endurance of a German rigid at cruising speed was under 24 hours and the maximum full speed about 50 miles per hour. In 1918 (German L–70 class, 2,195,000 cubic feet capacity) the endurance at 45 miles per hour has risen to 177.5 hours and the maximum full speed to 77 miles per hour. The ceiling has correspondingly increased from 6,000 feet to 23,000 feet. The British R–38 class (2,720,000 cubic feet capacity) has an estimated cruising endurance at 45 miles per hour of 211 hours, 34 hours greater than the German L–70 class.

8. Tables (1) and (2) give the progress in lighter than air and heavier than air since 1914. Table (3) shows the difference in performance between corresponding lighter-than-air and heavier-than-air craft of 1918.

TABLE 1.—*Lighter than air.*

	August, 1914.	August, 1918.	Progress.
			Per cent.
Maximum speed	50 m. p. h.	77.6 m. p. h	55
Endurance at 45 miles per hour	20 hours	177.5 hours	787.5
Total lift	30 tons	66.64 tons	122
Disposable lift	8.5 tons	38.84 tons	357
Efficiency ratio	27.3 per cent	58.3 per cent	113.5
Static ceiling	6,000 feet	21,000 feet	250
Indicated horsepower	800	2,100	162.5

TABLE 2.—*Heavier than air.*

	August, 1914.	August, 1918.	Progress.
			Per cent.
Speed	83 m. p. h.	85 m. p. h.	2.4
Endurance	4 hours	12.5 hours	212.5
Total weight, loaded	0.737 ton	5.97 tons	524
Useful load	0.268 ton	2.17 tons	709
Efficiency ratio	36.3 per cent	36.4 per cent	.28
Ceiling	14,000 feet	15,000 feet	7.1
Indicated horsepower	80	720	800

TABLE 3.—*Heavier than air and lighter than air.*

August, 1918.	Heavier than air.	Lighter than air.	Comparison.	
			Heavier than air.	Lighter than air.
			Per cent.	*Per cent.*
Speed	85 miles per hour.	77.6 miles per hour.	9.5	.....
Cruising endurance	18.8 hours	177.5 hours	.....	844
Total lift (— weight loaded).	5.97 tons	66.64 tons	.....	.1017
Disposable lift (— useful load).	2.17 tons	38.84 tons	.....	.1689
Efficiency ratio	36.4 per cent	58.3 per cent	.....	.60.2
Ceiling	15,000 feet	21,000 feet	.....	40
Indicated horsepower	720	2,100	.....	.191.7

9. It will be seen that at the present time the largest rigids in commission have over eleven times the total lift of the corresponding heavier than air, and that the disposable lift is about eighteen times greater.

LARGE AIRSHIPS PROBABLE FUTURE DEVELOPMENT.

10. It is now proposed to consider more fully the possibilities of the large airship. Table 5 shows the approximate dimensions of a series of airships similar in form to British R–33.

TABLE 5.—*Approximate dimensions of airships similar in form to British R–33.*

Capacity.	Gross lift.	Length.	Diameter.
		Feet.	*Feet.*
2,000,000	60.7	643	79
3,000,000	91.1	736	90.4
4,000,000	121.4	810	99.5
5,000,000	151.8	872	107.2
6,000,000	182.2	927	113.9
7,000,000	212.5	976	119.9
8,000,000	242.8	1,021	125.4
9,000,000	272.3	1,061	130.4
10,000,000	303.6	1,100	135.1

11. It will be seen that although a 10,000,000 cubic feet capacity rigid has five times the gross lift and over five times the disposable lift of the present 2,000,000 cubic feet capacity rigid, the dimensions of the large ship are only one and seven-tenths times greater.

12. With a rigid of about 10,000,000 cubic feet capacity there would be an endurance of approximately three weeks at 40 to 45 miles per hour, a maximum speed of 70 to 80 miles per hour, a ceiling of some 30,000 feet, and a maximum range of over 20,000 miles, or nearly once around the world.

PAST BRITISH POLICY.

13. Great Britain first appears to have recognized the danger of falling behind in airships in July, 1913, as the following extract from Admiralty policy on the subject will show:

"Various circumstances have since arisen which have led my lords to view with considerable concern the position occupied by this country, and after full consideration they have decided that it is no longer possible to pursue a waiting policy, having regard to the safety of the country."

14. The new circumstances referred to may be briefly stated as follows:

"First. The success of the type of large airships possessed by Germany has been demonstrated by numerous flights of these vessels over sea and land. As an example, there may be quoted the case of the airship sighted on June 2 in the North Sea over the Terschelling Banks, proceeding with four torpedo-boat destroyers at full speed. These craft were again sighted 24 hours later. Also the regularity with which the passenger-carrying Zeppelins carry out extended flights lasting many hours over Germany indicates clearly how reliable these vessels are now becoming.

"Second. The introduction of the new German aerial bill, together with a supplementary estimate which provides for the establishment of a naval fleet of 10 Zeppelin airships and a number of hydroplanes, with full equipment of sheds, stores, personnel, etc. For carrying out this scheme a sum of £300,881 has been provided for the year 1913–14, exclusive of the cost of acquiring any land for the stations.

"The following extract of a memorandum accompanying the supplementary estimates indicates the view of the German Government: 'The present state of the experiments carried out with airships and aeroplanes show that the new weapon forms for naval purposes a valuable extension and adjunct to tactical and strategic scouting, and under certain circumstances can also be employed with advantage as a weapon of defense.'

"Italy already possesses several airships of a small type and is now pushing on with the construction of three larger vessels. It is understood that three airship stations are to be established along the Adriatic coast. Russia has recently placed an order for a large Parseval airship for naval purposes.

"The situation in this country with regard to naval airships is that the Admiralty are on the eve of possessing two airships of medium size, which were purchased mainly for the purpose of training officers and men in airship work. One airship station on the Medway is being established and two sheds are being erected there.

"My lords consider that, in view of the activity displayed by foreign powers, it is necessary to proceed at once on an expansion of this branch of the service."

15. Acting on the above, the Admiralty proceeded to develop airships, but the policy was finally checked by the then first lord (Mr. Winston Churchill), who, in January, 1915, canceled the building of rigid airships and ordered No. 9 (building at Vickers) to be suspended. Mr. Churchill indicated that three Parsevals, two Astra Torres, and the few other odd nonrigids of no military value would suffice the country's needs. In July, 1915, Mr. Balfour championed the cause of airships, ordered No. 9 to be re-commended and other rigids to be built, and laid the foundation for the present constructional organization.

PRESENT BRITISH POLICY.

16. While the British Admiralty airship department has made no statement concerning a definite policy in the uses of the rigid airships that are being developed for British use, it appears that regular voyages of startling length are planned for these craft. A mail and cargo service connecting the British Isles, Canada, the British colonies in Africa, India, and Australia appears to be the goal of the Admiralty policy. Surely such work is entirely within the scope of the air fleet that Britain is preparing.

17. In time of war these airships can be concentrated over any area of the seas surrounding English possessions to hamper hostile surface craft and to assist the Navy in its operations.

GERMANY'S AIRSHIP PROGRAM.

18. The results already attained have justified the confidence felt by the German Navy in its airships when used in their proper sphere as the eyes of the fleet. Their Zeppelins did much to save the High Seas Fleet at the Battle of Jutland, to save their cruiser squadron on the Yarmouth raid, and were instrumental in sinking the *Nottingham* and *Falmouth*. Had the positions been reversed in the Jutland battle and had the British had rigids to enable them to locate it, they would probably have annihilated the German High Seas Fleet.

AIRSHIPS.

19. At the present time Germany possesses apparently 50 efficient rigid airships built since 1915, in addition to a few nonrigids which she uses only for training purposes.

20. The Schutte-Lenz works, which build rigid airships, take about 12 weeks to build each ship. The maximum output of their factories is 1 ship every 16 days. Germany's total output of rigid airships would therefore appear to be 30 rigids a year, or 1 every 12 days.

SHEDS.

21. The latest information shows that Germany has 54 housing and constructional sheds, capable of holding 71 rigid airships. This surplus of shed accommodation, placed all over the country, enables ships which can not get to their base after a long cruise to make for vacant berths where the weather conditions are more favorable.

BRITISH RIGID AIRSHIPS.

22. While no other nation has done as well as the Germans in rigid airships, the British, alive to the need of maintaining sea supremacy, are closely competing. A few days ago they held acceptance trials of a 1,460,000 cubic foot ship (the *R–31*), which made over 55 knots and could lift 18 tons (or, say, 200 persons).

23. This ship turned in a complete circle of 0.7 mile diameter in three minutes. Another British ship now under way (*R–38*) will have a displacement of 2,750,000 cubic feet, a speed of about 70 knots, and a range of well over 200 hours, or safely across the Atlantic and return in any weathers except the worst storms.

24. The British, who, despite having shot down so many bombing Zeppelins, are keenly aware of their utility, are embarked upon a construction program of 16 of modern type (besides smaller, now obsolete, types already in commission and used for training); the French have a similar program, calling for 8; it is understood the Italians are to construct 2; and our joint Army and Navy rigid-airship board has recommended that we begin with 4 for the Navy.

CONCLUSION.

25. The development of the nonrigid airship is practically at a standstill, while the development of the rigid type is being pushed by Germany, France, and Great Britain. The future of the rigid airship depends upon the ability of its designers to secure for it a superiority, relative to heavier-than-air craft, in radius, ceiling, climbing ability, and an approximation to the speed of the fighting planes.

H. T. MAYO.

Mr. STAFFORD. How did the committee arrive at the appropriation of $25,000,000?

Mr. PADGETT. The committee reduced it to $25,000,000; but you will notice that we put in a provision that no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations in the continental limits of the United States. That would limit the scope of the operations for air stations. I think there are some 12 or 15 stations being operated now.

Mr. STAFFORD. In arriving at that estimate of $25,000,000, what items did the committee include and what items did the committee eliminate?

Mr. PADGETT. We did not eliminate any specifically. We reduced it to $25,000,000 and put that provision here, and it will necessarily limit the activities of the Government in aircraft.

Mr. STAFFORD. Has the committee considered, in arriving at this appropriation, the expediency of the Navy obtaining motors and flying machines from the War Department, where they have a large number in excess of their needs?

Mr. PADGETT. That matter was presented; but if the War Department were to furnish them the Navy Department would have to compensate the War Department for them, and the War Department would turn the money into the Treasury as miscellaneous receipts.

Mr. STAFFORD. Has the committee considered the feasibility of having them transferred from the War Department to the Navy Department?

Mr. PADGETT. No, sir; we did not, because we did not know how the War Department is situated with reference to them.

Mr. SNELL. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. SNELL. Must not they have a large amount on hand at the present time of these of all kinds?

Mr. PADGETT. I do not know; but the engines of the Navy are in some respects different from the Army engines.

Mr. SNELL. I would like also to ask in reference to the acquisition of land. What land is it contemplated purchasing now?

Mr. PADGETT. The only thing contemplated is securing land for the erection of a factory for the construction of lighter-than-air machines—the large dirigible machines.

Mr. SNELL. Does not the Government own some automobile factories in this country at the present time?

Mr. PADGETT. None of which I know.

Mr. SNELL. I thought they had furnished money or had a very large interest in some of them?

Mr. PADGETT. We made a very full inquiry and they told us the Government had no place for investigating——

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. PADGETT. We have a large station in Florida, and I think there are about 1,100 acres in that navy yard, and we have there a large factory for the construction of heavier-than-air machines.

Mr. SNELL. Could not these lighter-than-air machines be constructed in the same factory?

Mr. PADGETT. No; they said not; but it requires a large area to bring these machines down. They are tremendous machines. They are about 800 or 900 feet long.

Mr. SNELL. Then, the Government has no real monetary interest in several of the large factories where they have been producing?

Mr. PADGETT. None that I know of. We inquired very diligently if there was any place that the Government had where they could use for these lighter-than-air machines and they said positively no.

Mr. SNELL. And they have not any of these machines at present?

Mr. PADGETT. No, sir.

Mr. SNELL. This is an entirely new development?

Mr. PADGETT. It is entirely experimental. Now, I have here, which the Secretary transmitted, a letter from Admiral Mayo, who is commander in chief of the Atlantic Fleet, in which he gives a summary or a review of the heavier-than-air and lighter-than-air development abroad and our shortage of the lighter-than-air and the need of developing, experimental generally, in the United States.

Mr. STAFFORD. How many lighter-than-air machines has the Navy at the present time, and how many are in course of construction?

Mr. PADGETT. None.

Mr. STAFFORD. What was this large airship that passed over Washington on its way from New York down to the coast a few Sundays ago.

Mr. PADGETT. They have some kite balloons and some semidirigibles, but nothing of the type that is contemplated here.

Mr. STAFFORD. How many of these semidirigibles have they in operation and how many in course of construction?

Mr. PADGETT. I could not tell the gentleman; that is not contemplated in this. They had some few of them; I think some 8 or 10 of them.

Mr. McKENZIE. Will the gentleman yield to me?

Mr. PADGETT. Yes, sir.

Mr. McKENZIE. The gentleman from Tennessee has been for many years a member of the Committee on Naval Affairs?

Mr. PADGETT. Yes.

Mr. McKENZIE. Fortunately or unfortunately for a number of years I have been a member of the Committee on Military Affairs of the House.

Mr. PADGETT. I think that was the good fortune of the committee.

Mr. McKENZIE. I listened to the reading of the letter a few moments ago which the chairman received from the Secretary of the Navy, and among the items, as I remember, there was something like $2,000,000 that was to be used in experimenting with argon gas and different kinds of balloons and different types of aircraft. Now, I am calling the gentleman's attention to that for this reason, that pending in the Committee on Military Affairs is the regular annual appropriation bill, and one of the items asked for in that bill is $10,000,000 by the Aircraft Board to be used for experimental purposes, and among the things with which they expect to experiment is this same character of gas and also the development of aircraft machines. Now, I want to ask the gentleman from Tennessee if he does not think that we have about reached the point when the Committee on Naval Affairs and the Committee on Military Affairs of the House of Representatives should have some defined policy whereby these activities would be centralized, and not have two or three great concerns experimenting with the same sort of thing—for instance, gas? Is there any reason that can be given why we should appropriate a large sum of money to the Navy to experiment with a certain type of gas and another large sum to the Army to experiment along the same line?

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. STAFFORD] has again expired.

Mr. STAFFORD. Mr. Chairman, I wish to reserve the point of order further for the purpose of inquiring——

Mr. PADGETT. Mr. Chairman, I would like recognition in my own right in order to answer.

The CHAIRMAN. The Chair will recognize the gentleman. Of course, the point of order is pending.

Mr. PADGETT. I understand that.

The CHAIRMAN. Or, rather, the point of order is reserved. The gentleman from Tennessee [Mr. PADGETT] is recognized for five minutes.

Mr. STAFFORD. Will the chairman, in his time, reply to the query propounded by the gentleman from Illinois [Mr. McKENZIE].

Mr. PADGETT. I was going to state that you could pick out certain definite proposals or propositions where it would be well to combine them and have only one. But when we were abroad we talked with the officers of the Army in England, where they have combined the aviation activities of the Navy and the Army, about this matter, and they did not approve it. They disapproved it, and said it was not working satisfactorily. And we also talked with some naval officers, and they stated that it was not satisfactory.

Mr. McKENZIE. If the gentleman will pardon me, I think it will go without any argument that the officers in both of these Government activities would say that it would be a mistake. But I have the taxpayer in mind. Would it be a mistake from the taxpayer's standpoint?

Mr. PADGETT. The activities of the Navy in aviation are very different from the activities of the Army. This $2,000,000 that you mentioned here is, a part of it, for gas, but a great deal of it, the majority part of it, is for the development of the means of alighting on the water, alighting on the ship and off of the ship, and to develop the activities in aviation adapted to the ship, on and off. And that is one of the big items that they wish to develop. It is a very important one. It was also suggested to the committee that provision should be made for the construction of aircraft ships, in order to carry aircraft to be used in scouting in mid-ocean, and also that provision should be made to have aircraft actually on the fighting ships, so as to go along with the fleets. These matters are questions of experiment and development that the Navy alone could successfully conduct.

Mr. HUMPHREYS. What about the gas? What is the Navy going to spend this money for?

Mr. PADGETT. They did not separate the item as to how much of it was for experimenting with the gas and how much of it is for the other. But in order to cut the whole thing down we took off $11,000,000 of the estimate of the Secretary, so as to limit the activities along all of those lines. He wanted $36,000,000. We reduced it to $25,000,000.

Mr. HUMPHREYS. Is this experiment to be made in the manufacture and discovery of new gases?

Mr. PADGETT. We have already discovered a new gas, called argon.

Mr. HUMPHREYS. Possibly they have not reached the last stage yet.

Mr. PADGETT. No; and this is for the development of it. When it was first discovered it was supposed to be so costly as to be prohibitive. They have so far developed it that when you consider the durability of it as compared with hydrogen there is very little difference now in the cost between the argon gas and the hydrogen gas.

Mr. HUMPHREYS. The point on which I was anxious to get the information was whether this money is to be spent by the Navy in an attempt to develop new gases or in experiments in its application? I mean by "application" its application to the enemy.

Mr. PADGETT. It is to develop the production of it the most economically, which has already been accomplished largely, but not satisfactorily as yet. It is to experiment and develop its best uses and the handling of it and the manufacture of it, and also for the use of it and the development of it practically in the Navy.

Mr. HUMPHREYS. Well, we have a Chemical Warfare Service in the Army which devotes its activities entirely and exclusively to that matter. Does the gentleman think the Navy ought to go along and do the same thing?

Mr. PADGETT. I think the Navy ought to try it. Otherwise, the Navy would be ignorant of the uses and practical application of it.

Mr. HUMPHREYS. I can not see why. The Chemical Warfare Service is not keeping it a secret.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HUMPHREYS. Just a moment more. The Chemical Warfare Service will not keep secret from the Navy anything they discover, and they are really the people who are going to apply it at last in 99 per cent of the cases where it is applied. Now, it has occurred to me that it is proposed, in fact, to have the Army do it and the Navy do it, when, I suppose, as a matter of fact, some civil bureau in the Government is going to substantially do the work for either the Army or the Navy.

Mr. PADGETT. The gas part of it is but a small part.

Mr. HUMPHREYS. It depends entirely on what the gentleman means by small.

Mr. STAFFORD. Only $2,000,000.

Mr. HUMPHREYS. That is small.

Mr. STAFFORD. Small in the view of the naval propagandists.

Mr. PADGETT. Landing attachments aboard ship. That is embraced in there with the gas, and that is a large part of the expenditure.

Mr. STAFFORD. Will the gentleman acquaint the House with the amount of the expenditure by the Navy for aviation expenses during the last year, or up to date?

Mr. PADGETT. I can not tell about that, but the appropriation was $220,000,000.

Mr. STAFFORD. Yes; and the appropriation the year before was three and a half millions; and now you are asking for $25,000,000, and yet the committee has no information to give us as to the amount expended out of this $220,000,000 lump-sum appropriation.

Mr. PADGETT. It has not been expended yet. It was only started the 1st of July, the gentleman should remember.

Mr. STAFFORD. It is still running and available, and you can be sure that they are going to spend a large portion of it, because it was only $3,500,000 in the beginning, and now it has been increased to $25,000,000.

Mr. PADGETT. They have been economical.

Mr. STAFFORD. You should say liberal.

Mr. PADGETT. I did not think that we ought to have a larger amount. The committee thought we ought not to cripple the aviation service, but that we ought to go ahead and develop it and utilize the lessons we learned from it.

Mr. LAGUARDIA. Mr. Chairman, I make a point of order on that new language found on line 25, page 4, and on lines 1 and 2, on page 5, "including the acquisition of land by purchase, donation, or condemnation for erection of a factory for lighter-than-air machines."

The CHAIRMAN. The Chair sustains the point of order.

Mr. CONNELLY of Kansas. Mr. Chairman, that was a site that was covered.

Mr. LAGUARDIA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 5, line 3, strike out "$25,000,000" and insert "$15,000,000."

Mr. LAGUARDIA. Mr. Chairman, there is no use in going into details on this item. We are talking about $25,000,000 or $30,000,000, and there are less than 25 or 30 Members in this Hall.

Mr. STAFFORD. That is about a $1,000,000 apiece.

Mr. ALEXANDER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ALEXANDER. Has the gentleman from New York any information on this subject that the Committee on Naval Affairs could not give us, even if the House were full?

Mr. LAGUARDIA. Certainly, and plenty of it. I have a lot of information which I think, if we had a full House here, would be very valuable. We are asked to appropriate $25,000,000, and yet we are unable to ascertain just how this money is to be expended.

In reply to an inquiry, the chairman of the committee reads a letter from the Secretary of the Navy explaining this $25,000,000, and yet the Secretary has over $200,000,000 for aviation available for the current fiscal year.

The trouble with American aviation, gentleman, is that it has had too much money. That was our whole mistake in the beginning. We started off with $640,000,000, and I do not know how much was appropriated afterwards, and we have got less to show for it than any country in the world. And although we have the best industries, the best inventive genius in the world, we have not a motor to-day that will stand up with the French and Italian and English motors. The fact is you can not build aviation motors with press agents, and you can not build up an aviation service by politics. The law of gravitation knows no politics, and if you have not got a good machine it will not fly.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. MOORE of Pennsylvania. The gentleman no doubt has read the address by Secretary Baker commending Col. Deeds for having perfected the Liberty motor?

Mr. LAGUARDIA. Yes; and the Secretary in his report said the biggest achievement of the war was the Liberty motor. That is absolutely incorrect, and he can not get a single human being to agree with him.

Mr. MOORE of Pennsylvania. It is not consistent with the report made by Mr. Justice Hughes nor with the report of the Attorney General suggesting that Col. Deeds should be court-martialed.

Mr. LAGUARDIA. No; nor is it consistent to take this motor and compare it with other motors. It is a good 400-horsepower motor; that is all. But to produce this 400 horsepower motor you stopped the industries of the United States; you stopped everything; and when they discovered that they could not use the Liberty motor in pursuit machines they said: "We will not have pursuit machines."

Mr. MOORE of Pennsylvania. I know that the gentleman knows all about aviation, and I knew he had read the address of the Secretary of War, and therefore I wanted to remind him of what the Secretary said in New York in commending Col. Deeds, although Mr. Justice Hughes and the Department of Justice had recommended that Col. Deeds be court-martialed.

Mr. LAGUARDIA. Well, it is an Ohio baby. [Laughter.]

Mr. MOORE of Pennsylvania. It has had the approval of the Secretary of War.

Mr. LAGUARDIA. He comes from Ohio.

Mr. MOORE of Pennsylvania. That inference might be drawn from what the gentleman said. Of course I would not assume from what the gentleman said that the Ohio interests were strong enough in the matter of an expenditure of $640,000,000 to induce the Secretary of War, at variance with the Attorney General and Mr. Justice Hughes, to commend Col. Deeds in spite of the fact that he was recommended for court-martial.

Mr. LAGUARDIA. Would the gentleman go further? Even now, in peace times, the gentleman will understand how they club and chum together, but in war times, when we were in need of pursuit machines, we could not get a single machine from here because no pursuit machine was being built in this country.

Mr. MOORE of Pennsylvania. Our friends on the other side were telling us that the time had come when we were to have quite a number of them, although we were afterwards told that we did not have in France half a dozen battle planes of American manufacture.

Mr. LAGUARDIA. That was true. When the DH planes did come over they were good planes, and they did some bombing, but we did not receive any battle planes. Why? Because the Liberty motor would not fit them.

Mr. MOORE of Pennsylvania. Are we to understand that Col. Deeds, who was recommended for court-martial by the Attorney General and Mr. Justice Hughes, and who is commended by the Secretary of War, is notwithstanding that fact a $640,000,000 baby of the Secretary of War?

Mr. LAGUARDIA. If I told you what the airmen thought of it in August, September, and October, it would not be couched in parliamentary language, and could not be printed. [Laughter.]

Mr. MOORE of Pennsylvania. Does not the gentleman from New York believe that the cherishing of Col. Deeds, who had under his control this $640,000,000, was worth that much to the aviators of the country?

Mr. LAGUARDIA. I should say not—rather expensive experiment that.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. LAGUARDIA. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. LAGUARDIA. Now, gentlemen, we want to build an air industry in this country. Most of this money, as the committee says, is for experimental purposes. The Army is going to come in with a bill in a few days asking for millions for experimental purposes. The services are overlapping in experimental work. We must prevent waste; we must cut down expenses. We will have waste as long as we go on duplicating work and expenditures. In want to say this for the naval air service: Its organization overseas was splendid. It had an efficient executive department. Their management was good. Their cooperation with this country was much better than ours in the Army. Now, the $2,000,000 which is suggested by the chairman for experimental purposes, for landing and taking off from ships, ought to be allowed. That is now purely in an experimental stage. In answering an inquiry made a few minutes ago, I will say there is no difference between the motor for a machine that flies over water and one that flies over land. The air is just the same in both places. The best help we can give to aviation is not to squander millions. We must produce a true American motor, a true American plane. We can do it if you will give us a chance, but we will never do it when we have the Navy dabbling in it and the Army dabbling in it, and the Marine Corps dabbling in it and the Post Office Department dabbling in it.

Mr. McKEOWN. Will the gentleman yield?

Mr. LAGUARDIA. Certainly.

Mr. McKEOWN. I have been told that the motors on naval planes were slower than the motors on the Army planes. Is that true?

Mr. LAGUARDIA. One of the motors of naval planes is a low-compression motor. All kinds of motors are used for naval planes, same as land planes. It comes back to the question of

the Liberty motor again. They wanted to utilize the Liberty motor for all machines. The big naval bombing machine, the coast-patrol machine, took the low-compression motor, because it was not necessary to go to such altitudes. Again, it was adapting the plane to the motor and not the motor to the plane. But when you have a light machine and do not need a 400-horsepower motor and want altitude and speed, why, of course, it will be just the same whether you fly over the land or over the water. The trouble is we are dividing this thing. We have four different departments overlapping. We took away $2,000,000 from the Post Office Department the other day. We have all these people dabbling in this, instead of having a comprehensive united air department taking up this subject for the Government and accomplishing results and developing a big aeronautical industry in this country. I submit that the $15,000,000, with what they have on hand, is amply sufficient, more than enough, considering Army appropriations. Of course, if you are going to buy fields all along the coast, if the main thing is to buy land, I do not know anything about land values. I know that we spent a lot of money for land down in Miami, Fla. The Florida people wanted an aviation station. They came up here with delegations asking for it, and now that they have got it they ask the Navy Department to take it away, because it disturbs the morning sleep of the guests at the hotels. Is the gentleman aware of that?

The Government spent thousands and thousands of dollars at the Miami station, and now the Miami people are asking the Navy Department to move away because it disturbs the sleep of their winter guests. So if you want to buy land come in here and say you want to buy land, but do not blame everything on aviation. If we take off $10,000,000 and leave $15,000,000 to develop aviation, divided up so much for planes, so much for motors, so much for experimental purposes, then we are going to have something; but as long as we appropriate lump sums we will never know where it will go and never accomplish anything for aviation. When the appropriation for that $640,000,000 came into this House I was still young in my legislative career. I wanted to talk about it, but gentlemen said. "Don't! Disloyal to do so. Beware of the Germans. Don't say a word about it," and they got away with it. And what did we get out of the $640,000,000? For every American machine that went over the lines into Germany it cost us more than it would have cost to build a superdreadnaught. That is what we got out of it. Now, we might as well start on this bill. I am going to make similar amendments when the Army bill comes in. Until we have a united air service in charge of competent technical men we must watch aviation appropriations. Let us take the money away from them until they come to their senses. When they come to their senses they will have to come together, and we will have an air department the same as England and France have. They can put it all over us in the air, from either the commercial or the military standpoint. They have got it on us. We must hustle to even catch up with European countries. Gentlemen, I urge the adoption of my amendment.

Mr. PADGETT. Mr. Chairman, the committee have disposed of the question of land, and that is no longer involved.

The question was asked a moment ago, How much is unexpended of the appropriation of last year? I did not have the figures at the time, but on page 155 of the hearings you will find it stated that there would be $90,000,000 returned to the Treasury out of the appropriation of the current year.

Mr. BUTLER. How much was appropriated?

Mr. PADGETT. Two hundred and twenty million dollars.

Mr. BUTLER. That gives them $130,000,000.

Mr. STAFFORD. How was that $130,000,000 spent?

Mr. PADGETT. I do not know. That is for the current year, and we did not go into that.

Mr. STAFFORD. It was too small an amount for the committee to consider at the present time?

Mr. PADGETT. No; but that was the appropriation that had been already made, and we were going into the appropriation for the next year.

Mr. STAFFORD. I think the committee might have followed the Committee on Appropriations in seeking to cancel some of the authorizations and to withdraw some of the appropriations that were voted for war purposes alone, now that the war is at an end.

Mr. PADGETT. I have discussed that question. The Committee on Appropriations have taken up that subject, and we left it with them. They did deal with the Navy appropriation, and re-covered into the Treasury something like $200,000,000.

Mr. BROWNING. In the original print of the bill I have it marked that they have $90,000,000 on hand. Do I understand that they will still have that $90,000,000 on hand, or did a part of it go back into the Treasury?

Mr. PADGETT. That $90,000,000 will not be expended or obligated and will go back into the Treasury.

Mr. BROWNING. Is that included in the item of the appropriation bill which we have already passed, turning the money back?

Mr. PADGETT. I do not remember whether the appropriation bill included that or not, but it will go back into the Treasury and will not be expended. Now, this is an annual appropriation. The gentleman spoke of the money that we have on hand. We are appropriating for the fiscal year 1920. This appropriation that is now current is for the fiscal year 1919. It can not be used for 1920.

Mr. LAGUARDIA. If they start now, they can spend money up to July.

Mr. PADGETT. Yes; but this bill is from July next to the July following.

Mr. LAGUARDIA. What I mean is that you could get a lot of things started between now and July.

Mr. PADGETT. Yes; but if they start them, they would not have any money to complete them the next year. The committee was very careful about this. The committee applied the knife to it very severely and reduced it. I hope the motion will not prevail.

Mr. GREEN of Iowa. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. GREEN of Iowa. Is the gentleman absolutely sure, notwithstanding the fact that direct reference to the land has been stricken out, that money can not be spent for the purchase of land under this provision?

Mr. PADGETT. Yes; because we have a provision in here that prohibits the purchase of land with the expenditure of any appropriation in the bill.

Mr. CONNELLY of Kansas. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. CONNELLY of Kansas. I noticed in the paper this morning that $4,000,000 had been paid for the purchase of land at Cape May. I wondered if that was being purchased out of the money now in the hands of the department.

Mr. PADGETT. No; I understand that it was out of the lump-sum appropriation for the President.

Mr. CONNELLY of Kansas. I am in favor of amending the bill so as to stop the purchase of land. One of the things that will appear unwise when a full investigation is had is the purchase of land during the war. Everybody in the country who had a piece of land that they wanted to unload on the Government was able to unload it on either the War Department or the Navy Department.

Mr. PADGETT. Mr. Chairman, I understand that I am mistaken and that the prohibition I spoke of was to another matter.

Mr. TILSON. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. TILSON. There was stricken from the paragraph the provision for the purchase of land for a lighter-than-air-machine station. I notice the gentleman has not decreased the appropriation. Was it not the intention of the committee that money was to be spent on that?

Mr. PADGETT. Yes.

Mr. TILSON. Why is it not reduced?

Mr. PADGETT. I was going to state that I was going to offer an amendment reducing it $8,000,000, the amount appropriated for the purchase of land for a lighter-than-air-craft station.

Mr. TILSON. Then the gentleman from New York is not so far off when he moves to reduce it ten millions.

Mr. PADGETT. But the gentleman did not let me finish my statement.

Mr. HUMPHREYS. Will the gentleman from Tennessee yield?

Mr. PADGETT. Yes.

Mr. HUMPHREYS. The authorization is still in the bill, to be expended by the Secretary of the Navy for the producing and constructing, etc., of aircraft. Can the gentleman tell me—I am entirely ignorant on the subject—how does the Navy produce and construct these aircraft without a factory?

Mr. PADGETT. They have a factory already built and operating, which was constructing aircraft during the war for heavier-than-air machines.

Mr. HUMPHREYS. Then this will limit them to the operations of that factory?

Mr. PADGETT. Yes.

Mr. HUMPHREYS. Is there anything peculiar about naval aircraft except that which enables them to float on water?

Mr. PADGETT. There is a difference between the land machine and the water machine which the Navy uses. They used a machine with much less revolutions than does the machine for the Army.

Mr. HUMPHREYS. The same engine that runs one would run the other?

Mr. PADGETT. Yes; but you would have to reduce the speed.

Mr. HUMPHREYS. But it can be done?

Mr. PADGETT. Yes; it can be done.

Mr. HUMPHREYS. Does the gentleman think it necessary, that being true, for each department of the Government to have a separate factory? Does the gentleman think it is economical?

Mr. PADGETT. The Navy already has and is operating a factory. I do not know what the Army is doing with reference to the manufacture of machines, but the Navy expects in Philadelphia to be able to produce the aircraft machines it needs for the Navy.

Mr. HUMPHREYS. It seems to me that it is an unfortunate situation that the Navy does not know what the Army is doing and the Army does not know what the Navy is doing, but the Treasury Department knows, or will in the last analysis, what they are both doing.

Mr. LAGUARDIA. What they are trying to do.

Mr. HUMPHREYS. How much did we appropriate last year for aircraft—a billion dollars?

Mr. TILSON. About one billion and a half dollars. That was the whole program and nearly five hundred million dollars has been covered into the Treasury.

Mr. HUMPHREYS. That leaves a billion already expended.

Mr. GREEN of Iowa. That is only for the Army.

Mr. HUMPHREYS. It occurs to me that they could use a factory and manufacture a machine that would run fast enough for the Army and one slow enough for the Navy. [Laughter.]

Mr. PADGETT. The Navy is manufacturing its machines.

Mr. HUMPHREYS. And I suppose the Post Office Department will manufacture its machines.

Mr. PADGETT. I do not know what the Post Office Department intends to do.

Mr. HUMPHREYS. That is the trouble, no department knows what the other is doing.

Mr. MANN. Mr. Chairman, I have always been a friend of aviation since Prof. Langley made his experiments. I still am a friend of aviation, and I hope also I may be a friend of the people of the United States. Here is an appropriation of $25,000,000 carried in this bill for aviation purposes. That is as great an amount as was carried for the entire Navy—for the maintenance and the whole thing—if I am correct in my impression, when I first came to Congress. That is quite a development. Now, while the war was on we spent money recklessly. We had to; we were not prepared for it, and no one else was. The war is now over, and we have got to get back to a state of sanity. You can not keep on making appropriations with the idea of borrowing money from the people and never paying it back. Some day before long the appropriations will all have to be paid by taxes, and in addition we will have to pay interest upon the bonded indebtedness.

Twenty-five million dollars for aviation would be a very large sum for the Government to expend in all of its activities along that line. But here is a proposition to expend $25,000,000 in one of the least important aviation activities. We have a large amount for the Army, a considerable amount for the Post Office, and then this huge sum of $25,000,000 for the Navy. We have so gotten in the habit of talking about billions of dollars that nobody stops to think any more what a million dollars amounts to. A million dollars is a thousand thousand dollars. The gentleman from New York [Mr. LAGUARDIA], himsedf an aviator, of whom we are all proud, proposes to reduce the sum to $15,000,000. That in itself is an enormous sum of money. Let us have some sanity. Nobody will be the loser if no money is expended in the Navy for aviation except for mere maintenance. Let us get back to bedrock and know where we stand before we expend these enormous sums of money chasing phantoms. [Applause.]

I hope that we may get the amount down to $15,000,000. I am not so sure that striking the language out of the bill on the point of order will prevent the establishment of the factory on land purchased, because the bill provides for the establishment and maintenance of aircraft stations, and they have a very elastic system of construction in some of these departments. Whether that will authorize the purchase of land for the establishment of a factory I do not know, but all of the aviation services of the Government ought in truth to be concentrated in one place, and if they can not be, then they all ought to be established upon an economic basis. [Applause.]

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN. If I have time.

Mr. HUMPHREYS. Under the act we passed a year ago, known as the Overman Act, to consolidate the activities of the various departments, could not authority be given to one bureau or department to attend to the manufacture and production of aircraft?

Mr. MANN. I do not know whether that authority is in the Overman Act or not. It is not material whether it is or not, because it is not and will not be exercised if it is in this act.

Mr. HUMPHREYS. It is material in this, that if it be in the act, it shows that Congress at least has done all that it can do.

Mr. MANN. Congress has done all that it could do about aviation, even to indulging in flights of oratory on the subject—hot air.

Mr. HUMPHREYS. Yes; I think, perhaps, that has been overdone.

Mr. TOWNER. Mr. Chairman, I think that all of the members of the committee can understand very readily that the use of the aeroplane by the Navy Department is, after all, only an adaptation for marine purposes of the aircraft that we have been developing on all lines in the United States and elsewhere. It is not a thing that pertains exclusively to the Navy. It is not a thing that pertains primarily to the Navy. It does not require for its development a large separate appropriation. We know, as everyone does, that the larger use of the aeroplane will be made by the Army. We know, as everyone does, that another department of the Government—the Post Office Department—is also developing the aeroplane. In my judgment, at this time, $25,000,000 would be enough for all of these departments in the development of aeroplanes and in the building of them, when we take into consideration those that we already have on hand and the present state of the art, and also take into consideration the large demand that will be made for private uses and purposes of the aeroplane. It occurs to me, and I think it will to the country, that to give now this large lump-sum appropriation, amounting to $25,000,000, to the Navy Department would be ridiculous. It would be considered a reckless expenditure of money. We have the statement by the chairman of the committee that there is no showing of necessity; that there is no itemization of amounts that will indicate where this money is to be expended. It is a temptation to needless expenditure to put this vast sum of money into the hands of the Secretary of the Navy. No man on the floor of this House could justify himself before his constituents or the country in such lavish expenditure of money.

We have always held in the House to the belief that lump-sum appropriations ought not to be made whenever they can be avoided. In this case I venture to say there is no excuse for this appropriation in a lump-sum appropriation. The Secretary of the Navy ought to have told the committee and the country how the $25,000,000 was to be expended—how much for this, how much for that, how much for every item—so that we could determine primarily and the country ultimately whether or not it was extravagant in any particular. The time has come when Congress must revert again to that salutary rule that demands statements from these various departments with regard to the expenditures of the country. Now, when we are burdened by the greatest debt we have ever attempted to carry, and when the war is over, when we ought to get back, as has been suggested here, as rapidly as possible to bedrock, let us do it by demanding of every expenditure that is asked for by any department of the Government that they shall explain particularly item by item what they want the money for.

I shall support gladly, and I believe every member of the committee ought to support gladly, the reduction of this amount to $15,000,000. I certainly hope the amendment will be adopted by the committee.

The CHAIRMAN. May the Chair ask the gentleman from Tennessee a question? Did the Chair understand the gentleman from Tennessee to offer a substitute?

Mr. PADGETT. No.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I have an amendment which I wish to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 5, line 15, insert: "*And provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of aeroplanes."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

State marine schools: To reimburse the State of New York, $25,000, the State of Massachusetts, $25,000, and the State of Washington, $25,000, for expenses incurred in the maintenance and support of marine schools in those States in accordance with section 2 of the act entitled "An act for the establishment of marine schools, and for other purposes," approved March 4, 1911; in all, $75,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word and ask unanimous consent to proceed to discuss the preceding paragraph.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that he may proceed to discuss the preceding paragraph. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Mr. Chairman, the committee accepted, I think without a dissenting vote, the amendment offered by the gentleman from New York cutting the provision for experimental work in development of aviation for naval purposes from $25,000,000 to $15,000,000, a direct saving to the Government and the people of the United States, who have to pay the taxes and buy the loans, of $10,000,000. In this connection I desire to call attention to the fact that for four or five days recently we discussed the river and harbor bill, to which great objection was made, and that bill was made up of a variety of items—400, 500, or 600, every appropriation specified. A contest on the floor over some of the appropriations involving as much as the monumental sum of $1,000 for the improvement of a stream took up much of our valuable time. Gentlemen tore themselves into shreds opposing suggestions that we should appropriate $5,000 for the dredging of a certain stream that might encourage the commerce of the country even in a small degree. That appropriation bill, so much opposed that the newspapers of the country actually referred to it, carried only $26,000,000; and yet there was scarcely a State in the Union—there was certainly no coast line—that was not directly interested in that bill and the specific items which it carried. Subsequently we had before us the Agricultural appropriation bill, a bill in which every farmer of the country is interested, a bill that carried paragraphs relating to the production and distribution of our food supply, a bill that interested every producer and every consumer in the land. That bill carried, if I recollect aright, about $31,000,000.

These two bills, I say, were contested upon this floor, in one instance the contest raging for nearly four days. The vast interests involved were pointed out in the bills. We knew where the money was going; we knew how it was to be expended; we knew it could be checked up, and it was checked up; yet here to-day, in a few minutes, without any discussion, apparently, with the newspapers taking no notice, in a paragraph of a few lines, it is proposed to sweep into the power of a single bureau the right to expend $25,000,000, an amount equivalent to nearly all we appropriated in the river and harbor bill, almost as much as we appropriated in the Agricultural bill, in which the entire country is interested. I think it is a duty to point out the ease with which a great department of the Government, under stress of war necessity, may work into an appropriation bill and work over the Congress a tremendous appropriation to be expended at the will of a bureau when specified legitimate expenditures are so difficult to obtain.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. I think it is important to call attention to this strange condition that prevails in a legislative body in connection with aviation, not by way of reflection upon the Navy Department, which has not been criticized, so far as I have observed, for its conduct of aviation up to date, but because of the unusual proceeding in the War Department, which resulted in the exoneration of one Col. Deeds, who had been placed in charge of a part of the expenditure of $640,000,000 for aviation for war purposes, after he had been brought to the bar by a former justice of the Supreme Court of the United States appointed by the President to investigate, and who was supported in his findings by the Attorney General. I do not hesitate to say that in the case of Col. Deeds and the expenditure of that $640,000,000, for which, according to the Senate report, we did not secure a single combat plane in France, the results were not such as to inspire congressional confidence in lump-sum appropriations.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUDDLESTON. Mr. Chairman, what I shall say is applicable to a clause of the bill which comes later; but it seems proper it should have some consideration in advance, so that the defect in the bill which I shall point out may be remedied. I am very much dissatisfied with the fact that this bill provides no means whereby the enlisted men of the Navy can get relief—whereby men who are in the Navy and, now that the war is over, have business elsewhere can get out.

A great many of these boys volunteered and went into the Navy because they did not want to be conscripted. That was their business; they should not be discriminated against because of that fact. They see that their brothers who were conscripted into the Army are being discharged by wholesale, whereas they themselves are being retained for service. And this bill gives them no relief whatever. There is no provision in it that will hasten discharges of these enlisted men, and there is no way by which they can get out after the bill is passed any more than they can get out now.

It is true that the bill reduces the enlisted personnel for the next fiscal year to 180,000, or something about like that, but it does not provide that the boys who enlisted for the war and who expected to be discharged upon the termination of the war shall be discharged. They may be retained in service at the will of the Secretary of the Navy, and may be kept as a part of the 180,000 enlisted personnel that is to be retained.

Mr. VENABLE. Will the gentleman yield?

Mr. HUDDLESTON. For a question.

Mr. VENABLE. The bill does carry a provision that those who enlisted for four years, between certain dates, shall be discharged.

Mr. HUDDLESTON. The bill carries this provision:

Any enlisted man of the Navy or Marine Corps who, since April 7, 1917, and before November 11, 1918, enlisted for the period of four years may, upon his application, made to the Secretary of the Navy on or before July 1, 1919, be held and construed to have enlisted for the duration of the war and granted an honorable discharge.

In other words, the men who enlisted after war was declared are put upon a plane of equality, if this bill is passed, with those who were permitted to enlist for the "duration of the war" only. But what I am complaining of is that all of these men, no matter of what enlistment, may be held until after peace is formally declared and the end of the war proclaimed by the President, which may be 6 or 12 months hence. All the boys who are now in the Navy, and who are marking time in an overmanned fleet, doing absolutely nothing, can be kept there until a certain period, as provided by law, after the President has proclaimed the end of the war.

Mr. PADGETT. Will the gentleman permit me for a moment?

Mr. HUDDLESTON. Certainly.

Mr. PADGETT. I put in the RECORD last night, just as they were adjourning, a letter which I received yesterday from Admiral Blue, Chief of the Bureau of Navigation, setting out at length what was being done and what the directions were, and you will find it on pages 2785 and 2786 of the RECORD of Wednesday. He says:

The department has up to date directed the release of 40 per cent of the reserves, 40 per cent of the men who enlisted for the war only, and 20 per cent of the regular four-year men who enlisted since the beginning of the war.

And then he says further:

In addition to this orders have gone out during the last few days to release all the Naval Reserve men and men enlisted for the war only who are now undergoing training at the training stations and at trade schools, if they so request.

We have also ordered the release of 20,000 men of the Naval Reserve and men enlisted for the war who are performing shore duties at the various naval districts.

He goes on to say that he really does not know how he is going to maintain sufficient to operate the ships and bring the ships home. And only this morning Capt. Taussig told me that if that provision which has just been read, and which is in the bill, goes into effect, he does not know how the Navy is going to operate ships in order to bring the boys home.

Mr. HUDDLESTON. Mr. Chairman, I thank the gentleman for calling my attention to the letter. Of course, we have all had occasion to take this matter up with the Navy Department from day to day. I have the occasion about fifty times a day, when boys who are my constituents write to me asking me to do something for them. Of course, I do not always actually take the matter up with the department, for things are so run that a mere Member of Congress can do little except go through the motion. But the department usually gives me a polite reply, affording practically the same information the gentleman from Tennessee has given. We have ordered substantially 40 per cent out of the Navy, but what about the other 60 per cent?

Mr. PADGETT. We can not turn everybody out. And he says here:

In case of there being more applicants than can be released under the authorized percentages, those to be released will be decided by lot.

Mr. HUDDLESTON. If that is the rule, it is a very recent one. My information is—and the gentleman speaks as though there was some doubt about those who want to get out not exceeding 40 per cent—that a month ago 70 per cent of the Navy had applied for discharges. I have no doubt that 90 per cent have applied up to this time.

Mr. PADGETT. Will the gentleman permit? Do you think we ought to discharge every man that asks to be discharged from the Navy and leave the Navy impotent and wrecked? What would we do with our ships? How would we bring the boys back? We are operating troopships for the Army, and every day we see in the papers where they are bringing back thousands of men. It is going to continue for months in order to get back the 2,000,000 men over there. Shall we discharge every man in the Navy and tie the ships up, with nobody to take care of them?

Mr. HUDDLESTON. That is not the only alternative presented.

Mr. PADGETT. Yes, it is. We are taking in about 1,600 a week of new recruits, but they have to be sent to naval training stations and trained three or four months before they can be put on the ships.

Mr. HUDDLESTON. The gentleman leads me quite a distance from what I wanted to say, but I am going back to it just as if he had not done so.

Eighty or ninety per cent have applied for release. All of these men enlisted "for the duration of the war." The war is over. They are entitled to get home. Now, the thing to do is to go out and get some new men into the Navy if these men who are there do not want to stay in it. The gentleman assumes that they have discharged 40 per cent. I tell him that 40 per cent have not been discharged. I do not know the exact figure, but I will guarantee there have not been over 25 to 30 per cent discharged.

There will be no robbing of the Navy of such of its efficiency as is required for these times—the war is over—merely because 50 per cent of the men are discharged. We had over 500,000 men in the Navy when the armistice was signed. Fifty per cent of them would be only 250,000. The gentleman must not go astray on the thought that our Navy is charged with bringing back our soldiers from France. They have nothing to do with our transport system. That belongs to the Army.

Mr. PADGETT. I would like to say to the gentleman, on the contrary——

Mr. HUDDLESTON. Oh, I beg the gentleman not to interrupt the train of my thought. The Navy is not charged with the duty of bringing our soldiers back from France. It is true that some of our battleships are being used, as I am informed, against the advice of the higher naval officers, in bringing back some troops from France. But such troops are comparatively few in number and these ships are doing little good at that use.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HUDDLESTON. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. HUDDLESTON. The discharge of 60 per cent of the Navy will not in any wise handicap the bringing of our soldiers back from France. The truth of the matter is that the Navy Department does not want to let these enlisted men of the Navy go. The Navy Department wants to keep them there. There are a thousand reasons why they should be let go and very few, if any, good reasons why they should be retained in the service. The best reason for the discharge of these men is that they enlisted with the understanding that they should go home about their business when the war was over. Now we are holding them on a legal technicality, on the ground that peace has not been formally proclaimed. Well, our Navy was overmanned when the war was on. It is still overmanned. There is no good reason whatever for keeping in active commission a great many of the vessels. We turned back to their private owners something like a thousand vessels when the war closed. I submit, gentlemen, that we could easily dispense with all of the enlisted men of the Navy down to the minimum that the gentleman has put in this bill—that is to say, 180,000—less than 200,000—and let these boys go home and no harm would be done to the Navy and the transporting home of our soldiers from France not be delayed to any substantial extent.

We ought to hurry up and make a more diligent effort to recruit the Navy. Millions of men are being turned out of the Army looking for jobs and there is an oversupply of labor the country over, and the duty is on the Navy Department to get new men and put them into the Navy in place of those boys who have got something to do at home.

It is nearly impossible to get discharges, according to the reports, and the reports that come to me are unanimous. It is almost impossible to get the boys out on account of the whims of their officers. Under the rules of the department those who apply for discharges are divided into three classes: First, those who have dependents; they are given the preference. The next class is those who have urgent business reasons for desiring their discharge; they are given the second preference. The third class is those who want to finish their education; and they also are given a preference. What about the fellow who wants to be out simply because he wants to be out? Why should he not be given some consideration? He has the same right to be discharged as anybody else, and he should not be forced to depend on the arbitrary discretion of the Secretary of the Navy or the whim of some little officer somewhere who fears that he will reduce his own importance by reducing the number of men under his command.

There are men in every port, in every station, in every office, who could well be spared, men who are practically doing nothing. They are sitting there, simply warming their chairs. I do not know why they are kept there. The men themselves say they do not know. There are men in the Naval Officers' Reserve who want to get out, and they do not know why they are held. I was told by an assistant paymaster of the Navy a few days ago, who had been trying for 60 days to get out so that he might go back to his family and his business, that when his relief finally came he told him that there were 60 boys at the same station he had come from, all graduates of the paymasters' school, who had been there for a month or more and had not done a stroke of work, and most of them were pleading for discharges.

I say that the good faith of this great Nation is pledged to let every man out of the Army and the Navy as quick as it is reasonably safe to do so. I say that the man who enlisted for the duration of the war ought to be discharged. We ought not to have accepted these men for the duration of the war unless we meant to let them go when the war was over. But we accepted them. They have the moral right to be allowed to get out.

Thousands of mothers and fathers throughout the country are urging their Representatives in Congress to help them in getting their sons out of the Navy. They have to go through an intricate formula, and supplement it with technical affidavits, and then the application may be put in a pigeonhole for months, and finally some little officer says, "Your reasons are not sufficiently stated, and we can not let you go."

That is what the boys are up against in this country. Something ought to be done. We ought to have some relief from it. Something should be done by this committee. Some provision to that end should be put into this bill by amendment or otherwise. Something should be done to keep the faith of this Nation with those who enlisted to fight the battles of the country on land and sea. [Applause.]

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. HUMPHREYS. Mr. Chairman, I ask unanimous consent to proceed for three minutes out of order.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for three minutes out of order. Is there objection?

There was no objection.

Mr. HUMPHREYS. Mr. Chairman, I suppose I, in common with everybody else, would like to see the boys get out as soon as possible, both in the Army and in the Navy. If we should give preference to anybody, it would be the boys who are now in France.

I wanted to ask a question. The gentleman from Alabama [Mr. HUDDLESTON] stated that the boys who enlisted in the Navy during the war are not to a very considerable extent being used in the transport service for the purpose of bringing the soldiers back home. I wish just to preface my remarks by saying that I think the boys ought to be kept in the Navy if it is necessary, and as long as it is necessary during the duration of the war, to get the boys back from France, and I would like the gentleman from Tennessee to give me that information.

Mr. PADGETT. It is not only necessary, but the Navy is operating the troop transports of the Army, manning them by officers and enlisted men, and operating them; and only within the last few weeks they have been notified to be prepared to officer and man between 20 and 30, as I remember—more than 20—ships recently taken over under the distribution from the Germans, to be used to bring the troops back, and they are so using thousands and thousands of men.

Only this morning I was talking with Capt. Taussig, who is in charge of the enlisted personnel in the Navy, who said they were releasing them as fast as they could, but that they were confronted with the condition that if so many got out as it appeared were going to be authorized to go out by the legislation in this bill, they would be in a situation where they would not be able to operate the ships to bring the boys back from France.

Mr. HUMPHREYS. Would the result then be that the soldiers who are now in France would be required to stay there longer?

Mr. PADGETT. Either to stay there longer or the Government would have to provide other ships from other countries and bring them back in ships from other countries.

Mr. HUMPHREYS. Can the Government do that last thing?

Mr. PADGETT. I do not know of any way to do it except to hire ships, and whether they can get them or not I do not know. I do not think it is a practical thing, I do not think it is an advisable thing, and the country ought not to be put in the condition where it would be confronted with that situation. The letter that I put in last night, of which I read a portion awhile ago, shows that the Navy is liberally discharging these men.

Mr. VENABLE. Mr. Chairman, I ask unanimous consent to proceed for five minutes out of order.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to proceed for five minutes out of order. Is there objection?

There was no objection.

Mr. VENABLE. Mr. Chairman, I suppose I have on an average as many applications for discharges from the Army and the Navy as any man in the House, and I suppose that I have gone to as much personal trouble in looking after those applications as possibly any other man, with few exceptions, and I have had some cases that I thought myself, looking at them solely and alone from the side of the soldier or the sailor, were deserving of prompt action on the part of the department, resulting in the discharge of the men.

But I have always tried to bear in mind the fact that it was practically a physical impossibility for the department here in Washington to adjudicate and decide each individual case as it arose, that necessarily from the very nature of the problem they had to deal with these men more or less en masse. I realize, furthermore, that the problem of demobilization in the Navy is a totally different one from that in the Army. We speak of men in the Navy as being sailors. As a matter of fact they are not sailors at all. They are skilled gunners, skilled machinists, skilled engineers, skilled mechanics of all kinds, and whenever you discharge an undue proportion of men in any of the classifications of the service, you put the battleship out of commission just as effectually as if you had discharged the whole crew. If you discharge all of your gunners aboard ship, for all practical purposes it ceases to be a battleship. If you discharge all your firemen, the ship can not sail. If you discharge all of your electricians, very soon your turrets and your gunnery machinery and your lighting plant are out of commission.

Mr. PADGETT. And if you discharge enough to make any department inefficient, the same thing is true.

Mr. VENABLE. If you discharge them to the extent where you only partially disable the ship, the ship for all practical purposes is out of commission. So when applications come in for the discharge of an undue proportion of men in any line of naval activity aboard a vessel, there is not only to be taken into consideration the merits of the individual case, but also the interest of the country generally. And surely no one would urge that we should pursue a policy which would practically dismantle your whole fleet. Until hearing from my friend from Alabama [Mr. HUDDLESTON] I would not have thought that it would be argued as earnestly and sincerely and with as much seriousness as he has doubtless argued it that because there has been an actual cessation of hostilities, for that reason there is a moral obligation upon the Government to discharge these men irrespective of whether their services are imperatively needed by the Government or not. Of course when the war ends, if it is according to the terms of their enlistment that they shall be discharged when peace is declared, the Government must discharge them, because that is its contract; but I deny that there is any moral obligation upon the Government to discharge a man when it needs him and his retention is according to the terms of his enlistment. If a moral obligation arises, it arises from the existence of an agreement or a contract.

Mr. McKEOWN. Will my friend yield?

Mr. VENABLE. With pleasure.

Mr. McKEOWN. Are there not many men in the service of the Navy who are not aboard ship, and who are not being used to transport soldiers from abroad, who could be discharged, and ought not such men who have dependents to be discharged?

Mr. PADGETT. That has been ordered, exactly, in gross.

Mr. McKEOWN. But is it not true that the orders emanating from Washington are not having much effect with the commanding officers?

Mr. VENABLE. If my friend will allow me to reply to him, I think that there are many men in the service, possibly, who, on the merits of their individual cases, might be discharged, and I want to say that I believe as soon as the department can work out its plans for the discharge of those men and for the determination of the merits of those cases they will be discharged.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VENABLE. I ask for three minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr. VENABLE. Now, we go down to the departments here in Washington and we present the facts of a particular case. The department here can not, to save its life, know whether the discharge of a particular man will cripple the efficiency of a ship or not. Prompted by that reason and others of a subsidiary character, it was decided to leave the determination of these questions to the commanders of the fleet; because not only must the merits of the case be taken into consideration, but also the needs of the Government. And permit me to say right here, almost anybody can get up in the Congress and express a sense of pain. Almost anybody can get up in the Congress and criticize. Almost anybody can get up in the Congress and denounce a certain course of conduct. But, permit me to say, I do not believe that should ever be done except where the Member has the facts; and then it ought not to be done by denunciation of the entire department and system, bringing condemnation upon innocent and efficient men, but by the fixing of responsibility upon the man who is at fault; because indiscriminate criticism, the charge that certain things are being done, without proof of the facts, goes forth from this body to the country as though it was sustained, although it may not be sustained by the facts. Because a Member of Congress has said so, they therefore take it as true, and you create all over the country a wave of discontent that excites prejudice against the service. The naval service of the United States is neither Democratic nor Republican; it is American. It results in harm to the service and serious embarrassment to the chief of the departments here.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. VENABLE. I will.

Mr. HUDDLESTON. Does the gentleman think the particular thing calculated to excite prejudice against the Navy now is holding the men who enlisted during the war to perform services which have no relation to war, but are mere matters of convenience to the Government, for the purpose of keeping ships in command, not to bring troops home from France, but simply to keep them in command?

Mr. VENABLE. I have never received any proof that officials of the Navy were arbitrarily holding anybody. There may be individual cases, which I think will be taken care of as soon as they are worked out by the department.

Mr. PADGETT. Mr. Chairman, I want to give the House another portion of a letter. I called up Admiral Blue and asked him to give me an official statement, which he did, and I put it in the RECORD yesterday:

> The department has up to date directed the release of 40 per cent of the reserves, 40 per cent of the men who enlisted for the war only, and 20 per cent of the regular four-year men who enlisted since the beginning of the war.
>
> In making these releases, commanding officers of ships and stations were directed to give preference, first, to men who have families dependent upon them, and, second, to young men desiring to complete their education. In case of there being more applicants than can be released under the authorized percentages, those to be released will be decided by lot. Naturally the demobilization must be handled by the commanding officers on general orders from the bureau, as it would be impossible for the bureau to handle the individual cases.
>
> In addition to this, orders have gone out during the last few days to release all the Naval Reserve men and men enlisted for the war only who are now undergoing training at the training stations and at trade schools, if they so request.
>
> We have also ordered the release of 20,000 men of the Naval Reserve and men enlisted for the war who are performing shore duties at the various naval districts.
>
> The bureau is very desirous of completing the demobilization as soon as possible, but it is confronted with the proposition of placing in commission some 38 to 40 large vessels to be used as tranports in bringing home troops from France. A number of cargo ships belonging to the Shipping Board are also being manned. As you can readily understand, the present activities of the Navy, as well as those in prospect, have to be carefully provided for, otherwise they would have to cease.
>
> It is hoped that by the 20th of February we will have demobilized at least half of the remaining personnel on shore after the releases above

described have taken place. From February 20 to March 1 we will obtain detailed statements from all stations in regard to the number of men remaining available. This we shall have to do in order to ascertain where we stand in regard to personnel.

In the meantime we are recruiting men as fast as our facilities will permit. They seem to be coming in now at the rate of about 1,600 a week. This will of course help us out in the matter of demobilization, but naturally we will not really feel the effect of this for several months, for the reason that the new men coming in are recruits and must be trained before being sent to the ships.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. HUDDLESTON. All these men spoken of there, the 40 per cent, and then those in addition may obviously be discharged with entire consistency, but what I want to know is if it can be done within 30 days why should it not have been done 60 days ago? There has not been a change of a hair in the circumstances.

Mr. PADGETT. Oh, yes; there has; we had something like 2,000 ships in the Navy when the armistice was signed, and many of those are being turned back and gotten rid of. It could not be done in a jiffy. To carry out the proposal of the gentleman from Alabama would wreck the Navy and bring riot in this country, because we would not have men to bring back the troops from France.

The CHAIRMAN. The time of the gentleman has expired and all time has expired. The Clerk will read.

The Clerk read as follows:

Care of lepers, etc., island of Guam: Naval station, island of Guam: Maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Cullon, in the Philippines, and their maintenance, $20,000.

Mr. DIES. Mr. Chairman, I want to say this: I do not care what the legal phase is, this war is over; the war between the United States of America and Germany has ceased. That Empire has made an unconditional surrender. It has yielded up all of the essential instruments of war, and that war is as much over as the war between the States is over. Now, that is the fact about it. Unless you are going to have compulsory military service without an act of Congress in time of peace you ought to turn these soldiers and sailors who enlisted for the period of the war loose. If you do not do it you hold them upon a bare technicality, because the war is over; the German flag has been lowered, its armies have capitulated with an unconditional surrender.

Congress ought to have the nerve and honesty, if it believes in compulsory military and naval service, to put it to a vote, but this thing of holding men in the Army and the Navy after the war is over, after the enemy's flag is hauled down, after the enemy's power has been exhausted, is a cheat upon the selective-draft act passed by this Congress.

Now, that is the fact about it. You have no more legislative right, nor moral right, to hold these fellows in the Army and the Navy, who were conscripted for the war, than you have a right to hold a man in prison after the issuance of a writ of habeas corpus. If you want them against their will to serve in a time of peace, pass a law for compulsory military and naval service, because every man, woman, and child in the world knows that the war between our country and Germany is a thing of the past, a thing that has passed into history. It does not exist to-day because of the unconditional surrender of the German forces and the taking away of every power to make war.

Mr. HUMPHREYS. Will the gentleman yield?

Mr. DIES. Yes.

Mr. HUMPHREYS. The war is not entirely over so far as the soldiers who did the fighting and won the victory are concerned, and who are now at the front. It will not be over for them until they get back home. The gentleman does not believe that the men ought to be permitted to get out of the Navy if it is necessary to keep them in the Navy in order to bring these soldiers back to the United States, does he?

Mr. DIES. No; but I will tell my friend what he ought to keep in his mind, and that is the demand of every officer to have somebody to command, the demand of every man with shoulder straps and a star to have some of his boys and my boys that he may command them, and it is the gentleman's duty to see that they are demobilized and brought back to their peaceful pursuits and not kept there in order that they may maintain rank in the Army or the Navy.

Mr. HUMPHREYS. Mr. Chairman, I am talking about privates, although I have no prejudice in the world against the men who held commissions. Incidentally, more commissioned men, so far as that is concerned, in proportion to their numbers were killed on the battle field than men who did not have commissions, but that is neither here nor there. Confine it to the private soldier in France to-day, who went over the top, who made the sacrifice, who suffered much more than did the boys in the Navy, although the boys in the Navy were willing to suffer. Would it be fair, would it be proper, to demobilize the Navy to-day if that Navy is necessary to bring back from France the soldiers, the privates, and let the commissioned officers remain there?

Mr. DIES. Just what figure the Navy cuts in bringing back the privates is more than I understand.

Mr. PADGETT. I just called attention to the fact that they have to man 38 or 40 new ships coming in, and they are manning and operating to-day numbers of ships for the Army, bringing back the soldiers, and they are using battleships and cruisers to bring them back.

Mr. DIES. I do not trust the officers to turn the men loose. I trust Congress to do that, to see to it that when the war is over the gallant sons of America shall come back to their homes. The man of power wants more power; the man at the head of a committee wants more appropriations and more dignity. An officer wants more men to command, and I say that these boys who enlisted in the Army and the Navy for the duration of the war ought to be demobilized and allowed to go back home, because the war is over, and every honest man knows that the war with Germany is over.

Mr. HUDDLESTON. And I would call further attention to the fact that the excuse of keeping these boys in the service of the Navy to bring the boys back from France is a mere subterfuge. There is no reason in the world, if they need men to man the Navy, why they can not go into the labor market and hire these men after they are discharged.

Mr. PADGETT. It would take three months——

Mr. HUDDLESTON. You are forcing them to do it now. Give them a chance to act like American citizens.

Mr. DIES. I do not care what you need. In time of peace, under your present system, you are entitled to keep every volunteer enlistment in either the Army or the Navy only so long as the war exists. Every man knows that the war is over and you can not honestly keep them in against their will.

Mr. VENABLE. Mr. Chairman, the gentleman from Texas [Mr. DIES] bases his whole argument, as I understand it, on the proposition that since a large proportion of the men in the Navy enlisted for the period of the war, and since the actual fighting is over, therefore the cessation of actual fighting is tantamount to the end of the war, and hence, the war being over, these men under the terms of their contract are entitled to be released; that holding them further in the service is a violation of their contract and a violation of a moral obligation upon the part of the Government; therefore the question is, Is the cessation of fighting an end of the war? I know these young men enlisted to serve their country in their country's hour of need, and I do not believe that any of them would insist on their discharge if they believed that the country still needed them, and the reason they are asking for a discharge is because they do not believe that the need any longer exists. But the question is, Does the need exist?

The testimony before the committee was that it did. Peace terms have yet to be formulated and submitted to the German Empire. We hardly think that Germany will resist, but no man knows, and a state of war exists until all of the questions in the situation which might give rise to actual hostilities have been settled. It would be a part of folly, in my judgment, because there was actual cessation of fighting to take that as equivalent peace, and to demobilize our armed forces and thus invite a renewal of hostilities by our enemy. If that be true of the Navy it is equally true of the Army. It seems to me ridiculous that this country should at once by act of Congress demobilize every soldier in the National Army in France and Germany and discharge them from any further military discipline or obligation.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. VENABLE. Because if the war be over, it is as much over for the soldier as for the sailor. That is the logic of the gentleman's argument. I yield.

Mr. DIES. Does my friend from Mississippi think that the Imperial German Empire or the German Republic, or whatever government they form there, will be weaker or stronger a year or two or three or four from now than it is now?

Mr. VENABLE. I think they are weaker now.

Mr. DIES. If they are weaker now, if you keep an army there now, how much greater army will you keep there one, or two, or three, or four years in the future?

Mr. VENABLE. You will not keep any there, because you will have settled the terms of peace, and as I believe the allies will keep an army there until the terms are put into execution as far as possible.

Mr. DENISON. Suppose it should require a year before we can arrive at a settlement of this so-called league of nations, and suppose our commissioners should say that there shall be no peace until that is settled, does the gentleman think that we are in duty bound to keep these soldiers in the service until the question of the league of nations is settled?

Mr. VENABLE. We are not doing that; we are demobilizing the Army and the Navy as fast as practicable in view of the situation.

But the gentleman can not draw me away from a discussion of what I am trying to develop to a discussion of the league of nations. The argument of the gentleman from Texas was based upon the assumption that the cessation of actual hostilites was tantamount to peace; that under the terms of enlistment these men in the Navy, when peace came, were entitled to their discharge. If that is true, there would hardly be any man either in the Navy or armed force of the United States, according to the logic of his contention, who should not be demobilized at once. When you apply that conclusion to the Army in France, the unsoundness of it, in view of practical events, is immediately manifest. The same thing is true, I believe, under the facts, as regards the naval forces of the country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EMERSON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Mississippi. Mr. Chairman, the discussion that has been going on here shows conclusively what an awful blunder the President made when he went over to France and left Congress here to flounder around in the mud.

Mr. CHANDLER of Oklahoma. Will the gentleman yield?

Mr. EMERSON. Mr. Chairman, the President of the United States is now in France, and the ability of Congress to transact the business of this Government without the presidential "big stick" is now on trial. The question that confronts us now is whether Congress is able to pass legislation efficiently, effectively, and as speedily when the President is away as it does when the President is in the country and telling Congress what to do and how to do it.

That question is now squarely up to Congress.

Many Members in the past have complained that the President has dictated to Congress, has bossed Congress, and some have gone as far as to state that the President has usurped the functions of Congress.

If this was improperly done by the President in the past, now is the time to prove that it was wrongfully done, by formulating our own legislative policy.

If Congress can do business as efficiently and as effectively when the President is away as when he is here, I know of no better time to prove it than right now.

Yes; now while he is away let Congress show the country that it has policies, that it does not have to be bossed or led or driven or coerced.

If we do not pass the appropriation bills and necessary legislation before the 4th day of March, 1919, it will conclusively prove that all the criticisms that have been hurled against Congress in the past by the press of the country, by public speakers, and by the public in general is true.

It will at least show that Congress needs some leadership.

If we are to have leadership, that leadership should emanate in Congress, not outside of Congress.

If there is to be an extra session, place the responsibility for calling it upon the President.

It is our duty, our plain and imperative duty, with the constitutional notice that our lives as Members of the Sixty-fifth Congress die on March 4 at noon, to clear the legislative decks of such important matters that are expected of us by the people.

Procrastination should be sidetracked and real earnest work given to important measures that they may be disposed of before the expiration of this Congress, and the people of this country relieved of the expensive burden of an extraordinary session.

It is the duty of Congress to see to it that all legislation necessary to keep the wheels of government going is enacted by March 4, 1919.

We can not assume that the President will call an extra session.

We should not force him to call an extra session.

We should not confess our weakness by failing to enact at this session of Congress the legislation usually enacted, and legislation that necessarily must be enacted.

The people of this country will not take kindly to any conduct on the part of Congress that tends to force an extra session and keep the country in that state of unrest that usually attends a long session of Congress.

What the people of this country want is a rest from congressional activities.

It seems to me that it would be much better for the business of the country and for the labor of the country if we legislated less.

The President by virtue of his veto power is coordinate with the legislative branch, but the writers of the Constitution intended to place the responsibility of legislation upon Congress, which is the direct representative of the people.

The country wants Congress to enact necessary legislation and adjourn.

If we do not do this the people of this country will hold us responsible. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

BUREAU OF NAVIGATION.

Transportation and recruiting: For travel allowance of enlisted men discharged on account of expiration of enlistment; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their homes, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen to hospitals, with subsistence and transfers en route, or cash in lieu thereof; transportation of enlisted men of the Naval Reserve Force to and from duty, with subsistence and transfers en route, or cash in lieu thereof; transportation of civilian officers and crews of naval auxiliaries; apprehension and delivery of deserters and stragglers and for railway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; rental, maintenance, operation, exchange, and repair of motor-propelled passenger-carrying vehicles for official use; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties, $9,000,000.

Mr. DALLINGER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have been very much interested in this discussion in regard to the discharge of men from the Army and Navy. The people at home do not realize that the question of recruiting and discharging men from the Army and Navy is an executive function. As long as peace is not actually signed there is nobody except the Commander in Chief, and under him the Secretary of War and the Secretary of the Navy, who can do anything about this matter. All that we Members of Congress can do is to make suggestions and protests.

Immediately after the signing of the armistice I sent a telegram to both the Secretary of War and the Secretary of the Navy asking if the men who had dependent families and positions waiting for them at home might not be given a preference in the granting of discharges. Other Members of this House made the same suggestion and request. As a result the Secretary of War and the Secretary of the Navy formulated sets of rules by which men could get their discharges. The gentleman from Alabama [Mr. HUDDLESTON] has referred to these regulations. We were all sent copies of them and were told to tell the boys that they must file with their commanding officers applications supported by sworn affidavits, and that then these applications would be considered on their merits in accordance with the policy laid down in the regulations. The trouble has been that the subordinate officers of the Army and Navy have not in many cases obeyed the regulations that were given them.

In this connection I desire to give the House two instances which have come to my attention here in Washington within the last few days. The other morning on my way to the Capitol a nice-looking sailor boy stopped me on Pennsylvania Avenue and asked me if I could tell him how he could get in touch with his Congressman. It was a pleasure to take him with me to the House Office Building and introduce him to his Member of Congress. On the way up he told me the circumstances of his case.

His home was in one of the far Western States. He is now stationed at one of the shore naval stations—I think at Chatham, Mass. In other words, he is not one of the men engaged in bringing soldiers home from France whom some of my colleagues have been talking about. He told me that he had a wife and three little children at home whom he had not seen for more than a year, that he had a nice position waiting for him at home, and that he had filed his application with the necessary affidavits with his commanding officer right after the signing of the armistice, but could get no satisfaction at all. He also told me that at that station 82 per cent of the discharges had been discharges of unmarried men. He also stated to me that he knew of several cases where boys asked they be not discharged because they had no home to go to and no position to return to, but that they were discharged in spite of their re-

quest, and yet at the same time men who had families and positions waiting for them at home and who had made great sacrifices by giving up positions which paid them $100 or $150 a month for the sake of serving their country at a salary of only $30 or $40 a month were utterly unable to obtain their discharges.

The other instance which I have in mind is the case of two boys with whom I happened to get acquainted recently who came from the Pacific coast. They enlisted in the marines at the beginning of the war. They went over to France, where they took part in the severe fighting on the western front. They were wounded, and returned to this country. After they were discharged from the hospital they were sent down to Quantico, and have been there for months, with positions waiting for them at home, but utterly unable to get their discharges.

Mr. Chairman, I wish to utter my most emphatic protest against this outrageous treatment of our boys in defiance of the advertised policy of the War and Navy Departments. I believe—and I know that in expressing this opinion I voice the overwhelming sentiment of the people of this country—that those men who have got dependent families and who have positions waiting for them at home, and particularly those who have actually fought and been wounded in their country's service, should be discharged immediately from the military and naval service, and there is no excuse whatever for not discharging them. [Applause.]

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Concerning this item of $9,000,000, Bureau of Navigation, I should like to ask the chairman of the committee if he has any detailed information about how this money is to be expended?

Mr. PADGETT. Yes, sir; a great deal of it. It is not only for the purpose of getting new men in—and you see this afternoon what that means—but it is also to pay transportation of men discharged back to their homes to the place of enlistment. Capt. Lanning was before the committee, and he said that he did not think that even $12,000,000 would be sufficient to carry on the work——

Mr. MOORE of Pennsylvania. The department asked for $12,000,000?

Mr. PADGETT. Yes, sir.

Mr. MOORE of Pennsylvania. And the committee cut it to $9,000,000?

Mr. PADGETT. Yes, sir. The Secretary, I believe, reduced it to $10,000,000 and the committee reduced it to $9,000,000.

Mr. MOORE of Pennsylvania. I direct the gentleman's attention to that part of the item which provides for rental, maintenance, operation, exchange, and repair of motor-propelled passenger-carrying vehicles for official use.

Mr. PADGETT. That is their operation, upkeep, and maintenance.

Mr. MOORE of Pennsylvania. That is the point; rental, maintenance, operation, exchange, and repair of motor-propelled passenger-carrying vehicles for official use.

Mr. PADGETT. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman know or do the hearings disclose how much of this $9,000,000 would be expended for that purpose?

Mr. PADGETT. No, sir. I can not tell you. But there is a provision in the bill that prohibits the use of any part for the purchase of additional machines. And there are motor cars for official use in the different bureaus. We went into that very fully in the session last spring, and my recollection is that we had something like 450 or 475.

Mr. MOORE of Pennsylvania. In the city of Washington?

Mr. PADGETT. Oh, no; in the United States.

Mr. MOORE of Pennsylvania. I have no desire to criticize the Navy Department. I am very fond of it. But this item of maintenance of motor-propelled passenger-carrying vehicles for official use has come to be the subject of criticism in regard to certain departments, though not necessarily the Navy Department.

Mr. PADGETT. I rather think not of the Navy Department, because I never heard any criticism of that kind.

Mr. MOORE of Pennsylvania. I hope not. For that reason I was asking how much would be expended for this purpose by the Bureau of Navigation. I want to say to the gentleman frankly, and I think the committee is entitled to know, that Members of Congress themselves observe that many of these passenger-carrying vehicles "for official use" are not being used exclusively in office hours, and some of them are being used for what appears to be unofficial purposes. That is to say, my attention has been called to the fact that some of these machines, and they are very handsomely finished, they are high-priced machines, are being used by the wives and relatives of the officers of the Government, not necessarily naval officers, and that they are being used for social purposes, for which, of course, this appropriation is not intended.

I have myself observed some of these official motor-propelled passenger-carrying vehicles—very expensive ones, limousines, with the Government coat of arms upon them and very small letters to indicate that they were for Government use—drive up to department stores and unburden themselves of some ladies who seem to be out shopping. I understand that it is possible to find machines labeled "for Government use" drawing up to some of the places of entertainment in the city of Washington, some of them to points at which dinners are given and balls are held, regardless of the fact that they are Government machines.

Mr. PADGETT. I have not heard any criticism of that kind in connection with the Navy.

Mr. MOORE of Pennsylvania. I say that I have not heard it applied especially to the Navy, but there are Members of Congress who have called attention to the fact that they have seen what I myself have seen. I saw one draw up the other morning before one of the large jewelry establishments on one of the main thoroughfares leading to the Capitol, and I saw ladies leave the limousine and go into the store, and yet I noticed that the coat of arms indicated that the limousine belonged to the Government. I do not think the committee would sanction that.

Mr. PADGETT. I do not think the criticism would lie against the Navy.

Mr. MOORE of Pennsylvania. Nine million dollars is a large sum of money, although not all of it is to be used for maintaining motor-propelled machines; but some of it is.

Mr. PADGETT. In the last bill last spring there was a provision limiting the number of machines to be purchased for the United States for the Navy to 115, of which not exceeding 15 could exceed $500, and were limited, I think, to $1,800, or, maybe, $2,000.

Mr. MOORE of Pennsylvania. I know the gentleman from Tennessee well enough to know that he would give me a frank answer to this question if he knew any of this $9,000,000 was being used by officers of the Government for the purpose of having the members of the family pay social calls or attend dances, or for the purposes of making purchases at department stores, and would disapprove of that practice.

Mr. PADGETT. Yes, indeed; I would. I have inquired about it and am informed it has not been done in the Navy.

Mr. MOORE of Pennsylvania. Not being done in the Navy?

Mr. PADGETT. I understand that.

Mr. DIES. Mr. Chairman, I move to strike out the last two words.

Of course it is inevitable that finally, when we enter upon this militaristic career on which we have embarked, that all these things the gentleman from Pennsylvania [Mr. MOORE] talks about will happen. Of course you can not build up a military caste in the country without having all these automobiles flying about that Members of Congress see every day. You would naturally have that. Let gentlemen console themselves. These things are crude and ordinary to start with, but finally we will polish it down to the old militaristic system that the world has become acquainted with in other days.

You take a country gentleman who has grown rich either in oil or in pork, and he moves to town; of course, he is not familiar with the customs of society, and he gets about clumsily. He gets his vestments on unhandily, and his whole movements smack of the rustican. You take a great Republic like the United States and embark it suddenly upon a militaristic career, and naturally you would expect incongruity, just as you would expect incongruity from a man who had discovered oil, you know, and had come to be a millionaire. Diamonds upon the hands of women who formerly washed clothes and automobiles for those who had formerly driven in horse carts. And, of course, you take a great Republic, like it was under Lincoln and Jackson and Cleveland, and turn it loose upon a militaristic career, and you must expect incongruous things and ridiculous things, almost. You expect men to run about in automobiles who never owned one.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes.

Mr. MOORE of Pennsylvania. The gentleman is interested in the discharge of soldiers. I forgot to say, in connection with the use of automobiles for social purposes, that I have also been informed that some of these young soldiers who are competent chauffeurs are held in the service to drive these automobiles.

Mr. DIES. Oh, to be sure. That is a part of the atmosphere of the military caste. I see them down at the humble hotel

where I stop. The boy probably, the son of a man in Illinois who defended the Union, or the son of a man in Mississippi who gave his life for the Confederacy, drives some little satrap up to the hotel, and he stands there with his hands behind him while his master pays his respects to some maiden or dances with some dilettante in the hall. We should expect that in militarism.

Mr. MOORE of Pennsylvania. We might hasten the demobilization if we discharged some of the chauffeurs and let them go home.

Mr. DIES. Oh, no. The truth and fact for the American Congressman to know is that we ought to turn these boys loose, and if we want to have a different system let us write it on the statute books of America. This is a system of compulsion in war. Every man who believes in it ought to vote for military service in time of peace. Every man who believes in it ought to vote for it, or else he ought to say to these military satraps, "Turn our boys loose and let them go home." [Applause.]

You have got a right during war to requisition the services of the youth of this country. I voted for that. But when a war is over and you lay it down to the American youth, you have no right to keep them in the Army after the peril is passed. You may camouflage it, you may dodge behind a technicality, if you wish; but the fact remains that you are inaugurating a compulsory military and naval system in this country without the courage to put your vote down "aye" on the records of the Congress.

Now, if you believe that any man in this country ought to be compelled by law to serve in the Army or Navy without his consent in time of peace, vote for it. That is all right. That is the system that we are headed for. That is the system that Germany had. That is the system that France had. That is the system that Russia had, and that is the system that every Government on this earth ever had that ever raised an army in time of peace, and you have got to come to it, and you ought to come to it honestly and fairly. You ought not to hold a young fellow in here in durance vile by subterfuge. You ought not to impress a young man into the Army and Navy by saying, "You are held here against a menace," when you know there is no menace.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes.

Mr. PADGETT. Do you think we ought to put a provision in here that would prevent the Navy from bringing the boys back?

Mr. DIES. I take it that the Navy is not bringing so many of them back.

Mr. PADGETT. They are operating multitudes of ships, bringing the boys back and taking supplies over and demobilizing the Army.

Mr. DIES. In good truth, three months have passed, and less than 150,000 have been brought back from France.

Mr. PADGETT. Oh, more than a million have been brought back.

Mr. DIES. Oh, no. I read the Official Bulletin, and only a week ago they said that 100,000 had been brought back from France. They demobilized a little over a million in the United States and Europe.

Mr. GARNER. To demobilize and to bring them home from France are different things.

Mr. PADGETT. I said "demobilized and brought back from France."

Mr. DIES. In fact you either need them to fight the Imperial German Empire or you should turn them loose, because you conscripted them for that purpose. What is the fact? The German Imperial Empire is weaker to-day than it will be next week or next month or next year, and if you can keep, under an international agreement, 400,000 boys against their consent on that western front now, when Germany is as weak as it is, you can keep 800,000 or a million there next year. This is a serious question, because the boys are entitled to come home. Those men are entitled to come home. Many of them are married men, and they are entitled to come back to the United States.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes.

Mr. PADGETT. I am planning for enough men to operate as many ships as possible to bring the Army back from France as soon as possible.

Mr. DIES. With all due respect for the chairman of the Committee on Naval Affairs, my experience is that that committee, not under the influence but under the obsession of the people who wear the stars and garters and the epaulettes of military power—and my reading of history, from the dawn of civilization down, has convinced me that they want men to command and power, and more power—and I beg leave to differ from this committee. This Congress should say to the boys who have enlisted and who have been compelled to go into the service, "Now that the war is over and Germany is quite crushed, you are entitled to come home." [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GARLAND. Mr. Chairman, will the gentleman yield?

Mr. DIES. Yes; if my time is extended.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for one minute more. Is there objection?

There was no objection.

Mr. GARLAND. The gentleman stated that a certain number had come back. Three hundred thousand per month were sent over during the war, and as much in tonnage of supplies. How many did the gentleman say came back?

Mr. DIES. About two weeks ago I read that we had brought 100,000 of them back.

Mr. GARLAND. After three months' time. Does the gentleman know whether they were from line troops, or Red Cross young men, or Young Men's Christian Association, or Knights of Columbus? All of them were figured in the number that came back. I make the assertion, knowing what I am talking about.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

Mr. MOORE of Pennsylvania. I move to strike out the last word; and apropos of what the gentleman from Texas [Mr. DIES] has been discussing so eloquently—he is always interesting when he takes the floor—I desire to read from a newspaper published in my city which has close foreign connections and which probably is as well posted on what is going on on the other side as any other paper in the United States—the Philadelphia Public Ledger. An editorial that appeared this morning is headed:

"Chumps" or crusaders—which will we be?—If we take a league-of-nations mandate over an unprofitable province overseas.

I want my friend to listen to this, which comes from what I regard as the official organ in the United States of things done on the other side:

Lloyd George is said to have shot into the ear of President Wilson one peaceful day as they sat peacefully together making peace in the peace conference:

"You're very generous prescribing medicine for the rest of us; take some yourself and see how you like it!"

That is the opening of this semiofficial statement that our President, sitting at the peace table over on the other side, instead of being here on this side, where we would value his services, is listening to Lloyd George, who says—

"You're very generous prescribing medicine for the rest of us; take some yourself and see how you like it."

What does it mean? What is Mr. Lloyd George telling our President over there? The article continues—

Of course, being a statesman—

This refers to Lloyd George—

and a diplomat—

And this also refers very pertinently to Mr. George, for he has the reputation throughout the world of being a statesman as well as a diplomat, and a clever diplomat—

He did not put it quite that way. His exact words, according to the report, were—

This is Lloyd George to President Wilson over yonder—

"You are wanting everybody else to try this thing (the mandatory system) but you are not willing to take any responsibility yourself."

Again I ask what does it mean? Who can correctly interpret this situation?

Mr. DIES. I can think of only one worse system than that promulgated by the Democratic President, and that is the one promulgated by the Republican ex-President. [Laughter.]

Mr. MOORE of Pennsylvania. Then, the question in the gentleman's mind is that Taft may be wrong in advocating a league of nations, and that Wilson may also be wrong in demanding a league of nations before he establishes peace that will enable us to bring our soldiers home. I do not quite get the gentleman's reasoning.

I interpret this semiofficial statement of Lloyd George's attitude toward our President over there to mean that the President has advanced certain ideas with regard to entangling alliances which we did not instruct him to advance, and that Mr. Lloyd George has said, "If you want these things done that you propose shall be done over here in European affairs, where we think we have something to say, you, as the representative of the American people, will stand your share of the responsibility and the expense, and you will maintain an army in Russia, and

you will tax your people, and you will create loans, and you will include yourself as bound to police the world." That is one reason why our soldiers now can not come back. Our President is over there, and until we get peace and he comes back, apparently we can not adjust this question. That would seem to answer the gentleman as to his demand for immediate demobilization.

Mr. DIES. I move to strike out the last word. You know, if I had to choose between our Democratic President and the last President the Republicans had in the White House, I would take Wilson, because he at least does not want the armed forces of the United States to police the world and to have us involved in a war without our consent. I hope he will not do that. My wish with regard to the President is that he was at his office, at his official place of abode, and that this great American Union could get back to the ideals of Lincoln and Cleveland and Tilden, and, going back further, could get back to Jefferson and the Constitution that seems somewhat obsolete now.

Mr. MOORE of Pennsylvania. Another great American Democrat.

Mr. DIES. Precisely. I am not partisan. I wish there was a Democratic Party. I would like to belong to it. [Laughter.] I am looking forward to the time when there will be some party without a nigger in the woodpile, or Mason and Dixon's line, that an honest believer in representative and constitutional democracy could belong to. I never take any stock in these partisan byplays across the aisle. I am always wishing that some great American might arise, greater than Mason and Dixon's line, and still greater than the old hatred that is passing away of the South to the North or of the North to the South, a man who might rise to the flag of our country and the Constitution under which we live and call the people of the South and North back to the love of representative democracy. Do you know what I think of the President being over there? Well, I kind of think he ought not to be over there.

I wish he was back home, because I do not want to entangle this great, free Republic, this owner of a hemisphere, this people sufficient within themselves; I do not want to mix them up in a card game where there are more kings and queens than there are presidents. [Laughter and applause.] You know we do not stand to get anything out of these entanglements except more entanglements. England, as has been well said, gets predominancy. France gets "revanche." Italy gets back the Adriatic. But what does Uncle Sam get, except a burden and a mortgage upon the resources of this country? And I do say, Mr. Chairman, if it is the will of the Congress, now that our enemy has capitulated, laid down his arms as abjectly as Lee laid down his arms at Appomattox, we ought to be able to get our boys home. You know the War between the States did not end for several years after Appomattox, and yet the flag of the Confederacy was as much in the dust, and the Confederate arms were as much beaten after the surrender at Appomattox as Germany's flag and arms are to-day.

I do say in common honesty if you believe in compulsory military and naval service in time of peace, you ought to be made to vote for it in time of peace and not to stand on a lawyer's simple technicality. Get that into your minds, because that is the thing you are going to have to vote for. Of course it is said among the Republicans that we are keeping the boys in this sort of service because you had the vote last November, when there was a small arousing in the country. But that was only a remonstrance, when our boys were facing the German lines; and what you will get in November, 1920, in time of profound peace, if we continue the present compulsory military service in a time of peace—oh, well, I would hate to be a rooster then if this thing keeps up. [Laughter.]

The Clerk read as follows:

Contingent: Ferriage, continuous-service certificates, discharges, good-conduct badges, and medals for men and boys, including civilian employees who render conspicuous service by putting their life in jeopardy to save life or property; purchase of gymnastic apparatus; transportation of effects of deceased officers and enlisted men of the Navy, and of officers and enrolled men of the Naval Reserve Force who die while on duty; books for training apprentice seamen and landsmen; maintenance of gunnery and other training classes; packing boxes and materials; books and models; stationery; and other contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify, $20,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. I am very much impressed by the attitude of the gentleman from Texas [Mr. DIES]. I think he has proved an inspiration to those of us who desire to see democracy preserved in the United States. I glory in the fact that he talks on these subjects without regard to partisan lines, and would, if he had his way, as I would, wipe out the Mason and Dixon line forever. I am glad that we have the gentleman from Texas with us, and will have him until the end of his term. He has been a useful, earnest, eloquent Member of this House, and I shall regret to see him go. During the rest of his career here it may be that by such eloquent addresses as he has made to-day, and yesterday he may help to draw the attention of the country, as he has drawn our attention, to the dangers that confront the Nation. I will not say dangers due to mismanagement, dangers due to a particular administration, but I agree with the gentleman from Texas that vast and intricate and complex problems are confronting us which we can not too seriously consider now while he remains with us.

He has indicated that the juice of the American orange has been squeezed; that we have upon our shoulders a great burden; that men whom we have loaned to the cause of civilization and humanity are now held in leash because of a system against which he inveighs. I wish the men who are still battling in the snows of Russia were here; I wish those who are still lingering in the mud of France were back in the United States. I wish we had vessels enough to bring them, but I realize that we have not yet had issued to us by the President a proclamation of peace; and until the President does issue that proclamation, we must recognize that a state of war exists.

Mr. LONGWORTH. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. LONGWORTH. Does not the gentleman think that some of us here and abroad are overlooking the fact that the Senate of the United States has something to say about negotiations for peace?

Mr. MOORE of Pennsylvania. Yes; and I hope that the gentleman's expectations may be fully verified and that the Senate of the United States will exercise the sovereign authority it possesses to pass upon the work of the President of the United States, now seemingly entangling himself in the meshes of European affairs. He promised to give us his confidence, but up to the present time he has given us no word, save that telegram to the chairman of the Committee on Naval Affairs urging us to pass a bill for a tremendous sum to be charged against the taxpayers of the United States to prepare apparently for a future war.

Mr. GARLAND. Will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARLAND. Does the gentleman think it entirely possible, after the settlement of peace has been entered into between the President of the United States and the leading nations, that the Senate of the United States would have the temerity to even cross a "t" or dot an "i"?

Mr. MOORE of Pennsylvania. The gentleman from Pennsylvania has asked a very pertinent question. My prayer is that the Senate of the United States will have the nerve to stand up against any unfair or un-American bargain made in the name of the American people without their consent. [Applause.]

Mr. FESS. Mr. Chairman, I rise in opposition to the pro forma amendment. I think that the committee and the country owe a vote of thanks to the fearless utterances of our colleague from Texas. I have been convinced for weeks that there is such a reticence here among Members upon matters of such import as have been discussed by him that we are allowing ourselves to suffer a sort of decadence, which is ultimately bound to result, through the process of atrophy, in the Congress doing nothing and saying nothing. Every time anyone makes a suggestion on this side of the aisle as to what is being done that would be better not to be done, somebody announces that it is pure partisanship, and that it is not grounded on anything like sincere utterance, but simply because the administration happens to be of a different political faith. It is immediately charged by those who feel called upon to be the mentors of the House as mere partisan attack, designed to embarrass the administration. This system of espionage has been so long employed that the Members have become timid and hesitate to make any adverse comment. If I want to be called a patriot, it seems necessary for me to indorse everything that is done. Even it is demanded that we give blanket indorsement of what may be done. If I decline to indorse some of the things, even that we know ought not to be done, because of their inevitably bad results on our Government, immediately comes the charge that I am disloyal if not treasonable. We are told that we ought not to discuss in an antagonistic manner anything that is going on in France, because it indicates that we are not patriotic. These matters are of no concern to the Congress. The country must set silent and allow the President, uninstructed but self-appointed, to do our thinking. When a gentleman from the other side of the aisle will rise and in his fearlessness state what is his conviction, and dares to question the infallibility of even the head of the Nation in matters of such vital concern, the country owes him in this hour a vote of gratitude [applause], because these

things ought to be said. We have not yet reached the place where we admit "our President can do no wrong." We are entering in these days of world strife, when our President is obsessed with making world democracy universal, a stage of internationalism and entangling our feet in the meshes of European politics, by inviting our country to become the umpire of every insignificant quarrel over insignificant boundaries and other questions that are of no importance to us at all to-day.

Mr. Chairman, my office and your office become the visiting points of representatives of countries in Europe, praying to us as Members of this body to take a position in reference to some of the questions that are purely European, that have absolutely no significance in the Chamber of the American House of Representatives. I am visited, as you are, Mr. Chairman, by representatives, to be specific, of a movement in Ireland, and I am told that I shall be compelled to vote upon the question of the politics that belong to Europe and not to this country. I said courteously to the party calling upon me that I could not enter into these matters, matters purely European. I said, "You have your contests with a country that is not ours, and while I might have a sympathy for what you would want, as suggested by the policy of Gladstone back in 1884, yet it is not an American proposition; it does not belong to American legislation, and American Congressmen ought not to be asked to give interviews to representatives of European politics and European idiosyncrasies. I am not ready to turn this body into a conference for European problems. I do not think it is a proper field." And then along will come a representative from one of the mushroom republics of mid-Europe and ask that a certain pronouncement be made as a moral influence upon what they expect to win later on. While I sympathize with the ambitions and aspirations of all these new countries, we must not forget that our duty is here and not there.

Mr. Chairman, while I have been called upon to vote for the aspirations of the new republic that is growing in mid-Europe, and it is only one of probably nine, I do not think that it is the province of American Representatives to step over into the world vortex and undertake to decide what shall be the peculiar character of the government of that peculiar province, which until recently was subordinate in a sense to some other government. Those are only two instances of many that have come to every member who sits upon the floor to-day. To me it is simply an impossible situation that we should forget the nationalism that marks the American Republic, without which we are going into danger, because whenever you lose the specific morale that marks American genius and lose yourself in internationalism in Europe, the danger is not temporary; it is, I fear, perpetual. For that reason I am glad that our colleague from Texas [Mr. DIES] has had the courage to call a halt and not be afraid of being called a traitor or a disloyal man because he speaks his convictions upon the floor of the House of Representatives. [Applause.]

The Clerk read as follows:

Gunnery and engineering exercises: Prizes, trophies, and badges for excellence in gunnery, target practice, engineering exercises, and for economy in coal consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purposes of printing, recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting the civilian assistants and equipment to and from ranges, $350,000.

Mr. DIES. Mr. Chairman, I do not know when I have ever heard a discussion which interested me more than has the discussion this afternoon. Surely, in the providence of God, the day will come in this Republic when there is no South, no North, no East, no West, but when Democrats and Republicans are going to worship our great country and the Constitution under which we live. You know these discussions are fruitful. We have as the President of the United States a man who does not believe in a written constitution. We have as a President of the United States a man who does not believe in the checks and balances established and followed by Jefferson and Washington and Madison. It is particularly important to the American people for the preservation of their liberties that now that the war in Europe is over they should understand the situation in which the country finds itself. As I said, we have a man as President who does not believe in the checks and balances of the Constitution.

Mr. PADGETT. Mr. Chairman, will the gentleman give us the authority for that statement?

Mr. DIES. Precisely. I give the President's own books themselves, in which he said that Jefferson and Madison were tyros who looked through an orrery to the skies and undertook to set up a form of government responsible to Newton, who believed in mathematics, and he said that the checks and balances of the Constitution were obsolete, and that he believed in the Darwinian theory of the growth of the Constitution, as if any sensible man ever believed that a contract could grow. [Laughter.]

Mr. BARKLEY. Does not the gentleman believe in the growth of government?

Mr. DIES. Yes; but I do not believe in the growth of a contract.

Mr. BARKLEY. The gentleman does not believe that the Constitution ought to be amended, as it has been amended several times.

Mr. DIES. Oh, yes; it can grow by amendments, and contracts and wills can grow by codicils and changes, but this man said he believed in the Darwinian theory of the growth of the Constitution of the United States. Mr. Chairman, I speak with as much responsibility upon my head as any Member of Congress representing 300,000 people of this Republic. I want neither an office, nor a star, nor a garter, nor a diadem, but I am content to believe in the Constitution of my Government, a written Constitution, with its checks and balances, to hold in check the power of despotism. And do you know I think it is the most unfortunate thing that ever happened to this Government when our President sailed away from the shores of America to entangle our destinies with the destiny and broils and quarrels of the scorbutic society of the Old World. I wish Members of Congress would get back to a sense of their own dignity and importance. There are a hundred men in this Congress who by virtue of attainment and reading and statesmanship are better qualified to fill the Presidency than the present occupant of the White House. [Laughter on the Republican side.] In the name of God, why should we turn over the practical politics of this country to an erratic statesman, to a man who never served in a legislative capacity—and I hope you Republicans will take this in good spirit.

Mr. MOORE of Pennsylvania. Oh, the hilarity upon this side, I think, was due to the thought that perhaps the present occupant of the White House should be the gentleman who is acting as the Secretary to the President of the United States.

Mr. DIES. There is one thing I find about the Republicans in my 10 years' service here, and that is that they have bid louder for the radical vote than we Democrats have bid, even to the extent of their vocal powers to bid. But what we need here is a Congress under the Constitution which is one of the three coordinate branches of the Government. This Government is composed of three branches—the legislative, the judicial, and the executive—and the executive, under our present President, has usurped all the powers of government, and you and I and the balance of us sit here exercising no power. Somebody said that somebody said that somebody said that a cablegram had come from Europe that we should do thus and so with the people's money, but we sit supinely in our seats, and let it go at that. Mr. Chairman, if this Government is to be saved to the people as representative democracy, these men fresh from the people must rise in their dignity, not as Democrats and Republicans, but as American representatives of the American people——

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIES. I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DIES. I once had a joint debate with a socialist. He was the accredited organizer for the State of Texas, and I asked him a question in debate, and his answer to my question almost broke up the meeting. That question was this, "Seeing that all things are comparative by comparison, do you know of any government that ever existed in the world that gave more liberty, opportunity, hope, and freedom to the people than the Government of the United States under the Constitution?" Well, he floundered around and finally said he did not know of any such government. And I asked my friend, the Socialist Member from New York, MEYER LONDON, who, by the way, is a very intellectual socialist, the other night in a private debate if he knew of any government in the world that had ever existed in all the history of the world that by comparison was as good and afforded as much liberty, hope, and opportunity as this Government of the United States under the Constitution. He said he never heard of any. Well, is it not passing strange that upon this hemisphere our fathers have erected this great Republic of liberty, transcending all that the Greeks and Romans have done, transcending every effort of men to erect free government all over the world, and yet this President, this man, elected by the people says that the checks and balances of the Constitution render it unworkable, and that its only hope is in the Darwinian theory of evolution.

I would rather go back to my farm on Turkey Creek than sit here like you sit, having abrograted your functions as one of the three coordinate branches of the Government of the United States. It is the duty of this Congress, it is the duty of those who have sworn to support the Constitution, it is the duty of men coming fresh from the people to rise and demand that the Congress of the United States, and not any other function, should control the revenues of the Government and perform its legitimate function. [Applause.] Do you know there is a wonderful similarity between the decay of this Republic and the decay of the Roman Empire? I wish some Members of Congress would go back and read not what the good Roman Emperors said but read the history of the Caligulas, the Tiberius, those who followed the good Roman Emperors, who stifled and oppressed the rights of the people. My friends, if you want to answer the Bolsheviki, and it has a propaganda in this country; if you want to answer it, you answer it by saying, "Liberty by law, not liberty by man." I respect no man who would force power—and men love power and men abuse power—I respect liberty by law, and that in this country is the Constitution of the United States. I love it. It is the bulwark of the liberties of the people. What is Roosevelt and Wilson and Taft and Bryan and all the balance of them who come and go? It is the Constitution that divides the power between the legislative, the executive, and the judicial, and that is the written law of the land, and you ought to support it, and in supporting it you ought to do your legislative duty, which is to control the fiscal policy of the United States. And this very bill is an insult to the American Congress, because the chairman of the committee says, in effect, that the President has whispered to the Secretary of the Navy and he has whispered in an undertone to the chairman of the committee and he has passed the word along to the members of the committee and they let it percolate out by pinches, nods, and grunts to the Congress. In the name of Almighty God, it is the first branch of the Government that ought to have the respect of the people of the United States. [Applause.] You ought to know everything that is going on in Europe to-day. You should demand your rights and you should demand the rights and dignity of the people of the United States. You should legislate, you should veto some, you should assert yourself more, because if you do not do it, there are other gentlemen who will take your places who will do it.

Mr. HEFLIN rose.

The CHAIRMAN. The gentleman from Alabama [Mr. HEFLIN] is recognized.

Mr. HEFLIN. Mr. Chairman, I always enjoy my genial friend from Texas [Mr. DIES]. He and I differ very greatly about the President of the United States, as the people of America differ with him on that great subject. The gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Ohio [Mr. FESS] always take delight in criticizing and nagging at the President, but prior to the recent election these gentlemen and all Republicans were loud in proclaiming that they were supporting the administration better than the Democrats were and that they would continue to support him, and it would be really better for the administration to have Republicans than Democrats. And since they have been elected they have been sitting up of nights devising ways and means to annoy and belittle the great President of the United States. The President of the United States at the close of the most colossal war in all history, when the earth was fairly drenched in human blood, and millions of human beings in God's image had been slaughtered by the machinery of war—at the end, I say, of the greatest war of all the world, when the civilized forces of mankind met in Paris to bring about conditions that would prevent war, the President went from the United States to where 2,000,000 American boys in uniform had gone, where thousands of them poured out their blood in battle, and where thousands of them sleep their last sleep in the soil of France. He went, I say, in person, representing the greatest Government on the globe, to speak for this mighty people in the interest of permanent peace. [Applause.]

He is criticized now by the gentleman from Texas [Mr. DIES]; he is criticized now by the gentleman from Pennsylvania [Mr. MOORE] and the gentleman from Ohio [Mr. FESS] for sitting at the peace table in Europe and trying to prevent war, with all its horrors.

I trust that all of our boys who died in France will be brought back by the Government, and that at home, in the quiet churchyards of the country, with that flag wrapped about their caskets, the Government will lay to rest the forms of these brave boys who died for Old Glory in France. [Applause.] I trust that the President of the United States will stay there and urge with all the power of his brilliant intellect, with all the power that this Government can give him, and speak against war, work against the recurrence of such a war in the future.

If this Government permits this occasion to go by without going upon record as against war, and preventing war, we have been false to our generation. We have committed a crime against posterity. This Government can not afford to let that opportunity go by. I sit here in shame when I hear you on that side or this side decrying and belittling the great President of the United States. [Applause.] I have no patience with it. And I want to tell you that the American people have no patience with it.

You on that side, who promised to support the administration, what will be your answer at the judgment bar of the people two years from now, when the people ask you how you conducted yourselves during this very trying time? How will it be with gentlemen on this side, who are doing all they can to embarrass the President, when they stand at the judgment bar of the people at election time in their districts? You are going to have to face this, gentlemen. As sure as you live and I live, and God reigns, the mothers of America are against war. The fathers of America are against war, the young men and young women of America are against war, except as an absolute necessity, and if we have it in our power to prevent war and will not do it, we commit crime against human beings the world over. [Applause.]

I believe that we can form a league of nations and prevent war. But gentlemen coming from great States that manufacture the implements of death, the mighty machinery of war, decry our efforts to prevent war. I am in favor of protecting the blood and lives of the American people above the idea of putting money in the coffers of the manufacturer of implements of war.

Mr. KEARNS. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. KEARNS. This naval bill would put this money in the coffers of the manufacturers of implements of war, would it not?

Mr. HEFLIN. I am not talking about this bill. I am talking about the attack on the President of the United States.

Mr. KEARNS. I thought we were considering this bill.

Mr. HEFLIN. I am now considering the attack on the President of the United States.

Mr. DIES. Does the gentleman believe that a criticism of the President's books, in which he speaks of the checks and balances, is a criticism of him?

Mr. HEFLIN. The gentleman criticized the President for going away from the country. I think if the boys of my district and relations of mine can be taken by the strong arm of our Government and can go to the battle fields in France and achieve victory for our country and civilization, that the President can go there and sit at a peace table in the interest of our country and humanity.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DIES. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman's time has expired.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. DIES. Will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. DIES. I would like to ask the gentleman from Alabama this question: If the executive head of the British nation and the executive head of the French nation and the executive head of the Italian nation are willing to send delegates to the conference to act for them, and also the executive head of the Japanese nation is willing to send delegates to act for him, does not the gentleman think the President could have found, as they found, other men to sit at the table without moving the office to Paris?

Mr. HEFLIN. Not at all. We are not patterning after Great Britain or Japan or Italy or France. We are the greatest democracy in the world. [Applause.] And the great democrat of America broke all precedents and went himself to speak for the democracy of his own country. It was proper for him to go. [Applause.]

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. I will.

Mr. BARKLEY. I would like to suggest to the gentleman that the real executives of the French, of the British, and of the Italian nations are with the President at the peace table.

Mr. HEFLIN. That is true.

No, gentlemen; you had better get up something else to talk about. Let me tell you, the people who have boys in France, who have had them die on the fields of France, and who hate war, are with the President of the United States and what he is doing to prevent war. Do not doubt that. Mr. Taft is trying to keep you gentlemen from getting into a hole. Every day he is writing in favor of a league of nations, and he is the greatest Republican living—William Howard Taft. [Applause.] Not only that, but he is liable to be your nominee for the Presidency, and if we have to have a Republican as President I would rather see him elected President than any other one I know.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. No; I can not yield.

There are some pretty good Republicans, but I do not think there is any man in this House, or any 20 men in this House, who can fill the position of the Presidency as well as Woodrow Wilson can.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. HEFLIN. Yes.

Mr. DIES. If under the present administration the annual expenditures of the Navy have been increased from $140,000,000 to $746,000,000, the amount carried in the present bill, and the standing Army has been increased from 50,000 to the present standing Army of 500,000, how long will it be under this administration of world pacifism and benevolence until we get back to the old days?

Mr. HEFLIN. I have not seen the cablegram that the President sent. I do not know what his reasons were for making that request. But I am willing to trust him and the American people are willing to trust him in all his work at the peace table. This program can be held up by a Congress succeeding us, and instead of giving him whole-hearted support and letting the people of the world know that we are back of him, men have their butcher knives out and are trying to stab him to death, here and in another body, and playing politics at the cost of their country's welfare, when the President, the greatest man who walks this earth to-day, is laboring for the peace of the world.

The historian of the future, long after those who slander and traduce the President have passed into silence and pathetic dust, will record his greatness. Long after they have gone, this man Woodrow Wilson will live, not only in the history of America but in the history of the world; and the historian of the future will put him down as the greatest apostle of world liberty and democracy that ever appeared on the earth since Jesus Christ walked the dusty highways of Judea preaching the gospel of democracy, "Unto the least of these, my brethren." [Applause.]

Mr. MOORE of Pennsylvania rose.

Mr. HEFLIN. Does the gentleman desire to interrupt me?

Mr. MOORE of Pennsylvania. No; I wish to follow the gentleman.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. HEFLIN. Very well. I have been up in the gentleman's country.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. DECKER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. DECKER. I do not know that I want to take all that time.

Mr. Chairman, I had intended before leaving this body permanently to prepare a short speech presenting my views on some of these questions that have come up this afternoon, but I am moved to speak extemporaneously by the remarks made by the distinguished gentleman from Texas [Mr. DIES], for whom I have a profound respect. And more especially am I moved to speak by the universal applause that I heard on the Republican side following his remarks.

The gentleman from Texas appeals for the exercise of independence by the legislative branch of this Government. I have a right to speak for that doctrine, for I have not only preached that doctrine but I have practiced it from the beginning of my congressional career. You may say that I have been wrong in my judgment, but you can not say that I have truckled to Executive authority.

Let us review a little history now. Back in the days of the McLemore resolution, around the cloakrooms and in the lobbies of the hotels two-thirds of the Representatives of this House on both sides, Republicans and Democrats, talked in favor of warning Americans against riding on the armed ships of belligerent nations. You Republicans who applaud the gentleman's appeal for congressional independence now when the danger is over and 50,000 American graves are marked in Europe, how did you answer the roll call on that fatal day? [Applause.]

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. DECKER. Yes.

Mr. BUTLER. The gentleman knows how I voted.

Mr. DECKER. You voted as I did.

I am not saying I was right. Oh, no. I am saying that the majority of the men on both sides of this aisle thought that I was right then, but when the roll was called many of them yielded their judgment to the judgment of the Executive.

And then talk to me about your independence! Why, you Republicans solicited votes last November on the ground that you had followed Woodrow Wilson more loyally than Democrats had followed him, and now you ridicule and criticize the President and boast of your independence.

Oh, how some men rant and rave, and how they sneer, and how they pour forth their villification and abuse against our great President to-day. And there are some Democrats who do it as well as Republicans. I am not speaking as a partisan now. They do this because of his 14 points. Oh, how they sneer about that league of nations. Oh, how they sneer about "open covenants openly arrived at." Oh, how they sneer about self-determination and the rights of little peoples to have a say in what shall be their future destiny. If you were so independent, if you had so much courage, gentlemen on that side and on this side, if you thought so much of the Constitution, if you understood so well what were the duties of the Representatives of the American people, why did you not sneer and why did you not stand up and voice your opposition when Woodrow Wilson, the spokesman for America, enunciated his "14 points"? [Applause.] Why did you not speak then? Oh, you may smile. There was one Republican that had the courage to speak out at that time. I heard him. I listened to him; and I want to say to you, call him traitor as you may, denounce him as pro-German as you may, I have more respect for him than I have for Democrats and Republicans who now sneer at Woodrow Wilson's 14 points, including the league of nations.

I refer to Senator LA FOLLETTE, who stood in the Senate of the United States like a lion. Not now, when there is no danger politically, oh, no, I will say to the chairman of the Republican congressional committee; not now when the election is over, not now when the war is won and when the dead are counted by the thousands, and the crippled and the maimed are coming back home; no, no, LA FOLLETTE did not wait until the war was over to sneer and bemean and abuse and villify Woodrow Wilson; but in the hour of danger he stood like a man before the world and said it was the duty of Congress to say by solemn enactment what was the purpose of this war. If you did not believe in Woodrow Wilson's "14 points," why did you not stand up then and say what the points should be? Why did not the Republican chairman of the congressional committee who has just spoken stand with Mr. LA FOLLETTE then? If he did not have the courage to stand with LA FOLLETTE then and have Congress state its "points," it strikes me it is a little late now, when the war is over, to sneer at the President's points and to talk about the independence of the legislative body. [Applause.]

Mr. DENISON. Will the gentleman yield?

Mr. DECKER. Yes; I will always yield to the gentleman from Illinois.

Mr. DENISON. I was going to ask my friend from Missouri if he does not recognize a difference in the right of criticism when our country is at war and when we are at peace?

Mr. DECKER. No. It is the difference between courage and cowardice. That is the only difference. If you believed your country was being guided onto the shoals of destruction, if you believed that danger lay ahead, was it then your duty to be silent when Woodrow Wilson, as leader of America, proposed to adopt a certain policy? I have differed from him. I have differed from him openly and earnestly. I indorsed his 14 points then. I indorse them now. If you thought your country was endangered by his policies, then was the time to speak. Why not?

Oh, I know it was dangerous. You might lose your office, indeed. There are boys from my district who will never hold an office. They sleep under the lilies of France. They sleep amid the poppy fields of Flanders. They died for our country. Could not you and I afford to speak and vote for our country?

Now, do not misunderstand me. Let me recount my record. I did everything in my power to keep my country out of war. I knew war meant entangling alliances when my country went

to war. I did everything I could to uphold the hands of Woodrow Wilson as the constitutional leader of our Army and Navy in time of war.

I did this because I thought it was the surest way to win the war. The war has been won, but our responsibility has not ended. At the cost of blood and treasure we helped to destroy the German Government and its power for evil. We have helped to shake the foundations of autocracy in Europe. Have we no right, have we no duty, to help to build something better in its place? We can no longer say we have no interest in European affairs. We are to-day bound to European nations by bonds of interest and sentiment. These bonds were welded in the white heat of war. It is idle to talk longer of our grand isolation.

This is a strange doctrine to come from the source it does—to come from men who voted to send our boys to Europe, who voted to tax the children yet unborn in order to participate in the European struggle—and I am going to grant for the sake of the argument that you were right and I was wrong—it is a strange doctrine to come from you, now that this great country, after it has done all this, should have no participation in the affairs and destinies of European nations. Is there a man here who believes that when another war comes, another great war, that it will be possible for us to refrain from entering that war? Is there one? Ah, we boasted of our isolation, we were proud of our freedom from European entanglements.

But what will happen when the next war comes? Will we enter it? Of course we will enter; we will enter it quicker than we went into this war. Then I stand as one to declare the doctrine that if the boys of our country must die in the next great war that starts across the seas, if our children's children yet unborn must pay the bonds and share the burdens of the next world war, then I want my country to have something to say about the starting of that war. I want my country to be in a position at least to try to prevent that war. [Applause.]

League of nations? Yes; I am for it. League of nations? Yes; I believe it will be the greatest step that was ever taken in all the history of mankind. You sneer at mandatories. I do not know exactly what they mean, but I will tell you what I believe: I believe in a league of nations that has got a "bite in it," a league of nations that will have the power to enforce its decrees, a league of nations that will have the power to say to a Government like the rotten, corrupt, despotic, and inefficient Czardom Russia, and to a despotic, brutal, and powerful Government like Germany, if such a Government shall ever rise again, "Thus far shalt thou go and no further." [Applause.]

Mr. DIES. Will the gentleman yield?

Mr. DECKER. I yield.

Mr. DIES. Is the gentleman in favor of compulsory military service to enforce the decrees of a league of nations?

Mr. DECKER. I believe in compulsory military service in time of war. I said that the night that we declared war against Germany, and I say it now.

Mr. DIES. Does the gentleman think we should have compulsory military service to settle the war between France and Italy?

Mr. DECKER. That is the same as what we have had, and I voted for it, and so did the gentleman from Texas. He voted for conscription to settle this war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DECKER. I ask for five minutes more.

The CHAIRMAN. The gentleman from Missouri asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. O'SHAUNESSY. Will the gentleman yield for a suggestion? I want to suggest that the independent legislators who were against conscription, in the Military Affairs Committee, voted against it and spoke against it in the committee, but came out and voted for it and spoke for it on the floor of the House.

Mr. DECKER. Does not the gentleman think it would be better to have spoken then than now—I do not mean safer? [Laughter.] I am for legislative independence in this body. I think this House affords opportunity for as great service as any place on earth. I do not think that the man ever lived that was big enough to completely fill his seat in this House. I do not care how great a man he may be; I do not care how much his learning, how much his courage, how much his foresight, he will never get too big to hold a position in this legislative body, and he will have more than he can do when he gets here if he does the work. I am for the independence of this body. I was for it before the war. I am for it now.

Mr. DIES. I did not quite get the response of the gentleman to my question.

Mr. DECKER. They interrupted me.

Mr. DIES. In the event of the league of nations and in case of a quarrel between, say, Italy and France, would the gentleman from Missouri be in favor of compulsory military service in the United States to make our boys go over there and settle that dispute?

Mr. DECKER. That is a fair question.

Mr. DIES. I think so.

Mr. DECKER. I thank the gentleman for suggesting it.

We ought to meet those things; we ought to meet them as legislators. We ought not to be talking so much about standing by the President. He needs no defense from me. He will be remembered long after you and I have been forgotten. His place in history is already made. The kinds of things that we should consider here are questions like the gentleman from Texas has asked me, and if you will give me time, I will tell you what I think about it.

Mr. DIES. It ought not to take long to answer that.

Mr. DECKER. Longer, my friend, than you dream of. [Laughter.] Let us go back to fundamentals. Who has the right to declare war? Our Constitution says that Congress has the right to declare war. If every Congressman would stand in his place and vote on that question of peace or war as he thought the people of his district wanted him to, you would get a pretty good reflex of the sentiment of the country at the time war was declared.

Then if a majority of the people wanted war, then I am for compulsory military service. To be frank with you, the man who is against compulsory military service in time of war, and who says that it is not democratic, confuses this proposition. It is not democratic to conscript people to go to war when the majority of the people of a country do not want the war. I admit that. But if a majority of a people of a country want war, then there is no way so democratic as compulsory military service.

Mr. DIES. Mr. Chairman——

Mr. DECKER. Oh, wait just a minute. Three of us are in a boat. We are out on a stormy river. Two think we ought to go across. Two vote to cross the river, and I vote not to go. The majority rules, and we start across. Do you not think that they have a right to make me pull my oar?

That is what compulsory military service in time of war means. It is the right of the majority to make the minority pull its oar when the boat is in danger.

If the people of this country, through honest representatives or through a referendum by the people, declare in favor of a league of nations of the world, then there can be no war between Italy and France. That war must necessarily be between Italy or France and the rest of the world.

If my country, by the will of a majority honestly registered, should enter a league of nations in order to prevent war and maintain international order, then in order to carry out the decree of that league of nations I would vote to conscript the last man and the last dollar. We do the same thing in a county when we empower a sheriff to summon any and every citizen to assist in the capture of a murderer.

Mr. DECKER. Then I would vote to conscript the last man and the last dollar to carry on the war to prevent a war. Gentlemen, you can sneer at Woodrow Wilson all you please; you can talk about his 14 points, and you can sneer about the affairs of Lithuania and Esthonia and Jugo-Slavia and the rest of those words we never heard of before the war. The only little country I knew about over there before the war was Ireland. [Laughter.]

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. DECKER. When I am through with this idea I will answer the gentleman. Oh, be ye not deceived! You gentlemen on both sides of the aisle can get up here every day and read letters full of complaints about the conduct of the war. Yes; most of them are just.

When you Republicans get full control of the House you can start your investigating committees to grinding, and you will find some corruption, just like there was when you ran the Government in 1898, just like there always will be when a country goes to war, a democratic country. That is one reason I am in favor of a league of nations to stop wars. That is one reason I would be willing to vote for a league of nations to prevent war, for the reason that I do not believe that democracies can endure and have a war like the present war once every 50 years. It is a human impossibility, and you know it. War means militaryism, militaryism means despotism. It means corruption, yes. It means inefficiency, yes; and you knew it all the time; you knew there would be when you voted war—every one of you.

You knew it always had been——

Mr. DENISON. No——

Mr. DECKER. Well, then, you have not read the history of this country and the history of other countries. Let me tell you Republicans something: After you have picked around over the many mistakes of the War Risk Insurance Bureau and talked about Mr. Hoover and the price of wheat and the price of other things that the people are not satisfied with, do not forget this, that the people of this country know these things themselves, and still they are backing up the Government and the flag. [Applause.] You can pick many flaws, but the people of this country have not forgotten what the war was about. Some of you would rather sneer at world democracy and put the war solely on the ground of national rights.

That may be ground enough; but the mothers whose boys sleep on the other side, the boys who stagger home maimed and blind—they are not caring so much about the questions of international law, whether a merchant ship has a right to be armed fore and aft for defensive purposes; but I will tell you what the boys are thinking about. I will tell you what their mothers are thinking about. They are thinking about the glorious fight for humanity and for the emancipation of the world. [Applause.] I will tell you what they are thinking about. They are thinking about the war to end all wars. They are not thinking about whether Mr. Lansing was right when he said that the right to arm merchant ships under certain circumstances was "a doubtful legal right." Men hesitate to go to war. I mean go themselves and fight for legal technicalities. Courts might change the law before they get back home.

But on the question of human liberty, on the question of the freedom of the world, on the question of making the world safe for democracy, on the question of ending wars, mothers may well be proud to give their sons and men may well be proud to die. Sneer and scoff as you may about the idealism and theories of Woodrow Wilson, but I believe that the thing that will most console the mothers, whose boys will not come back, the thing that most will ease the pain of those who limp from wounds or grope in blindness, the thing that will be the greatest pay and bring the greatest pride to the heroes of this war, is a league of nations to enforce peace, the highest effort at least to end all wars.

The Clerk read as follows:

Outfits on first enlistment: Outfits for all enlisted men and apprentice seamen of the Navy on first enlistment at not to exceed $100 each; for civilian clothing not to exceed $15 per man to men given discharges for bad conduct, undesirability, or inaptitude; in all, $10,000,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. Mr. Chairman, we have had a helpful discussion this afternoon, innocently started by the gentleman from Texas [Mr. DIES], carried on by the gentleman from Ohio, and delightfully wound up by the gentleman from Missouri. I do not believe, however, that this discussion should continue to a point where we should lose our tempers or immediately determine the affairs of the Nation, at home and abroad. My distinguished friend from Alabama, however, has helped to lift the gloom that has settled over the House, and his speech has cheered. He has given us one of those exhibitions of his fire and eloquence which gentlemen are permitted to enjoy only when he is thoroughly aroused in defense of the President of the United States. I am relieved now that he has spoken, as I was troubled before he spoke. I was in great concern when the eloquent gentleman from Texas, vieing in his attractiveness, if not in vehemence, with the gentleman from Alabama, ventured upon the new, bold, and almost untried field of democracy with the thought that we should get back to normal. I admire the gentleman from Texas, who made a frank statement that if a few more brave and courageous Democrats should take the stand that he did it might help to draw the attention of the country to the fact that many things are done in this House in the name of patriotism, and sometimes at the instance of the President, that ought to be brought to their attention. I was troubled as the gentleman from Texas was troubled and as the gentleman from Ohio [Mr. FESS] was troubled with regard to entangling alliances into which we seemed to have entered without the consent of the people of the United States. I was troubled lest the clever diplomacy of the experienced diplomats of Europe might outwit even the wit of the President of the United States, who undertook in his own person to transact abroad the business of this country in the name of the Congress and of the people.

But, oh, I was gratified when my good and handsome friend from Alabama [Mr. HEFLIN] again entered the lists and came to the rescue. When the gentleman from Alabama was speaking, when he drew attention to the steel interests of Pennsylvania, when he endeavored to draw in the chairman of the Republican congressional committee and besmirch this splendid discussion with a political stigma, I could not help but think that if his demand was for peace he should not be sustaining this presidential bill, which proposes to tax the people more than $700,000,000 to increase the implements of war and to perpetuate in the world the spirit of hostility which he decries.

I sent to my office while the gentleman from Alabama was speaking——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent for five minutes more. Is there objection?

Mr. FOSTER. Reserving the right to object, I would like to ask the chairman of the Committee on Naval Affairs if he proposes to proceed with this bill to-night?

Mr. PADGETT. Yes, sir. I think it will be necessary to proceed until about 10 o'clock. I was hoping that at the conclusion of this the House would be satisfied with this discussion.

Mr. FOSTER. I think, after the gentleman has his five minutes, I shall object to anything further.

Mr. PADGETT. We shall proceed to the consideration of the bill and limit debate. We have been very liberal to both sides in allowing this discussion.

Mr. MOORE of Pennsylvania. The gentleman has been very liberal. I thank the gentleman from Tennessee.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. I thank also the gentleman from Illinois [Mr. FOSTER], although his interruption came at that particular part of my address which was most inopportune. But I expect he will let me get to it in due course. The gentleman from Alabama [Mr. HEFLIN] is my "mutton." I ask the attention of that gentleman, because I have been wondering, lo these many weeks, if his eloquent voice was to be stilled; if it had finally come to pass that the President had no defender upon this floor. But he has spoken. We are reassured. The messenger to my office has brought me the tribute a constituent, who is very close to me, has desired I should pay to the President's gallant defender.

Listen, my colleagues:

TOM AND TUM.

When the President is tourin'
And the country's feelin' blue
And the boys are kind a-worryin'
Not knowin' what to do,
It's just a bit refreshin'
And it thrills you thro' and thro'
To know that Tom is on the job
And Tumulty is, too.

[Laughter.]

The fellers out there on the farm
Who heard their daddies tell
About the great George Washington
And Liberty's old bell
Have done a sight a' kickin'
'Cause the President has slid,
But they didn't know that Tom and Tum
Was sittin' on the lid.

[Laughter.]

It don't make any diff'rence
What the Constitootion says,
So long as we don't get mixed up
With all them foreign jays;
But even if our President
Should slip a cog or two,
We've got our Tom and Tumulty
To fall right back onto.

[Laughter.]

There may be cause for grievin'
When the boss is "over there."
His taking House and Hurley
Kind'a left us in the air;
But no matter if the eggs
Is in one basket, like, you see,
We've got a couple good ones
Left in Tom and Tumulty.

[Laughter.]

And while we had a better sight
Kept Creel upon this side
To keep the truth a-goin'
And to stem t' insurgent tide,
The cables is a-workin'
And the mails is in the bag,
And with Tom and Tum a-watchin
There ain't nothin' going' to lag.

[Laughter.]

'Nother thing: It 'taint in order
Much for us to criticize,
When without exactly knowin'
We should be infernal wise;
What the President is doin'
He is doin' as he said.
And it's up to Tom and Tumulty
To keep it in their head.

So, if anyone's been thinkin'
'Bout alliances and flukes,
And tanglin' Independence up
With Princes and with Dukes,
Remember, while the boss is
Speakin' langwidge to them kings,
That Tom will run the Ship of State
And Joe will pull the strings.

[Laughter and applause.]

Mr. COOPER of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman and gentlemen of the committee, I probably would not have attempted to say anything here this afternoon had it not been for the speech of the gentleman from Missouri [Mr. DECKER]. It seemed to me that he tried to leave the impression that every Member of this House who voted to lay the McLemore resolution upon the table did not vote his convictions and that all such were cowards when they cast their vote that way. I want to say that I was one of those who voted to lay the McLemore resolution on the table. The reason that I cast my vote that way was because I believed that American citizens had the right to travel on the high seas. [Applause.]

He said the reason we went to war was to save the world for democracy. Have the Members of this House forgotten the sinking of that great steamship, the *Lusitania*, when it was torpedoed in the dead hours of the night, when without any warning 1,200 innocent souls went down into a watery grave in the Atlantic Ocean—men, women, and defenseless children—a great many of them American citizens? We can still hear the cry of the little babe clutched to the breast of its mother when it came up through the icy waters of the Atlantic in the dead hours of the night when the *Lusitania* went down. Do the Members of this House forget how Kaiser William called the captain of that submarine boat to his side and pinned on his breast the iron cross and commended him for that dastardly deed that he had committed? Oh, we can still hear the so-called ministers of the gospel in their pulpits in Germany justifying the sinking of the *Lusitania* and glorying in it.

Why did this country go to war? On January 31, 1917, the Imperial Government of Germany informed President Wilson that on the very next day—oh, they were very liberal; they gave us 24 hours' notice to take our boats off the high seas—on the very next day, the 1st day of February, they would sink every American boat flying the American flag in certain waters of the Atlantic Ocean, where we had a perfect right to go. To have accepted that proposition would have meant the surrender of American sovereignty upon the high seas.

That is why this country went to war. We did not go to war to save the world for democracy. Our armies went to France to lick Germany, and we did our part in helping to lick Germany. [Applause.]

The gentleman from Alabama [Mr. HEFLIN] says the fathers and mothers of this great land of ours to-day are praying for a league of nations. The fathers and mothers are not concerned about a league of nations. Their boys have done their part; they have licked Germany. What the fathers and mothers want now are their sons returned to their homes in this land. Yet the President of the United States would have us, a great Republic, entangled with all those fighting, snarling, snapping little nations of Europe, and keep the boys over there to police those countries during all their troubles.

I for one do not subscribe to that sentiment. We have done our part. Let us bring our boys home, where they belong. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MANN. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last two words.

Mr. MANN. This item carries an appropriation of $10,000,000 for outfits on first enlistments. What was the amount available for the current fiscal year?

Mr. PADGETT. Nearly $25,000,000.

Mr. MANN. How was that carried? On a deficiency bill?

Mr. PADGETT. In the original bill there was $9,975,000 and in the deficiency bill there was $15,000,000, and they said they would be able to turn back into the Treasury about $5,000,000 on account of the cessation of hostilities.

Mr. MANN. Well, this sum is used practically, I take it, for paying the cost of the outfits of enlisted men?

Mr. PADGETT. Yes. It is estimated that $50,000 will be needed for civilian clothing and discharged men—$15 a suit. You will notice there is an item there for that.

Mr. MANN. That provision is for civilian clothing, not to exceed $15 per man, to men given discharges for bad conduct, undesirability, and inaptitude?

Mr. PADGETT. Yes, sir.

Mr. MANN. Certainly the Navy does not discharge 50,000 men?

Mr. PADGETT. I said $50,000.

Mr. MANN. The $10,000,000 is practically paid for the first outfits?

Mr. PADGETT. Yes.

Mr. MANN. That contemplates $100,000, first outfits in the next fiscal year?

Mr. PADGETT. Yes; on account of the large number of men going out and the new recruits that have to come in.

Mr. MANN. What is the Navy going to do? Is it going to let the men out of the service who went in supposedly for the period of the war, but who were in fact induced to sign a 4-year enlistment?

Mr. PADGETT. The Secretary of the Navy stated and the others stated that they thought these men ought to be treated alike, and that they did not want to keep in the service a dissatisfied personnel; and the disposition is that wherever a man makes an application that is founded upon a good ground, to discharge him.

Mr. MANN. Now, this is the fact: The naval recruiting stations throughout the country, when the war commenced, solicited men to enlist in the Navy, stating to them that it was an enlistment for the period of the war.

Mr. PADGETT. A great many say that they so understood it.

Mr. MANN. I am not talking about how they understood it. I am talking about what the naval recruiting officers told the men. It is not a question of understanding. Do not let us mix it up. They told the men it was for the period of the war. Then when the men were transferred to the point where they signed their enlistment papers, they were handed papers to sign, enlisting for four years, and they signed them. What else could they do? Now, the question is whether the Government is going to keep good faith with them, or hold them to the technical enlistment?

Mr. PADGETT. I stated that the Secretary, as well as the others——

Mr. MANN. I know the gentleman said the Secretary stated it, but that does not answer the question.

Mr. PADGETT. And then we have a provision in the bill here providing that those who enlisted after the declaration of war, for a period of four years——

Mr. MANN. You have a provision that the Secretary of the Navy may discharge them. He can do that now. The provision in the bill does not amount to I O U. There is nothing to it. He can discharge them now, and there is nothing to it except this one thing, possibly: He said for a long time that he could not give them an honorable discharge. All you provide is that he may give them an honorable discharge, but that does not require him to discharge them. Now, if the good faith of the Government requires it to settle contracts which are not legal in form, or requires it to pay money to men solicitous to invest in mining operations, if the good faith of the Government requires it to do these things for men who gave materials to the Government, I should like to know whether the good faith of the Government does not equally require it to keep true the statements made by the recruiting officers who induced the men to enlist.

Mr. PADGETT. I have stated that that was the purpose and the policy of the Secretary and of the Bureau of Navigation.

Mr. MANN. That is what they say, but they do not do it. What is the use?

Mr. PADGETT. They say they are doing it very rapidly.

Mr. MANN. The gentleman knows they are not discharging these men rapidly. They say they need the men in the service. The gentleman said this afternoon that they needed the men in the service.

Mr. PADGETT. Yes.

Mr. MANN. Very well. That is not the question. The question is not whether they need men in the service but whether they will keep faith with the men who went into the service.

Mr. PADGETT. The men who went into the service during the war are still in the service under their contract. The war is not yet ended; but the department, as rapidly as it can do so consistently with the safety of the Navy, is discharging them. The gentleman would not have these men discharged in a body and leave the ships so that they would be unmanned and could not be operated.

Mr. MANN. If I had made an agreement with a young man enlisting in the Navy, and had asked him to enlist for the

period of the war, I would let him out at the end of the war if the heavens fell.

Mr. PADGETT. But the war is not yet at an end.

Mr. MANN. Oh, I know; but I am trying to find out what the Navy is going to do. Technically the war may not be over, but it is really over, and the Navy Department have not announced any such policy. On the contrary, they have said they propose to hold the men to this four-year enlistment contract.

Mr. PADGETT. No, sir; because the Secretary of the Navy has already directed 20 per cent of them to be discharged.

Mr. MANN. Then the other 80 per cent are to be held contrary to good faith?

Mr. PADGETT. No; because numbers of them enlisted for four years, intending to remain four years.

Mr. MANN. Of course that is the paper they were required to sign.

Mr. PADGETT. No; others went in there to stay four years.

Mr. MANN. If they are willing to stay, let them stay; but if they want to get out the good faith of the Government ought to let them out.

Mr. PADGETT. Where they entered that way the department is dealing with them that way.

Mr. KELLEY of Michigan. Mr. Chairman, if the gentleman from Illinois will give me his attention, on page 18 of the bill is a paragraph intended to cover the situation the gentleman complained of, and which I think he correctly complained of. That provision provides that a man enlisted for four years shall be held to be construed to have enlisted only for the duration of the war, so that it is not optional on the Secretary of the Navy to keep them in for four years after the bill becomes a law.

Mr. MANN. Well, let us speak. I will read the paragraph; it is on page 18; and then I will ask the gentleman's construction of it.

Now, if the gentleman is willing to change the word "may" to "shall," it will accomplish the purpose; but it means nothing as it stands.

Mr. KELLEY of Michigan. It should be changed to "shall."

Mr. IGOE. Does the gentleman mean that the men shall get a chance to do this. Our experience has been that when orders are given of this kind men never get at it. Why not say that those who want to stay may apply?

Mr. KELLEY of Michigan. After the war is over and peace officially declared this language will accomplish what the gentleman from Missouri desires. The word "may" should be changed to "shall."

The Clerk read as follows:

Naval Home, Philadelphia, Pa., pay of employees: One secretary, $2,200; 1 foreman mechanic, $2,200; 1 superintendent of grounds, at $1,080; 1 steward, at $1,200; 1 store laborer, at $660; 1 matron and office assistant, at $720; 1 beneficiaries' attendant, at $480; 1 chief cook, at $660; 1 assistant cook, at $540; 1 assistant cook, at $480; 1 chief laundress, at $420; 2 laundresses, at $360 each; 3 laundresses, at $300 each; 1 chief scrubber, at $420; 3 scrubbers, at $360 each; 1 head waitress, at $480; 4 waitresses, at $360 each; 4 waitresses, at $300 each; 1 kitchen attendant, at $540; 7 laborers, at $600 each; 5 laborers, at $540 each; 1 stable keeper and driver, at $660; 1 master at arms, at $900; 2 house corporals, at $600 each; 1 barber, at $600; 1 carpenter, at $1,200; 1 painter, at $1,200; 1 painter, at $1,020; 1 engineer, $1,080; 4 laborers, at $720 each; 3 laborers, at $840 each; 1 laborer, at $600; 1 chauffeur, coal truck, at $960; 1 chauffeur, small truck, at $840; 1 chauffeur, governor's car, $840; total for employees, $40,820.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I wish to inquire what the policy of the committee was as to the increase of salary providing for the various officials and employees enumerated in the paragraph just read.

Mr. PADGETT. There was an increase for each one of them. These salaries are very low and they are paid out of the interest on the Navy pension fund. The Navy pension fund was established many years ago by the sale of naval prizes, and this constitutes a trust fund, and this institution is supported out of the interest on that fund.

Mr. STAFFORD. I assume that each one of the various officials and employees will receive $240 flat allowances that Congress is disposed to vote to all employees of the Government?

Mr. PADGETT. I suppose they will.

Mr. STAFFORD. I have no objection to the increase of the lower salaries of employees. I wish to ask whether, in the increase of salaries, the committee took into consideration that they would receive the additional allowance that is going to be paid to the employees of the Government generally?

Mr. PADGETT. We thought that they would get the same bonus that the others get. All of these salaries are very low.

Mr. STAFFORD. I am asking whether the committee, in arranging the increases, took into consideration the fact that they would also receive the additional allowance?

Mr. PADGETT. I stated I so understood—that they would get the same benefit that others get under the general law.

Mr. STAFFORD. Here we have—and I am more concerned about the two higher officials—a secretary who is raised from $1,800 to $2,200 and a foreman of mechanics from $1,800 to $2,200. Each one would receive, in addition to the $400 increase, $240, which would make $640. Does not the gentleman think that that is a large increase in one year?

Mr. PADGETT. Yes; but these salaries have been distressingly low heretofore.

Mr. STAFFORD. Does not the gentleman think that in view of the allowance of $240 the salaries carried in the bill for the secretary and foreman of mechanics should be fixed at $2,000?

Mr. PADGETT. These were recommended by the governor of the home, who is very familiar with the institution.

Mr. STAFFORD. If reduced to $2,000 then they would be $40 more than the governor of the home recommended.

Mr. PADGETT. He did not include the bonus which would be $240. The committee thought that that was reasonable and as they are paid out of the interest on the trust fund which is a pension fund we thought it a reasonable allowance.

Mr. STAFFORD. Owing to the fact that the Congress has taken the position in favor of giving $240 net increase to all, and the fact that the governor of the home recommended a maximum salary of $2,200 to these employees, would not the gentleman agree to have the salary of these two employees fixed at $2,000 which would make $2,240 salary?

Mr. PADGETT. If the House did that upon a motion, well and good. The committee thought this was a reasonable salary as a basic salary.

Mr. STAFFORD. Of course if the gentleman is not willing to give to these employees $40 more than the governor contemplated in his recommendations, I shall feel constrained to make the point of order.

Mr. PADGETT. I suggest to the gentleman that he withdraw the point of order and make a motion to reduce the amount.

Mr. STAFFORD. Will that be supported by the gentleman?

Mr. PADGETT. I shall not oppose it.

Mr. STAFFORD. Then Mr. Chairman, I withdraw the point of order and offer the following amendment, to strike out in line 21 the figures "$2,200" and insert "$2,000" and in line 22, strike out the figures "$2,200" and insert "$2,000."

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 12, line 21, strike out "$2,200" and insert "$2,000"; page 12, line 22, strike out "$2,200" and insert "$2,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

The authorized enlisted strength of the active list of the Navy is hereby temporarily increased until June 30, 1920, from 131,485 to 225,000 enlisted men, so that the total number of enlisted men of the Navy, regular and temporary, shall not exceed a total of 225,000 men: *Provided*, That the phrase "authorized enlisted strength" as applied to the temporary enlisted personnel for purposes of computations based thereon for temporary officers shall be 181,485 men: *Provided further*, That of the total authorized temporary enlisted strength of 225,000 men there is estimated and included 82,000 men for the operation of the ships of the Army transport service and for the operation of the ships from the Shipping Board, and in the event the operations of such ships do not require the full number of 82,000 enlisted men, the number of men less than 82,000 not so required shall be discharged from the service out of the temporary increase herein authorized.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read. I remember in the general debate and in the discussion under the five-minute rule that the question of the permanent enlisted ranks of the Navy was adverted to. I remember the gentleman's explanation as to the policy to authorize only this maximum strength of 225,000 men upon the contingency that a certain number, 82,000, I believe, would be used by the Shipping Board in the transport service.

Mr. PADGETT. Will be used by the Navy in the operation of the ships for the Shipping Board and the Army transports.

Mr. STAFFORD. I wish to inquire whether this would not recognize for all time the permanent enlisted strength of the Navy at 225,000 men.

Mr. PADGETT. Not at all, because it says that the authorized strength is increased from 131,000 temporarily to June 30, 1920, and it is limited to that time by express words. It would have to be increased after July, 1920, by act of Congress. Otherwise, it would go back to the permanent authorized strength, 131,485, plus the 6,000 enlisted apprentice sea-

men and the Hospital Corps of about 5,700. That is all that is provided by permanent law.

Mr. STAFFORD. Has any testimony been furnished to the committee as to the number of men that will be needed when the present Navy program is completed and put in commission?

Mr. PADGETT. Yes. Capt. Lanning insisted, and the Bureau of Navigation sent in a report for 217,000 and odd, but the committee did not think it would require that many for the reason that they were putting it on a basis of a larger complement of ships.

Mr. STAFFORD. Was that basis on a full complement or the active warfare basis?

Mr. PADGETT. They were estimating that the complement of the ships should be the full complements on all of the ships.

Mr. KELLEY of Michigan. Mr. Chairman, if the gentleman will permit, I think he misapprehended the question of the gentleman from Wisconsin. As I understood the gentleman from Wisconsin, he inquired whether any estimate has been made of the number of men who would be required when all of the ships heretofore authorized were finished. Personally I do not know of any such estimate.

Mr. STAFFORD. That was my question, as to the number of men that would be required to man our ships when the present authorized program is completed.

Mr. PADGETT. No; for the simple reason that we only went to the ships that would be in commission up to the 30th of June, 1920, the end of the fiscal year.

Mr. STAFFORD. And it was estimated that 207,000 would be required for a full complement of those ships?

Mr. PADGETT. Two hundred and seventeen thousand.

Mr. KELLEY of Michigan. That included 20,000 men to man the transports?

Mr. PADGETT. Yes.

Mr. STAFFORD. Of course, the men required to man the transports are expected to be withdrawn after the end of the next fiscal year, and that would mean 197,000 men. Is that on a basis of a full complement for the fighting ships on a war basis?

Mr. PADGETT. Not on what you would call a war basis, because on a war basis they have an extra allotment for casualties and for training. It would be on the full complement, but not as heretofore called the peace complement.

Mr. STAFFORD. Well, I remember in the discussion before we entered the war that there was complaint made by the Navy officials that the various naval ships were only equipped with some 60 to 75 per cent of the necessary men required.

Mr. PADGETT. This is known as the reserve complement. In the peace complement, for instance, take a battleship and it can be operated, say, with 1,050 men. In war times that ship would have perhaps 1,550 men upon it. They estimate that for the full complement in keeping it in activity there would be, say, 1,400 men. Now, in making our estimates and putting it at 225,000 we have gone on the supposition that in the distribution in peace times 1,050 men would be sufficient on a ship instead of 1,400, and on what is known as the war complement or in actual warfare there would be, say, 1,550.

Mr. STAFFORD. With 197,000 required to man ships that will be in commission at the end of the coming fiscal year would it be a rash estimate to say 300,000 men would be required when all the vessels that are now under contract are put in commission?

Mr. PADGETT. No; I think that would be excessive. I do not think it will require that many.

Mr. KELLEY of Michigan. I will say to the gentleman from Wisconsin that the recommendation of the Bureau of Navigation of 197,000 men for the regular ships of the Navy was thought excessive by the committee and that is why we did not increase the authorized strength of the Navy above 143,000 as provided by existing law.

Mr. PADGETT. We wanted to leave that so as to make it permanent if it is to be increased, so that when it is gone into it can be done under more quiet times than now, on a more natural, normal peace basis.

Mr. KELLEY of Michigan. I will say further to the gentleman from Wisconsin that is what the Chief of the Bureau of Navigation provided for keeping the destroyers in commission and all of the Ford boats—Eagles—and a lot of the other craft that could reasonably be put out of commission or in reserve in time of peace.

Mr. STAFFORD. And it is the policy of the bureau, as recommended by the committee, that a large number of destroyers will be placed in reserve? How many have we in all?

Mr. PADGETT. Three hundred and forty-two.

Mr. KELLEY of Michigan. It would seem that would be an economical and proper course.

Mr. BUTLER. The gentleman will understand the department has put no promise on that. It is only talk among ourselves.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The Clerk read as follows:

The authorized enlisted strength of the Marine Corps is hereby increased to 26,297 men, distribution in the various grades to be in the same proportion as is now authorized by law.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph just read. I would like to have some expression on the part of the chairman of the committee or some other member as to what the policy of the committee is as to the temporary force and the permanent force of the Marine Corps.

Mr. PADGETT. Under existing law the permanent authorized strength of the Marine Corps is 17,400. Under the temporary strength the Marine Corps is 75,500. This legislation proposes to increase the permanent strength from 17,400 to 26,294 and to increase until June 30, 1920, the temporary strength to 50,000 instead of 75,000, as it now is. That is the next paragraph.

Mr. BUTLER. Does the gentleman insist on his point of order? If not, I will make it. I do not think it is subject to the point of order.

Mr. PADGETT. I do not think it is, either.

Mr. STAFFORD. I would like to know the reason for this policy to increase the permanent force of 17,000 to 26,200.

Mr. PADGETT. In the naval bill last year, which was approved July 1, by a Senate amendment the permanent strength of the Navy was increased to 131,485.

They did not put anything in the provision for the increase of the Marine Corps. That was left unprovided for and, not being in the amendment, was not in conference, so that the conferees could not deal with the question of the increase of the Marine Corps. The increase of the Navy was agreed to. There has been a sort of general understanding that up to a certain point the Marine Corps would be one-fifth of the Navy, and this puts it at one-fifth of the 131,485. The commandant of the Marine Corps submitted a detailed statement, which appears in the hearings, recommending a permanent increase to 33,000. The Secretary of the Navy did not approve of that, but very earnestly recommended and approved an increase to 26,297.

Mr. BUTLER. Mr. Chairman, does the gentleman withdraw the point of order?

Mr. STAFFORD. I withdraw the point of order.

Mr. BUTLER. I suppose a point of order will not lie against this paragraph.

Mr. PADGETT. I think not.

The CHAIRMAN. The gentleman withdrew the point of order.

Mr. BUTLER. I know. I will renew it.

The CHAIRMAN. The gentleman from Pennsylvania renews the point of order.

Mr. PADGETT. He agreed with me that he does not think it will lie.

Mr. BUTLER. I do not think it would lie, because of the provisions of the act of 1908. Therefore, I am not going to impose——

Mr. STAFFORD. What is the provision of the act of 1908?

Mr. PADGETT. The increase of the Navy and the increase of the Marine Corps are in order on the appropriation bill.

Mr. BUTLER. The act of 1908 reads:

Provided, That hereafter the number of enlisted men in the United States Marine Corps shall be such as the Congress may from time to time authorize.

Mr. PADGETT. The point of order is not made. Let us read ahead.

Mr. BUTLER. Oh, no. We are not going ahead with this. This means $78,000,000, and you gentlemen who are sitting here should know it. I want you, when you vote for this, to understand what you are doing.

The CHAIRMAN. Does the gentleman from Pennsylvania make the point of order?

Mr. BUTLER. I will make it for the purpose of having the Chair rule on it.

The CHAIRMAN. Will the gentleman send the provision to the Chair?

Mr. BUTLER. The gentleman who is now occupying the chair understands the rules of the House as well as any Member, and consequently I hand to him this in order that he may rule upon it.

The CHAIRMAN. The language which the gentleman sends to the Chair is:

Provided, That hereafter the number of enlisted men in the United States Marine Corps shall be such as the Congress may from time to time authorize.

Mr. PADGETT. Now, Congress has to appropriate for the number, and it has always been treated and dealt with in the appropriation bill.

The CHAIRMAN. Has this question been passed upon before?

Mr. BUTLER. It has not. There has always been a dispute in the committee about it.

The CHAIRMAN. Legislation is not in order on an appropriation bill. Merely the expression "shall be such as the Congress may from time to time authorize" does not necessarily mean that it can be authorized upon an appropriation bill.

Mr. BUTLER. The Congress could, if they saw fit, I think. There is another provision following it, passed eight years later, which provides that the officers of the Marine Corps shall be based upon the enlisted force of the Marine Corps, as provided by Congress, anticipating quite clearly that the object of the language and purpose of the language is to divert the question of the size of the Marine Corps to Congress. It is not provided there that they shall be the number of men that Congress shall appropriate for. This is not a legislative bill, but an appropriation bill. I have always had my doubts about the authority.

The CHAIRMAN. This seems to be a somewhat important proposition and, to the Chair, an entirely new proposition. The Chair is very anxious not to make an incorrect ruling upon this.

Mr. STAFFORD. May I suggest to the chairman of the committee that he pass by the paragraphs relating to the Marine Corps and give an opportunity to the Chairman to look up the law?

Mr. BUTLER. Let me have a little——

The CHAIRMAN. The law is here and the rules are here.

Mr. PADGETT. What was it the gentleman from Pennsylvania wanted to do?

Mr. BUTLER. I wanted to have a little talk with the gentleman from Tennessee. Now, I would ask the gentleman from Tennessee, in view of the enormous increase of the appropriation that will be required if we pass that, if it should not be deferred to a later date and reorganize permanently this Marine Corps? Now, I would have no objection to the chairman of the committee making a temporary increase in the Marine Corps to about 50,000 men. In the next paragraph he has authority to do it. If the Chair should hold that this paragraph is in order upon this bill and it should be passed, it means an increase of an enormous number of officers for the Marine Corps, which I do not believe we will need in time of peace.

I do not want to argue that. I have no stroke at the Marine Corps. I care for it as I do for my own child. At the same time, I want the gentleman to understand that this is an increase from $13,000,000 to $78,000,000 for the Marine Corps, as much money, almost, as we appropriated for the Navy in past times.

Mr. PADGETT. This does not increase to that extent.

Mr. BUTLER. I am willing to go in for a temporary increase. This will increase it from $10,000,000 to $12,000,000.

Mr. PADGETT. Not that much.

Mr. BUTLER. Oh, yes. It is eight or nine thousand.

Mr. PADGETT. Let the Chair rule on it.

Mr. BUTLER. Yes; let the Chair rule.

The CHAIRMAN. The Chair is prepared to rule.

Mr. SLOAN rose.

The CHAIRMAN. Does the gentleman from Nebraska desire to be heard?

Mr. SLOAN. It was a question with me whether the authority lies in that statute. If it does not, it does not authorize them to be increased in this bill. It authorizes them to be increased by Congress, and it is assumed that will be done in an orderly way and not in a way that is not orderly.

The CHAIRMAN. Yet it seems to be a very strange thing that that provision should have been put in the law——

Mr. BUTLER. It is surplusage——

The CHAIRMAN. Unless it was intended to apply to an appropriation bill. It says:

Provided, That hereafter the number of enlisted men in the United States Marine Corps shall be such as the Congress may from time to time determine.

Of course it may be——

Mr. BUTLER. It seems like a repetition or an addition, Mr. Chairman, if you will permit me, of language that need not be there. As the gentleman from Nebraska [Mr. SLOAN] has just said, it does not authorize Congress to do what it does not have the right to do. It does not authorize Congress to do something in violation of the rules.

Mr. ALEXANDER. Mr. Chairman, it seems to me that that language has no meaning whatever unless it was the intent of the Congress at the time it was passed that the number of men in the Marine Corps should be limited by the appropriations made by Congress from time to time. We can limit the number now and the amount of money we appropriate for the Marine Corps. If you do not give it that construction it has no meaning at all, because the Congress that enacted that provision of law certainly knew that future Congresses might change the substantive law affecting the Marine Corps.

Mr. SLOAN. I will ask the gentleman from Missouri if he does not think that if Congress intended that the number of men should depend upon the size of the appropriation Congress would have put it in those words instead of this language?

Mr. ALEXANDER. If I had framed the language I would have done that.

Mr. BUTLER. If it had said, "The number of marines that Congress shall hereafter appropriate for," there would be no doubt about it.

The CHAIRMAN. The Chair is going to sustain the point of order.

The Chair will state that probably on an important matter like this some reason ought to be given. The general rules of the House prevent legislation upon an appropriation bill or anything that changes existing law. Here is a proviso in this act of 1908 which would appear upon the surface to undertake to make law, and it does make some sort of law, but it does not seem to be intelligent law. The Chair thinks the safest course is that we rely upon the general rules of the House, in view of the uncertainty of the meaning of the language that is involved in the act of 1908, and therefore the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

The authorized enlisted strength of the active list of the Marine Corps is hereby temporarily increased until June 30, 1920, from 26,297 to 50,000, distribution in the various grades to be in the same proportion as is now authorized by law: *Provided*, That as and when the number of the enlisted personnel of the Marine Corps serving with the American Expeditionary Forces is reduced below the number of 23,703 the temporary enlisted personnel shall be reduced by the difference between 23,703 and the number still serving with the American Expeditionary Forces.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on that.

Mr. PADGETT. I wanted to offer an amendment to this paragraph.

Mr. STAFFORD. That is why I reserved the point of order. I presume the gentleman wishes to change some of these numbers.

Mr. PADGETT. Yes. On line 7, page 16, strike out "26,297" and insert "17,400."

Mr. BUTLER. That will give us the whole temporary force?

Mr. PADGETT. That will give us the whole temporary force. Then below——

Mr. STAFFORD. In line 12——

Mr. PADGETT. I suppose we had better leave that other just as it is, because that is the estimated number that might be in France.

Mr. STAFFORD. How did you arrive at that?

Mr. PADGETT. They have 25,000 in France.

Mr. STAFFORD. I suppose the number "23,703," which I find in lines 12 and 13, is obtained by deducting 26,297 from 50,000?

Mr. PADGETT. Yes.

Mr. STAFFORD. If you are going to amend the "26,297" to "17,400," why should not that number be increased by inserting the number "32,600"? In the logic of mathematics that would follow.

Mr. PADGETT. That will be all right.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 16, line 7, strike out "26,297" and insert "17,400" in lieu thereof.

Mr. BUTLER. Mr. Chairman, may I now ask the gentleman from Tennessee a question?

Mr. PADGETT. Yes.

Mr. BUTLER. If this amendment should be adopted and the amendment of the gentleman from Wisconsin is adopted, changing those figures, the result will be by the passage of this paragraph that we temporarily increase the Marine Corps to 50,000 men, with temporary officers only?

Mr PADGETT. Yes; and the temporary officers are limited to the grade of major.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee has the floor.

Mr. PADGETT. In line 12, page 16, strike out "23,703" and insert "32,600."

The CHAIRMAN. The gentleman from Tennessee offers a further amendment. There are two amendments pending. The Clerk will report the second.

The Clerk read as follows:

Amendment offered by Mr. PADGETT:
On page 16, line 12, strike out "23,703" and insert in lieu thereof "32,600."

The CHAIRMAN. Is it desired by the gentleman from Tennessee that they be put together?

Mr. PADGETT. The other one has been agreed to. I want to come to line 14. In lines 14 and 15 I want to strike out 23,700 and insert 32,700.

Mr. STAFFORD. Thirty-two thousand six hundred.

Mr. PADGETT. On second thought that will not do, for the reason that we are providing that the temporary force shall be 50,000. There are only 25,000 in France now, and that would simply mean that we were increasing it to 42,000 men, because the difference between 25,000 and 32,600 is 7,600, and instead of 50,000 you would only have 42,400. It would be better just to put the first one 17,400, and the other one is based on the number in France.

The CHAIRMAN. The Clerk will report the first amendment proposed by the gentleman from Tennessee.

Mr. PADGETT. I will withdraw the other amendment.

The Clerk read as follows:

Page 16, line 7, strike out "26,297" and insert "17,400" in lieu thereof.

The CHAIRMAN. The question is upon the amendment.

The amendment was agreed to.

Mr. PADGETT. Now I withdraw the other amendment.

Mr. KELLEY of Michigan. I was going to suggest to the chairman of the committee that if he would offer an amendment changing "23,700" to "25,000," the exact number we have in France, and then put 25,000 in line 15, the language would be absolutely correct.

Mr. PADGETT. There are a few in excess over 25,000 in France.

Mr. BUTLER. Make it 26,000.

Mr. PADGETT. We had better make it 25,000.

The CHAIRMAN. Has the gentleman a further amendment to propose?

Mr. PADGETT. Yes; in lines 12 and 13 strike out "23,703" and insert "25,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, lines 12 and 13, strike out "23,703" and insert in lieu thereof "25,000."

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Tennessee.

Mr. STAFFORD. Does the gentleman purpose to change the number in lines 14 and 15?

Mr. PADGETT. I do. I propose to make it 25,000.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Now, Mr. Chairman, in lines 14 and 15 I move to strike out "23,703" and insert in lieu thereof "25,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, lines 14 and 15, strike out "23,703" and insert in lieu thereof "25,000."

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Tennessee.

The amendment was agreed to.

Mr. LITTLE. Mr. Chairman, I move to strike out the first word. It is a peculiar pleasure to do anything we can for the marines. The gracious courtesy that has governed their conduct toward American citizens and the gallant chivalry they have exhibited on the battle field are worthy of the best eras and the best efforts of the soldiers and sailors of the Republic in this and all wars. They have treated the question of sending their men home with so much consideration for the wishes, the interests, and the needs of the taxpayers that if there is anything this Congress can do for the marines, within its powers and limitations, I think it ought to do it. I am very glad to have the opportunity to say that.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

The Clerk read as follows:

All officers comprising the probationary or temporary officers of the Marine Corps and officers of the Marine Corps Reserve on active duty, and permanent second lieutenants holding temporary appointments in higher grades, shall be eligible to fill vacancies hereby created by transfer to the permanent Marine Corps in the grades held by them on the date of transfer in the proportion not to exceed 42 in the grade of captain, 42 in the grade of first lieutenant, and 56 in the grade of second lieutenant. Transfers so made shall be made without regard to age in grade, and if not found qualified in said grades to lower grades after qualification: *Provided*, That no transfers so made shall be to a higher grade than captain, and all officers so transferred shall establish to the satisfaction of the Secretary of the Navy, under such rules as he may prescribe, the mental, moral, professional, and physical qualifications to perform all the duties of the grades to which transferred: *Provided further*, That 25 additional marine gunners and 25 quartermaster clerks are hereby authorized.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order. My purpose is to inquire whether it is not necessary to reduce the number of officers authorized in this paragraph by reason of our failing to increase the permanent enlisted strength of the Marine Corps?

Mr. PADGETT. No, sir. I think not. They wanted 200, and the committee reduced the number to 140.

Mr. STAFFORD. They desire 200 officers on the permanent enlisted force for 22,600 men. The House has adhered to the present enlisted strength of 17,400.

Mr. PADGETT. This is not an increase of the authorized number. The law of August 29, 1916, fixes the number they are entitled to in different grades. This is only to allow them to take into the service men from the temporary service who can qualify under the authorizations already allowed. Instead of giving authority to fill it all up, this is to allow a limited number to come in from the temporary force who can qualify. It does not add to the number of officers that are authorized if they had the men to fill them.

Mr. STAFFORD. What is the purpose in the last proviso?

Mr. PADGETT. The last proviso does add some clerks, but that is because they are short of the number required for the efficient operation of their guns.

Mr. STAFFORD. It does not relate to the enlisted force of the Marine Corps?

Mr. PADGETT. No.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. PADGETT. Mr. Chairman, I offer the amendments which I send to the Clerk's desk.

The Clerk read as follows:

Line 17, page 16, strike out the words "probationary or." In lines 19 and 20, page 16, strike out the words "and permanent second lieutenants holding temporary appointments in higher grades." And in line 6, page 17, change the word "the" to "their." In line 10, page 17, insert after the word "twenty-five" the word "additional."

The CHAIRMAN. The question is on the amendments proposed by the gentleman from Tennessee.

The amendments were agreed to.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. The 200 officers, as I understood, were for 33,000 marines instead of 26,000; therefore ought this not to be reduced?

Mr. PADGETT. No; they are short of officers under the organization. The number they have in each grade is fixed by law. There is a certain percentage—4 per cent—of enlisted personnel, and this is simply to allow this many temporary officers to come in and qualify. It does not add to the total number of authorized officers. It gives an opportunity for 140 officers that are in the temporary service to qualify and come into the permanent service to fill up the gap that exists there. It does not add to the number in the permanent service.

Mr. McKEOWN. I had an impression that the 200 officers requested were on the theory that the Marine Corps would be 33,000, and your committee has reduced it to 26,000.

Mr. PADGETT. No; it was a question of how much we would take in of the temporary force.

Mr. McKEOWN. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Enrolled members of the Naval Reserve Force and of the Marine Corps Reserve, other than commissioned and warrant officers, who have performed active duty during the war, may, upon their own application, be transferred to the regular Navy and Marine Corps, respectively, to serve the unexpired term of their enrollment in such rating or rank as they may be found qualified under such regulations as the Secretary of the Navy may prescribe: *Provided*, That such transfers may be made not in excess of the authorized enlisted strength of the Navy or Marine

Corps: *Provided further*, That members so transferred shall be entitled to and receive at the time of transfer the same pay, rights, privileges, and allowances in all respects as though regularly discharged and re-enlisted immediately upon expiration of their full four-year enlistment in the regular Navy or Marine Corps.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. PADGETT. Let me state to the gentleman what the purpose of this is. We have enrolled men in the Naval Reserve Force in the Navy and in the Marine Corps who have been serving during the war. When the war ends they go back to inactive duty, but they are in the Naval Reserves. In order to encourage enlistment in the Navy and in the Marine Corps this simply allows a man to count as a part of his four years' enlistment, when he comes in to enlist regularly, the time he has actually served in the war. He counts it as service in the Navy and the Marine Corps instead of in the Reserve Corps. He has been serving in the Navy and the Marine Corps under the designation of reserve. This simply allows him to get the benefit of that as a part of his four years' enlistment.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

Mr. BUTLER. Mr. Chairman, before the Clerk begins to read, may I ask the chairman of the committee how late he proposes to stay, so that we may answer gentlemen who come here with a similar inquiry?

Mr. PADGETT. Mr. Chairman, I have stated to a number of people that if it became necessary I would ask the House to stay as late as 10 o'clock, but we are running along nicely now, and I think that we can get to a point in the bill much earlier than that where we can quit, and be able to finish the bill by to-morrow night.

Mr. BUTLER. I do not think the gentleman will be able to finish it to-morrow night.

Mr. PADGETT. Oh, I think we can.

Mr. STAFFORD. Will the gentleman indicate the place in the bill where we might read to and then rise?

Mr. PADGETT. I think if we read along through these items that are not disputed we might go down to the Marine Corps, which is on page 43.

Mr. STAFFORD. Then the gentleman does not expect to meet at 11 o'clock to-morrow morning?

Mr. PADGETT. I wanted to.

Mr. STAFFORD. The gentleman is asking a very unreasonable thing if he expects us to go to-night to page 43 and then meet to-morrow at 11 o'clock.

Mr. GARNER. There is no contest about any of these items.

Mr. STAFFORD. If the gentleman from Texas will examine the bill he will see that we are now considering everything that is new legislation, which demands explanation, and which has not been made in general debate by the chairman or anyone else.

Mr. GARNER. We will be through with the new legislation in two or three pages.

Mr. BUTLER. I want very much to accommodate the gentleman from Tennessee for two reasons: First, he ought to be accommodated, and, second, he is always trying to accommodate somebody else; but I have been sitting here continuously since 11 o'clock this morning, and I am 63 years old.

Mr. PADGETT. So am I.

Mr. BUTLER. Oh, no.

Mr. STAFFORD. I think the gentleman ought to indicate some page before that.

Mr. GARNER. We want to get through to-morrow.

Mr. STAFFORD. That is impossible, with the fight there is on the naval program.

Mr. PADGETT. I think we can.

Mr. STAFFORD. The gentleman is indulging in idle dreams.

Mr. GARNER. There is no dispute about a lot of this along here.

Mr. STAFFORD. The amounts carried are thirty and forty million dollars, increased threefold over what it was two years ago.

Mr. BAER. Have we covered the appropriations for submarines yet?

Mr. PADGETT. Submarines are all mixed up with everything else. I suggest that page 39 will be a good place to stop.

The Clerk read as follows:

All enlisted men of the Navy and Marine Corps having war service and who may hereafter be discharged or who have been discharged from the service since November 11, 1918 (other than a dishonorable discharge), and before the expiration of their full enlistment shall receive, under such rules and regulations as the Secretary of the Navy may prescribe, an honorable discharge, and shall be furnished with transportation to their homes, with subsistence and transfers en route.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word, so as to ask about the words "war service."

Mr. PADGETT. They mean those who have been serving in the Navy during the period of this war.

Mr. McKEOWN. That will cover all persons?

Mr. PADGETT. Yes.

Mr. DUPRÉ. In connection with the inquiry of the gentleman from Oklahoma, does the gentleman from Tennessee think that what he has said will be in anyway controlling in the application of this bill when it comes to some body who interprets it?

Mr. PADGETT. I think so. It is carrying out the recommendations of the department. They want to have this that way.

Mr. DUPRÉ. I am very glad to have the assurance of the gentleman from Tennessee.

Mr. STAFFORD. Is not this existing practice and the law?

Mr. PADGETT. No; under existing law a man gets an honorable discharge only if he serves out the full four years; in other words, completes his contract.

If he gets short of the four years he gets an ordinary discharge. There is nothing dishonorable about an ordinary discharge, but the ordinary discharge does not carry with it transportation and it is not an honorable discharge. Now, these boys who entered, many of them, for four years, intending for the war, if they get a discharge they do not get an honorable discharge, but an ordinary discharge. This is to give them an honorable discharge and their transportation.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Any enlisted man of the Navy or Marine Corps who since April 7, 1917, and before November 11, 1918, enlisted for the period of four years may, upon his application made to the Secretary of the Navy on or before July 1, 1919, be held and construed to have enlisted for the duration of the war and granted an honorable discharge: *Provided*, That said enlisted man is otherwise entitled to an honorable discharge.

Mr. BROWNING. Mr. Chairman——

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. BROWNING. I was going to make a motion to amend.

Mr. STAFFORD. I reserve the point of order to see whether we can secure an agreement on the suggestion to be made by the gentleman from New Jersey [Mr. BROWNING] to insert the word "shall" instead of "may."

Mr. PADGETT. There is no objection.

Mr. STAFFORD. Then I withdraw the reservation of the point of order.

Mr. BROWNING. Mr. Chairman, I move to amend, on line 11, page 18, by striking out the word "may" and inserting the word "shall."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 18, line 11, strike out the word "may" and insert the word "shall."

Mr. BROWNING. Mr. Chairman, this amendment was proposed some time ago. I do not think it is worth while to say very much about it. It was the intention of the committee when that passed that this should not give the Secretary of the Navy the privilege of "may," but that they "shall" be discharged.

Mr. PADGETT. The only thing I want to call attention to is that when you put the word "shall" it makes it exceedingly drastic, and by operation of law all four-year men who come in from that time go out with the men who enlisted for the period of the war and you leave the Navy bankrupt of men.

Mr. BROWNING. I want to make it drastic; it is my purpose to make it drastic. If these men want to come back, they can reenlist.

Mr. DUPRÉ. Just a moment, will the gentleman from New Jersey yield?

Mr. BROWNING. I yield.

Mr. DUPRÉ. I want to ascertain why this difference between the Navy and the Marine Corps. Releases from the Marine Corps are comparatively simple. I understand every application of men in that corps must be presented to the Marine Corps headquarters here, but when it comes to some one in the Navy, why, then under a comparatively recent ruling that matter must be handled by the superior officer of the man who asked to be released from the Navy; but in the Marine Corps the only man who can discharge another, unless I have failed to follow these varying changes of orders, is that in the Marine Corps the last appeal is to the headquarters here. I am very glad that is the case. Will the gentleman from New Jersey [Mr. BROWNING] give me some information as to how the difference exists between the Navy and the Marine Corps?

Mr. BROWNING. I do not know, in answering the gentleman's question, just what particular difference he has reference to. I only want to say in this instance there seems to have

been a misunderstanding with a great many young men who enlisted in the Navy. It was stated on the floor sometime ago that a great many of these young men had enlisted for the period of the war, but when they came to sign their papers it read they should enlist for four years. Now, the object of this amendment is to allow these men who enlisted for the four years to get out of the Navy.

Mr. DUPRÉ. Will the gentleman from Tennessee permit me to pursue this inquiry?

Mr. PADGETT. We would like to make progress.

Mr. DUPRÉ. I am inclined to make progress, but I would like to know something about this particular proposition.

Mr. PADGETT. The difference between the Marine Corps and the Navy is that——

Mr. DUPRÉ. With regard to releases?

Mr. PADGETT. The Marine Corps is like the Army. It is on an Army organization. There they do not have charge of ships and vessels, and a man could be discharged from the Marine Corps without reference to the ship. When a man is on a ship you have to consider what condition it is going to leave the ship in when he is discharged. For instance, if you reduce the number of gunners, the number of machinists, the electricians, or any others of those on a ship, below a certain point, you destroy the efficiency of the ship.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DUPRÉ. Mr. Chairman, I ask that the gentleman may have his time extended five minutes.

The CHAIRMAN. The gentleman from New Jersey [Mr. BROWNING] has the floor. The gentleman from Louisiana [Mr. DUPRÉ] asks unanimous consent that the time of the gentleman from New Jersey be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DUPRÉ. The situation, as I understand, is this: With regard to releases from the War Department, it has been made quite clear—and even the Chief of Staff has finally made it clear—that requests in that regard must be made through the military channels and transmitted to the superior officer of the man who is in the military service. Very good. I have no complaint to make in that regard. With regard to the men who are in the Navy, I understood that previous to the order that issued from the War Department a similar announcement was given from the Navy Department. Is that true? I ask the gentleman from Tennessee [Mr. PADGETT].

Mr. PADGETT. I thought the gentleman was addressing the gentleman from New Jersey [Mr. BROWNING].

Mr. DUPRÉ. I was trying to get information. I do not care from whom I obtain it.

Mr. PADGETT. What was your question? I was reading here and not listening.

Mr. DUPRÉ. I was asking if it had not been true until very recently, and is it not true now, that the only way for one who is in the naval service—I am not talking of the marines, because I have that in reservation—is it not true that the only way one in the naval service can secure release is to make application through his immediate commanding officer?

Mr. PADGETT. Yes, sir; he has to make it there.

Mr. DUPRÉ. Very good. And there is nothing to be done through the Bureau of Navigation or by appeal to the Secretary of the Navy?

Mr. PADGETT. Yes; I understand if it is refused by the commanding officer he can have it renewed by the Bureau of Navigation.

Mr. DUPRÉ. That is very good so far. Now, we are coming to the Marine Corps, which was the matter we were discussing. I understand now that if one is in the Marine Corps and seeks to get relief that, not as was the case in the Army, not as was the case in the Navy proper, it is still vested in the major general commandant of the Marine Corps?

Mr. PADGETT. I think it is both ways.

Mr. BROWNING. It is both ways, but the gentleman forgets that there is no such situation in the Marine Corps in their enlistment as to time. They are either enlisted for the war or four years. In this case it seems to be the case of young men who have enlisted in the Navy being fooled.

Mr. PADGETT A man can apply direct to the commandant of the Marine Corps, I understand.

Mr. DUPRÉ. That is what I wanted to bring out. I understand the condition is this: Whenever he is in the Marine Corps it is permissible for him, or somebody else having an interest in him, to present his claim to the Marine Corps for release?

Mr. PADGETT. I so stated. He could present it directly to the commandant.

Mr. DUPRÉ. So, if that is the case, why may it not be done to the honorable Secretary of the Navy?

Mr. PADGETT. I do not know why the difference was made. You would have to get that from the Secretary of the Navy. I do not know why he made the difference.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DUPRÉ. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The time of the gentleman from New Jersey [Mr. BROWNING] has expired.

Mr. DUPRÉ. I ask time in my own right.

The CHAIRMAN. The gentleman from Louisiana is recognized for five minutes.

Mr. DUPRÉ. The gentleman from Tennessee should find out from the gentleman from North Carolina, Mr. Daniels, why this distinction is being made between the men of the Marine Corps and men enlisted in the Navy.

I would like to know why this differentiation exists between the Navy and the Marine Corps in that regard?

Mr. PADGETT. I stated to the gentleman that I did not know why it was; that the Secretary made the difference, but I could not tell the gentleman why he made it.

Mr. DUPRÉ. I repeat my inquiry in that regard, and it seems to me that the chairman of the committee, who comes here and asks us to swallow a lot of things that gag a great many of us, should be able to answer a simple question like that. Will the gentleman seek to ascertain the reason?

Mr. PADGETT. Yes; I will try to find out.

Mr. DUPRÉ. And will the gentleman put it in the RECORD when he finds out?

Mr. PADGETT. Yes; I will try to put it in the RECORD if I find out.

Mr. DUPRÉ. Well, that does not quite satisfy me. [Laughter.] The gentleman said he would seek to ascertain, and then seek to put it in the RECORD.

Mr. PADGETT. I said I would seek the information and put it in the RECORD if I ascertained it.

Mr. DUPRÉ. Will the gentleman put it in the RECORD in that event?

Mr. PADGETT. I will.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New Jersey.

Mr. PADGETT. Mr. Chairman, what was the amendment offered by the gentleman from New Jersey?

Mr. GARNER. To strike out "may" and insert "shall."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. GARNER. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 15, noes 0.

So the amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Tennessee.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 18, line 14, after the word "discharged," insert the words "on his arrival at a home port."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

Mr. WALSH. Mr. Chairman, I would like to ask the gentleman from Tennessee just what that means?

Mr. PADGETT. It means this: Under the language it says he shall be granted an honorable discharge. Suppose a fellow is on a ship in China or somewhere else. He ought not to be discharged over there. He ought to be discharged when he arrives at a home port.

Mr. BROWNING. But suppose, Mr. Chairman, he is down at Guantanamo Bay or in San Domingo. Has he got to wait until he comes home?

Mr. PADGETT. I think so.

Mr. BROWNING. I am opposed to that.

Mr. PADGETT. I will withdraw it, Mr. Chairman, rather than have any controversy over it.

The CHAIRMAN. The gentleman from Tennessee withdraws the amendment. The Clerk will read.

Mr. SMITH of Michigan. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. SMITH of Michigan. I do that in order to find out about the application for a discharge. I would like to inquire of the

chairman whether or not under this language the application must be made directly to the Secretary of the Navy?

Mr. PADGETT. It should be addressed to him, but it would come through military channels. It would be forwarded.

Mr. SMITH of Michigan. It does not say anything about that. But if you go to the Secretary of the Navy and ask to have a man discharged he will tell you that his application must be made to his commanding officer.

Mr. BROWNING. The gentleman will understand that there are a whole lot of rules that we do not put into the law. The Secretary of the Navy can make his own rules. There is no trouble about that.

Mr. DUPRÉ. He will make his rules to suit himself.

Mr. SMITH of Michigan. You say the application will be made to the commanding officer, but it will be forwarded to the Secretary of the Navy?

Mr. PADGETT. Yes. He will make his rules and regulations for carrying it out.

Mr. CONNALLY of Texas. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Texas moves to strike out the last two words.

Mr. CONNALLY of Texas. Under this clause that we are now on, a man who is not entitled to honorable discharge would not get any kind of a discharge until the four years are up, would he?

Mr. PADGETT. Yes.

Mr. CONNALLY of Texas. Where is the language authorizing that?

Mr. PADGETT. This simply provides that he shall be held and construed to have enlisted for the duration of the war, and will be granted an honorable discharge, provided he is entitled to an honorable discharge.

Mr. CONNALLY of Texas. The way the bill is drawn, though, does not the question go not only to his honorable discharge, but to the question that he is held to have enlisted only for the duration of the war?

Mr. PADGETT. No. He is held to have enlisted for the war, and he would be given an honorable discharge, or an ordinary discharge, or a dishonorable discharge; but this gives him an honorable discharge if he would be entitled to it otherwise.

Mr. CONNALLY of Texas. So it is the intention of the committee to draw this bill so that, irrespective of whether he is entitled to an honorable discharge, he is held to have enlisted only for the duration of the war?

Mr. PADGETT. Yes.

Mr. HUMPHREYS. Suppose the term of enlistment of a man in the Navy expires when he is out at sea. Just what happens?

Mr. PADGETT. He is always brought home and discharged here.

Mr. HUMPHREYS. So there will be no trouble about this then?

Mr. PADGETT. None at all. The only reason I offered it was because they said they thought it would clear up the matter.

The CHAIRMAN. Without objection the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Enlisted men of the Navy and Marine Corps who enlisted for the period of the war may, under such regulations as the Secretary of the Navy may prescribe, extend such enlistment for a period of one, two, three, or four full years and shall be entitled to and receive the same rights, privileges, pay, and allowances in all respects as though regularly discharged and reenlisted immediately upon expiration of a full four-year enlistment.

Mr. STAFFORD. I reserve a point of order on this important paragraph.

Mr. PADGETT. The purpose of it is this: Here is a man in the Navy or Marine Corps who enlisted for the period of the war. He served, say, a year and six months, and he wants to get into the Navy or the Marine Corps permanently. This is to allow him to extend his enlistment so as to make it the full term of four years, counting the time that he served under this temporary enlistment as a part of his full enlistment. It is along the same lines as the preceding paragraph.

Mr. STAFFORD. As I read it—though I do not read it with the full knowledge that the chairman of the committee has—I should think this really provides for the extension of enlistments for one year, two years, three years, or four years, as the enlisted seamen may elect.

Mr. PADGETT. Certainly; but it says that he shall have the same benefits as if he had reenlisted upon the expiration of a full four-year term. Now he has to serve a four-year term in order to get the benefit of a four-year term; but during the war a man may have served two years, and he would extend his time for two years to make up a full four-year term. Another man enlisted for three years. He would extend it, adding to what he had already served enough to make it a four-year term.

Mr. STAFFORD. What benefit will he receive, if this paragraph is agreed to, by an extension of his term of enlistment?

Mr. PADGETT. He would get the benefit that the two services would be added together, and at the expiration of the four years the two together would be counted as a full term.

Mr. STAFFORD. Then this does not give him any benefit or increased pay by reason of enlistment.

Mr. PADGETT. Not when he now reenlists; but if at the expiration of the four years he reenlists he would get the benefit provided on a second enlistment.

Mr. STAFFORD. The gentleman is certain that he will not receive any benefits by reason of reenlistment for this extended period when it does not exceed the four-year period?

Mr. PADGETT. We made that inquiry, and it was so stated.

Mr. STAFFORD. I withdraw the reservation.

Mr. ROGERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ROGERS: Page 18, line 23, after the word "enlistment," insert as a new paragraph the following:

"In time of war or national emergency boards for the selection of officers of the Naval Reserve Force of and above the rank of lieutenant commander for promotion to the next higher grade or rank as now authorized by law shall be composed of not less than five officers of the Navy, senior in rank to the officers to be selected for promotion."

Mr. PADGETT. I reserve a point of order for a moment.

The CHAIRMAN. The gentleman reserves the point of order.

Mr. ROGERS. I wish the gentleman would reserve it long enough to permit me to state my case.

Mr. PADGETT. Yes.

Mr. ROGERS. My amendment is in the precise language of a recommendation made by Secretary Daniels to the House of Representatives, and by the Speaker transmitted to the Committee on Naval Affairs on, I think, the 11th of January, 1919. There are 990 Naval Reserve lieutenant commanders. Many of these men have been in the naval service since the outbreak of the war. Many of them have rendered extremely valuable service. A former Secretary of the Navy, now a Senator elect of the United States, is one of the 990. Not a single reserve lieutenant commander has been promoted to the rank of commander during the war.

The naval appropriation act for the current year, approved July 1, 1918, contains the following paragraph:

No officer of any class of the Naval Reserve force shall, in time of peace, be promoted above the grade of lieutenant commander, but in time of war or other national emergency officers of the Naval Reserve force of and above the rank of lieutenant commander in active service shall be eligible for selection for promotion to the next higher grade or rank by the same board of officers that select officers of the United States Navy for promotion to such higher ranks and grades, under the same rules and regulations as apply to the selection for promotion of officers of the United States Navy.

The Secretary of the Navy, in spite of that authorization in the naval appropriation act, has never taken advantage of the opportunity and has never caused to be examined for promotion a single Naval Reserve lieutenant commander. A selection board for the regular Navy met in July, 1918, but no reserve officers were considered for promotion. In August, 1918, the Bureau of Navigation notified the reserve officers by circular letter that selection boards for reserve officers of the rank of lieutenant commander would meet in January, 1919. In December, 1918, reserve lieutenant commanders were invited to submit any information which should be considered with reference to their promotion.

A selection board met last month and selected officers for the regular Navy, but the Secretary of the Navy declined to sign an order which would authorize the board to consider reserve officers.

Secretary Daniels has stated that the reason which led him to decline to allow that board to pass upon the promotion of reserve lieutenant commanders was that the board for promotion in the regular Navy which was made up of nine admirals was so very much overworked in considering regular Navy promotions that it had no time or opportunity to pass upon reserve promotions. And therefore the Secretary of the Navy in transmitting the exact language that I have just offered wrote to the Speaker of the House of Representatives as follows:

Attention is respectfully invited to the fact that the law quoted requires that the board for selection of officers for promotion in the Naval Reserve Force must be the same board of officers that selects officers of the regular Navy for promotion. The regular Navy selection board is required by law to be composed of nine rear admirals. This board is charged with the selection of officers for promotion in the higher grades of both the regular Navy and the Coast Guard.

The addition to the duties of the board of selection for promotion of officers of the higher grades in the Naval Reserve Force therefore adds an almost overwhelming amount of extra work on the board. All members of the regular board, as is natural and unavoidable, fill high administrative and executive positions and commands of the greatest importance. This addition to their duties of selection in the Naval Reserve Force in its practical working out makes it impracticable, if not impossible, for the members of the board to properly perform their regular duties, and under existing conditions will tend to threaten the efficiency of the Navy as a whole.

There is, therefore, inclosed herewith a proposed draft of a bill to authorize the appointment of a separate board for the selection of officers for promotion in the Naval Reserve Force; and in view of the patent urgency of this measure, as above set forth, it is requested that same be enacted, if practicable, before the close of the present session of Congress.

Mr. Chairman, I have no information as to the reasons which led the committee to disregard the urgent recommendations of the Secretary of the Navy. Clearly, these lieutenant commanders of the reserve force, 1,000 in number, many of whom have been in the Navy and have done splendid service for a year and a half or two years, should be given an opportunity at least to present their case for promotion. There is not a single case of promotion up to this time. My amendment is in the words of the Secretary of the Navy, and creates another instrumentality which would allow meritorious lieutenant commanders of the reserve force to be promoted after proper hearing and investigation. I hope that the chairman of the committee will be induced to withdraw his reservation of a point of order.

Mr. PADGETT. Mr. Chairman, the law provides a remedy now—the same remedy provided for regular officers—nine admirals, six of whom must agree, but this is a provision to change it and substitute a different board of five officers, who instead of admirals shall be officers just above the grade of captain. I make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

The act of April 16, 1918 (Public, No. 129), granting, under certain conditions, to every commissioned officer of the Army the right to quarters in kind for their dependents, or the authorized commutation therefor, including the allowances for heat and light, shall hereafter be construed to apply to officers of the Navy and Marine Corps only who are serving in the field as part of the American Expeditionary Forces under the jurisdiction of the War Department.

Mr. WALSH. Mr. Chairman, I reserve the point of order. Do these men get this allowance now?

Mr. PADGETT. Yes.

Mr. WALSH. What is the necessity for the legislation?

Mr. PADGETT. This is the limitation upon the allowances under that act of October 6, I think it was, when there was a provision put in the law allowing commutation of quarters for officers who were serving, engaged in the war, and the Comptroller of the Treasury held that the Marine Corps and the Navy were entitled to the benefit of it. An officer who is serving at sea gets 10 per cent additional pay instead of commutation of quarters. Under that law he is getting the 10 per cent for sea service, and then he is getting the commutation of quarters in addition. This applies generally to the officers of the Navy and the Marine Corps and provides that it shall be cut down to those who are serving in the field in foreign service and not the men who were serving at sea here in the United States or across the waters back and forth. This provision will save about $11,000,000, which otherwise under existing law would have to be paid in the way of commutation of quarters.

Mr. WALSH. Of course, it would save the $11,000,000 if the men are not kept over there.

Mr. PADGETT. That is what the estimate is; that the service that will be performed and the number of officers who will get it will save about $11,000,000.

Mr. WALSH. If they are kept in France.

Mr. PADGETT. No. Under existing law they get it whether they are in France or not in France.

Mr. WALSH. Does the gentleman state that in time of peace the Marine Corps and the Navy officers are serving with the War Department?

Mr. PADGETT. No; the marines are serving with the War Department over there, and the Navy is not serving with the War Department.

Mr. WALSH. It provides that it shall hereafter be construed to apply to officers of the Navy and Marine Corps who are serving in the field as part of the American Expeditionary Forces under the jurisdiction of the War Department.

Mr. PADGETT. Those are the only ones who would get it hereafter, which comprise a very limited number, whereas all of them are getting it now.

Mr. WALSH. Of course they are getting it now because of this former act and because there is a war.

Mr. PADGETT. Yes. This provides that that act shall be construed to apply to this limited number and not to the whole of them.

Mr. WALSH. It must be rather a high limit if there is a saving of $11,000,000.

Mr. PADGETT. It is. When you come to pay commutation of quarters for rooms and heat and light, it amounts to a heap of money.

Mr. WALSH. Does it embrace within its provisions any of the naval aviation force?

Mr. PADGETT. It includes everyone who is with the Navy who gets the benefit of it.

Mr. WALSH. I assume that it includes those that were included within it.

Mr. GARNER. Under that act everybody got the benefit of quarters and 10 per cent while at sea. Under this provision only those in France will get the benefit of it. That is the difference.

Mr. WALSH. The gentleman from Texas has stated it very concisely and briefly, but I should like to know if this includes within its provisions officers of the naval aviation force who are in the Expeditionary Forces?

Mr. PADGETT. Yes; the Navy does not separate officers. They are detailed to the aviation duty. The man may be serving in aviation to-day and be transferred to some other duty to-morrow or next month.

Mr. WALSH. Then, as I understand the gentleman, if this is permitted to become a law, it will save $11,000,000 for the reasons stated by the gentleman, supplemented by the reasons stated by the gentleman from Texas, but it will only constitute that saving in the event that these officers are kept abroad as part of the Expeditionary Forces. There will not be any Expeditionary Force after they come home.

Mr. PADGETT. No.

Mr. WALSH. There will not be any pay; it will not be any saving.

Mr. PADGETT. This is putting a limit during the fiscal year when the Navy is operating, and it saves it when he is here at home.

Mr. GARNER. It does not save anything while he is in France, but when he comes from France he can not have the 10 per cent and commutation both. There is the difference.

Mr. WALSH. I think the gentleman is mistaken.

Mr. GARNER. That is the statement of the gentleman from Tennessee.

Mr. WALSH. Those who are serving in the field as part of the American Expeditionary Force.

Mr. GARNER. That is the exception. The general law gives them, according to the Comptroller of the Treasury, and allows them 10 per cent while on sea duty, and also an allowance for commutation and quarters while on sea duty. They get both. This only makes exception of allowance and commutation to those people who are with the Expeditionary Force in France. None will get it when they come from France except those on sea duty.

Mr. WALSH. When they come from France, the American Expeditionary Forces, what will the saving be by reason of not having to pay this?

Mr. PADGETT. They would not get any then.

Mr. WALSH. Then there will be a further saving?

Mr. PADGETT. Yes; they will save still more.

Mr. WALSH. How much?

Mr. PADGETT. I do not know.

Mr. WALSH. I withdraw the point of order.

The Clerk read as follows:

The rates of pay prescribed in section 15 of an act entitled "An act to temporarily increase the commissioned and warrant and enlisted strength of the Navy and Marine Corps, and for other purposes," approved May 22, 1917, are hereby made the permanent rates of pay of the enlisted men of the Navy.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. PADGETT. Mr. Chairman, the whole thing about it is this: Sometime last year we passed the act of May 22 providing that during the war the pay of the Navy should be added to by $15 a month to the fellow who got up to $21 a month. I have the act here and I will read it:

That commencing June 1, 1917, and continuing until not later than six months after the termination of the present war, all enlisted men of the Navy of the United States in active service whose base pay does not exceed $21 per month shall receive an increase of $15 per month; those whose base pay is over $21 and does not exceed $24 a month, an increase of $12 per month; those whose base pay is over $24 and less than $45 per month, an increase of $8 per month; and those whose base pay is $45 or more per month, an increase of $60 per annum: *Provided*——

Mr. STAFFORD. That is the substantive part of it.

Mr. PADGETT. This simply makes it permanent pay of the Navy.

Mr. STAFFORD. Under existing law, which the gentleman has just read, the pay will continue for at least six months after the termination of the war?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. That will be well into the next fiscal year. The seamen now enlisted in the service will receive those rates of pay. If we grant this increase, a permanent increase, it will naturally affect the policy of the War Department. I think it is far better, in view of the fact that their pay is secure for nearly a year hence, when Congress will be in possession of full information as to what should be the permanent pay of the enlisted men in the Army and also the seamen in the Navy, that it should be deferred, and therefore I make the point of order.

Mr. PADGETT. Before the gentleman makes the point of order I want to say I do not believe that if you make the point of order, and that remains the pay, you can get men to enlist in the Navy at the present pay.

Mr. STAFFORD. Why, the present pay is that which is now prescribed by law.

Mr. PADGETT. Here a man comes along and enlists for four years, and if his pay will drop down $15 in three or four months from now he will not enlist.

Mr. BUTLER. Now, Mr. Chairman, will the gentleman permit me, please?

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

Mr. WALSH. The point of order has been sustained.

Mr. BUTLER. This is talking after the thing has happened.

Mr. STAFFORD. I reserve the point of order.

Mr. BUTLER. We all want to insist on young men who belong to us and the people we represent coming out of this Navy. But we must have other men to take their places, as the Chairman has said to-day. We will not, in my judgment, be able to enlist these men to take the places of the young men we are now endeavoring to have released from the service unless we increase this pay.

Mr. PADGETT. They are turning them out by the wholesale, and you are going to have a barren Navy.

Mr. STAFFORD. The gentleman realizes——

Mr. BUTLER. I know it will cost a good deal of money.

Mr. STAFFORD (continuing). It prescribes virtually the pay of the Army, and yet the gentleman has not conferred with the Committee on Military Affairs at all as to what the pay should be. For the present I insist on the point of order.

The CHAIRMAN. The Chair has sustained the point of order two or three times. The Clerk will read.

The Clerk read as follows:

Section 1 of the act entitled "An act to increase the number of midshipmen at the United States Naval Academy," approved December 20, 1917, is hereby amended so as to read as follows: That hereafter there shall be allowed at the United States Naval Academy five midshipmen for each Senator, Representative, Delegate in Congress, and Resident Commissioner from Porto Rico, and five for the District of Columbia, 15 appointed each year at large, and 100 appointed annually from enlisted men of the Navy, as now authorized by law.

Mr. STAFFORD. I reserve a point of order. What is the necessity for this authorization?

Mr. PADGETT. Just a question of fairness. Under existing law each Senator, Representative, and Delegate in Congress is entitled to five midshipmen at the Naval Academy. Porto Rico is entitled to only one, and the District of Columbia to two. It occurred to us that it was entirely fair that the District of Columbia, that has as many people as any congressional district, or more, should have as much representation as a congressional district, and Porto Rico should have as much representation as Hawaii or Alaska or the others. And to that extent it changes existing law.

Mr. BUTLER. Just for the two places?

Mr. PADGETT. That is all. It gives the District of Columbia five instead of two; it gives Porto Rico five instead of one, and puts them on an equality with the congressional districts of the country.

Mr. DUPRÉ. Will the gentleman from Wisconsin [Mr. STAFFORD] permit me to ask the gentleman from Tennessee a question?

Mr. STAFFORD. I shall be delighted.

Mr. DUPRÉ. Did I understand the gentleman to say that each congressional district was entitled to have five appointees?

Mr. PADGETT. Yes, sir.

Mr. DUPRÉ. How are they prorated?

Mr. PADGETT. Whenever you have a vacancy you have the right to fill it. If you have five vacancies you appoint them all at once, and if you have one you just appoint for that one. You have to keep five there all the time.

Mr. DUPRÉ. I would like to know if there is any sort of pro rata in the way of districts whereby this matter is handled?

Mr. PADGETT. None at all. Whenever you have a vacancy you have a right to make an appointment.

Mr. DUPRÉ. Did I understand the gentleman from Tennessee to say that the practice is that he may withhold his appointment and then throw five at a time on Admiral Eberle, or on the new superintendent?

Mr. PADGETT. Admiral Scales.

Mr. DUPRÉ. Are you going to throw five at Admiral Scales at one time?

Mr. PADGETT. I fill them as they occur.

Mr. DUPRÉ. I do that, too, but I would like to know how the thing is worked, if the gentleman has time to explain.

Mr. PADGETT. Whenever there is a vacancy you make an appointment. If you would appoint five at once, and none of them died, resigned, or dropped out, you would not have another appointment until they graduated.

Mr. DUPRÉ. I am very glad to find out how you are advised about these vacancies.

Mr. PADGETT. I always fill mine, and I would advise you to fill yours.

Mr. DUPRÉ. How is a Member of Congress advised of these five vacancies?

Mr. PADGETT. As they happen he gets notice from the Bureau of Navigation. They send him a letter telling him of the vacancy, and send him a nomination blank on which to nominate the young man whom he wishes to appoint.

The CHAIRMAN. The point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

Calvin Willard Gilfillan is hereby authorized and permitted to take the examination for the Naval Academy in February, 1919, and, on satisfactorily passing the examination and being otherwise qualified, to enter the academy at the usual time in 1919.

Mr. WALSH. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. WALSH. This is rather an unusual provision.

Mr. PADGETT. Yes; it is a rather unusual case. I will explain the circumstances.

Up until last year, some time in 1918, the law was to the effect that in the case of nominations to Annapolis by Members of Congress—Senators and Representatives—candidates must be not less than 16 years nor more than 20 at the date of taking their examination. Now, then, they were holding two examinations a year, the first one in February and the second one in April, about the third week in April, somewhere about the 20th. Last May, I think it was, we passed an act changing the law, providing that the candidates must be not less than 16 years old nor more than 20 on the 1st day of April of the year in which they are to enter the academy, fixing the time at a definite date.

At the time of the passage of that act this young man had been nominated to Annapolis; he had gone to a preparatory school, and was attending a preparatory school in order to enter. If the law had not been changed he could take the February examination and would be within the prescribed age, but as the date was changed from the time of taking the examination to a fixed date he was 15 days too old on the 1st of April, so that had the law not been changed after his nomination he could have taken the examination in February and would have been within the age limit. But the law being changed, making it the 20th day of April, he became 20 years of age about the 15th or 16th of March, so that he became 15 days too old by virtue of this change of law after he had been nominated, when he was preparing to take the examination and expecting to take it. There is only one case, and none other can arise under the law.

Mr. WALSH. Where is he from?

Mr. PADGETT. From the State of Texas. He was nominated by Mr. McLEMORE.

Mr. WALSH. When will he take the examination?

Mr. PADGETT. This coming February.

Mr. STAFFORD. The gentleman says this is the only case. When this special act was under consideration, as the gentleman will recall, on its first presentation I pointed out the very condition which has arisen.

Mr. PADGETT. I changed it to a later date.

Mr. STAFFORD. And the second time it was called to the attention of the gentleman I stated that it would affect other young men, who would be deprived by reason of age from availing of the opportunity of taking the examination if they reached the required age on the second Tuesday of February.

Mr. PADGETT. It can not occur again.

Mr. STAFFORD. There may be many others of these young men similarly situated.

Mr. GARNER. Undoubtedly if there were many others Members of Congress would know about it.

Mr. STAFFORD. Perhaps Members of Congress would say to their constituents, writing to them about it, that the law had been changed, and that they are barred.

Mr. WALSH. I recall having made such a statement in my correspondence.

Mr. STAFFORD. It would bar them.

Mr. PADGETT. I do not see how it could.

Mr. WALSH. Does the gentleman think this is the proper language to accomplish what he seeks to do for this young man from Texas?

Mr. PADGETT. I think so. I submitted it to the Secretary of the Navy.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. I still further reserve the point of order, Mr. Chairman.

Mr. PADGETT. I submitted it to the Secretary of the Navy, and he replied that he had no objection to it and approved the language.

Mr. WALSH. Well, there is only one gentleman of that name in the United States, and possibly that is right. What is meant by the language on page 20, line 1, "on satisfactory passing the examination"?

Mr. PADGETT. He must pass the examination, just as anyone else has to do.

Mr. WALSH. Is there any such thing as an unsatisfactory passage of the examination?

Mr. TILSON. The gentleman used the wrong word. It should be "satisfactorily."

Mr. WALSH. The word ought to be "satisfactorily," but I can not understand why you say "satisfactory passing the examination" if he passes it.

Mr. BARKLEY. He may pass the literary examination, and he might be found deficient on the physical examination.

Mr. PADGETT. The word "satisfactory" is perhaps surplus there, but it does not change anything.

The CHAIRMAN. Does the gentleman from Massachusetts insist on his point of order?

Mr. WALSH. I am inclined to withdraw the point of order; but I think if the gentleman thinks this is the only case he is mistaken, because I have no doubt many Members have had young men write them who have been nominated or wanted to be nominated and prepare for this examination. Somehow or other this young man from Texas is the only one who has had his case brought to the attention of the Naval Affairs Committee, and we are going to legislate him into the Naval Academy, because that is what it amounts to.

Mr. PADGETT. This young man had been nominated and his nomination had been approved, and he had received papers from the Bureau of Navigation permitting him to take the examination this coming February.

Mr. WALSH. Before the law was passed?

Mr. PADGETT. Yes; before the law was passed; and then he found himself 15 days too old.

Mr. GARNER. He had a good case. The date in this provision ought to be changed from February to April, because you are not going to pass this law in time for the February examination.

Mr. WALSH. Well, I do not know. The Secretary of the Interior went ahead with some miners recently, and entered into some moral obligations in anticipation of the passage of a law. I withdraw the point of order.

Mr. PADGETT. There is a difference in the print of the bill. In the bill that I have before me the word in line 1, page 20, is "satisfactorily." In the other print it is "satisfactory." I move to strike out the word "satisfactory" and substitute the word "satisfactorily."

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 20, line 1, strike out the word "satisfactory" and insert "satisfactorily."

The amendment was agreed to.

Mr. BROWNING. Mr. Chairman, I move to amend by striking out in line 1, page 20, the word "February" and inserting in lieu thereof the word "April." This bill will not become a law so that this boy can take this examination in February.

Mr. PADGETT. That is all right.

The CHAIRMAN. The gentleman from New Jersey offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 20, line 1, strike out the word "February" and insert in lieu thereof the word "April."

Mr. WALSH. Mr. Chairman, I desire to discuss the amendment. Of course, we are given to understand that when the ship of state makes its voyage from the shores of sunny France back to the United States, it will very shortly thereafter turn around and hie itself again to foreign shores. Now, if we change this to April, the Executive who has to sign the act may be abroad, and the courier who may be sent abroad with the necessary papers and fountain pens for the signature to be affixed may not get there until after the date of the examination. As long as you have made an exception, why not give this young man from Texas a little further time and set the date of his examination at July 4?

Mr. PADGETT. This bill must become a law before the 4th of March or it will not become a law at all.

Mr. GARNER. July 4 would undoubtedly be in keeping with the boy's patriotism.

Mr. WALSH. And it would be a monument to the patriotism and industry of the gentleman who got the paragraph inserted into the naval bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I wish to offer an amendment on my own responsibility. This is not a committee amendment, but it is a matter that was sent down to me within the last day or two. I have not had an opportunity to submit it to the committee. I will make an explanation of it after it is read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 20, after line 3, insert:

"That hereafter chief machinists, when their total length of service as machinists, warrant machinists, and chief machinists is equal to or more than 12 years, and chief pay clerks, when their total active service as paymasters' clerks, pay clerks, and chief pay clerks, is equal to or more than 12 years, and chief pharmacists, when their total length of service as pharmacists and chief pharmacists is equal to or more than 12 years, shall receive the pay and allowances of a lieutenant (junior grade), and when their total active service is equal to or more than 18 years they shall receive the pay and allowances of a lieutenant."

Mr. STAFFORD. Mr. Chairman, I reserve the point of order.

The CHAIRMAN. The point of order is reserved.

Mr. PADGETT. I think it was in the act of August 29, 1916, that we provided that warrant officers should receive, after 12 years, the pay of a lieutenant, junior grade, and after 18 years the pay of a lieutenant, the service to be from the date of commission. It happens that in the case of chief machinists, chief pay clerks, and pharmacists, they were not given commissioned grades until a number of years after other warrant officers were given them, so that we have some warrant officers who are given this pay 12 years from date of commission and 18 years from date of commission, while in these ranks men who have been serving 26 years will still have to serve two more years before they get it, because this commissioned rank was not created until later. A gentleman from Pennsylvania came in to see me the other day who has been serving 26 years. The gentleman from Pennsylvania [Mr. BUTLER] was present.

Mr. BUTLER. Yes. This man has been serving 26 years.

Mr. PADGETT. And he would have to serve two more years before he would get it, because the existing law provides that it shall be 12 years from the date of commission. These ratings were provided for about six years after it had provided for other ratings, and it discriminated against the three ratings in the warrant ranks.

Mr. STAFFORD. Mr. Chairman, this subject of granting consideration to men by reason of back service, and giving a commission, has been up here several times from the Naval Affairs Committee. I am informed by a member of the committee that this matter has never been submitted to the full committee.

Mr. PADGETT. I so stated as fully as I could.

Mr. BUTLER. But the committee has talked about it.

Mr. PADGETT. We reported two years ago a provision which we thought covered the whole matter, but by making it read "date of commission" instead of "date of warrant" it cuts out the long-term men who had been serving for years before the commission rank was created. The men who come in in other ratings who had commissions granted in these ratings six years before, got the benefit of this pay although they have served years less than these men.

Mr. STAFFORD. I recall last year the gentleman reported a bill providing for that kind of service, and now he is bringing in an amendment that has not received the consideration of the full committee. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

ORDNANCE AND ORDNANCE STORES: For procuring, producing, preserving, and handling ordnance material; for the armament of ships; for fuel, material, and labor to be used in the general work of the Ordnance

Department; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for necessary improvements at and maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; for the maintenance, repair, or operation of horse-drawn and motor-propelled passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations, and for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, and naval ammunition depots: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for chemists, clerical, drafting, inspection, watchmen, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots for the fiscal year ending June 30, 1920, shall not exceed $2,000,000; in all, $30,000,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. PADGETT. What is the gentleman's point of order? This is the regular appropriation for the work of the Bureau of Ordnance; there is nothing new in it and no change of language or purpose; it is the working appropriation of the Bureau of Ordnance.

Mr. WALSH. The gentleman says there is nothing new in it. Does the existing law contain the language "naval ordnance plants"?

Mr. PADGETT. No; that is the change of a word. The present language is "an armor and projectile plant." That is a building being built at Charleston, W. Va. It is just a change of name to ordnance plants from armor and projectile plants. It is a name better suited to it.

Mr. WALSH. I notice here it says "for the maintenance, repair, or operation of horse-drawn and motor-propelled passenger-carrying vehicles to be used only for official purposes in the naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations." Is there any regulation or pronunciamento on the part of the naval department as to what constitutes "official purposes" for the use of automobiles which are bought by the score and operated by men in the service?

Mr. PADGETT. Only by men in the service when engaged in the work——

Mr. WALSH. Of riding in them.

Mr. PADGETT. On official business. For instance, in the navy yards, going from one place to another on official business and not social.

Mr. WALSH. Mr. Chairman, I withdraw the reservation of a point of order and move to strike out the last word. I would like to get the gentleman's views on that phase of the question. He states that in using the automobiles they do not use them socially. Does the gentleman think that the use of a Government automobile by a naval officer, driven by an enlisted man or chauffeur in the service, attending theaters, dinner parties, and dances after hours, is making use of that machine for official purposes?

Mr. PADGETT. I think not.

Mr. WALSH. I am sure that such a practice does not meet with the approval of the chairman of this committee.

Mr. PADGETT. It does not, and I have not heard of anything of that kind in the Navy.

Mr. WALSH. Nor has the gentleman observed it?

Mr. PADGETT. No; and the Secretary has issued orders prescribing that they must be used strictly for official purposes and that a violation of them would subject the offender to court-martial.

Mr. WALSH. Yes; but, of course, it is a fact that the Navy automobiles are not labeled with large letters in the manner of those used by the War Department.

Mr. PADGETT. I understand that they are lettered with letters an inch and a half in size.

Mr. BUTLER. I thought they were 4 inches.

Mr. WALSH. The gentleman must have been using his long-distance glasses if he saw letters 4 inches high.

Mr. PADGETT. The committee understood that they were all marked in that way.

Mr. WALSH. Sometimes it is difficult to tell, where a machine is not marked, and you see it driven by a naval officer—operated by apparently a man in the naval service—whether it is the property of the Government or not.

Mr. PADGETT. I understand that all of the machines belonging to the Government in possession of the Navy are marked in large letters. A great many naval officers own their own machines and ride in them.

Mr. WALSH. Has the gentleman seen any of those machines about Washington with Navy marks upon them?

Mr. PADGETT. I have not looked; I do not know.

Mr. STAFFORD. The gentleman, I believe, is shortsighted.

Mr. PADGETT. I have not seen them; I do not know.

Mr. WALSH. Mr. Chairman, I am very glad, touching upon this subject covered in this paragraph, that the Secretary of the Navy, or the authorities having these machines in charge, has issued strict orders that they shall be used only for official purposes, because we all know that in other branches of the service these machines are not being used upon official business only, and are being used for pleasure, and that they are being used in ways that ought not to get the approval of those authorities having the machines in their custody and control.

Mr. PADGETT. Permit me to read to the gentleman the part of an official order signed by the Hon. Franklin D. Roosevelt, Acting Secretary of War:

> Noncompliance with these instructions shall be regarded as disobedience of orders and a misuse and application of Government property. The department further directs that immediate steps be taken to place the following legend in appropriate letters on both front doors of each Government-owned car, letters to be in a contrasting color to the car color and not less than 1½ inches high:
>
> "This car is used for official Government business only."
>
> The department, in bringing this letter to the notice of the Bureau of Yards and Docks, which has cognizance of the purchase and operation of the motor vehicles, has directed that suitable steps be taken to see that this order is carefully and fully observed.

Mr. STAFFORD. Mr. Chairman, I rise in opposition to the pro forma amendment. The appropriation for ordnance and ordnance stores as recommended by the committee is $30,000,000, in all $522,000 less than that carried in last year's bill.

Mr. PADGETT. There was a deficiency of $11,000,000.

Mr. STAFFORD. With the deficiency of $11,000,000, making it $11,000,000 less for the coming fiscal year than in war times. All through this bill the appropriations for the fiscal year are comparable with and approach the appropriations carried in the last naval appropriation bill, and they are usually three and four times the amount of the appropriations that were provided in the bill of the year before, when we were on a peace basis. In this item two years ago we appropriated $6,204,000. There may have been some deficiency appropriation, but that in large numbers was the amount carried during peace times. We are carrying throughout this bill now virtually the appropriations which were carried when we were at war. I had thought that if in anything we had stored up property as a result of preparedness during the year and six months we were at war, it was in ordnance and ordnance stores.

Mr. PADGETT. Mr. Chairman, this is not for the shooting part of it. This is the operating part, the maintenance, the upkeep of the ships.

Mr. STAFFORD. The very first sentence in the paragraph provides for procuring, producing, preserving, and handling ordnance material.

Mr. PADGETT. Mr. Chairman, I will read a part of a letter. I asked the Secretary about it. The letter says:

> Although in my hearings I stated it was the intention of the department during the next fiscal year to keep in full commission about 16 battleships from the *South Carolina* down, yet there will be ordnance work in the way of labor and materials required on 32 battleships. It is contemplated that this appropriation will have to care for the upkeep in ordnance of 150 destroyers, 23 cruisers, 8 armored cruisers, 32 battleships, 37 gunboats, 87 submarines, 5 transports, 50 subchasers.

The item of labor alone that was estimated in the various navy yards in working on the production of guns and gun carriages, and so forth, was estimated by the bureau chiefs at $30,000,000. They submitted an estimate of $53,000,000, but the committee has reduced it to $30,000,000.

Mr. BUTLER. Originally they had $75,000,000 in the estimates.

Mr. PADGETT. I understand; but I am talking about the revised estimates.

Mr. STAFFORD. That estimate was predicated upon continuing in war.

Mr. PADGETT. Talking about conditions before the war, we have three or four times as many ships to take care of and repair and upkeep in ordnance and ordnance materials and supplies. This is not for powder.

Mr. STAFFORD. This appropriation and its growth only exemplifies what we may expect if we are going to pursue the extravagant policy as recommended by the committee, true, with a string attached to it, whereby it has been estimated that in 1924 this country will be burdened with a charge of $750,000,000 for the maintenance of that program.

Why, if we continue on this policy, Mr. Chairman, there will be such a burden upon the present generation that they will not be able to shake off the yoke. We talked of going into this war for the purpose of civilization, and yet, by reason of this heavy load upon the shoulders of humanity which you are proposing in this bill, you are loading down humanity so they are going to quake until some time there may be such a protest that they will sweep everything before them. Talk about this great program in time of peace? We went into the war in

order to escape from the burdens of the armaments of European countries, and now, when we thought there was a ray of sunshine and we would be relieved of those great burdens here in the territory of the United States, isolated as we are and protected as we are from foreign assaults, we have taken upon us the yoke of militarism from which the peoples of the Old World have tried to free themselves for the last half century. That is the message of this bill.

Mr. WINGO. Mr. Chairman, I wish to offer an amendment—page 21, line 2, strike out "$2,000,000" and insert "$1,000,000" and strike out "$30,000,000" and insert "$29,000,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 21, line 2, strike out "$2,000,000" and insert "$1,000,000" and strike out "$30,000,000" and insert "$29,000,000."

Mr. WINGO. Mr. Chairman, before I discuss this I should like to ask the chairman of the committee if this $2,000,000 item does not cover the laboratory of the gas experimental station? Where is that located?

Mr. PADGETT. No; that does not relate to that at all. This is ordnance, for pay of clerks——

Mr. WINGO. No; pay of chemists.

Mr. PADGETT. Yes; in connection with the production and analysis of powder——

Mr. WINGO. But where is that laboratory?

Mr. PADGETT. We have not any. Those are the yards.

Mr. WINGO. Where in the gentleman's bill does he take care of the experimental gas station?

Mr. PADGETT. There is nothing in here about the experimental gas station.

Mr. WINGO. The Navy had one and the initial appropriation for it when established was $200,000, so I was informed. You have a plant that was down east of here; where is it and how do you carry it in this bill, in what item?

Mr. PADGETT. We have an experimental station down at Annapolis, with an appropriation of $160,000, I think it is, that is under the Bureau of Steam Engineering, which comes in a little later on.

Mr. WINGO. Well, it is more than that. Here is what I am trying to get at. The Navy has a station where they are investigating explosives and gases for the Navy. That is comparable to the experimental station out here at the university that was taken from the Bureau of Mines and turned over to the Army. That is the kind of plant I am trying to locate in the gentleman's bill.

Mr. PADGETT. I do not know of any particular place of that kind.

Mr. WINGO. Well, the gentleman will remember——

Mr. PADGETT. There was an appropriation several years ago for the erection of a large experimental station which cost about a million and a half or two million dollars.

Mr. WINGO. As I now recollect, about the time we went into the war the Appropriations Committee included an item of $200,000 for this station, for the purchase of land and starting an experimental station on the same line of work that they are doing at the university. Now, I may be misinformed——

Mr. PADGETT. I do not know.

Mr. WINGO. I looked the matter up——

Mr. PADGETT. This $2,000,000 is to pay for the clerical force in all of these yards and naval stations and could not be reduced. It is not an additional appropriation.

Mr. WINGO. I will state to the gentleman, while I am on this subject—I will withdraw my amendment—that, while I have raised the question, I will give the gentleman what I had in mind, then possibly he can locate the provision in the bill.

I have been informed that this is the situation. A short time before we went into the war we had a fine gas experimental station out here at the university that they called the University Experiment Station, under the control of the Bureau of Mines. It seems that the gentlemen in charge of the Bureau of Mines were men of vision, and they came to the conclusion that it would be something remarkable if we kept out of the war. So six months before we went into the war they commenced experimenting in gases, and they conducted some very successful experiments. And finally, after they had perfected and made such wonderful progress, the President made an order that took that gas experimental station out of the hands of the Bureau of Mines and vested it in the Gas Division of the Army, with Gen. Sibert at the head.

Mr. PADGETT. I do not know of anything of that kind.

Mr. WINGO. I understand that recently the Army—and I have not had a chance to investigate it since I received this information, but I am going to do it—wanted to do away with this plant out here, and they proposed dismantling it, and asked for an appropriation to establish a new station, just as I thought, from the information that I received, the Navy had asked.

Mr. PADGETT. I do not know of any the Navy had.

Mr. WINGO. I am trying to investigate this matter, and when the military bill comes up I am going to oppose the establishment of a new plant. I am going to be in favor of turning back that work to the Bureau of Mines, for this reason: If you have a separate plant for the Navy and a separate plant for the Army, doing the same kind of work, you will necessarily restrict these experiments to two different lines, or, rather, to one line, and that will be along military lines—military explosives and gases—but if you maintain the old station you had and conduct the old experiments that were being carried on, which were not only of value from a military standpoint but from a scientific standpoint, this Government, pursuing its policy, will certainly maintain an experimental station for scientific purposes.

I thought it would be the part of economy if you had one station that conducted the experiments with these gases and explosives that could do the investigating not only for scientific but for military purposes; and I am opposed to turning it over to the Army, opposed to turning the matter over to the Navy, because you will have an extravagant expenditure of money that will be limited to only one branch of the investigation. Those experiments carried on out there—as you know, who have investigated it, and those who have not if you will take the time to investigate it—by that establishment won the admiration of the scientific world.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WINGO. Mr. Chairman, I ask for three minutes more.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent for three minutes more. Is there objection?

There was no objection.

Mr. WINGO. They got the cooperation of the leading scientists and men in the laboratories of the leading universities of the United States, and they rendered a great service to humanity, and during that six months they perfected and brought the gases that were used by our Army up to a high state of perfection. And that experiment station is entitled to all the credit for the work that was done, because their plant and their experiments were taken over after they had performed the labor and achieved the success. So the gas division was given a perfected plant with plans all perfected. I think it ought to be turned back to the same management.

Mr. TILSON. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. TILSON. Does the gentleman know it has been recommended that the Chemical Warfare Service be abolished in the Army, and that only an appropriation for the experimenting and testing of such gases as that is going to be asked for by the Army?

Mr. WINGO. They proposed to abolish this out here, and then go and buy land and establish a new experimental station, which would be the height of folly. I have been told that when they got ready to dismantle out here they overlooked the fact that they did not own the land and were going to sell the land there. I do not know what authority they had to sell it, anyway. As a matter of fact, the gas division ought to be abolished. They proposed to take out to the ocean and dump all the TNT. One Army officer said that that would be a useless waste; that that stuff could be utilized in this country for domestic operations.

Finally they abandoned that proposition. If you turn this over to the Army they will look at it from a military standpoint. I say this not with any reflection upon the Army officers. Their training has been such that they do not look at it from the commercial or scientific standpoint, but only from the military standpoint. You should put it back into the Bureau of Mines, and not establish two separate plants, one for the Army and one for the Navy. If you do, you will have to spend on each one of them each year more than it will cost to maintain the plant out here that you already have.

Mr. Chairman, I withdraw my amendment.

Mr. DYER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Missouri moves to strike out the last word.

Mr. DYER. I do so, Mr. Chairman, for the purpose of getting a little information. Will the chairman of the committee state as to the probable number of civil-service employees, if any, who are employed under the Bureau of Ordnance?

Mr. PADGETT. No; I can not. This takes in, you see, every navy yard in the country—New York, Boston, Philadelphia, Norfolk, Portsmouth, Newport News, the torpedo factory, and

Columbia, S. C., and New Orleans, and Key West and Pensacola, Fla., and Mare Island, Cal.

Mr. DYER. As a matter of fact, a great many of these men are employed in those places, and an immense number of them are enrolled in the civil service, are they not?

Mr. PADGETT. Yes, sir. And the legislative, executive, and judicial appropriation limits the number that can be employed, and this is just a limitation on the amount that can be paid out of this sum.

Mr. DYER. Well, the legislative, executive, and judicial appropriation bill contains a provision to the effect that former employees under the civil service who have resigned their positions to enter the military service shall be put back in their positions.

Mr. PADGETT. Yes.

Mr. DYER. That rule would not apply to these employees, would it, in the opinion of the chairman?

Mr. PADGETT. I think it would; and the department wants to take them all back, where they can get them, where they are experienced and trained men. They hated to give them up.

Mr. DYER. I will say to the gentleman that some of them have been having serious trouble in getting back.

Mr. Chairman, I would like to offer, at the end of this paragraph, an amendment similar to the one which I offered and which was put on the legislative, executive, and judicial appropriation bill and also to the deficiency appropriation bill, with reference to men of that character.

The CHAIRMAN. The gentleman from Missouri [Mr. DYER] withdraws the pro forma amendment and offers an amendment, which the Clerk will report.

The Clerk read as follows:

At the end of line 2, page 21, insert:

"*Provided*, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein if they have received an honorable discharge and are qualified to perform the duties of the positions."

Mr. PADGETT. For the present, Mr. Chairman, I will reserve a point of order on that amendment.

Mr. DYER. Well, Mr. Chairman, I will say to the gentleman that this is the same amendment that was presented twice and was favorably ruled upon in the committee.

Mr. PADGETT. I see that it is a limitation. Go ahead.

Mr. DYER. I understand, Mr. Chairman, that the point of order is withdrawn.

The CHAIRMAN. Is the point of order withdrawn?

Mr. PADGETT. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Missouri.

Mr. DYER. I want to call attention to this fact: We put this provision into the legislative, executive, and judicial appropriation bill, and the Senate committee has reported that bill to the Senate with a provision substantially like that of the House, but much stronger, in my judgment, and stronger than we could put it in here under our rules on account of its being subject to a point of order. The Senate committee has changed it so as to provide that all former Government employees who were drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions if they have received an honorable discharge and are qualified to perform the duties of their positions. They have reported it making it mandatory upon all the department heads. If that is written into the law as the Senate committee has presented it—and I have no doubt it will pass the Senate in that form—I feel sure the conferees on the part of the House will accept it, because it will end the conditions we have had during the past, in my judgment, with reference to these matters. A great many soldiers and sailors who entered this war and who were civil-service employees either here in Washington or elsewhere on returning have found their positions filled, and when applying for reinstatement have been told that there is no position open to them, and the result is that they have had to cling to their only hope, which was the order issued extending the time to five years in which they could apply for reinstatement.

In other words, they have been told that they could go out and find a place if they could, and that they would be put back. Now, this Senate amendment makes it mandatory upon the executive to put these men back into their positions. I have had a number of cases of this kind. Here is a letter which is a sample of complaints that I have received and I include in my remarks. It is as follows:

Referring to letter from the Civil Service Commission addressed to you and which you forwarded to me, wherein the commission refers to the fact that the War Department and its various offices are undoubtedly entirely filled up with clerical workers, and stating that I had the privilege of entering any other department of the civil service where there were vacancies. In this connection, Mr. DYER, I wish to thank you for the efforts you extended in my behalf and incidentally to inquire as to whether or not further action can be taken.

The Quartermaster General's office also returned my request for reinstatement to me, containing practically the same information as the Civil Service Commission apparently gave you. For instance, the Quartermaster General's office suggests that I communicate with all the different zone supply officers in the country, stating my qualifications, etc., and if a request comes to them for my reinstatement from any zone they will gladly approve same. Now, Mr. DYER, doesn't this appear on the face of it a most absurd and impossible suggestion; first, because I have no way of ascertaining where the various zone supply officers are located, and, second, as I have learned from past experience, if I were fortunate enough to personally know any officer from the grade of, say, captain up, who perchance might be located in any zone, then, I say, I should experience no difficulty in getting placed; but unfortunately I do not possess this information. This would in particular apply to the zone supply office located at St. Louis, Mo. Then, too, if the zone supply office in St. Louis could take on clerical workers and later on transfer them to various zones who had made requests upon this zone for men, why did not they do it in my case? This I know absolutely they have done. Further, if such transfers are being made from zone to zone, why does not the Quartermaster General acquaint himself with these needs, and doing so he would not have to turn down the request of an experienced employee in Quartermaster Corps work? The Government asks cooperation from corporations all over the country in replacing returned soldiers, yet they do not require cooperation from their various departments. Col. Williams states to me that there is no vacancy, yet since I have put in my request for reinstatement over 200 men have been taken on in various capacities at this zone supply office located in St. Louis.

Nor does the Civil Service Commission offer me but little more encouragement. If the Civil Service Commission is aware of the fact that the various departments of the War Department are filled up, why do not they suggest my name being placed on an eligible list to the secretary of this ninth civil-service district for call to fill any vacancy that might occur in this district in any civil-service capacity? As I stated on my application for civil-service examination, I was willing to go anywhere, but, of course, preferred the district of Missouri; however, if not in Missouri, then, of course, anywhere, as I took this examination with a view of remaining in the civil service and not merely for the very good salaries they were compelled to offer in competing with civil corporations during war times.

I submit this for your information, Mr. DYER, and in the hope that you might be able to advise me further; also, that I may be successful in again becoming a civil-service employee.

Mr. PADGETT. Let me suggest to the gentleman that instead of putting it in as a limitation on an appropriation he offer it as a piece of legislation directing that it be done, instead of doing it by indirection.

Mr. DYER. Will the gentleman agree to this language: To strike out the words "no part of any appropriation herein shall be used unless" and make it read, "*Provided*, That all former Government employees," and so forth?

Mr. PADGETT. That is what I am suggesting.

Mr. DYER. I am glad to have that suggestion.

Mr. PADGETT. I never like to do things by indirection.

Mr. DYER. My amendment was offered in that form only for the purpose of making it in order.

Mr. PADGETT. I understand that.

Mr. DYER. I ask unanimous consent to strike out the words "that no part of any appropriation herein shall be used unless."

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to modify his amendment as suggested. Is there objection?

There was no objection.

Mr. DYER. And I ask unanimous consent that further on down the words "appropriated for herein" may be stricken out.

The CHAIRMAN. Without objection, these words will be stricken out. The question is on the amendment as modified.

Mr. WALSH. Let us have the amendment as modified reported.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Modified amendment offered by Mr. DYER: Page 21, at the end of line 2, insert:

"*Provided*, That all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions if they have received an honorable discharge and are qualified to perform the duties of the position."

Mr. CURRY of California. Mr. Chairman, section 9 of the civil-service law provides that not more than two members of one family may be employed anywhere in the civil service of the Federal Government. That section did not originally apply to the employees of the navy yards, but the mechanics, laborers, and clerks in the navy yards were by Executive order placed under the provisions of section 9 several years ago. Now, there are probably 200 or 300 employees of the Mare Island Navy Yard and the Benicia Arsenal who have gone into the Army and Navy of the United States. Their places probably have been filled by others than members of their own families, but I know of a number of instances where two members of the family of a man in the Army or Navy are at the present time employed under the civil service of the Federal Government. I should like to

know if this amendment would provide for the reinstatement of those soldiers and sailors who gave up their remunerative jobs to go into the Army and Navy to fight for their country without one of their relatives being required to resign or being discharged from their civil-service position?

Mr. PADGETT. That is what this provides.

Mr. CURRY of California. I have tried to have the navy yards taken out from under the provisions of this section 9, but have received no reply from the Navy Department as yet. I would like to have this amendment positively cover those cases.

Mr. PADGETT. This would cover the cases of the men who are in the military service, but it would not cover the case of two in a family. If two members of a family had left the civil service to enter the military service they would put the two of them back; but if a new one has gone in to take the place of a soldier, the soldier coming back might put the other man out. I do not know what the provision of the civil-service law is, and I would not want to undertake by an amendment on the naval bill to change the general civil-service law without knowing what its purpose, context, and application are. The effect of this is to take back the soldier who gave up his job and is now coming back and wants it.

Mr. CURRY of California. Yes; but the two members of the soldier's family are, perhaps, on the job given up by the soldier. They are employed by the Government under the civil-service laws of the United States. Are you going to discharge one of them to give the soldier back his job or are you going to keep him?

Mr. PADGETT. This does not affect the civil-service law. This puts the man back on his job, which he gave up to go into the war.

Mr. CURRY of California. I would like to amend the amendment, Mr. Chairman, by inserting at the end of the amendment the words "Section 9 of the civil-service law shall not apply to such cases nor to the members of the family of soldiers and sailors who are at the present time employed under the civil service of the United States."

Mr. PADGETT. I make a point of order against that as not relevant and not pertinent.

Mr. CURRY of California. I want to call the gentleman's attention to the fact that he can not make the point of order against that unless he makes it against the whole amendment.

Mr. PADGETT. Yes, I can.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CURRY of California offers an amendment to the amendment, as follows:

"At the end of the amendment insert: 'Section 9 of the civil-service law shall not apply to such cases, nor to the members of the families of soldiers and sailors at present employed by the United States.'"

Mr. PADGETT. I make a point of order that that is not germane.

The CHAIRMAN. The Chair sustains the point of order.

Mr. TILSON. Mr. Chairman, I would like to ask the gentleman from Tennessee if he thinks the word "military" will be construed in its broad signification or whether it will be held to include the Army and not the Navy?

Mr. PADGETT. I suppose it will be construed in its broad sense. It might be well to add "military, naval, and marine."

The CHAIRMAN. Does the gentleman offer an amendment?

Mr. PADGETT. Yes; I offer an amendment to the amendment of the gentleman from Missouri.

The Clerk read as follows:

Amendment by Mr. PADGETT: After the word "military" insert the words "or naval."

Mr. SCOTT of Michigan. I would like to ask the chairman of the committee if he thinks this amendment would include the Coast Guard Service?

Mr. PADGETT. Yes; it would include them, because in the war they are in the naval service.

Mr. HUMPHREYS. Would it include the marines?

Mr. PADGETT. Yes.

Mr. DYER. I am quite sure on investigation that the word "military" would cover both branches of the service, but I have no objection to the amendment.

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

Mr. DYER. Mr. Chairman, I want to ask unanimous consent to insert in lieu of the words "being drafted or enlisted" the words "who have entered."

This might not be construed to include officers and we want to provide for men who have been commissioned as well as those who have entered the service otherwise.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to modify his amendment by striking out the words "being drafted or enlisted in" and insert in lieu thereof the words "who have entered."

The Clerk reported the modified amendment, as follows:

Strike out the words "being drafted or enlisted in" and insert in lieu thereof the words "who have entered."

The CHAIRMAN. Is there objection to the modification of the amendment?

Mr. WALSH. Reserving the right to object, do I understand the purpose is to provide for cases of officers who may leave the military service?

Mr. DYER. This is to provide for anyone who has entered the service and has been honorably discharged.

Mr. WALSH. Are there some officers who want to get out of the military service?

Mr. DYER. I have a number who have been trying to get out.

Mr. WALSH. That is a hopeful sign.

Mr. STAFFORD. I do not know whether we ought to adopt the amendment proposed by the gentleman. There are many instances which have been called to the attention of the committees of Congress where persons filling civilian positions in the War Department were given majorships, and even higher positions, merely for the purpose of increasing their pay, while continuing to perform civilian duties. Certainly the gentleman does not intend to allow those men to revert back to their original positions. The purpose of the gentleman's amendment originally was to provide for enlisted men.

Mr. DYER. Absolutely; but some men have been officers, and they gave up their positions, and if they go back and are ready to accept their civilian positions, and are qualified, at the same salary, I do not think there should be any objection.

Mr. STAFFORD. Anyone who enlisted and rose to a commission naturally would be taken care of under the original phraseology of the gentleman's amendment.

Mr. DYER. That is true.

The CHAIRMAN. Is there objection to the modification of the gentleman from Missouri? The Chair hears none. The question is on agreeing to the amendment as modified.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, let me see if we can not reach some agreement in regard to reading further. Suppose we read to the top of the next page and then I move to rise?

Mr. BUTLER. The gentleman means to continue the session until we reach that point?

Mr. PADGETT. Yes.

Mr. BUTLER. And then the gentleman will move to rise?

Mr. PADGETT. Yes.

Mr. GARNER. With the understanding that we will meet at 11 o'clock to-morrow.

Mr. PADGETT. Yes.

Mr. GARNER. The gentleman from Massachusetts [Mr. WALSH] shakes his head.

Mr. WALSH. That was not in the agreement.

Mr. GARNER. The gentleman from Tennessee told me that if we rise now or at the end of this reading we could meet at 11 o'clock to-morrow; otherwise some one would make the point of no quorum and we would have to call the roll and stay here until late. It seems to me that if we rise now we ought to be able to meet at 11 to-morrow.

Mr. BUTLER. If the gentleman would move to rise now, it would be agreeable to me.

Mr. STAFFORD. I hope the gentleman from Massachusetts [Mr. WALSH] and the gentleman from Pennsylvania [Mr. BUTLER] will not object to our meeting at 11 o'clock if we finish this page.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Purchase and manufacture of smokeless powder, $2,500,000.

Mr. TILSON. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee in regard to this item. It seems to me rather a large item, in view of what must have taken place in the Navy. Surely, during a year and a half of war there must have been a considerable manufacture and accumulation of smokeless powder.

Mr. PADGETT. The Navy has a supply of smokeless powder, but not a large surplus. This is simply enough to keep the powder factory at Indianhead running during the year on one shift a day. That is all we put in for that purpose.

Mr. TILSON. Does the gentleman say that the Navy has not a considerable surplus of smokeless powder?

Mr. PADGETT. They say not.

Mr. TILSON. It seems that the Army has a very large surplus of explosives. It is said that the Army has on hand 100,-

000,000 pounds of TNT, and that there is talk of dumping it into the ocean.

Mr. PADGETT. That was a different kind.

Mr. TILSON. I understand.

Mr. PADGETT. This is for big guns.

Mr. TILSON. I understand, of course, that it is a different explosive from the other.

Mr. PADGETT. This is only to keep the factory running one shift a day instead of three, as it was running during the war.

Mr. TILSON. So it takes two and a half million dollars a year just to keep the smokeless-powder factory running?

Mr. PADGETT. To keep up the supply, and then this will not more than keep it up for the needs they will have.

Mr. TILSON. Even in peace times?

Mr. PADGETT. No, sir.

Mr. TILSON. I withdraw the pro forma amendment.

The Clerk read as follows:

Torpedoes and appliances: For the purchase and manufacture of torpedoes and appliances, to be available until June 30, 1922, $1,000,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. As I understand it there was $10,000,000 appropriated in this item last year to be available until June 30, 1921. Now, you propose to appropriate $1,000,000 to be available until June 30, 1922. What is the reason for having this appropriation continue available so many years in advance of the expiration of the life of the bill?

Mr. PADGETT. It is only two years. It has been carried that way for years for the simple reason that in the manufacture of torpedoes they can not always figure they will get their machinery and parts together and complete them within a year, and Congress has always allowed this to run for two years. The other one was for 1921, and before that it was made to 1920, and this is just as it has been for a number of years without any change of policy or plan.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The Clerk read as follows:

Contingent, Bureau of Ordnance: For miscellaneous items, namely, cartage, expenses of light and water at ammunition depots and stations, tolls, ferriage, technical books, and incidental expenses attending inspection of ordnance material, $25,000.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. FOSTER having taken the chair as Speaker pro tempore, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15539, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

Mr. WALSH. Mr. Speaker, reserving the right to object, does the gentleman expect, by meeting at 11 o'clock to-morrow and sitting late, to finish this bill to-morrow night?

Mr. PADGETT. I am hoping to finish the bill without having to sit late.

Mr. WALSH. I suppose that perhaps the gentleman's hopes and expectations are the same, but I am asking him if he expects to sit to-morrow evening late enough to finish this bill providing he did not finish it by 2 o'clock or 3 o'clock or 4 o'clock in the afternoon?

Mr. PADGETT. Yes; I would sit until——

Mr. BUTLER. The chairman has accepted an invitation from me to-morrow night, and I am going to hold him to it. I only wish I could invite you all.

Mr. PADGETT. I would say at least until 7 o'clock, anyway.

Mr. BUTLER. So we can be at the place by 8 o'clock.

Mr. PADGETT. I would be glad if the gentleman could fix the arrangement for 9 o'clock, so as to let us have a little leeway.

Mr. BUTLER. No——

Mr. PADGETT. Say 7 o'clock to-morrow night.

Mr. BUTLER. I am much obliged to the gentleman.

Mr. WALSH. Whether the bill is finished or not?

Mr. PADGETT. Of course it will not run after 7 o'clock.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 40 minutes p. m.) the House, under its previous order, adjourned until to-morrow, Friday, February 7, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting a deficiency estimate of appropriation required for purchase of additional land at Walter Reed Hospital, District of Columbia (H. Doc. 1766); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers submitting abstracts of proposals received during the fiscal year ending June 30, 1918 (H. Doc. No. 1767); to the Committee on Expenditures in the War Department and ordered to be printed.

3. A letter from the Secretary of War, transmitting report of proceedings to date in determining value and advisability of purchase of the Cape Cod Canal, connecting Buzzards Bay and Cape Cod Bay (H. Doc No. 1768); to the Committee on Rivers and Harbors and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of communication from the Secretary of War, submitting supplemental estimate of appropriation required by the War Department for armament of fortifications and fortifications of insular possessions (H. Doc. No. 1769); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Secretary of the Treasury, transmitting copy of a communication from the acting chairman of the United States Shipping Board submitting a deficiency estimate of appropriation required by the Shipping Board for expenditures heretofore authorized in connection with the purchase, requisition, etc., of plants, materials, ships, etc., and for the recruiting, instructing, and training of officers and crews of American vessels, fiscal year 1919 (H. Doc. No. 1770); to the Committee on Appropriations and ordered to be printed.

6. A letter from the chairman of the Public Utilities Commission of the District of Columbia, transmitting reports from the Washington Market Co. and the Union Transfer Co., and affidavits from other public utilities that they are unable to furnish the required report within the time fixed by law (H. Doc. No. 1771); to the Committee on the District of Columbia and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ASHBROOK, from the Committee on Coinage, Weights, and Measures, to which was referred the bill (H. R. 15495) to amend an act to provide for the appointment of a commission to standardize screw threads, reported the same without amendment, accompanied by a report (No. 1041), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DELANEY, from the Committee on Pensions, to which was referred the bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported the same without amendment, accompanied by a report (No. 1038), which said bill and report were referred to the Private Calendar.

Mr. LOBECK, from the Committee on War Claims, to which was referred the bill (H. R. 6451) for the relief of Martin Goldsmith, reported the same with amendment, accompanied by a report (No. 1039), which said bill and report were referred to the Private Calendar.

Mr. GARRETT of Texas, from the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 175) to correct an error in the wording of the appropriation of $71,000 made in the act approved July 9, 1918, and to authorize

the Secretary of War to pay said sum to respective parties entitled thereto, reported the same without amendment, accompanied by a report (No. 1040), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. GREEN of Iowa: A bill (H. R. 15681) donating a captured German cannon or field gun and carriage to the city of Audubon, county of Audubon, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15682) donating a captured German cannon or field gun and carriage to the city of Glenwood, county of Mills, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15683) donating a captured German cannon or field gun and carriage to the city of Elk Horn, county of Shelby, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15684) donating a captured German cannon or field gun and carriage to the city of Atlantic, county of Cass, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15685) donating two captured German cannon or field guns and carriages to the city of Council Bluffs, Pottawattamie County, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15686) donating a captured German cannon or field gun and carriage to the city of Red Oak, county of Montgomery, State of Iowa; to the Committee on Military Affairs.

Also, a bill (H. R. 15687) donating a captured German cannon or field gun and carriage to the city of Guthrie Center, county of Guthrie, State of Iowa; to the Committee on Military Affairs.

By Mr. McCULLOCH: A bill (H. R. 15688) to donate a captured cannon or gun to the Boy Scouts of the city of Newcomerstown, Ohio; to the Committee on Military Affairs.

By Mr. CAMPBELL of Kansas: A bill (H. R. 15689) authorizing the Secretary of War to donate to the city of Cherokee, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15690) authorizing the Secretary of War to donate to the city of Baxter Springs, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DOMINICK: A bill (H. R. 15691) for the purchase of a site for and the erection of a post-office building at Belton, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15692) for the purchase of a site for and the erection of a post-office building, courthouse, and other Government offices at Greenwood, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15693) for the purchase of a site for and the erection of a post-office building, courthouse, and other Government offices at Anderson, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15694) for the purchase of a site for and the erection of a post-office building at Williamston, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15695) for the purchase of a site and for the erection of a post-office building at Pelzer, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15696) for the purchase of a site for and the erection of a post-office building at Piedmont, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15697) for the purchase of a site for and the erection of a post-office building at Seneca, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15698) for the purchase of a site for and the erection of a post-office building at McCormick, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15699) for the purchase of a site for and the erection of a post-office building at Westminster, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15700) for the purchase of a site for and the erection of a post-office building at Honea Path, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15701) for the purchase of a site for and the erection of a post-office building at Pickens, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15702) for the purchase of a site for and the erection of a post-office building at Easley, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15703) for the purchase of a site for and the erection of a post-office building at Walhalla, S. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15704) authorizing the Secretary of War to donate to the city of Belton, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

Also, a bill (H. R. 15705) authorizing the Secretary of War to donate to the city of Honea Path, S. C., one German cannon or fieldpiece with carriage; to the Committee on Military Affairs.

By Mr. SMALL: A bill (H. R. 15707) granting the consent of Congress to the construction of a bridge across the Roanoke River at or near Williamston, Martin County, N. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. STEDMAN: A bill (H. R. 15708) to provide for the purchase of a site and the erection of a public building at Mount Airy, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. STEAGALL: A bill (H. R. 15709) directing the Secretary of the Navy to grant honorable discharges to enlisted men of the Navy for certain reasons; to the Committee on Naval Affairs.

Also, a bill (H. R. 15710) directing the Secretary of War to grant honorable discharges to enlisted or drafted men in the Army for certain reasons; to the Committee on Military Affairs.

By Mr. RAMSEYER: A bill (H. R. 15711) to amend an act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. McKEOWN: A bill (H. R. 15712) authorizing the Secretary of War to donate to the city of Okemah, Okfuskee County, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15713) authorizing the Secretary of War to donate to the city of Lehigh, Coal County, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15714) authorizing the Secretary of War to donate to the city of Holdenville, Hughes County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15715) authorizing the Secretary of War to donate to the city of Coalgate, Coal County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15716) authorizing the Secretary of War to donate to the city of Wetumka, Hughes County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15717) authorizing the Secretary of War to donate to the city of Wewoka, Seminole County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15718) authorizing the Secretary of War to donate to the city of Seminole, Seminole County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15719) authorizing the Secretary of War to donate to the city of Shawnee, Pottawatomie County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15720) authorizing the Secretary of War to donate to the city of Drumright, Creek County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15721) authorizing the Secretary of War to donate to the city of Tecumseh, Pottawatomie County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15722) authorizing the Secretary of War to donate to the city of Chandler, Lincoln County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15723) authorizing the Secretary of War to donate to the city of Prague, Lincoln County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15724) authorizing the Secretary of War to donate to the city of Sapulpa, Creek County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15725) authorizing the Secretary of War to donate to the city of Bristow, Creek County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15726) authorizing the Secretary of War to donate to the city of Tishomingo, Johnston County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15727) authorizing the Secretary of War to donate to the city of Welletka, Okfuskee County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15728) authorizing the Secretary of War to donate to the city of Ada, Pontotoc County, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 15729) authorizing the Secretary of War to donate to the Oakwood Township High School, Catlin, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WISE: A bill (H. R. 15730) to enlarge and make additions to and further improve the post-office building at Macon, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. FOCHT: A bill (H. R. 15731) for the purchase of a site and the erection thereon of a public building at Lewisburg, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15732) for the purchase of a site and the erection thereon of a public building at Newport, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15733) for the purchase of a site and the erection thereon of a public building at Waynesboro, Pa.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15734) increasing the limit of cost for a Federal building at Lewistown, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. GLYNN: A bill (H. R. 15735) to donate a captured cannon or gun to the town of Naugatuck, Conn.; to the Committee on Military Affairs.

Also, a bill (H. R. 15736) to donate a captured cannon or gun to the city of Derby, Conn.; to the Committee on Military Affairs.

By Mr. DONOVAN: A bill (H. R. 15742) to regulate the collection and expenditure of money, other than by the Government of the United States or by its authority, for the use and benefit of the armed forces of the United States and of its allies, and especially of France, Great Britain, Italy, Belgium, Serbia, Greece, and Montenegro, or for any auxiliary organizations of said Governments maintained and operated for the use and benefit of such armed forces; to the Committee on the Judiciary.

By Mr. KAHN: A bill (H. R. 15743) to allow credits and provide relief for certain persons not now provided for by law; to the Committee on Claims.

By Mr. PHELAN: Resolution (H. Res. 554) for the consideration of Senate bill 5236; to the Committee on Rules.

By Mr. CARLIN: Resolution (H. Res. 555) authorizing the Clerk of the House to pay Allison C. Jenkins, brother of Laura A. Blincoe, late an employee of the House of Representatives, six months' salary; to the Committee on Accounts.

By Mr. EMERSON: Joint resolution (H. J. Res. 405) directing the War Department to commission all soldiers who took the course of study to prepare themselves for a commission in France; to the Committee on Military Affairs.

By Mr. DOMINICK: Joint resolution (H. J. Res. 406) granting to certain persons in the military or naval forces an extension of automatic insurance provided for in section 401 of the war-risk insurance act; to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Joint resolution (H. J. Res. 407) to establish diplomatic relations with Czecho-Slovakia and Poland; to the Committee on Foreign Affairs.

By Mr. GALLAGHER: Concurrent resolution (H. Con. Res. 67) recommending that the peace conference now sitting in Paris will favorably consider the right of Ireland to self-determination; to the Committee on Foreign Affairs.

By the SPEAKER: Memorial from the Legislature of the State of Oregon relating to extra pay to honorably discharged soldiers and marines in the recent world war; also memorial relating to recognition of United Armenian Republic; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Alabama protesting against the Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. CAREW: Memorial from the Legislature of the State of New York, relative to records of local draft boards; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of New York, relative to regulating the construction of dams across navigable waters, and to provide for the improvement and development of waterways for the use of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS: Memorial of the Legislature of the State of Montana, favoring the passage of an act ceding to the State of Montana the military reservation located in Montana, known as Fort William Henry Harrison, to be used as an adjunct of the State industrial accident board for a rehabilitation institute for the education and maintenance of persons injured in the industries of Montana; to the Committee on the Public Lands.

By Mr. McARTHUR: Memorial of the Legislature of the State of Oregon favoring legislation that will grant to the State of Oregon two large German cannons, captured in engagements in which Oregon soldiers were engaged, to be placed upon the capitol grounds at Salem; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Oregon favoring an appropriation for the finishing of steel and wooden ships under contract; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of the State of Oregon asking the United States to assist in every way possible to help the cause of an United Armenian Republic; to the Committee on Foreign Affairs.

Also, memorial from the Legislature of the State or Oregon favoring the payment of six months' salary to every honorably discharge soldier, sailor, and marine; to the Committee on Military Affairs.

By Mr. FOSTER: Memorial from the Legislature of the State of Illinois, favoring extra pay and employment for discharged soldiers; to the Committee on Military Affairs.

By Mr. HENRY T. RAINEY: Memorial of the Legislature of the State of Illinois requesting the Federal Government to pay at least six months' salary to every soldier, sailor, and marine upon his return to civil life; to the Committee on Military Affairs.

By Mr. STEENERSON: Memorial of the Legislature of the State of Minnesota, urging the enactment of legislation to grant three months' extra pay to soldiers and sailors who have served in the war with the German Imperial Government; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Minnesota, urging the prompt enactment of Senate bill 2130, relating to increase of pensions in certain cases; to the Committee on Pensions.

Also, memorial of the Legislature of the State of Minnesota, urging the immediate demobilization of the military forces enlisted for the period of the war and the establishment of a regular military force; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DELANEY: A bill (H. R. 15706) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors; to the Committee of the Whole House on the state of the Union.

By Mr. CAMPBELL of Kansas: A bill (H. R. 15737) granting an increase of pension to Diadem Ellis; to the Committee on Invalid Pensions.

By Mr. CURRIE of Michigan: A bill (H. R. 15738) granting a pension to Emeline Burley; to the Committee on Invalid Pensions.

By Mr. FOSTER: A bill (H. R. 15739) granting a pension to Eva O. Hall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15740) granting an increase of pension to John T. Maloney, jr.; to the Committee on Pensions.

By Mr. NICHOLS of Michigan: A bill (H. R. 15741) granting a promotion to Robert M. Smith; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Petition of mayor and common council of Milwaukee, Wis., urging Congress to enact such legislation as will eliminate unemployment by reducing hours of labor and fixing minimum wage scales and inaugurating a system of public work; to the Committee on Labor.

Also, petition of common council of the city of Milwaukee, Wis., indorsing movement to pay soldiers and sailors their salaries for certain period after their discharge; to the Committee on Military Affairs.

By Mr. EMERSON: Petition of Irish nationalists of Cleveland, Ohio, relating to the self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. GALLIVAN: Petition of Clarence H. Mackay, president of the Postal Telegraph Co., protesting against Government control of wire system and asking that lines be turned back to

their respective companies at once; to the Committee on Interstate and Foreign Commerce.

Also, petition of mass meeting of parents and citizens in Powell School and District of Columbia urging Congress to take immediate action on appropriation bill now pending in Senate as will increase salaries of teachers in public schools 100 per cent; to the Committee on Education.

By Mr. GREGG: Petition of residents of Palestine, Texas City, and Crockett, Tex., asking for repeal of postal zone rate bill; to the Committee on Ways and Means.

By Mr. KAHN: Memorial of San Francisco Chamber of Commerce, urging restoration of powers of Interstate Commerce Commission to suspend rates and indorsing Senate bill 5020; to the Committee on Interstate and Foreign Commerce.

Also, petition of San Francisco Chamber of Commerce urging legislation for Roosevelt National Park; to the Committee on the Public Lands.

Also, petition of Dr. and Mrs. Frederick S. Gould, Santa Barbara, Cal., urging favorable consideration of Lewis-Raker bill, conferring military rank upon Army nurses; to the Committee on Military Affairs.

By Mr. KENNEDY of Rhode Island: Resolution of Connecticut Legislature, urging that principle of self-determination be applied to all small nations, including Ireland; to the Committee on Foreign Affairs.

Also, resolution of Friendly Sons of St. Patrick of Cranston, R. I., urging passage of legislation respecting self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. LONERGAN: Petition of certain residents of Hartford County, Conn., protesting against the luxury-tax provisions in pending revenue bill; to the Committee on Ways and Means.

Also, petition of citizens of Hartford, Conn., for providing labor, etc., for honorably discharged men; to the Committee on Military Affairs.

Also, petition of Chamber of Commerce, New Haven, Conn., favoring establishment of league of nations; to the Committee on Foreign Affairs.

By Mr. McFADDEN: Petition of Brotherhood of Railway Carmen of America, Lodge No. 904, Sayre, Pa., favoring Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. MORIN: Petition of members of Keystone Council, No. 50, Daughters of America, McKeesport, Pa., Mrs. Annie Townsend, secretary, urging passage of Senate bill 5139; to the Committee on Immigration and Naturalization.

Also, petition of Woodrow Lodge, No. 1038, I. A. of M., Pitcairn, Pa., urging Government control of all railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Pennsylvania Confectioners' Association of Pittsburgh, Pa., urging that the revenue act of October 3, 1917, remain in force, thus making the passage of the pending revenue act unnecessary; to the Committee on Ways and Means.

Also, petition of Retail Merchants' Association of Pittsburgh, Pa., W. M. Jacoby, secretary, protesting against retention of the luxury taxes in the revenue bill; to the Committee on Ways and Means.

By Mr. PETERS: Petition of Fred C. Ray and other citizens of Hallowell, Me., for national ownership and Government management of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of certain citizens of Uno, Cal., asking for repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of women's committee of the California State Council of National Defense, relating to reconstruction problems and policies; to the Committee on Military Affairs.

Also, petition of Baldemann Chocolate Co., of San Francisco, Cal., protesting against the proposed revenue bill; to the Committee on Ways and Means.

Also, petition of Santa Barbara (Cal.) Nurses' Association, indorsing the conferring of rank on Army nurses, etc.; to the Committee on Military Affairs.

Also, petition of Federal Employees Union, No. 1, San Francisco, Cal., urging increased compensation for Government employees; to the Committee on Labor.

Also, petition of Mississippi Valley Waterways Association, urging upon Congress the development of inland waterways; to the Committee on Rivers and Harbors.

Also, petition of R. H. Alcarn, chairman, indorsing the Keating retirement bill (H. R. 12352); to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Produce Exchange, urging the discontinuance of price-fixing and control of foodstuffs by the Government; to the Committee on Interstate and Foreign Commerce.

Also, petition of Western Fruit Jobbers' Association of America, urging the return of Federal-controlled utilities to private ownership; to the Committee on Interstate and Foreign Commerce.

Also, petition of Union Hardware Co., of Los Angeles, Cal., against the proposed tax of 10 per cent on arms and ammunition; to the Committee on Ways and Means.

Also, petition of San Francisco Chamber of Commerce, requesting Congress to repeal the provisions of the Federal-control act and indorsing Senate bill 5020; to the Committee on Interstate and Foreign Commerce.

Also, petition of Collins McArthur Candy Co., of San Francisco, Cal., urging against passage of the pending revenue bill; to the Committee on Ways and Means.

By Mr. RANDALL: Petition of Executive Committee, California Teachers' Association, Central Section, favoring creation of a department of education; to the Committee on Education.

By Mr. STEENERSON: Memorial of Baudette Board of Trade, Baudette, Minn., in support of the proposition to provide deeper waterways connection via the St. Lawrence River to the Atlantic; to the Committee on Railways and Canals.

Also, memorial of Brainerd Chamber of Commerce, Brainerd, Minn., in support of the proposition to provide deeper waterways connection via the St. Lawrence River to the Atlantic; to the Committee on Railways and Canals.

By Mr. WOODYARD: Petition of Blennerhassett Lodge, No. 699, Brotherhood Railway Carmen of America, Parkersburg, W. Va., relative to control of railroads by the Government; to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *February 7, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, with the duties pressing upon us, with the divine call ringing in our hearts for the advance of the interests of Thy people, with the solemn sense of our responsibility to Thee and to our fellow citizens, we begin the service of this day. As we lift our hearts to Thee, as we open them to Thy presence, we pray Thee to fill us with Thy divine spirit that we may properly discern between the right and the wrong, that we may lead as Thou dost lead us, that we may commit ourselves and our Nation solely to Thy purpose. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when on request of Mr. KING and by unanimous consent the further reading was dispensed with and the Journal was approved.

SENATOR FROM ILLINOIS.

Mr. SHERMAN. I present the credentials of Hon. MEDILL MCCORMICK, duly elected by the people of the State of Illinois a Senator from that State for the term beginning March 4, 1919, which I ask to have read and placed on the files.

The credentials were read and ordered to be placed on the files, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, Hon. MEDILL MCCORMICK was duly elected by the people of the State of Illinois a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1919.

Witness: His excellency, our governor, Frank O. Lowden, and our seal hereto affixed at Springfield, this 5th day of February, A. D. 1919.

FRANK O. LOWDEN, *Governor.*

By the governor:
[SEAL.]

LOUIS L. EMMERSON,
Secretary of State.

TRIALS BY COURTS-MARTIAL (S. DOC. NO. 380).

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Secretary of War, in response to a Senate resolution, which will be inserted in the RECORD and referred to the Committee on Military Affairs and ordered to be printed.

The communication is as follows:

WAR DEPARTMENT,
Washington, February 4, 1919.

The honorable the PRESIDENT OF THE SENATE.

SIR: I have the honor to acknowledge the receipt of the Senate resolution of January 27, 1919, which directs the Secretary of War "to send to the Senate the number of individuals who have been tried and convicted by court-martial proceedings since our entrance into the war, April 6, 1917, together with a brief statement of the offense charged and the nature and extent of the punishment inflicted upon or assessed against each."

This resolution is interpreted by the department to refer to the major offenses tried by the general courts-martial and not to the minor offenses tried by inferior courts. Under the interpretation thus placed upon the resolution, it will be necessary to examine about 22,000 records and approximately three weeks will be required to prepare the report. If the resolution be construed to apply to all minor offenses tried by special and summary courts, it will be necessary to examine about 350,000 additional records in this country and in France, and the preparation of the report will require several months and will necessitate the services of a very large clerical force.

In the belief that the interpretation which, as above stated, has been placed upon this resolution by the department is both in accordance with the intent of the resolution and is necessary in order that action may be taken by the department without undue delay, I have directed that the report to be prepared pursuant to this resolution cover only the approximately 22,000 records of cases tried by general courts-martial.

Trusting that this action will meet with the approval of the Senate, I am,

Respectfully, NEWTON D. BAKER,
Secretary of War.

GOVERNMENT EMPLOYEES.

The VICE PRESIDENT laid before the Senate communications from the Assistant Secretary of Labor (S. Doc. No. 383), the Acting United States Food Administrator (S. Doc. No. 382), and the Assistant United States Fuel Administrator (S. Doc. No. 381), transmitting in response to a resolution of December 23, 1918, a list showing the number of civil employees in their respective departments on January 28 and the number discharged during the previous two weeks, which were ordered to lie on the table and be printed.

REPORT OF NATIONAL ACADEMY OF SCIENCES.

The VICE PRESIDENT laid before the Senate the annual report of the National Academy of Sciences for the year 1918, which was referred to the Committee on the Library.

CONDITIONS AT ARMY CAMPS IN FRANCE.

Mr. LODGE. Mr. President, I desire to present the following telegram, which I received from New York:

[Telegram.]

NEW YORK, N. Y., *February 3, 1919.*

Senator HENRY CABOT LODGE,
Washington, D. C.:

Hundreds of wounded soldiers returning complain of insanitary living conditions and of disciplinary measures at American Army classification camp at St. Aignan, France. Boys say they have to stand in mess lines for hours in mud and water over boot tops. Some report wounded dropped dead in lines. Latrines 10 feet from tents. Camp built for 8,000 has 25,000. Guardhouse full of men who violated minor rules. If one-tenth of what returning men say is true, place is hell hole and disgrace to Army and to United States. Boys call it Camp Agony. Urge investigation at once that will assure country something more than a whitewash.

JOHN J. BUSH,
President Michigan Society of New York.

I have the original telegram here, and I ask that it be referred to the Committee on Military Affairs. I trust they will inquire into the condition of that camp.

Mr. NEW. Mr. President, on the 2d day of January I introduced a resolution asking for an investigation of certain conditions reported to exist at the camp at Brest, France. The resolution was objected to by Senators on the other side of the Chamber on the ground that an investigation had already been undertaken by the Secretary of War. Since that there has been no communication, to the Senate at least, and no statement given to the public by the Secretary other than the published statement from Maj. Gen. Harbord a day or two after the 3d of January, in which he stated, in response to a telegram sent by the Secretary of War, that while the conditions at Brest were bad, they were improving. That was the general purport of his telegram. Since that, if anything whatever has been done with reference to the improvement of conditions there, no statement of it has ever been given either to Congress or to the public.

I send to the desk and ask that the Secretary may read the following from the Washington Post of this morning, taken from a statement in the New York Telegram of yesterday. I will merely add that within the last 48 hours I have talked with Army officers who left the port of Brest as late as January 17, who, without knowledge of this article at all, have told me of the conditions there, and their statements bear out the statements printed in this article.

The VICE PRESIDENT. Is there objection to reading the article?

There being no objection, the Secretary read as follows:

BREST CAMP "VILEST"—COST LIVES OF 3,000 UNITED STATES SOLDIERS, SAYS ARMY OFFICER—"PLAYING POLITICS" BLAMED—BARRACKS BUILT FOR 4,000 FRENCH TROOPS MADE TO ACCOMMODATE 12,000 AMERICANS, IT IS ALLEGED—OFFICER WHO ASSERTS "SCANDAL" IS DUE TO INCOMPETENCY.

NEW YORK, *February 6.*

Based upon information given by a Regular Army officer of high rank, who declares the camp for American troops at Brest "the vilest hole in France," the Evening Telegram prints a six-column article describing the deplorable conditions at the camp.

3,000 UNNECESSARY DEATHS.

The Telegram's article, in part, says:

"The so-called rest camp for American troops at Brest is 'the vilest hole in France.'

"More than 3,000 American soldiers died there as a result of improper housing and sanitary conditions, and many of these were officially reported as 'killed in action.'

"Regular Army officers, playing politics and thus dominating National Guard officers, deliberately refused to correct the conditions, which menaced life and caused indescribable hardships.

"One Regular Army officer who had been grossly negligent while in charge at Brest was honored with an important diplomatic mission after the armistice had been signed, while another officer who had done everything in his power to correct conditions at Brest and protect the lives of the men who were obliged to 'rest' there was removed from active command after he had been personally appointed by Gen. Pershing."

MADE BY HIGH ARMY OFFICER.

These charges and many more are laid deliberately before the Evening Telegram by an officer high in rank in the Regular United States Army who has just returned to this country after having spent more than nine months in the midst of the conditions he describes.

Through the whole story told by this officer, whose name is withheld for obvious reasons, runs a plaint regarding the "powers at Tours," where, he intimates, it appeared to be the belief that the Regular officer could do no wrong.

It was to Tours that a certain major was sent "with a whole nest, including a young Austrian who had been raised from cook in the American Army to lieutenant," after charges had been made against him in Brest, only to be given an important task, raised in rank to lieutenant colonel, and the young lieutenant made adjutant of a casual officers' depot.

CONDITIONS LONG A SCANDAL.

The Evening Telegram's informant charges that Brest has been a scandal from the very day it was selected as a rest camp and debarkation port; that an incompetent officer was sent there to organize it and made a miserable failure; that opportunities to obtain or renovate proper buildings for the care of troops was wholly neglected while the men were forced to sleep in "pup tents" without floors, on filthy, muddy ground; that barracks erected by the French for 4,000 troops, and which were terribly overcrowded when 8,000 Russian troops were placed in them, were made to accommodate 12,000 American soldiers.

When Brig. Gen. Nathaniel F. McClure finally was put in charge of the camp, the officer continues, he took over an old slaughterhouse and made it habitable for the troops as they debarked, but as soon as Gen. McClure had been ordered away the renovated slaughterhouse was abandoned and the men once more were sent out into the muddy fields with their floorless pup tents.

READY TO FACE COMMITTEE.

While the officer making these charges would not permit his name to be used, he said that he would be perfectly willing to appear before the Military Affairs Committee of either the House or the Senate at Washington, where his statements would be, or at least "could be," substantiated by reports which now are on file in the War Department, or should be there.

He is certain that a congressional investigation into the conditions at Brest, at least as far as they existed up to last November, must result from the reports which already have been forwarded to Washington. It is said that several officers recently returned from France have been summoned to Washington, and it is believed they will be asked to throw what light they can on the conditions at Brest, which are described in the official reports.

Mr. LEWIS. Mr. President, may I have the attention of the Senator from Massachusetts for just one second? I ask the Senator from Massachusetts, if it meets his approval, to add in his request to have a copy of the telegram which he had read sent to the Secretary of War? I think instead of waiting for the Military Committee, which has much work to do——

Mr. LODGE. I have not the slightest objection.

Mr. LEWIS. Will not the Senator add to his request to have a copy sent immediately to the Secretary of War?

Mr. LODGE. It has been published, and I should be delighted to have it sent to the Secretary of War, but it is wholly useless, if experience is to be any judge.

Mr. LEWIS. I can not accept the latter conclusion. I would regret very much if any Senator felt that he should judge the Secretary of War even before he had an opportunity——

Mr. LODGE. I have not.

Mr. LEWIS. I request the eminent Senator to have a copy sent to the Secretary of War, because I am in receipt of a communication from the Secretary of War, in replying to a complaint that I sent, begging me to assure the Senate that in response to letters such as the Senator from New Jersey [Mr. FRELINGHUYSEN] had received he would be exceedingly pleased if Senators would send these complaints direct to him in person, so that he could immediately start the investigation of every one.

Mr. LODGE. Of course, I am only too delighted to have a copy sent to the Secretary of War, and I have no doubt that the committee will send it, although if he is deeply interested he can probably read it in the daily press or in the RECORD, in which it will appear. I appeal to the committee for an investigation, because I hope and believe it will make an investigation, but I have seen so many cases of references to the War Department which have resulted in suppression and whitewashing that I want something that will tell us the truth.

Mr. POINDEXTER. Mr. President, I would like to make a suggestion. It seems to me that while it is perfectly proper to send a copy of this telegram to the Secretary of War, of course the Secretary of War ought to be informing the Senate in regard to the conditions at the Army camps rather than waiting for newspapers and for the Senate to inform him. The Secretary of War of all men in the land, unless it is the President of the United States, who is Commander in Chief of the Army, ought to know the conditions at these great camps in France.

Mr. NEW. Will the Senator yield?

Mr. POINDEXTER. I yield to the Senator from Indiana.

Mr. NEW. I call the attention of the Senator from Washington to the fact that the course now suggested by the Senator from Illinois [Mr. LEWIS] is exactly the one that was recommended with reference to the resolution I introduced on the 2d day of January. That was brought to the attention of the Secretary of War in the same way, but so far as anyone in Congress or out of it knows, that was the end of that matter.

Mr. LEWIS. If the Senator from Washington will allow me to say——

Mr. POINDEXTER. Just one moment if the Senator please, and then I will take my seat.

Mr. LEWIS. I do not ask the Senator to take his seat. I only wish to respond that the information brought out by the Senator from Massachusetts seems to be a telegram from the President of the Michigan Society setting forth matters which no doubt he must know about in the form of complaint. It will be impossible for the Secretary of War to know of the different complaints which have been made until they are made to him. He could not know these conditions and the subject of the complaint until some one had complained.

Therefore, I think the Senator will realize that the only way he could get information would be to have the complainant send it as quickly as possible, and when it comes to a Senator who puts confidence in the writer, and he presents it to this body, I think the Secretary of War would attach much more importance to it than a newspaper article which we know we read every day ourselves without attaching great weight to all of them.

Mr. POINDEXTER. The matter of these camps in France does not depend entirely upon newspaper articles.

Mr. LEWIS. I am referring rather, may I add, if I may be pardoned, to the telegram of the Senator from Massachusetts. As to the Senator from Indiana, the camp in France not only should be investigated, but it seems to me that from January until now some response could have come, and I join in a regret that officers there have not complied with the request of the Secretary of War with that facility, that quickness, they could have done, for it must be apparent they have not made response, because I am sure the Secretary of War would have sent it to us if there had been any made.

Mr. POINDEXTER. The assertion is made in the article which was read by the Secretary at the request of the Senator from Indiana [Mr. NEW] that an Army officer of considerable rank is authority for the statements contained in it, and these statements have been made from so many different sources that it becomes almost a matter of public knowledge. That statement includes the information that 3,000 men died as the result of insanitary conditions. It is very circumstantial in the account that it gives of the effort which was made by the commander, who was temporarily in charge of certain features of the camp, who had commandeered the buildings and given accommodations in them for troops. He was sent elsewhere and the troops taken out of those buildings in order to go into tents without floors on the wet and mud of the camp which is complained of.

I only rose, however, to emphasize what seems to me to be the principle that ought to govern the conduct of these affairs. My observation is that the Secretary of War rather resents information in regard to failures of the War Department.

Mr. LEWIS. I assure the Senator he has been misinformed as to that.

Mr. POINDEXTER. Well, I may be; but I have observed that, notwithstanding the exposures that have been made by the legislative branch of the Government, sometimes under the leadership of the chairman of the Committee on Military Affairs [Mr. CHAMBERLAIN], who is a loyal Democrat, and the report made by the Senator from Colorado [Mr. THOMAS] in regard to airplanes that exposed their bad condition, I do not think it can be successfully contradicted that there was gross inefficiency and a great deal of self-seeking in the conduct of the Aviation Service of the War Department, with the result that the war ended, and after we had been in it considerably over a year, and this great manufacturing country, the richest and the most efficient in the world, had not produced one plane of attack, but had depended entirely upon our allies—now, I believe that I can make this statement without fear of contradiction, that there can not be produced by the Senator from Illinois or by anybody else a single word from the Secretary of War condemning that colossal scandal. On the contrary, he defended it.

Mr. PENROSE. Mr. President——

Mr. POINDEXTER. Just one second. My impression is that the Secretary of War first, of all the citizens of this country, ought to condemn it and to excoriate it and expose it and punish the men who are responsible for it; but the attitude that he has taken is an attitude of justification and excuse and defense where he ought to be the agent of punishment and the exposer of truth and of inefficiency; but he depends upon the legislative branch of the Government to inform him, the head of the department, of conditions which he first of all ought to know.

PETITIONS AND MEMORIALS.

Mr. LA FOLLETTE. I present a joint resolution adopted by the Legislature of the State of Wisconsin, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Joint resolution [J. Res. No. 19, A] relating to the tobacco industry and requesting the Federal Trade Commission to report on such industry.

Whereas during the fall of 1918 the price of tobacco was approximately 40 cents per pound at a time when all the markets of the central powers and most of the markets of the neutral powers were not being supplied; and

Whereas upon the cessation of hostilities, and continuing to the present time, the price of this product dropped to 20 cents per pound, notwithstanding the fact that world commerce had opened up and the tobacco markets of Europe were waiting to be supplied; and

Whereas the tobacco farmers of Wisconsin, while of the opinion that such a decline in the price of their product is not justified by existing conditions, desire to be properly informed, so that if such decline is based upon good reasons continued good relations may exist between buyer and seller; and

Whereas the matter is of the most serious consequence to all business interests in our State, due to the fact that the decline in price, if continued, would mean a loss of approximately $8,000,000 to the producers: Now, therefore, be it

Resolved by the assembly, the senate concurring, That the Federal Trade Commission be respectfully requested to at once investigate the conditions of the tobacco industry and to make a report to the present legislature with all convenient speed, such investigation and report to be of such nature as to fully advise the tobacco producers of the true causes of the present market conditions: And be it further

Resolved, That a copy of this resolution be forwarded to the chairman of said commission at Washington, D. C., to each of the two Senators, and to the Congressmen from this State.

EDWARD F. DITTMAR,
President of the Senate.
O. G. MUNDON,
Chief Clerk of the Senate.
RILEY S. YOUNG,
Speaker of the Assembly.
C. E. SHAFFER,
Chief Clerk of the Assembly.

Mr. WOLCOTT. I present a resolution unanimously adopted at the regular meeting of the Manufacturers' Association of Wilmington, Del., held in their office Wednesday, February 5, 1919, relative to a bill now pending before Congress carrying an appropriation of over $14,000,000 for the purpose of perpetuating and enlarging the United States Employment Service, which was created to aid the Federal Government in coordinating the interests of the country for war production. I move that the resolution be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. MOSES. I present a resolution adopted by the Legislature of the State of New Hampshire, relative to the extermination of insects and pests, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolution adopted by the New Hampshire Legislature February 5, 1919.

Whereas a new, important, and exceedingly dangerous insect pest known as the European borer has gained foothold in certain areas in eastern Massachusetts;

Whereas this new pest if not controlled is expected to cause extraordinary damage to our most valuable field crops and vegetables throughout the entire United States and may render unprofitable the growing of such important crops as field corn;

Whereas such opportunity as may still exist for suppression of the pest will speedily disappear as the insect spreads beyond the present limited territory: Be it

Resolved, That the Congress of the United States is hereby urged to make immediate appropriations whereby adequate measures of suppression of this pest may be undertaken without delay by the proper Federal authorities.

Mr. NELSON presented a petition of the Minnesota Independent Telephone Association, of Minneapolis, Minn., praying that Congress fix a definite date for the return of the telephone lines to their owners, which was referred to the Committee on Post Offices and Post Roads.

He also presented a telegram in the nature of a petition from A. G. Rugles, State entomologist, of St. Paul, Minn., praying that an appropriation of $500,000 be made for the extermination of the corn borer, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Growers' Association of Minnesota, of St. Paul, Minn., praying that the so-called "market reporting service" be continued and that provision be made therefor in the Agriculture appropriation bill, which was referred to the Committee on Agriculture and Forestry.

Mr. TOWNSEND presented a memorial of Local Union No. 871, United Brotherhood of Carpenters and Joiners of America, of Battle Creek, Mich., remonstrating against the operation of the Federal employment system as now constituted, which was referred to the Committee on Education and Labor.

Mr. HALE presented a petition of the Woman's Literary Union, of Androscoggin County, Me., praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. TOWNSEND. I present a resolution adopted by the Common Council of Detroit, Mich., which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

CITY OF DETROIT, *January 23, 1919.*

HON. CHARLES E. TOWNSEND,
Senate, Washington, D. C.

DEAR SIR: I am transmitting herewith copy of a resolution presented by Councilman Bielman and adopted by the common council at the session of January 21 relative to congressional action to provide funds for men discharged from the Army or Navy:

"From: The clerk:

"To: The honorable the Common Council.

"GENTLEMEN: I beg to advise your honorable body that I am in receipt of the following communication from the American Red Cross.

"Respectfully submitted.

"RICHARD LINDSAY,
"*City Clerk.*

"The following is the communication referred to:

"'Mr. RICHARD LINDSAY,
"'*City Clerk.*

"'DEAR SIR: I am inclosing herewith a resolution which, at the suggestion of Councilman Lodge, I have drawn up as a result of a meeting of a number of men who represent organizations caring for the returned soldier, and while I can not, as a Red Cross official, perhaps, urge such action, as a private citizen I can and do most earnestly, so that men who have gone from Detroit may be saved, so far as possible, the humiliation of standing around in their uniforms until some good-natured person hands them a job.

"'There is a fundamental question of right in this matter which can not be overlooked, and we want our city to be among the first to recognize this obligation to her citizens.

"'Very truly, yours,

"'G. D. POPE.'

"By Councilman Bielman:

"'Whereas citizens of this community liable for military service have met in full that obligation to our country, leaving their homes and their affairs to bear their part in the military duty required to uphold justice and the ideals of this Nation; and

"'Whereas, their work accomplished, they are now being returned to this community at a time when industrial readjustments make their reentry into industry exceedingly difficult, and inasmuch as this city and this Nation owe these men an unpayable debt of gratitude and obligation, and should in no wise permit the burden and sacrifice of unemployment to fall unsupported upon those who have already sacrificed so much in our service: Therefore be it

"'*Resolved*, That it be, and hereby is, the opinion of this body that such steps should be taken by the War Department, or, if need be, congressional action, which will immediately provide funds for men discharged or about to be discharged from the Army, Navy, and Marine Corps as will be sufficient to support them properly for a period of 60 to 90 days after their discharge and pending their return to their former positions as self-supporting citizens: Furthermore, be it

"'*Resolved*, That a copy of this motion be forwarded to our Representatives in the Senate and House, with the urgent request that such action will be taken as will secure the immediate realization of this proposal.'

"Yeas—Councilmen Bielman, Bradley, Castator, Kronk, Littlefield, Nagel, Simons, Vernor, and the president.

"Nays—None."

Yours, very truly, RICHARD LINDSAY,
City Clerk.

IMMIGRATION AND NATURALIZATION.

Mr. JONES of Washington. Mr. President, I present a memorial from the Board of Trustees of the Takoma Branch of the American Protective League, representing about a thousand of the best citizens there, who have given a great deal of their time, in connection with the prosecution of the war, in aiding the various branches of the Government in the detection of sedition and disloyalty, and all that sort of thing. In this memorial they set out in concise form their conclusions from what they have ascertained and learned as to what ought to be done.

I ask that the memorial be printed in the RECORD, and as they make recommendation with reference to immigration and naturalization, I ask that it be referred to the Committee on Immigration.

The VICE PRESIDENT. In the absence of objection, it will be so ordered.

The memorial referred to is as follows:

To the honorable the Congress of the United States of America:

The undersigned, the board of trustees of the Tacoma Branch of the American Protective League, respectfully represent:

That immediately after the declaration of the war with Germany a part of their number, with several hundred other American citizens of Tacoma, organized the Tacoma Home Guards, and, about the same time, others of their number organized the Tacoma Minutemen, and in their respective organizations they acted from the start in the general direction, management, and control of the various activities of said organizations; that after a few months of separate operation they amalgamated in the American Protective League, with a combined membership of more than 1,000, and they, your memorialists, became the managing and directing board of said combined force, and have continued to act as such to this date, January 27, 1919.

That during said entire period of 22 months they have in person, and through their entire membership of more than 1,000 persons, as well as by volunteer investigators and paid detectives, been engaged in aiding all departments of the United States Government, and particularly the Department of Justice and the Army, in the work of guarding and protecting property, discovering, preventing, and punishing disloyalty, aiding Army enlistments, enforcement of the selective-service laws, arresting deserters and slackers, and generally doing such war service as could be found to do.

That in carrying on such work a vast number of investigations were made, and a great mass of information gathered, from which we have become profoundly impressed with the necessity for prompt revision of the Federal laws relating to both immigration and naturalization. We must be better protected against the immigration and naturalization of all persons not likely to become attached to the principles embodied in our Constitution and laws, or become industrious, law-abiding, and patriotic citizens. We have had a rude awakening.

While we have found many of our foreign-born citizens splendidly loyal, we have also found an astonishing number to be only half American in real sentiment, and very many positively disloyal and hostile to the United States in its hour of need. We know that fear has bridled many a tongue and stayed many a hand.

We find that among the disloyal, and preachers of disobedience to law, destruction of property, and general seditious conduct, fully 90 per cent are foreign born or of foreign parentage, and this in a population 77 per cent of which is native born. We find that the dangerous unrest now prevalent, and which promises to become more acute, is almost entirely the result of propaganda carried on by a naturally seditious element of foreign birth, many of whom have come here expressly to find a freer and more fertile field for their propaganda.

It is our unanimous and deliberate judgment that, unless a speedy cure is provided by the enactment of properly protective immigration and naturalization laws, irreparable harm will result to the people of the United States.

Such legislation must contain whatever provisions as are necessary to really accomplish the desired purpose, and while some inconvenience may be occasioned to a few excellent people, this fact must not be allowed to stand in the way of accomplishing the necessary reform.

We have the honor to submit the following suggestions as an outline of some provisions which ought, in our judgment, to be embodied in proposed legislation:

First. Pending passage of other laws and organizing the administration thereof, stop all immigration, with only necessary exceptions.

Second. All persons coming into the United States should be required to fill out, in the country from which they come, a questionnaire, giving a true history of their lives, showing their education, times and places and kinds of employment, if convicted of any crime, the time, place, and circumstances, whether felony or misdemeanor, social, and other organizations of which applicant is or has been a member, and all other pertinent facts upon which a fair judgment of character may be founded. Such document should be made before a United States consular or immigration officer, resident in the foreign country, and filed with him at least 90 days prior to date of expected embarkation for the United States. Such officer should then make investigation as to fitness of applicant to become a resident and citizen of our country, and, if found worthy, issue to him a certificate to that effect, and make a similar indorsement on the questionnaire. If found not worthy, certificate should be refused, and that fact indorsed on questionnaire.

All questionnaires to be filed in and become a permanent record in the proper office in the United States.

If approval has been given, applicant may enter United States as an immigrant, subject to the final approval of United States at place of entry into the United States.

After entry into the United States the immigrant should be required to learn to intelligently speak, read, and write the English language within two years, after learning which, and after two years, he may declare his intention to become a citizen, which he may complete after an additional period of five years.

In order that proper track may be kept of his conduct, a system of registration should be required, with proper officers in the various places of his residence, at all times up to time of admission to citizenship.

Failure on part of foreigners to comply with any or all laws, rules, and regulations relating to foreigners resident in the United States, either temporarily or permanently, or engaging in riots, or any breach of State or Federal law, and advocating, or associating with others who advocate, any kind of unlawful violence, sedition, breach of law, overthrow of lawful authority or government, should subject the foreigner to punishment or deportation or both at the discretion of the United States.

On making application for admission to citizenship he should again make out and file with his application a questionnaire, giving a complete history of his life in detail, and at least three months prior to

time fixed for hearing the application, to allow of thorough investigation into the life of applicant by Federal agents. Any willfully untrue statement made or pertinent fact covered up should bar admission and be followed by deportation if fraudulent intent is found to exist.

The law should provide that after admission to citizenship retention of that right is a trust subject to forfeiture at any time for sufficient cause, such as conviction of felony, unpardoned advocacy of violence or disorder, engaging in or advising riots, advising, aiding, or abetting seditious or disorderly conduct by others, or any conduct which the proper Federal authority may find calculated to undermine orderly and efficient government.

All such laws should be made to apply to foreigners and naturalized citizens now here, as well as those yet to come, for no man has any right to hold a citizenship the privileges of which he abuses, nor has he a right to retain citizenship in any country and at the same time advocate its destruction.

Vigorous sedition laws should be at once enacted if the war measures now in force are either inadequate or inapplicable in times of peace, and these laws would, of course, apply to foreigners and citizens alike, in so far as punishments go. We, your memorialists, have, however, become so deeply convinced that all seditious organizations and propaganda are traceable so largely to the undesirable foreign element possessing no adequate conception of the fundamental principles of our Government, and knowing no distinction between the true liberty of a self-governing people and individual license to act without restraint, that no permanent relief can be had until all foreigners of seditious tendencies are not only barred from citizenship but from entry into the country, and, if already here, are denied the right to remain.

With proper regulations relating to foreigners engaging in business, and travelers, for specified and limited periods, we believe the foregoing general proposition will, if acted on promptly and fearlessly, save our country from grave dangers and disorders.

We are gravely apprehensive of after-war conditions, when Europe shall settle down to orderly government and its Bolsheviki seek the freedom of America to carry on its propaganda of tyranny and destruction, and we, therefore, pray your earnest, prompt, and conscientious consideration of these momentous problems, always having in mind that you are representing the American people, for whose benefit and protection its laws should be primarily made.

Respectfully submitted this 27th day of January, 1919.

BOARD OF TRUSTEES OF TACOMA BRANCH,
AMERICAN PROTECTIVE LEAGUE,
D. D. A. OUTCALT, *President.*
J. H. HOLME, *Secretary.*

PENSIONS AND INCREASE OF PENSIONS.

Mr. WALSH, from the Committee on Pensions, submitted a report (No. 690) accompanied by a bill (S. 5553) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 201. Charles F. Cavenaugh.
S. 254. Milton M. Lile.
S. 327. Amme A. Wilson.
S. 1073. Charles B. Smith.
S. 1501. Edward Flannery.
S. 1731. Thomas Kent.
S. 1958. Palmyra Johnson.
S. 2132. James H. Criswell.
S. 2195. Andrew E. Waterman.
S. 2251. Henry L. Henrysen.
S. 3049. Isaac F. Roberts.
S. 3107. Eugene M. Symonds.
S. 3290. Mary E. Allen.
S. 3497. Frank H. Seay.
S. 3590. William H. Hart.
S. 3706. Thomas J. Scanlain.
S. 3866. Arthur G. Bosson.
S. 4214. Albert Grimes.
S. 4326. James L. Graham.
S. 4331. David Britton.
S. 4335. George W. Carter.
S. 4411. John Clark.
S. 4412. George E. Lawrence.
S. 4545. Charles Weitfle.
S. 4579. Mary Melissa Anderson.
S. 4655. Wilfred W. Phaneuf.
S. 4657. Rufus H. Hopkins.
S. 4730. Ulyssis S. G. Canfield.
S. 4737. Joseph J. Horan.
S. 4744. Dennis Driscoll.
S. 4756. James D. Wilder.
S. 4778. Lemuel Lunger.
S. 4796. George Moir.
S. 4821. Charles H. Skillings.
S. 4845. Elizabeth E. Baker.
S. 4846. John F. Mannel.
S. 4851. Joseph W. Culbertson.
S. 4863. Elvina Adams.
S. 4867. Ellen Jones.
S. 4880. Cornelia A. Nickels.
S. 4908. James J. Butler.
S. 4935. Susan Owens.
S. 4958. John Franklin Haynes.
S. 4977. Marion T. Mitchell.
S. 4978. Francis E. Searway.
S. 5007. John J. Duke.
S. 5009. Emeline A. Spaulding.
S. 5046. Jacob D. Emery.
S. 5110. Lily D. Murphy.
S. 5111. Albert L. Newland.
S. 5124. George W. McMahan.
S. 5196. Oscar S. Pomeroy.
S. 5209. David W. Herriman.
S. 5219. Edwin W. Gordon.
S. 5252. John Daley.
S. 5310. Charles F. Hahn.
S. 5330. Arthur H. Letts.
S. 5379. Carrier Thompson.
S. 5381. Floyd E. Driskel.
S. 5399. Sarah Hale.
S. 5454. Amanda F. Mahin.
S. 5527. William W. Treadway.
S. 5529. Benjamin H. Kimbler.
S. 5530. Lee Begley.
S. 5531. Henry Fields.
S. 5532. Charley Shelton.

Mr. WALSH, from the Committee on Pensions, submitted a report (No. 691) acompanied by a bill (S. 5554) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, which was read twice by its title, the bill being a substitute for the following Senate bills heretofore referred to that committee:

S. 1053. Jonathan M. Ragner.
S. 1314. Peter L. Leuszler.
S. 1346. R. W. Duncan, alias "Pack" Duncan.
S. 1717. Mary E. Williams.
S. 1718. Mary Alcinda Wingert.
S. 1841. Leonora V. Lunt.
S. 2226. William H. Makee.
S. 2556. Charles E. Haskell.
S. 2699. Sarah Van Doozer.
S. 2819. Anna F. Baugh.
S. 2880. Esther U. McKelvey.
S. 2892. Mary Snow.
S. 2971. Martha A. Tucker.
S. 3014. Mary M. Ayer.
S. 3042. Frederick Deppe.
S. 3044. Eliza E. Herman.
S. 3048. George N. Morse.
S. 3145. Hilda Johnson.
S. 3279. Sarah F. Steele.
S. 3281. Josiah McKnight.
S. 3282. Sylvester H. Gaskill.
S. 3292. Jennie Magee.
S. 3345. Henrietta Buswell Brown.
S. 3377. Joseph Masden.
S. 3423. Mary L. Colnay.
S. 3466. Cora W. Merryman.
S. 3623. Alexander D. Tanyer.
S. 3628. W. Lafayette League.
S. 3650. Mary Hermann.
S. 3651. Clara Stillman.
S. 3712. Mary Rumbold.
S. 3850. Nancy J. Bower.
S. 3854. William H. Henkle.
S. 3855. Camm T. Sanders.
S. 4050. John T. Showalter.
S. 4173. Cora C. O'Neill.
S. 4377. Anna C. Seaman.
S. 4384. Davis Parsons.
S. 4386. Frances L. Haha.
S. 4461. Abbie B. Garrett.
S. 4577. Susan E. Guyn.
S. 4582. William McDonald.
S. 4585. John W Huffman.
S. 4589. Boman R. Butcher.
S. 4615. Henry H. Niles.
S. 4680. Charles F. Perry.
S. 4695. James Hanners.
S. 4704. Catherine A. Brownlee.
S. 4705. Ida B. Willison.
S. 4718. George Graham.
S. 4751. Albert F. Nelson.
S. 4757. Lewis Newman.
S. 4764. John W. Combs.
S. 4788. Elizabeth Hagadorn.
S. 4797. Ida V. Haskins.

S. 4804. Clara E. Buckland.
S. 4809. Henry M. Chase.
S. 4834. William T. Potts.
S. 4847. Louisa Jones.
S. 4853. Andrew J. Moody.
S. 4869. William F. Blanchard.
S. 4896. William B. Douglas.
S. 4898. Emeline C. Starr.
S. 4903. Samuel Lockwood.
S. 4905. Ella A. Mead.
S. 4920. Isaac D. Hamilton.
S. 4926. Charles Wiley.
S. 4927. Newell Strout.
S. 4933. Lucy A. Schriver.
S. 4943. Jesse W. Bowdle.
S. 4981. Sarah M. Geiger.
S. 5012. Isabell Cunningham.
S. 5021. James H. Cornell.
S. 5031. Lucina E. Smith.
S. 5078. James C. Daly.
S. 5091. Jennie L. Barrows.
S. 5103. Mary M. Hood.
S. 5106. Amos L. Hood.
S. 5107. Henry H. Hering.
S. 5118. Charles Blitz.
S. 5131. Maranda E. McHaffie.
S. 5142. George F. Griffith, alias Frank W. Morton.
S. 5145. Carrie E. Hewett.
S. 5164. Robert B. Patrick.
S. 5165. George F. Hood.
S. 5166. Stewart Orr.
S. 5184. Effie E. Milton.
S. 5204. Hermann Hoffmeister.
S. 5218. Alonzo R. Cole.
S. 5225. Sarah F. Robinson.
S. 5241. George Forker.
S. 5242. Georgia M. Hodgsdon.
S. 5253. Milton W. Burnhan.
S. 5268. Sarah C. Vaughan.
S. 5272. James H. Johnston.
S. 5276. John F. Lichty.
S. 5324. Rouser Mettler.
S. 5383. Arabella Roberts.
S. 5387. Alonzo J. Finch.
S. 5407. Levi M. Starne.
S. 5411. Catharine Derstine.
S. 5418. Horton Mosher.
S. 5425. Alexander Faries.
S. 5427. Jacob R. Stillwagon.
S. 5455. Franklin Bryan.
S. 5466. William Dugent.
S. 5468. Benjamin A. Sturtevant.
S. 5481. William E. Hughes.
S. 5483. James Roland.
S. 5501. Edward D. Hamilton.
S. 5509. William J. Vanhoose.
S. 5519. Daniel C. Darlington.
S. 5520. Mary A. Lake.
S. 5524. Isaac N. White.

MAHONING RIVER BRIDGE, OHIO.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 12995) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a combined bridge and dam across the Mahoning River, in the State of Ohio, and I submit a report thereon. I ask unanimous consent for the immediate consideration of the bill.

The VICE PRESIDENT. The Senator from Texas asks unanimous consent for the present consideration of the bill just reported by him. Is there objection?

Mr. JONES of Washington. Mr. President, does this bill provide for the construction of a dam across a river? If it does, that is a new proposition—the construction of a combined bridge and dam.

Mr. SHEPPARD. I ask the Secretary to read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Youngstown Sheet & Tube Co., its successors and assigns, to construct, operate, and maintain a combined bridge and dam and approaches thereto across the Mahoning River at a point suitable to the interests of navigation at or near the town of Struthers, county of Mahoning, State of Ohio, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided*, That no dam constructed under the consent hereby granted shall be used to develop water power nor to generate electricity.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. JONES of Washington. I think the bill had better go over until we have an opportunity to examine it. That is certainly a strange combination—a bridge and dam across a navigable stream.

Mr. SHEPPARD. The War Department has approved the bill, and it seemed to be an ordinary bridge bill.

Mr. JONES of Washington. I think I shall have to ask that it go over.

Mr. SHEPPARD. I withdraw the report for the present.

Mr. JONES of Washington. I have no objection to the report being withdrawn.

NIAGARA RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (S. 5534) granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes, and I submit a report (No. 694) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MAHONING RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 12996) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio, and I submit a report (No. 692) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BRIDGE ACROSS THE RED RIVER OF THE NORTH.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 13232) to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn., and I submit a report (No. 693) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAHONING RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably without amendment the bill (H. R. 12997) granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio, and I submit a report (No. 695) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PENSION APPROPRIATIONS.

Mr. WALSH. From the Committee on Pensions I report back favorably without amendment the bill (H. R. 15219) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes, and I submit a report (No. 696) thereon.

Mr. President, although this bill carries a very large appropriation, there are no authorizations contained in it, but simply provision for the payment of pensions authorized by general legislation and by other bills. It is the usual appropriation bill, and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1920, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, $215,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be

paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1920, $30,000.

The bill was reported to the Senate without amendment, ordered to a third reading, and read the third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

The bill was passed.

AMENDMENT OF WAR-RISK INSURANCE ACT.

Mr. THOMAS. I ask unanimous consent for the immediate consideration of Calendar No. 621, being the bill (H. R. 13273) to amend an act entitled "An act to authorize the establishment of a bureau of war-risk insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto, approved October 6, 1917.

I may state that the bill has passed the House, and the Secretary of the Treasury has informed the chairman of the Finance Committee that its enactment into law is urgently essential to the efficient administration of the war-risk insurance act. It is very short.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the act entitled "An act to authorize the establishment of a bureau of war-risk insurance in the Treasury Department" be, and is hereby, amended by adding the following new paragraph to section 210 of Article II of the said act:

"*Provided, however*, That whenever the commissioner shall by further investigation or reinvestigation modify the existing award, no reimbursement from the person receiving an allowance shall be required for allotments and allowances already paid nor shall any deductions be made from allotments and allowances to be paid in the future for any change in award made in previous allotments and allowances, except where it is conclusively shown that the person receiving the allowance does not bear the relationship to the enlisted man which is required by the act and except in cases of manifest fraud."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SIMMONS:

A bill (S. 5555) to amend the war-risk insurance act; to the Committee on Finance.

By Mr. BECKHAM (for Mr. WILLIAMS):

A bill (S. 5556) to provide for the erection of memorials and the entombment of bodies in the Arlington Memorial Amphitheater, in Arlington National Cemetery, Va.; to the Committee on the Library.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. THOMAS submitted an amendment authorizing the President to appoint Col. William C. Brown, United States Army, retired, to the rank of brigadier general on the retired list, intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. FLETCHER submitted an amendment proposing to appropriate $125,000 for promoting and developing the farm and domestic commerce of the United States, etc., intended to be proposed by him to the legislative, etc., appropriation bill, which was ordered to lie on the table and be printed.

PENSIONS AND INCREASE OF PENSIONS.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (H. R. 14945) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, which was referred to the Committee on Pensions and ordered to be printed.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER (for Mr. WILLIAMS) submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

THE CENSUS CONFERENCE REPORT.

The VICE PRESIDENT. Reports of committees are in order.

Mr. SHEPPARD. I ask that the conference report on the Census bill be laid before the Senate.

The VICE PRESIDENT. The Chair lays before the Senate the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. SHEPPARD. I move the adoption of the conference report.

Mr. JONES of Washington. Mr. President, I understood that the Senator from Maryland [Mr. FRANCE] was interested in this conference report. I will ask the Senator from Texas if he knows anything about that? I may be mistaken, but I was under the impression that the Senator from Maryland was interested in this matter and wished to be present when it was brought up for consideration.

Mr. SHEPPARD. I shall state to the Senator that the time is so short until adjournment that I do not believe it will be fair to the bill to hold it up until any particular Senator can be present, but if the Senator from Maryland is not present I shall not insist on considering the conference report now.

Mr. JONES of Washington. It may be that the Senator from Maryland may not be interested. Does the Senator from Texas know whether or not the Senator from Maryland is interested in this report?

Mr. SHEPPARD. The Senator from Maryland is interested in the report.

Mr. JONES of Washington. I hope, then, that the Senator from Texas will not bring it up just now. I do not know why the Senator from Maryland is absent; I know he is generally here.

Mr. LENROOT. The Senator from Maryland has been sent for.

Mr. JONES of Washington. I understand that the Senator from Maryland has been sent for and will be here in a short time. So I ask the Senator from Texas to withhold action on the report for a little while.

Mr. SHEPPARD. Very well; that is satisfactory to me.

SENATOR FROM MICHIGAN.

Mr. POMERENE. Mr. President, if I may have the attention of the Senator from Michigan [Mr. TOWNSEND] for just a moment, I desire to state that, in view of certain statements which were made by the Senator from Michigan, as well as by the Senator from Missouri [Mr. REED], on yesterday toward the close of the afternoon's debate, I shall not press Senate resolution 415 at the present time. I shall meanwhile hope to confer with the members of the Committee on Privileges and Elections, and if it is deemed desirable shall call them together with a view of arranging some plan which will prove satisfactory.

Mr. TOWNSEND. Mr. President, I have no objection at all to that arrangement. I wish it thoroughly understood by the Senator, in order that there shall be no misunderstanding, that I should like to know before the plan is put out, if I may be granted that courtesy, as to what the Senator's idea is as to the proposed resolution. If he intends to introduce another one I shall be glad to cooperate with him.

Mr. POMERENE. I think the Senator from Michigan should be kept fully informed, and I shall be glad to keep in touch with him on the subject.

PERSONAL EXPLANATION.

Mr. KELLOGG. Mr. President, I rise to a question of personal privilege.

The other day when I called the attention of the Senate to an advertisement or an appeal to the American Bolsheviki by Nikolai Lenine, published in the St. Louis Post Dispatch, I stated that it appeared to be an advertisement. I am informed that it was not and that I was mistaken. I know the Post Dispatch to be a paper of high standing and the gentlemen who manage it to be gentlemen of character, and I very gladly withdraw the statement. It was published as a reprint of an article which appeared in a magazine in New York edited by Max Eastman. I am very glad to make the statement that it was published as a matter of news.

SHIP WORKERS' STRIKE.

Mr. FLETCHER. Mr. President, in view of what has been stated heretofore in connection with the shipbuilders' strike on the Pacific coast I submit an interview had with Mr. Charles Piez, Director General of the Emergency Fleet Corporation, on that subject, which I believe will be somewhat enlightening and perhaps clear up the situation to some extent.

Mr. JONES of Washington. I desire to suggest to the Senator from Florida that I have already had put into the RECORD all of the statements that have been called to my attention by Mr. Piez. I put in an interview and statements, I think, a couple of days ago, and then on yesterday I had inserted in the RECORD subsequent statements purporting to be an interview and a statement by Mr. Piez. They are the ones I received from Mr. Piez yesterday morning in the mail.

Mr. FLETCHER. Perhaps it is the same thing. It is an interview that was to be issued February 4, I believe.

Mr. JONES of Washington. Yes.

Mr. FLETCHER. And a subsequent one. I did not know but what this might be subsequent to what the Senator has offered; but perhaps it covers the same ground.

Mr. JONES of Washington. I am inclined to think that it covers the same ground.

Mr. FLETCHER. Very well. Then I will not make the request.

BOLSHEVIKI PROPAGANDA IN WASHINGTON.

Mr. LENROOT. Mr. President, Mr. Judson King, who, it is stated, was the chairman of a meeting at Poli's Theater, concerning which the Senate has ordered an investigation, and as to which there has been considerable discussion, has written a letter to Senators and Representatives denying flatly the statements in the newspapers which caused the controversy. He called upon me this morning and expressed a desire that that letter be placed in the RECORD. I was not present at the meeting; I know nothing of the facts concerning it; but I think it is only fair, in view of what has occurred, that this letter be inserted in the RECORD, and I make that request.

Mr. ASHURST. Mr. President, before that request is agreed to——

Mr. KING. I think that I shall object to the request. This matter is before the committee for investigation, and if this gentleman desires vindication, if he thinks he has been injured, doubtless he will have full opportunity. I object.

Mr. LENROOT. Before the Senator from Utah objects——

Mr. THOMAS. Will the Senator allow me a word?

Mr. LENROOT. Yes.

Mr. THOMAS. Mr. President, I think that, inasmuch as the meeting referred to has been criticized, those who have been subjected to criticism are entitled to be heard through the columns of the CONGRESSIONAL RECORD. I have excoriated individuals occasionally since I have been here, perhaps unjustly, but I have never declined, no matter how personally abusive the reply was, to insert in the RECORD, if requested, the answers which have been made to me upon my position. I think it but fair and just. If I say something about a man that is wrong, I want to be the first to know it and to apologize. In any event, he has the right to be heard by way of reply.

Mr. LENROOT. I wish to suggest that in this statement there is no reflection upon any Senator.

Mr. KING. I had supposed that it was a rebuke of the distinguished Senator from Colorado [Mr. THOMAS], who had called the attention of the Senate to the matter, but with the assurance of the Senator from Wisconsin [Mr. LENROOT], I withdraw the objection.

The VICE PRESIDENT. The Chair would not permit a document of that kind to go into the RECORD.

Mr. ASHURST. I have no objection.

The VICE PRESIDENT. Let the Chair decide it. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

3015 FOURTEENTH STREET NW.,
Washington, D. C., February 6, 1919.

To Members of the Senate and House of Representatives:

For your information permit me to state that at the meeting at Poli's Theater Sunday afternoon, at which I presided, there was no advocacy of anarchy or violence, no attack upon the American form of government, and no propaganda that Bolshevism be adopted in our country. The well-nigh unanimous sentiment of audience and speakers was that American troops be withdrawn and Russia be permitted to settle her own fate in her own way.

The article in Monday's Washington Post, headed "Urge Red America," is an absurd perversion of the truth and a gross violation of journalistic ethics. Discussions in Congress regarding this meeting, based, apparently, upon this article, have proceeded under a misapprehension of facts. Whether any attempt was made to verify the truth of the article I do not know. No inquiry was made of me.

Far from being a meeting of "reds," the gathering was attended by hundreds of cultured men and women of this city, of every political party and of every creed and class, including clergymen, who have no sympathy with Bolshevist methods or even the economic principles of socialism. No protest from those in attendance has reached me; many have expressed appreciation of the facts learned from Mr. Williams's address and are ready to testify that the sort of publicity given to the meeting is false, disgusting, and an insult to intelligence.

I am informed by the secretary of the committee having the meeting in charge that an invitation was mailed to every Member of Congress. This letter stated:

"The purpose of the meeting is to afford citizens of Washington opportunity to learn what is happening in Russia, not to propagate Bolshevism."

That purpose was adhered to.

The meeting did not originate with me. I was asked to preside, and did so on my own responsibility. I had learned in Boston, Mr. Williams's home city, from men who differ with his opinions, of his high character and ability. I had read his articles in reputable magazines and knew he had given the address proposed to be given here before the American Academy of Political and Social Science and at the City Club in Philadelphia, at Ford Hall and the Economic League in Boston, at the Church of the Holy Trinity in Brooklyn, the Church of the Ascension in New York, and other places. I knew the Department of Justice was fully advised as to Mr. Williams and what he was saying, and concluded that what would not contaminate Boston, New York, and Philadelphia would not injure Washington.

Mr. Williams delivered his usual address here, a typewritten copy of which was handed by him to a Post reporter at the meeting, but which was falsified in the report.

Myself and other nonsocialist citizens of this city will welcome any investigation of this open meeting, with the hope—perhaps vain—that the same publicity be given the truth as was given the distortion. At bottom this is the old question of free speech and as to whether a respectable audience of American citizens can peaceably assemble to ascertain the truth about a public issue without being lied about, villified, and intimidated.

I respectfully suggest that, if hearings are held, the committee be empowered to extend an inquiry as to whether there is a conspiracy afoot to prevent the American people from learning the truth about Russia.

Respectfully, yours, JUDSON KING.

MEN OF MOTOR TRANSPORT CORPS AT GUM SPRINGS, VA.

Mr. LA FOLLETTE. I submit a resolution for reference to the Committee on Military Affairs. I ask to have the resolution read.

The resolution (S. Res. 442) was read, as follows:

Whereas the men composing Company 553 of the Motor Transport Corps, now located at Gum Springs, near Alexandria, Va., were enlisted in the mechanical course of the University of Wisconsin and the mechanical courses maintained by the Government at many other places for the special training of men for services in the Motor Transport Corps; and

Whereas these men received this special training from June 15 to August 15, 1918, at which time they were sent to the aforesaid camp at Gum Springs, Va.; and

Whereas since August 15, 1918, to date this company has not been employed in motor-transport work, but has been employed in road-building work; and

Whereas the men of this company have been working at soldiers' pay for from 10 to 12 hours a day and doing the same character of work and employed alongside of colored civilian labor employed by a contractor who had a contract for building this road, and who paid this colored civilian labor at the rate of $4.50 and upward per day of eight hours; and

Whereas while they have been thus employed these men have received no military training and no training to make them more efficient in the Motor Transport Service, but have been continuously employed as common laborers; and

Whereas many of these men are married, with families and parents dependent upon them, many have business interests at home urgently requiring their personal attention, further absence from which will in many cases result in irreparable loss, and many others have lucrative employment awaiting them if they could secure prompt discharge from the Army; and

Whereas members of this company have filed or attempted to file applications for discharge with the commanding officer, who has refused to consider such applications upon their merits, except in a few instances where Senators and Representatives have, after long delay, succeeded in obtaining a discharge; and

Whereas in the presence of the men the commanding officer has on numerous occasions stated that no discharges will be granted nor will any applications for discharge be favorably recommended by said officer; and

Whereas these men did not and would not make any complaint so long as the country was at war, but cheerfully performed this labor to which they were assigned, although it was not the service for which they were trained; and

Whereas the road work upon which they were employed is completed, and there is no reason for the continuance in the service of Company 553 or Company 516 of the Motor Transport Service, which is similarly situated, has been similarly treated, and is under the same command: Now, therefore, be it

Resolved, That the Committee on Military Affairs, or a subcommittee of said committee, be, and it is hereby, directed to investigate the Gum Springs camp and ascertain and report to the Senate at the earliest possible date upon the following questions:

(1) Is there any military necessity for longer retaining these organizations in the service?

(2) Have the officers of these companies discouraged the filing of applications for discharge, neglected and delayed action upon applications filed with them, and refused discharges in cases upon which they have acted, without any just reason therefor, or for the purpose of maintaining their own places while they have been personally seeking new assignments for themselves or for the organizations?

(3) Have the men of either of these companies been from time to time required to perform services other than in the line of military duty?

(4) The committee is directed to make a like investigation and report as to the Motor Transport Service located at Camp Humphreys and other camps in the vicinity of Washington, D. C.

Mr. LA FOLLETTE. I ask to have the resolution referred to the Committee on Military Affairs.

The VICE PRESIDENT. It will be so referred.

Mr. JONES of Washington. Mr. President, as I understand, this resolution has been referred to the committee?

The VICE PRESIDENT. To the Committee on Military Affairs.

Mr. JONES of Washington. I received a letter a few days ago on behalf of three or four enlisted men at this station. They did not set out in detail all the matters referred to in this resolution, but they did state that they had been employed at road work alongside men who were getting from four and a half dollars to, I think they said, ten dollars a day. They also stated that the commanding officer had stated publicly that he would not receive applications for discharge; that he would not give them any consideration whatever. They could not understand why this was done. They stated in this letter that they were perfectly willing to do this kind of work, or any kind of work, while the war was going on, any work necessary to the

prosecution of the war, but they could not understand why they were to be kept in the service, working alongside of men who were getting many times the pay that they were getting, and work not at all connected with the prosecution of the war.

I took up the matter with the War Department. They advised me there, of course, that the commanding officer had no right to announce that he would not receive applications for discharge, and they assured me that they would take up the matter at once with the proper official. I have stated all the facts that were set out in the letter; but, as I say, they did not refer to many of the things referred to in this resolution.

I hope the resolution will be acted upon by the committee, and acted upon very promptly, because it seems to me there is a wholly unwarranted and unjustifiable condition of things at this Gum Springs Motor Transport Camp.

Mr. WEEKS. Mr. President, I think the fact is that the War Department has vested in the commanding officer the right to make discharges; but my judgment is that a commanding officer who stated that he would not receive an application for discharge or for any other reason would be subjecting himself to severe military punishment.

Mr. JONES of Washington. Mr. President, can the Senator see any justification now for working men on the building of roads alongside of men who are employed at very high wages?

Mr. WEEKS. I not only can not see any justification for it, but I can see every reason why it should not be done.

The VICE PRESIDENT. Are there further concurrent or other resolutions? [A pause.] The morning business is closed.

POST OFFICE APPROPRIATIONS.

Mr. BANKHEAD. Mr. President, I move that the Senate proceed to the consideration of the unfinished business, the Post Office appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. KELLOGG. Mr. President, I should like the attention of the Senator from Alabama. I now offer the amendment which was read and explained last night, which simply provides, where State constitutions have to be amended, that the part which could not otherwise be used shall be set aside in the Treasury.

Mr. BANKHEAD. Mr. President, I have examined that amendment very carefully, and so have other members of the committee. I think it is very important, and I hope the amendment will be adopted.

Mr. SMOOT. Mr. President, I should like to have the amendment read.

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. After the word "act," in line 13, on page 37, it is proposed to insert the following proviso:

Provided, That where the constitution of any State prohibits the same from engaging upon internal improvements, or from contracting public debts for extraordinary purposes in an amount sufficient to meet the monetary requirements of the act of July 11, 1916, or any act amendatory thereof, or restricts annual tax levies for the purpose of constructing and improving roads and bridges, and where a constitutional alteration or amendment to overcome either or all of such prohibitions must be submitted to a referendum at a general election, the sum to which such State is entitled under the method of apportionment provided in the act of July 11, 1916, or any act amendatory thereof, shall be withdrawn by the Secretary of the Treasury from the principal fund appropriated by the act of July 11, 1916, or any act amendatory thereof, upon receipt of the certification of the governor of such State to the existence of either or all of said prohibitions, and such sum shall be carried by the Secretary of the Treasury as a separate fund for future disbursement as hereinafter provided: *Provided further*, That when, by referendum, the constitutional alterations or amendments necessary to the enjoyment of the sum so withdrawn have been approved and ratified by any State, the Secretary of the Treasury, upon receipt of certification from the governor of such State to such effect, shall immediately make available to such State, for the purposes set forth in the act of July 11, 1916, or any act amendatory thereof, the sum withdrawn as hereinbefore provided: *And provided further*, That nothing herein shall be deemed to prevent any State from receiving such portion of said principal sum as is available under its existing constitution and laws.

Mr. KELLOGG obtained the floor.

Mr. JOHNSON of California. Mr. President——

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from California?

Mr. KELLOGG. I should like a vote on this amendment, if there is no objection to it, and I do not understand that there is.

Mr. THOMAS. Mr. President, I shall be compelled to make a point of order against this amendment. It engrafts general legislation upon an appropriation bill.

Mr. KELLOGG. I hope the Senator will not do that. It does not affect the appropriation in the least. It does not bear on the question of the amount, and, if the appropriation is going to be made, all the States ought to have a right to take advantage of it. I yield, however, to the Senator from California.

Mr. THOMAS. Just a word, Mr. President. I do not want to do anything that is disagreeable to the Senator, but our rules certainly mean something, and we are becoming prone not only to an occasional but to a constant change of the spirit as well as the letter of our bills by amendments which are not germane to them. Complaint was made last night, and justly so, by the Senator having charge of this bill that it has been four days before the Senate and we have not made much progress upon it. That is due to the fact that it has been transformed by amendments from a Post Office appropriation bill to a good-roads bill. If it were not for the amendment it would have been passed long ago.

Mr. President, I have in my hand a copy of the revenue bill, consisting of some 360 pages. The Senator from Utah [Mr. KING] will probably remember that a few days ago he asked the Senator from Alabama [Mr. BANKHEAD] where the money was coming from to meet these expenditures. This is the answer. The Senator said the Finance Committee will attend to that. We have tried to attend to it, but even here appears an appropriation. We can not even pass a revenue bill without appropriating some of the money in advance. We provide here for paying the discharged soldiers $60 apiece, or $400,000,000. That is an amendment to a revenue bill. Congress is discounting its own bills 6½ per cent, and I understand that it would have been difficult to secure its enactment but for something of that sort.

There is no question but that the Senator's amendment will improve this bill; but it is new legislation, and certainly we must somewhere, at some time, terminate this constant practice of transforming bills of all sorts into appropriation bills through general legislation. This does not increase the appropriation, but it certainly changes the form of the bill by engrafting general legislation upon it.

Mr. SMOOT. Mr. President, I am in full accord with every word the Senator from Colorado has just said. Of course I do not like this road appropriation upon this bill, but I ask the Senator from Colorado to withhold the point of order because——

Mr. THOMAS. I will do that. I will withhold it, of course, but I will not promise not to renew it.

Mr. SMOOT. I should like even to ask the Senator not to renew it, because if this appropriation is made I certainly want it as fair as it is possible to be, and the amendment offered by the Senator from Minnesota is nothing but fair to the different States of the country. I hope the Senator will finally conclude not to press the point of order.

Mr. CURTIS. Mr. President——

Mr. THOMAS. If the Senator will permit me, I have perhaps already made myself more obnoxious than is personally desirable. I do not care to do so any more than is absolutely necessary. If the Senator from Utah says this is an improvement to the bill I will withdraw the point of order.

The VICE PRESIDENT. The question is on the amendment of the Senator from Minnesota [Mr. KELLOGG] to the amendment of the committee.

The amendment to the amendment was agreed to.

AMERICAN TROOPS IN RUSSIA.

Mr. JOHNSON of California. Mr. President, I move that the pending measure be temporarily laid aside and that the Senate take up and consider Senate resolution 411.

The VICE PRESIDENT. The question is on the motion of the Senator from California.

Mr. BORAH. Upon that I call for the yeas and nays.

Mr. THOMAS. What was the motion?

The VICE PRESIDENT. To lay aside the appropriation bill and proceed to the consideration of Senate resolution 411, upon which the yeas and nays have been requested.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I have a general pair with the senior Senator from Maryland [Mr. SMITH]. I do not see him in the chamber and I withhold my vote.

Mr. KNOX (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. I am informed by his colleague that if present he would vote "yea." I will therefore vote. I vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I have a general pair with the Senator from Connecticut [Mr. MCLEAN]. I

observe that he is not present. I transfer my pair to the Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. WOLCOTT (when his name was called). I have a general pair with the Senator from Indiana [Mr. WATSON]. I am unable to secure a transfer and I withhold my vote. If permitted to vote I would vote "nay."

The roll call having been concluded,

Mr. SAULSBURY. I desire to announce the necessary absence from the Chamber of the senior Senator from Maryland [Mr. SMITH] because of illness, and also of the senior Senator from Mississippi [Mr. WILLIAMS] for the same cause.

Mr. KENDRICK. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the senior Senator from California [Mr. PHELAN] and vote "nay."

Mr. FLETCHER. I have a pair with the junior Senator from Massachusetts [Mr. WEEKS]. In his absence I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. SAULSBURY (after having voted in the negative). Has the senior Senator from Rhode Island [Mr. COLT] voted?

The VICE PRESIDENT. He has not.

Mr. SAULSBURY. I will have to withdraw my vote, having a pair with that Senator.

Mr. PENROSE (after having voted in the affirmative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I note that he has not voted. I will transfer my pair with the senior Senator from Mississippi to the senior Senator from Nebraska [Mr. NORRIS] and permit my vote to stand.

Mr. CURTIS. I wish to announce the absence of the senior Senator from Nebraska [Mr. NORRIS] on business of the Senate.

Mr. MOSES. I transfer my pair with the Senator from Kentucky [Mr. MARTIN] to the Senator from Maine [Mr. HALE] and vote "yea."

Mr. WOLCOTT. I transfer my pair with the Senator from Indiana [Mr. WATSON] to the Senator from Oklahoma [Mr. GORE] and I am at liberty to vote. I vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 32, nays 37, not voting 27, as follows:

YEAS—32.

Ashurst	Harding	La Follette	Penrose
Baird	Hardwick	Lenroot	Sherman
Borah	Johnson, Cal.	Lodge	Smoot
Cummins	Jones, Wash.	McCumber	Spencer
Curtis	Kellogg	McNary	Sutherland
France	Kenyon	Moses	Vardaman
Frelinghuysen	Kirby	New	Wadsworth
Gronna	Knox	Page	Warren

NAYS—37.

Bankhead	King	Pollock	Swanson
Beckham	Lewis	Pomerene	Thomas
Culberson	McKellar	Robinson	Thompson
Fletcher	Martin, Va.	Shafroth	Trammell
Gay	Myers	Sheppard	Underwood
Henderson	Nelson	Simmons	Walsh
Hollis	Nugent	Smith, Ariz.	Wolcott
Johnson, S. Dak.	Overman	Smith, Ga.	
Jones, N. Mex.	Pittman	Smith, S. C.	
Kendrick	Poindexter	Sterling	

NOT VOTING—27.

Brandegee	Gerry	Norris	Smith, Md.
Calder	Goff	Owen	Smith, Mich.
Chamberlain	Gore	Phelan	Townsend
Colt	Hale	Ransdell	Watson
Dillingham	Hitchcock	Reed	Weeks
Fall	McLean	Saulsbury	Williams
Fernald	Martin, Ky.	Shields	

So the motion of Mr. JOHNSON of California was rejected.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. SMOOT. Mr. President, on page 37, line 10, after the numerals "1920," I move to strike out down to and including the numerals "1921," in line 11, in the following words:

And the sum of $75,000,000 for the fiscal year ending June 30, 1921.

The effect of that amendment will be to reduce the appropriation $75,000,000, but it applies only to the appropriation for the fiscal year ending June 30, 1921, or, in other words, it provides that at this time Congress shall not authorize an appropriation of $75,000,000, which under this amendment, if it becomes a law, may not be expended until the year 1924.

There is no necessity whatever to appropriate money now that may not be used before the year 1924, and as a matter of wisdom and policy it should not be done. The next Congress or the Congress following can appropriate the money just as well as not to carry on this work, and by that time Congress will know more about the requirements of the Government; everyone in the country will know whether the conditions are such that the money ought to be expended for this purpose.

In saying this, Mr. President, I want it distinctly understood that I believe in the building of good roads. I believe that that is one of the most important questions before the American people to-day, and I think millions and billions of dollars could be expended in the building of these roads; but let us at least use a little judgment in appropriating money out of the Treasury of the United States to be expended, perhaps, not before three or four years hence, and when we know nothing about the conditions which will exist in the country at that time. It is unwise, it is uncalled for, and it should not be done.

Again, Mr. President, I believe whatever amount of money is to be appropriated, if any is appropriated by this bill, should be for the fiscal year ending June 30, 1919. As far as I am concerned, if the money is to be appropriated, I would rather see the $50,000,000 taken from the next appropriation, that would be for the fiscal year ending June 30, 1920, and added to the fiscal year 1919.

Mr. KING. Will the Senator permit me to ask a question for my own information?

Mr. SMOOT. Certainly.

Mr. KING. I should like to know what appropriation was made for 1919 and how much has been expended?

Mr. SMOOT. The appropriations that have already been made amounted to $75,000,000, and this bill provides $50,000,000 more for the present fiscal year. I think very little of the $75,000,000 that was appropriated three years ago is expended.

Mr. KING. It was my understanding that the amount appropriated for the fiscal year ending June 30, 1919, has scarcely been touched and that most of it is still available.

Mr. SMOOT. There is some of it available. But I will say that the $50,000,000 that is provided for in the bill for the present fiscal year is immediately available and could be expended for the fiscal year ending June 30, 1919.

Mr. KING. I understand that, but I was not sure about the other.

Mr. SMOOT. Under the existing law, if the States do not avail themselves of this $50,000,000 by June 30, 1919, they have another additional year to do so; and as we want the appropriations, if they are made, to be such as to give employment to the people of this country at as early a date as possible, I believe that whatever appropriation is made ought to be made in the first instance for the year ending June 30, 1919.

All that was said yesterday upon this question could be repeated to-day, but there is no necessity for it. I wish that we could have Senators in their seats to listen to the discussion of these questions and know why the amendments are made.

Mr. President, if I stood here on the floor and spoke for an hour it would make no special difference as to the vote that will be taken, but I do want a record vote on this particular amendment.

Mr. THOMAS. Does the Senator mean the section?

Mr. SMOOT. No; the amendment I have just offered to strike out $75,000,000. I hope the amendment that I have just offered to the amendment of the committee will be agreed to.

Mr. SWANSON. Mr. President, in road construction it is necessary to have the plans several years ahead. The idea is to fix up a good system of road construction and improvement, and the engineers must lay it out. They must be connected with other roads, and unless you have a plan three or four years ahead, it is disconnected and not as systematic as it is with a three years' program. That is the reason why the committee decided that it was better to have a three years' program, so that it could be fixed up systematically and so that the engineers and the department could have a systematic system devised.

Mr. LENROOT. If the Senator will yield, I should like to ask him a question.

The PRESIDING OFFICER (Mr. POMERENE in the chair). Does the Senator from Virginia yield to the Senator from Wisconsin?

Mr. SWANSON. I yield.

Mr. LENROOT. I should like to ask the Senator where he thinks the money is coming from to pay this bill?

Mr. SWANSON. I am satisfied the Government will have plenty of money; but even if we must economize in other things—even if it is necessary to continue taxation—there is nothing that will add more to the wealth and more to the power of the country and more to the comfort of the people than road construction. It is an investment; it is not waste. It is not an expenditure of useless money. I believe there is nothing the Government could do——

Mr. THOMAS. Mr. President——

Mr. SWANSON. I will yield in a minute. There is nothing the Government could do that would be more beneficial and bring a better return than appropriations and expenditures made for road improvement. I yield to the Senator from Colorado.

Mr. THOMAS. One remark the Senator made has interested me. Will he please indicate where we can economize in other things?

Mr. SWANSON. As soon as all the expenses of the war are over, with the increase of wealth, when we get down to an economical basis, I am satisfied that the Government can have a tax system that will carry road improvement without being onerous.

Mr. THOMAS. That is a very general answer to a specific question.

Mr. SWANSON. If there is anything the Government can spend money for that brings good returns, that brings good profits, that adds to the comfort of the people, it is road improvement.

Mr. THOMAS. If I may ask the Senator from Virginia another question, Is the Senator going to support the proposed increase of the Navy involving an expenditure of $700,000,000?

Mr. SWANSON. The Senator is entirely mistaken about the naval bill. The naval bill now pending in the House, as I understand, providing for the additional naval program, appropriates about $400,000,000 approximately, the expenditure to extend over five or six years. The entire appropriation, as I understand, for this year is about $750,000,000. A great deal of it is temporary, on account of the change to a peace basis from a war basis.

Mr. THOMAS. The Senator from Virginia has not yet answered my question. Who will cut the appropriation down from $700,000,000 to $400,000,000? But I merely ask the Senator does he expect to support the bill?

Mr. SWANSON. I expect to support it should the condition be such that there is no disarmament or cessation of navalism in other countries. In that event, in order to save this country, we should have a Navy adequate to protect our great commercial interests and our liberty and our institutions.

Mr. THOMAS. Is the Senator in favor of reducing the appropriation?

Mr. SWANSON. I will discuss the naval bill when it comes here.

Mr. THOMAS. I understand that; but the Senator stated that we ought to economize in some other direction; and I am in favor of economizing both in other directions and here. I was anxious to ascertain, if I could, from the Senator where we could begin this work of economy. That is the thing I have been hunting for the six years I have been in the Senate, but I can not find it.

Mr. SWANSON. I understand the naval appropriation bill has been reduced a great deal in the expenditure which it carries.

Mr. THOMAS. It has been reduced from $1,250,000,000 to $700,000,000, I understand.

Mr. SWANSON. It has been reduced a great deal more than that, and it has also been reduced from the estimates about two or three hundred million dollars. The appropriation is temporary on account of the changed conditions from war to peace. I have not examined the naval bill in detail so as to speak explicitly regarding it. I simply have the general impression. The bill has not yet come over to the Senate.

Mr. BANKHEAD. Mr. President, I regard the third year of this appropriation as the most important of any year provided for in the bill. The department which is to put this bill into force and execution also holds that view. Why? If we are going to enter upon an extensive program of road construction in this country, it must be systematically entered upon, planned, and surveyed, and estimates must be made. State constitutions must be amended in some particulars. We have already authorized that in this bill, in order that all of the States may enjoy that portion of the appropriation to which they are entitled. The third year in this bill, as I have repeatedly said, is the most important of any. States have got to make their plans; they have got to make their surveys and estimates; they have got to provide for raising revenue. Many States perhaps would hesitate about extensive preparations to be made to match the provisions in this bill if they were only to be applied or extended for two years.

The money which is to be appropriated will not be expended until the third year. The Senator from Utah [Mr. SMOOT] says it is carried over to 1924, but he is mistaken.

Mr. SMOOT. I said it could be carried over.

Mr. BANKHEAD. I do not see how. There is nothing in the bill which authorizes it.

Mr. SMOOT. I do not think the Senator wants to make that statement.

Mr. BANKHEAD. I do make it.

Mr. SMOOT. Will the Senator allow me to call his attention to what the bill provides?

Mr. BANKHEAD. I will read from the bill. Let us see what the bill says.

Mr. SMOOT. Let me call attention to what the bill says. I think I can find it in a moment.

Mr. BANKHEAD. Mr. President, I will read that portion of the bill to which I have referred, and that portion of the bill has not been amended. It was proposed to amend it, but the amendment went out on a point of order made by the Senator from Utah [Mr. KING]. So the original law as passed in 1916 is the law that controls this appropriation.

Mr. SMOOT. Mr. President, I desire to say that I had the amendment here before me this morning when I was speaking.

Mr. BANKHEAD. I thought that had misled the Senator.

Mr. SMOOT. I was speaking to the amendment that I had before me.

Mr. BANKHEAD. But that went out; that is not in the bill.

Mr. SMOOT. That amendment provided for the extension of the appropriation two years instead of one year, as in the existing law.

Mr. BANKHEAD. That went out, and is not in the bill. I hope the Senate will carefully consider this matter. There is no economy—in fact, it is a waste, to my mind, to strike out the third-year provision of this proposed law. The States can not possibly make their arrangements economically and wisely to enter upon this extensive system of road improvement unless they have time in which to make their plans, their financial and other arrangements. If you cut them off right at the beginning of the third year, what happens? They have gone on for two years under the provisions of the law; they have entered upon road construction. Everybody, I think, understands how much interested the people of this country are in the question of improved roads and improved means of transportation from the farms to the depots and river landings and finally to the consumer. I do not think anybody need apprehend that under any circumstances we are to be criticized for liberal appropriations for this purpose.

Mr. SMITH of Georgia. Will the Senator let me ask him a question?

Mr. BANKHEAD. Certainly.

Mr. SMITH of Georgia. What amount under this bill will be immediately available?

Mr. BANKHEAD. Under this bill the amount which will be immediately available, according to the figures of the Secretary of Agriculture, who recommends this appropriation, is as follows: There will be immediately available for this fiscal year, under the provisions of this law, $170,000,000. Why? Because $70,000,000 of former appropriations have not been applied; the States have not made their plans and accepted the provisions of the law. Therefore that amount of money for two years remains unexpended because of war conditions, as the Secretary of Agriculture states. The plans were all adopted and approved, but the construction was held up on account of war conditions. Material could not be shipped, labor could not be obtained, and therefore road building during the last year or two, during the years which the war was going on, was practically suspended.

Mr. SMITH of Georgia. Then there is $170,000,000 immediately available?

Mr. BANKHEAD. Yes.

Mr. SMITH of Georgia. If it will not interrupt the Senator, I should be glad to call his attention to the fact that a series of hearings have been going on before the Committee on Education and Labor upon a bill looking toward quite liberal appropriations to meet by employment on public works the threatened lack of employment in different parts of the country. The committee adjourned this morning, after another long hearing, without definite action; but we adjourned with the understanding that we would see how far this bill would provide authority to the use at certain places, perhaps, of part of this appropriation, even before it was met by the State. Could anything be done

without embarrassing or hindering this bill to facilitate the very prompt use of this fund where the lack of occupation for labor made it especially important?

Mr. BANKHEAD. I do not think it would be wise to undertake to inject a provision of that kind into this bill.

Mr. SMITH of Georgia. The bill pending before the Committee on Education and Labor carries an appropriation of $100,000,000, to be used by a board to be designated in the bill, to meet, by providing employment on public works, conditions that may very possibly arise, and which I think we ought seriously to consider.

Mr. BANKHEAD. I will say to the Senator that I think $170,000,000, as provided in this bill, will be ample to meet that suggestion.

Mr. KENYON. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Iowa?

Mr. BANKHEAD. I want to add that it must not be overlooked that one-half of this money is to be paid by the States.

Mr. KENYON. One-half of the $170,000,000?

Mr. BANKHEAD. Yes.

Mr. KENYON. I wish to get right down to the question which the Senator from Georgia [Mr. SMITH] has suggested. Can this work go on in the next few months? That is when this labor trouble is coming, and I am looking at it from that standpoint.

Mr. BANKHEAD. It can begin to-morrow, and, in fact, has already begun.

Mr. KENYON. It is necessary to have the States take some action in the matter, is it not?

Mr. BANKHEAD. No; not many of the States will have to act, although some few will. I have just stated that the Secretary of Agriculture in his letter says that a very large number of these applications on the part of States have been approved, but have been held up on account of war conditions. They could not get the material; they could not get the labor. Now they are ready to go right to work and the money is ready under the old appropriation for these approved contracts.

Mr. KENYON. How many men actually can be put to work, does the Senator know?

Mr. BANKHEAD. I do not know; but I will say that there are 391 projects already under agreement, where the States are ready to put up their share and the Government is ready to put up its share. That work will go on now because the conditions are such that it can be proceeded with. If we pass this bill labor can be obtained and the materials necessary to the building of roads can be obtained, because the railroad conditions have changed.

Mr. KENYON. How extensive are those projects? Are they large projects?

Mr. BANKHEAD. No; not very many of them are. They are all in their nature local to the various counties and States.

Mr. KENYON. Can the Senator give any estimate of how many men will perhaps be employed on those projects?

Mr. BANKHEAD. Mr. President, I have no definite figures as to that; but I would say unhesitatingly that under this bill, providing for an expenditure this fiscal year of $170,000,000, at least 500,000 men, and perhaps more, can be employed on these roads. The benefit of these provisions is that the soldiers who are returning without employment are going to every State in this Union. They are not going to be discharged and remain in the cities of the East, but they are going back to the States where they enlisted, and they will be there trying to get employment. Under the provisions of this bill men who go back to Alabama or to Wisconsin or to any other State in the Union will be there ready to accept employment at liberal wages when this road construction begins, and it has already begun. As I have stated, 391 projects have been approved, and they are ready to proceed with the work. That is the benefit that will come from this bill.

I desire to repeat before I sit down that the provision of this bill as to the third year is the most important of all. If the provision for the third year is stricken out, the plans can not be made, the financial arrangements can not be made, and the State constitutions can not be amended, as some of them must be amended. This money will remain in the Treasury until the fiscal year for which it is appropriated; not a dollar of it can be expended until the time comes; and I hope the Senate will not consider for a moment the motion of the Senator from Utah to strike out the most important, to my mind the vital, provision of this bill. We had better strike out the first section.

Mr. SMITH of Georgia. Mr. President, will the Senator allow me to interrupt him?

Mr. BANKHEAD. Certainly.

Mr. SMITH of Georgia. The feature of this bill that appeals greatly to some of us is the first year's work, the work that can be done now. If the Senator had heard the testimony that has been presented to the Committee on Education and Labor, I believe he would be aroused to the necessity of furnishing work during the next six months to a great number of men who will otherwise be out of work.

Mr. BANKHEAD. There is no doubt about that.

Mr. SMITH of Georgia. It was suggested at our committee meetings that this bill in the provision for the first year's work would go far toward meeting this necessity. If I could, I would take the appropriation for the last year and add it to the first year, double it now, so as to be sure that we were taking steps which would give an opportunity to furnish occupation to labor where disorganization has arisen, their country having taken the men away from their homes and their occupations by the draft and put them in the Army.

Mr. BANKHEAD. Mr. President——

Mr. SMITH of Georgia. Will the Senator allow me to say just a word more?

Mr. BANKHEAD. Certainly.

Mr. SMITH of Georgia. We feared that they would be kept at the front all this year; but, thank God, they do not have to stay there, and now that the war is over let us not fail to realize that a duty rests upon us to provide for them as they come home by furnishing an opportunity to work along lines provided for in this bill. I think the opportunity is at least partially presented by this bill; I think they can do a great public service; they can accomplish results beneficial to the entire country, and at the same time we can meet our obligation to see that there is a chance for occupation to the men returning home whom we broke up their former relations to civil life.

Mr. BANKHEAD. Mr. President, I entirely agree with the suggestions made by the Senator from Georgia. I could not tell, in response to the question of the Senator from Iowa [Mr. KENYON], exactly how many men could be employed on road construction under the provisions of the bill for the first year, but there could certainly be employed a great number of men with the amount of money provided. The beauty of it is, Mr. President, that employment will be provided for them in every State in the Union. We are not proposing to go to New York or Philadelphia or Chicago or Boston to spend large amounts of money to give employment to the unemployed, but we are going out to every section of the country, in every State and every county where these men have returned after their discharge from the Army.

Mr. SWANSON. Mr. President, will the Senator permit me a moment?

Mr. BANKHEAD. Yes.

Mr. SWANSON. It is estimated that over 50 per cent of expenditures for roads go directly to labor. The character of labor employed in such work, outside of the skilled engineers and road constructors, is not skilled labor, but is the usual kind of labor that in times of distress needs occupation and employment more than any other. If any measure could be devised to give occupation to the character of people who will be out of employment, road construction is generally understood to be the best kind of work for that purpose. It takes care of a class of people who are out of employment, and, in addition to that, the work is of permanent and lasting benefit.

Mr. THOMAS and Mr. SMOOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. THOMAS. I thought the Senator had yielded the floor.

Mr. SWANSON. Not yet. As to the amount to be expended for the first year, there was some suggestion that the Senator from Alabama had exaggerated the figures. The estimate here is $170,000,000, as he stated; that is, $50,000,000 of Federal appropriations, to be supplemented by a like amount from the States, making $100,000,000, to which should be added the balance now available from former and present fiscal years from State and Federal sources, amounting to $70,000,000, making the total amount for the first year $170,000,000.

Mr. THOMAS obtained the floor.

Mr. SMOOT. Mr. President——

Mr. THOMAS. I yield to the Senator from Utah.

Mr. SMOOT. Mr. President, the statement has been made that 500,000 men could be given employment under the first year's appropriation. I wish to call attention to the inaccuracy of that statement. Granting that $170,000,000 will be available the first year, if the men engaged on road building are paid $1,000 a year on the average, that would mean employment for 170,000 men. But it is admitted that only half of the amount goes to labor and that the other half is applied

to other expenses, so the most that could be employed would be 85,000.

Mr. VARDAMAN. Does the Senator object to the appropriation on that account?

Mr. SMOOT. No; I am only correcting the record; that is all.

Mr. BANKHEAD. I stated that I did not have the exact figures and did not know exactly the number of men who could be employed.

Mr. SMOOT. So that instead of 500,000 men who could be employed the first year, there would be about 85,000.

Mr. BANKHEAD. I presume the Senator from Utah has figured out how many men can be employed. I did not do that, and did not have the opportunity to do so.

Mr. VARDAMAN. Does the Senator from Utah wish to enlarge the appropriation, so that it will give employment to 500,000 men?

Mr. SMOOT. I would rather do that for the first year than to appropriate money for the third year, I will say to the Senator.

Mr. VARDAMAN. There are two interests to be subserved—the people living in the country, who use the roads, and the people who are given employment in building the roads. If you can serve the country better by making a part of the appropriation available the third year, it seems to me there ought not to be any objection; not, I submit, because it may not give employment to quite so many men in the first year. We wish to serve the soldiers who will return to their homes without employment, but we also wish to serve the men and women whose labor produces the materials that feed and clothe the world, pay the taxes, and support the Government. In other words, I am interested in taking care of the farmers, whom I consider the substratum of all national prosperity.

Mr. SMOOT. I say that when the third year comes, and long before it comes, Congress will know whether they want to appropriate $75,000,000 or $150,000,000, or whether they are bankrupt, so that they can not appropriate anything. That is all.

Mr. THOMAS. Mr. President, I have observed that many of the appropriations which are sought for find their excuse in the assertion that the money is needed to secure employment for returning soldiers. We are regaled here every morning, or some part of every day, by complaints that men who have jobs and want to fill them can not secure their discharges. We are told that jobs are hungering for returning soldiers, and the department is seriously criticized and sometimes denounced because those who desire discharges to return to employment can not secure them.

Mr. President, I was 15 years old when the Civil War ended. The press of the country at that time called attention to the reluctance of a great many discharged soldiers to work at all, to return to their ancient employments, or to renew the more prosaic and less attractive forms of civil pursuits; and that was true. It is an unfortunate fact that war begets the lust of adventure and of excitement and of restlessness in the blood of the young men who serve their country. It is difficult for them to lapse back into the lives which they led prior to the beginning of conflict.

I noticed a day or two ago in a New York paper that among the unemployed in New York were 15,000 discharged soldiers, most of them farm boys, who had determined thereafter to live in New York City. I am told by men engaged in the work of mustering out the soldiers that there is a widespread spirit of wanderlust, especially among the farm boys—and it is human nature; we can not blame them—who are not disposed to return to their ordinary pursuits, to the humdrum toil of life. They have got a taste of the world's excitement, and they desire to enjoy more of it.

A gentleman perfectly competent to speak said in my presence the other day that the colored soldiers of the South were on the streets of the cities, wearing their uniforms; that they did not want to work. Of course, that does not include all of them; but they felt—and there, again, it is a natural feeling—that having served their country, and served it well, they are now entitled to the enjoyment of a different life; and, of course, we are encouraging that by all sorts of proposed legislation. I have called attention to the fact that we could not even pass a revenue bill without providing for an appropriation of $400,000,000 for extra pay.

A young citizen of my city came to see me within the week. He said he wanted to get his discharge as soon as possible because his old job was awaiting him. I told him that I had been informed that in my own city of Denver there were 7,000 to 10,000 soldiers looking for jobs. He said, "No; I have just come from there. They are not looking for *jobs;* they want *positions.*" He said, "There are plenty of jobs." And I know that the farms of this country are literally crying for help.

There are from 60,000 to 80,000 men on strike in the cities of Seattle and Tacoma. There are jobs that can be filled by returning soldiers, and ought to be. We may perhaps find ourselves in the position, I will not say of encouraging but of sympathizing, with organized strikes in the country while at the same time voting millions upon millions of dollars of the people's money to secure jobs for returning soldiers. I think that our principal task is going to be to find soldiers for jobs rather than to find jobs for soldiers.

I am not reflecting upon the patriotism or the enterprise of the young soldier. I am speaking, of course, of an exception to the general class; but it is wrong, Mr. President, to use the argument of a desire to give jobs to thousands of people for the purpose of getting these enormous appropriations out of a depleted Treasury.

Mr. President, the man whom God helps is the man who helps himself; and once we begin this paternal, charitable system of legislation, I do not know where we are going to end it. I contend that the men who stayed at home and who are detailed to work at home, in the city of Washington and in other cities, in carrying out that necessary supplemental task of supplying the Army with its sinews and with its supplies, are just as much entitled to appropriations, that we may now find them jobs, as others. The jobs, Mr. President, are here. The country wants every man. It can find a job for every man who wants a job; but we propose to say to these gentlemen, "We will get you jobs"; and a man who depends upon a condition of that kind for a job, and who accepts it, expects extraordinary consideration.

I have already called attention, in another argument that I presented to the Senate, to the extraordinary fact that under the provisions of this bill specific preference is given to soldiers and sailors, which is class legislation, which provides that the man who pays the taxes must be subordinated to the man who does not pay the taxes in the enjoyment of their expenditure.

Mr. KENYON. Mr. President——

Mr. THOMAS. Just a moment. This should stand upon its merits. If the country needs and should have $200,000,000, let us vote it; but do not let us camouflage our proposed appropriation by saying that it is necessary to give jobs to free, independent American citizens in a country of opportunity, where every man who wants to make a living and to earn it has abundant opportunity to do so.

Mr. KENYON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. THOMAS. I yield.

Mr. KENYON. I think possibly the Senator has answered the question I intended to ask. It was this: Does the Senator believe that there is plenty of opportunity for work and plenty of work and plenty of jobs for those who are seeking them in the country?

Mr. THOMAS. As far as I am able to judge, yes. There are no jobs in New York City for 15,000 men who do not belong there and who will not go home.

Mr. VARDAMAN. Will they not go home?

Mr. THOMAS. No; the newspapers state that they intend to make their future homes in these great cities.

Mr. VARDAMAN. Let me ask the Senator a question.

Mr. THOMAS. I can answer only one question at a time.

Mr. KENYON. Let me get through with mine. The Senator differs with the Labor Department of the Government with respect to this matter. Now, I agree with the Senator that this proposition of getting work for returned soldiers and all that is being made the vehicle to get great appropriations through.

Mr. THOMAS. There is no doubt in the world about it.

Mr. KENYON. That is true; and I do not believe in it at all; but I should like to think the Senator is correct in his view of the labor situation. The Department of Labor, in this testimony of which the Senator from Georgia speaks, has shown to that committee, by reports from the various cities—and I leave out this Seattle question and all of these strike questions—that the ratio of unemployment has been going up at a very alarming figure. There are not so many unemployed now as to be at all startling, but the ratio of unemployment is startling. For instance, we learn from reports from these centers that on December 13 there were 10,000 unemployed. That has gone up this week to 264,000, and they say there is not a job for every man seeking a job.

The holding back of investment, the holding back of building that has gone on during the war, has had something to do with

this situation. Men are not going ahead with building because material is so high and labor is high, and that situation has arisen in the country. I think it is a very troublesome situation. There have been held back by municipalities and States some three hundred millions of public works that already have been authorized. There is a great deal of Government work that has been authorized. Now, if we could go ahead with that, it would not make more public buildings, for instance, but the effort would be concentrated where the unemployment exists. Does the Senator feel that everything is all right; that there is no need along this line?

Mr. THOMAS. No; nothing is all right in this country at all times. If it were there would be nothing to live for. The Labor Department knows, and ought to know, much more about this situation than I do; but I know that in the city of New York, where there is a large amount of unemployment, there are also big strikes going on. Nobody wants to take the place of a striker. We all know, too, that the Labor Department is officered by those representing one species of labor, and that, as far as possible, the unemployed must, or is expected to, at least, identify himself with the organizations in order to get work through this board. I do not mean to say that that is universal; but, if my information is correct, it has characterized the operations of the board in some places.

But, Mr. President, I am satisfied—and this is not peculiar to this war; it is history; it is common experience; it is taking place in Great Britain, in Australia, in Canada, just as it is here; it is human nature—that men who have gone through the terrible and at the same time fascinating excitements of the war are reluctant, many of them, to reassume their civic duties and fill their old positions. I think in every city in the Union there are aggregations of men who have recently been in the Army who want jobs in the cities, while the country is crying and clamoring for help.

Mr. KENYON. There is no doubt about the country crying and clamoring for help.

Mr. THOMAS. And that the congestion in the cities is followed by starvation in the country. The problem before that board and before Congress is to induce men to go back to their old jobs, to go to farming, to go to blacksmithing, and so forth, instead of rushing into these cities and wasting their time in looking for jobs and attending the cheap theaters and other attractions of the cities.

Mr. KENYON. That is true; but, in the words of a great man whom the Senator did not think was a Democrat, it is a condition and not a theory that confronts us right now.

Mr. THOMAS. I know he was not a Democrat. I want to relieve the condition. I do not believe this will do it, however.

Mr. KENYON. I do not know. I hope the Senator is right when he says that there is a job for every man. I am afraid there is not, however.

Mr. THOMAS. There have been times, of course, when that was not the case, and there may be times now when that is not the case. I am willing to concede that; but is this the right sort of remedy?

Mr. KENYON. I do not know. What is the remedy? If there is not some remedy in carrying on public works, what is the remedy? The remedy is not to make speeches about it.

Mr. THOMAS. Oh, making speeches is a remedy for nothing, especially in the Senate of the United States.

Mr. KENYON. That is the only way we remedy anything here, so far as I know.

Mr. THOMAS. Unfortunately, that is the only way in which we transact business here. The other House votes, and does not talk. We talk, and never vote; and, of course, I am just as guilty as anybody else, so far as that is concerned. It is difficult to outline the remedy at once; but I say primarily the remedy is to ascertain where jobs are—not who wants them so much as where jobs are. Let these employees ask the farmers of Iowa, the farmers and miners of Colorado—I know that there are mines in my State that need skilled men—and by that means ascertaining the job, then bring the man who is without it to that job, instead of, upon the assumption that we are catering to a greatly needed want, taking two hundred millions out of the Treasury of the United States for the purpose of making the people of our different States feel so much better because Uncle Sam's money is going to be distributed among them.

Mr. VARDAMAN. Mr. President, may I ask the Senator a question at that point?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Mississippi?

Mr. THOMAS. I wanted to yield the floor some time ago.

Mr. VARDAMAN. The learned Senator from Colorado always talks interestingly.

Mr. THOMAS. Interestingly and too much.

Mr. VARDAMAN. Interestingly and instructively. No; the Senator from Colorado can not talk too much to suit me. But I would like to suggest this thought, which has occurred to me and which I hope may throw some light on the subject. Primarily the purpose of this appropriation is not to give jobs.

Mr. THOMAS. No; but that is the argument upon which it is based, that it is needed at this time.

Mr. VARDAMAN. Of course, the honorable Senator from Colorado will not be carried off upon that idea. The appropriation is to build roads for the convenience and benefit of the people who live in the rural districts and for the convenience of the country generally. Good roads will cheapen the freight rates, the cost of carrying the products of the farms to market; good roads will facilitate social intercourse among the people, which will also enhance the value of the land and work for better living in the country in every way; good roads will improve the social life of the men and women who have to bear the burdens and the expense of government. Now, if you wish to make country life more attractive, if you would draw from the city to the farm men and women, if you would keep the boys reared in the country on the farm, you have got to make it possible for the farmer to visit his neighbor, to send his children to school, to carry his goods to market, and that will be made possible only by the building of good highways. You have got to bring him into the world, out of his heretofore forced isolation. I think the best investment this Government ever made, one that brings the largest returns to all the people, is the money invested in good highways, because, as stated above, good highways mean good schools; good highways mean better churches; good highways mean better live stock and improved farming implements; good highways improve educational facilities and elevate the moral tone of the community and in every way work for the upbuilding and betterment of society. They make farm life attractive when nothing else will, keep the boys from leaving the farm to go to the city, where they are often engulfed in the maelstrom of immorality and idleness. And I want to say, Mr. President, in conclusion, that when you benefit the agricultural element of this country you improve every other class of society, and you can not benefit one neighborhood in the United States or neglect the interests of one neighborhood without benefiting or injuring the entire Republic.

It is my judgment that the greater part of this money that is going to be spent on the roads will be paid to men now living in the country and soldiers who will return from the Army to the farm. Farmers in all probability will do the greater part of the road work. I do not indulge the hope that you are going to be able to induce people resident in the city to go to the country to do this road-building work. I hope they may go there. The work is healthy, moderate, and the remuneration will be ample, and the man who fails to take advantage of the opportunity thus furnished for employment, and remains idle in town, will prove himself to be an undesirable citizen.

Mr. THOMAS. The Senator has repeated the argument that was made when this bill was presented by the Senator from Virginia [Mr. SWANSON]. I referred to that the other day. There is a great deal in it. It is the argument which carried $75,000,000 through the Senate and the House two years ago, a great part of which is not yet spent.

Of course, good roads are beneficial, but the Senator has not mentioned one thing which this and other appropriations are going to bring to the people, and that is bankruptcy, which, in my mind, is a poor equivalent for the benefits to which the Senator has referred.

Mr. VARDAMAN. I do not think it will bring bankruptcy. I think this appropriation for roads is a good investment.

Mr. THOMAS. Of course, this bill is only one of a number. The total appropriations to be made, pending, and which will be pending during the short life of this Congress will amount to thousands of millions of dollars; and there is just as much basis for the other appropriations at this time as there is for this one. Good roads have $75,000,000 at this time, and ought not to be enriched by $200,000,000, however desirable the benefits that will grow from it.

Mr. FRELINGHUYSEN. Mr. President, before I make any remarks upon this amendment, I should like to ask the chairman of the committee whether he knows if it is to be the policy of the Southern States to continue the employment of convicts in the States on these roads which are to be built by the Federal Government?

Mr. BANKHEAD. I do not know of any State of the South that has ever employed State convicts.

Mr. THOMAS. My State employs them, and I hope it will continue to employ them.

Mr. FRELINGHUYSEN. I hope so, too.

Mr. BANKHEAD. That has nothing to do with this question. Do they employ convicts on the roads in the Senator's State?

Mr. FRELINGHUYSEN. Yes; and that simply brings out the point I want to make in my opposition to this amendment. I think this talk about employing the returned soldiers on the roads is foolishness. In the first place, I do not believe any number of soldiers will be willing to go on the roads and work under the conditions which are demanded. These soldiers have returned from France where they have been under the care of the Government, and be it said to the credit of the War Department they have been well rationed. If they are to accept employment from the Government, or whoever contracts to build these roads, they must submit not to the military rations or fare but to the fare provided by the contractor, and he is going to make as much money out of the contract as he can. Consequently the living conditions and the food will not be of the same standard that the soldiers enjoyed while in the Army. Besides, it will compel the soldiers to go out to live in bunk houses, many of them under uncomfortable conditions, far from home, and what the soldier wants now is to go home and work near his home.

Mr. BANKHEAD. Will the Senator yield?

Mr. FRELINGHUYSEN. I yield.

Mr. BANKHEAD. Does the Senator understand that this provision compels the soldiers to work on the roads?

Mr. FRELINGHUYSEN. No; I understand that it does not; that it is voluntary, but I say——

Mr. BANKHEAD. If they do not want to go there and live in bunk houses, they will not go.

Mr. FRELINGHUYSEN. I say to the chairman of the committee the conditions are such that it will not be attractive to those men. They want to go home and work near their homes. Many of those men have homes, and you can not take them on these roads and induce them in any wise to take that kind of employment.

Mr. President, I am perfectly willing to support any bill which will enable us to employ idle men in this country, but the reason why men are idle to-day is because the manufacturers can not pay the present rate of wages. They can not sell their goods at the present rate of wages, and they are compelled to shut down their industries. Besides that, the manufacturers of this country are unwilling to take any chances in buying raw material or engaging in any future contracts under the present system of taxation. They are afraid to take a chance as to the future.

That brings me to the point I want to make in regard to this bill. I do not want to oppose any measure which will give the States of the Union which have a small mileage of roads an increase mileage through any aid whether State or Federal. Good roads are probably the only medium through which the farming sections of the country and the productive areas of the country can be built up. I think my State alone has had a wider experience in regard to that, for we were the pioneer State in road building. Twenty years ago the State-road act was passed whereby the State aided the counties and the townships in building roads, and it brought great prosperity to the State. I think we were the first State which adopted that plan.

I believe it is a question of grave doubt whether the Federal Government should continue the paternalistic policy of these public improvements for the benefit of the States. There is not enough money in the Treasury to continue these tremendous appropriations. We have engaged in the extension of vocational education, and we passed the farm-demonstration act—I think it is the Smith-Lever Act—all of great benefit to the States and all needed; but the question now arises just as we are emerging from the war, when we do not know what our war debt is going to be, when we must necessarily raise another liberty loan of $6,000,000,000, when it is doubtful whether we can raise that loan. On top of that the statement was made by the Senator from Utah [Mr. SMOOT]—I think on yesterday—that in the fiscal year ending June 30 we will need $10,000,000,000 for governmental expenses. With all that in view I say the time has come, if we are practical, common-sense business men in this Chamber, when we have got to put our feet down on these public enterprises and developments, for a time at least.

The estimates of the Senator from Utah are not all the obligations which the Government will have to meet. I do not think he included in that the billion and a quarter that will be required to keep our faith with the farmers in the $2.26 additional that we agreed to pay for wheat. It does not include the $750,000,000 in the naval bill, an appropriation which the President says is vital to the negotiations for peace just as peace is dawning. There is a $75,000,000 omnibus public-building bill, I understand, pending in the House of Representatives. There will be $1,000,000,000 required to replace the source of revenue which the Government will be deprived of by reason of the prohibition amendment, and we shall have a fixed charge of $750,000,000 interest on our war debt.

Mr. SMOOT. Mr. President——

Mr. FRELINGHUYSEN. I yield to the Senator.

Mr. SMOOT. The Senator is correct in stating that in my estimate, that was made on December 18 last, I did not take into consideration most of the items he has already mentioned, but I may add, if that is all the Senator is going to mention, there are a few more.

Mr. FRELINGHUYSEN. It is practically $4,000,000,000. In addition to this tremendous amount there are other projects mentioned; $400,000,000 for the development of the Mississippi and $500,000,000 for the development of land under Secretary Lane's proposal for returning soldiers.

Mr. President, this has been the most lavish and extravagant era in American history, and just as we are now struggling to recover from the tremendous burdens of taxation imposed by reason of the war Congress is flooded with projects which are paternalistic in nature. If eventually it is to be the policy of the Government, we should have some systematic plan, not a slipshod catch-as-you-can plan, where a few States will benefit by it and other States will fail to benefit by it, but a system properly studied, a system of national highways, trunk lines running from coast to coast, East to West, North to South, so that every State will be equally benefited. If we are to enter upon a policy of Federal road building, that should be the system and method which we should adopt, not this careless method of appropriating to just a few States.

Mr. President, I shall oppose this amendment because I think it is unwise at this time to enlarge the expenditures of the Government and place great burdens of taxation upon the business and manufacturing interests of the country.

Mr. SMOOT. The Senator does not oppose my amendment to the amendment?

Mr. FRELINGHUYSEN. I will support your amendment because it reduces the appropriation, and I shall then vote against the appropriation of $200,000,000.

I simply want to read, in closing, from the Democratic Campaign Textbook of 1912 a section of the Democratic platform, entitled "Economy in the public service." The Democratic platform says:

> We denounce the profligate waste of the money wrung from the people by oppressive taxation through the lavish appropriations of recent Republican Congresses, which have kept taxes high and reduced the purchasing power of the people's toil. We demand a return to that simplicity and economy which befits a democratic Government, and a reduction in the number of useless offices, the salaries of which drain the substance of the people.

Again, in the Democratic platform of 1916, under the title "Economy and the budget," we find the following:

> We demand careful economy in all expenditures for the support of the Government, and to that end favor a return by the House of Representatives to its former practice of initiating and preparing all appropriation bills through a single committee, chosen from its membership, in order that responsibility may be centered, expenditures standardized, and made uniform, and waste and duplication in the public service as much as possible avoided. We favor this as a practicable first step toward a budget system.

Mr. STERLING. Mr. President, although I have been very much interested in these amendments to the bill, and interested, too, in the discussion, so far I have said nothing in this debate. I wish to say this, Mr. President, that if the Democratic Party has violated its platform, as just read by the Senator from New Jersey [Mr. FRELINGHUYSEN], in no other or greater way than it would violate it by standing for the present bill, and for that provision of the bill relating to Federal aid for good roads, I could easily excuse the Democratic Party, for, Mr. President, as I view it, the expenditure contemplated by this bill is not at all wasteful extravagance, the thing which the Democratic Party condemns in its platform, nor is it the paternalistic policy described by the Senator from New Jersey.

Under the broad power given Congress to establish post offices and post roads a great deal more may be done by Congress than merely designating a post-road route by declaring that it shall follow certain lines. The power to establish post offices and post roads must mean the power to construct and maintain also, because, though established, laid out, or defined, without the construction of the road the mere laying out or defining of the road might be wholly unavailing.

With that power, Mr. President, not only to establish a post road, but the power which must necessarily follow, namely, to construct and maintain a road, how much has ever been expended by the Government of the United States in laying out, constructing, or maintaining the post roads of the country?

I am not quite sure that I am correct, but my belief is that never a cent had been expended by the General Government or appropriated by Congress for the purpose of constructing and maintaining the Government post roads throughout the country

until it was appropriated under the bill passed in 1916, the present law. I think it fair and reasonable to ask the question whether the Government, in the construction of these roads, does not itself owe something to the people in the way of aiding in their construction as post roads and for the purpose of the carriage of the mails.

But, as I say, the Government, until the good-roads law in 1916, had never, as I recall, appropriated a cent for the construction or maintenance of its post roads. Under the law, and under the regulations of the Post Office Department made in pursuance of the law, routes have been designated, of course, and every railroad throughout the country is a post route under the law and under the regulations. But the Government has never expended any money in the construction of railroads or in other roads over which the mails have been carried by city or by rural carriage.

Mr. President, I am for this bill and this feature of the bill on the ground that it is not paternalism, and because it is in pursuance of a wise, wide, and beneficent national policy.

What are the ends of Government? I think one of the great ends is the welfare of the people. What is related to the welfare of the people? Their means of social intercourse, anything that may help them from an economic point of view, education, are all things that pertain immediately to the welfare of the people; and what better means of securing these ends, and thereby securing the welfare of the people, than a system of good roads throughout the country?

Mr. President, it is appalling sometimes when we think of the economic waste that arises out of a system of bad roads, the difficulties and the delays in getting the produce of the farmer to the market, the losses which farmers sustain in many sections of the country because of bad roads.

Communities in certain States of this Union are financially unable, because of their situation, because of their newness, because of their population, because of their lack of great industrial interests to help them, to construct a system of good roads, and when the Government lays out the post roads, since it has power and authority to construct and maintain them, it is but reasonable and natural that the people should say to Congress: "Build half of certain of these post roads of yours as they may be laid out, as the projects may be approved by the State highway commissions, and as they may be approved by the Secretary of Agriculture."

Here are the proper safeguards to prevent waste and extravagance, Mr. President, in the expenditure of the money appropriated. You first have the State authorities passing upon the question, determining whether or not the route is feasible, whether it is needed, whether this post road should be made a good travelable, safe road. It is first passed upon by the State authorities, and then again by the Secretary of Agriculture, and after a survey, preliminary at least, of the route over which the road is to be constructed.

So, Mr. President, with this as our policy, with the underlying thought and need being the economic, social, and educational welfare of all the people of the country, why should not Congress appropriate one-half of the amount necessary to build, construct, and maintain some of the roads which the Government uses for the purpose of carrying the mails?

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Will the Senator from South Dakota yield to the Senator from Wisconsin?

Mr. STERLING. I yield.

Mr. LENROOT. I am, of course, in full accord generally with all the Senator has stated, but I wish to ask the Senator whether the establishment of post roads is not primarily of local benefit, and when the Federal Government pays the salary of the rural carrier, whether the Government is not contributing to a local benefit?

Mr. STERLING. I agree with the Senator from Wisconsin in the respect that it is primarily of local or community benefit; but, Mr. President, because it is does not excuse the Government itself in denying all aid in the construction of these roads.

Let me call attention, in passing, to the situation in my own State as compared with conditions in other States in the Union, with the conditions in those States from which the Senators come who are most strenuous in their opposition to the good-roads part of the bill. These Senators come from States where there is material in abundance for the construction of good roads. In most of the Eastern States, I think, they have the stone, they have the gravel, and they are near industries which produce other elements of material necessary for the construction of good roads. But out in South Dakota, where east of the Missouri River it is like one great farm, with no gravel of consequence, with little other road-building material available, the people themselves, without taxing themselves to death, are unable to build the roads. Build roads that are good roads for the rural carrier in the first place. Build roads that are good roads for the farmer to use in getting his grain and his stock to market. Build good roads that are necessary for the school children as they trudge their way from home to the country schoolhouse 1 mile or 2 miles or 2½ or 3 miles away.

Good roads will add to the value of the farms along which the roads run. The assessed valuation of these farms will be greater, and not only the States but the National Government itself will in the end and in turn realize the benefit of this increased valuation caused by the construction of systems of good roads through the States.

Mr. President, I have not mentioned one other feature of this bill which commends itself to my mind very much indeed, and that is the feature which provides that preference shall be given to the soldiers, sailors, and marines seeking employment. The Senators who most deplore the labor situation and who are pleased to point out from time to time conditions with which we will be confronted in regard to labor a little later on, seem to ignore this one great means by which labor might be employed. It will mean employment to thousands of men. The Senator from New Jersey [Mr. FRELINGHUYSEN] refers to the fact that it will not be convenient for certain laborers because, perhaps, the employment will be too far away from home; but if they are in earnest in seeking employment, if they are in real need of employment, they will not hesitate to go to some place within their own State or a neighboring State where good roads are being constructed through the combined work of the Federal Government and the State.

Mr. President, I appreciate what the Senator from Alabama [Mr. BANKHEAD] has said in regard to the amendment offered by the Senator from Utah [Mr. SMOOT], an amendment which would strike out the appropriation for the third year for which the appropriations are to run. The bill would be greatly crippled, the beneficent purposes of the bill would, in a large measure, be destroyed if there should be stricken out the appropriation for the year 1921. I can not state it in any better way than he himself has stated it. The authorities in the several States will require the entire three years in which to make their plans for the building of the projects and for the carrying out of those plans.

Mr. President, as I think over this good-roads amendment, what it is meant for, the good it has already accomplished in the many projects that have been built and those under construction, and of what I believe to be the moderate amount sought to be appropriated by the amendment, I am heartily in favor of it as it stands. I shall vote for it and shall vote against the amendment offered by the Senator from Utah.

Mr. LENROOT. Mr. President, there are many of us who are heartily in accord with the first two items of appropriation in this section, and it is very unfortunate if, in order to secure what are considered necessary appropriations, we are also compelled to vote for an appropriation that, it seems to some of us, can not be justified at this time. I shall vote for the amendment proposed by the Senator from Utah and I hope that it will be adopted.

The eminent chairman of the committee a little while ago stated that he considered this appropriation of $75,000,000 for the year ending June 30, 1921, the most important item of any of the three items of appropriation. He stated that, in his opinion, if any of the three items were to be stricken out of the bill, the first two items should be stricken out and the item now in question should remain. I want to call the Senator's attention to the fact that the report made by the committee, and made by the chairman himself, presumably, so far as the report relates to this subject, with the exception of two or three lines, is devoted wholly to the first two items of appropriation and is based and justified upon the necessity of taking care of unemployment. Upon that ground this appropriation can be justified, and I heartily favor it. I would be willing to vote for $200,000,000 for the fiscal year ending June 30 next and the next fiscal year for the purpose of building good roads, because I believe that it would take care of the unemployment that now exists and that, I am afraid, is going to increase.

The Senator from Colorado [Mr. THOMAS] stated that, in his opinion, there was no necessary unemployment. Mr. President, the facts that are coming to us from day to day and from week to week show beyond any question that unemployment is increasing in this country, and increasing with very rapid strides. That is entirely natural; it is to be expected.

In the first place, industry in this country to-day, Mr. President, is unwilling to go ahead for the future for two reasons: One is that industry does not know what the policy of this Government is going to be with reference to supervision, con-

trol, and restriction upon business. In the second place, a very large percentage of the production of this country normally is not for immediate consumption but is for consumption six months or a year from the time of production.

We have this situation in the United States to-day: The local merchant, believing that a fall in prices may follow, will not give his usual and normal orders to the wholesale houses to stock up his store. The wholesale houses do not get the orders, and the manufacturer is not getting any orders to-day for future production. So there must be during this transition period, during this period of uncertainty, a degree of unemployment. It is not the fault of anyone; it is a perfectly natural consequence.

Unemployment existing and increasing, I believe it is the duty and the obligation of the Federal Government during this period to do what it can to alleviate and to relieve that unemployment. It is very much better, Mr. President, to appropriate $100,000,000 or $200,000,000, if necessary, for the building of roads, thus relieving that unemployment, than to have soup houses established all over this land and for men to be compelled to look to charity or to starve. So the first two items in this section can be justified because they are necessary.

I believe that the policy of this Government ought to be to pay every just obligation that the Government has. Beyond that expenditures ought not to be made except for absolutely necessary public purposes; and the relief of unemployment may well be considered as a necessary purpose.

But when we come, Mr. President, to appropriate at this time, in addition to the $125,000,000 that is contained in this amendment—and that I am in favor of—when we add to that $75,000,000, to be used for the fiscal year ending June 30, 1921, how can it be justified in the present condition of the Treasury? Where are we going to get the money for these enormous appropriations? No Senator who favors the appropriation of this last $75,000,000 has answered that question.

As I stated yesterday, the conference report upon the revenue bill will be before the Senate for adoption in a day or two. The conferees on that bill have agreed to a proposition coming from the other side of the aisle that during the year 1920 all of the taxes that can safely be imposed upon industries in this country, upon excess profits and upon incomes, together with the other provisions of the bill, will bring to the United States Treasury only $4,000,000,000. You upon the other side of the aisle have said in that bill that we can get no more out of the profiteer; that we can not tax wealth any more than that. The difference between that $4,000,000,000 and the expenditures that must be made and the appropriations that are now being made must come from where? That question has been asked a number of times. The chairman of the committee has not answered it; the Senator from South Dakota [Mr. STERLING], who has just spoken in favor of this bill, has not answered it. It can be answered only in two ways. Aside from a considerable increase in revenue through a revision of the tariff, which presumably the President of the United States would veto when a Republican Congress sends a bill to him, there is no other way by which we can augment substantially the revenues of the Government and that is to reduce the exemption of incomes, so that every person in this land must bear these additional taxes.

Mr. SMOOT. Mr. President, will the Senator from Wisconsin yield to me?

The PRESIDING OFFICER (Mr. MYERS in the chair). Does the Senator from Wisconsin yield to the Senator from Utah?

Mr. LENROOT. Yes.

Mr. SMOOT. So that there may not be an impression that all acquiesce in the public statement that the taxes under the revenue bill, the conference report of which will be presented to the Senate this coming week, will for the fiscal year ending June 30, 1920, raise $4,000,000,000, I wish now to say that, if the bill passes just as it is printed, it will not raise $4,000,000,000. If it raises $3,250,000,000, it will be every cent that it will provide.

Mr. President, the proposition that that bill will raise $4,000,000,000 is based upon an idea that the business for 1919 is going to be just as profitable as was the business for 1918; and there is not a man in the United States but knows that that will not be so.

Not only that, but I predict now that, with the relief provisions contained in the report, $6,000,000,000 will not be raised by the bill this year. The amount raised will not much more than exceed $5,000,000,000.

I wanted to make that statement in order that it may be taken for what it is worth. I have, however, studied the bill about as much as has any man in the United States, and I feel perfectly safe in stating that we are not going to raise $4,000,000,000 by that bill for the fiscal year ending June 30, 1920.

Mr. LENROOT. Mr. President, the statement of the Senator from Utah makes the situation just that much more serious. But assuming that the revenue bill will raise the amount that is estimated for 1920, namely, $4,000,000,000, and the expenditures for that year amount to $8,000,000,000, at the very least, where are we going to get the other $4,000,000,000?

I do not think that the Republican side of this Chamber, that will soon be in control of legislation here, and the Republican majority at the other end of the Capitol are going so to revise these taxes that the burden will fall upon the great masses of people, and the man who earns $400 or $500 a year will be compelled to pay a heavy income tax. I do not believe that they are going to do that in order to meet the enormous appropriations that you are making. In my judgment, when 1920 comes and there is a deficit in the Treasury, the Congress of the United States will then say to the President of the United States, "Your administration is responsible for this condition; go out and borrow money in time of peace." You will have a bond issue in 1920 and you will sweep the Democratic Party from power when you do it. Of course, that is "a consummation devoutly to be wished" from a Republican standpoint; but I would prefer that there be a little sense of responsibility from a national standpoint concerning the expenditures of this Government.

Let me say in this connection, Mr. President, that complaint is very often made by Southern States against Republicans because they have sometimes called attention to what they term a sectional issue in this Government. It is true that the Republicans have called attention to the control of legislation by Southern States; but by the action of Southern States, as represented in both Houses of Congress, they are continually demonstrating that from that section there is very little responsibility from a national standpoint concerning expenditures, provided only the appropriations shall be expended in their own States.

A river and harbor bill might be proposed here, and there is scarcely any sum that might be appropriated in that river and harbor bill that would not receive almost the solid support of the Southern States, provided that they thought they got their share of the appropriation.

Mr. President, Senators have got to have some sense of responsibility to this country as a nation, as well as a sense of responsibility to their own States and to their own sections. Under this bill the $75,000,000 carried by the amendment it is now proposed to strike out would benefit the State of Wisconsin undoubtedly to a greater extent than the taxes paid by the people of my State for the good-roads expenditure; but I should feel that I had no right to occupy a place in the Senate if I were to make the controlling factor of my action upon bills the question whether my State would get more than it paid under a given proposition.

I am in favor of good roads; I am in favor of the Government assisting with most liberal appropriations for good roads. If the Treasury were in a condition to permit it, I would not oppose the appropriation for the year 1921, but it can not be justified under present conditions, and appropriations for good roads at this time at all can only be justified because of the benefit that will also come to the country through alleviating the unemployment that exists and that will increase.

I am therefore in favor of the $125,000,000 appropriated by the first two items of the committee amendment. I shall vote in favor of the amendment striking out the last $75,000,000, and I hope that amendment will be adopted, because, believing as I do in the very great necessity of this $125,000,000, I shall feel sorry to be compelled in order to secure that to vote for an additional $75,000,000, which I do not believe should be appropriated at this time.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah to the amendment reported by the committee.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Kenyon	New	Spencer
Colt	King	Overman	Sterling
Dillingham	Kirby	Page	Sutherland
Fernald	Knox	Poindexter	Swanson
Fletcher	La Follette	Pollock	Thomas
France	Lenroot	Pomerene	Thompson
Frelinghuysen	Lewis	Saulsbury	Townsend
Gay	Lodge	Shafroth	Vardaman
Gore	McCumber	Sheppard	Wadsworth
Hale	McLean	Simmons	Warren
Harding	Martin, Va.	Smith, Ariz.	Wolcott
Johnson, Cal.	Moses	Smith, Ga.	
Jones, Wash.	Myers	Smith, S. C.	
Kellogg	Nelson	Smoot	

Mr. MARTIN of Virginia. I desire to announce that the senior Senator from Maryland [Mr. SMITH] and the senior Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

Mr. FRANCE. I desire to announce the absence of the Senator from Georgia [Mr. HARDWICK], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Florida [Mr. TRAMMELL] on official business of the Senate.

Mr. SPENCER. I desire to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Wyoming [Mr. KENDRICK], the Senator from Oregon [Mr. MCNARY], the Senator from Kansas [Mr. CURTIS], and the Senator from Idaho [Mr. NUGENT] are detained in attendance on the Committee on Indian Affairs.

Mr. SMITH of Arizona. I wish to announce, as no announcement has been made of it before, that I have been detained from the Senate since last Saturday on account of sickness.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names, a quorum is present.

Mr. SMOOT. I ask that the pending amendment be stated.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from Utah to the amendment reported by the committee.

The SECRETARY. In the amendment reported by the committee, on page 37, lines 10 and 11, after the numerals "1920," it is proposed to strike out "and the sum of $75,000,000 for the fiscal year ending June 30, 1921."

Mr. SMOOT. I ask for the yeas and nays on the adoption of the amendment.

The yeas and nays were ordered.

Mr. JONES of Washington. Mr. President, on July 11, 1916, there was approved the road act which had previously been passed by Congress. That act was passed before we entered the war. It had very careful consideration by Congress, and I think that Congress considered that we went as far as we ought to go in providing for ordinary peace-time expenditures in aid of road building by the National Government. I voted for that act.

The amendment that is now before the Senate provides that the sum of $50,000,000 shall be appropriated in addition to the amount provided by existing law, and be expended under the terms of existing law as amended by section 5 of this bill, for the fiscal year ending June 30, 1919, to be immediately available. It also provides that the sum of $75,000,000 shall be appropriated for the fiscal year ending June 30, 1920, and also that the sum of $75,000,000 shall be appropriated for the fiscal year ending June 30, 1921. This latter item is the item which the Senator from Utah by his amendment proposes to strike out.

I was very much surprised at the statement by the chairman of the committee that this is the most important item in this amendment, and that if this item is stricken out the purpose and object of the amendment of the committee will be nullified.

I had the impression, Mr. President, that the committee placed this proposed amendment in the bill in order to take care, to a very large extent, of any possible labor needs that might arise in the immediate future in connection with the readjustment of conditions that naturally grow out of the cessation of the war; and so I was very much surprised to hear that statement from the chairman of the committee. I favor the appropriation contained in the first two items of section 6, not for the primary purpose of building roads but to let the Government set the example for business enterprise to go on, and in that way furnish employment for the men coming home as well as those at home who probably will be out of employment. If the Government stops Government work, private enterprise can not be expected to proceed.

The Senator from Mississippi stated that the primary purpose of this provision is to build roads; and in very eloquent language he described the benefits that come to the country from building good roads. As I said, I did not understand that that was the primary purpose of this legislation. I recognize the great benefits that come from good roads. Nothing can do more to promote the happiness and comfort of living or do more to reduce costs than good roads. I believe in the National Government going as far as it feels that it ought to go to aid in the construction of good roads; but I feel that Congress, in the passage of the act of July 11, 1916, did go as far as it thought the National Government ought to go in normal peace times; and so I believed that the primary purpose and object to be served in the injection of this provision into the Post Office bill was to take care of the possible difficulties in connection with labor during the next year or two. That is the only basis upon which I can justify myself, under the conditions that confront us now, in voting for these two items, and this was the ground stated for it when the bill was reported.

I can see nothing whatever to justify a vote for this $75,000,000 for 1921. There will be ample time between now and then to determine whether or not we should make any additional appropriation for road purposes at that time. I shall not repeat what has been said as to the condition of the Treasury, or the condition of our revenues, or the obligations confronting this Government, or what may be the effect of increasing these obligations at this time and the consequent tax on business and enterprise; but no reason has been presented that appeals to my judgment justifying this appropriation of $75,000,000 for 1921.

I do not consider this, however, from the standpoint of waste. I do not think expenditures for good roads are a waste. I think, rather, they are an investment; and if we were not confronted by the condition of things that confronts us now with reference to revenues and obligations and indebtedness of the Government, and so forth, I would be perfectly willing for us to obligate ourselves to invest $75,000,000 in 1921, and possibly more. We have a bill now on the calendar of the Senate to cancel, in effect, $15,000,000,000 of obligations that Congress obligated this Government to pay for carrying on the war. We did it promptly; we obligated ourselves to pay this money without hesitation, in order to insure the successful ending of the war. This money would very largely have been actually wasted. It would very largely have been expended for ammunition that would have been shot away; and, so far as any good is concerned, outside of bringing the war to a successful close, it would have been actually wasted and destroyed. Taking this into account, I can justify myself in voting for $50,000,000 additional for 1919—I would vote for a larger sum—and even $75,000,000 additional for 1920, for building good roads in this country. That will be a lasting investment; that will result in the future in far greater good than can be measured by the expenditure that we make. I would be willing, Mr. President, under the conditions that confront us, to take this $75,000,000 for 1921 and put it on to the $50,000,000 for 1919 rather than put it in 1921. I think we would have some justification for doing that. I believe that this $50,000,000 in 1919 ought to be increased, because if we need any money to take care of the labor situation, we need it promptly. We need it without delay. There are proposals pending before the Senate and before Congress to appropriate $100,000,000 and larger sums for the distinct and avowed purpose of taking care of the labor situation.

Mr. President, I have not had time to examine all of these proposals. I have examined some of them, and it seems to me that they would not serve the purpose that they are intended or urged to serve, for the reason that they do not provide any machinery for laying the foundation upon which this work can be carried out promptly. I think we have the machinery here. We have the road organization. It is already made upon the part of the National Government. It also exists upon the part of most, if not all, of the States; and, as the chairman of the committee stated awhile ago, as soon as this money is appropriated and made available it can be used upon projects that have been investigated, reported upon, and that are ready to be carried out. Employment can begin at once and the needs of the hour met.

I think the Senator from Iowa [Mr. KENYON] suggests that $100,000,000 should be made available, to be expended when and where the Secretary of Labor shall certify that there is unemployment that needs the expenditure of this money.

Mr. President, you can not start upon the expenditure of money for building roads, for instance, until after your engineers have mapped out, laid out, and passed upon the plans to be put into effect; and that takes time. It has already been done here, and that is one reason why I am in favor of this provision—that it takes advantage of the organization already existing, of the plans already made, perfected, and approved. It insures a wise and economical expenditure of whatever money we may desire to expend. The Secretary of Labor has no machinery to lay out this kind of work. He could not begin it to any advantage. The Government can not afford to spend money everywhere there may be unemployment. There must be a project to which labor may come rather than taking the projects to labor.

I do not expect that this money will be expended—not very largely, at any rate—for labor that is now congregated in the cities. It has been suggested here that they are not going to leave the cities and go out into the country to work on roads. That is probably true. I am inclined to think that it is true; but wherever we may start this road building we will get a

certain amount of labor that otherwise would be employed somewhere else; and this is in line with the suggestion of the Senator from Colorado. We are going to make employment available instead of proposing to make the unemployed take some particular job. We are going to give the idle man no excuse for remaining idle; and I have very little sympathy for the man who is idle when jobs are calling for him and employment is awaiting him, even though it may not be the kind he especially desires.

Mr. President, I have introduced an amendment, proposed to be appended to the sundry civil appropriation bill, providing for $50,000,000 to be used in carrying on and prosecuting irrigation works that have already been undertaken and on which work has been largely stopped during the war. I had in mind submitting an amendment something like this amendment also. I spoke to the chairman of this committee about it, and he advised me then that his committee was reporting something of this kind. I had in mind what I have just pointed out, that there is an organization already in existence and plans already prepared upon which we could expend the money. So, in connection with irrigation works, we have a great proposal by the Secretary of the Interior that would involve the expenditure of billions of dollars in order to make it amount to anything. It is presented to Congress upon the theory of furnishing employment for returning soldiers. Why, Mr. President, it will be years, under that plan and that proposal, before any work would be ready for them; so I introduced this amendment providing the appropriation of $50,000,000 to be expended upon existing projects—projects that already have been surveyed, estimated for, approved, and in many cases actually undertaken.

Mr. KING. Mr. President, will the Senator yield?

Mr. JONES of Washington. I yield to the Senator from Utah.

Mr. KING. For my own information I should like to ask whether the plan of the Secretary of the Interior, to which the Senator has just referred, is so Utopian, so unrealizable, that it is not available and may not be available for immediate use by those who need employment?

As I understood the Senator it called for the appropriation of billions of dollars, and the plan could not be put in operation for years. I am very much interested in ascertaining whether that is the character of plan which the Secretary of the Interior has formulated and which he is asking the country to adopt.

Mr. JONES of Washington. I think that if the Senator will investigate it and examine it carefully, he will come to the same conclusion that I have reached, that in order to carry it out to the full extent it will involve the appropriation of billions of dollars and that it will be a long time before it can be actually undertaken to any appreciable extent.

Mr. KING. If there is such a stupendous plan as that, I do not think it will get very far in either branch of Congress; but my understanding was that the Secretary of the Interior had devised a plan which he intended to submit, if it had not already been submitted, which called for the expenditure of approximately $200,000,000 for the reclamation of arid lands, as well as certain swamp and cut-over lands, and from which appropriation there would be drawn sufficient to enable those who desired homes to enter upon those lands and to make a start that would enable them to make a livelihood. I had not heard of the plan that called for the appropriation of billions.

Mr. JONES of Washington. Oh, Mr. President, the provision presented does not call for billions. It calls for a hundred million; but there is not anybody that can study that plan for a little while, knowing the conditions throughout the country and what will have to be done, but that will know that that is only a drop in the bucket as to the expenditures that will be necessary to make it of any substantial benefit.

Why, Mr. President, it involves swamp lands and logged-off lands, and involves, before it can be put into effect, the acquirement of those lands by the National Government, because they are practically all in private ownership now; and before they can be made available for homes they must be reclaimed, and these logged-off lands must be cleared, too. I do not know what logged-off lands in other sections of the country cost to reclaim, but the expense in my section is from $100 to $150 an acre. It is all right to hold out the hope of furnishing to our boys homes on logged-off lands; but if there is any boy from the East who will go out and look at an acre of logged-off land in my section and say, "I want to go there and take up and build and dig out a home," he is not a man that is going to spend his time on that sort of land or in that sort of work. He has the courage and the stamina and the determination that will enable him to do something else far better for himself and the country. The Secretary's conception is a grand one. It does him great credit. If it can be worked out, it will be a great thing for the country. I will help work it out. I will be glad to aid those seeking homes to get them. We will have to do something along the lines he suggests if we would have our remaining lands taken up and settled upon. This will take time to work out and carry out. It will not meet the emergency that confronts us.

I should like to see us do something along these lines. I should like to see us make our swamp lands available. I introduced a bill myself, a few years ago, to assist and aid in the reclamation of swamp lands, logged-off lands, and so forth; and I will join with our Senators and Representatives from the States where these swamp lands are, in trying to frame legislation that will result in the reclamation of these lands; and I think it can be very easily done. But those who seem to think that the same kind of legislation that will apply to arid lands will apply to swamp lands are mistaken. You can not enforce the same rules and regulations with reference to the reclamation of swamp lands that you can enforce with reference to the reclamation and irrigation of arid lands. The National Government can put its money into the reclamation and irrigation of arid lands, and it can enforce payment. How? Simply by shutting off water for the man who does not pay. But when you reclaim swamp land it is reclaimed, and you have no remedy of that sort to enforce the claims of the Government to reimbursement. I do not think it would be very difficult to organize districts under which liens could be enforced against reclaimed swamp lands for the money expended by the National Government; but I did not intend to go into that discussion. I will be glad to help frame legislation along these lines and for this purpose, however. I simply want to point out the fact that we have an existing road organization, we have an existing irrigation organization, that can be used at once, and that can use almost any reasonable sum of money that we can make available to carry on these very desirable works, and works that will form reservoirs for the employment of those who are needing work. As I said, I have introduced a provision for spending $50,000,000 on irrigation works already approved or begun. The places are ready. Work can be begun at once. Employment can be offered to-morrow. This is no more than a loan. It will increase production, add wealth to the community, and bring comfort and happiness.

Some criticism is made here of the provision giving a preference to returning soldiers. Mr. President, I do not see any real, just basis for criticism of that. We do make a preference for the soldiers in many different lines. We exercised a preference when we took the soldiers to war. The Government exercised a preference when it selected these men who went to fight our battles; so it is not very much out of place, I think, simply to say that if a soldier presents himself and asks for employment, and another man presents himself at the same time and asks for employment, and you have employment for only one, you should give the preference to the soldier. He has earned it; he deserves it.

Mr. VARDAMAN. Mr. President——

Mr. JONES of Washington. I yield to the Senator from Mississippi.

Mr. VARDAMAN. Since the Government denied the soldier any right to select for himself when he was conscripted and sent to the war, I think it is very proper to give him the preference at the hands of the Government when he applies for work.

Mr. JONES of Washington. I do not think there is anything improper about it, I am sure.

Mr. VARDAMAN. Nor I, either.

Mr. JONES of Washington. I do not expect very many of the soldiers to ask for this preference. I doubt if very many of them will seek employment to work as day laborers upon these roads. I hope they may not have to do it; but if they do, although there are many worse things, then I can see very much justification for the little preference given here in this bill.

Now, Mr. President, my idea is just this: If we deem it wise to make additional appropriations for building roads or reclaiming arid or other lands in order to take care of a possibly distressing situation that is very likely to confront us, and I do think it wise, let us do it through the organizations that are already perfected and can carry on the work, and do it promptly, so as to meet the exigency of the situation; but let us not obligate ourselves for $75,000,000 in 1921, years ahead. There is ample time to take care of the situation between now and then, and when the real necessities come up.

I hope that that item will be stricken out. I would not object to having this added to the amount for 1919. I really wish that amount were increased from $50,000,000 to $125,000,000. I think that would be wise. That would serve a good purpose.

Mr. VARDAMAN. Mr. President, I shall occupy the attention of the Senate but a moment. Reference has been made by honorable Senators several times to a remark I made a little while

ago about the primary purpose of this law being to provide for road building and not to give employment to soldiers or men coming back from the war. I wish it distinctly understood that it is my judgment and my desire that the Government ought to offer every proper encouragement and facility for the men coming back from the war to make a decent support for themselves. I do not think there is going to be any trouble for any man who desires work to find it. As has been so happily expressed by the Senator from Colorado [Mr. THOMAS], the farmers are crying for farm labor. Not a day passes, Mr. President, but that I receive from 1 to 50 letters from my constituents in Mississippi urging me to use what little influence I may have with the War Department to get their boys out of the Army in order that they may come back and help to make a crop the present year. And let me say just here that if the boys are not permitted to go home pretty soon, they will not be able to make a crop during the year 1919. I think it an outrage, an injustice to the soldiers, and a misfortune to the country that the farmers' boys are not discharged and sent back to their homes.

Now, returning to the question at issue, may I say that it is a very happy combination of circumstances that the provisions of this bill will not only build roads for the people living in the country but will also furnish in road building employment for the unemployed. Two splendid purposes are effected.

The building of these roads will be a positive blessing to the tillers of the soil, who must in the end bear the largest part of the taxation which is to pay for all governmental expenses.

Mr. President, I hope the bill may not be changed by the adoption of the amendment offered by the Senator from Utah [Mr. SMOOT]. The honorable chairman of the committee [Mr. BANKHEAD] has devoted a great deal of patient study to the construction of this bill. Under his leadership the committee has cooperated with him, and I fear if the amendment offered by the able Senator from Utah [Mr. SMOOT] shall be adopted, it will destroy the symmetry of the bill and the good order of things which the bill establishes when it becomes a law. The effect of the passage of this bill is going to be very helpful and beneficial to the agricultural classes of this country. May I be permitted to impress upon the Senate that when you help the farmers of this country; when you make farm life less burdensome and more attractive; whatever may be done that adds to the fertility of the soil; increase facilities for carrying the products of the farm to the market and bringing from the towns things that the farmers have to buy—in other words, when you help the farmer you benefit every other class of society living beneath the American flag.

Mr. FLETCHER. Mr. President, I shall not undertake to discuss this measure in any detail. I am extremely anxious that we should come to a vote on it and get it disposed of and go on with other business of the Senate. It is very important that we should dispense with all discussion that can reasonably be dispensed with and proceed especially with the enactment of the supply bills, and we have not any time to lose. I promise to take but a very few moments. I am in favor of the measure and in favor of the bill as reported by the committee, and I hope it will be passed.

I rose more particularly to make some reference to the closing remarks of the Senator from Wisconsin [Mr. LENROOT]. I scarcely feel that those remarks ought to be allowed to stand without comment and to pass unnoticed.

The Senator took occasion to refer to the position of the South in reference to legislation, and the representatives of the South, both in the House and in the Senate, he stated, were devoid of that proper sense of responsibility in matters of legislation. He went on further to say that these representatives of the South were in favor of any appropriation so long as they got their share of it.

Mr. ROBINSON. May I inquire of the Senator from Florida if that statement was made on the floor of the Senate?

Mr. FLETCHER. It was.

Mr. ROBINSON. By whom?

Mr. FLETCHER. By the Senator from Wisconsin [Mr. LENROOT], as I caught his statement, and I am quite sure I do not exaggerate it in any way. That certainly was the substance of it and the impression that would be made upon any one hearing the statement.

I am disappointed in that sort of a statement being made here by the Senator from Wisconsin. I can understand how something of that sort might be said on the stump in the heat of a political campaign, for political purposes, but a statement coming like that goes beyond all bounds of propriety or of justice and is wholly unwarranted.

I can not help feeling, frankness compels me to say it, an utter contempt for that man in public or private life who would array one section of this country against another or the people of one section against the people of another section. I have never classed the Senator from Wisconsin among those who would do that, and I do not now. I think he probably allowed his zeal in the argument he was making to go further than he really feels himself he was justified in going. I want to retain that respect which I have always entertained for the Senator, and I propose to do so if he will allow me, but I can not permit a statement of that sort to stand without some protest. Without going into any detailed discussion of that matter or of that idea I would like to put this inquiry: What proportion of this billion dollars that goes to the wheat growers of the country goes to the South?

Mr. ROBINSON. Will the Senator yield to me for a moment?

Mr. FLETCHER. I yield.

Mr. ROBINSON. I was not present when the statement referred to by the Senator from Florida was made by the Senator from Wisconsin. I ask the Senator from Florida if he heard the statement which he has attributed to the Senator from Wisconsin?

Mr. FLETCHER. Yes, I am sorry to say, I heard the statement.

Mr. ROBINSON. With the permission of the Senator from Florida, I desire to say that it is inconceivable to me that a Member of this body would make such a statement unless he had the deliberate purpose to insult a large number of the Members of this body.

Mr. FLETCHER. Mr. President, I do not think the Senator from Wisconsin intended that. I do think that his observations were such that they ought to be responded to and such as were unwarranted. In reference to the illustration which he made in submitting those remarks, to wit, the river and harbor bill, he said that was an illustration of the attitude of the South's representatives here, evidently meaning to say that so long as that bill carried appropriations which were satisfactory to the South there was no limit to the other appropriations the representatives from the South would favor and that might be carried in it, according to their view, without regard to the merits of the different items and projects involved in the appropriations. That is not a fair statement to make. It is not the fault of the South, it is not the fault of southern representatives; it is not a subject about which they should be criticized that there lies south of us the great Gulf of Mexico, the Mediterranean of the Western World, and on its borders are harbors and ports unequaled in any country. According to the great law of nature, water runs downhill, and therefore rivers pour into the Gulf of Mexico, and they happen to run through the South. According to that law of nature water flows to the South Atlantic, and therefore the navigable rivers of the country are largely found in that portion of the country, and it is inevitable if you are going to improve the rivers and harbors of the country you must go where the rivers and harbors are.

It therefore follows that there are provisions in the river and harbor bill which appertain to rivers and harbors and ports which lie in the South; but anyone can take the river and harbor bill and the items of appropriation and readily see, I will venture to say, that more than three-fourths of the amount carried by that bill is spent in other portions of the country than in the South, mainly in the North and East. It is not true that the South gets its undue proportion or even its just and proper proportion of the appropriations carried by that bill, and certainly it is not true that there is any disposition to vote unlimited appropriations in that or any other bill by the representatives of the South on condition that they get what may be considered by them as a satisfactory share of the appropriations.

Mr. McKELLAR. Mr. President, I will detain the Senate only a moment. I regard this road provision of the bill as the best piece of legislation that has come before Congress at this session. It provides simply that the present legislation on the subject of roads shall be extended. It requires States or subdivisions thereof to put up an equal amount that the National Government puts up for roads. It provides that it shall be done under existing machinery. It provides for the betterment of the entire country, because when we spend money on building roads we not only benefit the localities but we benefit the entire country.

Mr. President, for a number of years I have strongly advocated this kind of legislation. In the House, before I came to the Senate, I took a very active part in legislation of this character. I recall that in 1911 those who believed in this legislation were derided and laughed at as "dirt-road statesmen," but you will see that in the years that have passed since that time there has been quite a change in the public mind, and now practically everyone knows that there is no better legislation than

the kind of legislation embodied in this amendment, and none that means so much to the building up of our common country in a proper way.

It is peculiarly proper at this time, when we have millions of soldiers coming back home, many of whom will be without work. This will give them work, and the kind of work that will build up the country. It is not directed to any State or any part of the country, but it is applicable to the entire country, and it aids the State organizations in building up the country.

There is another statement I wish to make here in reference to this item. I wish to call the attention of the Senate and of the country to the splendid work of the distinguished chairman of the committee, the Senator from Alabama [Mr. BANKHEAD], on the question of roads in this country. He was a pioneer in this movement. I believe he was the author of one of the very first bills many years ago that was brought in to bring to bear the very best efforts of the National Government to build up post roads in this country. At the time he began it was not popular and it took him many years to finally get a bill enacted, but through his efforts and those of his associates, largely through his efforts, the present law was passed, a law that the people of this country have virtually unanimously indorsed. I doubt if one could find a single Member of Congress who would vote to repeal the present law. This is an enlargement of it. The Senator from Alabama has had a long and distinguished record in the House first and then in this body. His name is attached to much important legislation, but never in his career has he done such a splendid work for the entire country as he did in bringing forth from his committee this particular legislation, which will mean more to our entire country than all the legislation that he has been connected with in his long and splendid career.

For those reasons I hope the Senate will vote speedily on this bill. Let us pass it and make it a law. The country approves it.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on the amendment to the amendment of the committee.

Mr. LENROOT. Mr. President, I shall take just a moment. The Senator from Arkansas [Mr. ROBINSON], in the remarks made by him, seemed to gather that in his judgment, from the remark made by me a little while ago, I reflected upon the integrity and honesty of Senators from Southern States. As the Senator from Florida [Mr. FLETCHER] suggested, there was nothing of that kind in the remarks I made.

I was discussing the sense of responsibility for Government expenditures, responsibility from a sectional standpoint as compared to a national standpoint. From my observations during 10 years in Congress I felt justified in making the statement I did. I have nothing to retract. I do not for a moment question the good faith, the integrity, of the Senators from those States, but the CONGRESSIONAL RECORD for the past years since I have been in Congress at least will demonstrate the truth of what I said.

Mr. McKELLAR. I should like to ask the Senator a question.

Mr. LENROOT. I yield.

Mr. McKELLAR. Does not the Senator from Wisconsin think that now, at all events, we can all be merely Americans, and good Americans, and forget for all time the question of sectionalism?

Mr. LENROOT. Exactly, Mr. President; there is no man in the United States who is more desirous of that than I am, but it can not be done unless every Senator and every Representative, regardless of the section from which he comes, will treat his country as a nation and his primary responsibility to it as a nation rather than as a section.

Mr. TOWNSEND obtained the floor.

Mr. FLETCHER. Mr. President——

Mr. TOWNSEND. I will yield to the Senator.

Mr. FLETCHER. I wish to say, before the Senator from Wisconsin [Mr. LENROOT] leaves the Chamber, that it seems to me that the two statements can not coincide or harmonize. In one statement he says that he does not intend to question the integrity and the patriotism of the representatives of the Southern States, but, on the other hand, he says that they have an utter lack of a sense of responsibility concerning matters of legislation.

Mr. LENROOT. No.

Mr. FLETCHER. The two statements can not very well stand together.

Mr. LENROOT. Will the Senator yield?

Mr. FLETCHER. I yield.

Mr. LENROOT. That is not what the Senator from Wisconsin said at all. The Senator from Wisconsin said that sectional responsibility comes first, in the judgment of the Senator from Wisconsin, rather than a national responsibility.

Mr. FLETCHER. I have no patience with the spirit and attitude emphasized by the further remarks of the Senator.

Mr. THOMAS. If the Senator will yield to me for a moment, I merely wish to say that that criticism is applicable to every section of the Union.

Mr. FLETCHER. I think the CONGRESSIONAL RECORD, the public record, and the general estimate of the informed and intelligent, right-thinking people all over the country will prove that the representatives from the Southern States are just as broad-minded and as patriotic, and have just as clear a vision of national needs and as clear a conception of fiduciary responsibility as the representatives from any other portion of the country—North, East, or West.

Mr. TOWNSEND. Mr. President, I do not wish to delay action on this measure and perhaps I ought not to say anything, but as a member of the committee and called upon shortly to vote upon this proposition, I desire to say just a very few words.

As the members of the committee understand, I am not enamored with this form of road legislation. I did not think the original proposition was the best way for the Government to engage in highway construction, but we adopted that plan in 1916, and it has to some extent—quite a large extent—been put in operation.

These road projects necessarily are projected into the future to a great extent. I think of all times the present is the worst to curtail or to attempt to curtail in any way the activities of the Government in public improvements. I do believe that inasmuch as we have, as the Senator from Washington has stated, a going machine, an organization for building roads, and inasmuch, further, as it is conceded that the general welfare demands that the Government must encourage those enterprises of a public nature which offer legitimate employment to labor and at the same time supply a public service, it seems wise to me to increase road building. This class of improvement was checked by the war, and now, in this period of reconstruction, the work should be renewed on a larger scale.

I believed and still believe that we ought to have a nationalized system of roads. I hope before another Congress expires we shall have before us a general scheme for building roads which will favorably appeal to a majority of Congress. But it is too late to enact new legislation in this Congress. I suggested a more comprehensive and scientific plan to the committee, but it could not be considered. To my mind it does not make much difference whether we cut out this $75,000,000 for 1921 or leave it in, because if my hopes shall be realized we will change existing law before 1921 and be upon a sound basis for Federal road building.

But I submit, Mr. President, that this appropriation is as wise an investment as we can make now in these disturbed conditions, however difficult our financial situation may be. This investment will at once serve the people in one of the best manners possible and at the same time give employment to the people who require it. I think the appropriation will be used profitably. I hope the various State highway commissions will see to it that it is so expended that it will contribute to a national system, which I am sure this country must adopt sooner or later. I want the United States to build national highways, so far as it is able to do it, and assume responsibility for them. Let the States build the laterals, but have a system of national highways extending through every State, east and west, north and south.

I have not been pleased with the administration of this law in the Department of Agriculture. I think the money has not been as wisely expended as it should have been, but we are learning in the matter of road building. The States themselves are cooperating now, and every year makes them wiser in the matter of road construction, and I can not believe that very much of this money will be wasted. Therefore, Mr. President, while I am not heartily in favor of this system, because I believe there is a better one, nevertheless it being inaugurated and this being the present opportunity to render aid in this emergency of reconstruction, I feel it is wise to pass the bill.

Mr. WARREN. Mr. President, I am opposed to the amendment to the amendment. I, with others, shudder almost continuously when I think of the amount of money we are expending, but I do not know of any better way of spending money, if we undertake to furnish employment to the returning soldiers and others, than to take advantage of the machinery and plans like this State and Federal road building, already planned and in process, something that will afford employment, that can keep them from poverty or idleness, something that is helpful and will take them into parts of the country where they are

most needed in agriculture and other lines and relieve the congestion in the cities.

There are many of the States, especially in the North, in which little can be done in the winter, and while this sounds like three years—1919, 1920, and 1921—as a matter of fact it is simply two seasons. The third season is a matter of May and June, quitting in July, and leaves very little of that working season. So if we are to pass this measure at all I believe we ought to pass it with the $75,000,000 proposed for this third expenditure.

Mr. KING. Will the Senator yield?

Mr. WARREN. I yield.

Mr. KING. Probably with the reorganization of the Congress the distinguished Senator from Wyoming will be chairman of the Committee on Appropriations. The Senator may be called upon to prepare appropriation bills or aid in their preparation calling for at least $10,000,000,000—possibly a little more—for the year 1920. Has the Senator thought of the avenues from which the funds are coming with which to meet it?

Mr. WARREN. For what purposes?

Mr. KING. For governmental purposes, for obligations many of which already have been created, for obligations which have not yet matured but which, as sure as the day follows the night, will mature, and which will have to be met by the Government. Does not the Senator think that it is about time to try to practice a little economy and quit trying to find plausible reasons to justify every sort of an expenditure under the sun?

Mr. WARREN. Does the Senator consider that this is a rather forced plausible reason for the expenditure of money where we can employ the returning soldiers?

Mr. KING. I think the argument of the Senator has been a fallacious one and the reasons assigned in support of the appropriation are fallacious but plausible.

Mr. WARREN. I thank the Senator for his comment. I will say to him, with reference to my service upon the Committee on Appropriations, that that committee does not provide for the income of the country. It does not provide for the outgo except to appropriate money that has already been called for through legislation.

Mr. KING. Of course, the Senator, I understand, takes the same position as the distinguished Senator from Alabama [Mr. BANKHEAD], who said that the duty rested upon the Finance Committee to provide the money, and that the rest of the Senators—that was the idea—would spend it. I do not think the Senator ought to shirk a responsibility which must rest upon us all.

Mr. WARREN. The distinguished Senator from Utah nearly always finds a way to allege something wrong with appropriations necessary to run the Government. He has been quite successful in some of those attempts to defeat legislation, but I think he will have to bear with us this time and carry the bill through just the same.

When the Senator talks about my remarks being fallacious I enjoy that, as he evidently does, but I am in good earnest when I say that, if we are to spend any money at all in building these roads, we want to give those States an opportunity to make some use of it that have not so far obtained the use of it. The taking of this last year off leaves it simply with one full season. So far as that is concerned, the benefit to the States of the last $75,000,000 is more valuable dollar for dollar than either one of the others.

When it comes to the matter of employment of labor, I hesitate to say, nevertheless I believe it is true, that we will need just as much in the way of public works and looking out for labor in 1920, and even in 1921, as in 1919, because other Senators know as well as I do that we have had a declaration from those who undertake to represent labor that there will be no reduction in their wages. We know from all quarters that the consuming public is not now buying anything except from day to day, because they expect lower prices. Hence the retailers have not been buying of the wholesalers; the wholesalers have not been buying of the manufacturers or producers; work in manufactories is slack; and the consequence is that business must hesitate somewhere until it can reorganize, and it will take at least two or three years for that reorganization.

Now, shall we employ our men to the best of our ability during the time; and if so, how? The Senator will not deny that the building of roads in this country is more needed than any other improvement in a public way or a local way. Now is the time for us to pass this bill. I am perfectly content to see the bill beaten, as I am to see other matters of public buildings or matters of improvement generally, if we are to cease all public work and all expenditures and let the business of the country go to the dogs; but if we are at all to consider the matter of labor, the matter of our workingmen having employment, then I want to take it, as the Senator from Washington has already said, where the tools and working machinery are present, where plans are already made, and everything is ready to engage labor at once.

I have no sympathy with the workingman who wants to stay in the city and would rather stay there and starve or partake of charity than to go into the country and work on a farm or work on roads. We talk very much about "back to the farm." What inducement are we offering to people to go back to the farm? Shall we erect buildings in large places to give employment to these men, to keep them from going into the country, or shall we do something in the way of improvement in the country, in the new parts of the country, where these men can not only be afforded daily, monthly, yearly labor, but where they will contribute something to the welfare of the country that all can use.

Mr. McKELLAR. Mr. President——

Mr. WARREN. I yield to the Senator.

Mr. McKELLAR. I agree with what the Senator says, but I wish to ask him if it would not be very much better to furnish employment in this way to men who want it and need it than to furnish food to unemployed men?

Mr. WARREN. Mr. President, I was very much alive 25 years ago, when we had Coxey's armies and soup houses and bread lines; I do not want to see them again; but I say to Senators in all earnestness, if we do not act wisely in providing in some way for the men who are coming home, for the men who are being discharged from the Army and those who will be discharged by manufacturers who can not pay out 100 cents and only get back 50 cents, we shall have those times over again, and perhaps worse.

Mr. McKELLAR. I agree with the Senator from Wyoming.

Mr. SMOOT. Mr. President, among the justifications for this appropriation is the one referred to by the Senator from Wyoming [Mr. WARREN]; that is, to give employment to the unemployed caused by the return of our soldiers to civil life. The Senator says that there are only two seasons in which this money can be used. I think he is mistaken in that.

Mr. WARREN. I spoke of the Northern States.

Mr. SMOOT. I say in any State.

Mr. WARREN. If I am not mistaken, this appropriation would end on the 1st day of July, 1921, two years from now.

Mr. SMOOT. No; the Senator is mistaken.

Mr. WARREN. I am speaking of the bill where it reads——

Mr. SMOOT. But it refers to the present law. The money can be expended under the present law, and that law extends the time.

Mr. WARREN. I am very glad it does.

Mr. SMOOT. Mr. President, all I desired to do was to say that this appropriation as a whole can be expended for the season of 1919, it can be expended for the season of 1920, it can be expended for the season of 1921, and for the season of 1922. I believe it is unwise, Mr. President, for us to begin to make appropriations to take care of the unemployed in 1922.

Mr. WARREN. Am I to understand that there is anything in this bill which we now have under consideration that alludes to 1922?

Mr. SMOOT. Yes. It says that these appropriations are to "be expended in accordance with the provisions of said act." That is the act of July 11, 1916.

Mr. WARREN. But that matter is not before us to pass on.

Mr. SMOOT. But the money is to be expended under that act, and that extends the appropriation a year. This is what it provides; and if Senators will look at it they will see that there can not be any question about that statement. I make it without hesitation. So, Mr. President, I say that it is unwise for us to appropriate money to-day to take care of the unemployment for the year 1922. It may be that before that time we shall have not only to spend $75,000,000 or $200,000,000, as the whole appropriation provides, but that we may have to spend many times that sum. However, let us not legislate until we are informed as to conditions.

Mr. President, as I look at the situation by which we are confronted to-day and consider the obligations this country has to meet for the years to come, I am appalled.

Mr. McKELLAR. We can repeal this next year.

Mr. SMOOT. No; I will say to the Senator that it can not be repealed, for I say that there never has been an appropriation made under conditions of this kind where it was ever repealed.

Mr. McKELLAR. This is right; and we shall not repeal it, of course.

Mr. SMOOT. The Senator says this is right. I disagree with him.

I am perfectly willing to increase the $50,000,000 provided for this year in order that the unemployed may be given employment in the near future, and I am perfectly willing to take the $75,000,000 provided for the fiscal year 1920, add it to the $50,000,000 made immediately available, and let the $125,000,000 be spent as quickly as possible.

Mr. BANKHEAD. Mr. President, will the Senator from Utah permit me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Alabama?

Mr. SMOOT. I yield.

Mr. BANKHEAD. I want to end this controversy. The Senator from Utah says he is perfectly willing to add this seventy-five millions for 1920.

Mr. SMOOT. I say seventy-five millions, making it $125,000,000, and cut out $75,000,000——

Mr. BANKHEAD. For the third year—1921?

Mr. SMOOT. Yes; I am perfectly willing to do that.

Mr. BANKHEAD. And add that to what?

Mr. SMOOT. I am perfectly willing to allow the language to read as follows—now, I want the Senator to follow me:

SEC. 6. That for the purpose of carrying out the provisions of said act, as herein amended, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $125,000,000 for the fiscal year ending June 30, 1919, and to be made available immediately, to be expended in accordance with the provisions of said act—

Referring to the act of July 11, 1916. In other words, it means that we should appropriate $125,000,000; that it shall be immediately available, and with the view that it shall be spent upon the roads to take care of the unemployment in this country. I want to ask the Senator from Alabama if he is willing to accept that?

Mr. McKELLAR. If I understood the Senator, he does accept it.

Mr. BANKHEAD. Is it the purpose of the Senator to make the appropriation for 1919 $125,000,000, and then stop and make no further appropriations?

Mr. SMOOT. That is my proposition.

Mr. BANKHEAD. Then, of course, nobody could accept a proposition like that, except the Senator from Utah.

Mr. SMOOT. The Senator now understands my proposition. Of course, he was perfectly willing, as I see now, that we should add $75,000,000 for this year, but he also wanted the other appropriation for the following year. Anybody who is in favor of this kind of legislation would accept a proposition of that kind.

Mr. SWANSON. Mr. President, will the Senator from Utah allow me to interrupt him?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Virginia?

Mr. SMOOT. Yes; I yield to the Senator.

Mr. SWANSON. The law which exists to-day runs to 1921. We do not extend the law; we simply increase the appropriations under existing law.

Mr. SMOOT. That is true.

Mr. SWANSON. If a system of road improvement were started, we thought it would be unwise to stop it abruptly. We have not tried to extend it to 1922 or 1923, over what the existing law provides for. This is simply to increase the appropriations for expenditure under the existing law.

Mr. SMOOT. Of course, I want to be perfectly frank with the Senator, and I will say I think that when we begin the building of roads by the Government, it ought to be under a well-digested plan for the expenditure of the public money. I remember two years ago when the first proposition was brought before Congress in reference to this matter, I offered at that time a substitute for it, providing a general plan for road building in the United States. When the proper time comes, I intend to again offer that same amendment, providing for a road system. I have no idea that it will be accepted, for it takes no money out of the Treasury of the United States, but I wish to say that when I presented the proposition two years ago—and it is not any plan of mine; I do not want to take any credit for it; I have no right to receive any credit for it—it was not to be adopted because of the fact, it was said, that it provided a great big system of road building throughout the country, and that we wanted something immediately.

The plan two years ago was to appropriate $75,000,000 as a temporary measure, and, of course, Mr. President, it is like all other temporary appropriations. They soon find their way into the regular appropriation bills; and the policy adopted in the temporary appropriations becomes permanent.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. SMOOT. I yield.

Mr. WARREN. The Senator from Utah has assumed that I was mistaken in my statement, and I am always modest enough to admit that I am mistaken; but I should like to have him show why I am mistaken; why he contends that this bill is appropriating money for 1922 for this purpose.

Mr. SMOOT. The bill under section 5 extends the time one year by reenacting existing law.

Mr. WARREN. I am not speaking of what is in the Senator's mind. I am speaking of what is before us and what we are to vote on.

Mr. SMOOT. I thought I had previously explained it to the Senator.

Mr. WARREN. The Senator from Utah made no explanation that was satisfactory.

Mr. SMOOT. Then I can not give any other. The law provides an extension of one year.

Mr. WARREN. The bill alludes to the law of 1916; but there seems to be a difference between the Senator from Utah and others in regard to the law of 1916.

Mr. SMOOT. I can not give the Senator any other explanation than I have already given.

Mr. WARREN. Certainly there is nothing in this bill that carries the appropriation for 1916 beyond what the bill itself carries it. It can not be that way; and no explanation can cover it.

Mr. SMOOT. Mr. President, all I ask in my amendment is that the $75,000,000 provided for the fiscal year ending June 30, 1921, be eliminated from the bill. That will still leave $125,000,000 to be appropriated for this purpose. With the $125,000,000 and the $70,000,000, provided the States put up their share, there would then be $195,000,000 to be expended upon the building of this class of roads, and I think that is going a long way.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Utah [Mr. SMOOT] to the amendment of the committee. The yeas and nays have been ordered, and the Secretary will call the roll.

Mr. BANKHEAD. I think we had better have a quorum.

The PRESIDING OFFICER. The Senator from Alabama suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, Wash.	Moses	Smith, Ariz.
Beckham	Kellogg	Myers	Smith, Ga.
Colt	Kenyon	Nelson	Smoot
Culberson	King	New	Spencer
Fernald	Kirby	Overman	Sutherland
Fletcher	La Follette	Page	Swanson
France	Lenroot	Pittman	Thomas
Frelinghuysen	Lodge	Poindexter	Townsend
Gay	McCumber	Pollock	Trammell
Hale	McKellar	Pomerene	Vardaman
Harding	McLean	Robinson	Wadsworth
Henderson	McNary	Sheppard	Warren
Johnson, Cal.	Martin, Va.	Sherman	Wolcott

Mr. MARTIN of Virginia. I wish to announce that the Senator from Maryland [Mr. SMITH] and the Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

Mr. SPENCER. I wish to announce that the Senator from Arizona [Mr. ASHURST], the Senator from Wyoming [Mr. KENDRICK], the Senator from Kansas [Mr. CURTIS], and the Senator from Idaho [Mr. NUGENT] are absent attending the sessions of the Committee on Indian Affairs.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present. The question is on the amendment of the Senator from Utah [Mr. SMOOT] to the amendment reported by the committee. The yeas and nays have been ordered, and the Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. COLT (when his name was called). I have a pair with the senior Senator from Delaware [Mr. SAULSBURY]. In his absence, I will withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence, I will withhold my vote. If privileged to vote, I should vote "yea."

Mr. NEW (when his name was called). On this amendment I am paired with the senior Senator from Illinois [Mr. LEWIS]. If permitted to vote, I should vote "yea."

Mr. WOLCOTT (when his name was called). I transfer the general pair I have with the senior Senator from Indiana [Mr. WATSON] to the senior Senator from New Hampshire [Mr. HOLLIS] and vote "yea."

The roll call was concluded.

Mr. KENDRICK. I transfer my pair with the senior Senator from New Mexico [Mr. FALL] to the senior Senator from California [Mr. PHELAN] and vote "nay."

Mr. GAY. I wish to announce the absence of the senior Senator from Louisiana [Mr. RANSDELL] on official business.

Mr. MOSES. I transfer my pair with the junior Senator from Kentucky [Mr. MARTIN] to the Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. FRELINGHUYSEN. I inquire if the junior Senator from Montana [Mr. WALSH] has voted?

The PRESIDING OFFICER. He has not voted.

Mr. FRELINGHUYSEN. I transfer my general pair with the junior Senator from Montana to my colleague, the junior Senator from New Jersey [Mr. BAIRD], and vote "yea."

Mr. CURTIS. I wish to announce the absence of the Senator from Pennsylvania [Mr. KNOX], who is away on official business. He is paired with the Senator from Oregon [Mr. CHAMBERLAIN].

I also desire to announce the absence of the Senator from Nebraska [Mr. NORRIS] on official business.

Mr. FRELINGHUYSEN. I wish to ask if the name of the Senator from Indiana [Mr. WATSON] was called and if he voted?

The PRESIDING OFFICER. The Chair is informed that the name of the Senator from Indiana was called, but he has not voted.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 25, nays 40, as follows:

YEAS—25.

Borah	Johnson, Cal.	McCumber	Sutherland
Curtis	Jones, Wash.	McNary	Thomas
Fernald	Kenyon	Moses	Wadsworth
France	King	Page	Wolcott
Frelinghuysen	La Follette	Sherman	
Hale	Lenroot	Smoot	
Harding	Lodge	Spencer	

NAYS—40.

Ashurst	Jones, N. Mex.	Overman	Smith, Ga.
Bankhead	Kellogg	Pittman	Smith, S. C.
Beckham	Kendrick	Poindexter	Sterling
Culberson	Kirby	Pollock	Swanson
Fletcher	McKellar	Pomerene	Thompson
Gay	McLean	Robinson	Townsend
Gore	Martin, Va.	Shafroth	Trammell
Gronna	Myers	Sheppard	Underwood
Henderson	Nelson	Simmons	Vardaman
Johnson, S. Dak.	Nugent	Smith, Ariz.	Warren

NOT VOTING—31.

Baird	Gerry	New	Shields
Brandegee	Goff	Norris	Smith, Md.
Calder	Hardwick	Owen	Smith, Mich.
Chamberlain	Hitchcock	Penrose	Walsh
Colt	Hollis	Phelan	Watson
Cummins	Knox	Ransdell	Weeks
Dillingham	Lewis	Reed	Williams
Fall	Martin, Ky.	Saulsbury	

So Mr. SMOOT's amendment to the amendment reported by the committee was rejected.

Mr. KIRBY. I propose the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of section 6 it is proposed to add the following:

And provided further, That none of the funds herein appropriated shall be expended for improvements whereon convict labor is employed.

Mr. KIRBY. Mr. President, it has been urged that this appropriation is necessary largely because it will furnish an opportunity for employment to returning soldiers and sailors. There is at this time, as one Senator has suggested, an insistent demand in the country that the soldiers who have not yet finished their education and intend to resume their studies should be discharged so as to permit them to do so. There is a crying need for all soldiers who have been engaged in agriculture heretofore to be discharged immediately in order that they may resume their occupations before it is too late to make another crop.

Now, in regard to the amendment here proposed, a great many of these roads will be built by contractors. The contractor is interested in building roads at as little expense as he can build them properly for and in getting as much money as he can procure for the construction. I do not believe that convict labor should be permitted to be employed upon the roads that are expected to be built under the provisions of this bill in order to give free labor an opportunity for employment. If the contractor is permitted to employ anyone whom he may desire, he will probably procure convict labor.

I do not think that a man who has been a good citizen in his community, in his State, and in his nation, who has not violated the law but who has helped to bear the burdens of the Government and of taxation, should be competed against by the convict, who has not done these things. The man who has violated the law, who has not been a good citizen, and who has made it necessary that he should be convicted and imprisoned should not be furnished an opportunity to be employed to the exclusion of the other man.

I move the adoption of the amendment and hope the Senate will act favorably upon it.

The VICE PRESIDENT. The question is on the amendment of the Senator from Arkansas to the amendment of the committee.

Mr. KIRBY. I call for a division, Mr. President.

On a division the amendment to the amendment was agreed to.

Mr. JONES of Washington. Mr. President, I offer the amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. After the word "marines," in line 15, page 37, it is proposed to insert the following:

But any other preference or discrimination among citizens of the United States in connection with the expenditure of this appropriation is hereby declared to be unlawful.

Mr. JONES of Washington. Mr. President, I think that should come after the word "marines," at the end of the proviso. It makes the proper connection there.

The VICE PRESIDENT. The question is on the amendment of the Senator from Washington to the amendment of the committee. [Putting the question.] By the sound the noes seem to have it.

Mr. JONES of Washington. I call for a division, Mr. President; and I will say a word about this amendment. We allow a preference here in favor of the soldier. I am willing to have that done; but I am not willing that Government officials or anybody else, in the expenditure of Government money, shall discriminate among citizens of the United States in the expenditure of this money otherwise than as to soldiers. That is, I am not willing that an officer of the Government shall say: "You can not work on this road unless you belong to some organization of some kind or character."

That is the purpose of the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Washington to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. FRELINGHUYSEN. Mr. President, I have been requested by the junior Senator from New York [Mr. CALDER] to call up an amendment which he has introduced to the bill, and I ask that it may be stated.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 37, line 13, after the word "act," it is proposed to insert the following:

Provided, That the Secretary of Agriculture is hereby authorized and directed for and in behalf of the Government of the United States to join in the construction of a tunnel or tunnels for the use of vehicles, animals, pedestrians, and vehicle-borne traffic under the Hudson River, between some point on the island of Manhattan, State and city of New York, and some point in Hudson County, State of New Jersey, pursuant to plans to be agreed upon by the parties aforesaid.

And for the purpose above stated the sum of $6,000,000 is hereby authorized, $1,000,000 to be paid out of the sum appropriated for the improvement of roads in the year 1919, $2,000,000 out of the sum appropriated for the improvement of roads in the year 1920, and $3,000,000 out of the moneys appropriated for the year 1921.

This money, however, or no portion thereof shall become available or payable until the States of New York and New Jersey shall within two years from and after the approval of this act have appropriated the sum of $3,000,000 for the same purpose.

The United States Government is to be repaid for the money advanced for the construction of this tunnel by the paying of tolls on a basis to be fixed by the United States and the States of New York and New Jersey.

That the tunnel or tunnels constructed under this act, together with their approaches and terminals, shall be lawful structures and shall each be recognized and known as a post route, and is hereby declared to be a post route, and no charge shall be made for the transportation of the mails, the troops, and munitions of war of the United States.

Mr. FRELINGHUYSEN. Mr. President, this amendment, proposed by the junior Senator from New York [Mr. CALDER], is for what is known as the vehicular tunnel under the Hudson River. In the recent strike of the boatmen on the rivers and bays of New York there were 500,000 people who were prevented for two days from being able to go to their business from New Jersey and Staten Island to New York. The movement of troops and property was delayed, the mails were de-

layed, and there was a great deal of embarrassment by reason of this condition.

New York City is a great national asset. Seventy per cent of our troops and 60 per cent of the supplies for the Army and Navy left the port of New York. New York and New Jersey in 1918 paid nearly $1,000,000,000 into the Treasury of the United States, a sum much in excess of all of the States west of the Mississippi River and four times the total amount paid by all the States south of the Mason and Dixon line.

Mr. BORAH. Mr. President, I do not know that I am opposed to the Senator's amendment, but I am utterly opposed to the comparison which he makes as to the amount which New York and New Jersey pay in comparison with the Western States. A vast amount of the income taxes, and so forth, of the Western States are paid in New York, but they are earned in the Western States. The great corporations of the West have their home offices in New York, and therefore the payments are made there.

Mr. FRELINGHUYSEN. Continuing, Mr. President, I will state that of the $200,000,000 carried in this good-roads proposition, $65,000,000, at least, will be contributed by New York and New Jersey, and the sum they will receive in return through this appropriation will be less than $12,000,000. It is asked for by every business and manufacturing organization in New York and New Jersey.

Mr. SWANSON. Mr. President, I make the point of order against this amendment.

The VICE PRESIDENT. Does the Senator want it to go back to the original one?

Mr. SWANSON. If section 5 is in order——

The VICE PRESIDENT. If the original amendment is not general legislation, this is not.

Mr. SWANSON. I beg to differ with the Chair. I submit that this one is and the other one is not.

The VICE PRESIDENT. Well, the Chair will carry it back to the original one, if the Senator from Virginia wishes.

Mr. THOMAS. Mr. President, I should like to take it back and renew my point of order to section 5, if it can be done under the rules.

The VICE PRESIDENT. The Chair is not saying that it can be done; but the Chair is saying that he will not take up a part of this matter and decide that it is general legislation, and not decide the whole thing to be general legislation.

Mr. THOMAS. Mr. President, I renew the point of order.

The VICE PRESIDENT. To this amendment?

Mr. THOMAS. Yes; and I ask that it be taken back to section 5.

The VICE PRESIDENT. This is the situation of the Chair: The Chair believes that this legislation is general legislation, but it was decided by another presiding officer that it was not. The Chair therefore concludes that the best thing to do is to let the Senate settle the question for itself.

Mr. THOMAS. I will raise the point of order when the bill comes into the Senate.

Mr. FRELINGHUYSEN. Mr. President, may I ask what the parliamentary situation is? Does the Chair rule the whole amendment out?

The VICE PRESIDENT. The Chair has not done anything with it at all. The Chair is clearly of the opinion that the whole legislation is general legislation and ought to have gone out on a point of order; but it was not so decided, and if part of it is not general legislation then nothing is general legislation. A former occupant of the chair for the purposes of this bill having held that it is not general legislation, the Chair is not going to come in conflict with that ruling on this bill. The Chair refers the point of order to the Senate for determination.

Mr. THOMAS. That is satisfactory to me.

Mr. SMOOT. I ask for the yeas and nays on the question of whether it is general legislation.

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. THOMAS. Mr. President, does an affirmative vote sustain the point of order?

The VICE PRESIDENT. An affirmative vote sustains the point of order.

Mr. SWANSON. That is, to the amendment offered by the Senator from New Jersey?

The VICE PRESIDENT. To the amendment offered by the Senator from New Jersey.

The Secretary proceeded to call the roll.

Mr. COLT (when his name was called). Making the same announcement as before as to the absence of my pair, I withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN], who is absent. I transfer that pair to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. MYERS (when his name was called). Has the Senator from Connecticut [Mr. MCLEAN] voted?

The VICE PRESIDENT. He has not.

Mr. MYERS. I have a general pair with the Senator from Connecticut, which I transfer to the Senator from Louisiana [Mr. RANSDELL] and vote "nay."

Mr. STERLING (when his name was called). Has the Senator from South Carolina [Mr. SMITH] voted?

The VICE PRESIDENT. He has not.

Mr. STERLING. I have a general pair with the Senator from South Carolina. I understand that if that Senator were present he would vote as I shall vote, and therefore I am at liberty to vote. I vote "nay."

Mr. THOMAS (when his name was called). Has the senior Senator from North Dakota [Mr. MCCUMBER] voted?

The VICE PRESIDENT. He has not.

Mr. THOMAS. I have a general pair with that Senator and therefore withhold my vote for the present.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of the senior Senator from Michigan [Mr. SMITH] on account of illness.

Mr. WOLCOTT (when his name was called). Making the same announcement and transfer of my pair as on the last roll call, I vote "yea."

The roll call was completed.

Mr. OVERMAN (after having voted in the affirmative). Has the Senator from Wyoming [Mr. WARREN] voted?

The VICE PRESIDENT. He has not.

Mr. OVERMAN. I have a general pair with that Senator and therefore withdraw my vote.

Mr. PENROSE. I transfer my general pair with the senior Senator from Mississippi [Mr. WILLIAMS] to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. THOMAS. I transfer my general pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. HARDING (after having voted in the affirmative). I note that the junior Senator from Alabama [Mr. UNDERWOOD] did not respond to his name. I therefore transfer my general pair with the junior Senator from Alabama to the junior Senator from California [Mr. JOHNSON] and will allow my vote to stand.

Mr. SIMMONS (after having voted in the negative). I wish to inquire whether the junior Senator from Minnesota [Mr. KELLOGG] has voted?

The VICE PRESIDENT. He has not.

Mr. SIMMONS. I have a general pair with that Senator. I transfer that pair to the senior Senator from Texas [Mr. CULBERSON] and will let my vote stand.

Mr. SUTHERLAND. Mr. President, I should like to understand clearly the significance of a vote "yea" or "nay" on this proposition. It is not clear to my mind, and I believe that some other Senators are in doubt as to the significance of the "yea" and "nay" votes.

The VICE PRESIDENT. The Chair refused to decide the question. The question is, Is the amendment in order?

Mr. SUTHERLAND. A vote in the affirmative signifies that it is in order?

The VICE PRESIDENT. It does.

Mr. SUTHERLAND. I vote "yea."

Mr. STERLING. Mr. President, I think the question is altogether misunderstood, then.

Mr. JONES of Washington. Mr. President, I call for the regular order. The roll call can not be interrupted.

The VICE PRESIDENT. Well, that is undoubtedly the rule; but Senators ought to know how they are voting.

Mr. STERLING. Mr. President, if I may say so, on an inquiry made by the Senator from Colorado [Mr. THOMAS]——

Mr. LODGE. Mr. President, I make the point of order that under the rule the roll call can not be interrupted.

The VICE PRESIDENT. That is strictly true, and strictly the point of order ought to be sustained by the Chair; but surely——

Mr. LODGE. I think the rule ought to be either sustained or not sustained.

The VICE PRESIDENT. Surely the Senator from Massachusetts does not want the Senate to be voting with a mistaken idea as to the point on which it is voting.

Mr. LODGE. Of course if the Chair does not enforce the rule, I have no remedy.

The VICE PRESIDENT. Very well. The Chair will sustain the point of order, at the suggestion of the Senator from Massachusetts.

Mr. HARDING. Mr. President, is a parliamentary inquiry in order?

The VICE PRESIDENT. According to the rules, it is not. The roll call is proceeding. The Chair wanted to make it straight if he could.

Mr. GRONNA. Mr. President, I wish to change my vote from "nay" to "yea."

Mr. BORAH. Mr. President, I desire to change my vote from "yea" to "nay."

Mr. FRANCE. Mr. President, I voted under a misapprehension. I desire to change my vote——

Mr. ROBINSON. Mr. President, a parliamentary inquiry. There is some confusion on this side of the Chamber as to the parliamentary situation. I request that it be stated. The statement has been made here that the vote was upon the question of sustaining the decision of the Chair. As I understand, it is a vote directly on the amendment of the Senator from New Jersey [Mr. FRELINGHUYSEN].

The VICE PRESIDENT. No.

Mr. ROBINSON. Well, what is the question?

The VICE PRESIDENT. The Chair wanted to explain, but the point of order was made that there was a roll call proceeding and that no explanations were in order, and the Chair had to sustain that point of order.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the Chair may be permitted to explain the parliamentary situation.

Mr. SMITH of Georgia. But at least, Mr. President, give us the subject upon which we are voting. Let the Secretary state it.

The VICE PRESIDENT. Is there any objection?

Mr. ROBINSON. Mr. President, I do not object to the request of the Senator from Tennessee. I rise merely to state that I do not think it is out of order to make a parliamentary inquiry and ask for a statement of the question that is being voted upon. That is what I desire.

The VICE PRESIDENT. The Chair refused to pass upon the point of order which was raised, and submitted it to the Senate. The vote must be, therefore, as to whether or not the Senate believes that this is general legislation on an appropriation bill.

Mr. BORAH. Mr. President, upon that statement I desire to change my vote from "nay" to "yea." [Laughter.]

Mr. FRANCE. Mr. President, I desire to change my vote——

Mr. SWANSON. Mr. President, a parliamentary inquiry.

Mr. ROBINSON. Mr. President——

Mr. SWANSON. Mr. President——

The VICE PRESIDENT. The Senator from Virginia.

Mr. SWANSON. As I understand, it depends upon the form in which the question is put as to whether it is general legislation. It seems to me the question is, Is this legislation in order? If we think it is in order, we vote "yea." If we think it is not in order, we vote "nay."

The VICE PRESIDENT. Well, the Senate can vote on it in that way. The Chair does not care.

Mr. SWANSON. The question is, Which way did the Chair state it?

The VICE PRESIDENT. The Chair stated it the other way, but the Chair thinks the Senator from Virginia has it right. That is what the Chair was trying to straighten out, but he could not; namely, Is the legislation in order?

Mr. SWANSON. That is all right. Those who think it is in order will vote "yea," and those who think it is not in order will vote "nay."

Mr. BORAH. Mr. President, with that statement, I desire to change my vote.

Mr. SWANSON. Mr. President, I ask unanimous consent that the proceedings under this roll call be vacated, and that the question be restated by the Chair, and a new roll call be held.

Mr. LODGE. Mr. President——

The VICE PRESIDENT. Is there any objection? The Chair hears none. Now, this is the question: Is the amendment in order?

Mr. SMITH of Georgia. Mr. President, may the amendment be stated?

Mr. BANKHEAD. Mr. President, my information was that the question submitted to the Senate was as to whether or not the amendment was germane to the committee amendment.

The VICE PRESIDENT. Not at all.

Mr. BANKHEAD. I mean, the amendment of the Senator from New Jersey.

Mr. THOMAS. That was not my point of order.

The VICE PRESIDENT. The point of order was that it was general legislation.

Mr. MYERS. Mr. President——

The VICE PRESIDENT. The question to be voted on is, Is the amendment in order?

Mr. OVERMAN. What amendment? The amendment offered by the Senator from New Jersey, as I understand?

The VICE PRESIDENT. Yes.

Mr. LODGE obtained the floor.

Mr. MYERS. Mr. President, I think it is scandalous for Senators to sit here and vote without knowing what they are voting on.

Mr. LODGE. When the Senator from Montana is through I will address the Chair. Mr. President, I was only going to say that the usual method, as I have observed it here, when a question of order is referred to the Senate is whether the point of order is well taken; in other words, shall the point of order be sustained? The question is on the point of order. I think I am right in that.

The VICE PRESIDENT. The question is on the point of order, and the Chair stated it originally as the Senator from Massachusetts has done; but upon reflection the Chair, not having ruled and leaving it for the determination of the Senate, believes the question to be voted upon is, Is the amendment in order? That enables the Senate to determine the point of order.

Mr. LODGE. When a point of order is submitted the Chair either overrules the point of order or declares that it is well taken. Now, that decision is submitted to the Senate. If the Senate considers the point of order well taken it votes "yea;" if it considers that the point of order should be overruled it votes "nay."

The VICE PRESIDENT. It really makes no difference how it is phrased, so Senators know how they are voting.

Mr. LODGE. Not the least. I quite agree.

Mr. HARDING. May I ask the Chair whether the decision on this specific amendment submitted by the Senator from New Jersey on behalf of the Senator from New York applies to the general good-roads appropriation?

The VICE PRESIDENT. It does not. It applies only to this particular amendment.

Mr. LODGE. It applies only to the amendment.

Mr. JONES of Washington. I should like to have the amendment of the Senator from New Jersey read.

The VICE PRESIDENT. The Senator from Washington calls for the reading of the amendment, and it will be read.

The SECRETARY. The Senator from New Jersey [Mr. FRELINGHUYSEN], for and on behalf of the Senator from New York [Mr. CALDER], submits the following amendment:

On page 37, line 13, after the word "act," insert:

"*Provided*, That the Secretary of Agriculture is hereby authorized and directed, for and in behalf of the Government of the United States, to join in the construction of a tunnel or tunnels for the use of vehicles, animals, pedestrians, and vehicle-borne traffic under the Hudson River between some point on the island of Manhattan, State and city of New York, and some point in Hudson County, State of New Jersey, pursuant to plans to be agreed upon by the parties aforesaid.

"And for the purpose above stated the sum of $6,000,000 is hereby authorized, $1,000,000 to be paid out of the sum appropriated for the improvement of roads in the year 1919, $2,000,000 out of the sum appropriated for the improvement of roads in the year 1920, and $3,000,000 out of the moneys appropriated for the year 1921.

"This money, however, or no portion thereof, shall become available or payable until the States of New York and New Jersey shall, within two years from and after the approval of this act, have appropriated the sum of $3,000,000 for the same purpose.

"The United States Government is to be repaid for the money advanced for the construction of this tunnel by the paying of tolls on a basis to be fixed by the United States and the States of New York and New Jersey.

"That the tunnel or tunnels constructed under this act, together with their approaches and terminals, shall be lawful structures and shall each be recognized and known as a post route, and is hereby declared to be a post route; and no charge shall be made for the transportation of the mails, the troops, and munitions of war of the United States."

The VICE PRESIDENT. The question as determined by the precedents of the Senate is, Is the amendment in order? That is the way the precedents read, though the Chair believes the Senator from Massachusetts is right. Is the amendment in order?

Mr. POINDEXTER. I shall vote, upon that statement of the question, "yea," believing that the amendment is in order, whether it is general legislation or not, because it is an amendment of an amendment which is general legislation. With the other amendment pending before the Senate, undoubtedly it can be amended by an amendment on the same subject. I desire to make this statement so as to make it clear that it does not indicate my opinion on the merits of the question. I expect to vote "nay" on the amendment when it is submitted.

Mr. SWANSON. I think the amendment is clearly in order, but I think it should be voted upon on its merits. I shall vote "yea."

Mr. SMOOT. Are we to understand that a vote "yea" means that the amendment is not general legislation and a vote "nay" means that it is general legislation?

The VICE PRESIDENT. Yes; if you vote that the amendment is in order you are deciding that it is not general legislation. If you vote that it is not in order, you are deciding that it is.

Mr. SWANSON. If we vote "yea" we decide that it is not general legislation?

The VICE PRESIDENT. Certainly.

Mr. SWANSON. If we vote "yea" we decide that it is in order?

The VICE PRESIDENT. Certainly.

Mr. BANKHEAD. Mr. President, I wish to make a suggestion. I suggest that we take a vote direct on the amendment. If there are enough votes to put it in the bill, all right; if not, let it be defeated.

Mr. POINDEXTER. In order that there may not be any misunderstanding as to my vote on this matter, I do not vote with the understanding of the matter stated by the Senator from Virginia. He stated that a yea vote would be that it was in order and not general legislation. I think, on the contrary, it is in order and is general legislation. The question, I understand, is whether it is in order.

Mr. LODGE. That is all.

Mr. JONES of Washington. I understand that the money proposed to be appropriated here is to come out of the $75,000,000 provided by the committee for 1920 and the $75,000,000 provided for 1921, and as long as that amendment is pending it seems that an amendment of this kind would be in order, whatever might be the result on the general amendment as amended. The Senator from New Jersey proposes to take money out of money already provided in the amendment and to use it for a specific purpose. I think it is general legislation.

The VICE PRESIDENT. The roll will be called.

The Secretary proceeded to call the roll.

Mr. BANKHEAD. I know the roll call has been started, but I want to know what the question is.

The VICE PRESIDENT. Is the amendment in order?

Mr. BANKHEAD. Then my proposition to vote directly on the amendment was rejected?

SEVERAL SENATORS. Let us vote!

OTHER SENATORS. Regular order!

The VICE PRESIDENT. The Secretary will proceed with the roll call.

The Secretary resumed the calling of the roll.

Mr. DILLINGHAM (when his name was called). Because of my general pair with the senior Senator from Maryland [Mr. SMITH], who is necessarily absent, I withhold my vote.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I transfer my pair to the Senator from California [Mr. JOHNSON] and vote "nay."

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Louisiana [Mr. RANSDELL] and vote "yea."

Mr. PENROSE (when his name was called). Again announcing the transfer of my pair, I will vote. I vote "yea."

Mr. THOMAS (when his name was called). Making the same announcement as before as to the transfer of my pair, I vote "nay."

Mr. WOLCOTT (when his name was called). Making the same announcement of the transfer of my pair as on the last vote, I vote "nay."

The roll call having been concluded, resulted—yeas 39, nays 18, as follows:

YEAS—39.

Ashurst	Jones, Wash.	New	Smith, S. C.
Bankhead	Kellogg	Nugent	Spencer
Beckham	Kendrick	Penrose	Sterling
Fletcher	La Follette	Pittman	Sutherland
France	Lenroot	Poindexter	Swanson
Gay	McKellar	Pollock	Thompson
Gronna	McNary	Pomerene	Trammell
Henderson	Martin, Va.	Shafroth	Underwood
Johnson, S. Dak	Myers	Sheppard	Vardaman
Jones, N. Mex.	Nelson	Simmons	

NAYS—18.

Borah	Harding	Overman	Wadsworth
Curtis	Kenyon	Page	Weeks
Fernald	King	Sherman	Wolcott
Gore	Kirby	Smoot	
Hale	Moses	Thomas	

NOT VOTING—39.

Baird	Colt	Fall	Hardwick
Brandegee	Culberson	Frelinghuysen	Hitchcock
Calder	Cummins	Gerry	Hollis
Chamberlain	Dillingham	Goff	Johnson, Cal.
Knox	Norris	Saulsbury	Townsend
Lewis	Owen	Shields	Walsh
Lodge	Phelan	Smith, Ariz.	Warren
McCumber	Ransdell	Smith, Ga.	Watson
McLean	Reed	Smith, Md.	Williams
Martin, Ky.	Robinson	Smith, Mich.	

The VICE PRESIDENT. The yeas are 39 and the nays 18. So the Senate decides that the amendment is in order. The question is on agreeing to the amendment to the amendment.

Mr. FRELINGHUYSEN. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I have a general pair with the junior Senator from Georgia [Mr. HARDWICK], but as he would vote the same as I would on this question, I am at liberty to vote. I vote "nay."

Mr. DILLINGHAM (when his name was called). Again announcing my pair, I withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). I transfer my general pair with the Senator from Montana [Mr. WALSH] to my colleague [Mr. BAIRD] and vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I make the same announcement of the transfer of my pair as on the last vote and vote "nay."

Mr. PENROSE (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS], and I am informed he is not in the Chamber. As I am unable to arrange for a transfer of my pair upon this vote, I shall refrain from voting. If I were permitted to vote, I would vote "yea."

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire again to announce the absence of my colleague [Mr. SMITH of Michigan] and that he is paired with the senior Senator from Missouri [Mr. REED]. My colleague is absent on account of illness. This announcement may stand for the day.

Mr. THOMAS (when his name was called). Announcing the same pair and transfer as before, I vote "yea."

Mr. WOLCOTT (when his name was called). I make the same announcement of the transfer of my pair as before and vote "nay."

The roll call having been concluded,

Mr. MCKELLAR. I wish to announce that my colleague [Mr. SHIELDS] is absent on account of illness and that he is paired with the Senator from Connecticut [Mr. BRANDEGEE].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN].

The result was announced—yeas 12, nays 48, as follows:

YEAS—12.

France	Kenyon	New	Thomas
Frelinghuysen	Lodge	Spencer	Wadsworth
Jones, Wash.	McNary	Sutherland	Weeks

NAYS—48.

Ashurst	Henderson	Nugent	Smith, Ga.
Bankhead	Johnson, S. Dak.	Overman	Smith, S. C.
Beckham	Jones, N. Mex.	Page	Smoot
Borah	Kellogg	Pittman	Sterling
Curtis	Kendrick	Poindexter	Swanson
Fletcher	King	Pollock	Thompson
Gay	Kirby	Pomerene	Townsend
Gerry	La Follette	Robinson	Trammell
Gore	McKellar	Shafroth	Underwood
Gronna	Martin, Va.	Sheppard	Vardaman
Hale	Myers	Sherman	Warren
Harding	Nelson	Simmons	Wolcott

NOT VOTING—36.

Baird	Fernald	McCumber	Reed
Brandegee	Goff	McLean	Saulsbury
Calder	Hardwick	Martin, Ky.	Shields
Chamberlain	Hitchcock	Moses	Smith, Ariz.
Colt	Hollis	Norris	Smith, Md.
Culberson	Johnson, Cal.	Owen	Smith, Mich.
Cummins	Knox	Penrose	Walsh
Dillingham	Lenroot	Phelan	Watson
Fall	Lewis	Ransdell	Williams

So Mr. FRELINGHUYSEN's amendment to the amendment was rejected.

Mr. MOSES. I offer an amendment to the committee amendment, which I send to the desk.

The VICE PRESIDENT. The amendment proposed by the Senator from New Hampshire to the committee amendment will be stated.

The SECRETARY. On page 37, line 15, after the word "marines," it is proposed to insert the following:

Provided further, That any money expended by the United States Government in the construction of military roads in any State to and from (but not within) any cantonment, aviation field, or any property used for military or naval purposes, shall first be deducted from the amount apportioned to such State under this appropriation.

Mr. MOSES. Mr. President, it is well known that many miles of enduring concrete roads have been constructed during the last year and a half by soldier labor in the vicinity of camps, cantonments, aviation fields, and other military establishments which were set up. Those roads will all be serviceable for postal purposes and will all inure to the benefit of the States within which they were constructed. This amendment seems to be wholly in line with the equitable view which the Senate is taking of this measure as a whole.

The VICE PRESIDENT. The question is on the amendment of the Senator from New Hampshire to the amendment of the committee.

Mr. BANKHEAD. I hope the amendment will not be adopted.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire to the amendment. [Putting the question.] The ayes seem to have it.

Mr. BANKHEAD. I call for a division.

The VICE PRESIDENT. All those in favor of the amendment to the amendment will rise——

Mr. PENROSE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CURTIS (when his name was called). I am paired with the junior Senator from Georgia [Mr. HARDWICK], and so I withhold my vote.

Mr. FRELINGHUYSEN (when his name was called). Making the same announcement that I made before, I transfer my general pair with the Senator from Montana [Mr. WALSH] to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. MOSES (when his name was called). I transfer my pair with the junior Senator from Kentucky [Mr. MARTIN] to the senior Senator from Iowa [Mr. CUMMINS] and vote "yea."

Mr. MYERS (when his name was called). I make the same announcement of the transfer of my pair as on the last ballot and vote "nay."

Mr. PENROSE (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. WILLIAMS], and so refrain from voting. If I were permitted to vote, I should vote "yea."

Mr. THOMAS (when his name was called). I make the same announcement of my pair and its transfer as before. I vote "nay."

Mr. WOLCOTT (when his name was called). Making the same announcement of my pair and its transfer as before, I vote "yea."

The roll call was concluded.

Mr. PENROSE. I will transfer my pair with the senior Senator from Mississippi [Mr. WILLIAMS] to the junior Senator from Vermont [Mr. PAGE], who I note has not voted, and vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The result was announced—yeas 28, nays 28, as follows:

YEAS—28.

Borah	Henderson	La Follette	Nugent
Fernald	Johnson, S. Dak.	Lenroot	Penrose
France	Jones, N. Mex.	Lodge	Pomerene
Frelinghuysen	Jones, Wash.	McNary	Smoot
Gore	Kendrick	Moses	Spencer
Hale	Kenyon	Nelson	Sutherland
Harding	King	New	Wolcott

NAYS—28.

Ashurst	Fletcher	McKellar	Overman
Bankhead	Gay	Martin, Va.	Pittman
Beckham	Kirby	Myers	Poindexter
Pollock	Sherman	Sterling	Townsend
Robinson	Simmons	Swanson	Trammell
Shafroth	Smith, Ga.	Thomas	Underwood
Sheppard	Smith, S. C.	Thompson	Vardaman

NOT VOTING—40.

Baird	Gerry	McCumber	Shields
Brandegee	Goff	McLean	Smith, Ariz.
Calder	Gronna	Martin, Ky.	Smith, Md.
Chamberlain	Hardwick	Norris	Smith, Mich.
Colt	Hitchcock	Owen	Wadsworth
Culberson	Hollis	Page	Walsh
Cummins	Johnson, Cal.	Phelan	Warren
Curtis	Kellogg	Ransdell	Watson
Dillingham	Knox	Reed	Weeks
Fall	Lewis	Saulsbury	Williams

So the amendment of Mr. MOSES to the amendment of the committee was rejected.

Mr. BORAH. Mr. President, I have offered an amendment to this bill, on which I desire to submit some observations.

Mr. WEEKS. Mr. President——

Mr. BANKHEAD. Will the Senator yield to me for a moment?

Mr. BORAH. I yield first to the Senator from Massachusetts.

Mr. WEEKS. I send to the desk an amendment, which I ask to have printed and lie on the table.

The VICE PRESIDENT. Without objection, that order will be made.

Mr. BORAH. Mr. President, I do not know what the program is to-night with reference to adjournment.

Mr. BANKHEAD. Mr. President, will the Senator yield to me for a moment?

Mr. BORAH. Yes; I yield.

Mr. BANKHEAD. Mr. President, I announced on yesterday that I would ask the Senate to remain in session to-day to consider this bill, and if it should not be passed before that time I would ask the Senate to remain in session to-night in order to dispose of the measure. I am still of the belief that that ought to be done; but I find so many old-young Senators here who appear to be exhausted from the day's session that I am inclined to make this suggestion: If we can get a unanimous-consent agreement to vote on this bill and all amendments thereto to-morrow at 4 o'clock, I shall be willing now to take a recess.

Mr. THOMAS. The Senator means to begin to vote at that time, does he not?

Mr. BANKHEAD. I mean to vote during the calendar day, and I will ask that after 3 o'clock——

Mr. SMOOT. I suggest to the Senator that he make it 4 o'clock.

Mr. BANKHEAD. I will ask the Senator to wait a moment—that after 3 o'clock to-morrow all speeches shall be limited to 10 minutes. Is that agreeable?

Mr. LODGE. And that the vote be taken before the end of that calendar day.

Mr. BANKHEAD. And that we shall vote to-morrow before the end of the calendar day on the bill and all amendments thereto.

Mr. SMOOT. Will the Senator make that 4 o'clock?

Mr. BANKHEAD. Why?

Mr. SMOOT. I think it would be very proper to allow the discussion to run until 4 o'clock, and then after 4 o'clock have the speeches limited to 10 minutes each and vote upon the calendar day, as has been suggested.

Mr. SMITH of Georgia. Does not the Senator think that a 10-minute speech is enough from now on?

Mr. SMOOT. No; I do not, I will say to the Senator.

Mr. BANKHEAD. I realize that the Senator from Idaho wants to make a speech, and I want him to make it, because he is always interesting and is going to speak on an interesting subject, and I want him to take all the time that he cares to occupy.

Mr. BORAH. Mr. President, the Senator from Idaho does not really want to make a speech; he wants to have the amendment proposed by him adopted, and if it can be adopted without a speech—if that will be an inducement—he will not make the speech.

Mr. BANKHEAD. I do not think it can be adopted without the speech of the Senator from Idaho.

Mr. THOMAS. And perhaps not then.

Mr. BANKHEAD. I think that it would be proper to limit the speeches to 10 minutes after 3 o'clock.

Mr. LODGE. The subject which the Senator from Idaho is going to bring up is a very important one, and I think he ought to have opportunity properly to lay it before the Senate.

Mr. BANKHEAD. I agree with that; but I think the Senator from Idaho can probably do that in an hour, and he will have ample time before 3 o'clock if he begins in the morning.

Mr. SMOOT. I will say to the Senator that I desire to offer a substitute for the road provision, and I want some time to explain it.

Mr. BANKHEAD. That is all true, and I want the Senator to have ample opportunity. Mr. President, I will change my proposition and suggest that we take recess until 11 o'clock to-morrow——

Mr. SMOOT. The Senator knows that we can not do that because of a conference that is to be held to-morrow morning, which will prevent Senators coming here.

Mr. BANKHEAD. Very well. How would it do to limit speeches to 10 minutes after 3.30 o'clock?

Mr. SMOOT. That will be all right, I presume.

Mr. BANKHEAD. Do I understand, then, that it is agreeable that at not later than 3.30 o'clock to-morrow all speeches will be limited to 10 minutes, and that we will vote on the final passage of the bill and amendments thereto during the calendar day?

The VICE PRESIDENT. The Secretary will state the proposed unanimous-consent agreement.

The SECRETARY. Mr. BANKHEAD asks unanimous consent that not later than 3.30 o'clock p. m. on the calendar day of Saturday, February 8, 1919, the Senate will proceed to vote, without further debate upon any amendment that may be pending, any amendment that may be offered, and upon the bill, House bill 13308, an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, through the regular parliamentary stages to its final disposition, and that after the hour of 3.30 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. POINDEXTER. Mr. President, I move to strike out from the request as stated the words "without further debate." That is rather inconsistent with the allowance of 10-minute speeches.

The VICE PRESIDENT. Well, it is generally understood what the proposition is, namely, a vote on all questions to the final passage of the bill itself by 12 o'clock midnight of to-morrow, and that after 3.30 o'clock to-morrow no Senator shall speak more than once or longer than 10 minutes on the bill itself or on any amendment. Is there any objection among the Senators present?

Mr. POINDEXTER. I have no objection to the request as it has been stated by the Chair, but I have objection to it as read by the Secretary.

The VICE PRESIDENT. Well, the phraseology will be changed.

Mr. JONES of Washington. I wish to ask whether or not under that agreement we could vote, if the time came to vote, upon any amendment prior to 3.30 o'clock?

The VICE PRESIDENT. Undoubtedly. If there is no objection upon the part of any Senator present, in accordance with the rule the Secretary will call the roll to develop the presence of a quorum.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Jones, Wash.	Myers	Simmons
Bankhead	Kellogg	Nelson	Smith, Ga.
Beckham	Kendrick	New	Smith, S. C.
Borah	Kenyon	Nugent	Smoot
Curtis	King	Overman	Sterling
Fletcher	Kirby	Penrose	Sutherland
France	La Follette	Pittman	Swanson
Frelinghuysen	Lenroot	Poindexter	Thomas
Gay	Lodge	Pollock	Thompson
Gore	McKellar	Pomerene	Underwood
Henderson	McNary	Robinson	Vardaman
Johnson, S. Dak.	Martin, Va.	Shafroth	Warren
Jones, N. Mex.	Moses	Sheppard	Wolcott

The VICE PRESIDENT. Fifty-two Senators have answered to the roll call. There is a quorum present. Is there any objection to the proposed unanimous-consent agreement, which will be stated by the Secretary?

The SECRETARY. The Senator from Alabama asks unanimous consent that on the calendar day of Saturday, February 8, 1919, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill H. R. 13308, an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, through the regular parliamentary stages to its final disposition; and that after the hour of 3.30 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. POINDEXTER. Mr. President, as I understand the reading of the agreement, it says we shall proceed to vote without further debate.

The VICE PRESIDENT. On that calendar day, which will be up to midnight. By midnight the Senate must vote. It is in the regular form. There is no doubt about it.

Mr. POINDEXTER. At what time will we stop debate under that agreement?

The VICE PRESIDENT. In time to give a vote. The Chair has been in that predicament once, and started the vote about five minutes before midnight.

Mr. POINDEXTER. With the understanding that it will not be more than 15 minutes before midnight, I shall not object.

The VICE PRESIDENT. The Chair will give the Senator from Washington all the chance he will need. Is there any objection to the proposed unanimous-consent agreement? The Chair hears none, and the unanimous-consent agreement is entered into.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. BANKHEAD obtained the floor.

Mr. SHAFROTH. Mr. President, will the Senator yield for the adoption of a concurrent resolution authorizing the Senator from Nevada [Mr. PITTMAN] to sign the name of the Senator from California [Mr. PHELAN] to a conference report? The Senator from California is away, and the Senator from Nevada has a telegraphic communication from him, and we desire to have that consent given by the Senate.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent for the present consideration of a concurrent resolution, which will be stated by the Secretary.

The concurrent resolution (S. Con. Res. 30) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That Hon. KEY PITTMAN, as one of the Senate managers, is hereby authorized to affix the name of JAMES D. PHELAN, as one of the Senate managers, to the conference report on bill S. 2812, entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain," under oral authority and by telegram requesting such action.

The VICE PRESIDENT. Is there any objection to the present consideration of the concurrent resolution?

Mr. SMOOT. Yes, Mr. President; I object to its presentation.

Mr. SHAFROTH. I do not understand the Senator.

Mr. SMOOT. I shall object to the presentation of it at this time.

Mr. PENROSE. I join in the objection.

Mr. SMOOT. I want to know something more about it.

Mr. PENROSE. I want to look into it.

Mr. SHAFROTH. It is only a question of whether the Senator from Nevada can sign the report. The Senator from California is absent, and the concurrent resolution simply gives authority for the Senator from Nevada to sign his name to the report.

Mr. PENROSE. I object.

Mr. THOMAS. I understand an objection is made to that.

Mr. SHAFROTH. Does the Senator insist upon the objection?

Mr. PENROSE. I object.

The VICE PRESIDENT. Objection is made, and the concurrent resolution goes over.

DAVID E. GRAY.

Mr. THOMAS. Mr. President, I ask unanimous consent to call up and dispose of House bill 1607. It is a very simple matter, but it affects my State considerably. If it provokes any discussion I will withdraw it. It is a bill for the relief of a postmaster at Greeley, Colo., whose post office was robbed some years ago and who needs to have this bill passed for the purpose of settling his accounts.

The VICE PRESIDENT. The Senator from Colorado asks unanimous consent for the present consideration of a bill the title of which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 1607) for the relief of David E. Gray.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of David E. Gray, postmaster at Greeley, Colo., in the sum of $10,088.09, due to the United States on account of postage stamps and other stamped paper on account of losses resulting from burglary of said post office on July 1, 1911.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIMS AGAINST MEXICO.

Mr. KING. Mr. President, the Senate seems to be in a good humor, and I ask unanimous consent for the present consideration of Senate resolution 399.

The VICE PRESIDENT. The Senator from Utah asks unanimous consent for the present consideration of a resolution which will be stated by the Secretary.

The Secretary read Senate resolution 399, submitted by Mr. KING on January 29, 1919, as follows:

Whereas claims aggregating millions of dollars in compensation for damages to property and for personal outrages and destruction of life, suffered by American citizens in the Republic of Mexico, have been filed with the Department of State for presentation to the Government of Mexico; and

Whereas some years have already intervened between the commission of such damages and outrages and no progress is apparently being made toward the liquidation, settlement, and payment of such claims: Now, therefore, be it

Resolved, That the Secretary of State be, and he is hereby, directed to report to the Senate whether or not said claims have been presented to the Government of Mexico, and what steps and measures are being taken to prosecute such claims and to liquidate and settle the same, and if said claims have not been presented, then to report to the Senate what steps and measures are contemplated to be taken with respect thereto and when the department will proceed with the same.

Mr. KING. The resolution has been unanimously reported by the committee.

The VICE PRESIDENT. Is there any objection to the present consideration of the resolution?

The resolution was considered by unanimous consent and agreed to.

MEMORIAL ADDRESSES ON THE LATE SENATOR HUSTING AND THE LATE REPRESENTATIVE DAVIDSON.

Mr. LA FOLLETTE. Mr. President, I give notice that at the proper time I shall move for a session of the Senate on Sunday, the 23d of February, to be devoted to memorial exercises for the late Senator HUSTING and the late Representative DAVIDSON, of Wisconsin.

RECESS.

Mr. BANKHEAD. I move that the Senate take a recess until 12 o'clock noon to-morrow.

The motion was agreed to; and (at 5 o'clock and 50 minutes p. m.) the Senate took a recess until to-morrow, Saturday, February 8, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 7, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who are supremely great and glorious, infinite in all Thine attributes, impart unto us that uplift of the spirit which shall strengthen our grip on the things which make for righteousness and broaden our views of life and its purposes, that we may go forward to larger achievements in the things whereunto Thou hast called us; for Thine is the kingdom and the power and the glory forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4743. An act for the relief of Francis Stewart.

The message also announced that the Senate had passed without amendment the bill (H. R. 13353) to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

ENROLLED BILL SIGNED.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 1847. An act to authorize the addition of certain lands to the Wyoming National Forest.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4743. An act for the relief of Francis Stewart; to the Committee on Public Lands.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

Mr. HUMPHREYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HUMPHREYS. Is it in order to move that the House go into executive session?

The SPEAKER. Of course it is, when you have got anything to go in on. [Laughter.]

Mr. HUMPHREYS. Well, it occurs to me that we have got something to go in on. We have an appropriation asked here of $700,000,000 which we are asked to vote upon because of a communication which is said to have come to the Committee on Naval Affairs which could not properly be made public. Of course the responsibility is upon the House, not exclusively upon the Committee on Naval Affairs, in making this appropriation.

It occurs to me that in view of the fact that it is not advisable to make public this communication the chairman of the Committee on Naval Affairs might be willing to move to go into executive session, where the communication would be kept entirely secret.

Mr. PADGETT. I do not think it would. I will say to the gentleman that I will show it to any Member of the House in personal confidence.

The SPEAKER. All this conversation is out of order. If the gentleman from Mississippi wants to make any remarks to the House, the Chair will recognize him for five minutes.

Mr. HUMPHREYS. Yes, Mr. Speaker. I did not know until now that Members of the House could see this telegram or that it was open to all Members.

Mr. PADGETT. I have shown it to several Members.

Mr. HUMPHREYS. Yes. I had heard that several Members had seen it, but the House has not seen it.

Mr. PADGETT. Yes; I will show it to you.

Mr. HUMPHREYS. I can not see why the gentleman thinks it would not be kept secret if it were submitted to the House in executive session.

Mr. PADGETT. I have been on committees for 15 years, and we have been holding executive sessions, and everything that was done in executive session was published in the newspapers next morning. [Laughter.]

Mr. HUMPHREYS. Then, Mr. Speaker, if the House does not go into executive session and this communication is shown to every Member, every Member will know it. Of course, if they want to make it public they can do it just as well as if it were made known in executive session.

When I made the suggestion I did not know that the communication would be made available to the Members of the House. I do not make the motion to go into executive session, but I wanted to know if it would be in order if the chairman of the Committee on Naval Affairs of his own motion would make the motion to go into executive session, so that the matter can be presented and we can know what the situation is.

Mr. PADGETT. The truth is I have told the House already the sum and substance of it as plainly as I could, except to give the language.

Mr. HUMPHREYS. I yield the floor, Mr. Speaker.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill. The question is on agreeing to the motion.

The motion was agreed to.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] will please take the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BUREAU OF YARDS AND DOCKS.

Maintenance, Bureau of Yards and Docks: For general maintenance of yards and docks, namely, for books, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants; machinery, operation or repair, purchase; maintenance of horses and driving teams; carts, timber wheels, and all vehicles, including motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes,

and including motor-propelled vehicles for freight-carrying purposes only for use in the navy yards; tools and repair of the same; stationery; furniture for Government houses and offices in navy yards and naval stations; coal and other fuel; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up yards and care of buildings; attendance on fires, lights, fire engines, and fire apparatus and plants; incidental labor at navy yards; water tax, tolls, and ferriage; pay of watchmen in navy yards; awnings and packing boxes; and for pay for employees on leave, $7,500,000: *Provided*, That the sum to be paid out of this appropriation under the direction of the Secretary of the Navy for clerical, inspection, drafting, messenger, and other classified work in the navy yards and naval stations for the fiscal year ending June 30, 1920, shall not exceed $1,000,000: *Provided further*, That no part of any appropriation contained in this act shall be used for the purchase of passenger-carrying automobiles.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, I rise for the purpose of inquiring as to the method the committee followed in arriving at the estimate of the appropriation of $7,500,000.

Mr. PADGETT. Yes, sir. There was appropriated last year $10,500,000. The committee had very extensive hearings with the Chief of the Bureau of Yards and Docks, and inquired into the purposes for which the appropriations were to be used. It is the general operating fund to carry on all the work of the navy yards and stations, and we concluded that $7,500,000 was the lowest they could get along on.

Mr. STAFFORD. What were the component parts of the gentleman's estimate of $7,500,000? I am directed by a member of the committee to page 275 of the hearings.

Mr. PADGETT. It is the general operating fund of the navy yards and stations.

Mr. STAFFORD. While the gentleman is searching for the details of his estimate, I wish to direct the attention of the gentleman and also the attention of the House to the fact that this appropriation bill of two years ago carried only $1,774,000 for this item. Now, it is hard for me to understand how in two years the appropriations on a peace basis would jump from $1,774,000 to $7,500,000. That is some jump for the maintenance of the yards.

Mr. PADGETT. During the war and the last few years there has been a tremendous development and expansion in the yards, calling for enlarged activities. You will find it on page 273.

Mr. STAFFORD. That condition was rather present when we appropriated the money for this purpose during the fiscal year 1917.

Mr. PADGETT. No. In the last appropriation bill we appropriated $10,500,000.

Mr. STAFFORD. But two years before we appropriated but $1,774,000 for these identic purposes.

Mr. PADGETT. Yes; that is true. But you must bear in mind that the enlargements of the yards have been many, many times over what they were in the year before that.

Mr. STAFFORD. But I make the statement that in no instance have they been fivefold; and even if they had been fivefold, the amount of this expenditure should not be proportionate.

Mr. PADGETT. There are many more yards and very much enlarged activities. The gentleman must bear in mind that the appropriations for yards and docks in the two years from March 4, 1917, are over $300,000,000. Now that property has to be taken care of. It has to be maintained, it has to be repaired, the operations have to be supported.

Mr. STAFFORD. Are you not maintaining it up to a war basis?

Mr. PADGETT. No, sir; we are not.

Mr. STAFFORD. Will the gentleman give the information which I originally sought, as to how he arrived at this large appropriation of $7,500,000, a jump in two years from $1,774,000?

Mr. KELLEY of Michigan. I will say to the chairman of the committee that, of course, it is a partial war basis, because all these yards will have to repair the ships that are being used for transport service and temporary service during the period of demobilization.

Mr. STAFFORD. Will the gentleman permit? Does the gentleman mean to say these yards were not being used for repair purposes in the year before last, when we appropriated only $1,774,000?

Mr. PADGETT. Yes; but in the year——

Mr. STAFFORD. Has the gentleman any information as to how the committee arrived at $7,500,000, or was it just a wild guess?

Mr. KELLEY of Michigan. Oh, the gentleman is getting excited.

Mr. STAFFORD. I am not getting excited. I am waiting for information, but still have not received any.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KELLEY of Michigan. The gentleman from Wisconsin has taken most of the five minutes himself.

Mr. STAFFORD. No; I have not. I have waited for the chairman to give me information, and I am now waiting for the gentleman from Michigan to give me information. I ask unanimous consent for five minutes, and I will yield to the gentleman from Michigan to give me the information.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that the time be extended five minutes. Is there objection?

There was no objection.

Mr. PADGETT. The total appropriation, including deficiencies, last year was $14,288,000, and the expenditures were $14,311,654, making an additional deficiency of $23,000 up to the present time; and instead of having to take care of a small number of ships, when the armistice was declared the number of ships was something like 2,000. Many of those ships are still in operation and will have to continue until we get back to an actual peace basis. The operations in the yards have largely developed and extended many times over, and this is the operating expense of all the yards and stations throughout the country; and as suggested by the gentleman from Michigan [Mr. KELLEY], we are not on a peace basis yet. We are in a transition period, trying to get to a peace basis.

Mr. STAFFORD. Will the gentleman permit?

Mr. PADGETT. Yes.

Mr. STAFFORD. Do I understand that out of this appropriation the mechanics and other employees of the navy yards are paid?

Mr. BUTLER. Oh, no.

Mr. PADGETT. No; this is for the maintenance and upkeep of the yards.

Mr. BUTLER. Maintenance and repair.

Mr. STAFFORD. I was under the impression that that was the purpose, but the gentleman's general statement led me to believe that he intended to convey that it was for the pay of mechanics and help.

Mr. PADGETT. No; I said the upkeep and maintenance of the yards.

Mr. STAFFORD. If it is for the upkeep and maintenance, how should this appropriation increase fivefold just because there are additional ships to be repaired?

Mr. PADGETT. Because the number of ships is more than fivefold. We had about 2,000 ships. We have had a large development of yard expenditures.

Mr. STAFFORD. Yes; but in no instance fivefold.

Mr. PADGETT. Oh, yes.

Mr. STAFFORD. Not at the Philadelphia Navy Yard and not at the New York Navy Yard, not fivefold in any instance.

Mr. PADGETT. I call the gentleman's attention to the fact that the appropriation for yards is very great. In the last few years the expansion is over $300,000,000. That property has to be taken care of. It has to be maintained. It has to be looked after. It has to be repaired. It has to be kept up. If you will look at page 1083 of the hearings, at the second hearing of Admiral Parks, you will see this:

Admiral PARKS. Now, in the navy yard at New York the bureau had an expenditure for 3 months of $22,400, which would be for the 12 months in the neighborhood of $110,000. The expenditure was for the 3 summer months.

The CHAIRMAN. Well, that is for that one yard?

Admiral PARKS. Yes, sir; for that one yard.

The CHAIRMAN. Now, run over in your mind and what would you estimate it to be for the whole naval service?

Admiral PARKS. Great Lakes in the $12,500,000 had $1,200,000, while a recent station report had $1,000,000 estimated for coal, which was in excess of my estimate for the purpose.

The CHAIRMAN. Yes.

Admiral PARKS. They had $2,000,000 estimated as their requirements from Yards and Docks appropriation maintenance, and I had $1,200,000; the total estimate for coal is about $1,400,000, leaving out the training camps.

The CHAIRMAN. For the year; something in the neighborhood for the year of $1,400,000?

Admiral PARKS. Based upon that average for New York.

The CHAIRMAN. Now, then, you stated about labor, and you gave the proportion of the rise of labor. How much do you estimate in a general way for the item of labor under this appropriation?

Admiral PARKS. Aside from the classified employees, watchmen, telephone operators, pilots, etc., about $3,000,000—$3,000,000 or $3,250,000.

The CHAIRMAN. Now, including the others, your classified employees are specified in the limitation of pilots and such employees as you have named. What do you estimate will be necessary for them?

Admiral PARKS. That to-day is $3,031,040.12.

The CHAIRMAN. Those three items will make more than $7,500,000. You expect to reduce that, don't you?

Admiral PARKS. To $2,000,000 for classified employees.

The CHAIRMAN. Now, you have got a number of other items that compose that, haven't you?

Admiral PARKS. Yes, sir; our water is another large item. I do not carry the quantities in mind very well, but one station that I have in mind right now has 2,000,000 gallons a day on a 12 cents per thousand rate.

He went into the whole matter in detail, and he stated that it would be with the greatest difficulty that he would get through on the $7,500,000.

Mr. KELLEY of Michigan. Mr. Chairman, in further answer to the gentleman from Wisconsin, I want to call attention to the fact that this item includes the coal, oil, heat, light, fuel, everything going to the maintenance of all these various yards and docks. The bill in another place carries an appropriation of $20,000,000 for the repair of ships that have been taken over by the Government during the war and which we have agreed shall be returned to the owners in substantially the same condition in which we obtained them.

A good share of this repair work will be done in the Government yards without doubt. So that this incidental temporary work which the Government finds itself under obligation to do greatly increases the expenditure necessary under this item.

Mr. PADGETT. Will the gentleman permit a suggestion?

Mr. KELLEY of Michigan. Certainly.

Mr. PADGETT. The investment of the Government in the various yards is something like $475,000,000, and this is to maintain the upkeep of these yards based on that, and is, as I say, seven and a half million dollars.

Mr. KELLEY of Michigan. The chief of this bureau, somewhere in the hearings, testified that repairs in the yards during the next year would be as great as during the period of active operations of the war.

Mr. STAFFORD. The seven and one-half million dollars is the revised estimate of the department?

Mr. KELLEY of Michigan. Yes. They asked for $12,500,000 originally for the period for which we are making the appropriation.

Mr. STAFFORD. That was predicated on the idea that the war would continue?

Mr. KELLEY of Michigan. Yes; and that we would even expand if the war had continued.

Mr. STAFFORD. Will the gentleman furnish the House the segregated items of the expense which warrant this appropriation of seven and one-half million dollars.

Mr. KELLEY of Michigan. I doubt whether it could be done. I doubt whether the amount to be expended in each yard—the maintenance, the upkeep, machinery, freight, amount of electric light, coal, the hauling and draying, and everything of that kind—could be fixed. That is probably not possible to do because nobody can tell exactly the expenses of operation of these great plants employing thousands of men, during the next fiscal year. But if you base it on 225,000 men for the Navy—my recollection is that the bill the gentleman refers to in 1916 carried $1,750,000——

Mr. STAFFORD. I am referring to the bill of 1917, where the appropriation in the naval bill for this item was $1,754,000.

Mr. KELLEY of Michigan. Last year there was a deficiency, which brought it up to over $14,000,000.

Mr. STAFFORD. But then we were on a war basis.

Mr. KELLEY of Michigan. We are on a war basis still. I am trying to convey to the gentleman what he evidently desires to know, what there is in this bill which could not be found in the ordinary time of peace, and back when we had a Navy of 65,000 men—because that is all we had at the time the appropriation was made. You can check up the appropriation more or less on the increase in the number of men. I am not saying that the increase of this item would be in proportion to the number of men in the Navy, but it would be reasonably so; so you can tell somewhere within reason what the maximum amount would be. If when we appropriated $1,750,000 we had only 65,000 men, you could multiply that by three and one-half and get somewhere in the neighborhood of what it would take for maintenance of the Bureau of Yards and Docks; and that probably would be too low because of the large number of ships that we must turn back to the owners. I think there are several hundred ships which must go back to the owners and which must be repaired and put in shape before they are returned. Exercising the best judgment we had, we accepted the estimate of the Bureau of Yards and Docks, because there was no other way.

Mr. DOWELL. Will the gentleman yield?

Mr. KELLEY of Michigan. Yes.

Mr. DOWELL. Is the estimate for this item on the basis that these ships are to be taken out of commission?

Mr. KELLEY of Michigan. We have a great many hundreds of every kind of ship taken over during the war. There were many small yachts, tugboats, and other small craft, and we agreed with the owners to return them at the end of the war in substantially the same condition as we received them. We carry an item of $20,000,000 to carry on the work itself, but there will be a large amount necessary for light, heat, coal, and everything incidental to the repairs of these ships, in addition to the actual repair of the ships. We are carrying the troops back from Europe and carrying supplies for the Army as long as the Army is in Europe.

Mr. PADGETT. This is not used for the actual repair of the ships, but the activities of the yards are increased and the expenses are very much enlarged because of the activities; this is for the upkeep for the number of yards we have in operation.

Mr. BUTLER. Mr. Chairman, I move to strike out the last two words. This item is a very large sum to be appropriated for the maintenance of the yards and docks of the Naval Establishment. It has been very greatly reduced in amount by the Naval Affairs Committee. We felt that we had reduced it to the point where we had better halt. So that we might act with some intelligence we asked the Bureau of Yards and Docks to furnish us the amount of money that had been spent for the Navy on the land in the last 18 months, or up to November 4, 1918. That was through the war period, when we had to expand, and expand very quickly. The itemized statement shows that the expenditures during that period for the Navy on the land, including the expenditures in yards as well as for aviation stations, everything touching the Navy, amounted to $332,904,263.63, an enormous sum of money, but none of us were willing to say that it had been extravagantly spent or uselessly spent.

The purpose in having this memorandum of expenditures furnished to us was to enable us to learn for the future how it will be possible, in order to maintain the Navy on a peace basis, to reduce some of these items. This is but the beginning. I do not think any gentleman on this committee ought to feel that the Naval Committee did not give this its earnest consideration, and as you go along in these different items making appropriations you will see how carefully we have scaled them down, indeed, sometimes quite wildly, our purpose being to get back as near as we could to an economic peace basis. Yet, at the same time we must bear in mind always that the Government has a great deal of property here. The gentleman from Tennessee [Mr. PADGETT] has told the gentleman from Wisconsin [Mr. STAFFORD] that perhaps the Government property inside of these yards would be worth nearly $500,000,000, and we have a lot of property outside of the yards. Therefore we must be careful to preserve it and keep it well, not with a view of being upon a war basis, but we have it on hand. What to do with it just at this time we do not know, but we must have enough money to preserve it carefully and properly.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. KELLEY of Michigan. In further answer to the question of the gentleman from Wisconsin, the amount carried in the bill of August 29, 1916, was $1,174,000, and to that was added a deficiency of $1,032,000, so that in that peace year, before we got into the war at all, we had $2,206,000 appropriated for this item on a basis, as the gentleman will remember, of 65,000 men in the Navy. If you will multiply that by anything like three or three and a half, you will get a sum somewhere near the amount suggested.

Mr. BUTLER. We have done the best we could do. We have been hastened in obtaining these appropriations that we might assist the department in preparing itself for war.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. BUTLER. Yes.

Mr. MANN. I think that matter has been fully explained. I would like to ask as to the language on page 22, lines 10 and 11. Among the items in the paragraph is the following: "Machinery, operation or repair, purchase."

Mr. PADGETT. That means for the repair and purchase of machinery in the shops.

Mr. MANN. Why not say so, if that is what it means? Why not say "operation, repair, and purchase of machinery."

Mr. PADGETT. Mr. Chairman, that is what it does say.

Mr. MANN. I suppose it is so construed, but certainly that is not what it says.

Mr. PADGETT. That is the language that has been in there since I have been on the committee, some 14 years. There never has been any criticism of it. We did not change it.

Mr. MANN. Very well. I suppose the committee will never get to the point where it studies grammar while it is studying naval affairs.

Mr. EMERSON. Mr. Chairman, I move to strike out the last word. I notice that this paragraph has to do with the purchase of coal and other fuel. In that connection I have a letter from Mr. John Moore, president of the Mine Workers' Union, which I would like to have read in my time.

The CHAIRMAN. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, is this a similar letter to that which was placed in the RECORD yesterday by the gentleman from Ohio [Mr. SHERWOOD]?

Mr. EMERSON. I do not know.

Mr. STAFFORD. The gentleman from Ohio yesterday obtained permission to insert a letter——

Mr. EMERSON. This is a letter addressed to me personally.

Mr. STAFFORD. That letter was addressed to Gen. SHERWOOD personally. I suggest that the gentleman withdraw his request until he can examine the first page of yesterday's RECORD, to ascertain if the same letter is sought to be inserted twice.

Mr. EMERSON. I withdraw it for the present.

The Clerk read as follows:

Contingent, Bureau of Yards and Docks: For contingent expenses and minor extensions and improvements of public works at navy yards and stations, $150,000.

Mr. BUTLER. Mr. Chairman, may I have the attention of the chairman of the Committee on Naval Affairs. My colleague from Pennsylvania [Mr. MCFADDEN] desired some time in general debate. We were unable to give it to him. Would the gentleman be willing that he should speak out of order for five minutes now?

Mr. PADGETT. Yes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes out of order. Is there objection?

There was no objection.

Mr. MCFADDEN. Mr. Chairman, I want to use a little time of the House this morning to call attention to some conditions which I have already brought to the attention of the House in connection with the soldiers. Last December I introduced a resolution to investigate the Bureau of War Risk Insurance Department, and a meeting of the the Rules Committee was held and a hearing granted. Before that committee, besides myself and several Congressmen, Col. Lindsley appeared, and upon the statement which he made the Rules Committee deferred any action for a period of 30 days. My conclusion on that proposition is that I believe that the same reason exists for an investigation of that bureau now that existed at that time, and I insist that some attention be given to this question by the Rules Committee.

I have another matter here affecting the soldiers and their families in the same way. It has been called to the attention of the House by the gentleman from Illinois [Mr. MANN] and by others. It is in regard to the delivery of mail to soldiers on the other side. Yesterday Gen. Pershing sent a statement to this Government, to the War department, to the effect that mail was being delivered and that there was now no delay. This morning's mail brings to me a case which I desire to call to the attention of the House. It is a letter from a sister of a soldier who has mailed several letters to her brother, who is wounded. Another brother of hers was killed. These letters are in my hands at this time, and they have the following marks upon them. One letter was mailed at Honesdale, Pa., September 25, 1918, and was addressed to Sergt. Albert H. Morrison, Company E, One hundred and ninth Infantry, Twenty-eighth Division, American Expeditionary Forces, by way of New York. This letter has been returned, with the following written upon it in lead pencil:

Hospital—wounded. C. P. O. Tours, 10/21. A. W. L.

Then, in red ink, appears the following:

N. C. 11/23/18.

There are three of these letters that are picked out of many that have been received, and I desire to have read in my time the following letter.

Mr. COOPER of Ohio. Mr. Chairman, before that is done, will the gentleman yield?

Mr. MCFADDEN. Yes.

Mr. COOPER of Ohio. Not long ago I received a letter from a young man who is in France, a soldier from my district. I say a letter—it was not a letter, in that sense, for he had just taken the back of a small envelope that had been sent to him and wrote just a little note on the back of this envelope.

He said it was impossible for the boys over there to get stationery for them to write a letter back home. Now, that is another condition that exists over there with the boys to-day.

Mr. MCFADDEN. Before this letter is read I would like to say that I called up the Casualty Bureau of the War Department this morning and I find that Albert H. Morrison has a gunshot wound of right arm and left side of upper lip. He is still in the hospital in France.

Mr. GREEN of Iowa. Will the gentleman yield further?

Mr. MCFADDEN. I have only five minutes.

Mr. GREEN of Iowa. I just want to say, like the gentleman who has the floor, that I have received a large number of envelopes, the very envelopes, which went to France and came back, although properly addressed. Like the one to which he called attention, they were marked "Wounded, C. P. O.," and so forth. It is idle to talk about the soldiers receiving their mail when we all know they do not get it.

Mr. MCFADDEN. That is the point I am endeavoring to make perfectly clear, that in spite of the fact that Gen. Pershing says these letters are being delivered they are not being delivered. The responsibility is somewhere, and it must be fixed.

The CHAIRMAN. The Clerk will read the letter in the gentleman's time.

The Clerk read as follows:

HONESDALE, PA., *January 17, 1919.*

Hon. L. P. MCFADDEN,
Member of Congress, Washington, D. C.

DEAR SIR: "Do your bit for the boys 'over there'" has been the cry for the past two years—and we've done it! The boys in the trenches and behind the lines have been nobly taken care of through the excellent work of the combined war charities—Salvation Army, Red Cross, Young Men's Christian Association, Young Women's Christian Association, Young Men's Hebrew Association, Knights of Columbus, Jewish Welfare Board, and kindred organizations. But what if a fellow has the misfortune to accidentally get in front of a stray bullet, which plows through his face, removing a few teeth—a trivial matter, to be sure—and otherwise mussing up a perfectly good countenance to such an extent that he had to be taken to Base Hospital No. 86 to be "remodeled"? Of course, worse things could happen, and anyhow it's all in the game. But what I want to know is, Is that the time to have this "humane treatment" suddenly cease? Do you call it doing the square thing for the boys who are making the world safe for democracy to refuse them all news from home? And you know what emphasis has been put on that touching little phrase, "Write to the boys," and the stress that has been put on the heart-rending plea to "Send news from home to the boys over there." All very well and good—not to say exceedingly enobling. But is it your idea of a good time to write, and write, and then write again, and continue to write until you've nearly ruined the point of your Waterman, and then, out of an otherwise unclouded sky, suddenly have a pack of letters addressed to Sergt. Albert H. Morrison, Company E, One hundred and ninth Infantry, Twenty-eighth Division, American Expeditionary Forces—yes—have the same letters that you wrote returned to you? A few mystic pencil marks scrawled across the envelope inform the world in general to this effect:

"Hospital—wounded. C. P. O. Tours, 10/21. A. W. L."

"N. C. 2/13/18. Return to writer."

I'll explain. Sergt. Morrison is my brother. The only big brother I have now, as my other brother made the "supreme sacrifice" about three months ago while in the service. Our last letter from the brother who was wounded says, "Won't you write? I haven't had a darn letter since I've been here." Rather tough, don't you think so? Not a word from the home folks, for whom the soldier boys are said to have such tender regard. All through neglect of our Government post-office employees. Where is this wonderful system, so boasted of, whereby every soldier is so catalogued that a mere glance is sufficient to tell the searching eye just what is what about that particular soldier? This miraculous "Open Sesame" to the history of this particular soldier—my brother—could tell them that he was wounded. Now, why, with perhaps a trifle extra exertion on the part of the investigator, couldn't the whereabouts of this wounded soldier be ascertained? A wounded soldier! Isn't that the one time when he would crave for news from home? And, of all times, that is the one when such wished-for letters are withheld. Instead said letters are merely inscribed, "Wounded—in hospital. Return to writer."

I think the world has a thing or two to learn before it reaches the supreme heights in its education along the finer lines of "humanity" if it considers it "humane" to withhold mail from a wounded soldier—intentionally! Most surely "Wake up, America," is a very apt expression.

Yours, very truly, FLORENCE M. MORRISON.

During the reading of the above letter Mr. MCFADDEN's time expired, and he was granted an additional minute.

The Clerk read as follows:

PUBLIC WORKS, BUREAU OF YARDS AND DOCKS.

Hospital construction: Naval hospital, Fort Lyons, Colo., $275,000; contingent, $225,000; in all, $500,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph just read. I wish to inquire whether the hospital at Fort Lyons is now in existence?

Mr. PADGETT. Oh, yes, sir; they have about 500 tuberculosis patients there.

Mr. STAFFORD. My attention has this minute been directed to the hearings, and I have just glanced at them. This is the only tubercular hospital for the Navy?

Mr. PADGETT. This is the only one I recall; yes, sir; and the demands on it are increasing tremendously, and the Surgeon General, Dr. Braisted, stated it was full up now.

Mr. STAFFORD. And will continue to increase by reason of the fact of our enlarged enlisted force?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. I withdraw the reservation of the point of order.

The Clerk read as follows:

Navy yard, Boston, Mass.: Two 25-ton floating derricks, $40,000; shore facilities for Commonwealth Dry Dock, South Boston, $500,000; in all, $540,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order on the paragraph. I rise largely to inquire as to what action

was taken on the resolution or act we passed in the closing days of the last session authorizing the Secretary of the Navy to purchase the dry dock at Boston and relieve the Commonwealth of Massachusetts from the responsibility of maintaining that dry dock and operating it for the benefit of the United States of America?

Mr. PADGETT. We provided for taking over and operating it, and this appropriation is in conformity with the provisions of that act, and it was stated at the time that the provision was made and the authorization was given here that there would be some part of the appropriation used in order to fit up some of the small shops in order to make the dry dock useful.

Mr. STAFFORD. As I recall the discussion when that item was under consideration it was represented that unless the Government took over the dry dock and relieved the Commonwealth of Massachusetts from its obligations to allow this dock to be utilized by our Government, at a payment, I believe, of $50,000 annual rental——

Mr. PADGETT. That is the first contract they had.

Mr. STAFFORD (continuing). That there would be delay?

Mr. PADGETT. Great delay.

Mr. STAFFORD. I do not remember that they said great delay, but there would be delay until the Legislature of Massachusetts in annual session could vote the necessary additional funds to put it in condition——

Mr. PADGETT. It is a little different; the Legislature of Massachusetts had already voted not to appropriate anything more and to fight out with the contractors the completion of the dock under their existing contracts, and that meant a litigation between the Commonwealth of Massachusetts and the contractors for the dock which would delay very greatly the completion of the dock at a time when it was regarded as very essential and necessary during war times to have it completed as early as possible, and the Government purchased it and the work is going right on.

Mr. STAFFORD. Did the Government take over the contested lawsuit of the contractors?

Mr. PADGETT. No, sir.

Mr. STAFFORD. Did it relieve the Commonwealth of Massachusetts from its obligations under the contract?

Mr. PADGETT. No; the Commonwealth of Massachusetts assumed its liability and turned over to the Government its contracts to have it completed up to a certain time, and the contractor agreed with the Navy Department to expedite the work and put on additional shifts in order to complete it early this year, so that it can be in operation for an additional amount, I think, of something like $250,000, if I remember.

Mr. STAFFORD. This dry dock up to the present time is not in a condition so that it can be used by the Government?

Mr. PADGETT. Not yet; it was not expected to be.

Mr. STAFFORD. I was under the impression from the statement made at the time the authorization was made in the special act that it would be completed soon after?

Mr. PADGETT. He said it can be completed some time in February or March, as I remember, of this year.

Mr. STAFFORD. What does the testimony show as to when it will be completed?

Mr. PADGETT. Let me see:

It is estimated that the $500,000 asked for at the present time will take care of the following shore development: Structural shop, machine shop, pattern shop and foundry, woodworking shop, and a small storehouse.

Mr. BROWNING. How nearly completed is this dry dock?

Admiral PARKS. It is expected to be completed by February.

Mr. BROWNING. Ready for use by February?

Admiral PARKS. Ready for use by February.

The CHAIRMAN. Not fully completed but ready to use, as I understood it. The principal thing is the dredging.

Mr. STAFFORD. I am informed by the gentleman from Michigan [Mr. KELLEY] that they have been using the dry docks for some time for some purpose.

Mr. PADGETT. That was a limited use.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The gentleman withdraws the reservation of the point of order, and the Clerk will read.

The Clerk read as follows:

Navy yard, Philadelphia, Pa.: Dry dock, to complete, and the limit of cost is increased to $4,700,000, $1,200,000; paving, railroad tracks, sewers, water pipes, and general yard development, $200,000; kapok mattress and life-preserver factory, $100,000; in all, $1,500,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. What is the necessity for this increase in the cost of this dry dock?

Mr. PADGETT. That is very interesting. Congress authorized the construction of two docks, companion or similar docks, one at Norfolk and one at Philadelphia. They were to be very large docks; something over a thousand feet and about 40 feet over the sill. The limit of cost was fixed at $3,500,000. At the time it was contended that the dock at Philadelphia could be built under economic conditions and cheaply.

Mr. WALSH. Three and one-half millions for each dock?

Mr. PADGETT. For each dock. The dock at Norfolk will be completed within the $3,500,000, and is about completed. I had an invitation just a few days ago to come down there to a sort of celebration at the completion of the dock.

Mr. WALSH. Within the limit of cost?

Mr. PADGETT. Within the limit of cost.

Mr. WALSH. It ought to be celebrated.

Mr. PADGETT. Now, in Philadelphia, when the work got started and was moving along somewhat under way, the dredge boat sank in the dock, and that delayed very much the completion of the dock. There is a controversy between the contractor and the Government that in some way the Government is responsible for the sinking of that boat, in that it interfered in some way with the guarding around the dock, so that persons got in there and opened up some of the valves and let the dock sink. That is a controversy which the Government is disputing, but it delayed very much the completion of the dock.

After they had dug down quite a depth they found a stratum of soft mud and sand that the hydrostatic pressure of the water was pushing out from there, and the result of it was that the banks were caving in on either side, kept sloughing off and caving in; and, at a cost of something like $150,000, they had to put some permanent walls around that and drive down cheap piling in order to prevent the walls from caving back to such an extent that it might injure the safety of buildings that were some distance from the dock.

Then the war being on, the Government came in through the different agencies—the War Board, the Labor Board, and some of these other boards. The Labor Board came in and raised the price of labor, and the contractor had to pay a great deal more for labor. The Government came in and commandeered the sand of the contractor, and he had to get additional sand at a very much greater cost at other places. They fixed the price on cement through one of the war boards. All of those questions came up, and it involved the controversy and a lawsuit, in which the Government does not admit its liability. So things are just held up. They did not go ahead. The dock should be completed. It is needed. And this is simply to go ahead and complete the dock and await the result of the lawsuit. What that result will be I do not know. Nobody else will know what will come out from the lawsuit between the Government and the contractors on their bond, and there is the liability of their securities.

Mr. WALSH. A part of the situation which was caused resulted from the War Labor Board——

Mr. PADGETT. Yes, sir.

Mr. WALSH (continuing). Coming in and fixing the price of labor?

Mr. PADGETT. They fixed general prices.

Mr. WALSH. Who was it came in and took away the contractor's sand?

Mr. PADGETT. The War Industries Board.

Mr. WALSH. The War Industries Board?

Mr. PADGETT. Yes, sir.

Mr. WALSH. So that, with the United States Navy Department at work constructing an important dry dock during a period of war, the War Industries Board came along and took away the sand in the immediate vicinity and required the contractor to procure sand elsewhere?

Mr. PADGETT. That is what I understand the situation to be.

Mr. WALSH. That is one of the elements that goes into increasing the cost of this $1,200,000? Will the gentleman state——

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. I desire to still further reserve the point of order on this paragraph, Mr. Chairman.

Will the gentleman from Tennessee state as to whether this War Labor Board increased the cost of labor in the Norfolk dock?

Mr. PADGETT. They fixed the prices of labor through these committees, and so forth, but the conditions at Norfolk were very different, I understand, and Norfolk had progressed so far in its development that it did not affect it to the same extent that it did at Philadelphia.

Mr. WALSH. And the contractor down there, I assume, was permitted to retain his sand?

Mr. PADGETT. I suppose so. I heard of no interference there.

Mr. WALSH. Now, are not the items for railroad tracks, sewers, water pipes, and general yard development, and so forth, a part of the original specifications for the construction of this dock?

Mr. PADGETT. No, sir.

Mr. WALSH. It is something that was thought of afterwards?

Mr. PADGETT. No, sir. It is part of the development, but it is in that part of the yard where new ships have been built, a number of them, and building ways, where they are building and preparing to build the battle cruisers—those big ships—and this is required as an ordinary development there in the new portion of the yard. There are about 11,000 or 12,000 acres in that yard, and this is that end of the yard that is being developed.

Mr. WALSH. Mr. Chairman, in view of the very full explanation given by the chairman of the committee, I shall not insist upon the point of order, although I think it is poor policy to start in and increase the limit of cost on projects that ought to have been completed long ago, and probably would have been if they had not been interfered with by some of these independent war agencies that are working for the Government under this munificent policy of a dollar a year salary.

Mr. FORDNEY. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

Mr. PADGETT. Will not the gentleman wait until we have read the next paragraph?

Mr. FORDNEY. Yes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Navy yard, Washington, D. C.: West extension development, $43,000; power plant extension, $214,000; extra ducts and manholes, $36,500; fireproofing storehouse No. 10, $15,000; sewer, water, and paving extensions in eastern addition, $50,000; railroad classification yard, $36,500; dispensary, $75,000; raising roof of open-hearth shop and additional crane, $40,000; proof shop, $250,000; outside distribution system, $20,000; outside oil distribution system, $20,000; in all, $800,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The point of order is reserved. The gentleman from Michigan [Mr. FORDNEY] asks unanimous consent to proceed for 10 minutes.

Mr. PADGETT. This is just for the development of the yard and the land we have already purchased.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIRMAN. The gentleman from Michigan is recognized for 10 minutes.

Mr. FORDNEY. Mr. Chairman and gentlemen of the committee, I am frank to say that upon this subject I have an open mind, but I am inclined to believe that the appropriations, and especially the authorizations provided for in this bill, are in excess of what we should authorize at this time. I will give my reasons briefly for my position. In the first place, I do not believe there is any country in the world better prepared to build ships than is the United States at the present time. I do not believe that if an emergency arose that would demand of this Nation a very great Navy for immediate use there is any nation in the world that could build ships as fast as we can and prepare for that emergency. Further, the program heretofore authorized can not be carried out within a few months, and at a time when we need money so badly to meet the necessary obligations of the Government I believe it is time for the Congress of the United States to stop, hesitate, look around, and see where we are financially and how much money we must raise.

I am going to give you, gentlemen, a few of the "extras" that the Congress of the United States is going to be called upon to furnish in the expenditures of this Government in the very near future, and it is astounding to me, as I know it will be to you.

Taking into consideration in this sum this program, $746,000,000, there must be, and will be, appropriated for the construction of hospitals a large sum of money, conservatively estimated at $30,000,000, in the very near future.

As to our interest account, which I give here—and I am going to ask permission to put in the RECORD a letter I have just received from the Treasury Department—showing all the authorizations and obligations of the Government and the amount of outstanding bonds, the date of their issue and the due date, and the amount of interest which each issue of bonds draws. On the 31st of December those outstanding obligations of the Government amounted in round numbers to $21,000,000,000, and we are going to be called upon soon to dispose of $5,000,000,000 or $6,000,000,000 more of Government bonds.

Mr. LITTLE. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. LITTLE. The gentleman said $21,000,000,000 of indebtedness or bonds.

Mr. FORDNEY. Outstanding obligations—bonds, certificates of indebtedness, war-saving certificates, and so forth. I will give that in detail. I shall not have time to do it in my remarks, but I will put it in the RECORD. The interest account on this indebtedness is going to be about $1,000,000,000 in the next 12 months.

Our merchant marine is going to cost us—and this estimate is very conservative—from the information I can obtain, $650,000,000 this next year.

The "extra" for the war, over and above ordinary times, in discharging our boys now in the service, will be at least $500,000,000, and possibly double that sum.

Our aircraft, although estimated in this report to be some $25,000,000 or $30,000,000, does not include the proposed aircraft service for carrying the mails, and that undoubtedly will call upon the Government for an expenditure of $50,000,000.

To my great surprise, the first 12 months of Government control of railroads has already furnished a $755,000,000 loss, which must come out of the pockets of the taxpayers of the country, and before we relinquish the railroads to their owners that sum is going to reach from $800,000,000 to $1,000,000,000. I estimated this item here conservatively at $800,000,000. It is now reported at $755,000,000, at the end of 12 months of Government control.

The Government contracts that have been authorized and which are being authorized will in round numbers show up to be $3,000,000,000. Let us cut that sum in two and say that our Government can settle on the basis of 50 cents on the dollar on those claims. That is $1,500,000,000.

Our guaranty to the farmers on wheat, conservatively estimated, will be $1,000,000,000 in round numbers, possibly more; perhaps a little less, and this guaranty must and will be carried out.

The war-risk insurance will require $150,000,000. The European food bill that we recently passed carries an appropriation of $100,000,000.

Mr. STAFFORD. Mr. Chairman, will the gentleman yield as to the estimate on the war-risk insurance?

Mr. FORDNEY. Just in a minute. Then I will yield.

Extra clerk hire to Members of the House, $500,000 in the next 12 months. It will exceed that sum.

The Employment Bureau is now asking before the Committee on Appropriations for $14,000,000 for the next year, and the bonus provided for in the new revenue bill (which will come up to-morrow) to the soldiers—which is less than I wanted to make it, $60 per man—will amount to $255,000,000.

Now, gentlemen, those are some of the extraordinary appropriations or expenditures of money that the Congress of the United States will be called upon to collect from the people in taxes in the next 12 months, amounting to $6,795,000,000. This does not include the ordinary expenses of the Government. It is true the tax law will collect, if the estimates are correctly made, in round numbers, $6,000,000,000.

But, my friends, in the very near future we are going to be called upon to prepare and pass another revenue law in addition to this bill which comes up for consideration to-morrow. There are various ways to get the money; but let me call your attention to this fact, that all the money there is in the United States sums up in round numbers only about $6,000,000,000, and we are going to be called upon for $10,000,000,000 in round numbers in the next 12 months. We are not satisfied just to reach out and take all the money that all the people have but we want once and a half times the amount that they have, and we are going to make them dig it up somewhere and turn it into the Treasury of the United States. I caution you who represent the people of this country that we are going wild in governmental expenditures. We have been very extravagant during the war, but we will forget that extravagance, because to offset it we have won the war. Our coming to the relief of our allies in this great war at the opportune time broke the wolf's back, turned the tide, drove back the enemy, and caused them to come on their bended knees and beg for mercy. But where are we going to land in the expenditures of this Government, gentlemen, if we are not somewhat conservative? In my candid opinion the authorization asked for in this naval bill is not warranted to that extent at this particular time. I am in favor of having a great Navy if we need it, but to my mind the greatest inconsistency is the saying in one breath that we are bound to have a league of nations to prevent war, and say-

ing in the next breath that we must have the greatest Navy under God's sun.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent that the gentleman's time be extended five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time of the gentleman from Michigan be extended five minutes. Is there objection?

There was no objection.

Mr. FORDNEY. We are using every effort. Everybody is anxious to see some agreement arrived at by which we can prevent a recurrence of the greatest war the world ever knew. Every time some nation that is likely to threaten us builds a ship I want to see Uncle Sam build a ship, but are we threatened with such danger right now? If so, from what source does it come?

It is said that the President has sent a message over here which is confidential, which can not be given to the public. I may not be correct about that, but that is my understanding. I should like to know what there is in the mind of the President of the United States affecting the welfare of all the people that should be secret between the President and one or two men. What is it that he has in mind as a representative of the people that we are not entitled to know? At one time we were told that the President had information, and he himself made the statement from the Speaker's desk about the Panama Canal and said: "I can not give you that information, but if you do not grant my request I will not know what to do." All right, gentlemen of the House acquiesced, and we repealed the bill which provided for free tolls for American coastwise ships through our own Panama Canal. What his reasons were then I do not know. He never told me; he never told the public; but, in my candid opinion, we did our merchant marine the greatest injustice that it was possible for the Congress of the United States to do in matters of that kind by repealing that law. Now comes the President and states that for certain reasons which he can not make public he wants this great Navy authorized. Heavens above, what is it that is going on around that table in Paris where our peace representatives are gathered that you and I should not know? He stated publicly before he went over there that he would keep this Nation advised as to all his actions.

Mr. KELLEY of Michigan. Will my colleague yield?

Mr. FORDNEY. I yield to my colleague.

Mr. KELLEY of Michigan. I am wondering just exactly what it is that my colleague would recommend to the House. Would he recommend that we discontinue appropriations for ships heretofore authorized?

Mr. FORDNEY. I have the highest regard for my colleague and for his opinion in this matter. He is well informed about this subject; but I will say to him that I do not agree with this enormous authorization at this time.

Mr. KELLEY of Michigan. What I am particularly directing my question to is whether or not my colleague thinks we ought not to make any appropriations for the ships heretofore authorized?

Mr. FORDNEY. Oh, yes; finish building the ships we are now building and finish the program; but as I read in your report you authorize $290,000,000 for a building program of ships heretofore unauthorized.

Mr. KELLEY of Michigan. I will say to my colleague, however, that this bill carries no appropriation except for ships heretofore authorized.

Mr. FORDNEY. You are authorizing 10 great battleships.

Mr. KELLEY of Michigan. There is no appropriation carried for anything not heretofore authorized.

Mr. FORDNEY. But if you authorize the construction of a ship Uncle Sam must pay for it if he builds it.

Mr. KELLEY of Michigan. But I understood my colleague to say that he thought the amount carried in this bill was excessive, and there is no appropriation in this bill for anything except ships heretofore authorized.

Mr. FORDNEY. But if we authorize these 20 ships and the Navy Department enters into contracts for their construction we must appropriate the money to pay for them.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. FORDNEY. I ask for three minutes more.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that his time be extended three minutes. Is there objection?

There was no objection.

Mr JOHNSON of Washington. Will the gentleman yield for a question?

Mr. FORDNEY. I yield to the gentleman from Washington.

Mr. JOHNSON of Washington. Does the gentleman include in his estimates of expense the $100,000,000 for food for the starving people of Europe?

Mr. FORDNEY. Yes; I included that $100,000,000.

I have here a statement of the bonds outstanding and the rates of interest provided; and the total issue of outstanding obligations of the Government on the 31st day of December was $20,807,598,298. Besides that, some additional obligations have no doubt already been issued and must continue to be issued for some time to come.

Mr. KINCHELOE. Will the gentleman yield?

Mr. FORDNEY. I yield to the gentleman from Kentucky.

Mr. KINCHELOE. Does that amount include our loans to the allies?

Mr. FORDNEY. Oh, yes. These are the obligations outstanding. Of course, whatever bonds of the allied governments we hold should be deducted from this or considered as an asset, if ever paid. But, my good friend, the allies now are claiming that Uncle Sam should stand his proportional share of the cost of the war in proportion to population. I am opposed to that plan.

Mr. McCULLOCH. Will the gentleman put the figures he has given in the RECORD?

Mr. FORDNEY. I will, Mr. Chairman, and I ask unanimous consent to extend my remarks in the RECORD by putting in the figures I have mentioned.

The CHAIRMAN. Without objection, the gentleman will have that privilege.

There was no objection.

Mr. STAFFORD. Will the gentleman yield?

Mr. FORDNEY. Certainly.

Mr. STAFFORD. In the gentleman's estimate as to the amount of expenditure for the War Risk Insurance Bureau did he take into consideration the amount of money the Government is obligated to pay on the insurance policies of these soldiers?

Mr. FORDNEY. No.

Mr. STAFFORD. That will run up into the hundreds of millions.

Mr. FORDNEY. I have only mentioned the extra obligations over and above the ordinary obligations.

Mr. STAFFORD. My recollection is that it is estimated to run up to six hundred or eight hundred million dollars.

Mr. SHERWOOD. Does the gentleman's figures include the pensions to soldiers during the next year? Was that in the gentleman's estimate?

Mr. FORDNEY. No; I think I am correct in saying that will be in addition to what I have stated.

Mr. BUTLER. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. BUTLER. As a Member of the House and as an American citizen I am obliged to the gentleman for the warning he has given to this Congress. He deserves the gratitude of the American people for having the nerve to stand up here and make the statement. I had hoped that this administration would have said to the Naval Affairs Committee, "Go slowly on the 1916 program." I voted for it in 1916, and I want to see it completed; but I hoped that we might be able to spread it out over five or six years.

The gentleman from Michigan [Mr. KELLEY] asked the gentleman from Michigan whether he would withhold the appropriation for the construction of the 1916 program. Much of our bill that we have reported is for that purpose; much of the money we asked for to complete the 1916 program. Would the gentleman have us—and I am not asking for the purpose of heckling my friend, but for his advice—would he ask us to withhold the completion of that program, or ask us to continue it along for a number of years until we can somehow without unduly pressing the people get the money to pay for it?

Mr. FORDNEY. I would not ask that the 1916 program be completed quickly unless it is necessary to protect ourselves against a warring nation somewhere in the world in the near future. We must economize, we must stop this extravagant use of money which we have spent so lavishly during the war. We ought to get back to normal conditions and to practice reasonable economy.

Mr. BUTLER. I do not wish to take up the gentleman's time and I am impressed with what he said. Nevertheless he does not help me. I have asked a number of gentlemen in this House to assist me in the performance of a public duty. I agree with the gentleman that if there is nobody to fight there is no necessity for preparing a Navy. The gentleman has the same view I have. If there is any great necessity for the expenditure of money, if it is imperative, we should spend it now, but if not,

we should postpone it. I am not able to understand, and therefore I joined with my colleagues on the committee, and while I want in every way to be economical and assist the American people to have something left in their pockets for the future years I want to complete the 1916 program, which I hope will be completed within five years.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Michigan be extended five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. FREAR. I wish to ask a question in the line of the question of the gentleman from Pennsylvania. How many warships, how many battleships, have not yet been commenced which were provided for in the 1916 program, if the gentleman can answer?

Mr. BUTLER. If the gentleman from Michigan will pardon me, they have all been begun except four. They are supposed to all be completed within five years. The first one will not be completed within 18 months.

Mr. FREAR. Does this bill, covering $747,000,000, cover the entire 1916 program?

Mr. BUTLER. Oh, no; about one-third of it.

Mr. FREAR. What will be the total cost of completing the 1916 program?

Mr. BUTLER. Completing the 1916 program will cost in the neighborhood of $800,000,000 including the expenditures already made and to be made.

Mr. POU. Will the gentleman yield?

Mr. FORDNEY. I will yield to the gentleman.

Mr. POU. Did the gentleman favor the imposing of a tax on the people of the United States of $8,000,000,000 in the bill passed by this House?

Mr. FORDNEY. I voted for that bill. I was opposed to raising such a large proportion of expenditure in direct taxes.

Mr. POU. But the gentleman voted for the bill.

Mr. FORDNEY. Yes.

Mr. POU. And the bill carries $8,000,000,000.

Mr. FORDNEY. As it passed the House, but it now only carries $6,000,000,000, and next year the bill provides for $4,000,000,000, and $4,000,000,000 will not meet the necessary expenditures now being imposed on the Government. I have at all times tried to amend the bill and make it better, but have always voted for its passage, being the best I could get. We must go slow, or we must raise more money next year. That is what I want to impress on your minds.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. CANNON. It is a fair statement that my committee duties have kept me out of the House, and will for some days to come, practically. I just gathered from the colloquy between Representative BUTLER and the gentleman from Wisconsin [Mr. FREAR] that it will be five years before the 1916 program will be completed.

Mr. FORDNEY. Yes; that is what was stated.

Mr. CANNON. And this bill carries appropriations to carry on that program?

Mr. FORDNEY. Not all of it, so the gentleman stated.

Mr. CANNON. But to carry it on for the coming year?

Mr. FORDNEY. Yes; as far as needed to meet the expenditures as that program progresses.

Mr. LITTLE. For one year?

Mr. FORDNEY. Yes.

Mr. CANNON. We are in the habit of appropriating from year to year for authorized projects. What I would be glad to know is this: If it takes five years to carry out this program, why authorize another program that is to cost how much?

Mr. BUTLER. Four hundred and fifteen million dollars is the lowest estimate I have heard placed upon it, and you gentlemen will be safe in putting on 15 per cent more. My observation warrants me in saying to the gentleman that it will cost 15 per cent more.

Mr. CANNON. That is the proposed additional program?

Mr. BUTLER. Yes.

Mr. CANNON. It is to be taken for granted that Congress will be in session at least two times in the future under the Constitution. The question in my mind is, from every standpoint, what the necessity for authorizing an additional program when the present program can not be completed for five years? [Applause.]

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes; but just let me answer that question, and I will then yield. I believe that the succeeding Congress can be entrusted to do the necessary and the right thing when called upon. Why obligate the Government at this time by this great authorization? [Applause.] I yield to the gentleman from Tennessee.

Mr. PADGETT. With reference to the cost, there are 10 battleships, and the estimated cost on the present basis of material and wages is $32,400,000 each, which would be $324,000,000. The estimated cost of the 10 scout cruisers is $88,000,000, or $8,800,000 each, and those costs are predicated upon the present price of material and labor. I do not think it will be going up in the future. I think, if there is any change, that it will have to be cheaper. I do not believe that the present cost of material and labor can hold, so that the $412,000,000 which those two make would cover the cost, and that would be distributed over a period of about seven years.

Mr. BUTLER. Mr. Chairman, will the gentleman yield there to permit me to ask the gentleman from Tennessee a question?

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUTLER. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. BUTLER. Is it not a fact that we have asked for large increases over the estimated cost of battleships for 1916?

Mr. PADGETT. Yes.

Mr. BUTLER. Because of the great increase in the cost of material and the increase in the cost of labor.

Mr. PADGETT. Yes; and that is what I am talking about.

Mr. BUTLER. Unless the economic pendulum swings backward we are likely to have to ask for more money in the future to complete this proposed program.

Mr. PADGETT. No; I think not. In 1916 the estimated cost was based upon the cost of labor and materials at that time, and they are being worked out under the present cost of labor and material. The cost of these is based on the present cost of labor and material, and if that goes down they will be cheaper.

Mr. FORDNEY. Mr. Chairman, let me say to the gentleman in reply—and I have taken so much more time than I had expected that I feel that I ought not to say much more—I have some confidence in the fairness and justice of the Republican Party. The Republican Party is coming into power in this House and in the Senate in a very few weeks, if Congress is called together into extra session. No one can deny that the Republicans during the terms of this war were loyal to the administration and supported it in everything asked for in connection with carrying on this war.

Mr. PADGETT. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. PADGETT. I have always studiously and steadfastly refused to bring politics into this matter.

Mr. FORDNEY. Oh, yes.

Mr. PADGETT. But do I understand the gentleman to intimate or insinuate that the Democratic Congress must not legislate because it is a Democratic Congress?

Mr. FORDNEY. Oh, no. Let me say to you that I am fearful, however, that the bringing in of this program at this time, in the closing hours of this Congress, when no single appropriation bill has yet passed the Senate, is going to call for an extra session of Congress without doubt. I doubt that you can get this kind of a bill through the Senate, notwithstanding the fact that it be passed here; and I believe this bill is going to do more to bring on an extra sesion of Congress, which I do not want, than any piece of legislation now before Congress.

Mr. PADGETT. Let us expedite it here and do our duty and not let that responsibility and catastrophe be chargeable to us.

Mr. FORDNEY. I believe you are expediting your bill. To put a bill through the House which carries an appropriation of three-quarters of a billion dollars in two days is expediting matters, if I am correct in my judgment.

Mr. MOORE of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MOORE of Pennsylvania. Does the gentleman think it would help matters at all if we added to this bill a proviso that the expenditures for the increase in the Navy should not be operative until after we learn the result of the peace conference?

Mr. FORDNEY. My good friends, let me say that we do not know anything about this matter at present. We ought to know more. We ought to know more in a few weeks from our rep-

resentatives in Paris as to what the needs of this Government are going to be. We have no information from over there now. We ought to have some information; we are paying for the information. We have men over there. God knows we have enough servants along to take care of the daily affairs; 51 cooks and waiters taken from the Biltmore Hotel, New York, on board ship that took our envoys over there. There must be somebody over there, and we ought to get some information. We have none. Why should we hurry now? Why not wait until we get some information from over the seas? [Applause.]

Mr. BUTLER. Will the gentleman yield to me for a minute?

Mr. FORDNEY. I yield.

Mr. BUTLER. All the information that can be sent will not enable us to strike anything from this bill. If gentlemen who are in favor of prolonging the construction of the 1916 program see fit to take out of the end of the bill some appropriations we can save many, many millions of dollars.

Mr. FORDNEY. Let me say to my good friend in closing I am in favor of waiting until we know more than we know now before we authorize these 10 battleships and 10 scout cruisers, in addition to the present program. [Applause.]

Mr. Chairman, I wish to insert here statements which I have just received from the office of the Secretary of the Treasury. I know it is information interesting to the public. Gentlemen, I thank you for your attention.

Authorizations for issues of liberty bonds.

The first liberty bond act (Apr. 24, 1917) authorized new issues of bonds of not to exceed		$5,000,000,000
The same act authorized the issue under the terms of such act of the unissued bonds previously authorized as follows:		
For construction of Panama Canal (act Aug. 5, 1909), but including the unissued Panama Canal bonds authorized to be issued for the nitrate plant (act June 3, 1916), and for the Shipping Board (act Sept. 7, 1916), the amount of issued postal-savings bonds being deducted from the amount authorized, approximately		225,000,000
For extraordinary expenditures (act Mar. 3, 1917)		100,000,000
For expediting naval construction (act Mar. 4, 1917)		150,000,000
And in addition, authorized an additional amount to provide for payment of loan of 1908–1918		63,945,460
Total authorization under first liberty bond act		5,538,945,460
First liberty loan subscriptions allotted		2,000,000,000
Balance bonds unissued under first liberty bond act		3,538,945,460
The second liberty bond act (Sept. 24, 1917) authorized the issue of bonds (in addition to the $2,000,000,000 issued under the first liberty bond act), not to exceed in the aggregate		7,538,945,460
And provided that of such sum $3,538,945,460 should be in lieu of unissued bonds authorized by the first liberty bond act.		
The third liberty bond act (Apr. 4, 1918) increased the authority for the issue of bonds to		12,000,000,000
The fourth liberty bond act (July 9, 1918) further increased such authority to		20,000,000,000
Issues of liberty bonds under second liberty bond act, and under such act as amended:		
Subscriptions allotted—		
Second liberty loan	$3,808,766,150	
Third liberty loan	4,176,516,850	
Fourth liberty loan	6,989,047,000	
		14,974,330,000
Balance authority under existing law for issues of liberty bonds		5,025,670,000

Interest-bearing debt of the United States Dec. 31, 1918.

Title.	Rate.	Outstanding.
Permanent debt:	Per ct.	
Consols of 1930	2	$599,724,050
Loan of 1925	4	118,489,900
Panama's of 1916–1936	2	48,954,180
Panama's of 1918–1938	2	25,947,400
Panama's of 1961	3	50,000,000
Conversion bonds	3	28,894,500
Postal savings bonds	2½	11,258,880
One-year Treasury notes	3	14,365,000
Certificates of indebtedness (Pittman Act)	2	104,707,000
First liberty loan of 1932–1947	3½	[1] 1,413,697,400
First liberty loan of 1932–1947, converted	4	[1] 201,383,500
First liberty loan of 1932–1947, converted	4½	[1] 373,118,600
Second liberty loan of 1927–1942	4	[1] 874,913,900
Second liberty loan of 1927–1942, converted	4½	[1] 2,737,573,450
Third liberty loan of 1928	4½	[1] 4,054,018,800
Fourth liberty loan of 1933–1938	4½	[2] 6,024,578,600
		16,682,285,250

[1] Subject to correction. [2] Cash payments.

Interest-bearing debt of the United States, Dec. 31, 1918—Continued.

Title.	Rate.	Outstanding.
Floating debt:	Per ct.	
War savings certificates	4	[1] $965,784,046
Certificates of indebtedness:		
Tax series of 1919 (Aug. 20, 1918–July 15, 1919)	4	81,952,500
Series T (Nov. 7, 1918–Mar. 15, 1919)	4½	794,172,500
Series 4–F (Sept. 17, 1918–Jan. 16, 1919)	4½	[2] 438,177,500
Series 4–G (Oct. 1, 1918–Jan. 30, 1919)	4½	[2] 474,512,500
Series 5–A (Dec. 5, 1918–May 6, 1919)	4½	613,438,000
Series 5–B (Dec. 19, 1918–May 20, 1919)	4½	572,494,000
Miscellaneous	2 / 2½ / 4½	184,802,000
		4,125,313,046
Recapitulation:		
Permanent debt		16,682,285,250
Floating debt		4,125,313,046
		20,807,598,296

[1] Cash receipts for war savings stamps and thrift stamps.
[2] Estimated outstanding Dec. 31, 1918. Subject to correction.

The CHAIRMAN. The gentleman from Wisconsin reserved the point of order on the paragraph.

Mr. STAFFORD. Mr. Chairman, I wish to direct the attention of the committee to the item now under consideration, which provides $800,000 for new buildings at the Washington Navy Yard, a pretty large sum for a peace program. We only appropriated in last year's bill $1,433,000. We have some very large projects suggested in this additional program—$250,000 for a proof shop. What is the necessity for that, at least at this time?

Mr. PADGETT. The gentleman is aware they have very largely increased the activities at the gun factory here in Washington, called the navy yard, where we manufacture our guns, the large guns and smaller caliber guns, and there have been a number of new shops erected. This shop called a proof shop—here is a letter which says:

> It is essential that there be constructed at the Washington Navy Yard at the earliest practical date a building for the assembling, inspection, and shipment of ordnance material. A one-story building of brick and steel approximating 180 by 200 feet is contemplated. It is proposed to locate this building in the eastern extension.

That is the part we purchased last.

Mr. STAFFORD. Is it estimated $250,000 will be required to erect a building 180 by 200 feet one story high?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. I should say, from my knowledge of construction, that is a very liberal estimate.

Mr. PADGETT. No; I think not, considering it is to be constructed of that size, that width, and so forth, with trusses, stresses, and so forth.

Mr. STAFFORD. I repeat that from my knowledge of construction—and I have had some acquaintance in the past year when the prices were so high—that the estimate of $250,000 for a building 180 by 200 feet is about twice as much as it could have been built in war time.

Mr. PADGETT. The original estimate was for a larger shop of $500,000, but in talking the matter over the committee insisted that it did not want to appropriate so much as that, and they finally reduced it to the size here indicated in this letter and reduced the appropriation to $250,000.

Mr. STAFFORD. I did not obtain the information as to the purpose for which this new building was to be used.

Mr. PADGETT. We went into that very fully. In speaking of it they say:

> That is to receive and inspect the ordnance before it is sent to the proving ground, to star-gauge and otherwise inspect it after it is returned and prepare it for shipment, and I think at least a half of that building should be provided for a peace establishment. I think the whole of it was absolutely necessary if war conditions had continued.

The first size of it was 400 by 300 feet, and then they reduced it, as I have stated, and cut the appropriation in half.

Mr. STAFFORD. There is no proof shop there at present?

Mr. PADGETT. No, sir.

Mr. STAFFORD. What is the necessity for a dispensary for which you appropriate $75,000 in this bill?

Mr. PADGETT. The dispensary is a building to be used in the nature of a first aid in case of accidents and injuries that happen where there are 6,000 or 7,000 men working with heavy and dangerous machinery, and this is to provide some beds and things necessary to first aid the men who get hurt, to take care of them properly, and provide for them until they can be taken to a hospital or to their homes.

Mr. STAFFORD. Reverting to the former subject, where is the work that is proposed to be undertaken in the proof shop now being performed?

Mr. PADGETT. It is being done in a building there that is being enlarged into a machine shop, as I understand, and a great deal of it is stored out in the open. If you were down in that yard you would see a great many of their large guns stored out in the open for long periods of time there, until they can be taken care of in the congested rooms that they have.

Mr. STAFFORD. They do not suffer by being stored in the open there?

Mr. PADGETT. They claim that they do. They paint them and oil them over, but they claim it is an expensive matter.

Mr. STAFFORD. I make the point of order, Mr. Chairman, on that item in the bill—"proof shop, $250,000."

The CHAIRMAN. The gentleman from Wisconsin makes the point of order upon the item of "proof shop, $250,000."

Mr. PADGETT. Mr. Chairman, I do not know as to the merits of the point of order, as I am not a parliamentarian. The facts are that the Government purchased this land and has undertaken the construction and the enlargement of the means and the instrumentalities and the buildings needed to carry on the work of the manufacture, and repair, and production, and care, and so forth, of our guns. And this is one of the essential parts of that general scheme that has been provided.

The CHAIRMAN. Is this in process of construction?

Mr. PADGETT. No, sir; this is a new building.

The CHAIRMAN. Well, if it is a new building, of course it is subject to the point of order. If it is in process of construction, the Chair understands it would be in order. If it is new legislation, it is subject to a point of order.

Mr. PADGETT. There has been no specific appropriation heretofore for a proof shop. This is the initial appropriation for that; but a proof shop is one of a series of buildings that are necessary to carry out and perfect the plant that was contemplated.

The CHAIRMAN. Well, if it were in process of construction, the Chair, of course, would overrule the point of order; but it is a new project, even though it may be a part of the same general scheme. It individually is a new project, and the Chair thinks it would be obnoxious to the rule and therefore sustains the point of order.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order as to the other items in the paragraph.

Mr. KNUTSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this war has worked some wonderful changes. For one thing, it has transformed our Secretary of the Navy from a bleating lamb to a roaring lion. A while ago we were told that woman suffrage was absolutely necessary to the winning of the war. I do not know in what way, unless it was proposed to draft women into the military service of the country. Now it is battleships. I do not know what it will be next, but I think the time has come when we should stop and take stock. We have got to commence to consider the people who are going to foot the bills.

Now, some of the Members on the floor of this House have said that this big naval program is merely a bluff, that its purpose is to whip the allies into line and make them come across on certain propositions now in discussion across the water. I am not going to take any chance on this being a bluff. If we appropriate money, it will be made available, and I know and you all know that every dollar that this Congress or any preceding Congress has ever authorized has been spent, and this will be spent.

Who are we arming ourselves against? Any of the allies? If Germany has not been sufficiently whipped, if she is still a menace, let us finish the job, but let us not go to work and arm against our allies unless we are given information that we now do not have. I think it is high time to think of the people who are going to foot the bills, and this legislation should not be enacted at this time.

Mr. COOPER of Ohio. Will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. COOPER of Ohio. A moment ago you stated you did not know why women were given the ballot to win the war unless they were to be drafted into the military service. The gentleman does not want to leave the impression that the women did not play their part in this war?

Mr. KNUTSON. The gentleman is conveying an inference that I did not mean at all. However, I am sure the gentleman does not mean to say that suffrage was a vital issue to the winning of the war?

Mr. COOPER of Ohio. It was not my intention to say that. The gentleman made the statement that he did not know how women could help win the war unless they were drafted into the military service.

Mr. KNUTSON. Oh, no; the women of this country rendered a great and noble service, but that is beside the question now under consideration. I am opposed to this legislation, and I hope that this side of the aisle and also that side will rally in opposition to this bill. This is no time for huge expenditures. We have got to get down and pare our expenditures to the marrow or this country will go bankrupt. Let us give more consideration to the taxpayer and less to mirages.

Mr. LANGLEY. Will the gentleman yield?

Mr. KNUTSON. I will.

Mr. LANGLEY. The gentleman referred to bluffing a moment ago. Does not the gentleman take it for granted that the allies know what we are saying and doing over here? Did you ever see a bluff effectual when the other fellow knew that you were bluffing?

Mr. KNUTSON. It is only a paper program, and they will realize it.

Mr. BUTLER. As a Member of this House, I want to help. The gentleman has a remedy. He should not speak in generalities but get down to figures, and tell us how we can help on this bill. I have indulged in generalities a great deal of my life, and I want to be a specialist.

Mr. KNUTSON. The gentleman can help by voting "nay" on this proposition.

Mr. BUTLER. What proposition?

Mr. KNUTSON. On every proposition aside from the 1916 naval program.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. Mr. Chairman, I would like to ascertain if we can not dispense with this discussion of the building program until we reach it later on in the bill. I suggest that it be not discussed now, but that we wait until we reach it, and then discuss it, thus avoiding going over it twice.

Mr. CANNON. I want to say to the gentleman, if he will allow me, if I need make any apology for my five minutes——

Mr. PADGETT. Oh, not at all——

Mr. CANNON. I do not know that I shall be present when the building program is reached.

Mr. PADGETT. I just wanted to provide for the future.

Mr. WOOD of Indiana. When does the gentleman expect to reach that?

Mr. PADGETT. I want to conclude, if possible, before 7 o'clock to-night.

Mr. GARNER. Why not discuss it when we get to it?

Mr. FREAR. I want to see if we can get a statement clearly before the House of the answers to the questions asked by the gentleman from Pennsylvania [Mr. BUTLER] and others. I believe I have the facts here that will do it in a few minutes. It is right here before me, and then I think from it we will have a clear understanding of what the bill involves.

The CHAIRMAN. Has the gentleman from Tennessee a request to make?

Mr. PADGETT. No.

Mr. GREENE of Massachusetts. Mr. Chairman, I have been a Member of this House for more than 20 years, and I do not recollect of any case which has come to my knowledge during my membership of a secret proposition having been sent by anyone who held the distinguished office of President of the United States to any committee of this House, and in this instance, as has been stated, the committee were sworn to maintain secrecy, when they presented the Naval bill to the House. It seems to me it is a proceeding that we ought to consider very earnestly before we finally dispose of a bill of the importance of the Naval appropriation bill, providing for such a vast expenditure of money, for a long period of time beyond the life of the Sixty-fifth Congress. By our acts, if we authorize these expenditures, we place a heavy burden upon the taxpayers for many years to come. In my opinion, as we have the 1916 program for increasing the Navy uncompleted, and we are told that said program can not be completed until 1921, the question of the Navy's future can safely be left to the succeeding Congresses. Our successors will not lack the patriotism to properly provide for the Navy whenever necessity shall call for the increases suggested in this bill. President Wilson stated in substance to the Congress when he last addressed them:

> I am going across the ocean because I believe it to be my duty. I shall, however, keep in touch with you. Whatever I know you will know.

I do not know but what the people generally may have some information through the newspapers, but certainly the Congress has not received direct information since the President sailed across the ocean, except that communicated to the House of Representatives by the Committee on Naval Affairs, and that committee inform us that they were sworn to secrecy before

the Secretary of the Navy would even impart the indefinite information which was confided to them.

I received to-day a newspaper published at Augusta, Ga., with a specially marked article. The newspaper containing the article is the Augusta (Ga.) Chronicle, and it was published on the 3d day of February. The Augusta Chronicle was established in 1785, and it is the South's oldest newspaper. I want to have this article read, and I ask that it may be read in my time, and that my time may be so extended that the whole article may be read. This article shows very plainly that "murder will out." The Committee on Naval Affairs will respect their oath of secrecy, but you can not keep everything quiet. In due time the facts will be exposed to the light of day. The article I have asked to have read will prove that.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the article which he sends to the Clerk's desk may be read and that his time shall be sufficiently extended to permit the reading of the entire article. Is there objection?

Mr. PADGETT. I must object to taking the time to read it. I shall not object to inserting it in the RECORD.

Mr. GREENE of Massachusetts. I insist on its being read. I have not made a request of this nature to the House for some time, and I think I am entitled to that consideration. If the gentleman chooses to object, he can do so.

Mr. PADGETT. I do not care to object.

Mr. GREENE of Massachusetts. I ask to have it read. I think it is not an unreasonable request.

The CHAIRMAN. Is there objection to the request that the article referred to may be read in the gentleman's time, and that his time be extended sufficiently to permit the reading of the entire article? [After a pause.] The Chair hears none. The Clerk will read.

The Clerk read as follows:

THE CASE OF GEN. WOOD.

The old saying, "murder will out," is being exemplified in the case of Gen. Leonard Wood, that big American and splendid soldier, who has been booted around by the War Department as if his country owed him nothing but a grudge.

It may be, of course, that certain "roller-chair warriors" and departmental heads in Washington owe Gen. Wood a grudge for having made bold to expose their incompetency and, almost single handed and alone, forced them to adopt certain preparedness measures; but the country at large has no cause to share this feeling of petty spite, and the country does not share it.

On the contrary, every American citizen, be he Democrat or Republican, who is at all familiar with the facts in the case, must resent the War Department's disgraceful treatment of Gen. Wood, which is, perhaps, without parallel in the history of the Army.

The Chronicle first called attention to the War Department's attitude toward Gen. Wood in May, 1917, soon after this country entered the war, and it then became absolutely necessary for the Government to enter aggressively upon the preparedness program that Gen. Wood had been urging upon it for years.

But, instead of putting at the helm this able soldier, then the ranking general of the Army and the one who, more than any other, or all of them combined, had long before foreseen and planned the necessary program for raising and training an adequate Army, what did the War Department do?

Why, it coolly—and, we have always believed, maliciously—decided to remove him from the most important post in the Army, outside of Washington, that of commander of the Department of the East, at Governors Island, and generously give him his choice of such minor posts as those at Manila, Honolulu, or Charleston, S. C., the latter carrying with it command of the newly created Department of the Southeast.

Fully comprehending the motive behind this War Department order, Gen. Wood, being the most active and constructive man in the Army at that time, had a natural desire to continue active at such a period in his Nation's history, so he declined to be shunted off to such far-away stations as Honolulu or Manila and accepted Charleston instead.

But even there he didn't propose to be sidetracked; for, indeed, it is impossible to sidetrack a man of Gen. Wood's caliber, as some of the men in the War Department might have known had they been even half his size in mentality and character. So instead of permitting the War Department to "bury" him at Charleston—as was, undoubtedly, the intention—what did this big American soldier do?

He started right in to make up and organize the South—at least, those States that were included in the Department of the Southeast. And in little or no time he got things to going; in fact, he succeeded in stirring up the South as no other man in the Army could have done. Instead of being "sidetracked" he soon made it clear that the War Department had in reality but furnished him with a new opportunity to display his wonderful genius for organization.

So much was this the case, that some people and some newspapers, unwilling to recognize the "motive" behind the War Department's action, tried to make it appear that the Charleston post was, really, intended as a "promotion"; that the War Department simply recognized in Gen. Wood the man for this particularly difficult work and used him accordingly—in reality a high tribute to him.

But this theory was soon dispelled by still another order from the War Department; this time removing him to Camp Funston, where he was put in charge of a training camp—just as he was succeeding in welding the South into a great military organization.

The Chronicle made bold at the time to call attention to the first of these War Department reprisals against Gen. Wood, but it was some time before the country at large began to take cognizance of the indecent treatment accorded him. Now, however, the whole thing is coming to light; indeed, it will not be surprising if, before very long, there is a congressional investigation of the whole affair—as, indeed, there should be.

An Associated Press dispatch, published in yesterday's Chronicle, ought, in itself, to furnish sufficient grounds for such an investigation; for certain officers of the United States Army, some 40 in number, have signed a sort of round-robin, in which they bring the charge that Gen. Wood, while on a brief visit to France—the only opportunity he was ever given to see the battle front—was treated almost as a "German spy;" and, further, that his treatment throughout has been the spiteful work of a certain clique. But let's read, again, what these officers say:

"When Gen. Wood visited the front he was treated more like a German spy than an officer of the United States. We have the word of several colonels that know him well for this. He was ordered back from his visit here without being allowed to visit the Italian front, or returning through England, as he was invited to do by Lloyd-George.

"Gen. Wood was the idol of the Army, officers and men alike, and was one of the most efficient officers, yet he was kept in a corner all the time. Who did it?"

Now, if the above charges are not true these officers are subject to court-martial, and they ought to be court-martialed; in fact, it is quite possible that they are subject to court-martial, anyway, for daring to tell the truth. For if Gen. Wood, after his great service to his country for more than 20 years, could be all but "banished" merely because he told the truth, because he told the country that certain people in Washington were asleep at the switch, because he told a Senate committee that the War Department "ought to be sandbagged" and this country aroused to the necessity for preparedness, certainly these 40 officers of lower rank ought to be court-martialed for calling the acts of this same War Department in question. As we hope they will be, for then the whole truth will come out as to Gen. Wood, which, however, isn't a matter altogether personal to Gen. Wood himself, for it involves the honor and integrity of the Army and of the Government, and that's where the public comes in.

Mr. FREAR. Mr. Chairman, this naval bill carries $746,457,740 and is the largest naval bill ever presented to any country in the world in time of peace. It is five times as large as our average naval bill prior to the war just won. Under present conditions throughout the world every country, whether a victor or among the vanquished, is tax burdened, in many cases to the point of bankruptcy, while all are war weary and financially exhausted. All are seeking some plan of general disarmament, which was promised at the end of this war through a world-wide league pledged to guarantee a lasting peace. That was talked from every platform during the war. All the world was united to defeat Prussian militarism and make certain that peace. The war is won, the Prussian-Austrian-Turkish alliance is destroyed, the German fleet surrendered, her transportation system and ships delivered to the victors, and her army defeated and demobilizing. The only cloud on the horizon is that which comes through the press via "British wireless" just in time to help pass a waiting billion-dollar military bill—a fear of German military reorganization. A three-quarters of a billion naval bill is now asked because of some possible future rivalry with Great Britain, and over a billion dollars is asked for an army to provide against an uprising of the vanquished Huns and to help police the world.

Mr. Chairman, few people will be deceived by the strings which are always pulled by the same naval and military agencies whenever legislation is before Congress. This enormous naval bill before us, in my judgment, is indefensible in view of world-wide conditions; yet we are embarked on a 1916 naval building program that possibly may be justified until peace terms are signed. Possibly we can offer some excuse to the country for its support thereafter, although under present conditions of public finances a $746,457,000 naval bill will be hard to explain to the already overburdened taxpayers. This bill is five times as large as our annual naval bills four short years ago, and we are told by the committee that our Navy now building is as large as the combined navies of the three greatest countries in the world aside from Great Britain. Yet, with the second navy in the world and a stupendous 1916 building program that will take five more years to complete, an amendment or further 1918 new naval building program, to reach over $400,000,000 more, is also carried in this bill, so that in times of peace we have run war mad, with no prospect of sanity in sight. The naval and military bills before us, aggregating in appropriations and authorizations about $2,275,000,000, carry double the amount, in time of peace, of all our Government appropriations combined four short years ago. Can any statement be more significant of present reckless expenditures?

Mr. Chairman, I wish to have the committee correct me if I am not stating the facts accurately in regard to the amounts carried in the naval building programs contained in this bill, because there has been considerable confusion in the minds of Members. This is an unprecedentedly large bill in times of peace, carrying five times the average annual appropriations, and the amounts have been discussed here within the last few minutes by the gentleman from Illinois [Mr. CANNON], who sought the facts from the gentleman from Pennsylvania [Mr. BUTLER], who is a member of the committee. As I understand it the 1916 Navy building program amounts approximately to $815,000,000. Last year there was appropriated and applied on this 1916 naval building program $100,000,000, leaving a balance of

$715,000,000 more to be appropriated by Congress to complete the 1916 authorizations.

Mr. PADGETT. There was an appropriation in 1916, and also an appropriation in 1917 on the 1916 program.

Mr. FREAR. How much did it amount to for both years?

Mr. PADGETT. I will have to look that up.

Mr. FREAR. Will the chairman of the Naval Committee correct me if wrong, because we want to get the amounts right in order to understand this bill.

Mr. PADGETT. The gentleman is dealing with expenditures——

Mr. FREAR. On this 1916 naval building program.

Mr. PADGETT. Appropriations were made in 1916, 1917, and also 1918 on that program.

Mr. BUTLER. They have not all been spent.

Mr. OLIVER of Alabama. I think I can give the gentleman from Wisconsin [Mr. FREAR] some information, if he will yield.

Admiral Taylor was before the Naval Committee, but unfortunately his statement was not taken down. He stated that it would take $815,000,000 to complete the 1916 program; that to the best of his information there had been appropriated $220,000,000. The only reason why he could not give accurately the amount that had been appropriated was that a part was appropriated to the Ordnance Department, and this bill carries $170,000,000.

Mr. FREAR. This bill specifically carries $179,000,000 for 1916 authorizations.

Mr. OLIVER of Alabama. One hundred and seventy-nine million dollars. So you can take those figures.

Mr. FREAR. Then with that correction the 1916 naval building program as adopted reaches $815,000,000, and according to the statement just made by the gentleman from Alabama [Mr. OLIVER], based on the opinion of Admiral Taylor, $220,000,000 in round numbers has already been applied upon that program, leaving a balance of approximately $600,000,000 yet to be appropriated. The naval bill before us carries $746,000,000 for all naval purposes. Of that amount $179,000,000 is to be applied upon the 1916 naval building program, leaving a balance to be appropriated hereafter for ships carried in the 1916 authorizations of about $420,000,000 through subsequent bills. That is entirely separate and in addition to the amount of approximately $415,000,000 contained in the latter part of this bill, covering 20 more battleships and cruisers in a proposed new 1918 building program. Is that approximately right?

Mr. PADGETT. I think that is approximately correct. It is about $400,000,000 instead of $420,000,000. The gentleman has the figures there, but Admiral Taylor stated the amount at about $400,000,000. That is substantially correct.

Mr. FREAR. It is over $400,000,000. It is nearly $420,000,000, as I have it here figured. My desire is to get the facts before the House which disclose that, in addition to $179,000,000 contained in this bill, we have over $400,000,000 more to appropriate to complete the 1916 shipbuilding program, which will take five years more to build. Further than that, this bill before us contains a new authorization for $415,000,000 for a new 1918 shipbuilding program. Briefly stated, this naval bill seeks to appropriate $746,000,000 and to authorize over $415,000,000 additional, or over $1,160,000,000 in all, in times of peace. Again I repeat, I can not understand how the bill can be defended by anyone or how we can vote for it in its present form. Let me present another strange, incomprehensible statement offered by the leading Republican member of the committee who, on February 4, during the general discussion, said:

> I think I owe something to myself and to my friend from Wisconsin [Mr. FREAR]. He asks me to state what influenced my mind at the last minute when this naval bill was under consideration in the committee room. * * * The statement that moved me I will never disclose to anyone. * * * Until the last minute I had resolved I would not vote for this building program.

Again quoting from the RECORD of February 4:

> Mr. FREAR. The gentleman from Pennsylvania [Mr. BUTLER] states to us he will vote for this bill, although against his judgment, and that it will not affect any European situation. Will he advise the House whether he wishes us to stand by his judgment, which is against the bill, or with his vote, which is to be for it?
>
> Mr. BUTLER. I can not advise the House. I do not ask the House to vote for this paragraph (the $400,000,000 authorization). I very much regret that I am unable to tell the committee of the reason that moves me to vote for it.

That is the only reason. A mysterious influence exercised from some source is here offered to sway us to vote for this enormous new $400,000,000 naval construction in addition to $746,000,000 also contained in the bill.

Mr. Chairman, I have voted for every larger naval program recommended by the Naval Committee, usually reaching two battleships annually, since I have been in Congress, and also during the war; but now that the war is over, when from the destruction of lives and property that has bankrupted the world we now emerge with a Navy as large and powerful as the navies of France, Japan, and Italy combined, second only to that of Great Britain, I refuse to add this enormous tax burden of over $1,160,000,000 carried in this bill, which authorizes 20 more great warships, to be added to the heavy burdens we have already laid upon the people of this country.

Criticisms may come from navy leagues, "security leagues," both of which have been repeatedly publicly discredited, and from naval construction interests, steel interests, publicity bureaus, and others who thrive on such appropriations. We are told it will take five years more and about $600,000,000 to carry out the great naval construction program begun in 1916, which will make us equal to any three naval powers combined, apart from Great Britain. To that stupendous building program which is carried in this bill we are asked to add 20 more great battleships and cruisers at a cost of $415,000,000 in addition to $746,000,000 already carried in the bill, and for what?

Every intelligent man knows that within a dozen years, based on past experience, the battleships and cruisers of the past and of to-day will be obsolete, ready for the junk pile, but the billions of dollars expended on these numerous "building programs" that give profits to the few are wrung from a tax-burdened people who are beginning to inquire what has been done with their money.

I have opposed several comparatively small bills, involving in all less than one-third of this $1,160,000,000 bill, and I can not consistently vote against comparatively small waste and then gulp down this indefensible measure. If our enormous naval appropriations are intended only to "bluff" some other country, as stated on this floor in debate, then it is well to remember that world conflicts are sometimes reached through "bluffing." England and Germany finished their bluffing race in naval construction when the German Navy was wiped out of existence, and England has now quit building in order to catch her financial breath. In times of peace such bluffing is dangerous and criminal waste and senseless when all other nations desire to quit the bluffing game.

Mr. Chairman, for several months the Secretary of the Navy has been quoted in the press as saying that this country must have the largest Navy in the world. No reason was given for his remarkable demand, which involves the expenditure of several billion dollars and a colossal naval program in order to exceed the British Navy. The Naval Committee brings in this naval bill with the Secretary's recommendation, which, we are told, carries the indorsement of the President, who for some reason has been persuaded to follow the Secretary's lead. Let me recall an incident. A river and harbor lobby has been holding its sessions almost within the shadows of the dome of the Capitol while this naval bill has been under consideration. Contractors, dredgers, and waterway enthusiasts always back up this organization that annually demands of Congress millions of dollars for useless projects, coupled with some that are meritorious, contained in the annual pork-barrel bill. After spending approximately a half billion dollars on our rivers and canals, which are practically deserted waterways, this same lobby at its meeting this week has urged an immediate expenditure of $400,000,000 to further develop our inland waterways, according to sentiments expressed at these meetings, and the Secretary of the Navy, who addressed the lobby, was among the most vociferous enthusiasts, according to the press. Every student of the subject knows that our inland waterways are practically deserted excepting the Great Lakes, and have been practically deserted for nearly a half century, during which time we have been dumping a half billion dollars into these same hopeless waterways; yet the Secretary of the Navy, who asks $1,160,000,000 in this bill for a colossal naval program, is the same Secretary who appeared before the river and harbor lobby, that is offering with equal reckless enthusiasm to spend $400,000,000 on a hopeless inland waterway program that Congress will be asked to approve. I can not accept the judgment of our Naval Secretary in either case without some evidence of necessity for so doing, when the only effect is simply to benefit a few by piling up unjust tax burdens upon those whose Representatives we are.

Let me repeat that in time of war or threatened emergency I will support every demand for naval or military purposes, but in our hour of victory, in time of world exhaustion and of a demand for universal peace, the country is entitled to know why this extraordinary bill is offered. Germany's fleet has been destroyed. No danger is apprehended from that country or any other country in the world so far as we can learn. The United States has 52 battleships built or building in the program already adopted. Six battle cruisers, 8 armored cruisers, 23 other cruisers of the first, second, or third class, and over 1,500 other craft, little and big, are included in our Navy, which outranks any

combined three navies in the world outside of Great Britain. In addition to that great Navy, this bill authorizes 20 more ships at a cost of over $400,000,000. Why?

Apart from the billions of dollars invested in this great Navy of ours, how are we to man these vessels with crews reaching into hundreds of thousands of men, and how are we to maintain a vast standing Army of over a half a million men which is provided in the military bill that is waiting us on the Clerk's desk?

Will the naval experts and the General Staff of the Army demand conscription to raise approximately 1,000,000 men to maintain the Army and Navy in times of peace during the years to come? We have said to the world we are a peaceful Nation and will set the pace for disarmament.

What did we mean when we made that statement?

The world viewed with grave apprehension the feverish efforts of Germany and Great Britain to outbuild each other with their navies less than five years ago. A certain result of that rivalry was war. With the help of America, Germany and her allies were vanquished, but have we learned no lesson from that strife of the danger of "bluffing" some other nation by threatening her with a bill like the one before the House?

Naval "experts" asked for $2,644,307,406 for this bill. The Secretary of the Navy cut it down to $975,903,621 with a $415,000,000 further authorization. The committee brings in a bill for $746,457,440 with the same authorization added.

Naval experts, it is safe to say, do not lie awake nights trying to figure how they will pay their taxes, but we are compelled to ask where is the money coming from to meet this enormous naval bill and the equally enormous military bill and other prodigious expenditures that are presented to the House day after day?

With over $20,000,000,000 national indebtedness in 1919 and an annual interest and maintenance bill of several billions of dollars for many years to come, we are saddling billions of dollars more on the shoulders of a tax-ridden people annually—to what end?

I voted for every measure asked by the administration for the prosecution of the war. We all voted blindly, and could do nothing else when in war. Responsibility then rested with the administration for all expenditures. It now rests with us.

Hundreds of millions, wasted millions for aircraft that never were built; for cannon that never reached France; for useless ships built to win the war; for a $50,000,000 waste, to use no harsher term, at Muscle Shoals, all appropriated by Congress to win the war. We did what every other country was doing, gave whatever the administration then demanded to protect our people from the enemy and to win the war.

We are no longer on a war basis, although naval and military experts seek to keep us there. Other countries have become exhausted. This Government has loaned them eight and a half billions of dollars, and the more we loan, the more we give, the more we spend, and the easier it comes to fritter away public money.

What justification can be offered for this vast naval program which the chairman of the committee and leading Republican Members refuse or fail to explain?

We seem to be caught in a whirling maelstrom of extravagance, wherein every department of Government hysterically struggles to assert its own importance through demands for unprecedented appropriations, with a result that the Sinbad burden which has been laid upon our people will descend to our children and to our children's children for generations to come.

If we continue the hopeless waste for extravagant schemes, including canals, canalizations of rivers, highways, public buildings, irrigation, water powers, flood protection, all added to the ordinary expenses of Government, reaching increased billions annually, we will soon be compelled to adopt the proposal of Menken, the National Security League organizer, and compel every man, however small his wage, to pay an income tax to help support the Government. Men protest on the floor of either branch of Congress against this wild financial debauch that is becoming more frantic during the closing days of the Sixty-fifth Congress, but the minority party can not escape its own responsibility by laying the blame upon the President or his subordinates or those sitting across the aisle in either House, because now that the war is over individual responsibility can no longer be shifted to other shoulders.

While this naval bill has been under consideration it was temporarily sidetracked for the $6,000,000,000 revenue tax bill, which goes to the people as a reminder of what Congress is doing here. During debate on the conference report of the revenue bill, Mr. FORDNEY, Republican leader on the Ways and Means Committee, gave warning to Congress and the country. He said:

> The extraordinary appropriations of money that the Congress of the United States will be called upon to collect from the people in taxes in the next 12 months amount to $6,795,000,000. This does not include ordinary expenses of government. * * * Let me call your attention to the fact that all the money there is in the United States is, in round numbers, about $6,000,000,000, and we are going to be called upon for $10,000,000,000, in round numbers, in the next 12 months. * * * I caution you who represent the people, we are going wild in Government expenditures.

That warning comes from one of the oldest and ablest men in this Congress; and, with his warning sounding in our ears, we are asked by administration officials in times of peace to pass a naval and a military bill that carry over two and one-quarter billion dollars for the coming fiscal year, or, as stated before, practically double the entire annual expenses of the Government four short years ago. After you have collected the $6,000,000,000 in revenue taxes from the people and have sold them four or five billion dollars more of bonds in the April drive, how are you going to raise the balance necessary to meet the ten to twelve billion dollars of estimated expenditures reported to us by Mr. KITCHIN, the Democratic leader?

If we are willing to abdicate or abandon legislative powers and judgment at the instance of naval "experts," navy leagues, army staffs, great commercial interests, and other influences, secret and open, drunk with power, we must still accept the accompanying responsibility for such action, for that is ours, not theirs, to defend.

Another thought in conclusion. What is going to be the result of this impotent policy on the part of Congress, which reduces our legislative activities to the functions of mere rubber stamps? Mr. KITCHIN has just stated to the House while discussing the revenue bill that after all excess war profits are taken from war profiteers under the different revenue bill schedules, as revealed by official reports, that a snug balance of approximately $12,000,000,000 will remain in the purses of these same war profiteers, due to the fortunes of war.

Our soldiers in France and their wives and parents back home have sent thousands of letters to Members of Congress in the aggregate showing that the pittance of $30 per month given by Congress to those who risked their lives for us, and which money they allotted to dependents, has been held up by red-tape military methods. Presumably hundreds of thousands of cases have occurred where hardship and sometimes great suffering have resulted through inexcusable delay in paying the men who fight their dollar a day. While this has been the reward of sacrifice, the profiteers back home have been laying aside $12,000,000,000 in war-time excess profits.

While our boys have been serving at the front and millions of others have been sacrificing at home to win the war the profiteers at home have been waxing strong and more arrogant than ever before. I sat by the side of two Congressmen in the House yesterday, both of whom by a coincidence have lost sons in France, while my own, with the occupation army, spent his holidays in a hospital in Germany. Members of the House who themselves served in the American Army in France or Italy, with distinction, let me add, have protested by their voices and votes against this prodigal, unparalleled naval bill in times of peace.

Every constituent at home who has contributed some member of his family toward winning the war is entitled to ask how sleek war profiteers have made $12,000,000,000 over and above the taxes we have levied, while sacrifice has been the keynote in nineteen cases out of every twenty among our people. Every constituent has a right to ask what Congress and the administration have done during the war and since the war is over to relieve these intolerable conditions.

We are having public attention invited by the press of the country and by speakers upon the danger of Bolshevism. We have had pictured to us graphically the overthrown governments of our ally, Russia, and of our enemies, Germany and Austria, and dangers that beset other countries of Europe are known to us, dangers that are feared on this side of the sea, due to discontent caused by injustice.

Not 5 per cent of our people, it is safe to say, are tinctured with Bolshevism, militarism, or unlawful greedism, however widespread may be discontent with conditions; but it should be borne in mind that of that 5 per cent who occasion discontent the larger part is not composed of hoboes or red-flag anarchists opposed to all forms of government, with whom our peple have no sympathy. A large part of that 5 per cent of undesirables will be found in those whose enormous wealth, rolled up from the necessities of the people in war or peace, has been a constant source of irritation and whose unrestrained greed menaces our institutions. To those undesirables the war has contributed an-

other class, who would Prussianize this country through an autocratic control, which has been a moving cause for overturning governments abroad.

All these disturbing elements in our midst combined do not represent 5 per cent of the people who are law-abiding, patriotic, and loyal to their Government, but constant object lessons of greed, selfishness, and autocratic power are responsible for a discontent more deep-seated than any mere question of wealth and poverty. To hide our heads in the sand is an ostrich attitude that fails to serve any good purpose. Tax laws that enabled war profiteers to hoard $12,000,000,000 of war profits are laws for which Congress is responsible, and all laws that permit unjust exactions or autocratic power in time of peace are laws for which we are accountable, and all extravagances or waste in public appropriations or expenditures are certain to bring discontent to those who pay the bills. Congress can not right all wrongs by law and our people know that and are too well satisfied with our form of Government to become affected by European social conditions, unless we create the same conditions here. Public extravagance at this time, brought about by bureaucratic influences, tending to commit this Government to a militaristic program, will provoke unrest and eventual distress. That is the course proposed by bills placed before us in these closing days of the session, and we will do well to set an example of economy for the people whose welfare we are permitted to influence through wise or unwise legislation. According to warnings I have quoted from leading Members of the House, whose warnings we will do well to heed, we are not doing that now.

Mr. LARSEN. Mr. Chairman, I move to strike out the last word. We have about three weeks of this session remaining. From time to time I have observed that there seems to be a disposition upon the part of certain Members of this House to come in on the floor and attempt to interrupt the proceedings by injecting into the proceedings of the House matters that have nothing to do with the bills under consideration. The point seems to have been reached where Members who are in charge of the bills on both sides of the House can not proceed in an orderly way on account of the fact that some Members are continually butting in with matters not before the House and which in the majority of instances do not much concern the Members of the House or the public, and demanding that time be granted them by the House to have these matters heard and to have editorials and matters of that kind read to the membership of this House. Those who are in charge of bills are placed in a little awkward position, because if they do not accede to the wishes of such Members they make the point of no quorum. It simply resolves itself into this: Certain Members of the House filibuster if they can not have their way about what is going on in the House. I want to say to gentlemen in charge of bills in the House that the next three weeks ought to be a very busy time, and, as one Member of the House, I do not propose to sit here and see gentlemen in charge of the bills grant permission to have things read and speeches made on matters that are not before the House for consideration. If they are not in a position to object, I am. I have nothing more important during the next three weeks than to sit here and do that, and I shall do it. Gentlemen, it is a shame that such should be necessary.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LARSEN. I yield to the gentleman.

Mr. JOHNSON of Washington. The gentleman will undertake to keep a quorum in the House, will he?

Mr. LARSEN. No; I will undertake to keep these disturbers from interrupting the orderly proceedings of the House. I will try to do that much. I want to put the House on notice once and for all that during the next three weeks when there is business before the House that needs attention it must be attended to, or else I shall object to irrelevant matters. Now, that is a fair business proposition, as I conceive it.

Mr. PADGETT. While we are considering the naval bill, let me run the thing a little smoothly, please. I think we will make time by doing so.

Mr. LARSEN. That is all right; but gentlemen in charge of bills have been permitting men to discuss matters that have nothing to do with the bills and nothing to do with any issue before the public. I have a right to see that those granting the time of the House shall do it for a legitimate purpose. I have the highest regard for the gentleman in charge of the bill, and nothing I say is in reference to him specially. I am speaking in a general way. It is ridiculous that the business in this House can not be attended to in a businesslike way without somebody interrupting and bringing some matter to the attention of the House that the House is not interested in.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. LARSEN. Yes.

Mr. JOHNSON of Washington. Does not the gentleman think that if he adopts the policy he states he is liable to get the House in an attitude of mind where he is going to cause more obstruction to business than would otherwise happen?

Mr. LARSEN. I think the gentleman misunderstood the force of my statement. I said when there was a matter before the House demanding immediate attention. I realize that there will probably be times when the House will not be specially engaged in matters of importance and will not be pressed for time, and if so there will be plenty of opportunity for Members to be heard without interruption of business.

Mr. MANN. Mr. Chairman, I want to make some inquiries about the item just read, and I will do so in a moment. I am very much entertained by the distinguished gentleman who just gave notice to the House that he would keep the House in order if somebody else did not do it. I have heard that kind of talk many times, and I never knew the man who made it to have nerve enough to carry it out.

Mr. LARSEN. I will promise the gentleman that this time he will see that the gentleman from Georgia has all the nerve necessary.

Mr. MANN. I do not yield to the gentleman. He is asking that the House be in order and he is not in order himself. Suppose he keeps in order for a few minutes himself and see whether he can keep the House in order.

Mr. LARSEN. Will the gentleman yield?

Mr. MANN. Not yet. Now, Mr. Chairman, the man who pilots a bill through this House has to use some common sense. I have heard gentlemen on the floor of the House repeatedly tell how they would object to everything asked for, and yet I have known those gentlemen to sit here for a day, sometimes two days, sometimes three days, and object to everything, and then quietly disappear for the balance of the session. [Laughter.]

Now, I hope the gentleman from—I do not know what State he comes from——

A MEMBER. Georgia.

Mr. MANN. I hope the gentleman from Georgia will keep his nerve, but he will not. I hope he will require the Democrats to keep a quorum in the House, but he will not. [Laughter.] I hope he will object to everything that is asked for the next three weeks that is not in regular order, but he will not. [Laughter.]

The gentleman from Georgia said there would be time during the next three weeks when anything could be brought before the House; that there would be nothing special, but there will not be; there will not be a minute during the next three weeks when there is not some special subject before the House for consideration. Gentlemen on both sides of the House will continue to do in the future as they have always done in the past—interject something that is extraneous under the implied or actual threat of delaying the House if their request is not granted. And the gentleman from Georgia, who is so brave that he is going to expedite business, will, in the end, if he keeps his nerve, only result in delaying the transaction of business in the House. I hope he will get the experience.

Mr. LARSEN. Will the gentleman yield?

Mr. MANN. I now yield to the gentleman from Georgia.

Mr. LARSEN. Does not the gentleman think that he has been here so long and been imposed on so long by Members who wish to interfere with the business of the House, and has yielded so much that he has got in the habit and does not know how to quit it? [Laughter.]

Mr. MANN. Oh, no; I object oftener than anybody else in the House.

Mr. LARSEN. Then why should the gentleman object to my objecting? Does the gentleman expect that he is going to monopolize objections in the House? [Laughter.]

Mr. MANN. I have the nerve to keep up the objections which I make. I hope the gentleman from Georgia will have the nerve now to keep this up for three weeks, but I am sure he will not.

Mr. GOODWIN of Arkansas. Does not the gentleman think——

Mr. MANN. This is all extraneous; why does not the gentleman from Georgia object?

Mr. LARSEN. Because the gentleman is talking now on a sensible matter. While I admit the gentleman has wasted nearly five minutes, I am going to see that the gentleman from Illinois and other gentlemen in the House do not persist in taking up needlessly the time of the House for the next three weeks.

Mr. MANN. Why does not the gentleman object now?

Mr. LARSEN. That is all right; we will see.

Mr. MANN. Now, Mr. Chairman, I want to ask the gentleman from Tennessee about this appropriation.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

Mr. LARSEN. If the gentleman proposes to discuss the bill, I will not object.

Mr. MANN. I make no promises.

Mr. LARSEN. Then I object. [Laughter.]

Mr. MANN. Mr. Chairman, I move to strike out the last two words. May I ask the gentleman from Tennessee about the appropriation of $500,000 for the water-front improvement at the Norfolk Navy Yard? My recollection is that ever since I have been in Congress we have been making appropriations for these water-front improvements. Is there any end in sight?

Mr. PADGETT. No; I can not say that there will be a time when we will not be making some appropriation for that.

Mr. LARSEN. Mr. Chairman, I rise to a point of order. The gentleman from Illinois is out of order in that he is not discussing his motion to strike out the last two words.

Mr. MANN. Mr. Chairman, I think the point of order is well taken.

The CHAIRMAN. The point of order is well taken.

Mr. MANN. Mr. Chairman, I move to strike out of the bill the language—

Water-front improvement, $500,000.

This is like taking candy from children. [Laughter.]

Mr. LARSEN. I presume the gentleman refers to the $500,000?

Mr. MANN. I hope the gentleman will not interrupt the orderly proceedings of the House by constantly "butting in."

Mr. LARSEN. I make the point of order that the gentleman is not discussing the bill.

Mr. MANN. I am discussing what is before the House.

Mr. LARSEN. I make the point of order that he is not.

Mr. MANN. Or what is seeking to bring itself before the House. I would like to ask the gentleman a question about this proposition.

Mr. PADGETT. Mr. Chairman, some years ago at Norfolk yards we bought what is known as the Smoley tract, on which they have erected this new, large dry dock we were speaking of this morning, which has just been completed. This is for the improvement of the water front on that new part known as the Smoley tract, where is located the dock and also the large buildings that we appropriated for in the last and the next to the last appropriation bill. The conditions there on the water front are very much crowded. At one time, when the committee visited there, we saw the ships berthed in some places three alongside, and this is to give additional berthing space for the ships, and that is one of the most important points of our whole Navy on account of the Chesapeake Bay and the Roads there.

Mr. MANN. Is this for dredging in front of the dry dock?

Mr. PADGETT. Some of it is in front of the dry dock, and then other of it is for the extension of a key wall alongside, and the dredging to get the depth, so that the boats can come alongside and berth.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Navy yard, Charleston, S. C.: Dredging, to continue, $30,000; air compressors and auxiliaries, $118,000; oxyacetylene plant, $25,000; fire protection, $50,000; in all, $223,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. What is the necessity of spending such a large amount as $118,000 for air compressors and auxiliaries?

Mr. PADGETT. Mr. Chairman, the committee went into that very fully. The compressor, as I remember, that they had there broke down. They had been running it for quite a while.

Mr. STAFFORD. What is the capacity of this compressor?

Mr. PADGETT. I think $68,000 was the price paid for the first air compressor. In addition to that, there was purchased intercoolers, condensers, and so forth, at a cost of in the neighborhood of $50,000, making the total of about $110,000. Admiral Parks said it would cost about $118,000 for the compressor and the necessary things to go with it, other than the boilers. The compressor broke down.

Mr. STAFFORD. I would like to ascertain the capacity of it, because it must have tremendous capacity if you are going to spend $118,000 for it.

Mr. PADGETT. No.

Mr. STAFFORD. Then you are spending an extravagant figure.

Mr. PADGETT. No; it is not a large one. Those things are very expensive.

Mr. STAFFORD. I have some little knowledge about air compressors myself.

Mr. PADGETT. Let me read from the hearings:

Admiral PARKS. I find that I have just gotten in the bids on which to make contract for that electric generating machinery that was provided for in the last act, and I think that will be sufficient in the way of electric generating capacity. But the principal trouble at the Charleston yard has been on account of lack of air compressors. We got a compressor running in September, and it ran for about three days and went down. It required a lot of attention before it could be started again, and then somewhere about the 1st of October it got into operation again. Without that compressor they could not get air to the shipways for the riveting work on the destroyers—I think they are destroyers that they are building at Charleston, and I believe they have ways there for three.

The CHAIRMAN. They were building some of these chasers down there.

Mr. BROWNING. I was going to ask if they were building destroyers.

The CHAIRMAN. I remember that they were building chasers and a gunboat.

Admiral PARKS. I think there are three destroyer ways, but I do not remember positively about it. It is certainly desirable to have a duplicate air compressor. An air compressor is a machine that gives a lot of trouble if it breaks down, and it is liable to break down and requires a long time for repairs to be made. I think another air compressor would be an advantage.

Mr. STAFFORD. Mr. Chairman, I do not question that it is very desirable to have a duplicate air compressor should the one that is running get out of commission, because so much depends upon it and the work would absolutely stop.

Mr. PADGETT. Yes.

Mr. STAFFORD. I was endeavoring to ascertain the capacity of the air compressor for which we are appropriating this large sum of $118,000. It must be one of tremendous capacity if this amount is to be expended for it.

Mr. PADGETT. It is not extra large; but they have a good deal of activity there, and besides, what would cost $118,000 now would cost before the war perhaps about $60,000 or $75,000.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order, although I did not get the information that I desire.

The Clerk read as follows:

Naval station, Key West, Fla.: Station improvements, $25,000.

Mr. CLARK of Florida. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 25, line 2, after the figures "$25,000" insert:
"Water system, including purchase of land, and the necessary rights of way, $2,000,000."

Mr. PADGETT. On that I reserve the point of order.

Mr. CLARK of Florida. Mr. Chairman, I desire to read the reason for this amendment from the hearings, on page 965:

The establishment of such a base makes it necessary to have an adequate supply of fresh water. The naval experts figure the naval requirements alone at 552,500 gallons per day. The present supply consists of condensed rain water, costing $7 per thousand gallons, the deficiency being supplied by tank cars hauling water from the Everglades, a distance of 128 miles, and costing $3 per thousand gallons. The present consumption of the city, the Army, and the Navy averages 173,000 gallons per day.

The prospective rate of consumption makes the cost of the present method of supply prohibitive, to say nothing of its uncertainty.

The last State census of Key West is given as 18,495 and it is not reasonable to expect a municipality of such small proportions to undertake so big a project as that determined upon as the most feasible method for procuring an adequate supply for the city, the Army, the Navy, and such quantity as may be required by the Florida East Coast Railroad.

The plan proposed is to build pipe lines from some adequate source of supply, the cost of which, including pumping system and all other requisites to the reservoir, has been estimated at $2,000,000. This work the Navy proposes to do, since it is and will continue to be the biggest user. The city of Key West has agreed to provide the reservoir and distributing system, estimated to cost $400,000, and to operate the system upon completion. The Navy's investment in the project will be refunded in due course through a special rate on the water which it consumes.

I want to say, Mr. Chairman, that the estimate is that the city of Key West will take about $100,000 worth of water, the East Coast Railroad Co. is estimated to take $125,000 worth, and the Navy about that much, and with others to use water it all figures up that the price paid by the users of this water will amount to about $445,000 a year. Now, it is well known that there is no fresh water in Key West other than rain water. Water is carried there, in addition to rain water, upon barges and upon trains. It is utterly impossible to secure a supply of fresh water at Key West. They have bored there time after time in an attempt to do it, but they have never been able yet to secure fresh water. Now, this has been made a submarine base and a naval station, and a great many ships touch at Key West during the course of the year, and those ships have to be replenished with fresh water. It is utterly impossible to get it in

any other way. It does seem to me, as the Navy Department has recommended it, as committees have been appointed to investigate—some committee that the Secretary referred to here, after an exhaustive investigation, recommended it—it does seem to me, Mr. Chairman, that it ought to be included in this bill. Key West, I will state, is not in my district, but Mr. SEARS, who represents that district, unfortunately is at home on account of the serious illness of his wife, and he requested me to offer this amendment, which I do in the utmost of good faith; and I sincerely trust that the committee will see proper to adopt it, because it is certainly very badly needed there; and I ask unanimous consent to extent my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida? [After a pause.] The Chair hears none.

The CHAIRMAN. Does the gentleman from Tennessee make the point of order?

Mr. PADGETT. Mr. Chairman, I will in a moment. I want to state this project in the language submitted was submitted in the estimate of the Secretary of the Navy. The committee gave it a very full and thorough investigation, and there is a great deal about this in the hearings. It involves a project that costs the Government $2,000,000 for a water system, and the project is to run a pipe line across land and across the arms of the sea 128 miles up into the mainland of Florida and bring the water down through pipes 128 miles to supply the city. It is also true that there is no fresh-water supply there, but after giving the matter very careful consideration the committee was not prepared at this time to recommend it. It ought to be looked into further. A project to appropriate $2,000,000, to be expended for the establishment of pipe lines 128 miles long to bring water to a city, and then to cooperate with the city and the railroad, is a scheme that ought to be worked out more thoroughly than has been done, and the committee did not see fit to recommend it, and cut it out of the estimate, and I feel constrained to make the point of order.

Mr. CLARK of Florida. May I ask the gentleman a question?

Mr. PADGETT. Certainly.

Mr. CLARK of Florida. I want to ask the gentleman if it is not true that the Secretary of the Navy urged the adoption of this matter before the committee?

Mr. PADGETT. He did very earnestly.

Mr. CLARK of Florida. And is not it also true that some committee was appointed, not the Helm Board, but the Bureau of Operations, I believe it is, through a committee, investigated and recommended it?

Mr. PADGETT. I do not know whether there was a board or not. The chief of operations, as I understand, wanted it as an adjunct to the operations which are going on there now.

Mr. CLARK of Florida. I want to state to the gentleman that the Secretary says, on page 963—

> It is recommended urgently by the Bureau of Operations and officers who had charge of operating the fleets during the war.

Mr. PADGETT. It has been recommended, as I stated, and I stated also there is no fresh water there except rain water. I have been there twice and looked into it, and it is a very important matter, but it seems to me a proposition involving an expenditure of $2,000,000 to run a fresh-water line 128 miles, a part of it over land and the other through the arms of the sea——

Mr. CLARK of Florida. Of course the gentleman knows a great many cities bring their fresh-water supply that distance and perhaps greater. It is not unusual to carry water that far.

Mr. PADGETT. That may not be, but it is unusual for the Navy to attempt to carry it that far for the benefit of a city.

Mr. CLARK of Florida. Let me ask one more question. If it is true that the Navy have innumerable vessels that touch here, and this is the nearest point where they can be supplied with fresh water, and if it is true that the individual users, such as the city of Key West and the East Coast Railroad, and others, will in a few years repay the money, does not the gentleman think it is a project that ought to appeal to the judgment of the Committee on Naval Affairs and to this Committee of the Whole?

Mr. PADGETT. It may do that after it is further investigated, but I do not think that it is yet sufficiently developed to authorize it, and then the committee adopted this policy with reference to the entire public works under the Bureau of Yards and Docks. We cut out all new enterprises, all new enlargements and extensions, and have only reported those matters which we felt were absolutely necessary at the present time, and this came under the class of the policy we adopted in reference to all the other yards.

Mr. WALSH. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. WALSH. Can the gentleman give any information as to how a naval base came to be established at a point where fresh water was 128 miles away?

Mr. PADGETT. That base was established many years ago, and in many respects it is one of the most important bases that we have for that purpose.

Mr. WALSH. They have always needed fresh water there. I suppose this need has not arisen on account of any recent legislative action?

Mr. PADGETT. Ever since there was a city they have had to use either rain water or water stored in cisterns or bring it in barges, and since the East Coast Railroad was built they bring it down in tank cars.

Of course that is an inconvenience and it is also expensive. But to take up a project of the character of this, until it could be further developed and looked into, the committee did not feel justified in granting it. But Key West is a very important point, and all of the administrations have insisted upon it as very important. Mr. Meyer, when Secretary of the Navy, urged very extensive improvements there, which the committee declined to recommend at that time—not this one, but others—and every naval officer, I think, and all the different administrations have emphasized very strongly the importance of Key West for development.

Mr. WALSH. It would seem, in view of recent exceptional actions, there ought not to be any serious objection to providing for the Navy to be able to get water at Key West.

Mr. PADGETT. I make the point of order, Mr. Chairman.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

> Naval station, Pearl Harbor, Hawaii: Electric connections to dry dock, $21,000; substation near dry dock, $68,000; salt-water fire protection, $35,000; fresh-water connections to dry dock, $11,500; air connections to dry dock, $8,000; toilet facilities for ships in dock, $25,000; in all, $168,500.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. What is the meaning of the item "air connections to dry dock?"

Mr. PADGETT. It is to operate the pumpings there and the drilling, and so forth, by compressed air.

Mr. WALSH. By pneumatic pressure?

Mr. PADGETT. Yes, sir.

Mr. MANN. May I ask the gentleman whether or not that dry dock is completed?

Mr. PADGETT. No, sir. It is thought to be completed during the present spring or summer.

Mr. MANN. It has not failed, has it?

Mr. PADGETT. No, sir. It is proceeding now, they say, very satisfactorily.

Mr. MANN. Does the gentleman know how much we have expended on the dry dock there up to date, altogether?

Mr. PADGETT. I think the limit of cost was about $4,000,000.

Mr. MANN. The limit of cost was exceeded a good many years ago.

Mr. PADGETT. I am talking about what the limits have gone up to. It started down below $3,000,000, I think, and it has been increased from time to time. They had great trouble there, you will remember.

Mr. MANN. Oh, I saw the place. I remember the contest here over it.

Mr. PADGETT. I understand it is nearing completion now, and perhaps is 85 or 90 per cent completed, and is regarded now in a safe and satisfactory condition.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

> Depots for coal: For depots for coal and other fuel, Yorktown, Va., wharf, $50,000; oil proofing reservoirs, $150,000; in all $200,000. Contingent, $35,000; care and custody of naval petroleum reserves, $10,000; in all, $245,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What are "oil proofing reservoirs?"

Mr. PADGETT. You will remember that Congress appropriated for and authorized the purchase and construction of a large oil storage basin or place at Yorktown, Va., putting the storage under ground instead of above ground in tanks as heretofore.

Mr. MANN. How does that come under an item headed "Depots for coal"?

Mr. PADGETT. Depots for coal and other fuel.

Mr. MANN. Oh, no. The heading is "Depots for coal."

Mr. PADGETT. Yes. When we used to burn coal exclusively in the Navy——

Mr. MANN. Is that an erroneous heading?

Mr. PADGETT. It is used for coal and also for oil, and both have been appropriated for under that heading. Now, about the proofing——

Mr. MANN. I hope the Committee on Naval Affairs will some time learn to keep up with the progress of the times and change a heading when there is reason for it.

Mr. PADGETT. The Treasury Department object to the changing of the name.

Mr. MANN. Does the Treasury Department object to our legislating?

Mr. PADGETT. No, sir; but they did send down here a recommendation, which Congress in the last session agreed to, changing the names of certain appropriations, in order to put them back to what they had been before. Now, we sometimes appropriate for a coal station, and next year we will appropriate for a fuel station.

Mr. MANN. Why do you not say "depots for fuel," then?

Mr. PADGETT. Well, that would be a good designation.

Mr. MANN. This is misleading. A heading is there for the purpose of giving information, but it lies, because it does not give the right information.

Mr. PADGETT. It has been there all these years.

Mr. MANN. Well, it used to be "depots for coal." Now it is mainly depots for oil.

Mr. PADGETT. Yes. This particular appropriation is. Several years ago it was all coal, and then it was coal and oil.

Mr. MANN. Having been for coal 20 years ago, the department and the Treasury Department, or somebody, thinks it ought to say "coal" now. I suppose they will continue to say "coal" after coal is not used.

Mr. PADGETT. In those times I do not know what they will say, because they will be so far off before we quit using coal.

Mr. MANN. I do not know about that.

Mr. PADGETT. But they are using them for both now.

Mr. MANN. I know they are, and the heading ought to so state.

Mr. WALSH. Mr. Chairman, I rise to oppose the pro forma amendment. What is this "Contingent, $35,000"?

Mr. PADGETT. That is for the purpose of providing a fund for taking care of, in the nature of repairs, various coaling stations and the fuel-oil stations, and so forth, that we have scattered all over the country, where we can not designate them and they can not be estimated for. It is a fund for the repair and upkeep and maintenance of the coaling and fuel stations all over the country.

Mr. WALSH. And if they do not have this continued appropriation of $35,000 they could not repair those?

Mr. PADGETT. They would not have a specific fund.

Mr. WALSH. Of course, they would not have a specific fund, but they have got other funds, have they not?

Mr. PADGETT. They have not any other that they have estimated for. It has been carried that way heretofore.

Mr. WALSH. May I ask the gentleman what is this "care and custody of naval petroleum reserves"?

Mr. PADGETT. Under the administration of President Taft large areas of land were withdrawn and known as "petroleum reserves" for the benefit of the Navy, and this is a fund to enable the Secretary to guard and protect and keep off intruders and persons from going in there and sinking wells and various things of that kind. It is to care for and protect these many thousands of acres.

Mr. WALSH. Oh, it is reservations?

Mr. PADGETT. It is reservations.

Mr. WALSH. It is not a branch of the service like naval reserves?

Mr. PADGETT. Oh, no. It is a land reservation.

Mr. WALSH. I have never heard of a land reservation called a "reserve." I thought the designation was "reservation." Do they have to spend $10,000 a year to keep marauders off the property?

Mr. PADGETT. That is the amount we have provided for several years. I do not know whether it is all expended or not. But if it is not expended it goes back into the Treasury. It is not a continuing appropriation.

Mr. WALSH. I understand these are reservations from which they are getting no supply?

Mr. PADGETT. Not at present. There are many thousands of acres in these reservations.

Mr. WALSH. Is Yorktown, Va., the only depot for coal that has an oil-proof reservoir?

Mr. PADGETT. Let me explain that. That applies to many of these reservoirs. There are many of them. They are scattered over many acres of land. They are for the storage of oil for the fleet. When they were constructed at the beginning of the war we were expecting to have to use Mexican oil, which is a heavy oil.

Now, we can get American oil, and that is a finer, thinner oil. The sides of these storage tanks underground leak out this thinner, lighter oil; it permeates and goes through the sides of the walls. This is to go over the walls with a coating thicker and heavier and denser, so as to prevent the leaking of the oil from these underground storage tanks. Those tanks are made of concrete and stone and things of that kind.

Mr. WALSH. So that the only part of this item which will be available for expenditure at Yorktown, Va., is $50,000 for the wharf?

Mr. PADGETT. Yes.

Mr. WALSH. This other is for various points throughout the country?

Mr. PADGETT. Yes. They are designated. The estimate was sent down to the committee in a lump sum. That was the way it was done for many years, until a few years ago, when the committee began to separate it. It was sent down in a lump sum this time, and the committee has separated it into the different points.

Mr. WALSH. Mr. Chairman, I will withdraw my reservation of a point of order.

The CHAIRMAN. The gentleman from Massachusetts withdraws the reservation of the point of order, and the Clerk will read.

The Clerk read as follows:

Naval operating base, Hampton Roads, Va.: Toward water-front improvements and permanent improvements to station, including piers, bulkheads, filling, grading, etc., $1,000,000.

Mr. FOSS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois moves to strike out the last word.

Mr. FOSS. I wish to ask the chairman of the committee where this operating base is situated Is it the old Jamestown Exposition?

Mr. PADGETT. Yes; it is the old Jamestown Exposition, including Piney Point, that runs out to deep water there.

Mr. FOSS. How much money has been expended and appropriated on this?

Mr. PADGETT. I could not tell you. The great bulk of it has been expended under lump-sum appropriations that were made by the Committee on Appropriations during the war, but it is a tremendous big sum.

Mr. FOSS. We originally bought the land?

Mr. PADGETT. Yes; that cost, as I remember, about $1,400,000.

Mr. FOSS. Did that include the buildings that were on it at the time?

Mr. PADGETT. Yes. We put those buildings in repair, and that has cost a large sum—much more than was originally estimated.

Mr. FOSS. The purpose, then, as I understand, was that it should be used as a naval training station?

Mr. PADGETT. It has been used as a naval training station and operating base and a place for the storage of supplies, so that ships coming up that narrow, congested river can go there and get their supplies and stores. They have many activities there.

Mr. FOSS. They have made it more than simply a naval training station?

Mr. PADGETT. Oh, yes; it is more than simply a naval training station.

Mr. FOSS. Although the original idea was simply to make it a naval training station?

Mr. PADGETT. I think it was called from the beginning an "operating base," but the activities there have been very greatly enlarged. When the war came on it was enlarged. Nearly all kinds of activities are carried on there, because, as the gentleman knows, it is the principal operating base of Chesapeake Bay.

Mr. FOSS. How many men have they been training at the training school?

Mr. PADGETT. Quite a large number. I think about 12,000 or 14,000 were trained there at one time.

Mr. FOSS. The gentleman can not tell, then, offhand how much has been expended there at the present time?

Mr. PADGETT. I think I could give you some of it. The appropriations made to date for the general development of the operating base, Hampton Roads, are as follows:

Act of June 15, 1917, establishment and development of the station, including $1,200,000 for the purchase of the land. $2,800,000. That would leave $1,600,000 for improvement and development.

Act of March 28, 1918, additional compensation for property taken over, $55,072.25. That is where it went over the $1,200,000 that was appropriated.

The act of July 1, 1918, toward water-front improvement, permanent improvement of the station, including piers, bulkheads, filling, grading, and so forth, $3,000,000.

The deficiency act of November 4, 1918, carried $1,174,556.68. That would make something like $7,000,000.

Mr. FOSS. My impression was that the water was rather shallow there.

Mr. PADGETT. Part of it is. They had to build some piers out there, but they are building some bulkheads and key walls out in the water and dredging behind them, and by that method they will add something like 500 acres of land to the original purchase.

Mr. FOSS. How many acres were there in the original purchase?

Mr. PADGETT. My recollection is that it was somewhere in the neighborhood of 600 acres.

Mr. FOSS. Six hundred?

Mr. PADGETT. Yes, sir.

Mr. FOSS. Mr. Chairman, I withdraw the pro forma amendment.

Mr. STAFFORD. Mr. Chairman, I notice for the hearings just read that it is planned to spend a total of $17,000,000 on this project down at the old Jamestown Exposition grounds.

Mr. PADGETT. That is what they told the committee it would cost, but we have appropriated only $1,000,000. As to whether that total amount will be appropriated in the future will depend upon Congress.

Mr. STAFFORD. What is involved in such an extensive program that will occasion an outlay of $17,000,000?

Mr. PADGETT. A good deal of it is for dredging and filling, which I referred to, and also the building of piers out to deep water; and then the construction of their storage facilities and the grounds for the training, and all those things, which make an increased expense.

Mr. STAFFORD. Is this base to be used for purposes similar to that at Great Lakes Training Station?

Mr. PADGETT. No; Great Lakes is strictly a training station. That is inland, and they train men there on the Lakes. This one at Hampton Roads is the great supply base and the operating base for the fleet. That is the finest large harbor that we have on the Atlantic, and the principal naval base is there; and they will keep there the great supplies of stores and materials and all of those things that are required for the outfitting of the ships, and things of that kind.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I remember when the Jamestown Exposition was held. It was not a financial success; and after it was over it was desired to sell the exposition site to the Government of the United States. Various attempts were made. I am under the impression that Congress several times declined to make an appropriation or an authorization for that purpose, and I have a dim impression that at one time we provided against money being used for that purpose; but I now congratulate the distinguished gentleman from Virginia, who has always advocated the purchase of this site by the Government of the United States. There is nothing like persistence. The people who had this land found it of no use on earth to themselves, I guess, and no other customer for it, I presume, though probably that would not be admitted, and they finally worked it off on the Government. Almost anybody who is persistent enough and keeps at it, trying first one body of Congress and if not successful trying the other, and if not successful there going to the Executive—almost anybody who keeps at it, trying to unload something on the Government, finally succeeds. If you want the Government to adopt a reform or dismiss an official or dispense with an office, that seems to be hopeless. If you want to get the Government to buy something, just keep at it and keep at it, and after a while the Government will buy it at a fancy price.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Naval Hospital, Puget Sound, Wash.: Quarters for nurses (female), $40,000.

Mr. JOHNSON of Washington. Mr. Chairman, I should like to discuss for a moment the strikes in the Puget Sound country. Beginning as strikes in the shipyards, these have spread to many other industries.

Mr. PADGETT. I do not think there is any strike in the navy yard.

Mr. JOHNSON of Washington. No; and I hope there will not be; but I understand that the metal workers on ships of the United States Emergency Fleet Corporation threaten not only strikes in the navy yard, but strikes generally in the metal industries of the entire Pacific coast, and perhaps throughout the United States. The Puget Sound shipyard strikes have been followed by sympathetic strikes, even down to the barbers, a general strike having been called, even though same was not authorized by the general organization of the unions.

The strikes were preceded by a series of Sunday street meetings and near riots. At these meetings the red flag was displayed and vicious talks of revolution and destruction were made. By whom? In many cases, Mr. Chairman, by men who owe no allegiance to the United States; by men who, in my opinion, should not be permitted to remain in the United States one single minute. After one of the recent Sunday riots in Seattle the authorities arrested 13 ringleaders and took their names. There was an array of Slavinskys and names of that sort.

Out of the 13 riot leaders, only 2 were Americans, of whom 1 said he wished he was not an American. The other 11 were aliens, and half of the remaining 11 were Russians. Think of it! Preaching revolution on the north Pacific, handing out literature labeled "Political democracy is an empty dream," and the like. From Russia they came, and to Russia they should be made to go. In Russia right now they can find more liberty than they know what to do with. We have laws on our statute books that provide for their deportation, and all aliens like them. If our Government officials will proceed under the Federal laws which we have enacted here in Congress, and deport those aliens who come here undertaking to tell how to run our Government and our affairs, we will have less trouble from these strikes. What kind of a socialistic government do these alien agitators desire to give us—the Russian kind, the German kind, or no government at all but anarchy and destruction, loot and plunder, murder and savagery? Why have not the deportations started? People can think of that as they are suffering from strikes which paralyze every activity in two great cities of the Pacific Northwest.

I have often wondered why it is that so many people in the United States are willing that these foreigners shall continue to come. How long can we permit them to come to preach from soap-box pulpits, telling us how to run our Government on an international plan? Why are they allowed to remain? If any of us should go to Russia, Japan, or any other country, and undertake to tell the people of those countries how to run their Governments and operate their affairs, we would meet with short shrift. It is time for the United States to get busy and do a little something on its own account for its own people. [Applause.]

The Clerk read as follows:

Total public works, $11,414,350, and the amounts herein appropriated therefor, except for repairs and preservation at navy yards and stations, shall be available until expended.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. What is the necessity of making these vast appropriations, totaling $11,000,000, available until expended?

Mr. PADGETT. Congress has always made appropriations for public works, for Bureau of Yards and Docks, and other appropriations for this work, available until expended, because if you start a building you can not complete it in a year, and it might run from one year to another; they have always been made available until expended. That has been the general policy.

Mr. WALSH. As the result of that policy we have been called upon frequently to increase the limit of cost on these projects. If we give some indication that we are not going to be persuaded so easily to increase the limit of cost of these various projects, we might find some of them built within the limit, as with the case of the naval dock at Norfolk, the completion of which, I understand, is to be celebrated soon. Of course, in reference to the appropriations for the military branch, there is a constitutional inhibition against their being made for more than two years in advance. I do not know whether that would be construed to apply to the naval appropriations or not.

Mr. PADGETT. I did not quite catch the gentleman's remarks.

Mr. WALSH. I say there is a constitutional inhibition with reference to the appropriation for the military branch of the Government.

Mr. PADGETT. That does not apply to the Navy—only to the Army.

Mr. WALSH. I take it that it does not. But I think we ought not to put in a provision to make these appropriations available until expended. It seems to me that by doing that, by continuing it over a long period, Congress would have very

little control and jurisdiction over it and would likewise be in a position where it would not have very much information about it. The only difference, as I understand it, is that if this provision is not put in, when the next bill comes up they will have to come back and ask for a reappropriation, or a further appropriation, to complete the project.

Mr. PADGETT. Yes; but when they start out to make the plans and specifications the year may expire and then they would be tied up. The appropriation bills are indefinite as to the time when they are to become a law. It would no doubt result seriously to the economic and proper execution of the erection of public buildings.

Mr. MANN. Will the gentleman permit a suggestion?

Mr. WALSH. Certainly.

Mr. MANN. I take it that a large share of these public works are constructed under contract, and it is not feasible to make the contract for public construction on a one-year appropriation. That is the reason under existing law for the covering-in act. I do not know whether the covering-in act would cover in all these appropriations or not, but the bill assumes that it would or else it would not make them available until expended. These things that are supposed in the main to be done by contract may require practically a year in which to formulate the contract and much more time to complete it. The appropriations are not covered back at the end of the time specified by the covering-in act.

Mr. WALSH. Does the gentleman contend that if we make an appropriation for a building that may cost a million dollars that can not be completed within the year, that unless we made the appropriation available until expended the authorities could not enter into a contract?

Mr. MANN. They could not enter into a contract unless we gave the authorization to enter into the contract. That we frequently do.

Mr. WALSH. The appropriations do that.

Mr. MANN. The appropriations authorize the making of a contract; that is true. They could make the contract within the year, but it is a very common thing to provide an appropriation with an authorization to make the contract for a much larger amount. But the amounts in this bill, probably in the main, would not warrant that, and it is desirable, I think, to permit the appropriation when made to be available for the completion of the project, so that they can make the contracts and proceed on the theory that they have the money. They could not make a contract beyond the authorization under existing law.

Mr. STAFFORD. Mr. Chairman, I wish to make a statement under the reservation of a point of order. I understand that if we authorize the construction and appropriate the money for any project, such as are included in this item, that the naval authorities have the right to contract for the construction within the year, and the money then remains available for two years additional. If it is contracted for within the time of the authorization of the appropriation act——

Mr. MANN. It remains available for the payment of obligations incurred within the year.

Mr. STAFFORD. And remains available for two years thereafter.

Mr. MANN. If the obligations were incurred during the year.

Mr. STAFFORD. Mr. Chairman, I think it might be apropos to this discussion to read into the RECORD the covering-in act:

SEC. 5. That from and after the 1st day of July, 1874, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained on the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: *Provided*, That this provision shall not apply to permanent specific appropriations, appropriations for rivers and harbors, lighthouses, fortifications, public buildings, or the pay of the Navy and Marine Corps; but the appropriations named in this proviso shall continue available until otherwise ordered by Congress, and this provision shall not apply to any unexpended balance of the appropriation made by the act approved December 21, 1871, for expenses that may be incurred under articles 1 to 9 of the treaty with Great Britain, concluded May 8, 1871, which balance the act approved March 3, 1873, authorized to be expended to enable the President to fulfill the stipulations contained in the twentieth, twenty-second, twenty-third, twenty-fourth, and twenty-fifth articles of said treaty: *And provided further*, That this section shall not operate to prevent the fulfillment of contracts existing at the date of the passage of this act; and the Secretary of the Treasury shall, at the beginning of each session, report to Congress, with his annual estimates, any balances of appropriations for specific objects affected by this section that may need to be reappropriated.

Under the wording of that section this appropriation would be available for two years.

Mr. MANN. Available for two years for the payment of obligations.

Mr. STAFFORD. And if for specific objects it is continued available for all time, because it is one of the exceptions of the covering-in act.

Mr. MANN. As I said a while ago, I was not sure whether the covering-in act would apply to these cases or not. The matter is carried in the bill. If the covering-in act applies, I think the provision ought to stay in, as it is on all fours with the exceptions in the covering-in act.

Mr. STAFFORD. The gentleman will recall that about six years ago a resolution was brought in from the Naval Affairs Committee authorizing all of the unexpended appropriations heretofore voted for the navy yard at New Orleans, running into hundreds of thousands of dollars, and running back for many years, to be utilized for certain new construction. It is not good policy to allow these unexpended appropriations to remain authorized for all time and not to be turned back into the Treasury. I withdraw the reservation of the point of order, so far as I am concerned.

Mr. WALSH. Mr. Chairman, I am inclined to make the point of order. I think that the act that has been read by the gentleman from Wisconsin [Mr. STAFFORD] is plain as to what the covering-in requirement is. This is a provision to take this out of the general law relating to appropriations. I do not think, with two years within which they can make payment of the projects provided for in this bill, provided they are authorized, we ought to permit these appropriations to run along interminably. There ought to be some way of checking up from time to time, and the Committee on Naval Affairs ought to be in a position to ascertain. The gentleman was asked only a short time ago what was the cost of the dry dock at Pearl Harbor. He said it started in at about $3,000,000 and they raised it a million dollars and it climbed up somewhat.

Mr. PADGETT. The limit of cost in the dry dock at Pearl Harbor was accounted for by the hydrostatic pressure of water coming up through the porous coral underneath, which lifted the whole works up into the air. When they pumped the water out of the basin of the dock it was the hydrostatic pressure which caused the trouble. That was the delay and the cause of the increase in the limit of cost.

Mr. WALSH. It was the hydrostatic pressure of the water at Pearl Harbor and the hydrostatic pressure of the mud at Philadelphia. Of course, there is always some reason for raising the limit, and sometimes the reason is more disappointing in some cases than in others. I make the point of order.

The CHAIRMAN. On what part?

Mr. WALSH. It is the whole thing.

Mr. PADGETT. It is on that part after the total?

The CHAIRMAN. The gentleman from Massachusetts does not make the point of order against the words "total public works, $11,414,350"?

Mr. WALSH. I think that might as well go out, as they do not add anything to the statute; but I do not care about them.

The CHAIRMAN. The Chair sustains the point of order to that part of the paragraph after the figures "$11,414,350."

The Clerk read as follows:

Contingent, Bureau of Medicine and Surgery: For tolls and ferriages; care, transportation, and burial of the dead, including officers and enlisted men who die within the United States, and supernumerary patients who die in naval hospitals; purchase of cemetery lots; purchase of books and stationery, binding of medical records, unbound books, and pamphlets; hygienic and sanitary investigation and illustration; sanitary and hygienic instruction; purchase and repairs of nonpassenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of two passenger-carrying motor vehicles for naval dispensary, Washington, D. C., and of one motor-propelled vehicle for official use only for the medical officer on out-patient medical service at the Naval Academy, and of a motor omnibus for the transportation of convalescent patients and attendants at the Naval Hospital at Las Animas, Colo., to be used only for official purposes; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical School and naval dispensary, Washington, naval medical-supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical School and naval dispensary, Washington, naval medical-supply depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the United States Naval Medical School and naval medical-supply depots; rent of rooms for naval dispensary, Washington, D. C., not to exceed $1,200; for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast, including supernumeraries held for transfer to the Government Hospital for the Insane; for dental outfits and dental material, and all other necessary contingent expenses; in all, $1,000,000.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. Will the chairman of the committee indicate to the House what is meant by the designation "supernumerary patients"?

Mr. PADGETT. Say that a man is sent as a patient to the hospital, and while he is in the hospital his term of enlistment expires. He is really no longer in the service, but they do not turn him out. They take care of him and treat him until he gets well or until he dies. He is regarded as a supernumerary in the hospital.

Mr. STAFFORD. That is quite a term to apply to a discharged sailor.

Mr. PADGETT. He is not discharged. They do not discharge him. They keep him there. His term of enlistment expires; they do not discharge him. They treat him all of the time until he is well or dies.

Mr. STAFFORD. It is also proposed in this paragraph to appropriate money for authorizing the purchase of cemetery lots.

Mr. PADGETT. Yes; to buy a lot to bury a man in if he has nothing and there is no place to bury him.

Mr. STAFFORD. This is not an authorization to purchase large grounds for the burial of sailors who have lost their lives in connection with the European war?

Mr. PADGETT. Nothing of that kind.

Mr. STAFFORD. I notice in the following paragraph authorization is provided for the transportation of the remains of the deceased sailors.

Mr. PADGETT. Yes.

Mr. STAFFORD. I withdraw the reservation of the point of order.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word in order that I may refer briefly to the case of Capt. Henry Harvey, who recently came to Philadelphia upon the steamship *Haverford*, the first troopship to run to the port of Philadelphia. Concerning Capt. Harvey, my friend Mr. P. F. Young, manager of the International Mercantile Marine Lines, has written me in substance that Capt. Harvey was the officer in charge of the White Star liner *Persic*, which sailed from Boston for London about August 25, 1918, carrying about 2,100 American soldiers, for landing at London or some other port to be designated by the authorities there upon arrival; that when about 40 miles northwest of the Scilly Islands the *Persic* was torpedoed. This was about 2.50 p. m. on September 7, 1918. Signals were at once passed with the British destroyers and other ships in the neighborhood, and the transfer of American troops to British destroyers or other craft was immediately started, with the result that all of the 2,100 American troops were safely transferred to British and other vessels at 4.45 p. m., a matter of less than two hours. Also, practically all of the equipment belonging to the troops was safely transferred and the troops were sent to a British camp at Salisbury Plains. So far as the *Persic* itself is concerned, Capt. Harvey handled the vessel in such a way that he finally brought her safely into Marys Roads, Scilly Islands, and the ship is still in existence and it is hoped will be in commission again at no distant date. My correspondent, Mr. Young, who keeps well posted in matters of this kind, advises me that Capt. Harvey for this persistently heroic service has been recognized in several ways by the British authorities; that they have conferred certain honors upon him; and Mr. Young rather laments the fact that no such honors have been bestowed upon the captain by any of the United States authorities. It is suggested that something might be done to give encouragement to officers of proven heroism, as in this case.

I do not care to introduce a special bill on this subject because of the numerous instances of heroism displayed by American officers and men during this war, but the captain deserves honorable mention.

Mr. PADGETT. The gentleman will bear in mind that just a few weeks ago the Senate passed a bill which had been passed by the House in a former session, and which has been approved recently by the President, authorizing the award of medals—congressional medals or medals of distinguished services, badges, and so forth—and I understand that is under consideration now for the purpose of giving the benefits of it to those who deserve it.

Mr. MOORE of Pennsylvania. I am thankful to the gentleman for having made that statement.

Mr. PADGETT. This act just became a law recently, having been passed by the Senate.

Mr. MOORE of Pennsylvania. I thank the gentleman again for that statement.

Mr. BUTLER. The House passed that bill six or eight months ago.

Mr. PADGETT. It was during the last session, and it went over to the present session of the Congress in the Senate, and the Senate passed it recently, and I noticed in the papers the other day that it had been approved by the President and was being taken into consideration with a view of its execution.

Mr. MOORE of Pennsylvania. I say I would not care to introduce a bill in this particular case because of the many other cases of heroism displayed by officers and men of the Navy and of the Army, and I am gratified to have made the statement that provision has been made to give special recognition to men of proven heroism in the war on land and sea.

The Clerk read as follows:

Bringing home remains of officers, etc., Navy Department: To enable the Secretary of the Navy, in his discretion, to cause to be transferred to their homes the remains of officers and enlisted men of the Navy and Marine Corps, of members of the Nurse Corps, of civilian officers and crews of naval auxiliaries, and of officers and enlisted men of the Naval Militia and National Naval Volunteers and the Naval Reserve Force when on active service with the Navy, who die or are killed in action ashore or afloat, and also to enable the Secretary of the Navy, in his discretion, to cause to be transported to their homes the remains of civilian employees who die outside of the continental limits of the United States, $700,000: *Provided*, That the sum herein appropriated shall be available for payment for transportation of the remains of officers and men who have died while on duty at any time since April 21, 1898, and shall be available until June 30, 1921.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. This item for the transportation of the remains of deceased sailors, marines, and civilians brings up the subject as to what the policy of the Navy is going to be in the transportation of the remains of those who died abroad during the European war.

Mr. PADGETT. The committee went into that both at this session and at the last. It is the fixed purpose of the Navy to return the bodies of everyone who died abroad and if practical keep up with that. The Navy has a much smaller proposition than the Army in reference to that, because their men largely are on ships, and when a man dies on ship he is brought back immediately. If they died over in France and they are buried there, they have to remain there until negotiations can be made with the French Government for the removal of the remains. The gentleman knows France has a law prohibiting the disinterment of bodies within a certain time after burial.

Mr. STAFFORD. The reason why I brought this up is because of the changed position of the War Department. At the very outbreak of hostilities we were informed that at the close of the war, when it was opportune in relation to transportation facilities, that the remains of all our deceased soldiers would be brought back at Government expense. That was the information I obtained from the Cemeterial Division, Quartermaster Corps. It was also supplemented by information from The Adjutant General's Office. Now, within a week or 10 days information comes to us through the Committee on Appropriations that it is not going to be the policy of the War Department to bring back the remains of deceased soldiers.

Mr. IGOE. When was that change made, may I ask the gentleman?

Mr. STAFFORD. It surprised us. That was called to our attention in the Committee on Appropriations. After we had been given assurances by any number of departmental officials that it was the set policy to bring them back, now we learn the policy of the War Department is to be changed. I know the change of the position of the department surprised any number of members of the Committee on Appropriations.

Mr. PADGETT. May I interrupt the gentleman a moment? I will state I had been informed at the office of The Adjutant General by The Adjutant General himself that it was the purpose to return the remains of all soldiers who died abroad.

Mr. STAFFORD. I wish to confirm that by saying The Adjutant General himself in the legislative subcommittee testified to that, but recently it seems there has been a new policy adopted by the War Department reversing its former position.

Mr. PADGETT. He went further and stated that a family would not be permitted to bring them back on their own account, because the Government would bring them back for them, and that before they were brought back the families would be communicated with to ascertain definitely their wishes as to whether they should be buried in a national cemetery or delivered to the family at their home, and I had not heard anything to the contrary.

Mr. STAFFORD. It was stated originally that the remains of all the deceased soldiers would be brought back unless the immediate family should request that they should not be brought back.

Mr. PADGETT. That statement was made to me also.

Mr. FOSTER. I hope, if it is true, Congress will take such action as is necessary to insure the bringing back of the bodies of these soldiers whose folks desire that to be done. We have all had a good many inquiries from relatives of soldiers who died in France inquiring as to whether or not their remains would be brought back to the United States, and requesting that that be done. Now, I think after we have assured these folks on the statement of the War Department that that would be the case that not to do that would be an outrage upon those people in this country whose sons have died for their country.

Mr. MANN. Is the gentleman able to tell me whether the War Department is now bringing back the remains?

Mr. FOSTER. No; I understand they are not. And they have said in the communications I have had from them that they can not bring them back now on account of shipping conditions, but later on they propose to bring back the body of every boy who died in Europe if his friends desire. If not there would be appropriate action taken for the establishment of a national cemetery in France. Now, I think it would be a very, very bad thing if the Government and the War Department should decide they were not going to do this.

Mr. BARKLEY. Will the gentleman yield?

Mr. FOSTER. I will.

Mr. BARKLEY. The Adjutant General a few days ago informed me it was intended to assume that everybody wanted their relatives brought back unless there was advice to the contrary.

Mr. STAFFORD. How recent was that?

Mr. BARKLEY. Within the last week.

Mr. STAFFORD. I am surprised at the variance in the information.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSTER. Mr. Chairman, I would like just two minutes more. I think if the gentleman has information that it is going to be the policy of the department to do that, Congress ought to take prompt action.

Mr. MANN. To do what?

Mr. FOSTER. To assure the people of this country that the bodies of the boys are going to be brought back at such time as it can be done. Of course, we realize it can not be done now.

Mr. STAFFORD. At the last meeting of the Committee on Appropriations the information was conveyed to us by the chairman that he had received information from the War Department a few days before that the policy of the War Department was not to bring back the interred remains of the deceased soldiers. It struck us all with surprise, because we had been under the impression that the set policy of the department was to bring them back as soon as transportation facilities were afforded.

Mr. FOSTER. I think it would be a mistake for the Government not to do it. Relatives in this country of boys who have died in France feel that they want those remains brought back here so that they may be buried in the family lot in a cemetery near their home. Now, not to do that would be, I think, very bad for the country.

Mr. MANN. In some cases they want the remains brought back, and in some cases they would like to have the remains stay where they now rest, and I think in many cases they would like to have the Government own and take care of a cemetery over there where the remains could be placed and taken care of.

Mr. FOSTER. I think, with my colleague, that some of them want that, but if their preference is to bring them back the Government ought to bring them back.

Mr. MANN. I agree with that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EMERSON. Mr. Chairman, I ask unanimous consent for an extra minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. EMERSON. I understand that these soldiers were buried on the field as they fell behind the lines, and not in caskets or coffins, and with no protection but the uniform and blanket. Is that so?

Mr. FOSTER. I am not informed as to that.

Mr. STAFFORD. I wish to say the information is that it was absolutely impossible in the midst of battle to provide coffins, and they were buried in quickly provided graves, but the graves were marked as far as it was practicable.

Mr. FOSTER. I was talking with a soldier from France a few days ago who helped to bury some of the soldiers killed in battle. He said there was difficulty in identifying them, because they had to bury these boys at night, on account of the battle going on, and they took from their bodies the identification tags. They said when they came back to the lines and took those tags out of their pockets they found some of them blank. They do not know whom they buried in the graves, and until the bodies are finally taken up they will not know who were buried there.

Mr. EMERSON. The sooner they are brought back the better we can identify them.

Mr. MANN. Mr. Chairman, I would like to say a word on this subject, if I may.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. EMERSON] has expired. The gentleman from Illinois is recognized.

Mr. MANN. Justice McCoy, of this city, many years a Member of this House, had a boy who was killed in France. He wrote a letter to one of the papers here in the city recently, the Star, I think—and I have a copy of his letter—in which he stated—and I will not be absolutely accurate as to the details, but the substance of it was—that he asked some friend to visit the place where his son was buried. That was done, and they found the grave was marked, but the marking was almost indistinguishable and would soon be entirely gone. He asked permission of the War Department to put some kind of a mark there which would stay, but was refused that permission.

Mr. BUTLER. Mr. Chairman——

Mr. MANN. The statement was made in this connection that some of these graves were marked with paper tags.

Mr. BUTLER. I saw them.

Mr. MANN. And that was the only marking there was. The War Department put nothing else on and would allow no one to put anything else there.

Mr. HASTINGS. Why?

Mr. MANN. That is one of the mysteries of life to me. I do not know why.

Mr. HASTINGS. There was no reason given?

Mr. BUTLER. No reason given.

Mr. MANN. To bring home a coffin without a name being given they will not know where it came from. It is perfectly possible that they may in the future bring home a coffin under a name, but they will not know where it came from or who lies within it.

Mr. TILSON. Mr. Chairman, there is in the Quartermaster Corps of the Army, under the direction of the War Department, a section called the "Grave Registration Service." I believe that is the technical name for it. At any rate it is a branch of the service whose duty it is to gather the bodies of the dead on the field of battle and elsewhere, to inter them as best they can be interred under the circumstances and to mark the graves so that they may be easily found and identified thereafter. It is done under a provision of law and the regulations of the War Department. Whether those regulations are carried out or not I can not say. The last time this matter was up before the Committee on Military Affairs it was taken for granted, when spoken of, that the originally announced policy of the War Department would be carried out. It has been stated and reiterated that the bodies of the dead will be returned to this country as soon as the war is over and transportation facilities are in such shape that they can be brought. It has been emphasized that this will be done certainly in every case where there is a request that it shall be done, and that the body will be delivered at the home of the parents or relatives of the deceased.

Mr. BARKLEY. Mr. Chairman, will the gentleman yield?

Mr. TILSON. Yes.

Mr. BARKLEY. The Adjutant General, in this same conversation to which I referred a moment ago, advised me that the department was preparing to send out a letter to every parent or relative who had lost a boy in France, asking what their wishes were in reference to this matter, and that those plans would be carried out as soon as the shipping facilities were ample.

Mr. TILSON. That is in entire accord with the understanding of the Committee on Military Affairs.

Mr. CARAWAY. If the gentleman will yield to me just one moment, the statement of the gentleman from Illinois [Mr. MANN], I think, is calculated to carry distress to the relatives of soldiers who died in France. I wanted to say this, that I think I saw the graves of thousands of them and they were all marked, and the markings were permanent. They would last for years, I think. I hope the gentleman's informant was mistaken—that they were marked with paper.

Mr. TILSON. It is the intention of the law, I am sure, that they should be durably marked.

Mr. MANN. I quoted a letter from Mr. Justice McCoy, who for many years was a prominent Member of this House.

Mr. CARAWAY. I understood the gentleman to say that the graves were marked with paper.

Mr. MANN. He said somebody else made that statement.

Mr. CARAWAY. I hope that the person who informed Justice McCoy was mistaken. I saw none of that kind.

Mr. OLIVER of Alabama. Many of the Members, of course, have visited the battle fields of France, and I think those who have visited those fields will bear out the statement of the gentleman from Arkansas and contradict the statement of the gentleman from Illinois.

Mr. TILSON. A system of identification tags was devised whereby each soldier can be identified, and, as I recall, one of those tags is supposed to be buried with each body. Of course that can not always be done, but where the intention of the

law and regulations is carried out the bodies of the dead are buried as best they can be under the circumstances and marked as best they can be marked. Of course there will be instances where those things are not done. There are men who are careless about the proper performance of their duties, even the performance of so sacred a duty as the burial of the soldier dead.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Pay of the Navy: Pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, $34,198,686; officers on the retired list, $3,620,188; commutation of quarters for officers, including boatswains, gunners, carpenters, sailmakers, machinists, pharmacists, pay clerks, and mates, naval constructors, and assistant naval constructors, $2,019,312, and also members of Nurse Corps (female), $44,200; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, or commutation of quarters not to exceed the amount which an officer would receive were he not serving with troops and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, $25,000; pay of enlisted men on the retired list, $501,300; extra pay to men reenlisting under honorable discharge, $3,250,000; interest on deposit by men, $30,000; pay of petty officers, seamen, landsmen, and apprentice seamen, including men in the engineers' force and men detailed for duty with the Fish Commission, 181,485 men, plus 11,000 men in trade schools; and pay of enlisted men of the Hospital Corps, $105,639,570; pay of enlisted men undergoing sentence of court-martial, $1,866,600, and as many machinists as the President may from time to time deem necessary to appoint; and 20,000 apprentice seamen under training at training stations and on board training ships, at the pay prescribed by law, $9,388,800; pay of the Nurse Corps, $1,392,600; rent of quarters for members of the Nurse Corps, $55,800; retainer pay and active-service pay of members of the Naval Reserve Force, $31,763,256; in all, $193,795,312; and the money herein specifically appropriated for "Pay of the Navy" shall be disbursed and accounted for in accordance with existing law as "Pay of the Navy," and for that purpose shall constitute one fund: *Provided*, That hereafter the Pay Corps shall be called the Supply Corps.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph.

Mr. PADGETT. Mr. Chairman, I wanted to offer some amendments reducing the amount on account of the offer made there.

Mr. MANN. Why do you propose to change the name of Pay Corps to "Supply Corps"? A little while ago you would not change the name of "coal yard" to "fuel yard," because you said it would not do to change a name, although most of the fuel was petroleum and not coal.

Mr. PADGETT. The gentleman's statement is stronger than mine. I said it had been done that way. The matter had not been called to our attention.

Mr. MANN. It was called to your attention then, and you still declined to change it. You said the Secretary of the Treasury objected to a change.

Mr. PADGETT. The Secretary of the Treasury has recommended this because it suits better than "Pay Corps," because they do much more than merely pay. They furnish supplies and they buy and distribute supplies as well as pay. They furnish equipment.

Mr. MANN. Their main business is to pay out money, is it not?

Mr. PADGETT. Yes; but they make purchases, too.

Mr. MANN. Their main business is paying out money. They must pay for all they buy. Besides buying things and paying for them, they pay salaries—compensation. Everybody knows what "Pay Corps" means, but nobody would know what "supply corps" means. I dislike to stand in the way of anything of that sort, but it seems to me to be a ridiculous proposition. We have had a Pay Corps for years. We have paymasters. They will want to call themselves "supply masters," I suppose, just because somebody had a nightmare one night and thought it would be a good thing to change the name. That is all there is to it.

Mr. PADGETT. It was submitted by the Secretary and recommended very earnestly by the Paymaster General. It is not a material matter, however, and if it should go out it would leave the other.

Mr. MANN. If there is any reason for it, I am willing to admit the reason, but I have not heard of any yet.

Mr. PADGETT. Here is what the Secretary says:

In connection with the hearing of the appropriation bill, it is suggested that the following language be substituted for "Pay Corps": "Hereafter the Pay Corps shall be called the 'Supply Corps.'"

This is in pursuance of General Order 163, dated October 15, 1915, which provides that "The Supply Department shall hereafter embrace all work now included, respectively, in the General Storekeeper's Department on shore and the combined Storekeepers', Commissary, and Pay Department afloat, the officer in charge thereof to be known as a supply officer." Pay is only a minor, though important, part of the supply officer's daily duty, and the designation "supply corps" indicates more clearly the character of the duties performed by the officers of that corps.

Sincerely, JOSEPHUS DANIELS,
Secretary of the Navy.

Mr. GARNER. According to this letter, we have had it since 1915 anyway, whether the law authorizes it or not.

Mr. MANN. Very likely the law authorized the consolidation, I do not know.

Mr. PADGETT. It authorized the consolidation, but the name has been "Pay Corps" until now. It was in pursuance of that recommendation that the committee included this paragraph.

Mr. MANN. I think I am foolish for doing it, but I withdraw the point of order.

The CHAIRMAN. The gentleman from Illinois withdraws the point of order.

Mr. PADGETT. I offer an amendment.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

Mr. PADGETT. On page 31, line 8, I move to strike out "$193,795,312" and insert "$178,280,872."

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. PADGETT offers the following amendment: Page 31, line 8, strike out "$193,795,312" and insert in lieu thereof "$178,280,872."

Mr. PADGETT. Mr. Chairman, the reason that I offer this amendment, and that I will offer others, is on account of the point of order being sustained against the item providing for the making permanent of the increased pay, which this appropriation embraced. This carries with it a reduction of $15,514,440. It is based on the assumption that by the 1st of July, the end of the present fiscal year, peace will have been proclaimed, and under existing law the increased pay runs for six months after the proclamation of peace. Then after that six months it will be upon the basis of the provision of this bill, and that provision having gone out on a point of order, I thought I should move to reduce this amount accordingly.

Mr. MANN. Mr. Chairman, the gentleman proposes to reduce the last item in the bill, which is merely an addition.

Mr. PADGETT. I know, but I am coming to the others.

Mr. MANN. I should suggest that the gentleman offer them all together.

Mr. PADGETT. In line 5, page 31, I move to strike out "$9,388,800" and insert in lieu thereof "$7,328,800."

In line 24, page 30, I move to strike out "$105,639,570" and to insert "$92,285,130." That makes the separate items agree with the total.

The CHAIRMAN. The Clerk will report the amendment:

The Clerk read as follows:

Page 30, line 24, strike out "$105,639,570" and insert "$92,285,130."
Page 31, line 5, strike out "$9,388,800" and insert "$7,328,800."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee, including the one first reported.

The amendment was agreed to.

Mr. PADGETT. In conformity with the language providing for the 225,000 men, or where it did not designate them, there is a designation here which was overlooked, and in line 21, page 30, I want to move to strike out the words "one hundred and eighty-one thousand four hundred and eighty-five" and substitute the word "enlisted," so that it will read "enlisted men" instead of "one hundred and eighty-one thousand four hundred and eighty-five men."

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 30, line 21, strike out "one hundred and eighty-one thousand four hundred and eighty-five" and insert in lieu thereof the word "enlisted."

The amendment was agreed to.

Mr. PADGETT. Now, in line 22, on page 30, I move to strike out the words "plus eleven thousand," so that it will read "men in trade schools." The whole of it is determined by the former provision of 225,000 men.

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 30, line 22, strike out the words "plus eleven thousand."

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, on page 31, I move to strike out, in line 3, the words "twenty thousand," so that it will read "and apprentice seamen."

The CHAIRMAN. The gentleman from Tennessee offers an amendment which the Clerk will report.

The Clerk read as follows:

Page 31, line 3, strike out the words "twenty thousand."

Mr. STAFFORD. Mr. Chairman, will the gentleman explain his purpose in trying to make the bill less specific, so that the House will not hereafter know the number of men for whom we are appropriating?

Mr. PADGETT. We do know. This provides for a temporary force of 225,000 men, including all the ratings, apprentice seamen and all, but it did not distribute them in the former paragraph with reference to providing for the temporary increase. Now, this increase here was on the original basis of 225,000, and by striking this out it leaves it temporarily governed by the 225,000, and then at the end of the fiscal year, unless there is additional legislation, it reverts to the 131,485, plus 6,000 apprentice seamen, plus the Hospital Corps, which is defined under the general law; and this is simply to make it conform to the 225,000, which by express words embraces all of the enlisted men of all ratings.

Mr. STAFFORD. With the elimination of the "plus 11,000" Congress will never hereafter know how many men are being provided for in the trade schools.

Mr. PADGETT. Yes; because it is limited. For this present year it will not, but unless Congress legislates some more it goes back to the permanent establishment of 131,000, plus 6,000 apprentice seamen, plus the Hospital Corps, and Congress would have to authorize them if there were any more.

Mr. STAFFORD. Under that basis how many men will there be in the trade schools if we strike out the "plus 11,000" enlisted men?

Mr. PADGETT. There is no provision for that. That is under the permanent law, and they just designate the number of men that they need to go in there. This was with reference to the temporary strength, and provided an additional allotment out of the temporary strength.

Mr. STAFFORD. For years you have carried, have you not, a limitation on the men in the trade schools plus 11,000?

Mr. PADGETT. No; the 11,000 is only in this bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The Clerk read as follows:

Provisions, Navy: For provisions and commuted rations for the seamen and marines, which commuted rations may be paid to caterers of messes, in case of death or desertion, upon orders of the commanding officers, commuted rations for officers on sea duty (other than commissioned officers of the line, Medical and Pay Corps, chaplains, chief boatswains, chief gunners, chief carpenters, chief machinists, chief pay clerks, and chief sailmakers) and midshipmen at 68 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 50 cents per ration to the naval hospital fund; subsistence of officers and men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); subsistence of men on detached duty; subsistence of officers and men of the Coast Guard and Lighthouse Services while cooperating with the Navy in so far as the regular appropriations for these services are insufficient therefor; subsistence of officers and men of the naval auxiliary service; subsistence of members of the Naval Reserve Force during period of active service; and for subsistence of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement: *Provided*, That the Secretary of the Navy is authorized to commute rations for such general courts-martial prisoners in such amounts as seem to him proper, which may vary in accordance with the location of the naval prison, but which shall in no case exceed 30 cents per diem for each ration so commuted; and for the purchase of United States Army emergency rations as required; in all, $53,746,185, to be available until the close of the fiscal year ending June 30, 1921.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph. Will the gentleman inform the House as to the change from existing law, so far as the additional subsistence is allowed?

Mr. PADGETT. As I recall it at the present time, it is 68 cents for midshipmen in the academy.

Mr. STAFFORD. And the present rate is 50 cents?

Mr. PADGETT. No; I think it is 40 cents. The Hospital Corps is 50 cents under existing law, but my recollection of the midshipmen is that it is 40 cents.

Mr. STAFFORD. Will the gentleman explain the reason for the increase of allowance for subsistence in the case of midshipmen?

Mr. PADGETT. Yes; out of their allowance of $600 a year they are required to pay a considerable contribution toward the maintenance of themselves in the academy. The 40 cents does not do it and the 68 cents will not do it. This was to give them the benefit of this rate at 68 cents to pay for the three meals a day, instead of 40 cents.

Mr. STAFFORD. How long has the rate of 40 cents prevailed?

Mr. PADGETT. I think since about two years ago; about the beginning of the war.

Mr. STAFFORD. Has the gentleman any information as to the actual cost of the rations per day throughout the year?

Mr. PADGETT. We are told that it is costing now close to a dollar for the three meals.

Mr. STAFFORD. I remember some report on the question showing the cost per ration, but I did not think it had gone up to so high a figure, except for the officers.

Mr. PADGETT. The superintendent advised us that it cost about a dollar.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee with reference to the subsistence for officers and men of the Lighthouse Service and the Coast Guard. The subsistence provided in this paragraph is only sufficient for this service, is that it?

Mr. PADGETT. That language was inserted on account of legislation putting the Coast Guard under the Navy during the war. It appeared in the bill for the first time last year, and I think the Lighthouse Service also. That language was inserted the first time last year because operating with the Navy it had to care for them.

Mr. WALSH. There are also officers and men in the Fisheries Bureau operating under the Navy?

Mr. PADGETT. I do not think they operate with the Navy. The legislation, as I remember, took in the Lighthouse and the Coast Guard, but I do not think it took in the Fisheries. There are certain men in the Navy detailed to work with the Fish Commission, and the Navy operate some vessels of the Fish Commission.

Mr. WALSH. The *Albatross* and the *Fish Hawk*.

Mr. PADGETT. There are naval men detailed to the Fisheries Commission, but the Fisheries Commission does not by operation of the law come under the naval authority like the Coast Guard and the Lighthouse Service.

Mr. WALSH. The Navy has operated some vessels of the Bureau of Fisheries, and they have been turned over to them since we went into the war, and I think one or more vessels with the Coast and Geodetic Survey. Do the officers and men get an allowance for subsistence under this paragraph?

Mr. PADGETT. Yes; they get the same as the Navy.

Mr. WALSH. What is the necessity, then, for this language, "officers and men of the Coast Guard and Lighthouse Service"?

Mr. PADGETT. So as to give authority to regard them as a part of the Navy. They belong in the Treasury Department in time of peace, and as soon as peace is declared they go back to the Treasury Department.

Mr. WALSH. The officers and men of the Bureau of Fisheries, the Coast and Geodetic Survey, belong to the Department of Commerce, but there is no authorization in this paragraph to give them any subsistence.

Mr. PADGETT. They do not operate with the Navy. Some of the men of the Navy are operating to help run the ships of the Fisheries Commission. For years they have carried a provision for men detailed with the Fisheries Commission.

Mr. WALSH. Is it possible that they have taken over the steamers but not the personnel?

Mr. PADGETT. I do not know that the Navy has taken over any vessels of the Fish Commission. They operate them for the Fish Commission. They are not operating them for the Navy. They are putting men there to work for the Fish Commission.

Mr. WALSH. The gentleman has in mind the steamers *Fish Hawk* and *Albatross*, which are naval vessels; one is, and I think both; they have been detailed to the Bureau of Fisheries.

Mr. PADGETT. Yes.

Mr. WALSH. And they have naval crews for them; but the sundry civil appropriation bill carries an item for one or two of them, but during the war, I think, there have been other vessels of the Fishery Service and, if I am not mistaken, one or more of the Coast and Geodetic vessels that have been transferred to the Navy.

Mr. PADGETT. I have no information as to that. I could not give the gentleman any light or information on that, because I do not know.

Mr. WALSH. The gentleman does not know, if the personnel are transferred, whether they are getting any subsistence or not?

Mr. PADGETT. I do not know of any of them being transferred. I do not know that any of the fish men had been taken over by the Navy. I knew that the Navy was detailing men from the Navy to cooperate with and help the Fish Com-

mission, but I did not know that the Navy had taken over any of the Fish Commission's boats.

The CHAIRMAN. The time of the gentleman has expired, and the Clerk will read.

Mr. MANN. Mr. Chairman, before the Clerk proceeds to read I move to strike out the last word. This item provides for the commutation of rations of prisoners of courts-martial, and the preceding one provided for the payment of enlisted men undergoing sentence of courts-martial, to the amount of $1,866,000. That seems a very large amount and would indicate that a very large number of men are provided for under court-martial sentence. Does the gentleman know how many there are?

Mr. PADGETT. No. There has been a very perceptible increase in the number. There has perhaps been also some increase in the percentage. I understand that since the signing of the armistice the percentage of the number of men deserting has been very much increased. Men have been deserting considerably since the signing of the armistice.

Mr. MANN. I was told recently that at one place down here there were quite a number of men of the Navy surrounded by a high fence, under guard, not permitted to go away, because at some place when an officer came in he thought the sailors or the men there were not sufficiently active in rising to salute him. Hence they had the whole bunch in confinement.

Mr. PADGETT. I have never heard of that.

Mr. MANN. They have nothing to do. They ought to have been discharged. There they were keeping them guarded behind a 10-foot fence, the statement was made.

Mr. PADGETT. I have never heard of that, and I can neither admit nor deny it. I doubt very much the accuracy of the information.

Mr. MANN. In that case I think I shall bring the information to the House some day and let the House see whether the Navy Department knows about it.

Mr. CLEARY. Mr. Chairman, I will state that right in front of my house, on the Shore Road in Brooklyn, there is a 10-foot fence, and they are in there very much as the gentleman says.

Mr. PADGETT. What are they in there for?

Mr. CLEARY. Simply resting there, waiting to be discharged.

Mr. MANN. Those I speak of are not at that place.

Mr. CLEARY. They are overseas men.

Mr. PADGETT. The gentleman from Illinois was speaking of prisoners.

Mr. CLEARY. Oh, the ones that I speak of are not prisoners.

Mr. MANN. If they are surrounded by a 10-foot fence and are guarded, what, in God's name, do you call them if they are not prisoners?

Mr. PADGETT. He did not say they were prisoners. They keep guards around all camps and stations, but they are at liberty to come and go.

Mr. MANN. Oh, but that is just it—they are not.

The Clerk read as follows:

Maintenance, Bureau of Supplies and Accounts: For fuel; the removal and transportation of ashes and garbage from ships of war; books, blanks, and stationery, including stationery for commanding and navigating officers of ships, chaplains on shore and afloat, and for the use of courts-martial on board ships; purchase, repair, and exchange of typewriters for ships; packing boxes and materials; interior fittings for general storehouses, pay offices, and accounting offices in navy yards; expenses of disbursing officers; coffee mills and repair thereto; expenses of naval clothing factory and machinery for the same; laboratory equipment; purchase of articles of equipage at home and abroad under the cognizance of the Bureau of Supplies and Accounts, and for the payment of labor in equipping vessels therewith, and the manufacture of such articles in the several navy yards; musical instruments and music; mess outfits; soap on board naval vessels; athletic outfits; tolls, ferriages, yeomen's stores, safes, and other incidental expenses; labor in general storehouses, paymasters' offices, and accounting offices in navy yards and naval stations, including naval stations maintained in island possessions under the control of the United States, and expenses in handling stores purchased and manufactured under "General account of advances"; and reimbursement to appropriations of the Department of Agriculture of cost of inspection of meats and meat food products for the Navy Department: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for chemists and for clerical, inspection, storemen, store laborer, and messenger service in the supply and accounting departments of the navy yards and naval stations and disbursing offices for the fiscal year ending June 30, 1920, shall not exceed $3,000,000; in all $16,825,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. This paragraph carries an appropriation of approximately $17,000,000 for maintenance, Bureau of Supplies and Accounts. It covers purchases of various kinds at home and abroad. To what extent does the Navy Department deal in foreign markets for such supplies as it needs?

Mr. PADGETT. I could not tell under existing conditions. I know that they have pursued the policy of purchasing at home all that they could get, but whether or not during the war they had to purchase anything abroad I do not know.

Mr. MOORE of Pennsylvania. The gentleman has no figures.

Mr. PADGETT. No; I have not. Their policy has been to purchase at home, and they did buy large supplies.

Mr. MOORE of Pennsylvania. I have had some complaints about an apparent preference in the purchase of cigars and tobacco in foreign countries. Does the gentleman know anything about that?

Mr. PADGETT. I do not. I imagine that where they purchased cigars that would be done by the men themselves and in what is called their canteen. They run that themselves and run it on a mutual plan, with a small profit, and whatever profit accrues goes to their recreational fund. That is not out of this fund.

Mr. MOORE of Pennsylvania. In previous Congresses, before the war, the wisdom of making purchases in foreign countries was discussed upon the floor, and I think after the gentleman became chairman of the committee that he succeeded in defeating one or two amendments limiting the purchases to goods produced in the United States. If my memory is not at fault, that is a fact. However, we are now still at war, legislatively speaking, and it might not be well to offer an amendment limiting the purchases, even though the amount should be as much as sixteen or seventeen million dollars.

I would like for a few moments to discuss a question that may possibly be involved in that much-discussed telegram of the President urging the passage of this bill. The matter of embargoes may be a part of it. I do not know. I do know that numerous complaints are coming to Members of Congress—at least, I can testify on my own account—from American merchants, who contend that the situation abroad is gradually operating against them. Much has been said recently about the embargoes against imports levied by the British Government.

Since these embargoes went on and even before complaints have been coming forward as to the apparent encroachment of foreign-trade bodies and foreign traders upon the so-called foreign markets in which the American merchants and producers have been accustomed to participate.

Mr. PADGETT. Speaking of embargoes, it seems to get down to the philosophy of whose ox is gored. I have been receiving a lot of letters insisting that the embargoes on the importation of certain articles should be continued, and protesting against the discontinuing of embargoes on the importation of articles here. It is a question of how his interest comes in.

Mr. MOORE of Pennsylvania. There is one very peculiar circumstance, I think, that arose somewhere in the vicinity of the gentleman's own State, where an embargo was levied against the use of certain materials—cereals and the like—entering into the manufacture and production of so-called soft drinks, or beverages without a kick.

Mr. PADGETT. I do not remember about that. I get protests—and very vigorous protests—against the removal of the embargo on the importation of peanuts.

Mr. MOORE of Pennsylvania. Yes; I think that embargo still stands, but at the time the American embargo was levied against the use——

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. At the time the American embargo was levied against its own producers of materials entering into the manufacture of beverages there was no American embargo against the exportation of those cereals for the manufacture of beverages that did have a kick, with the result that while we were held of our own volition by a sort of semi-bone-dry arrangement in the United States we were permitting our foreign competitors to manufacture all the beer and liquor they cared to make, much of which they were selling to our American soldiers at a good profit. I understand the embargo now against the use of cereals for the manufacture of soft drinks in the United States has been raised, but I am of the opinion——

Mr. PADGETT. And there was a very effective embargo placed on the exportation of intoxicating liquors also.

Mr. MOORE of Pennsylvania. Yes; that is becoming very generally effective. It promises to be more dry, and a crop of candidates of various kinds is resulting therefrom. [Laughter.] But I am serious with the committee in suggesting that the reason for the President's mysterious message to the chairman of this committee urging the passage of this expensive bill may be found in this very matter of embargoes that one nation seems to be levying upon the products of another, and it may be that the President is wise enough and patriotic enough to

feel that if he had at his back the greatest navy in the world he might become one of the greatest protectionists in the world so far as American products are concerned. That may be in his mind; I do not know.

Mr. PADGETT. The gentleman uses the word "mysterious." There is nothing mysterious about it. I have told the House several times the sum and substance of the cablegram, which was that the President had not changed his mind on the building program and very earnestly and insistently recommended that the three-year building program should be carried out.

Mr. MOORE of Pennsylvania. I have every confidence in the gentleman's integrity in translating the presidential message, and I believe the gentleman would be doing his countrymen and his colleagues of this House a great service if he would present a photograph of the message, so that its literary qualities might be appreciated by his fellow men. But the gentleman up to date has refused to do that, though we have his word that he has given the substance if not the letter, the spirit if not the text, of the President's very important but somewhat mysterious note. Some American merchants are complaining at the present time that their trade abroad is being sidetracked, that they are not able to get shipping space, that every time they ask for it they run up against the Trade Board restrictions in the United States, which lead in the end to the British Embassy, which seems to have the power to put the veto upon applications for a license. What is the use of American merchants undertaking to obtain the trade of the world, what is the use of their endeavoring to compete with other nations, if they can not get their goods beyond the port, if at the American port they are obliged to get foreign sanction for the shipment of their goods? Here is a letter from one of my constituents; I will not read the name at this time, because the man's business is affected. He has applied in the ordinary way to all the United States agencies in Washington to obtain a permit for the shipment of cotton waste to be sold in Denmark. We have no quarrel with Denmark. It is an open-and-shut transaction between the purchaser there and the seller here, and the American merchant here wishes to complete his contract. He wishes to deliver the goods. He applied here in Washing to the War Trade Board, to those in control, and he is referred to the British Embassy, and he gets no space and his goods remain on the dock.

Talk about freedom of the seas! That begins to make you think that possibly our distinguished President over on the other side, who seeks to have a large Navy, may really be having something in his mind with regard to our rights upon the high seas. I do not know. The telegram is still unread, it is still nebulous to a certain degree, but nevertheless these conditions confront American merchants.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOORE of Pennsylvania. I ask, Mr. Chairman, that I may have five minutes more.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. Let me read a letter from the Metal Export Co. of America, 59 Pearl Street, New York City, dated February 3, 1919. Listen to this letter. It is written in the same vein as that of numerous other letters which I have received upon this subject. Is this what is going through the President's mind? Is he beginning to think that perhaps our trade lanes are being cut off? Are we facing some controversy with foreign nations which makes it necessary for the President to urge us to prepare to maintain our rights upon the high seas? Let us read this letter and think for ourselves. It says:

HONORABLE SIR: 1. What we have to say we wish to make short, emphatic, and to the point.

2. We have five orders, totaling in value to about $150,000.

3. Destination, Scandinavia. All parties concerned have been O. K.'d by the War Trade Board.

4. Credits have been opened, and funds are at our disposal against shipping documents.

5. Credits will soon expire, and if goods are not shipped funds will automatically be returned to Europe.

6. We have the goods on hand at high prices, and if we can not ship we will suffer a loss to the foreign firm's corresponding gain.

7. We are unable to obtain export licenses, because our customers have been unable or unwilling to obtain their import numbers on account of purely local and political reasons in their own country.

8. A foreign power is waiting with avidity to take these orders once the credits expire.

9. As a loyal American citizen to a loyal American Congressman, shall a foreign power have the orders which we have won by personal solicitation or shall we keep them? If we are to keep them we must have a license from the War Trade Board. Who will help America besides us?

The writer is unreservedly at your service. The business had its origin in 1854.

Very truly, yours, METAL EXPORT CO. OF AMERICA.

Here is an old established concern trying to do an export business, shut off because of foreign conditions. I have on my desk, amongst others, a letter from one of the largest automobile manufacturers in the United States, presenting to me a report from his sales agent over yonder in England. That agent states that he has gone through England and France, and he finds that it is now practically useless to try to sell an American machine in either of those countries. The gap following the war seems to have been closed, and they appear to be looking to their own restoration first. They propose to encourage home industry; they propose, in England and France, to do their own manufacturing; they propose to start their own mills; and if we are held up in our shipping and American products can find no bottoms because we are restricted by our foreign competitors in the matter of licenses, they will have the advantage in the markets of South America and of China and elsewhere. We should not be compelled to fall back and come in at the tail end of the race.

I do not know what the President of the United States has in mind when he sends his message for us to pass this enormous $700,000,000 naval bill; but if he does have it in mind to become a protectionist or to put America first, or at most to give us an equal chance, I commend him for it. But up to date the telegram has not been read; we have not even seen a photograph of it. We have only the word of the chairman of the committee that he has given the bowels and substance of it to Congress. I would like, because I admire the President's style and diction, to see the telegram.

Mr. KELLEY of Michigan. The chairman said just a moment ago he would show it to you. Step right over and get it.

Mr. BARKLEY. Does the gentleman think the telegram is in the President's handwriting?

Mr. MOORE of Pennsylvania. The gentleman from Michigan challenges me to take 10 steps forward and obtain through the gentleman from Tennessee a sight of this document. Later on I may do so.

The Clerk read as follows:

Fuel and transportation: Coal and other fuel for steamers' and ships' use, including expenses of transporation, storage, and handling the same; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels; and ice for the cooling of water, including the expense of transportation and storage of both, $15,000,000: *Provided*, That $1,000,000 of the appropriation "Fuel and transportaion, 1919," or so much thereof as may be necessary, is hereby continued and made available for use, in the discretion of the Secretary of the Navy, in mining coal or contracting for the same in Alaska, the transportation of the same, and the construction of coal bunkers and the necessary docks for use in supplying ships therewith; and the Secretary of the Navy is hereby authorized to select from the public coal lands in Alaska such areas as may be necessary for use by him for the purposes stated herein: *Provided further*, That, when, in the opinion of the President, the prices asked for the charter of vessels for the transportation of fuel are excessive, he is authorized to purchase vessels suitable for the purpose, and, if money is not otherwise available, to pay for them from the appropriation "Fuel and transportation."

Mr. MOORE of Pennsylvania. Mr. Chairman——

Mr. WALSH. Mr. Chairman, I reserve the point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order.

Mr. WALSH. Let the gentleman from Pennsylvania [Mr. MOORE] go ahead.

Mr. MOORE of Pennsylvania. The gentleman has reserved his point of order, and I ask the privilege of discussing it in my own way for two or three minutes. A while ago while discussing the matter of embargoes and the famous telegram sent by the President to the gentleman from Tennessee, the chairman of this committee, I paid a high compliment, as I understood it, to the integrity of the gentleman from Tennessee in giving to the House the substance but not the letter of the telegram. I was challenged in a pleasant way by the gentleman from Michigan [Mr. KELLEY] to go forward to the gentleman from Tennessee in order that I might know what was in the precious document. I suggested it might be dangerous to do so, but yielding to my regard for the gentleman from Tennessee and to my own curiosity I took the 10 steps necessary, approached the gentleman from Tennessee with becoming dignity, was greeted with one of those genial smiles for which he is famous, and asked to see the telegram. In the pleasantest tones imaginable, those that have captured audiences here and elsewhere for many years, I received from his lips the response, "I will show it to you—some time." When! When, Mr. Chairman, may I again approach the gentleman from Tennessee with the hope and expectancy that that which I longed for may be granted?

I know that the gentleman from Tennessee and many of his colleagues upon the Committee on Naval Affairs, including the

distinguished gentleman from Michigan [Mr. KELLEY], who may have seen this telegram, were recently attracted to the European battle fields. I am persuaded that they have shaken hands with the King of Italy; that they have visited the President of France at his palace; that they have toured the country, receiving the plaudits of a people everywhere grateful for what the United States was doing to win the war. I am told the chairman and members of the committee had the honor of entering Buckingham Palace; yea, of dining with the King. It is even said—and this is highly important—that they conferred with Lloyd George, the premier of England. They fraternized with foreign statesmen, with those who have much to do at this time with the destinies of the world; and now that our President has taken their place in the councils of the great on the other side and has seen fit, from his point of view, from his point of vantage, to send us this message, through the chairman, to get these $700,000,000 out of the American people for a future Navy, I do not wonder that the gentleman from Tennessee, gathering unto himself wisdom and profiting by his foreign diplomatic experiences, has learned the art and the wiles of those who know how to give a soothing message while they conceal the meaning of their words. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. WALSH. Mr. Chairman, I would like to ask the chairman of the committee why it is necessary, now that the war emergency is about over, that the President be given this authority to purchase vessels for the transportation of fuel, particularly when the Navy has large tracts of land in the petroleum reserves and, as I understood the gentleman, is soon to shift over its ships to an oil-burning basis?

Mr. PADGETT. As to that second proviso, I do not think there is any real necessity for it. I am perfectly willing to strike that out.

Mr. WALSH. Mr. Chairman, I make a point of order on the second proviso at the top of page 35.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Can the gentleman from Tennessee inform the House whether the Navy has secured any coal up to the present time from the Matanuska Alaskan region?

Mr. PADGETT. No, sir. That provision was inserted in the bill last year. No part of it has been used on account of the war activities engaging all the attention of the department here.

Mr. STAFFORD. With the Navy adopting fuel oil for the operation of its ships, particularly on the Pacific coast, does the gentleman believe that the Matanuska coal region will be utilized to any extent by the Navy for the operation of its ships?

Mr. PADGETT. Oh, yes. We have a large number of coal-burning ships. The later and heavier types are burning oil, but we have a large number of ships that are still burning coal.

Mr. STAFFORD. The railroad, I believe, has reached the Matanuska coal fields?

Mr. PADGETT. It is close to them, but they have not gotten quite to them.

Mr. STAFFORD. I understand only the construction of some branch lines are yet necessary. I believe the main line has passed the Matanuska region.

Mr. PADGETT. They must go on a couple of miles farther to reach the coal region itself.

Mr. STAFFORD. Mr. Chairman, I withdraw the pro forma amendment.

Mr. MANN. Mr. Chairman, this is for fuel and transportation. The gentleman from Tennessee stated, I think, yesterday that it was necessary to keep a large number of the enlisted men in the Navy in order that they might be active in bringing home soldiers from France. I read in a newspaper the other day, I think, that a large number of naval vessels had been ordered to Cuba for maneuvering purposes.

Mr. PADGETT. Yes. Those are ships of the dreadnaught type, 14, I believe, in number, with destroyers and submarines and things; but the cruisers and the old battleships are used for bringing back the men from France.

Mr. MANN. It is not practicable to use these large vessels for the transportation of troops from France?

Mr. PADGETT. I think they could be so used, but they are keeping up the activities of the Navy with them, and they are using what are known as vessels of the predreadnaught type, the smaller type of battleship, 15,000 and 16,000 ton ships.

Mr. MANN. Those large vessels have a considerable capacity for carrying marines on them, as I understand. Why is it not practicable to use them in bringing home the soldiers?

Mr. PADGETT. They might be used in that way, but they have got these others that they are using for that purpose in connection with troop transports.

Mr. MANN. Then, reduced to fact, these men are being retained in the Navy not so much for the purpose of being able to man the ships and bring home the soldier boys as to man the ships and send them to Cuba for maneuver purposes?

Mr. PADGETT. No; those that are for the naval ships and for the naval service strictly are kept in the Navy for the naval service, but a number of ships are being operated for the transportation of the troops, and they are kept for that purpose. But we can not abandon the ships of the Navy and can not deman them.

Mr. MANN. I do not speak as an expert, but I think it would be very feasible for these ships, instead of being sent to Cuba fully manned, to be used in bringing home the boys from France. Certainly they can carry as many as the other ships smaller in size.

Mr. PADGETT. They are using a good number of the naval ships, but they are not using all of them. They are using the cruisers, as I said, the old types of battleships, for that, but the strictly new ships are being kept for naval use and for naval training and for naval purposes.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

BUREAU OF CONSTRUCTION AND REPAIR.

Construction and repair of vessels: For preservation and completion of vessels on the stocks and in ordinary; purchase of materials and stores of all kinds; steam steerers, pneumatic steerers, steam capstans, steam windlasses, and all other auxiliaries; labor in navy yards and on foreign stations; purchase of machinery and tools for use in shops; carrying on work of experimental model tank and wind tunnel; designing naval vessels; construction and repair of yard craft, lighters, and barges; wear, tear, and repair of vessels afloat; general care, increase, and protection of the Navy in the line of construction and repair; repair and maintenance of vessels of the Coast Guard and Lighthouse Services; submarine chasers, patrol boats; incidental expenses for vessels and navy yards, inspectors' offices, such as photographing, books, professional magazines, plans, stationery, and instruments for drafting room, and for pay of classified force under the bureau; for hemp, wire, iron, and other materials for the manufacture of cordage, anchors, cables, galleys, and chains; specifications for purchase thereof shall be so prepared as shall give fair and free competition; canvas for the manufacture of sails, awnings, hammocks, and other work; interior appliances and tools for manufacturing purposes in navy yards and naval stations; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; naval signals and apparatus, other than electric, namely, signals, lights, lanterns, running lights, lanterns, and lamps and their appendages for general use on board ship for illuminating purposes; and oil and candles used in connection therewith; bunting and other materials for making and repairing flags of all kinds; for all permanent galley fittings and equipage; rugs, carpets, curtains, and hangings on board naval vessels, $37,500,000: *Provided*, That the limitations imposed by existing law relative to repairs to vessels of the Navy shall not apply to the expenditure of funds made available in this act: *Provided further*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, watchmen (ship keepers), and messenger service in navy yards, naval stations, and offices of superintending naval constructors for the fiscal year ending June 30, 1920, shall not exceed $2,500,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman reserves a point of order.

Mr. WALSH. Is this item of $37,500,000 for the repair and completion of all vessels of the Navy which are being constructed under programs heretofore provided for?

Mr. PADGETT. No, sir; this is the general operating maintenance fund of the Bureau of Construction and Repair for ships that have been completed and put in commission. This is not the fund that is used for the original construction of ships. That is carried under "Increase of the Navy." This is for the upkeep and the maintenance of all the repair work on all of the ships that were in commission under the jurisdiction of the Navy, amounting to many hundreds of ships.

Mr. WALSH. What does this language mean?—

Completion of vessels on the stocks.

That does not mean that vessels have been put in commission before they were completed?

Mr. PADGETT. A vessel may be put in commission, and there may be some small items that come up afterwards in the way of additions or something to complete the entire ship.

Mr. WALSH. She would not be on the stocks, would she?

Mr. PADGETT. There may be something that the original contract does not provide for. For instance, the contract is made for the construction of a ship. That contract may not embrace everything that is necessary for it. For instance, they may leave out the electrical apparatus.

Mr. WALSH. Of course, a vessel would not have to be hauled out onto the stocks again in order to put in the electrical apparatus.

Mr. PADGETT. I know; but while it is on the stocks they may go ahead and do the work.

Mr. WALSH. She would not be commissioned before she was completed, would she?

Mr. PADGETT. Well, yes; before she was fully completed. We have had ships put in commission before they were completed in every respect.

Mr. WALSH. But they would certainly not put a vessel in commission while she was on the stocks?

Mr. PADGETT. No.

Mr. WALSH. This says:

For preservation and completion of vessels on the stocks and in ordinary.

Then it says:

That the limitation imposed by existing law relative to repairs to vessels of the Navy shall not apply to the expenditure of funds made available in this act.

That is the proviso that I think is subject to a point of order. But I was trying to ascertain if this does not include all the money available for repairing vessels in commission, $37,500,000, of which $2,500,000 shall be paid for clerical work——

Mr. PADGETT. Drafting.

Mr. WALSH. Drafting, inspection, and so forth. If it does not, what is the item that takes care of the repair of naval vessels?

Mr. PADGETT. The repair of naval vessels is all taken care of, as I understand, under this item here. The original construction of vessels is under the appropriations for the increase of the Navy. The repair and upkeep and maintenance are taken care of, so far as the hull is concerned, under this appropriation. So far as the machinery and the motive power are concerned, those are taken care of under steam engineering; but the construction of the hull and the original construction of the machinery are under the appropriations for increase of the Navy.

Mr. WALSH. Does the gentleman state that when they start to build a vessel in one of the navy yards, when they have an appropriation of the required number of millions of dollars for that vessel, part of the equipment is taken out of the appropriation for steam engineering and another part of the construction is taken out of this item for the completion of vessels on the stocks?

Mr. PADGETT. No; I understand that none of this goes on the vessel in its original construction. That is taken care of under the appropriations for steam engineering and construction and repair under increase of the Navy, and also ordnance; but, where vessels are out in the service, this is for their general upkeep and maintenance, for the work in the yards and stations, and in the repairing of ships, and all of that work.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WALSH. Well, I reserve another point of order.

The CHAIRMAN. The gentleman is recognized for five minutes more.

Mr. WALSH. Mr. Chairman, I can not get the distinction. I know it is because of my own deficiency in not being able to comprehend the statements which the gentleman makes, but I can not understand why you provide under an item under construction and repair for the completion of a vessel on the stocks.

Mr. PADGETT. I do not know why they use that expression, "on the stocks"; but this is for the vessels that are in the fleet and in the service. It is their general maintenance fund—their general upkeep and repair.

Mr. WALSH. Is a vessel taken out for repairs ever kept on the stocks for over two years?

Mr. PADGETT. Not that I know of.

Mr. WALSH. Then why do they need this proviso here relative to the existing law and the expenditure of funds made available under this act?

Mr. PADGETT. Right at the end of the year a vessel may go on the stocks for repairs—say, in June—and the repairs will run up until October or November of the next fiscal year. It may take seven or eight months. Take the case of the *North Dakota*, for instance. Her turbine engines had all to be taken out and new ones put in. It involved an expenditure of something like $600,000 or $800,000 to rebuild them. It took months. Now, that is all done out of this fund, and if you were to limit it to one year it would be very embarrassing.

Mr. WALSH. Where it is made for a specific purpose such as that, the existing law limits it to two years, as I understand.

Mr. PADGETT. They can obligate it during the first year, and if it is obligated it may be expended during the second year; but it can not be obligated except in the first year. So here comes along a repair. Here is a fund for it, and the ship goes into dock, and the year expires. The ship is in the dock. You can not use that money, because it is after the 30th day of June. You could not obligate it; but if you had obligated it on the 29th of June you could go ahead and pay it out during the succeeding fiscal year.

Mr. WALSH. Well, I withdraw the point of order, though I know I am making a mistake in doing it.

The CHAIRMAN. The gentleman from Massachusetts withdraws the point of order. The Clerk will read.

The Clerk read as follows:

BUREAU OF STEAM ENGINEERING.

Engineering: For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order, and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service, including expenses of office of Director of Naval Communications and the purchase of land as necessary for sites for radio shore stations; equipage, supplies, and materials under the cognizance of the bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, pay of classified force under the bureau; incidental expenses for Navy vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; instruments and apparatus, supplies, and technical books and periodicals necessary to carry on experimental and research work in radiotelegraphy at the naval radio laboratory: *Provided*, That the sum to be paid out of this appropriation, under the direction of the Secretary of the Navy, for clerical, drafting, inspection, and messenger service in navy yards, naval stations, and offices of United States inspectors of machinery and engineering material for the fiscal year ending June 30, 1920, shall not exceed $2,000,000: *Provided further*, That the sum to be paid out of this appropriation for the purchase of land for sites for radio shore stations shall not exceed $10,000; in all, engineering, $35,000,000.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph. I would like to ask the chairman of the committee what is the purpose of limiting the appropriation for the purchase of land sites for radio shore stations, $10,000?

Mr. PADGETT. We have carried that limitation for many years, so that out of this appropriation, if they want to buy land for the establishment of shore stations, they shall not expend more than $10,000.

Mr. WALSH. Is this the item under which the radio stations have been purchased by the Secretary of the Navy?

Mr. PADGETT. The shore stations, but not the high-power stations.

Mr. WALSH. Under what item were the high-powered stations purchased?

Mr. PADGETT. Under the general power given the President and the lump-sum appropriation in connection with the Shipping Board and Railroad Administration.

Mr. WALSH. The Navy Department got in there somewhere.

Mr. PADGETT. I say under the power given to the President, as I understand.

Mr. WALSH. The $100,000,000 emergency fund?

Mr. PADGETT. Either that or a lump sum given him in the deficiency bill.

Mr. WALSH. I would like to know if there is any language in this paragraph, or any proviso of limitation, which would permit the Secretary of the Navy to pay for radio stations—the plants which have been acquired for either shore stations or high-power stations which have heretofore been carried——

Mr. LEHLBACH. Mr. Chairman, I will say to the gentleman that I have an amendment which I intend to propose, and I also have the information from the Secretary of the Navy which the gentleman is seeking from the chairman of the committee.

Mr. PADGETT. Let the gentleman from New Jersey give his information.

Mr. LEHLBACH. Mr. Chairman, I will offer this amendment, to be read for information.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Page 38, line 20, after "$10,000," insert the following:

"*Provided further*, That no part of this appropriation shall be expended for the acquisition of radio stations, in whole or in part, for the transmission or reception of commercial messages."

Mr. LEHLBACH. Mr. Chairman, in the latter part of the year 1916 the Navy Department caused to be introduced a bill in this House (H. R. 19350) to authorize the Navy Department to purchase or otherwise acquire the ownership of radio stations in the United States and to be given the sole right to maintain and operate them.

There were hearings held on the bill from January 11 to January 26, 1917. At the conclusion of the hearings the Committee on the Merchant Marine and Fisheries, which had the bill referred to it, refused to support the measure. That was the end of it as far as vesting authority in the Navy Department by Congress was concerned.

In the latter part of 1918 the Navy Department again caused to be introduced a similar measure to have the monopoly of the radio business in the country and acquire title to all radio stations in the United States. Hearings were held on the bill, and the committee, or some members of it, learned to their amazement that notwithstanding the refusal to sanction this ownership and operation of commercial wireless telegraphy the Secretary of the Navy had expended $1,600,000 in the purchase of nine stations on the Pacific coast belonging to the Federal system, and ship-to-shore stations of the Marconi Co. on the Atlantic, paying for the Marconi stations $1,450,000, or in all $50,000 in excess of $3,000,000.

Now, I refer to the hearings where Secretary Daniels on the stand, as to the authority under which these purchases were made and where the money came from, testified as follows:

Mr. EDMONDS. What I am trying to get at is this: You had no lack of power during the war to take over these stations and to utilize them in any way you saw fit? Is not that true?

As a matter of fact, the stations were entirely in the control of and operated by the Navy Department. The only thing purchased was the permanent title to the property for the Navy Department.

Secretary DANIELS. We had the power; yes.
Mr. EDMONDS. And then you exercised that power, you exercised it gradually, and then you exercised it finally by taking over every station and handling the entire wireless business of the country?
Secretary DANIELS. That is right.
Mr. EDMONDS. And at the present time you still have that power and can exercise it?
Secretary DANIELS. We have.
Mr. EDMONDS. And yet, at the same time, after this committee refused to bring out a bill to purchase wireless apparatus, you utilize the Government money to purchase this wireless apparatus and took over the commercial systems without the consent of Congress.
Secretary DANIELS. Not at all. We did not act in defiance of Congress because Congress had not done this. We did it because it was a good business proposition and because we had the funds appropriated by the Naval Committee to make the naval communication service more effective.
Mr. HUMPHREYS. You mean appropriated by Congress.
Secretary DANIELS. Appropriated by Congress.
Mr. HUMPHREYS. You said by the Naval Committee.
Secretary DANIELS. I mean through the naval bill.
Mr. EDMONDS. Yes; but Congress did not have any intention to put you into commercial ownership of radio communication at that time. You did not explain it to the Naval Committee that way.
Secretary DANIELS. We explained to the Naval Committee that this money we desired was for use in perfecting the radio service.
Mr. HADLEY. I would like to ask the Secretary at this point what is the specific item in the naval appropriation bill which carried the funds for that payment?

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. LEHLBACH. I ask for five minutes more.

The CHAIRMAN. Let the Chair state the parliamentary situation.

Mr. WALSH. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from Massachusetts withdraws the point of order and the gentleman from New Jersey asks that his time be extended five minutes. Is there objection?

There was no objection.

Mr. STAFFORD. Mr. Chairman, may we have the amendment that was read presented now in regular order?

The CHAIRMAN. The amendment will be reported for consideration.

The Clerk read as follows:

Amendment offered by Mr. LEHLBACH: Amend page 36, line 20, after "$10,000," by inserting: "*Provided further*, That no part of this appropriation shall be expended for the acquisition of radio stations in whole or in part used for the transmission or reception of commercial messages."

Mr. LEHLBACH. Mr. Chairman, I again refer to the hearings on the bill H. R. 13159. Mr. HADLEY asked:

I would like to ask the Secretary at this point what is the specific item in the naval appropriation bill which carries the funds for that payment?—

Namely, the $3,000,000 for the commercial radio stations—

Secretary DANIELS. I have forgotten the title of it. It is in the appropriation under the Bureau of Steam Engineering, which has direction and control of all radio matters. Under that appropriation we buy a tower, and under that appropriation we put in radio stations wherever the Chief of Operations of the Navy and the General Board feel that we ought to have them.
Mr. HADLEY. Was the estimate itemized when it was before the Naval Committee?
Secretary DANIELS. I think it was not. I do not think it has ever been itemized in the radio matters at all; it has always been a general lump-sum appropriation.
Mr. WHITE. How much was the lump-sum appropriation?
Secretary DANIELS. Under the Bureau of Steam Engineering?
Mr. WHITE. Yes.
Secretary DANIELS. It was many millions of dollars. I can get the exact figures for you, if you desire.

It is $35,000,000 in this bill. The situation is this: The Navy Department comes to Congress, and Congress, through its mouthpiece, in this instance the Committee on Merchant Marine and Fisheries, refused the department authority to obtain title to the plants necessary to carry on as a monopoly the business of wireless telegraphy for commercial purposes. After that refusal they obtained an appropriation, under the general lump-sum appropriation for Steam Engineering, for the extension of radio service under the Bureau of Operations, which any reasonable man would believe meant in connection with naval operations. They took out of that money $3,000,000 and appropriated it to go into the commercial business of telegraphy by wireless without the authority of Congress, using money that was not intended by Congress for that purpose. For that reason I offer this amendment and trust that it will be accepted.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. LEHLBACH. Yes.

Mr. EMERSON. I understand that the Government has taken over some of these radio stations. Would the gentleman's amendment prevent that?

Mr. LEHLBACH. It would prevent taking over the other stations which the Navy Department is very anxious to get and which they intend coercing the present owners into selling if they can. They can take them absolutely by condemnation if we give them the legislation which has not been reported by the Committee on the Merchant Marine and Fisheries. Even without that legislation, if the past is a precedent, if they can coerce the owners into voluntary or quasi-voluntary sale, they will buy them whether Congress authorizes it or not.

Mr. MANN. Mr. Chairman, I ask unanimous consent to have the amendment again reported.

There was no objection, and the Clerk again reported the amendment.

Mr. MANN. Mr. Chairman, I would like to ask the gentleman from New Jersey a question. Does he think that will prevent the use of this money for paying for the radio stations they have already purchased?

Mr. LEHLBACH. If title has not passed, I think it will.

Mr. MANN. I do not care whether title has passed or not. I would like to see a prohibition against the payment of any sum unless Congress specifically authorizes it.

Mr. LEHLBACH. There were two purchases; one from the Federal system on the Pacific coast, nine stations. I believe they have been paid for. The contract for the purchase from the Marconi Co. was entered into a few weeks before the date when Secretary Daniels gave the testimony which I quoted.

Mr. MANN. The contract has been entered into?

Mr. LEHLBACH. Yes; some time in the month of December or the latter part of November. Whether it has been consummated or not, I am not informed.

Mr. MANN. I had prepared an amendment somewhat similar, to prohibit under this appropriation the purchase of or payment for.

Mr. LEHLBACH. That would be acceptable to me.

Mr. MANN. This prohibits the acquisition?

Mr. LEHLBACH. Yes. Of course, the Navy Department in construing the bill will construe it in conformity with its purposes, if possible; but ordinarily, I should think, prohibiting the acquisition of stations would prevent the payment for stations under an agreement to purchase which had previously been entered into but not yet consummated.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New Jersey.

The amendment was agreed to.

Mr. SIEGEL. Mr. Chairman, I move to strike out the last word. On Monday last I offered a resolution to investigate certain conditions which were alleged to be prevalent in the Army, both at home and abroad. That resolution was referred to the Committee on Rules, where it is at present.

Mr. LARSEN. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. LARSEN. I object to the remarks of the gentleman because they are not directed to the bill under consideration.

The CHAIRMAN. The gentleman makes the point of order that the gentleman is not addressing himself to the amendment or the bill.

Mr. PADGETT. Mr. Chairman, I will ask the gentleman to withdraw his objection to that.

Mr. LARSEN. Does the gentleman mean to postpone it altogether?

Mr. PADGETT. Yes. Let us get along as we are doing. We can handle it a heap better the other way. We have had

large experience with these matters, and no time will be gained by interposing objections in the way suggested by the gentleman from Georgia.

Mr. LARSEN. Mr. Chairman, I have seen this time wasted and flitted away for the past several weeks, and, realizing that an extra session of Congress is likely to be called on account of these conditions, I feel it my duty as a Member of the House not to permit any Member, when an important matter is before the House, and we are proceeding with it, to come in here and interrupt the proceedings by injecting into the discussion extraneous matters. I have very high regard for the gentleman from New York [Mr. SIEGEL].

Mr. PADGETT. Will the gentleman let me say to him that the experience of many years here shows that is not a time-saver?

Mr. SIEGEL. I do not think it either is or will be in this case.

Mr. HICKS. Mr. Chairman, I make the point of order that there is no quorum present, if we are going to have——

Mr. LARSEN. If that is the way gentlemen on the other side retaliate, of course I am not responsible for that condition; all I can do is to look after one condition, and I do not propose, as far as I am concerned, by gentlemen insisting on a quorum, to be driven from a position I feel is correct. That is all there is to it.

Mr. PADGETT. I think the gentleman will find by experience here that does not save time. Let me ask the gentleman to withdraw it. I think we will make more time in that way than otherwise.

The CHAIRMAN. Does the gentleman make the point of order?

Mr. LARSEN. I will withdraw it for the benefit of the gentleman from New York, but I hope other gentlemen will not undertake it, because I shall object. I want to be as agreeable as I can, but, gentlemen, we have an important duty to perform in this House, and I think we ought to do it and get through with this business.

The CHAIRMAN. Both points of order are withdrawn.

Mr. SIEGEL. Mr. Chairman, I know the gentleman from Georgia would not have made the point of order if he knew to what subject I was going to refer. The New York Evening Telegram of yesterday published six columns of a story showing that 3,000 boys had been reported as having been killed in action, when, as a matter of fact, they had died in what the New York Telegram designates as the "vilest hole of France," on account of the conditions prevalent at this camp near Brest. The charge is not made by the Telegram alone. It is made by a high Army official who has returned to this country, and he has written this article which appears in this newspaper. It is of great interest to us from New York because it states, among other things, that "the men of the Twenty-seventh Division and a lot of other troops were put out in pup tents in the filthy, muddy fields, with the result that thousands of boys died from disease. No attempt was made to improve the condition of this terrible camp."

Further on the newspaper article continues:

No one can deny these facts no more than they can deny that up to August 1, 1918, 200 American boys had died there from pneumonia and disease, while from August 1 to November 30, 3,000 were buried under the filthy soil of Brest. Toward the end they were carried out by the truck loads and buried. These 3,000 young men had left their homes in the United States three weeks before declared to be physically perfect. The War Department has the names of these men who died in this way, yet in many instances they have been listed as having died in action.

The reason I am calling particular attention to this fact is that apparently the casualty list—according to the charge made by this high Army officer—has been falsified and the parents and relatives of these 3,000 boys have been told that they died in action, when as a matter of fact they died at the camp in Brest from the filthy conditions existing at that place. They were sleeping on the ground in water when they passed away from pneumonia, according to this officer. Now, if that charge is true, and this high Army officer makes this charge and further says the War Department records show that the charge is true, then it is about time that the Congress of the United States woke up to its duty, stopped talking, and got all the facts. In order to ascertain if that officer is here in Washington at the present time I telegraphed to the Telegram this morning and received the following answer:

NEW YORK, *February 7, 1919.*

Representative ISAAC SIEGEL,
Washington, D. C.:

Evening Telegram pledged not to give identity of officer mentioned in Brest camp story. Can say that he now is in Washington and assures us that reports covering all matter given by him are on file with War Department, or should be there.

NEW YORK EVENING TELEGRAM.

As I have already said, this story covers six columns. The Telegram is going to run six or seven additional columns to-night and again to-morrow. It has an editorial here saying the conditions are most startling. It tells how bad the buildings were, how bad the hospitals were, and the men would not go to the hospitals. It tells of an epidemic of typhoid fever there. It tells you how the men who left America physically well passed away within three weeks on the other side on account of these conditions without having an opportunity to fight when they went over there prepared to give up their lives for their country. They went there to offer their lives on the battle fields, but not to die, as this articles puts it, "like rats in a hole, in a camp near Brest."

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. SIEGEL. I will.

Mr. CONNALLY of Texas. Did not the gentleman from New York recently make a trip to Europe?

Mr. SIEGEL. I did during July and August.

Mr. CONNALLY of Texas. Did the gentleman find those conditions obtaining at that time?

Mr. SIEGEL. At that time there were certain complaints which——

Mr. CONNALLY of Texas. I am not talking about complaints; I am talking about what the gentleman from New York found when he was over there.

Mr. SIEGEL. I did not go to Brest.

Mr. CONNALLY of Texas. Well, anywhere else did the gentleman find such conditions?

Mr. SIEGEL. Other places I found certain conditions that reflected both credit and some discredit.

Mr. CONNALLY of Texas. But did the gentleman from New York visit any of the hospitals?

Mr. SIEGEL. I did.

Mr. CONNALLY of Texas. Did he find these conditions in those hospitals?

Mr. SIEGEL. Not at these hospitals; but the charge is made that these men had to sleep in the water.

Mr. CONNALLY of Texas. I am not asking about what they charged, but I am talking about what the gentleman from New York saw when he was in France. Did he see any of these conditions?

Mr. SIEGEL. I was not at Brest.

Mr. CONNALLY of Texas. Were you anywhere else?

Mr. SIEGEL. At certain other places conditions were not perfect.

Mr. CONNALLY of Texas. Did the gentleman from New York, when he returned to this country, call attention of the War Department to any objectionable conditions that he did find in France?

Mr. SIEGEL. I called attention to them over there, and when I called attention to them they rectified them.

Mr. HICKS. I wish to say to the gentleman that there were two soldiers at my house last night, both having come back from the other side, and both having been in the camp at Brest, and they both reported the conditions the same as they have been reported to be at Brest.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EMERSON. Mr. Chairman, I ask unanimous consent that my colleague may have five minutes more.

The CHAIRMAN. Is there objection?

Mr. CONNALLY of Texas. I object.

Mr. SIEGEL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting this article, so that the House may see what this Army officer says are the conditions over there. He is supposed to be a general——

Mr. FOSTER. If it is an anonymous communication——

Mr. SIEGEL. He is not anonymous at all.

Mr. FOSTER. Tell us who he is.

Mr. SIEGEL. The New York Telegram says in this telegram that he is willing to testify before the committee.

Mr. FOSTER. Give us his name.

Mr. SIEGEL. Let us produce him.

Mr. FOSTER. Where is he?

Mr. SIEGEL. He is in Washington now.

Mr. WALSH. Reserving the right to object, of course the paper which contains the article has a great deal wider circulation than the CONGRESSIONAL RECORD, and it will fill up the RECORD with its six columns of matter. I do not know that that would be expedient. The gentleman has directed attention to it, but if he thinks that the information——

Mr. SIEGEL. The article gives names of men and officers. I want to get at the truth, and we are sure to get it some day, if not now. I can not discuss the whole matter inside of 10 minutes.

Mr. GREEN of Iowa. Mr. Chairman, I move to strike out the last two words.

This paragraph carries $35,000,000. Nevertheless, the matter which has been recently discussed by the gentleman from New York [Mr. SIEGEL] is really far more important than this $35,000,000. Millions count for little when we are considering the unnecessary sacrifice of the lives of our soldiers. Seeing, however, that there is objection to further discussion with reference to whether our soldiers shall be protected and their lives saved, I want to make some remarks on this particular paragraph.

I am pleased to observe that the Naval Committee was able to segregate $10,000 out of this $35,000,000. I have no doubt if they had been able to extract from the naval officials what they were going to do with this $35,000,000 they would have divided this appropriation up. And yet I am somewhat at a loss to understand why out of $35,000,000 neither the Naval Committee nor the officials of the Navy Department who were before them were able to get nothing itemized but a paltry $10,000. We have suffered for a long time as a consequence of lump-sum appropriations. I never knew yet where we appropriated one-half the amount carried by this paragraph where there was not a large part of the appropriation expended for purposes that Congress would never have thought of sanctioning for a moment.

In the previous paragraph there is $37,500,000 appropriated, of which the Naval Committee were able to segregate $2,500,000. Now, that paragraph that carries the $37,500,000 provides in express terms for the use of the money in the same way that this $35,000,000 is to be used.

Of course, I understand one is one department and one is another, and the business of one department or one division or bureau is different from that of the other. But nevertheless the money could be used for the same purposes and thereby the expenses of one bureau overlap those of the other. Whenever we have lump-sum appropriations of the amount of $35,000,000 or $37,000,000, there will always be waste. Money will be spent unnecessarily. I hope that the day will come when all of this will be stopped and we will get down to some basis whereby we can tell what this money is going for. Now, no one can tell by reason of the statements in this paragraph how this money is going to be paid out. No one can tell within a million or two million dollars how much will be applied to certain purposes. Of course, the greater portion of the money provided in this paragraph will probably be applied toward new boilers and new machinery. But they can spend it in almost any way they want to, the same as under the previous paragraph they could spend a million dollars for furniture if they desire to do so. We ought to reach a period when, if the officials that come before the Naval Committee, the representatives of the Navy, are not able to tell what they want of this money, the appropriation ought to be refused. This is the course we should pursue in the future.

Mr. HUDDLESTON. On the 28th of January I inserted in the RECORD, on page 2248, a copy of an order which purported to have been issued by Maj. Gen. Buck, as the commanding general at Camp MacArthur, which in substance forbids commissioned officers to remain present at any social affair of any nature at which there are enlisted men or discharged soldiers wearing the uniform of enlisted men. The order is as follows:

OFFICERS ADVISED SOCIALLY—CAN'T MINGLE WITH ENLISTED MEN—BY COMMAND OF GEN. BUCK ORDER POSTED REGARDING ENTERTAINMENTS.

The following order has been posted at Camp MacArthur:

Headquarters, Camp MacArthur, Waco, Tex., January 6, 1919, General Orders, No. 1.

1. The attention of officers of this command is called to the impropriety of attending social affairs at which enlisted men, or persons in the uniform of enlisted men, are present.

Hereafter any officer of this command who finds enlisted men present with proper authority, i. e., duly invited or permitted to pay their way in, at any social affair at which the officer is a guest, such officer will at once depart from such social affair, and if he finds persons in the uniform of enlisted men permitted to be present he will take the same action.

When an officer finds enlisted men present at any social affair without proper authority, he will take such steps as the occasion may warrant to cause them to leave, and will report any violation of regulations which may occur.

By command of Maj. Gen. Buck.

W. H. WOOLWORTH,
Major, Infantry, United States Army, Acting Executive Officer.

Official:

E. E. LAMBERT,
Major, Adjutant General's Department, Adjutant.

I took occasion to comment on that order, and am just in receipt of a letter from the Secretary of War, Mr. Baker, dated the 6th instant, in which he makes reference to the order of Maj. Gen. Buck, as follows:

WAR DEPARTMENT,
Washington, February 6, 1919.

MY DEAR MR. HUDDLESTON: My attention has been called to some remarks in the CONGRESSIONAL RECORD of January 28, based on an order issued by the commanding general at Camp MacArthur, Tex.

In order that you may be fully advised of the position of the Army with reference to orders of this kind, it is well that you should know that on January 18 the Chief of Staff directed the revocation of this order when it first came to his attention. On January 19 a telegram from the commanding general, Camp MacArthur, acknowledging receipt of instructions of January 18, stated that the order in question had been issued through error on January 6, and had been immediately revoked when it had come to his attention on January 8. I am,

Very sincerely,

NEWTON D. BAKER,
Secretary of War.

Hon. GEORGE HUDDLESTON,
House of Representatives.

This letter is signed by the Secretary of War.

Now, I do not want to do Gen. Buck any injustice, and therefore I want this letter to go in the RECORD, with the order that was issued.

Now, I want to analyze the letter of Mr. Secretary Baker and his statement just for a moment. The report is that this order was issued through error and was countermanded by Gen. Buck two days later. The order itself recites that it was issued "by command of Maj. Gen. Buck." It is signed by Maj. Woolworth, the acting executive officer, and by Maj. Lambert, the adjutant of the division.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. HUDDLESTON. Just in a second.

Mr. MANN. Tell us just what the order is.

Mr. HUDDLESTON. I have read what it was. The order is the order of January 6, which forbids that commissioned officers shall remain at any social affair where an enlisted man is present, or any person in the uniform of an enlisted man is present. This letter states that Gen. Buck did not authorize this order. Yet the order on its face expressly and plainly says it was so authorized by Gen. Buck.

And now I want to ask the Secretary of War, What is he going to do about it? Here is an order issued by the camp adjutant and the chief executive officer of the division, which recites that it is issued by order of the commanding general. That recital is said by the Secretary of War to be untrue. Those officers are thereby stated by implication to have been guilty of falsification, and I want to ask what is going to be done about this?

A situation is presented that is still more serious than the one I pointed out, which I may say I did not consider of very great importance. But now we have a situation in which two important executive officers of the Army have issued an order, an unauthorized order, an improper order, an order which the authorities of the Army would have us believe is in violation of the general spirit of the Army and the attitude of the Army administration toward the enlisted man. These officers issued this order, this unauthorized order, and they recited in it—I do not like to call it a falsehood, but they state that it was done by the commanding general, when that was not a fact.

I want to know if somebody is not going to be court-martialed as the result? I make bold to say that I do not believe any such thing is going to be done. While I believe Mr. Secretary Baker has been thoroughly candid in his letter, I also believe that somebody has imposed on him, the Secretary; and this order has a history to it and circumstances surrounding it which are not explained in this letter.

I want to say one other thing: That order is of comparatively minor importance, but all of us who know the Army know how the enlisted man is treated by the officers. We know that there is an impassable social gulf between the enlisted man and the officer, and we know that this is recognized by every officer of the Army and every enlisted man. So why blink it and say that it is not there? Every soldier knows it, and everybody knows that, Mr. Baker apart, it is countenanced and recognized by the highest military authority. Everybody knows that this situation and spirit has the support of all the commissioned elements.

I want to say this, further: This matter of officers and men associating together on a basis of social equality is in itself more or less of a minor matter, but it is the symptom of a disease which is far more serious, and which reaches much deeper into our Army life than any mere question of social observances, or anything of that kind. It goes deeper than that. We find it in our Articles of War, which discriminate from beginning to end against the enlisted men and in favor of the men with commissions. We find it in the fact that punishments under these Articles of War are much more severe upon the enlisted man than upon the officers. If a man murders his neighbor, he is entitled to a trial by a jury of his peers—to a fair, open trial—but if he happens to be a private soldier and comes in

two hours overdue on a leave of absence, or happens to say something a trifle impolite to a commissioned officer or fails to salute him as promptly as he would like to be saluted, he is brought to trial—before his equals? No. Before his superiors, a class not interested in his class, before a class that is interested in keeping his class in subjection.

And we find that inevitably there grow up these abuses which I have pointed out. This is evidenced in a thousand ways. An enlisted man who goes down the street knows that he must salute every commissioned officer he meets. It is not a sign of respect. If so, why should not the commissioned officer salute first, for both are but men, and the officer should respect the enlisted man just as much as the enlisted man should respect the officer? If it is merely a matter of respect, why should it be fixed by ironclad regulation that the man must first show his respect. It ought to be a matter of mutual respect. No; the salute, when not given in the line of duty, is a sign of servility, and is intended to impress on the man who is required to give it first that he is the social inferior of the other fellow and has to pay him a respect that the other man does not have to show. If the enlisted man should fail to salute him, the officer may place him under arrest and may reprimand him on the spot. If the man resents this in any way, he is lucky if he does not get sent to prison for a long sentence. Did you ever hear of a private stopping an officer and reprimanding him for failing to salute him in return? I never did; but I have frequently seen officers ignore the salute of the private. Officers pretend that they do not like the saluting system. Why do they not stop it, then? The General Staff could abolish it to-morrow if they only wanted to and would say so to the Secretary.

Mr. BLANTON. I want to commend the gentleman for getting this order of Gen. Buck out of the way, and I want to ask him if he should not go further and get the other regulation out of the way that makes a distinction between the private soldier and the officer in allowing the officer to give social attention to our nurses in uniform and forbidding the private soldier to do likewise? [Laughter.] Ought not the gentleman to go further in that respect?

Mr. HUDDLESTON. I would like to reconstruct the spirit of our Army as a whole and make it democratic, as befits a great and a free people, and I think it is the duty of Congress to take up this subject. The first thing that should be done is to repeal and reconstruct the barbarous Articles of War under which our armies are now governed. These Articles of War not only make punishments possible which are cruel and inhumane, but they foster the vicious caste system, which is the bane of the Army. I would like our Army so constituted and dominated by a truly American spirit, which would make service in it in lowest rank compatible with the sensibilities of the finest and proudest American boy.

Mr. HUMPHREYS. Mr. Chairman, I move to strike out the last word. I do not wish to reply generally to the statements of the gentleman from Alabama. I know, as we all know, that there exists among many officers in the Army the spirit which he has suggested; but I am not willing to admit or to have the statement go unchallenged that this spirit is universal and that there are no exceptions, because I know that is not an accurate statement. I know by personal knowledge that during this war commissioned officers have called their enlisted men together, lecturing them upon various topics of military importance, discipline, and so forth, and have explained to the men that the requirement that they salute was not intended and should not be considered by them as any manifestation of social inferiority, or as any acknowledgment of humility; that it was not intended for that purpose, the officer adding, "I know that is not the fact. I know I am no better than you are socially, and I do not claim to be. I do not want you to think I am; but this is a military regulation, intended for an entirely different purpose."

Now, there is one exception, at any rate, to the gentleman's general statement. The newspapers a year or more ago carried this story of a certain camp: Two commissioned officers of the National Guard were picked up by a lady in an automobile, driving either toward the camp or from the camp. Then she overtook two enlisted men and told the chauffeur to stop and she would pick them up. These young officers told her if she did that they would have to get out of the automobile; that they could not ride with enlisted men. Of course, recognizing their rights in the premises, she stopped and permitted them to exercise those rights, and let the officers get out and took the privates in. [Applause.] That story was carried in the papers, and I think very likely it was true. Thereupon the commanding officer of another camp—Camp Pike, in Arkansas—assembled his commissioned officers, took that story for his text, and told them that such conduct on the part of officers was thoroughly unjustifiable and unjustified, that it was the manifestation of a spirit that should not exist in the American Army, and that he hoped no officer in his command would ever be guilty of such conduct. [Applause.] He said: "Frequently as I drive along from the camp or to the camp I come across enlisted men walking, stop my automobile, and take them in with me." That was a general officer, lecturing the commissioned officers of his division.

Subsequently I myself, time and again, saw commissioned officers riding in their automobiles stop on the road, pick up privates and ride with them, boys of their acquaintance, call them Jim and Tom, and the enlisted men called the commissioned officer by his first name. I saw that time and again myself. I saw the commissioned officers and the privates eat at the same table, not only in private residences but at hotels, on terms at that time of absolute social equality. So I think whatever may be the general spirit, whatever may be the spirit of the Regular Army officer, it should not be stated that that spirit is universal in the great Army which we have organized and with which we won the war.

Mr. HUDDLESTON. That is, the commanding general was going around——

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be withdrawn.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. Gentlemen of the House, in the Army as everywhere else you see some gentlemen and you see some snobs. The gentleman from Alabama is talking about the snobs and the gentleman from Mississippi [Mr. HUMPHREYS] is talking about gentlemen. They are both right. It is true in one part of the Army the boys are trained toward snobbery, but there are gentlemen among them, and many of them. I have here something that I think will interest the House a little. The other day I discovered that the officers up in the Great Lakes Training Station were very much averse to allowing privates who wanted to be discharged to receive assistance from any neighbor who happened to be in Congress. Anybody else could furnish any evidence he has. I spoke of this in the House on the 29th, and I am glad to see that the gentleman from Alabama got a response. If gentlemen will go at these things in a quiet kind of way, like the gentleman from Alabama and I do, they will often get results. [Laughter.] I have an order which followed of a couple of days after in the House which the Bureau of Navigation sent me. It does not entirely cover the situation, but it helps. It is headed "Navigation," and is dated "31 January, 1919":

NAVIGATION,
31 January, 1919.

Commandants of all naval districts:

Reservists and men of Regular Navy who enlisted for duration of war who are undergoing training at training stations, training camps, and trade schools will be released on their own applications for such release. Commandants will issue necessary instructions. General instructions of Bureau of Navigation Circular Letters 225–18 and 3–19 remain in effect. Acknowledge. 10031.

BUNAV.

I suppose that is the Bureau of Navigation. As I understand this order, any boy enlisted for the war in the Navy who is in a training station, training camp, or trade school can be released on his own application. The gentleman from Michigan [Mr. JAMES] and I each had a telephone from the bureau, in which we were informed that it also included all boys in the regular Navy who enlisted; but I find that they left out a comma. If they would say "who enlisted for duration of war," and use a comma, and then go on, I think it would mean that. I suppose that there was a little confusion raised over the fact that the comma is not there. I want to say that I think that is a very great improvement in the situation. The boys in these places can now get out. I think that the rules we run up against were made by men dressed in a little brief authority, who did not understand the situation; but when men of more breadth of character got the facts the order came. I think it possible to argue with them and present things in a simple way and be fairly treated. If the taxpayers pay their salaries, Representatives of taxpayers ought to be able to get a hearing for constituents. It is time that the Congress of the United States should have some respect for itself.

Mr. PADGETT. I want to say to the gentleman that day before yesterday I received a letter from Admiral Blue, the Chief of the Bureau of Navigation, giving at length the orders that were made, and I put them in the RECORD.

Mr. LITTLE. I had a little correspondence with Admiral Blue myself two or three weeks ago. I did not know just what his position was. I thought he was a doctor. I did not know him, but he wrote me pretty firmly, and I wrote him pretty firmly myself, and explained that he could not expect to enforce

rules like that and have very much affection for the United States Navy among the people. I suggested to him to quit monkeying with the buzz saw if he wanted the Navy to have the support of the Nation, and I am glad to hear that he adopted my suggestion. Admiral Blue seems to be a nice man when he gets his second wind.

Mr. MOORE of Pennsylvania. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. MOORE of Pennsylvania. Does not the gentleman think that the Washington street cars are a great leveler of rank?

Mr. LITTLE. I find it so; I find in them I am as good as anybody.

Mr. BURNETT. Will the gentleman yield?

Mr. LITTLE. Yes.

Mr. BURNETT. Is not there a string to all of these orders—they provide that if they can be spared by the commanding officer, and is not that the way they get out of a lot of things?

Mr. LITTLE. I am glad the gentleman mentioned that there is no string to the order that was issued for these stations. I wrote the commanding officer about a man, and inquired why he was not discharged, and he wrote to me a letter, which I got to-day, that the thing has been indorsed and sent up to a higher man, and suggested that I write the higher man, that it would do some good. That is fine. Congressmen like ROYAL JOHNSON, who entered the Army as a private, may soon attain such a social position they can attend a party and see lieutenants dancing. If that is the rule, I think when he gets my letter it may help him some. I do not believe there is any string intended, but little fellows who want to be clever and bull-headed probably make some trouble for themselves.

Mr. BURNETT. That is the trouble you will run up against.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for three minutes.

The CHAIRMAN. Is there objection?

Mr. LARSEN. I object.

Mr. MANN. I am glad to know that the gentleman is still here. Twenty minutes of time have gone by in discussion.

The Clerk read as follows:

Engineering Experiment Station, United States Naval Academy, Annapolis, Md.: For original investigation and extended experimentation of naval appliances, testing implements and apparatus; purchase and installation of such machines and auxiliaries considered applicable for test and use in the naval service, and for maintenance and equipment of buildings and grounds, $160,000.

Mr. LITTLE. Mr. Chairman, I move to strike out the last word. What was the question that the gentleman from Illinois desired to ask me?

Mr. MANN. It does not relate to this bill.

Mr. LITTLE. That does not bother me as much as the gentleman might think.

Mr. MANN. The gentleman asked whether there were strings tied to these orders, and I wondered. I had a case the other day where I was informed by an officer in charge at the department that a certain officer would be discharged upon his application. The officer made the application to his commanding officer and was told to go to—that they would not let him out, and in effect the commanding officer said that the order of the officer in Washington did not cut any ice. The commanding officer said they needed him there, so they have had him transferred to some other place, and he is still in the service, notwithstanding the officer here in charge of the department ordered that he be released.

Mr. LITTLE. The only suggestion I can make is that that fellow is probably subject to a court-martial, and the gentleman ought to go at him.

Mr. MANN. I do not think he is.

Mr. LITTLE. If his superior ordered him to discharge the man he is.

Mr. MANN. I do not say that he ordered him, but he wrote me that he would be discharged. I did not notify the other officer of that fact, but the other day my friend came through Washington and said that his commanding officer had refused to discharge him, stating that he was needed in the service, and my friend finally stated further that his commanding officer then told him that he did not need him there, and he had been transferred to another place.

Mr. BURNETT. Was that in the Army or the Navy?

Mr. MANN. I will say now that that was in the Army.

Mr. LITTLE. I think probably that fellow disobeyed an order, and the gentleman should investigate it. I found a colored captain sent to our town by The Adjutant General to take a command. He found some other fellow there and a division of opinion arose about it. The colored officer was put under arrest and court-martialed, but when I called the attention of the department to what seemed to me to be the regulations—and we had quite a disturbance about it for two weeks—when I presented to the War Department such knowledge as I had of the regulations, and the evidence went before the court-martial, they acquitted the colored man and ordered, I hear, a reprimand of the man who had him subjected to court-martial. If you find these things out and present the facts and go and tell the man who told you what happened, and ask whether he issued an order or is simply wasting time writing letters giving advice, I think you will get somewhere. If the order in this case was issued, then that man ought to be court-martialed. This House ought to have enough respect for itself and for its constituents to see that laws are enforced and justice done.

The Clerk read as follows:

Commissary department: For chief clerk and purchasing agent, chief cook and cooks, steward and assistant stewards, stenographers, typists, head waiters, and assistant head waiters, head pantrymen, bakers, butchers, and necessary pantrymen, butcher's helpers, baker's helpers, waiters, coffeemen, dish pantrymen, utility men, linemen, scullions, and other unskilled and unclassified occupations, wages to be determined by the Superintendent of the Naval Academy, and in no case to exceed $75 per month, $185,545.45.

Mr. STAFFORD. Mr. Chairman, I reserve the point of order. I think there must be some mistake in the language that is incorporated in this paragraph of the bill. I hardly think it is the purpose of the committee to provide that no person shall receive more than $75 a month, as is provided in the last line of the paragraph. It limits everyone designated in the paragraph to that sum, while the chief clerk at the present time is receiving $1,800 a year.

Mr. PADGETT. It is not intended for that.

Mr. STAFFORD. It is obvious that it was not so intended. May I inquire what was the purpose of the committee in eliminating the salaries to be paid to the respective employees designated here?

Mr. PADGETT. I will be very glad to explain that to the House. We were confronted to this condition, and I cite the actual occurrences: In the preparation of the last naval appropriation bill, and before that we had statutory employees on a per annum basis, whose compensation was fixed at so much per annum. We had men on a per diem basis who did the same work alongside of these statutory men, and their compensation was fixed by the wage board. While the House committee was making up the bill in the last session that was ultimately signed on the 1st day of July, the wage board had increased the compensation of the per diem men to a higher compensation than the statutory men.

They came before the Congress and said that their salaries should be increased. The committee reported an increase, putting them upon an equality with the compensation of the per diem men working alongside whose compensation was fixed by the Wage Board. The House accepted it and passed it. The bill went to the Senate, but while the bill was pending in the Senate the Wage Board met again and increased the compensation of the per diem men and immediately the statutory men went before the Senate committee and said that they must have another increase, because the Wage Board had increased the compensation of the per diem men and they must be made on an equality, and the Senate Committee reported it, the Senate passed it, and the House agreed to it in conference here, and there were two raises made under the seesaw proposition. When the estimates came down in December—now that was the bill which was signed July 1—we found that the Wage Board had met again and increased the per diem men, and the recommendation came in for an increase of the statutory men. We concluded that under this condition the proper thing to do and the wise thing to do was to put them all upon the per diem and whenever the time of reduction comes they will all go. If you have a reduction take place under the per diem, you know the difficulty of getting a reduction on the statutory when they are once fixed by statute.

Mr. STAFFORD. Is it planned to put the chief clerk and purchasing agent, who is now receiving $1,800 statutory salary, and the steward, who is receiving $1,800, on a per diem basis?

Mr. PADGETT. Yes; all of those who are mentioned in here go into that lump sum of per diem, like it was many years ago. When I first went on the committee they were put on a per diem basis. The representatives of the men came before the committee and urged that they be put upon a statutory basis, insisting that it would be a few dollars cheaper than the per diem. Congress adopted that and put them on the statutory basis. Now comes this seesaw that has worked them up, and we have put them back like it was upon the per diem basis, and hope that it will be a condition where, whenever the reduction comes, it can be taken care of better dealing with the whole than you can where you have the statutory man

with the statutory compensation to hold up the per diem men, as the per diem men under the wage board have been pushed up to the statutory men.

The CHAIRMAN. The time of the gentleman has expired.

Mr. STAFFORD. I ask to be recognized for five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin? [After a pause.] The Chair hears none.

Mr. STAFFORD. Would the gentleman have any objection to having a limitation that no employee hereunder shall receive a salary in excess of $2,000?

Mr. PADGETT. I do not think any of them receive that much.

Mr. STAFFORD. Under the statutory roll the maximum of two of these places is $1,800, and yet with no limitation they might go up much higher than $2,000.

Mr. PADGETT. If it is limited to this paragraph, I have no objection.

Mr. STAFFORD. What disposition does the gentleman wish to make about the obvious error carried in the paragraph where it says that no one is to receive more than $75 per month?

Mr. PADGETT. In no case to exceed $75 per month "in cases of unskilled and unclassified employees."

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order and offer the following amendment.

Mr. PADGETT. Before offering that let me offer mine.

Mr. STAFFORD. Mr. Chairman, I withdraw the amendment for the time being.

Mr. PADGETT. Mr. Chairman, on page 41, line 2, after the word "month" insert "in cases of unskilled and unclassified employees."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 41, line 2, after the word "month" insert "in cases of unskilled and unclassified employees."

The question was taken, and the amendment was agreed to.

Mr. STAFFORD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 41, line 2, after the figures "$185,545.45," insert: "*Provided*, That no employee hereunder shall receive a salary in excess of $2,000."

Mr. PADGETT. Let me ask the gentleman to change the wording a little, to "That no person paid under the provisions of this paragraph."

Mr. STAFFORD. Oh, well; I am perfectly willing to accept the suggestion. But "hereunder" would refer to those in the paragraph. It is the language customary in appropriation bills; but I am perfectly willing to accept the amendment.

The CHAIRMAN. The Clerk will report the amendment as changed.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 41, line 2, after "$185,545.45," insert:

"*Provided*, That no employee paid under the provisions of this paragraph shall receive a salary in excess of $2,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin [Mr. STAFFORD].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For the employment of such additional temporary force of employees in the various departments of the Naval Academy as in the judgment of the Secretary of the Navy may be necessary to the transaction of official business on account of the existing emergency, $150,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. What is the existing emergency?

Mr. PADGETT. The emergency is simply this: That we have recently increased the number of midshipmen to five for each district, and the classes are very much enlarged. Then we made an appropriation extending Bancroft Hall, at a cost of about $3,000,000. And the number of men there is increasing each year. They have not been able to get it down to a basis as to how many there should be, and this sum is to take care of that enlarged development and the number of men at the academy.

Mr. MANN. The words "existing emergency" have no reference to the war?

Mr. PADGETT. No, sir; it is on account of conditions at the academy.

Mr. MANN. That language has been carried in many cases as referring to the war, and probably was thought to relate to the war when it went into this paragraph a year ago. This has nothing to do with the professors, I take it, or anything of that kind—the teaching force?

Mr. PADGETT. No, sir. This is intended to take care of a large number of employees in the various departments there at work on account of the enlarged operations of the school.

Mr. MANN. How does it require an additional sum of $150,000?

Mr. PADGETT. Seventy-five thousand dollars of it is on account of the increase in the wages—on account of the cost of labor.

Mr. MANN. I take it that it is not.

Mr. PADGETT. That is what they stated to us.

Mr. MANN. This is for the employment of an additional force of employees necessary in the transaction of official business. What tremendous official business does the school have to transact?

Mr. PADGETT. On that very question and at that very place there the commander, in answer to a question that I asked him, said that they would have to shut up shop if they cut it out, as at least $75,000 of it would be required to meet the new wage schedule.

Mr. MANN. This has nothing to do with the wage scale. Of course, I do not know what they use the money for. That is one of the peculiarities of the Navy and the naval bill. No one ever knows what the money appropriated is used for.

Mr. PADGETT. It says for the employment of such additional temporary force of employees in the various departments of the Naval Academy. It takes up the various departments, and it refers to these additional employees. The wage scale is very much higher than it was.

Mr. MANN. This is for the employment of an additional temporary force of employees. It has nothing to do with the regular force of employees, and they are only employees which the Secretary of the Navy considers may be necessary to the transaction of official business. What does that mean?

Mr. PADGETT. It means employees connected with the academy and with the departments down there in any form of work. It says, and the language is plain, it seems to me——

Mr. MANN. Does it mean an additional plumber?

Mr. PADGETT. Yes, sir.

Mr. MANN. It is a queer use of language.

Mr. PADGETT. They use the word "employees." They would be employees. And it would have to be, not for the private employment of some man connected there——

Mr. MANN. We do not make any appropriations for the private employment or some man privately employed there. What is the use of saying that?

Mr. PADGETT. That is the reason they use the word "official," so that it would be for the official business of the academy.

Mr. MANN. That is silly, because you might use that in every item in the bill, then, that it is necessary, in order to keep them from throwing money to the birds, to say it shall be used for official business. The term "official business" has a meaning. It is not related to the fixing of a water pipe. I do not think the gentleman knows how this money is to be spent, and hence I do not desire to press him. No one can tell from the language of the bill what it will be spent for, but it will not be spent according to the meaning which anybody would read into the language of the bill.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

In all, Naval Academy, exclusive of public works, $1,566,385.05.

Mr. WALSH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Massachusetts moves to strike out the last word.

Mr. WALSH. What is the meaning of that phrase "exclusive of public works"?

Mr. PADGETT. Under Yards and Docks there are public works. Whatever they do, they can not get anything out of that. It has to be expressly provided for them under Yards and Docks; and if nothing is provided under public works of Yards and Docks no part of this money could be used for work of that kind.

Mr. WALSH. I withdraw the pro forma amendment.

The CHAIRMAN. The gentleman from Massachusetts withdraws the pro forma amendment. The Clerk will read.

The Clerk read as follows:

For pay of officers prescribed by law, on the retired list: For 2 major generals, 3 brigadier generals, 5 colonels, 3 lieutenant colonels, 40 majors, 4 captains, 1 first lieutenant, 2 second lieutenants, and for officers who may be placed thereon during the year, including such increased pay as is now or may hereafter be provided for retired officers regularly assigned to active duty, $277,756.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order on the paragraph.

Mr. STAFFORD. Mr. Chairman, I do this so as to obtain information as to whether the additional officers provided for in this paragraph are those who are retired by reason of law?

Mr. PADGETT. Yes, sir. That is not a fixed number. It varies. If a man goes on the retired list in pursuance of law he is taken care of under this appropriation. If he dies he is dropped out of a number, and if another man comes in he is added to it. It changes from time to time to meet the number actually on the list at the time the appropriation was made.

Mr. STAFFORD. Is there any special significance in the large increase of the majors on the retired list from 11 last year to 40, as carried in this bill?

Mr. PADGETT. No. I do not know what produced the number.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of the point of order.

The CHAIRMAN. The reservation is withdrawn. The Clerk will read.

The Clerk read as follows:

Pay of enlisted men, active and reserve list: Pay and allowances of noncommissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United Sttaes Marine Corps traveling under orders, and including additional compensation for enlisted men of the Marine Corps regularly detailed as gun captains, gun pointers, mess sergeants, cooks, messmen, signalmen, or holding good-conduct medals, pins, or bars, including interest on deposits by enlisted men, post-exchange debts of deserters, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men and for prizes for excellence in gunnery exercise and target practice and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks, both afloat and ashore, $24,428,537.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. I wish to inquire whether this appropriation should not be reduced, in view of the action taken by the committee last night in adhering to the present enlisted force as the permanent force of the Marine Corps?

Mr. PADGETT. We provided for the year for 50,000, and that remained in. It was only the increase of the permanent thing that was stricken out.

Mr. BUTLER. You will not save any money this year.

Mr. STAFFORD. I withdraw the pro forma amendment.

The CHAIRMAN. The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

Contingent, Marine Corps: For freight, expressage, tolls, cartage, advertising, washing of bed sacks, mattress covers, pillowcases, towels, and sheets, funeral expenses of officers and enlisted men, and retired officers on active duty during the war, and retired enlisted men of the Marine Corps, including the transportation of bodies and their arms and wearing apparel from the place of demise to the homes of the deceased in the United States; stationery and other paper, printing and binding; telegraphing, rent of telephones; purchase, repair, and exchange of typewriters; apprehension of stragglers and deserters; per diem of enlisted men employed on constant labor for periods of not less than 10 days; employment of civilian labor; purchase, repair, and installation and maintenance of gas, electric, sewer, and water pipes and fixtures; office and barracks furniture, vacuum cleaners, camp and garrison equipage and implements; mess utensils for enlisted men; packing boxes, wrapping paper, oilcloth, crash, rope, twine, quarantine fees, camphor and carbolized paper, carpenters' tools, tools for police purposes, safes, purchase, hire, repair, and maintenance of such harness, wagons, motor wagons, armored automobiles, carts, drays, motor-propelled and horse-drawn passenger-carrying vehicles, to be used only for official purposes, and other vehicles as are required for the transportation of troops and supplies and for official military and garrison purposes; purchase of public horses and mules; services of veterinary surgeons, and medicines for public animals, and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; purchase and repair of hose, fire extinguishers, hand grenades, carts, wheelbarrows, and lawn mowers; purchase, installation, and repair of cooking and heating stoves and furnaces; purchase of towels, soap, combs, and brushes for offices; postage stamps for foreign and registered postage; books, newspapers, and periodicals; improving parade grounds; repair of pumps and wharves, water; straw for bedding, mattresses; mattress covers, pillows, sheets; furniture for Government quarters and repair of same; packing and crating officers' allowance of baggage on change of station; deodorizing, lubricants, disinfectants; for the construction, operation, and maintenance of laundries; and for all emergencies and extraordinary expenses arising at home and abroad, but impossible to anticipate or classify, $4,500,000: *Provided*, That hereafter the funds received in payment for laundry work performed by post laundries shall be used to defray the cost of operation of said laundries, and the receipts and expenditures shall be accounted for in accordance with the methods prescribed by law, and any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury to the credit of the appropriation from which the cost of operation of such plants is paid.

Mr. WALSH. Mr. Chairman, I reserve a point of order on the paragraph.

The CHAIRMAN. The gentleman from Massachusetts reserves a point of order on the paragraph.

Mr. WALSH. I wish to direct the attention of the chairman to the fact that on line 16, page 50, the word "work" is not spelled correctly in the print that I have. What is the idea?

Mr. PADGETT. In my print it is correct, "Laundry work." They left off the letter "k" in the other print. Mr. Chairman, I ask that the Clerk be authorized to make the correction.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. WALSH. What is the purpose of this proviso as to funds received in payment of laundry work performed by post laundries, that they shall be used to defray the cost of the operation of said laundry? Do I understand that the posts operate laundries and make a charge to the enlisted men for the laundry work done?

Mr. PADGETT. That is what it is for. A nominal charge is made. It is far cheaper than they can get it done outside for. It is a very nominal cost. Without the posts operating them they have to go out into the community and have it done there. The Government does not do their laundry for them. This is to allow them to do it at a nominal cost, and if there should be a profit it would be turned into the Treasury to the credit of the fund.

Mr. WALSH. Does not the Government do the laundry work for the men aboard battleships?

Mr. PADGETT. It does not.

Mr. WALSH. They have to pay that?

Mr. PADGETT. They pay a nominal charge. It is very little, but they pay it.

Mr. WALSH. I remember hearing some of the officers of the Marine Corps, when by reason of the kindness of the gentleman I was permitted to visit Quantico last summer, complaining very bitterly at the charge made at the laundry for the white duck uniform some of them had to wear. I do not know whether the marines themselves wore them or not.

Mr. PADGETT. I do not know as to the officers, but we inquired of the men on the ships. They get their laundry at a very cheap rate on board ship, and we understand that at posts where they have laundries they charge a very nominal rate.

Mr. WALSH. It would appear from this proviso that these laundries are being operated upon a profit basis, because it takes care of the excess of receipts over expenditures.

Mr. PADGETT. Of course, it is impossible to operate a laundry at the exact cost. That is only to take care of whatever small profit there may be—just to designate where it shall go. It is not intended that the laundries shall make any profit.

Mr. WALSH. No; but if they make a profit for two or three months and turn it into the Treasury, ought they not to revise their schedule of charges, so that in future operations the men may get the benefit, rather than keep covering a profit into the Treasury?

Mr. PADGETT. That is what is intended to be done—not to operate at a profit, but where there is a profit to know how to dispose of it. It is not intended to operate it as a profit-making concern.

Mr. WALSH. So that the officer in control at some place where they have made a profit and turned it into the Treasury will not be held up as a shining example of efficiency, by reason of this proviso, because he has operated the laundry at a profit?

Mr. PADGETT. No; that is not intended.

Mr. WALSH. Thereby encouraging other officers to do the same thing.

Mr. PADGETT. No; the honor will be the other way—to make it as cheap to the men as they can, and at as small a cost, and at as near as possible to the actual cost of operation.

Mr. WALSH. How much was turned into the Treasury from the laundry operations last year?

Mr. PADGETT. There was not anything. There has been no authority for it heretofore. You will notice that the language above there includes "the construction, operation, and maintenance of laundries." That is new language that is put in there.

Mr. WALSH. I did not know but this had been done heretofore.

Mr. PADGETT. I understand that at some of the posts they have been operating on a very small scale on a kind of mutual basis.

Mr. WALSH. A cooperative basis?

Mr. PADGETT. Yes; a cooperative basis, or something of that kind. This is to give it a standing and status, so that the men can get their laundry work done under the very best conditions at the cheapest rate.

Mr. WALSH. I withdraw the point of order.

Mr. STAFFORD. I renew the reservation of the point of order.

Mr. HICKS. I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Wisconsin renews the reservation of the point of order.

Mr. STAFFORD. I yield to the gentleman from New York [Mr. HICKS].

Mr. HICKS. While we are on this subject of laundries, if I may be permitted—and I thank the gentleman from Wisconsin for allowing me to proceed—it may be of interest to the members of the committee for me to state, briefly, the attitude of the Army in this matter, because there is considerable agitation at the present time for free laundry work in the Army. We have at some of our large cantonments, I think, 10 or possibly 12 laundry establishments owned and operated by the Government. In these plants the men can have their laundry work done and are permitted to send an unlimited number of pieces, for which service they are charged only $1 a month. Where these Army laundries are not maintained the Government makes private contracts, when it is able to do so, and then the men individually send their clothes to the laundries in accordance with the contract. In other places the Army has nothing to do with the laundry at all, and the men make their own arrangements outside of the camp. In many places this latter method has proved very unsatisfactory. The agitation going on for Government laundries is based on the fact that when men are compelled to do their own laundry work, or where they are compelled to pay for having it done at private laundries at a piece cost, the tendency is either for the men to send too few clothes to the laundry, thereby promoting a lack of cleanliness, or else, when they do their own laundry work, they do it in such a bad manner that their clothes are badly shrunk or are burned by being dried before an improvised fire; and the Army records show that we have lost thousands of dollars' worth of valuable underwear and clothing belonging to soldiers because of the insufficient laundry facilities, causing waste by shrinkage or burning. My own feeling in regard to this laundry question is that, as we supply the men with medical treatment, as we give them recreation, as we supply hospital treatment, as we try to encourage them in every way to develop their bodies and to keep their bodies clean, we should also see that their clothes are laundered without cost. It is all a part of hygienics, and I believe that clean clothing is just as essential to the welfare of the men as clean thoughts and clean living. I hope the time will come when the United States Navy will adopt the same policy toward the sailors as I think the United States Army is going to adopt toward the soldiers and supply to all men laundry service free of cost.

Mr. STAFFORD. Mr. Chairman, I wish to ask the chairman of the committee at what period of time it is proposed to have the accounting to turn the surplus money back into the Treasury?

Mr. PADGETT. What surplus?

Mr. STAFFORD. You make a provision that any sums remaining after such cost of maintenance and operation have been defrayed shall be deposited in the Treasury. When will the surplus be turned back?

Mr. PADGETT. I imagine it will be current, at the end of the fiscal year.

Mr. STAFFORD. There is no period stated here. Does not the gentleman think it would be advisable to insert after the word "remaining," in line 20, "at the end of the fiscal year"?

Mr. PADGETT. I have no objection; that is what it means. This is for the fiscal year and they must wind up the business at the end of the year. They could not carry it over into another year because the fund is only available for that year. I have no objection to the gentleman inserting the language, but that is what it means, anyway.

Mr. STAFFORD. Mr. Chairman, I withdraw the reservation of a point of order and offer the following amendment, to insert after the word "remaining," in line 20, the words "at the end of the fiscal year."

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 50, line 20, after the word "remaining" insert "at the end of the fiscal year."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk reads as follows:

Total Marine Corps, exclusive of public works, $78,561,358.28.

Mr. PADGETT. Mr. Chairman, I would like the indulgence of the House just a moment. Earlier in the afternoon gentlemen on both sides of the House inquired about "the increase of the Navy," and at that time it appeared that we would not be able to reach it or take it up. I told them that we would not take up the increase of the Navy this afternoon, that it would go over. I understand from the Speaker that to-morrow he will recognize the gentleman from North Carolina [Mr. KITCHIN] to call up the conference report on the revenue bill. How long that will take I do not know. I want to ask the gentleman on the other side, Mr. BUTLER, if he would object or be willing for us to go ahead and read the balance of pages 51 and 52, which relate only to the increase of limit of cost of ships of the 1916 program, and then the committee rise when we reach the bottom of page 52? That would take us up to the new program. I am going to leave it to the gentleman from Pennsylvania.

Mr. BUTLER. That is very generous of the gentleman. I do not like to assume the responsibility of prolonging the consideration of the bill unduly. Suppose we say this, if it is agreeable to the gentleman, that if they finish the consideration of the conference report before a certain hour to-morrow we will resume the consideration of this bill.

Mr. PADGETT. I am talking of what we will do now.

Mr. BUTLER. I mean to say that if we finish the discussion on the conference report of the revenue bill we will take up this. I do not know how much time will be consumed in the discussion of that conference report, but I think perhaps all the afternoon.

Mr. PADGETT. I think it will take all day to-morrow. That is my judgment about it, and this will very likely have to go over until Monday.

Mr. BUTLER. Is it the purpose of the chairman not to consider what is known as the presidential program or the new program until Monday; that is, that it will not be considered to-morrow or Saturday?

Mr. PADGETT. I could not say. Everybody will be here to-morrow on the other bill.

Mr. LONGWORTH. I think the gentleman from Tennessee is absolutely right that the conference report on the revenue bill will take all day to-morrow.

Mr. PADGETT. I think it will, so that this will go over until Monday. I have no authority to say that if anything should happen that the conference report would be agreed to early we would not take this up, because we might have half of the afternoon or abundance of time to take it up. But I wanted to know if we could not dispose now of pages 51 and 52 and then rise. That will leave us up to the new program.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. LITTLE. On page 52 it speaks of the limit of cost of the vessels.

Mr. PADGETT. Yes.

Mr. LITTLE. The gentleman's proposition was to discuss page 52. Is it not a fact that on line 9, for example, there is really nothing under way, for none of these ships are built, or any part of them, and with line 11 we find $160,000,000 worth of ships, on which we have not, as I figure it, laid a stick. Does the gentleman intend to take that up?

Mr. PADGETT. The contracts have been awarded for four of them, and the other two have been designated to be built at the Philadelphia yards, and they are proceeding to build them, but they realize that at the present cost of labor and material the limit of cost will not complete them.

Mr. LITTLE. The mere fact that they have made a contract probably does not fix it so that they can not set it aside.

Mr. PADGETT. All of them are on a cost-plus basis. They could not get any contract for a lump sum. Nobody in the country would undertake it.

Mr. LITTLE. There are eight ships here, and he only mentions four that there are contracts for. Would not any above that be additions, like those on the next page?

Mr. PADGETT. This is simply to fix the cost under which they may proceed with the construction. It does not involve any additional appropriation.

Mr. LITTLE. If we do not appropriate it, they could not proceed with a lot of new ships. If they build, the taxpayers must pay.

Mr. PADGETT. It does not involve the appropriation of any additional money. It is only authorization.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. BUTLER. Mr. Chairman, I ask that he have five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BUTLER. Let us see if we can not arrive at some agreement. I do not want to deny the request made by the gentleman from Tennessee, but after talking with some of my colleagues here I find they desire very much to consider the present program along with the new one, and I believe that if we consider the two of them together we will expedite the business and finish the two of them in good time. Of course, the gentleman has it within his power to move to-morrow afternoon to go into the committee and consider this bill if the opportunity affords itself, and I would not ask him to agree not to do it.

Mr. PADGETT. I could not say when we would take it up, but it looks as though we would not take it up before Monday. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15539, the naval appropriation bill, and had come to no resolution thereon.

HOUR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER. Is there objection?

Mr. MOORE of Pennsylvania. Reserving the right to object, I should like to ask the gentleman whether he expects to go on with this bill to-morrow?

Mr. PADGETT. No; the Speaker expects to recognize Mr. KITCHIN to call up the conference report on the revenue bill.

Mr. MOORE of Pennsylvania. That was my understanding. If the revenue bill takes all day to-morrow this bill will go over until Monday?

Mr. PADGETT. Yes. If for any reason the revenue bill should be concluded in time, we might move to-morrow afternoon to consider this bill.

Mr. LONGWORTH. May I ask the gentleman if he makes this request at the suggestion of the gentleman from North Carolina?

Mr. PADGETT. Not to-day. The gentleman has asked me each day to make this request.

Mr. CRISP. Mr. Speaker, the gentleman from North Carolina [Mr. KITCHIN] has been at home all day, I presume, preparing for the consideration of the revenue bill to-morrow.

Mr. LONGWORTH. It only occurs to me, unless the gentleman from North Carolina has some very good reason for beginning at 11 o'clock to-morrow, that it would not be advisable to do so, because there are a number of gentlemen who would like even to have that extra hour on Saturday morning to look over this bill.

Mr. PADGETT. I just assumed the gentleman wanted as much time as possible for his discussion, and if it would take all day it would give an additional hour for such discussion.

The SPEAKER. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] objects.

ADJOURNMENT.

Mr. PADGETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Saturday, February 8, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting estimate of appropriations for national archives building, Washington, D. C. (H. Doc. No. 1772); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of War, transmitting copies of certain estimates for the relief of officers, and for other purposes (H. Doc. No. 1773); to the Committee on Military Affairs and ordered to be printed.

3. A letter from the Secretary of War, transmitting tentative draft of amendments desired to be incorporated in the appropriation bill for the support of the Army for the fiscal year ending June 30, 1920 (H. Doc. No. 1774); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PRICE, from the Committee on Claims, to which was referred the bill (H. R. 7253) for the relief of F. M. Barfield, reported the same without amendment, accompanied by a report (No. 1042), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. COOPER of Ohio: A bill (H. R. 15744) authorizing the Secretary of War to donate to the city of Warren, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15745) authorizing the Secretary of War to donate to the city of Ashtabula, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15746) authorizing the Secretary of War to donate to the town of Sebring, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15747) authorizing the Secretary of War to donate to the city of Youngstown, Ohio, four German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15748) authorizing the Secretary of War to donate to the city of Niles, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15749) authorizing the Secretary of War to donate to the city of Conneaut, Ohio, two German cannon or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15750) authorizing the Secretary of War to donate to the village of Windsor, Ohio, one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15751) authorizing the Secretary of War to donate to the village of Rock Creek, Ohio, one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15752) authorizing the Secretary of War to donate to the village of Mineral Ridge, Ohio, one German cannon or fieldpiece, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15753) authorizing the Secretary of War to donate to the city of Geneva, Ohio, two German cannons or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15754) authorizing the Secretary of War to donate to the city of Jefferson, Ohio, two German cannons or fieldpieces, with accompaniments; to the Committee on Military Affairs.

Also, a bill (H. R. 15755) to provide for the erection of a public building in the city of Niles, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. HUTCHINSON: A bill (H. R. 15756) donating a captured German cannon or fieldpiece to the borough of Pennington, N. J., for decorative and patriotic purposes; to the Committee on Military Affairs.

By Mr. BRAND: A bill (H. R. 15757) to repeal Title VII of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917; to the Committee on the Judiciary.

By Mr. CARTER of Oklahoma: A bill (H. R. 15758) authorizing the Secretary of War to donate to the city of Madill, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15759) authorizing the Secretary of War to donate to the city of McAlester, Okla., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15760) authorizing the Secretary of War to donate to the town of Talihina, Okla., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15761) authorizing the Secretary of War to donate to the city of Durant, Okla., three German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 15762) to provide for the erection of a public building at Morganton, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. GRAY of New Jersey: A bill (H. R. 15763) increasing the limit of cost for a Federal building at Bayonne, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15764) authorizing the Secretary of War to donate to the township of Elizabeth, in the State of Pennsylvania, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 15765) authorizing the Secretary of War to donate to the borough of Lehighton, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GARLAND: A bill (H. R. 15766) authorizing the Secretary of War to donate to the town of Edgewood, Pa., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BROWNE: A bill (H. R. 15767) authorizing the Secretary of War to donate to the village of Manawa, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EDMONDS: A bill (H. R. 15768) declaring October 27 of each year a legal holiday; to the Committee on the Judiciary.

By Mr. McKINLEY: A bill (H. R. 15769) to repeal the daylight-saving law; to the Committee on Interstate and Foreign Commerce.

By Mr. MORGAN: A bill (H. R. 15770) to provide for the guarantees made to wheat producers for the crop years 1918 and 1919, and for other purposes; to the Committee on Agriculture.

By Mr. WELTY: A bill (H. R. 15771) to donate two captured cannon or fieldpieces to the city of Wapakoneta, Auglaize County, Ohio; to the Committee on Military Affairs.

By Mr. LEHLBACH: A bill (H. R. 15772) donating a captured German cannon or field gun and carriage to the town of Irvington, N. J., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15773) donating a captured German cannon or field gun and carriage to the city of Newark, N. J., for decorative purposes; to the Committee on Military Affairs.

By Mr. DRUKKER: A bill (H. R. 15774) authorizing the Secretary of War to donate to the city of Clifton, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. DOMINICK: A bill (H. R. 15775) authorizing the Secretary of War to donate to the city of Seneca, S. C., one German cannon or fieldpiece and carriage; to the Committee on Military Affairs.

By Mr. DENTON: A bill (H. R. 15776) for the erection of a Federal building at Mount Vernon, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. RANDALL: A bill (H. R. 15777) to provide for flood control on the Colorado River, and for other purposes; to the Committee on Flood Control.

By Mr. McKENZIE: Resolution (H. Res. 556) directing the Secretary of War to transmit to the House of Representatives copies of all correspondence and other papers and memoranda relating to regulations for training registrants prior to their induction into military service; to the Committee on Military Affairs.

By Mr. ESCH: Memorial from the Legislature of the State of Wisconsin memorializing the Congress of the United States to cooperate with the Dominion of Canada in the enlarged canalization of the St. Lawrence River for the passage of ocean-going vessels into the Great Lakes; to the Committee on Rivers and Harbors.

Also, memorial from the Legislature of the State of Wisconsin relating to the tobacco industry and requesting the Federal Trade Commission to report on such industry; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HAYDEN: A bill (H. R. 15778) granting a pension to Owen E. Murphy; to the Committee on Pensions.

By Mr. LEA of California: A bill (H. R. 15779) granting an increase of pension to John T. Smith; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 15780) granting an increase of pension to Harvey Dittenhafer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15781) granting an increase of pension to Cornelius McCafferty; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Memorial adopted by the Friends of Irish Freedom of Newark, Ohio, asking recognition for the Republic of Ireland; to the Committee on Foreign Affairs.

By Mr. COOPER of Wisconsin: Petition of citizens of Racine, Kenosha, Waukesha, Rock, and Walworth Counties, Wis., asking for repeal of postal zone law; to the Committee on Ways and Means.

Also, petition of Eugene J. Reitter, D. B. Worthington, and other residents of Beloit, Wis., asking that Congress create a department of education; to the Committee on Education.

By Mr. DALLINGER: Petition of citizens of Cambridge, Mass., protesting against postal zone rate law; to the Committee on Ways and Means.

Also, petition of citizens of Arlington, Mass., protesting against the postal zone rate law; to the Committee on Ways and Means.

By Mr. EMERSON: Petition of International Association of Engineers, Local No. 584, and citizens, favoring ownership by the Government (H. R. 10550); to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of Earl L. Scott, manager of Fox Theater, Black River Falls, Wis., protesting against imposition of 5 per cent tax on moving-picture film rentals; to the Committee on Ways and Means.

Also, petition of citizens of La Crosse, Wis., indorsing House bill 10550 providing for national ownership and Government control of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. GALLIVAN: Petition of citizens of Woburn, Mass., in mass meeting assembled, demanding that the principle of self-determination shall be applied to all nations, great and small, mindful first of Ireland; to the Committee on Foreign Affairs.

Also, petition of Men's Club of Watertown Unitarian Church, January 15, 1919, demanding that steps be taken to organize justice among nations and prevention of war and the uplift of humanity; to the Committee on the Judiciary.

By Mr. GORDON: Petition of United Brotherhood of Carpenters and Joiners of America, protesting against legislation authorizing a State constabulary in Ohio; to the Committee on Military Affairs.

By Mr. GRAHAM of Illinois: Petition of Rev. W. Greer McCrory and divers other members, friends, and adherents of the Henderson United Presbyterian Church, in Warren County, Ill., with reference to a repeal of the zone postal law; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of Ancient Order of Hibernians, of East Hartford, Conn., relating to self-determination of Ireland; to the Committee on Foreign Affairs.

Also, petition of general committee of citizens of Waterbury, Conn., in re welfare of sailors and soldiers; to the Committee on Military Affairs.

By Mr. MAPES: Petition of 86 citizens of Grand Rapids, Mich., for the enactment of a law providing for the Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. McFADDEN: Petition of State board of agriculture in session at Harrisburg, Pa., January 22, 1919, favoring a system of universal military training similar to that known as the Swiss; to the Committee on Military Affairs.

By Mr. McKEOWN: Memorial of House of Representatives of Oklahoma, relating to the distribution of captured war relics; to the Committee on Military Affairs.

Also, memorial of Sapulpa Commercial Club, relating to the removal of restrictions on Indian lands and sale of same; to the Committee on Indian Affairs.

By Mr. MOORE of Pennsylvania: Petition of board of directors of the National Federation of Construction Industries, favoring early return of the railroads to their owners; to the Committee on Interstate and Foreign Commerce.

By Mr. NEELY: Telegram signed by J. L. Stifel & Sons, Wheeling, W. Va., requesting that new revenue bill be not enacted; to the Committee on Ways and Means.

Also, telegram signed by Hon. J. E. Stevens, Wheeling, W. Va., requesting the nonpassage of the revenue bill; to the Committee on Ways and Means.

By Mr. POLK: Petition of Manufacturers' Association of Wilmington, Del., opposing the continuance of United States Employment Service; to the Committee on Labor.

By Mr. SMITH of Michigan: Papers in the pension case of Reuben Drinkwater (H. R. 15567); to the Committee on Invalid Pensions.

By Mr. TOWNER: Petition of citizens of Creston, Iowa, indorsing House bill 10550, providing for national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. VOLSTEAD: Petition of residents of Minnesota, demanding that Congress pass necessary legislation to carry out the terms of the President's proclamation on the guaranteed price of wheat for 1919; to the Committee on Agriculture.

SENATE.

SATURDAY, *February 8, 1919.*

(*Legislative day of Friday, Feb. 7, 1919.*)

The Senate met at 12 o'clock noon, on the expiration of the recess.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Johnson, S. Dak.	Nugent	Smoot
Beckham	Jones, N. Mex.	Overman	Spencer
Borah	Jones, Wash.	Page	Sterling
Chamberlain	Kellogg	Penrose	Sutherland
Colt	King	Pittman	Swanson
Culberson	Kirby	Poindexter	Thomas
Curtis	Knox	Pollock	Thompson
Dillingham	La Follette	Pomerene	Townsend
Fernald	Lenroot	Ransdell	Trammell
Fletcher	Lodge	Robinson	Underwood
France	McKellar	Saulsbury	Vardaman
Gay	McNary	Shafroth	Wadsworth
Hale	Martin, Va.	Sheppard	Walsh
Harding	Moses	Sherman	Warren
Henderson	Nelson	Simmons	Weeks
Johnson, Cal.	New	Smith, Ariz.	

Mr. SHEPPARD. I wish to announce that the Senator from Oklahoma [Mr. GORE], the Senator from Delaware [Mr. WOLCOTT], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Arizona [Mr. ASHURST] are detained on official business.

Mr. SAULSBURY. I desire to state that the senior Senator from Maryland [Mr. SMITH] is till confined to his house by illness.

I wish also to state that the senior Senator from Mississippi [Mr. WILLIAMS] is detained from the Senate by illness.

Mr. TRAMMELL. I desire to announce the absence of the junior Senator from Georgia [Mr. HARDWICK] on committee work of the Senate.

Mr. POLLOCK. I wish to announce the absence of the senior Senator from South Carolina [Mr. SMITH] on official business.

The VICE PRESIDENT. Sixty-three Senators have answered to the roll call. There is a quorum present.

CLAIMS OF ARMY OFFICERS.

The VICE PRESIDENT laid before the Senate a communication from the Secretary of War, transmiting copies of certain estimates for the relief of officers, and for other purposes, which were submitted as part of the annual estimates for the Army appropriation bill for the fiscal year 1920, etc., which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. WALSH. I present a memorial of the Legislature of the State of Montana, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

A memorial to the honorable Senate and House of Representatives of the United States in Congress assembled for the passage of an act ceding to the State of Montana the military reservation located in Montana known as Fort William Henry Harrison, to be used as an adjunct of the State industrial accident board for a rehabilitation institute for the education and maintenance of persons injured in the industries of Montana and adjoining States.

To the honorable Senate and House of Representatives of the United States in Congress assembled:

Whereas by act of Congress approved May 12, 1892, there was established in the State of Montana Fort William Henry Harrison, the site for which, consisting of 1,000 acres, was donated to the United States by the citizens of Helena, and in addition to which there has been acquired by purchase sufficient land to make up a total of 1,790 acres, which said site is described as follows, to wit: Mineral entry No. 1900, situated in the southwest quarter of the southeast quarter of section 4 in township 10 north of range 4 west of the Montana principal meridian; the northeast quarter of section 9; the southeast quarter, the south half of the northeast quarter, the northeast quarter of the northeast quarter, the west half of the northwest quarter, and the southeast quarter of the northwest quarter of section 10; the southwest quarter of section 11; the west half of section 15; the east half of section 16; the southeast quarter of the southeast quarter of section 17; the northeast quarter, the east half of the northwest quarter, and the northwest quarter of the northwest quarter of section 21; and the north half of the northwest quarter of section 22, all in township 10 north of range 4 west of the Montana principal meridian; and

Whereas there has been constructed upon the said site a large number of brick buildings of a permanent character, and there has been acquired in connection with the said site ample water facilities for irrigating and making productive said lands in the growing of grass, trees, shrubbery, vegetables, and other agricultural products, making a very attractive and useful piece of property; and

Whereas the said site and buildings have not been used by the War Department for the purposes for which they were acquired for a period of more than three years last past, and there does not appear to be at the present time any prospect for the immediate use of the said site for the uses of the War Department, and the buildings are decaying by reason of neglect and nonuse, and the grounds are becoming unsightly; and

Whereas the industrial accident board of the State of Montana, a department of the government of said State organized under the act of the legislative assembly of the said State providing for compensation to workmen injured in the industries of the said State, and providing for the administration of the workmen's compensation act, known as chapter 96 of the Session Laws of the Legislative Assembly of Montana for the Session of 1915, has recommended to the Legislative Assembly of the State of Montana now in session the establishment of an institution for the reeducation and rehabilitation of those unfortunates who have been partially or totally disabled by reason of accidents from pursuing their usual vocations or professions, and thereby giving to these unfortunate victims of industrial accidents an opportunity of becoming useful citizens rather than dependents upon the bounty of the State; and

Whereas there is not located in any of the States of the Union an institution of such a character, and an opportunity is here offered for commencing under the most favorable circumstances an experiment which would make possible the vocational reeducation of large numbers of persons injured in the industries of the State of Montana and the adjoining States:

Now, therefore, the honorable Senate and House of Representatives of the United States in Congress assembled are hereby respectfully memorialized and petitioned by the Senate and House of Representatives of the Legislative Assembly of Montana, duly assembled, to enact a law ceding to the State of Montana the above-described site, known as Fort William Henry Harrison, consisting of the tracts hereinabove described, the buildings thereon, the water rights, and all of the appurtenances thereunto belonging or therewith enjoyed, to be used by the State of Montana for the uses and purposes above outlined; and be it further

Resolved, That the secretary of state of the State of Montana be, and he is hereby, directed to transmit to the Speaker of the House of Representatives of the United States and to the President of the Senate of the United States and to the Senators and Representatives of the State of Montana in Congress severally copies of this memorial.

Mr. HALE presented a petition of the Woman's Club of New Castle and Damariscotta, in the State of Maine, praying for the establishment of a department of education, which was referred to the Committee on Education and Labor.

Mr. LODGE presented a petition of the Lithuanian societies and political clubs of Scranton, Pa., praying for the independence of Lithuania, which was referred to the Committee on Foreign Relations.

He also presented a resolution adopted by the city council of Quincy, Mass., favoring the granting to honorably discharged soldiers, sailors, and marines six months' additional pay, which was referred to the Committee on Military Affairs.

He also presented a resolution adopted by the Building Trades Employers' Association of Boston, Mass., favoring the enactment of legislation for an appropriation of $100,000,000 to help solve the unemployment situation by furnishing financial aid to States and municipalities for use on public works, which was referred to the Committee on Appropriations.

He also presented petitions of the faculty of Mount Holyoke College, of South Hadley, of sundry citizens of Lynn, Mass., and of the congregation of the First Congregational Church of Cambridge, all in the State of Massachusetts, praying for the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

PENSIONS AND INCREASE OF PENSIONS.

Mr. WALSH, from the Committee on Pensions, to which was referred the bill (H. R. 14894) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, reported it with amendments and submitted a report (No. 697) thereon.

DIPLOMATIC AND CONSULAR APPROPRIATIONS.

Mr. OVERMAN, from the Committee on Appropriations, to which was referred the bill (H. R. 14516) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1920, reported it with amendments and submitted a report (No. 698) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HENDERSON:

A bill (S. 5557) to safeguard temporarily, by a license control of imports of potash, the interests of domestic potash, to-

ducers until trade conditions are readjusted; to the Committee on Mines and Mining.

By Mr. MARTIN of Virginia (for Mr. SMITH of Maryland):

A bill (S. 5558) authorizing the Secretary of War to donate to the town of Hagerstown, Md., one German cannon or field-piece; to the Committee on Military Affairs.

A bill (S. 5559) to provide for the erection of an addition to the post-office building at Baltimore, Md., for alterations to the present building and changes to the railroad entering same; to the Committee on Public Buildings and Grounds.

By Mr. McKELLAR:

A bill (S. 5560) to increase the cost of the public building at Memphis, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. SHEPPARD:

A bill (S. 5561) to provide for the enforcement of prohibition during the war and the period of demobilization; to the Committee on the Judiciary.

By Mr. POMERENE:

A bill (S. 5562) for the relief of contractors and subcontractors for post offices and other buildings and work under the supervision of the Treasury Department; to the Committee on Public Buildings and Grounds.

RIVER AND HARBOR APPROPRIATIONS.

Mr. KING submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

THE COMMITTEE ON PUBLIC HEALTH AND NATIONAL QUARANTINE.

Mr. RANSDELL submitted the following resolution (S. Res. 443), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Health and National Quarantine, or any subcommittee thereof, be, and hereby is, authorized during the Sixty-fifth Congress to send for persons, books, and papers; to administer oaths, and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the commitee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

POST OFFICE APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

Mr. BORAH. Mr. President, the amendment which I hope to have incorporated in the bill may be briefly stated as a repeal of the provisions of the two espionage acts relative to the power of the Postmaster General to exclude mail matter from the United States mail. The amendment which I shall propose does not seek to repeal any part of the espionage acts other than those provisions with reference to mail matter. I desire that to be understood, so that we may know precisely what we are dealing with.

As will be recalled, these two provisions, which are sections 1, 2, and 3 of Title XII of the act which was passed June 15, 1917, and section 4 of the act which was passed May 16, 1918, give power to the Postmaster General to exclude all mail matter from the mail which he deems to be in violation of the terms of the espionage acts.

Mr. President, this was passed as a war measure. I assume that no such act would have been proposed by the Congress except as a war measure. It is true that hitherto there had been some legislation with reference to the power of the Postmaster General to exclude certain mail matter from the mail, but no such power as is found in these acts had ever been proposed theretofore at any time in the history of our country.

The war, I take it, Mr. President, except in a most technical sense, ended when the President read to the Congress the terms of the armistice and announced by public proclamation, as it were, that the war was at an end and that these conditions, to wit, the conditions and terms of the armistice, rendered it impossible for Germany to renew the war. Now, while technically speaking it may be that a court would not hold that the war is concluded until actual terms of peace have been signed or imposed, yet so far as our domestic concerns are involved and so far as the treatment of our own people is concerned, I think we ought to consider the war to have closed upon the announcement of the President that it was at an end.

Mr. KELLOGG. Mr. President——

Mr. BORAH. I yield to the Senator.

Mr. KELLOGG. Will the Senator give us the sections he proposes to repeal?

Mr. BORAH. I have just stated them.

Mr. KELLOGG. I did not have the acts before me at the time.

Mr. BORAH. Sections 1, 2, and 3 of Title XII of the first espionage act and section 4 of the second espionage act.

Mr. President, these provisions of the espionage acts resulted in a complete censorship of the American press. In my opinion, if the Congress should ever assume to usurp the power to establish a censorship with intent to accomplish that thing there could be no more effective and successful method adopted than that of giving the Postmaster General certain powers with reference to the exclusion of printed matter from the mail.

When the espionage act was first before the Congress it provided specifically for a censorship, as it were, of the press, a thing which seemed almost incredible to be proposed. Nevertheless it was in the bill as it was originally reported. That was stricken out after long debate, but this clause, which had the same effect, remained in the bill. I stated upon the floor of the Senate at the time that if this clause remained in the bill it would mean just as complete a censorship as the clause which was intended to establish a censorship, and I take it that practice has demonstrated that that was a correct statement.

The way in which this results in censorship is this: If an article appears in a paper which the Postmaster General deems to be in violation of the espionage law, attention is called to the fact by excluding the paper from the mail. Immediately the editor or the publisher of the paper seeks consultation with the Postmaster General and secures from him an intimation or a guidance as to what shall thereafter appear in the paper and not be in violation of the law. That is a complete system of licensing the press. And under the broad terms of the espionage acts he could encompass the whole field of public opinion.

I desire, Mr. President, in discussing this matter to relieve it from mere personal criticism of the Postmaster General. It should be debated upon a different plane and upon a higher plane. No one could administer this provision without establishing what would be in effect a censorship of the press. It inevitably results in that. It rests with the Postmaster General to say how far he shall go. Naturally a man who has his paper excluded from the mails will seek consultation and guidance and permission from the man who has power to exclude it, and the result is that the Postmaster General or his representative becomes the absolute dictator and director of what shall appear from time to time in the publications throughout the country; and that has been the result of this law. I could cite numerous instances where newspapers were excluded from the mails, where publishers sought conversation and interviews with the Postmaster General, and where they returned to their publications with an understanding as to what would be agreeable the Postmaster General. Could a licenser of the press execute his powers in any different or more effective way?

I am not now discussing the question as to whether this or that particular paper should have been excluded. I am simply calling your attention to the fact, in order that I may later direct your attention to the legal question, that this resulted in doing that which we as a Congress have no power whatever to do.

It not only resulted in establishing a censorship but it resulted in a very universal feeling throughout the country that it was not enforced with equal effect as to all people. I shall not stop to examine the evidence as to whether there was partiality or not; I do not care. But you can gather any amount of testimony from newspaper men and publishers in the country to the effect that this paper published things which were, in popular judgment, equally reprehensible with what that paper published, while this paper was permitted to go through the mails and that was excluded. I call attention to this to illustrate the fact that the freedom of the press can never be restrained or circumscribed by any scheme or any plan which the ingenuity of the human brain can frame which will be satisfactory to the great public either in its impartiality or in its justice and equity. There is only one rule after all these centuries of effort and experience, and that is that a man shall publish in the first instance what he choose, and then take the responsibility for the abuse of the privilege.

So, Mr. President, there has been in this country since the day and hour that Congress passed this act just as complete a censorship as that censorship against which Milton inveighed, and against which Charles James Fox and Erskine, the great minds of those days, battled so earnestly and finally so successfully.

Now, the war is over and the most serious questions which could possibly confront a people—domestic questions—are up for consideration. There is a belief that this censorship still obtains. I do not know what the opinion of the Postmaster General is; I do not know whether he regards it as closed or not; but there is a universal belief throughout the country that it is still in existence, and that the law may still be invoked. That belief results in the same hesitancy to discuss public ques-

tions in a frank, open, sincere, and candid way in some quarters as during the war.

Some might be willing to yield upon such matters in the exigency of war, but when peace has been restored and we are dealing with our domestic concerns, matters of supreme concern to the people at home, there ought not to be any restraint upon the minds of the American people in any way, shape, or form. People should be free to express themselves upon these questions without fear of censorship or without the fear of having their publications in any way restrained or interfered with.

So we are asking for the repeal of a law which, in my judgment, we had no power in the first instance to pass, a law which, if it be considered to have been valid by reason of being a war measure, that reason has passed, and a law which is still being invoked, at least in the minds of the people, to deal with a situation which relates only to peace.

Mr. THOMAS. Mr. President, would it interrupt the Senator from Idaho if I should ask him whether his purpose could be accomplished so long as the old law, with which the Senator is familiar, now upon the statute books remains there? I refer to the law which clothes the Postmaster General with the absolute and uncontrolled power of excluding whatever he pleases from the mails of the country, and from his decision there is no appeal, except it may be to the people at the next popular election. In other words, would not the continued existence of that old statute be amply sufficient to enable the Post Office Department to continue in practice the conditions from which the Senator would relieve the people by his proposed repeal of the espionage act?

Mr. BORAH. I think the old law is entirely too broad and drastic in its powers, but it is not to be compared with the law with which we are now dealing, in my judgment. If any such authority should be attempted to be exercised under that law it would necessarily lead some of us to insist upon its modification or repeal.

I want the Senate to bear with me for a few moments while I recall a legal proposition which is involved in this matter, which I think it well at least to consider as we pass along.

There is no proposition better established as a historic fact than the belief in the minds of the framers of the Constitution of the United States that they gave no power whatever to Congress to deal with the subject matter of the freedom of the press or of free speech. It was undoubtedly their belief that that was a matter which was left alone and exclusively to the States. That was the opinion as expressed by the men in the convention; it was the opinion of Mr. Hamilton and Mr. Madison, the principal authors of the Federalist; and it was repeatedly stated in the debates in the different State conventions with reference to the ratification of the Constitution. When the question was raised in the constitutional convention that there ought to be something more expressive with reference to the power of Congress prohibiting the Congress from dealing with the subject, it was stated upon the floor of the convention that it could not be necessary because no power was given to the National Congress or to the National Government to deal with it in any way.

Let me call your attention to a paragraph from Elliott's Debates:

Wednesday, September 12:
In convention: Dr. Johnson, from the committee of style, reported a digest of plan, of which printed copies were ordered furnished to the members.
Friday, September 14:
Mr. Pinckney and Mr. Gerry moved to insert a declaration "That the liberty of the press be inviolably observed."
Mr. SHERMAN. It is unnecessary. The power of Congress does not extend to the press.
On this question it passed, in the negative.

Referring again to Elliott's Debates, in the South Carolina convention, Gen. Lincoln wanted to know why this omission existed with reference to the limitation of the power of Congress over the press. He said:

The liberty of the press was the tyrant's scourge; it was the true friend and supremest supporter of civil liberty; therefore why pass it by in silence?
4. Elliott's Debates, page 314:
He was immediately answered by Gen. Pinckney, the very man who in the Federal convention moved such a clause, but whose motion was rejected.

And Mr. Pinckney said:

With regard to the liberty of the press, the discussion of that matter was not forgotten by the members of the convention. It was fully debated and the impropriety of saying anything about it in the Constitution clearly evinced. The General Government has no powers but what are expressly granted to it; it therefore has no power to take away the liberty of the press. That invaluable blessing, which deserves all the encomiums the gentleman has justly bestowed upon it, is secured by all our State constitutions; and to have mentioned it in our general Constitution would, perhaps, furnish an argument hereafter that the General Government had a right to exercise powers not expressly delegated to it.

In the Virginia convention it was stated:

That, therefore, no right of any denomination can be canceled, abridged, restrained, or modified by Congress, by the Senate and House of Representatives, acting in any capacity, by the President, or any department or officer of the United States, except in those instances in which power is given by the Constitution for that purpose; and that, among other essential rights, the liberty of conscience and of the press can not be canceled, abridged, restrained, or modified by any authority of the United States.

I am not going to take the time of the Senate to go further into this matter, but it was clearly the understanding of the framers of the Constitution and of the ratifiers of the Constitution that the National Government was given no power whatever to deal with this subject.

Then, Mr. President, how did it occur that the first amendment to the Constitution was adopted? It is just as thoroughly established as a historical fact that it was adopted because of the possible doubt that in certain emergencies silence might be construed into the power to deal with this subject matter. Mr. Jefferson and Mr. Madison said that the silence which obtains with reference to this matter may give rise to argument and power will seek to be inferred from certain other powers in the Constitution. Therefore, in order that no inference may be drawn from any power granted in the Constitution, it should be expressly prohibited by specific amendment to the Constitution. So the first amendment to the Constitution was adopted, which I thought I had before me, but which, as Senators will all recall, provides that Congress shall have no power to pass any law respecting an establishment of religion or the abridgment of the freedom of the press or of speech. Of course, I am not quoting it with exactness, but it provides that Congress shall have no power to pass any law in regard to, concerning, or relating to this subject matter.

Mr. STERLING. Mr. President, the Senator from Idaho, I think, perhaps puts a wrong interpretation upon that provision of the Constitution. The Constitution says that Congress shall pass no law, as I remember, respecting religion, nor shall the freedom of speeclr or of the press be abridged. It is something like that.

Mr. BORAH. Here is the exact language:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances.

This amendment was adopted because of the belief of such men as Mr. Jefferson that, unless there was a more specific declaration, it might be said to be established as a matter of inference from other powers which were granted to the Congress. I call your attention to the language of Mr. Hamilton in the Federalist on this particular subject, which shows clearly what they had in mind. In No. 84 of the Federalist Mr. Hamilton says:

Bills of rights, in the sense and to the extent they are contended for, are not only unnecessary in the proposed Constitution, but would even be dangerous. * * * Why, for instance, should it be said that the liberty of the press shall not be restrained, when no power is given by which restrictions may be imposed? I will not contend that such a provision would confer a regulating power; but it is evident that it would furnish, to men disposed to usurp, a plausible pretense for claiming that power.

The argument of Hamilton was that as no power was given to Congress to deal with the subject matter in any way, why adopt a bill of rights which might give rise to the argument that Congress had a regulating power?

Mr. Madison, in the famous report upon the Virginia resolution, says:

Some degree of abuse is inseparable from the proper use of everything, and in no instance is this more true than in that of the press. It has accordingly been decided, by the practice of the States, that it is better to leave a few of its noxious branches to their luxuriant growth than by pruning them away to injure the vigor of those yielding the proper fruit. And can the wisdom of this policy be doubted by anyone who reflects that to the press alone, checkered as it is with abuses, the world is indebted for all the triumphs which have been gained by reason and humanity over error and oppression; who reflects that to the same beneficent source the United States owe much of the lights which conducted them to the rank of a free and independent Nation and which have improved their political system into a shape so auspicious to their happiness.

* * * * * * *

Whatever weight may be allowed to these considerations—

Referring to certain arguments which had been made—

the committee do not, however, by any means intend to rest the question on them. They contend that the article of the amendment, instead of supposing in Congress a power that might be exercised over the press, provided its freedom was not abridged, meant a positive denial to Congress of any power whatever on the subject.

It may be said, Mr. President, that this law with which we are dealing to-day does not in terms attempt any censorship of

the press or in any way abridge its freedom, and that, as it is upon its face fair and equitable, simply giving to the Postmaster General the power to exclude from the mails, it is not unconstitutional; but I have called attention to the fact that the result of the law in its execution and administration has been to establish a censorship as a practical fact. I apprehend that that can scarcely be denied. Is there any Senator here who does not know of newspapers whose policies were modified, whose position was changed by reason of the fact that they had their interviews with the Postmaster General?

Mr. SHERMAN. Mr. President——

The PRESIDING OFFICER (Mr. SUTHERLAND in the chair). Does the Senator from Idaho yield to the Senator from Illinois?

Mr. BORAH. I yield.

Mr. SHERMAN. I know of newspapers whose managers and editors were informed—and the papers were afterwards excluded from the mails—that their editorial policies and expressions of opinion should be changed in conformity with some advices received from the Executive or from a representative of the Executive; and when they supported the policies of the administration in a political and administrative way they were restored to their postal privileges.

Mr. BORAH. Mr. President, as I said a moment ago, that is the inevitable result of the administration of this kind of a law.

Mr. OVERMAN. Mr. President, I wish the Senator would let us know what newspapers he has in mind. We are investigating this matter now, and a witness before our committee last week stated that there was a propaganda on the part of the Bolsheviki to repeal this legislation.

Mr. BORAH. Mr. President, I know the Senator from North Carolina so well and like him so well that I will not permit myself to be insulted by that kind of a remark.

Mr. OVERMAN. I love the Senator from Idaho; there is no one of whom I think more highly; he and I are very good friends, and always have been. I was merely stating what is happening in our committee—not that the Senator is responsible, for he has always stood where he stands now, and when the espionage bill was before the Senate two years ago he made a very able speech against it, taking the same ground he is taking now. So I could not have referred to him. I repeat that I am merely stating what is happening.

The Senator spoke of certain newspapers. When the president of the newspaper fraternity of this country was before our committee he said they were coming and trying to get him to advocate in the newspapers of this country the repeal of this legislation. That does not refer to the Senator. There is no better, abler, or more patriotic man in this country. I have been associated with him on committees. I know his patriotism and his love of his country; and there is no criticism of him on my part.

Mr. BORAH. Mr. President, I do not care how many Bolsheviki or who advocates the repeal of this law; it does not modify my position either with reference to advocating this or with reference to making me more zealous one way or the other. I simply know, as Mr. Madison says, that while there may be evils connected with the complete freedom of the press, they are infinitely small and of infinitely inconsequential effects as compared with the evil of a censored press.

If we must deny the liberty of the press, if we must deny freedom of speech, if we must change the whole structure of our republican institutions and deny the guaranties of the charter of 100 years, in order to deal with conditions in this country, we have already reached the point where free institutions have passed as an effectual fact in the administration of public affairs.

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Mississippi?

Mr. VARDAMAN. Will the Senator yield to me to make this observation—that if the Bolshevists or the Socialists are advocating the repeal of this un-American and undemocratic law they are rendering a greater service to America and to liberty than the autocrat or the plutocrat who opposes the repeal of the law.

Mr. OVERMAN. I have no doubt there are a great many Bolsheviki who feel just like the Senator does.

Mr. BORAH. Mr. President, I think we may deal with this matter according to the well-established principles of free government, without being diverted from our faith and our convictions through the propaganda either of those who are in favor of it or those who are against it for purely selfish ends.

Now, I am frank to say that I would rather risk restoring sanity and patriotism and established order in this country through a complete and frank and open and sincere discussion of all questions than by undertaking to repress the views of any particular faction or any particular community. All of us who have looked into the pages of history know something of how utterly fruitless is the effort to direct men's thoughts and views through a system of arbitrary repression. Where truth is permitted to have free sway, error will finally be driven from the minds of men.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I do.

Mr. KELLOGG. I just want to ask a question. Section 2 of the provision which the Senator seeks to repeal, as I understand, provides that every letter, writing, circular, postal card, and so forth, advocating or urging treason, insurrection, or forcible resistance to the laws of the United States is declared to be nonmailable. If that is repealed, will there be any statute now in existence to prevent the mailing of matter urging treason?

Mr. BORAH. There is a statute, with which the Senator is familiar, which enables the Postmaster General to exclude mail matter from the mail—an old statute, which, I think, is entirely too broad.

Mr. LODGE. Has the Senator that statute there?

Mr. BORAH. I have not it here.

Mr. KELLOGG. I am unable to find any statute that goes that far.

Mr. BORAH. The Senator from Colorado [Mr. THOMAS] called attention to it a few moments ago, and he may have it before him; I do not know.

Mr. THOMAS. No; I have not. I had some experience with the department some time ago under the provisions of the statute, but I am unable to refer the Senate to the volume of the Statutes at Large containing it. I know there is such a law. If there is not, the Postmaster General certainly has been exercising extraordinary power without any statute.

Mr. BORAH. There is an old law. I do not know just what its terms are, but I presume they are not broad enough or they would not have insisted upon the passage of this law.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Massachusetts?

Mr. BORAH. I do.

Mr. LODGE. I think that is a very important point. I have never liked these laws which have led to censorship, as the Senator knows. I think they have been abused. I think things have been done that ought not to have been done, and things have been omitted that ought to have been done; but section 2 seems to me to go entirely outside the question of freedom of speech. It is matter advocating treason, insurrection, or forcible resistance to the laws of the United States. We stop fraudulent circulars in the mails now under our general law. I do not think freedom of speech can possibly be interpreted to mean freedom to advocate resistance to the laws, or treason, or insurrection.

Mr. BORAH. Mr. President, does the Senator believe that the way to control this matter is to place it arbitrarily in the hands of an individual? We have juries and we have laws by which to enforce and protect these general provisions of law. We have a method by which to try to arrive at the question of whether a particular matter is treasonable or not. But does the Senator from Massachusetts or any other Senator want to say that the Postmaster General shall determine whether or not an article that I write is treason? Shall I or any other citizen wear the brand or stigma of treason if a single individual without hearing, if he so elects, choose to declare me or my publication disloyal? The old star-chamber trials were more humane and respectable than that.

Mr. LODGE. No; I do not like that at all.

Mr. BORAH. That is what I am complaining of.

Mr. LODGE. But have we any law that meets such cases, and is the United States Government bound to carry in its mails circulars or anything you please advocating resistance to the laws and the overthrow of the Government? I do not think the United States is bound to do it; and if a man is wronged by being excluded by the Postmaster General the courts are open to him.

Mr. BORAH. I ask again, is the Senator willing to have it determined behind closed doors, by the counsel of a Cabinet officer and by his legal adviser, without anybody having an opportunity to meet the charge that he is guilty of treason?

Mr. LODGE. No; I am not prepared to have it finally decided there, but I would give him the same relief that the Senator

would give the community. I would let him take it before a jury.

Mr. BORAH. Yes; exactly. I am not asking to repeal the espionage act. That is a different proposition. I am asking to take away the arbitrary power to say that a communication which I make is treason.

Mr. SHERMAN and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and if so, to whom?

Mr. BORAH. I yield to the Senator from Illinois.

Mr. SHERMAN. I ask the Senator from Idaho if it would not be just as sensible, if I should make a speech on a platform, for the Director of Railways to say that I could not purchase a railway ticket until I had revised my power of free speech; or a grain merchant might be refused a license to transact business by the Food Administration, or a milling company. It is the specific character of the offense decided behind closed doors in the absence of a judicial hearing that I understand the Senator is criticizing.

Mr. BORAH. Precisely so.

Mr. SHERMAN. And I am in sympathy with that criticism.

Mr. BORAH. We are not here advocating the right of people to preach treason or violence; but we are advocating that this shall be determined according to the well-established principles of Anglo-Saxon civilization.

Mr. LENROOT and Mr. KING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield, and if so, to whom?

Mr. BORAH. I yield to the Senator from Wisconsin. Then I will yield to the Senator from Utah.

Mr. LENROOT. I want to ask the Senator whether or not the amendment he will propose is the same as that of which he gave notice on January 31?

Mr. BORAH. Yes.

Mr. LENROOT. Then I want to ask the Senator whether, so far as the powers of the Postmaster General are concerned, they are not confined to section 1 of the act of June 15, 1917, and section 4 of the act of May 16, 1918?

Mr. BORAH. I think they are.

Mr. LENROOT. Then I want to ask the Senator why sections 2 and 3 of the act of June, 1917, should be repealed, section 2 declaring letters, writings, and so forth, advocating or urging treason, insurrection, or forcible resistance to any law of the United States to be unmailable, and section 3 providing punishment in the courts for violation of that statute?

Mr. BORAH. Section 3 perhaps should not be repealed, upon that statement; but if section 2 stands, of course the Postmaster General determines that it is nonmailable.

Mr. KING and Mr. KELLOGG addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Utah?

Mr. BORAH. I do.

Mr. KING. Perhaps this is not quite germane to the Senator's discussion; but if he will pardon me, I should like to invite his attention to the fact that we have laws now which devolve upon the Postmaster General the power to exclude from the mail lewd and lascivious publications, publications which are in their nature fraudulent, or calculated to commit or perpetrate frauds, and publications in the interest of lotteries. The Postmaster General has to exercise a discretion. He may do it behind closed doors. The Supreme Court of the United States in a number of cases, starting with the case of Ex parte Jackson, and, indeed, prior to that time, have upheld the validity of statutes of that character; and, as was pertinently said by the Senator from Massachusetts, the Government of the United States clearly is entitled to exclude from the mails deadly matter assailing the integrity of the Government, and it is no infringement of the right of free speech.

Mr. BORAH. Mr. President, the case of Ex parte Jackson also held that if this power which was granted to the Postmaster General went so far as in any way to embarrass the freedom of the press it was void.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Minnesota?

Mr. BORAH. I yield.

Mr. KELLOGG. I find that section 479—I suppose of the Revised Statutes—reads as follows:

> Unmailable matter includes all matter which is by law, regulation, or treaty stipulation prohibited from being transmitted through the mails.

Then follow a lot of designations of what unmailable matter shall be—among others, obscene matter, libelous matter, indecent matter, lottery matter, fraudulent matter—and then there is a specific statute against mailing obscene, lewd, or lascivious matter. Now, does the position the Senator takes include—I mean in principle—the repeal of those statutes?

Mr. BORAH. Mr. President, I am very frank to say to the Senator that I think that law is entirely too broad. I am utterly opposed to lodging in any administrative officer the power to say that this or that publication is in violation of his regulations. I think there ought to be a different way to determine it. There ought to be an impartial tribunal where an open hearing can be had.

Mr. KELLOGG. How would you determine whether matter should not be mailed?

Mr. BORAH. In the first place, I would make it a law that a person should not mail such literature as was lewd or lascivious. If he did, I would arrest him, try him, convict him, and send him to the penitentiary, the same as if he committed any other crime.

Mr. KELLOGG. Of course it might be possible, under such a law as that, to send out vast quantities of such matter in the mail, with no way of stopping it except prosecution. The stuff would go out and go into the hands of the people.

Mr. BORAH. That does not follow at all. A man does not send out very much mail when he is behind the bars. He does not send out very much literature when he is in the penitentiary.

Mr. KELLOGG. Sometimes it takes a good while to get him there.

Mr. BORAH. Very well, unless the Senator wants to dispose of our system of jury trials entirely. If he believes in that theory, of course I have no argument with him.

Mr. KELLOGG. I do not. I simply want the Senator's view as to whether there should be any statutes at all providing for nonmailable matter, other than the statutes prohibiting the sending of such matter through the mail and providing for prosecution in the courts for a violation of the statute. That is the question I wanted to ask the Senator, because it seemed to me that if this should be repealed entirely we should repeal the other statute also, because it is based upon the same principle.

Mr. BORAH. I would be very glad to have the Senator offer that as an amendment to my amendment. I am dealing with a specific situation, with which the Senator from Minnesota and all other Senators are perfectly familiar.

Mr. OVERMAN. Will the Senator yield to me?

Mr. BORAH. In just a moment. We know to what extent this power in the two espionage acts has been used. We know to what extent that power has been carried, and, in my judgment, it has resulted as inevitably results from an attempt to enforce that kind of a law.

Mr. President, some time ago there was brought to me a publication which had been excluded from the mail. I went through that publication from one cover to the other, and I declare that it was impossible for me to find anything which, to my mind, indicated the slightest disloyalty, the slightest desire to embarrass the Government, or that was in any way an infringement of that act. I am quite sure that I entered upon the investigation without any prepossession one way or the other, and I was utterly unable to determine upon what proposition it had been excluded from the mail. I could not even select the article which, in my judgment, was the one upon which they in all probability relied, and yet it was excluded from the mail.

Mr. President, suppose that matter had been brought to the attention of 12 impartial men or to some impartial tribunal, would it not then have been more in accordance with justice and equity and fair play and good conscience in the administration of affairs than to lodge the power in a man to say, "I exclude it. I do not need to give any reason. It does not suit my taste, therefore it goes out."

The Senator from Minnesota and the gentlemen who are contending for this proposition are contending for that kind of a power.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Will the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I yield.

Mr. KNOX. I wish to ask the Senator a question, and I want to say a word or two in preface to it. If the Senator from Idaho is willing, I will take his time to that extent.

I doubt somewhat whether the legal proposition which the Senator from Idaho has so clearly discussed is really involved, if I understand the position of the Senator from Idaho. There is a whole lot of difference, in my judgment, between freedom of the press and the right to have particular things carried through the mail and difference between freedom of speech and the right to have things printed and carried through the mail.

Mr. BORAH. I agree with the Senator.

Mr. KNOX. I understand the Senator's position to be that he has no objection whatever to passing the most drastic law prohibiting transmitting through the mails treasonable matter—none whatever.

Mr. BORAH. None whatever.

Mr. KNOX. His point is that the question as to whether or not it is treasonable is a risk that is to be taken by the person who puts it in the mail, and that if it is treasonable that question is, like any question under a penal statute, to be determined by a jury on indictment for a violation of the law. Is that a correct statement of the Senator's position?

Mr. BORAH. That is my position.

Mr. KNOX. Then is it not true that we are not called upon here to pass on the constitutional question urged in the early part of the Senator's remarks?

Mr. BORAH. Only in this way: The administration of this law has unquestionably resulted in effectuating that which we have no power to effectuate, and that is a censorship of the press. In other words, Mr. President, if under this authority, arbitrary as it is, I have the power to call the Senator from Pennsylvania, who may be a publisher, to the city of Washington and say to him, "You can not put your publication through the mail except you conduct your editorial page along this line," it results in the establishment of a censorship, which we have no power to do.

Mr. KNOX. Exactly so; and do you not accomplish all you want by repealing the fourth section of the act of May 6, 1918? That is the section which gives the Postmaster General the right to determine the character of the publication. In my judgment, if I understand the Senator's position, he does not need necessarily to repeal the provisions of the second and third sections of the act of June 15, 1917, because those sections only create the prohibition and provide for the punishment.

Mr. BORAH. Truly, if that be the construction of the Senator, I will agree with him. What I want by this amendment, and I am perfectly willing to shape the amendment to that effect, is to take away the power of the Postmaster General to determine whether this or that publication comes within the purview of the espionage act. I want that determined by a different tribunal, where the man who is charged may be heard.

Mr. KNOX. I will go with the Senator that far; but I do not want by my vote to repeal the provisions of an act which makes the circulation of treasonable matter through the mail an offense, and I do not think the Senator from Idaho wants to do that, either.

Mr. BORAH. Precisely; not if the fact is to be established by the proper tribunal.

Mr. KNOX. Let it be like any other crime. Take the crime of larceny or embezzlement or forgery, and all that sort of thing. We have to determine the specific act, and I have got to take the risk whether my specific act comes within the definition of the statute. If I am charged with having violated that law, of course I am entitled to a trial by jury.

Mr. BORAH. If that is the construction to be put upon sections 2 and 3, I will agree with the Senator at once. If section 1 of the first espionage act and section 4 of the second act accomplish the thing which I desire, to wit, the taking away from the Postmaster General the power to determine as to what kind of a publication it is, that is all I desire with reference to this matter. I now yield to the Senator from North Carolina.

Mr. OVERMAN. I was going to ask the Senator with reference to his remedy as to sending treasonable matter in the mails. Much of this treasonable matter, which is absolute advocacy of Bolshevism, their catechisms, their constitution, and their powers, comes from foreign countries. You could not indict a foreigner for sending that matter through the mails. What could we do in that case?

Mr. BORAH. I do not suppose that we could indict a foreigner, and I do not state offhand just how we would deal with that. But let us deal with the home people; give them back their right to free speech and a free press, and then we will take up the foreigner.

Mr. President, the Senator from Pennsylvania [Mr. KNOX] has called attention to the fact, as he understands the provisions of the law, that sections 2 and 3 simply define the crime and provide for the punishment, and that you would proceed the same as you would if a party was charged with larceny or any other crime. I have no desire whatever to interfere with that kind of a provision, and if I could be satisfied that that is the effect of those sections I would be glad to eliminate them from my amendment. I certainly have no desire to make it possible for a party to send treasonable matter through the mail without any means of punishment provided for it at all. I have no desire to accomplish that, but I do desire that a jury shall determine whether or not he is guilty of that offense. If not a jury, then an open, impartial tribunal with the right to be heard and to call witnesses.

Mr. McCUMBER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from North Dakota?

Mr. BORAH. I yield.

Mr. McCUMBER. Take the situation in this country at the time we entered into the war, in April, 1917, when immediately treasonable utterances were made by individuals and by the press and their circulation as begun throughout the country. Would the Senator have no means, no power, given to anyone to prevent the circulation of treasonable tracts before the person uttering them and publishing them could be arrested and tried and convicted? It takes quite a little time before you can try a man.

Mr. BORAH. But the Senator is begging the question. The Senator says "treasonable matter." I want some one to determine that it is treasonable matter, and I do not want that determined by any star-chamber proceeding.

Mr. McCUMBER. But would not the Senator acknowledge the fact that the imprisonment of the individual uttering treasonable words or publications would be nothing compared with the great damage that might be done to the country by filling the homes of the people with treasonable and false statements as to the attitude of the country? How would the Senator meet that emergency?

Mr. BORAH. That might be true; but in comparison with the evil which the Senator speaks of I think the evil of suppressing open, candid discussion of all public questions is infinitely greater than the evil of which the Senator speaks.

Mr. McCUMBER. But the latter is an abuse privilege, not a lawful carrying out of the intent of Congress.

Mr. BORAH. The Senator gets away from the proposition I am interested in, and that is the question how we shall determine whether or not it is treasonable matter. Is the Senator willing to have the question of crime determined in this country by an individual who need not call a single witness, who may be satisfied with his own opinion as to the article and take no evidence and hear no party who is charged?

Mr. President, I know of cases—and I suspect the Senator does—where papers have been excluded from the mail and men punished, as far as you can punish men without actually sending them to the penitentiary, their business destroyed, when perhaps the only man who thought it was treasonable matter or matter which ought not to go through the mail was the Solicitor of the Department of the Post Office.

Mr. McCUMBER. If the Senator will allow me, I certainly agree with him fully that the trial should be by a jury; that no man, of course, can be convicted until he has been indicted and tried by a jury; but nevertheless I can not find myself in exact accord with repealing the authority to stop a contagion before you can have the trial.

While I admit, and, as the Senator knows, I think, we all must admit, that the power has been grossly abused, nevertheless it does seem to me that there ought to be some power that could protect the mails against this nonmailable matter before it would be possible to try the accused individual.

Mr. BORAH. The Senator can only resort, then, to arbitrary power to do that.

Mr. McCUMBER. I admit it must be more or less arbitrary.

Mr. BORAH. There is where the Senator and I never would agree. The Senator says this power has been grossly abused. I do not believe that this power has been grossly abused. I think the execution of this statute as we have had it is the inevitable result of lodging that kind of a power in any human being. It has been exercised in the same way that just such arbitrary power has always been exercised when it has been given to individuals. I am perfectly willing to state that it is my candid opinion that Mr. Burleson has not consciously and knowingly and willfully abused this power. If the Senator thinks that he has, that is altogether a stronger argument for my position, because we are lodging in a man who is willing, with full intent and purpose, to injure a fellow citizen a power which enables him to do it beyond compensation to that citizen.

But I am assuming to-day that he has exercised it as almost any ordinary individual would exercise it. You might put a man in the Post Office Department who was utterly opposed to any such principle, who would not execute it at all. I concede that; but a man who believes like the Senator does that arbitrary power is justified would exercise it just as the Postmaster General has done in this case.

Mr. McCUMBER. If the Senator will allow me, I call his attention to the fact that we have been granting that arbitrary power—and I do not yet find how we can escape it in all cases—in the matter of sending out obscene literature and in the mat-

ter of what is a fraud upon the public. I do not know that heretofore it has been greatly abused. I wish there was some way by which we could meet the evil without putting it first in the power of some person to guard the mails of the Government, so that the Government itself will not be compelled to carry in its mails the things which it has prohibited from being published or sent.

Mr. BORAH. When the Senator speaks of obscene literature, of course that is beside the question, but the literature which is in the Senator's library and in all our libraries, the best literature which is in our libraries, was once excluded from circulation and from public attention by some censor, some poor miserable finite being who thought he could chain down human thought.

Mr. President, I want to read an extract here from the famous fight in the English Parliament for free speech and a free press by Charles James Fox. This same matter was fought out by the English Government in the years in which our Constitution was being framed. Mr. Fox said:

> It has been truly said that no passion is so calculated to harden the heart, and to make it sanguinary, as great fear; and accordingly we find that the most inhuman tyranny has always had its foundation in the hearts of those whose actions condemned them to incessant terror. * * * It is a manifest axiom in a popular government that man has the fundamental right to state his opinion. * * * What deplorable ignorance of the human heart to think that by a mere convention bill to prevent the meetings without redressing grievances they could make men forget by making them silent! * * * If you prevent a man who feels himself aggrieved from declaring his sentiments, you force him to other expedients for redress. * * * In proportion as opinions are open they are innocent and harmless. Opinions become dangerous to a State only when persecution makes it necessary for the people to communicate their ideas under bond of secrecy. * * * You tell the people that when everything goes well, when they are happy and comfortable, then they may meet freely, to recognize their happiness and pass eulogiums on their government; but that in a moment of war and calamity, of distrust and misconduct, it is not permitted to them to meet together, because then, instead of eulogizing they might think proper to condemn ministers. What a mockery is this! What an insult to say that this is preserving to the people the right of petition! To tell them that they shall have a right to applaud, a right to rejoice, a right to meet when they are happy, but not a right to condemn, not a right to deplore their misfortunes, not a right to suggest a remedy! * * * If you mean that freedom is not as conducive to order and strength as it is to happiness, say so. * * * Liberty is order, liberty is strength. The progress of liberty is like the progress of the stream; it may be kept within its banks; it is sure to fertilize the country through which it runs; but no power can arrest it in its passage; and shortsighted as well as wicked must be the heart of the projector that would strive to divert its course.

Mr. Fox says when you compel men to communicate their ideas and their views in a secret, clandestine way, through actions which bind them closer together and give them a feeling of being martyrs to their cause, it is calculated to accentuate their efforts rather than to lessen them. I am one of those who believe that a vast amount of strength is given to a bad cause by undertaking to destroy it by purely arbitrary and unjust methods.

Mr. Fox said in another speech:

> Speech ought to be completely free, without any restraint whatever, in any government pretending to be free. By being completely free I do not mean that a person should not be liable to punishment for abusing the freedom, but I mean freedom in the first instance.

That is the test, Mr. President. Fix the law so that the man who publishes his paper and advocates treason takes the responsibility and answers to the properly established laws and tribunals for its abuse, but do not place in the hands of a particular individual the power to say in advance that this is treason, because it may not be treason at all.

Mr. WATSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Indiana?

Mr. BORAH. I will yield to the Senator in just a moment. What I mean is that any man may write and print what he pleases, although he is liable to be punished if he abuses that freedom.

Now I yield to the Senator from Indiana.

Mr. WATSON. Is the Senator from Idaho willing to have sections 2 and 3 stand, and to strike out section 4? It seems to me as though there is a manifest distinction between those clauses.

Mr. BORAH. I have already stated that I am perfectly willing to strike out those sections if, upon examination, when I have a little time to look into it after I close my remarks, I find that they bear the construction which the able Senator from Pennsylvania [Mr. KNOX] has placed upon them.

Mr. WATSON. I remember when the conference report was brought back on the espionage bill—that is, the amendment to the espionage bill—with section 4 in it. A part of it had been passed by the House, but no part of it had been passed by the Senate, and it was put in by the conference committee. I recall that there were five of us here who voted against the adoption of the conference report because section 4 had been incorporated. I regarded it then as essentially bad, and I do so now. I shall vote to strike out that section, but I do not believe that the others should be stricken out.

Of course, it is a question always as to whether arbitrary power will or will not be abused. We have been granting arbitrary power to the President and to heads of departments, and it seemed to me as if there were then a necessity to do it; but it is a grave question with me now as to which is the greater evil—whether to confer upon the Postmaster General an arbitrary power to exclude mail that, in his judgment, is treasonable, which would sow dragon's teeth or scatter seeds of discord throughout the country, or to take the other horn of the dilemma. Either seems to me to be an evil, and especially so if the Postmaster General is disposed to grossly abuse his power.

Mr. BORAH. Oh, Mr. President, let us not talk about grossly outraging arbitrary power. Why do you grant arbitrary power? If you grant arbitrary power, you expect a man to use it in arbitrary fashion or you would not grant it. It ill becomes the Congress of the United States to complain of the use of the arbitrary power which Congress itself grants. It is fundamentally wrong.

Mr. LENROOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Wisconsin?

Mr. BORAH. I yield.

Mr. LENROOT. I want to call the Senator's attention to the construction given by the Post Office Department as to its authority over unmailable matter.

Mr. BORAH. Very well.

Mr. LENROOT. So that, if sections 2 and 3 are omitted from the bill, I am inclined to think that the Postmaster General still would have the power over unmailable matter. Section 38 of the regulations provides:

> All undeliverable and unmailable matter, domestic and foreign, shall be forwarded by postmasters and other employees of the Postal Service to the Fourth Assistant Postmaster General.

And so on.

Mr. BORAH. Mr. President, I want to call attention to a decision of the Supreme Court of the United States with reference to the effect of granting arbitrary power; that although a law may be valid upon its face, yet if the power is to be exercised in an arbitrary way it renders the statute void, not because it is void by its express terms but because as a result of its execution it results in the exercise of arbitrary power. This is the case of Yick Wo against Hopkins, in 118 United States. This was an ordinance which, upon its face, was held to be valid. The court says:

> The power given to them is not confided to their discretion in the legal sense of that term, but is granted to their mere will. It is purely arbitrary, and acknowledges neither guidance nor restraint.

That is a complete description of the powers given to the Postmaster General under this law. The beginning and the end of it is his will; there is no restraint upon him in any way by reason of the terms of the law. Then the court says:

> Though the law itself be fair on its face and impartial in appearance, yet if it is applied and administered by public authority with an evil eye and an unequal hand, so as practically to make unjust and illegal discriminations between persons in similar circumstances, material to their rights, the denial of equal justice is still within the prohibition of the Constitution.

Mr. President, this law has been administered and could be administered in no other way than at the mere discretion and will of the Postmaster General. Congress granted the unlimited and arbitrary power to exclude from the mails whatever matter he should think should be excluded. We have no restraint, no guidance established, no rules fixed in the statute. It rests with him alone.

I do not want to be understood as advocating the right of anyone to spread literature advocating force or violence or treason. I simply want the man who advocates force or violence or treason to be tried and convicted and punished according to the established principles of Anglo-Saxon jurisprudence.

Mr. KNOX. Mr. President——

The PRESIDING OFFICER. Does the Senator from Idaho yield to the Senator from Pennsylvania?

Mr. BORAH. I yield.

Mr. KNOX. I am in sympathy with so much of what the Senator from Idaho has been saying that I do not want even to appear to be in antagonism by asking a question. The Senator has just now placed great emphasis upon the fact that it is the vesting of arbitrary power. It does not strike me that that is quite the proposition. It is not the vesting of arbitrary power, but it is the vesting of arbitrary power in this kind of a situation. I take it that there must be arbitrary power over the instrumentalities of the Government in many instances, particu-

larly in the post office. We provide that certain things are nonmailable; infected meats are nonmailable; explosives are nonmailable. It would defeat the very purpose of the law if somebody had not the arbitrary power to say, "This piece of meat is infected," or "This is an explosive and will endanger the lives of the people who handle the mails." But when you come to deal with a matter through which the public opinion of the country would be controlled, I follow and agree entirely with what the Senator has said. For that reason I remarked a few minutes ago that perhaps his legal proposition is not necessary in order to accomplish his end.

Mr. BORAH. Mr. President, of course I shall be glad to have the support of the Senator from Pennsylvania whether he agrees with me in my argument or not. Before the amendment comes to a vote I shall likely ask permission to strike out sections 2 and 3.

Mr. STERLING. Mr. President, would not the Senator from Idaho also strike out section 1 from his proposed amendment as well? Section 1 simply relates to the provisions of the act, and the act itself defines many offenses against the Government. It is to prevent the carrying through the mails of matter that would help in the consummation of crimes defined in the act.

Mr. BORAH. Does the Senator have reference to section 1 of title 12?

Mr. STERLING. Yes, sir; to section 1 of title 12.

Mr. BORAH. I shall take that into consideration, and, if I do not ask to strike it out, perhaps the Senator may do so. We can have a test upon it in that way.

The PRESIDING OFFICER. The Senator from Idaho has a right to modify his amendment.

Mr. BORAH. I shall not do so at present, Mr. President, but perhaps may do so later.

Mr. NELSON. Mr. President, I only intend to take the time of the Senate for a few moments, and it is not my purpose to enter into any discussion of the constitutional question which the able Senator from Idaho [Mr. BORAH] has presented to the Senate.

My view of the case is this: The Government of the United States has the inherent power of self-preservation, and it possesses whatever power is absolutely necessary for its protection and safety, whether in time of war or in time of peace. Such power is inherent in it in the very nature of its sovereignty.

In the next place, the question involved here is not directly the question of the freedom of the press; it is a question whether vicious publications that are endangering the safety of the country shall have the free use of the mails. It is no remedy in such cases to say that the guilty one can be punished after the offense has been committed.

I wish to call the attention of the Senate to one fact of criminal justice as old as the common law itself, and that is that there are circumstances under which it is not necessary to wait until an offense has been committed, but steps may be taken beforehand to prevent the commission of the offense. From time immemorial, as far back as the common law extends, it has been the practice that where a man threatens the life or the property of another person he can be brought into court and compelled to give bond for his good behavior; in other words, the common law conceived that it was better and wiser to prevent an offense being committed than to wait until the offense had been actually committed and then punish the guilty one. In the cases which have arisen in our country and which are still arising—and I shall refer to them by and by—it would be a poor relief to say, "You can prosecute a man and put him in jail," while in the meantime the poison he is producing circulates through and permeates the whole community. The mere imprisonment of the culprit constitutes no complete or full remedy.

Mr. President, we need now, even more than we did during the days of the war, legislation to protect the people of the United States against the circulation of dangerous literature through the mails. Evidence has been brought before the investigating committee of the Senate that emissaries from the Russian Bolsheviki, furnished with money from that country, have come over here to preach the Bolshevik propaganda in our own midst. I have in my hands here——

Mr. BORAH. Mr. President——

Mr. NELSON. I will ask the Senator to wait until I make my statement complete, and then I will gladly yield to him. As an illustration, I have in my hand [exhibiting] a Bolshevik publication entitled "Hunger." It is the first issue, and came out a short time ago in the city of Minneapolis, in the State of Minnesota. I wish to quote from that paper the first paragraph, as follows:

"Russia," Germany, the Argentine Republic, are the great countries where "Bolshevism" is going through the first stages of its growth.

A child, a baby born by the "great world war," and by its growth astonishes its best friends.

Two years is only a short day in the life of a great world power.

But already this "enfant terrible" is the talk of the whole globe—in the kingly palaces of Europe, at the "Versailles peace table," deep in the bowels of the earth, at the clubs of the "American war millionaire," among the hungry and the homeless who walk the streets in search of food.

In the plateaus of the "Himalayas," in the "Oases of the Sahara," on board the ships that ply the great waters—north and south, east and west—everywhere "Bolshevism" is the standing topic.

If the baby causes a stir, what will the man do?

I will ask to have this document inserted in the RECORD, but as a further illustration of the character of this publication I will quote the following paragraphs:

O, RUSSIA!

O, Russia,
To thee I sing,
Whose freedom came
Not through laughter, wine,
Nor voluptuous woman's glands:
O, no! Thy freedom came
Through prison cells and
From Siberia's most farthest mines.

WHAT'S TO BE DONE.

One hundred million dollar appropriation to stop the westward march of "Bolshevism" is the request of Mr. Wilson to the Senate of the United States; as if dollar appropriation could stem the tide of a "world power."

And now comes Senator KENYON, who says: "We have appropriated $100,000,000 for Europe's hungry, do we refuse to appropriate a like amount to keep Americans from going hungry?"

Where is our boasted prosperity, always so loudly proclaimed and so intimately suggested by our two-penny trumpets, the capitalist press?

I wish to read another interesting paragraph from this publication, which is entitled "Birth control."

BIRTH CONTROL—HELP THE UNITED STATES TO CATCH UP WITH THE TIMES.

Save the babies from being born only to die.

Save the mother's strength for only those babies she wants, and no more.

Save the father's money for only those children he can support, and no more.

Save human vitality for the betterment of the race.

Join the National Birth Control League.

How much longer will the people of the United States permit their country to be the most backward and ignorant of all of the large nations on this vital question of race conservation?

The United States has the disgraceful distinction of being the only large country in the world which declares this knowledge to be a crime.

Join the National Birth Control League and help change the laws and establish clinics and get contraceptive information properly circulated.

Send your contribution to the National Birth Control League, 200 Fifth Avenue, New York City, or address the editor of "Hunger," who will gladly give all information about the National Birth Control League.

As I have said, this publication is printed in red—the color of the anarchists and the socialists. It is entitled "Hunger," as though there was hunger among the people of Minneapolis. There is no starvation or hunger there. It is misleading and a slander upon the good people of Minneapolis to intimate that there is hunger and starvation there.

I have in my hand another paper [exhibiting] printed in red, which is entitled "The American Bolshevik." I will read some of the headings of it, without taking the time of the Senate to read more:

Humane America had poison-gas plant working full blast.

The article criticizes us for making gas while the war was pending to meet the gas attacks of the enemy.

Another heading is:

The Bolshevists, the gravediggers of capitalism.

In this connection I want to read something more, emanating from the same sources from which these publications come.

Here is a card:

Liebknecht-Luxemburg memorial meeting. Jacob Panken, Socialist judge, New York City, will speak at Commonwealth Hall, 1217 Hennepin Avenue, second floor, Sunday, February 9, 3 p. m. Admission, 25 cents. Auspices Socialist Party.

It is too bad we were too far off to hear that speaker. Here is another admission ticket:

Thomas Van Lear, Frank E. Minor, and others will speak—

Giving the place of the meeting—

All money from this entertainment goes to the Mooney defense fund, San Francisco; I. W. W. defense fund, Chicago, Ill.; political prisoners' defense fund, New York City; Socialist Party defense fund, Minnesota.

Here is a man who was the Socialist candidate for governor, who was tried and convicted under the espionage law of being a most violent pro-German. He was convicted and sentenced

for one year to the county jail. His conviction was affirmed by the supreme court:

Farewell meeting for J. O. Bentall, Saturday, February 1, 8 p. m., Commonwealth Hall, the new Socialist headquarters, 1217 Hennepin Avenue, second floor. This will be the last public appearance of Comrade Bentall before he has to go to the Crow Wing County Jail for "sedition" on February 2. Admission free. Auspices Socialist Party of Minnesota. Please pass this notice along.

Here is another handbill that I have. I ask that it may be inserted in the RECORD. It is a notice of a mass meeting to raise money for the Mooney defense fund; the I. W. W.; Chicago, defense fund; the Socialist Party defense fund of Minnesota; and the political prisoners' defense fund, New York City.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Mass meeting—Defense entertainment—Under the auspices of the Social Science League, Sunday, February 2, 8 p. m., at Federation Hall, 43 South Fourth Street. Thomas Van Lear, Frank E. Minor, and others will speak. All money from this entertainment goes to the Mooney defense fund, San Francisco; I. W. W. defense fund, Chicago, Ill.; Socialist Party defense fund, Minnesota; political prisoners' defense fund, New York City. A beautiful oil painting, valuation $100, painted by Miss Ada Wolfe, will be given away free. Good music; clean entertainment. Admission, 25 cents; children free. P. A. Stockwell, chairman.

Mr. NELSON. Mr. President, I have referred to these matters to show you how active these men are. I regard them to-day as more dangerous to the welfare of our community than some of the men who were opposed to the war during the pendency of the war. It shows what an active program they have instituted. They are flooding the mails.

Here is a man who spoke the other night at a meeting down here, Albert Rhys Williams, who has just come back from Russia, sent back here after spending some time there, equipped with ample funds. He is issuing his publications and scattering them broadcast. The aim of these Bolshevist leaders—some of them are imported and others are our own people—is to poison and demoralize the American people, to undermine and destroy our Government, and bring us to the level of the Government of Russia.

Instead of repealing the espionage law, in my opinion we ought to have it extended to reach such cases as these to which I have referred in order to stem this most iniquitous propaganda that is now being carried on in this country. I am getting to be an old man, and I have not many years before me; but I am satisfied that, unless the American people take effective and drastic steps to stem the wicked tide of anarchy and bolshevism that is now being so extensively carried on in the United States, and that will continue to be carried on unless it is stopped, great injury and detriment will befall the Republic.

Mr. President, the mere conviction, the mere sending to prison of one of these poor fellows—some of them are deluded, mistaken; others do it with malice prepense—is no relief or protection to the American people. It is our duty as legislators to do what we can to protect the American people against this poisonous spirit of anarchy and sedition. The Constitution never was intended for the protection of people of that kind. To my mind it is idle to invoke the liberty of the press for those classes of people. They are outside of the pale of constitutional or any other law; and there are only two ways in which we can protect ourselves. One is to exclude these vicious publications from circulation among our people; the other is to educate the American people, as far as we can, against the dangers of this spirit of bolshevism.

To my mind—and I have become more and more convinced of this from what has transpired at the hearings before the committee of which I am a member—it is apparent that we are facing to-day in this country a greater danger than that which we faced during the war, in the way of having the spirit of liberty and of integrity and of good government of our people undermined by this propaganda of bolshevism that is now abroad, and is being preached and propagated all round us. As I said a moment ago, I am an old man, and may not live to see the day, but if the American people do not take decisive steps to stop this thing, as they ought to stop it, it will grow and grow and become a festering sore beyond all possibility of a remedy.

Mr. President, I am not hostile to the press or to the liberty of the press. We have had laws on our statute books for years relating to what we commonly call fraud orders, laws relating to lotteries, laws relating to obscene literature; and power has been vested in the Postmaster General to enforce those laws. I grant that there may be cases where injustice has been done. There are many cases in our criminal procedure where men have been tried and convicted by juries and their conviction has turned out to be unjust and unfair. Time has demonstrated in some instances that such men were innocent. But because a few of those things have happened should we deprive the Postal Department of all authority in the premises? On the same principle that you exclude what is called fraudulent literature from the mail, on the same principle that you exclude lotteries from the mails, on the same principle that you exclude obscene literature from the mail, in heaven's name, is it not just as important to exclude from the mails Bolsheviki literature, which is far more dangerous to the community at large than either lotteries or fraudulent matter of any kind?

Those things are of limited consequence. This doctrine of bolshevism, as promulgated in publications of this kind, and scattered broadcast throughout the land, will do a thousand times more harm than the mere matter of a lottery ticket, or mere fraudulent matter. It goes to the very vitals of our republican institutions.

While I am in favor of the liberty of the press, while I am opposed to arbitrary power, yet the welfare of this country and the American people is nearest and dearest to my heart and uppermost in my thoughts, and I do not want any academic constitutional discussion to stand in the way of protecting the American people against such vicious propaganda.

Mr. FRANCE. Mr. President, will the Senator yield to me for a question?

Mr. NELSON. Yes, sir. Excuse me; I meant to have yielded to the Senator from Idaho. It was an oversight that I did not.

Mr. FRANCE. I desire to ask the Senator, in view of the exhibits that he has presented, whether he thinks the espionage law should be made more drastic, and, if so, in what particular?

Mr. NELSON. I would make it so as to exclude publications that advocate what these documents do—a subversion of the Government and the destruction of law and order.

Mr. President, I ask permission to have printed, as an appendix to my remarks, this publication with red covers, called "Hunger," and the other publication which is printed in red ink.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

HUNGER—THE INTERNATIONAL REVOLUTIONIST.

HUNGER—VOL. I. FEBRUARY, 1919. NO. 1.

With the February issue "Hunger" makes its debut to the "working class."

"Hunger" is of hunger born.

"Hunger" knows so well the desires, and the hunger for the emancipation of the toiling masses.

"Hunger" is a monthly magazine devoted to social science, art, and literature. Makes no promises, accepts no advertising, respects no prejudices, plays to no party or cult, will follow its own ideal, and therefore believes in a plumb-line liberalism for all.

"Hunger" offers on apologies.

"Hunger" desires to maintain an "open forum" in which the shams of the present system may be presented and subjected to analysis.

The "open forum" is open to all those who are willing to help and sustain "Hunger" either by voluntary contribution or as a subscriber.

"Hunger" does not care about your individual opinion; it does not care if you are a "single taxer," an "egotist," a "communist," a "Marxist," an "I. W. W.ist," an "anarchist," or what not.

The "open forum" is yours; use it.

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A WORLD POWER.

"Russia," Germany, the Argentine Republic are the great countries where "bolshevism" is going through the first stages of its growth.

A child, a baby born by the "great world war," and by its growth astonishes its best friends.

Two years is only a short day in the life of a great world power.

But already this "enfant terrible" is the talk of the whole globe.

In the kingly palaces of Europe, at the "Versailles peace table," deep in the bowels of the earth, at the clubs of the "American war millionaire," among the hungry and the homeless who walk the streets in search of food.

In the plateaus of the "Himalayas," in the "oases of the Sahara," on aboard the ships that ply the great waters, north and south, east and west, everywhere "bolshevism" is the standing topic.

If the baby causes such a stir, what will the man do?

RAVING HUNGER WORDS.

Amid all this raving hunger about the higher civilization, of making the world "safe for democracy," it would be well to pause and think for a moment and inquire, What does it really consist of?

The higher civilization of making the world safe for democracy is supposed to consist of the "self-determination" of the individual in society, to determine for himself, under what kind of a democracy he wishes to live under

If it shall be the "hunger and want" democracy of the "master class" or the "cooperative democracy," unrestricted by man-made laws, of the "working class."

But in reality these raving "hunger words" have become the victims of a cheap and common mob psychology!

There is nothing for any sane individual to defend such a movement, especially in a country where the "lust" and the "hunger" for gold is trampling upon those who in their belief thinking it possible that through some magic wand (the ballot box) it may be possible to usher in a "safe world democracy." These are only idle dreams, so long as "capitalism," the master, remains on the backs of the "slaves."

And the weight of the master is always the same, be he called a professional educator, like "Woodrow Wilson," or a plute and multimillionaire, like "John D. Rockefeller."

And the burden of the slave remains the same, be he called a "trades-unionist" or just a common "migratory worker" out of a job.

—

The old decays, time is with changes rife,
And on the ruins blooms a fairer life.
Das alte sturzt, es andert sich die zeit,
Und aus den ruinen blueht ein neues leben.
—William Tell.

—

Awake, ye slaves. July 4, 1919. Have the courage to lay down your tools. Give this thing about to fall the last and final blow.

—

INDUSTRIAL DEMOCRACY.

Industrial organizations of labor, from their first inception, have been a source of the deepest concern of the "capitalist class," and as such industrial organizations of labor also leave deep impressions upon the "capitalistic governments" of the world at large wherever such organizations of labor have taken hold.

Organizations of labor, as a whole, are regarded by that class which enslaves labor as a leprous disease which forever encroaches more and more upon their the "masters' rights" of the "ownership" of "industrial property."

There must be a psychological reason for this breeding of a social disease, and before applying a remedy for this economic disease we must know the reason, the truth, of the evil which breeds that economic industrial unrest in society. "This economic disease is called 'wage slavery.'"

So long as workers are compelled to work and slave for a "master" in the industries owned and operated solely for the masters' interest and profit, workers working in industries in which they have no say in the management nor their ownership, we, the workers, only are allowed to be slaves therein for a mere pittance called wages.

It would be false and idle to imply that the workers working in the industries owned by the "master class" have no peril, that there are no rocks, no obstacles in the way toward making a decent livelihood.

It is a fact that we, the producers of all wealth, work and live under a most inhuman "spoils system."

A spoils system of bosses and bossism, a system that breeds the "parasite" and the "criminal."

A system that by sinister manipulations enslaves the workers, a system of untruthfulness which rings with the horrors of amazing crimes, perpetuated upon the workers, and rings with reckless expenditures of corruption funds held in trust by the hirelings of "capitalists" to pay for false witness and the buying of juries to convict the workers.

Evils with which the system and capital calculates to humiliate the workers and jail and kill those who dare raise their voice in protest against the unjust suppression of the thoughts and actions of the workers.

This is not only true of America, it is also true of any other country in which the workers have no say in the management and ownership of the necessities of life.

The American capitalist in a foreign country does not concern himself the least about the welfare and the conditions of such foreign workers piling up wealth for this foreign capitalist; vice versa, this is also true of the foreign capitalist employing the American worker in America. He, with the American capitalist, are the least concerned about the welfare of this so-called "great American free labor." They, the masters of the industries of all countries, concern themselves only with that one most vital question, so dear to their hearts, of how to enslave the worker more and more. The industrial "Shylocks'" concern is how to get their pound of flesh; and in order to take their pound of flesh the "slave mart" must be kept full to an overflowing capacity in order to reap the fruits of the workers' toil.

Through sinister legislation those "Shylocks" of industry use the force of government to by all means punish those evildoers and wicked breakers of their laws and order, and their moves and actions of such punishments are primarily set forth against those who dare to organize the workers to better their living conditions. Whoever dares to raise his voice in protest against inhuman industrial conditions is singled out by these human bloodhounds of society.

One has only to remember the Knights of Labor; one has only to remember "the five" who were hanged; remember Debs and the Homestead strike; only remember Ludlow—the dastardly methods used by the hirelings and murderers of Standard Oil, who in cold blood murdered your brothers and sisters, fellow working men and women.

Men and women who dared to raise their voices of discontent against existing conditions.

One has only to remember "San Francisco," remember "Tom Mooney," a man risen from the soil of the workers, a man who knew the unspoken desires, the wants, and ways of his fellow workers.

A man that offered every sacrifice and consolation for his fellow men.

A man without ambition and revenge, but of sunlight and content and love, but fearless, steadfast, and true for the rights of his fellow men.

"What is his crime?"

His crime is the crime of every worker; he, an organizer of his class, accomplished what no other could accomplish, namely, to organize the "San Francisco street car workers," and therefore "he shall be free!"

Workers, remember Mooney and all the others must be free. They, the masters, think by forbidding the assembling of peaceful workers, they think by the oppression of freedom of speech and the press, by using the tyranny of a czar, by throwing those who dare revolt into damnable holes of hell, a prison cell—workers remember the "101" in Leavenworth, remember Emma Goldman, Berkman, Debs, Bentall, and all the rest. Shall they rot in prison? By the Eternal, no! no! The tyrants of industry, with their barbaric methods, think the onward rush and march of the "solidarity of labor" can be stopped.

Repression is not a true remedy for industrial wrongs; repression wantonly enforced against the sober sense and judgment of organization of labor will only strengthen the cause of those who advocate the abolishment of "wage slavery."

Industrial injustice is the breeding ground of discontent. Only through the abolishment of "social injustice" done to labor can discontent be abrogated from the breeding ground of industrial slavery.

The remedy for public distemper, says Burke, is conciliation and not coercion, for though coercion may succeed for a time, it always leaves room for coercion again.

Only through economic industrial organization of labor, to hold, to manage, and to control the industries in which the workers work, can that economic disease of social unrest and injustice be eradicated from the industrial field and the world at large.

Workers, organize—organize only through organization can the "industrial emancipation from wage slavery to industrial democracy" be accomplished.

Therefore, workers of the world, unite for the overthrow of capitalism and the establishment of a new society based upon the rights of every man, woman, and child.

—

"O, RUSSIA!"

O Russia,
To thee I sing,
Whose freedom came
Not through laughter, wine,
Nor voluptuous woman's glands.
Oh, no! Thy freedom came
Through prison cells and
From Siberia's most farthest mines.

—

WHAT'S TO BE DONE?

One hundred million dollar appropriation to stop the westward march of "bolshevism" is the request of Mr. Wilson to the Senate of the United States, as if dollar appropriation could stem the tide of a "world power."

And now comes Senator KENYON, who says: "We have appropriated $100,000,000 for Europe's hungry. Do we refuse to appropriate a like amount to keep Americans from going hungry?"

Where is our boasted prosperity, always so loudly proclaimed and so intimately suggested by our two-penny trumpets, the capitalist press. Where is our boasted equality of opportunity? Where are our jobs? Where are the jobs for our returned soldiers, who so gallantly fought to make the "world safe for democracy"?

Why should there be "hunger" and "want" in a country where "liberty" and "democracy" is supposed to reign supreme; or is this "liberty" only for the masters that be.

Why is it that hungry men, women, sailors, and soldiers walk the streets in search for work and food.

When these same men and women have mined the coal, and must need be shiver in the cold, when they have made the shoes and have none themselves, when they made all the clothing and themselves are in rags—why all this misery?

Why all this unemployment? Unemployment comes from producing more than we can use. So long as man and woman are compelled to work for a master, work for a mere subsistence of life, so long as the master, "Capitalism," takes the lion's share of the worker's toil, so long will there be an army of hungry and homeless unemployed, and the army is increasing from day to day.

Workers there is plenty for all in this great country of the millionaire and the pauper. The warehouses are full, there are more shoes, there is more coal, there is more clothing than we possibly could use; there is enough for all; but capital has possession of all the necessities of life.

What is to be done?

Are we going to allow the master, "Capitalism," to become more and more the oppressor of the masses, or are we going to unite and overthrow the master in order that we, the producers of all wealth, for once enjoy the heritage of our lives.

Workers, there is nobody that will help you!

Workers, you must learn to help yourself.

—

BIRTH CONTROL.

Help the United States to catch up with the times.

Save the babies from being born only to die.

Save the mother's strength for only those babies she wants, and no more.

Save the father's money for only those children he can support, and no more.

Save human vitality for the betterment of the race.

Join the National Birth Control League.

How much longer will the people of the United States permit their country to be the most backward and ignorant of all the large nations on this vital question of race conservation?

The United States has the disgraceful distinction of being the only large country in the world which declares this knowledge to be a crime?

Join the National Birth Control League and help change the laws and establish clinics and get contraceptive information properly circulated.

Send your contribution to the National Birth Control League, 200 Fifth Avenue, New York City, or address the editor of Hunger, who will gladly give all information about the National Birth Control League.

—

"A ROMAN ALWAYS."

[By John Gabriel Soltis.]

The spacious dining hall of the Noonday Lunch Club was sizzling with conversation previous to the speaker taking the rostrum.

At the south end of the hall there was a long table which was known as the freaks' table. It was so called because at this table sat capitalists who held queer ideas in regard to everything in general and nothing in particular, and who took pride in their radicalism. For instance, there sat on this noon of which we write at the freaks' table a millionaire retail merchant, a brick manufacturer, several financial brokers, and a bishop of the Baptist church.

"Really, I don't understand why we should listen to an anarchist," Mr. Willoughby, a broker, protested.

The radicalism of this gentleman found its expression in the cult of Christian Science, to which he contributed liberally out of his fat purse. But he was angry with the idea of hearing an organizer of the Industrial Workers of the World, who was in a little while to address this representative gathering of St. Louis capital. His rather pale cheeks flushed a little red, for he was afraid that the speaker might make some derogatory remarks on the parasitic profession of which he was a leading member.

"Calm yourself, Mr. Willoughby. It won't harm you any to know what the other side thinks. Furthermore, you can't act intelligently against the I. W. W. if you are ignorant of their plans."

Thus spoke Mr. William Brock, who had made over a million in the manufacture of bricks. The radicalism of Mr. Brock lay in his espousal of single tax and what he pleased to term a sane socialism, a melange of harmless sentimentality.

The bishop agreed with Mr. Brock that one should hear all sides of a question if one desired to act wisely. He had no scruples to listen to anyone, for he was sure reason would prevail.

"I think," said Mr. Willoughby, speaking to his friend Mr. Brock, "that you really go too far. I can't for the life of me see where we come off at with your ideas of single tax.

"I am surprised, Mr. Willoughby, that you, a Christian Scientist, should make a statement like that. It's how one thinks, don't you know."

This bit of wit provoked a round of laughter.

The attention of the entire audience was, at this moment, caught by the stocky form of Wm. Marion Reedy, who, with Herbert Ettor, the organizer of the Industrial Workers of the World, appeared on the platform.

Mr. Reedy immediately took the gavel and opened the meeting. He cast a sarcastic smile over the crowd before he said a word, as if to say what an aggregation of fools they were. After staring at them several seconds he introduced the speaker.

No applause greeted him—only an omnious silence.

The well-knit, splendid form of Ettor towered over the audience as an animated bolt of dignified but visible defiance. He was just in the prime of life, being 32 years old. His speech was fluent, and his arguments skilled. He was absolutely fearless, having gone through many battles of the class struggle, of which he was a recognized opponent.

"Gentlemen," he began, "I am as well aware of the fact as you are that I am on this platform to-day merely as a matter of curiosity. In the first place I realize quite well that the ideas which I hold are very distasteful to you as an employing class. You don't like them and I can't blame you for that, unless I should assume that there is an element of humanity in you. Such an assumption, however, on my part, would be wholly unjustifiable."

"That's a lie, that's a lie," several voices of the cultured folks penetrated the hall. A general murmur of resentment fell from the lips of the auditors. Several persons hastily walked out of the hall, brandishing their fists at the speaker, who stood cool and self-possessed. When the civilized folks quieted down, the speaker continued:

"Therefore, gentlemen, I consider you very poor material for propaganda purposes. Consequently, I shall make no endeavor to convert any of you to the principles of the I. W. W. I shall, however, tell you what we of the working class propose to do with you as a class."

At this point the speaker was again interrupted by a group abruptly leaving the hall, expressing very loudly their opinion of the speaker, which was not flattering. Ettor resumed his speech:

"We consider you to be a useless class in society. The tools of production which you own are the invention of our class, the workers. You neither invent, operate nor direct the complicated machinery of industry. It is not too much to state that, in the majority of cases, you, the capitalists, could not distinguish a threshing machine from a rock crusher. To even ask you to do so would be an insult to you. You, gentlemen, are the bondholders of industry, and as such are interested in only one thing: profits. But the technique of industry is a collective possession of the working class. Should, therefore, a miracle happen, in the sudden disappearance of the capitalist class, society would not suffer in consequence of such a beneficent event. And for this reason: The workers would still carry on the forces of production, upon which our lives depend. However, should the working class vanish from the face of the earth, and there remained only the parasites, consider the situation in which you would find yourself. As you do not understand the methods and arts of production, you would starve to death. Your importance as a class in society, as you see, is greatly inflated. Therefore we propose to make you function in society as a really useful lot.

"Gentlemen, we do not ask justice of you. That would be ridiculous. We are organizing to get justice. I repeat: We are organizing to obtain, by virtue of our strength and intelligence, justice. Better men than I by far have appealed to you in sweet, honeyed sermons to do right by the workers, but your hearts are made of wood. Carlyle, Dickens, Kingsley, Emerson, Hugo, Robert Owen, have all dipped their pens in the beautiful waters of love when addressing you in behalf of our class, and, as a result, you hurled us deeper into degradation. So we shall not crawl before you any longer. We are organizing now to displace you from your usurped position. To paraphrase the words of the immortal Shelly: 'We are many and you are few.' When Spartacus gathered his warriors for freedom beneath the hills of Thessaly their eyes radiated a brilliant fire of determination and within their battered breasts there surged a divine love of freedom. We to-day are the inheritors of those things. We hold within our souls the accumulated wrongs of our brothers from the days of Spartacus, John Ball, up to the recent strike. We mean to rectify them by the erection of a new society, a society in which there shall be neither master nor slave; where the laughter of the child shall not be stilled by the cruel pangs of hunger, nor the sunlight in the eyes of the maid transposed into a commodity made for profit. In this new social order which we are busy constructing to-day man shall cooperate with man for the grand and noble purpose of sustaining and beautifying his common life. In it I can not see venerable age bowed in poverty and humiliation, because society provides for them from the common store.

"Nor do I behold in that magnificent creation of social justice crowds of human beings clamoring for a miserable right to work, with wandering eyes and despair in their souls, driven to desperation by want and worry. That I do not see, because there is work for all, it being a means to an end instead of the end itself. Nor do I perceive in that cooperative society of the world the silver streams of sunlight obscured by the smoke of belching cannon, hurling terror, misery, devastation, and human slaughter, coloring the waters of nature with the blood of murdered beast and man. These horrible, barbarous things do not appear in that society, simply because man cooperates to live and not to slay, being content to let nature eliminate the life of man in her orderly way.

"For once mankind is happy. There prevails a joy of life unknown to man before. Like the rose bush that, planted in fertile soil and attended with care, kissed by the rain and the dew, with the smiles of the sun lavished upon it, bearing forth full-blown red roses, so also, in the cooperative commonwealth, human nature being conditioned in an environment of industrial and social freedom, flowers into myriad beauties the full fruition of its favorable soil."

When the speaker had finished his speech an outburst of tremendous and spontaneous applause filled the hall. He had completely charmed his hearers with his logic and pulsating eloquence. However, it did not last long; the audience quickly became conscious of its social position.

As the crowd walked out of the hall it was engaged in a very lively exchange of opinions on the speech just heard. "It's all moonshine; he's a dreamer; not practical; sounds nice, but; up in the clouds," were some of the expressions made. These captains of industry, disliking any approach to the cooperative commonwealth, considered their views on the subject of socialism as being very practical, undoubtedly because they did not militate against their economic interests.

* * * * * * *

The office boy announced to Mr. Brock that the manager of the works desired to see him. Mr. Brock told the boy to show the manager in. The manager stepped into the office. His face plainly showed that he was in an agitated condition. Mr. Brock noticed that. Therefore he asked, before the manager of the works could seat himself, what he had on his mind.

The manager pulled out of his coat pocket several typewritten papers and handed them over to his superior.

Mr. Brock scrutinized the document very carefully. It was a schedule of wages, drawn up by the men in the works, demanding an increase in wages and a recognition of the principle of collective bargaining. He read and reread for over a half hour. This was something new to him; his men never attempted before this to organize a union. There was a time ultimatum in the demands that peeved the millionaire.

"What do you think of it, Fred?" he asked the manager, after having thoroughly digested the contents of the document.

Fred thought the demands to be very reasonable and had informed the men that he would speak favorably about them to Mr. Brock. The owner of the works being a sort of radical, Fred hoped for a concession of the demands.

"I think," said Fred, "that they ought to be granted, Mr. Brock. You know the cost of living has gone up a whole lot during the last two years, and it's pretty tough on those fellows."

Mr. Brock stared a moment at his manager, then he said:

"I won't grant a cent increase. Let them strike. I shall make provisions for strike breakers. If I give in now, then they'll want the cooperative commonwealth. They should be glad that they have got jobs."

The manager made no effort to persuade the owner; he knew that it would be useless.

Two days later there occurred a big strike in the brickworks. After hearing the speech of the I. W. W. organizer Mr. Brock decided to curb his radicalism.

—

THE RETURNED SOLDIERS OF CANADA.

[By John Gabriel Soltis.]

Prior to the entrance of this Nation into the mouth of hell there appeared in the press plenty of articles and editorials upon the subject of the effect on the mind of the soldiers the war would have. But since this Nation had gotten herself into the funnels there has been a manifest decrease in the stuff dealing with the psychology of the returned soldier, for reasons known to others besides the capitalist writers.

For two years the writer has had the opportunity to study the returned soldiers of Canada. I have spoken to them en masse and individually, men from St. Julien, Festubert, Messines, and Vimy Ridge, places that are literally saturated with the blood of the Canadian workers. Their experiences on the battle fields of capitalism, together with the horrors that they lived through in industrial life, have combined to make them understand their class position and mission, where the lecture and textbook failed to do so.

When war was made by the industrial kaisers of Europe, Canada, together with the rest of Christian civilization, was in the throes of an industrial panic, with a great ragged army of unemployed on the streets at the time that unemployment demonstrations were being held throughout the length and breadth of America; in the winter of 1914 and spring of 1915, in the city of Winnipeg, Canada, 30,000 hungry men were jobless. They, too, paraded their poverty; but the war saved them from hunger only to feed their bodies later to cannon in a fight "for Belgium," as they were told at that early period of the crucifixion. For they "volunteered" into the army. It was their only salvation, from their point of view, of course. A well-known great war veteran of Canada, who was a member of the first contingent, informed the writer that that contingent was composed, in the main, of workers who, being jobless, were starving with their families. Of course, this fact ought not to detract from the glory which is theirs, because that is all they have obtained out of the world scramble for loot, as they readily admit.

But when they joined the army their economic ills vanished. They got $1.16 per day, with allowances from the Patriotic Fund for their dependents in the cruel clutches of King Hunger. Perhaps this kind act on the part of the capitalists of Canada had a tendency to convince many of the charities of democratic militarism over that of the Russian kind.

When, however, the industry of Canada had revived, as a consequence of the vast "war orders," and the economic position of the Canadian working class became better, then, in order to wage the war "for Belgium" and the interests of democracy in general and those of the capitalists in particular, by maintaining a steady flow of a stream of human flesh for the carnage fields, the capitalists of Canada forced all young men out of their jobs and put women in their places. Thus the alternative of starvation was given to them, or the army. In a "democracy" the right to decide the disposition of one's own life is all nonsense.

Briefly stated, these two methods were used to cause an army of over 300,000. After which conscription was introduced.

These worker-soldiers were at once impressed with the fact that, once in the army, your food, clothing, and shelter came to you regularly, without the least worry, without any bother at all. Yesterday, as a member of society, a worker was perishing with his family because he lacked a job; but to-day, being in the army, the necessities of life came to him as if out of a magic storehouse. As an industrial worker, a creator of wealth, he was doomed to death by starvation; but as a soldier, a destroyer of life and creative labor, his wants were attended to by the State. As a worker, the daily prostitute press did not know nor did it care if he and his family even existed; but as an annihilator of life every capitalist institution, from the church to the politician, talked about him, wrote about him, and lauded him to the high heavens, when only yesterday they had him in the cold streets by closing the job to him. What a wonderful transformation! These things left their indelible stamp upon the minds of the worker-soldier.

So he was sent to France. The politician and press told him daily that upon his return home (should he return) the world would belong to him; his sacrifices on the field of slaughter, conducted on the approved scientific plan, would entitle him to be the dominant figure in society. "Nothing will be too good for you when you come back" were the exact words used, as any Canadian soldier will say.

These workers did come back—gassed, shell shocked, blind, arms blowed off, legs shot off, faces mutilated, wrecked in body and spirit, warriors all in the clash for capitalist existence.

What consideration are these heroes now receiving from the patriots?

Their jobs are forever lost to them. In their ghastly physical conditions they can not, of course, compete with others. Moreover, the capitalists won't employ them because of their military experience and habits. They are independent and prone to disobey, where formerly they were meek and submissive.

Heroes of many battles are selling pencils and newspapers for a living on the streets of Winnipeg. These warriors for democracy are reduced to that condition of pity and disgrace by a ruling class which looks upon not only the soldier but the workers also as a utensil to be thrown aside when its usefulness is gone. Thus is the "new world" of which the capitalist press prattled about for the men who "made the world safe for democracy."

The *pensions* of these men are so low that in the majority of cases they can't meet room rent with it.

There are innumerable cases on record where even this miserable pension amounting to $10 or over (I don't know a returned soldier who gets more than $20 per month pension) was deducted from the wages of a returned soldier. To illustrate: If the wages of a returned soldier were $75 per month and his pension $10, he would be paid $65. Thus his service on the battle field is capitalized by the always patriotic boss. This democratic practice was so general that the victims finally turned to labor bodies for redress.

To-day in western Canada the returned soldiers are cooperating with the labor bodies. In the recent strikes there the returned soldiers played a very important part. They are ready to unite on the principle that an injury to one is an injury to all. They have already struck on that principle in the face of protests from the "internationals" on this side of the line, whom they despise, and justly so.

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NOTICE.

There are in the prisons and jails of this country to-day several hundred political prisoners and conscientious objectors, and these women and men are being subjected to most inhuman and cruel treatment, thus giving the lie to our boasted civilization. Some of the prisoners are contracting tuberculosis, thus becoming a serious menace to the health of the country, to say nothing of the effect upon the ideals of the Nation, and no good can possibly come from longer confining them. Therefore we demand that immediate universal amnesty be granted to all political prisoners and conscientious objectors.

Readers, please copy and send to your Representatives at Washington, D. C.

—

SOCIAL SCIENCE LEAGUE.

Meetings every Sunday, 8 p. m., Federation Hall, 43 South Fourth Street.

—

OPEN FORUM—FREE SPEECH, FREE THOUGHT.

No man or woman is excluded because of creed or color. Bring a friend. Discussion of the social condition, the relations and the institutions which are involved in man's existence and his well-being as a member of an organized community.

—

NOTICE.

The "world war" having to all intents and purposes ended, there can no longer be, if there ever was, any reason for the "espionage law." We therefore demand its immediate repeal.

Readers, please copy and send to your Representatives at Washington, D. C.

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Hunger—a radical monthly magazine. C. Richman, editor, manager; R. Norlander, art editor; A. Wolfe, art editor. Subscription: Yearly, $1.50; half yearly, $0.75; single copies, $0.15; in bundles of five or more, 10 cents the copy.

Send all money and contributions to C. Richman, 3125 Thomas Avenue North, Minneapolis, Minn.

Notice: All articles must bear the signature of the writer.

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It will be only action that counts.

In the United States, instead of a czar we have the espionage law.

If you are not a Donkey Democrat or an Elephant Republican, then you are a traitor.

It is impossible to expect men to live in a world of plenty forever and get only the crumbs that fall from the master's table. Only action will give us the loaf.

The capitalistic 2-penny trumpets, the newspapers, say: Civilization is great, and wonderful prosperity is greater than ever in the history of the country, and you American, Mr. Block, swallows the bait.

Sewer digging seems not to be to the liking of our returned soldiers, as our city fathers thought. They ought to know that digging trenches in France was for the soldiers' own self-preservation, but that digging of sewers at cheap wages will not keep body and soul together.

Apropos: And then the uniform would be all worn out and the soldier could return to his "Uncle" nothing but rags.

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I. W. W. headquarters are located at 14 South First Street. 400 Hall. Minneapolis G. R. Union meets every Wednesday at 8 p. m.

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Have you seen the Commonwealth Hall at 1217 Hennepin Avenue, the finest hall in the city?

Radical meetings every Sunday afternoon. Look for announcements.

—

Patronize "The Modern Book Store," 127 Fourth Street South, Minneapolis.

—

The lecture event of the year: Max Eastman, author of "Colors of Life," "Journalism v. Art," etc., editor of the Liberator, America's most brilliant magazine, will speak at St. Paul Auditorium Sunday, February 9, at 3 p. m. Subject: "Withdraw from Russia."

The publication printed in red ink is as follows:

THE AMERICAN BOLSHEVIK.

Price, 5 cents. Minneapolis, January 24, 1919. Vol. 1, No. 5.

HUMANE AMERICA HAD POISON-GAS PLANT WORKING FULL BLAST—2,500 TONS WERE READY FOR SHIPMENT WHEN ARMISTICE WAS SIGNED.

NEW YORK, N. Y.

Startling information regarding the poison-gas plant operated by the United States has come to light recently through an article published in the conservative New York Times, by Richard Barry, a well-known correspondent. In part Mr. Barry's story follows:

Twenty-six miles from Baltimore, on the edge of the Government's vast Aberdeen ordnance proving grounds, is a 300-acre tract, fenced off even from the comparative publicity of the conventional big guns, guarded from prying eyes along every rod by soldiers with drawn bayonets. Twelve months ago it was a Maryland farm. To-day it is the largest poison-gas factory on earth. It can produce, probably three or four times over, more mustard gas, phosgene, chlorine, and other noxious fumes than the intensified war output of England, France, and Germany combined.

As we went over this enormous plant, sprinkled over the old farm, each unit well separted from its neighbors to avoid concatenated explosions, Col. Walker, once the best lecturer at the Boston "Tech.," expounded the theory and the practice, the history, and the possible future of the diabolism we were surveying.

"The French and English, as you know, were reluctant to use gas, deeming it inhumanitarian. Our Government suffered from the same indecision in the early months of our part in the war. However, we came to it in time, just as did the French and English. But, although the English finally utilized every available facility they could command in the manufacture of toxic gases, their total production at its highest point never went above an average of 30 tons a day. The best the French could do was much less than this. You can get the whole story in one sentence when I tell you that our American capacity for September and October was on an average of 200 tons a day. Remember that these figures are not in pounds, as powder figures are usually given, but in tons. And a drop of gas, properly placed, kills or incapacitates."

WORSE THAN WAR TO WORK AT THIS PLANT.

In fact, when the figures are all finally published, it may appear that no division in France has a higher percentage of casualties than was developed at the Edgewater Arsenal in Baltimore (the official name of the poison-gas plant) in the month of August, this year. That was the month of excessive heat, when the gases were most volatile and when the weather made the soldiers somewhat relaxed in their vigilance to avoid accident.

During that month the hospitals were filled at the rate of 3½ per cent of the entire force in the mustard-gas plant per day, or 100 per cent casualty per week.

I did look at the casualty records. I went through the hospitals, two enormous dormitories, perfectly equipped and permeating the atmosphere of a base hospital in France. I saw boys who had been struck down by the fiendish gases while at work—some with arms and legs and trunks shriveled and scarred as by a horrible fire, some with the deep suppurations still oozing after weeks of careful nursing. In one case a drop of mustard oil had fallen from a conduit pipe under which a soldier had walked, hitting his shoe. He wiped it off, thinking that made him safe. The next day his flesh began to peel. Now, five weeks later, his foot looks like a charred ember. Another had accidentally kicked over what he thought was an empty pipe. It contained phosphorus, which flew over his face and upper body. Now, weeks later, he is still a mass of horrible burns. Another case (one of the fatalities) was that of an officer who came in from the works to the office. He wore rubber gloves, as they all do when near the gases, but did not know he had been near enough to pick up the mustard oil. He picked up a chair and placed it in front of his desk, intending to seat himself. At that moment the telephone rang, and he stepped to the wall to answer. A friend, another officer, entered and took the seat by the desk. Forty-eight hours later the second officer was dead. The first officer had accidentally rubbed mustard oil on the back of the chair. It went through the clothes and into the skin.

A BRILLIANT SUGGESTION.

Out of the $72,000,000 expenditure there is one bit of salvage. There is a little 15-ton consignment of brombenzylcyanide. This is an intense lacrymator (tear compeller), which has the effect of blinding people, but only for six or eight hours. After the temporary blindness, the afflicted recover their normal eyesight. It has been suggested that this brombenzylcyanide might be kept in every police station throughout the country, in little cans with spraying nozzles, for use against mobs. It might be a sort of permanent insurance against any American eruption of the Bolsheviki; a merciful and almost painless, but quite effective, argument against lawless force.

GOVERNMENT MURDERS MILITARY PRISONERS—CONSCIENTIOUS SUCCUMB AS RESULT OF VICIOUS TREATMENT.

Following are letters and affidavits concerning the treatment of conscientious objectors at Camp Funston. The authenticity of the material is attested to by a committee of leading citizens of Chicago, including such well-known names as that of Prof. Robert Morse Lovett, formerly of Chicago University, now editor of the Dial:

From a letter December, 1918.

To-day marks the end of another conscientious objector, who underwent solitary confinement here in prison. * * * Four conscientious objectors * * * were hung up by the wrists so that only their toes touched the cold, damp floor, which was 30 feet below the ground. They were deprived of their overclothing and were forced to live in the stench of their own excrement. After four days without food and under these horrible conditions they got scurvy and were sent here to this prison. Here they refused to work for the military, and consequently were put in solitary. * * * To-day we heard Capt. * * * hurriedly ask for permission for * * * to see his relative before he died. The parents of the first * * * to die had just been here to bury their son about a week before. Two are now dead of the four. * * * They have made the supreme sacrifice for liberty, and their deaths must not be in vain.

From a diary, Saturday, September 14.

Col. Barnes, the provost marshal, called at the guard house. He ordered us to stand at "attention," and when we refused to comply he proceeded to kick the legs of the men. Kaplan had his legs and ankles bruised as a result. Upon leaving he hinted to the prisoners that he would be tempted to pardon them if they beat us up.

Monday, September 16.

We were again placed upon bread and water diet. This continued until the following Sunday, September 22, on which day we had regularly prepared meals, so that between September 7 and 22 we had only two days of regular rations.

Monday, September 23.

We were ordered to stand at "attention" by the incoming officer of the day, and upon refusal we were told that we would be taken out every two hours during the night. This procedure was inaugurated that very night, when we were awakened at these periodic intervals, taken out and kept out a while and sent back to bed.

Friday, October 4.

Orders were issued that conscientious objectors are to be given but one helping of food and "d—— little at that." Not even an extra piece of bread is allowed us. We are now kept hungry from meal to meal.

Wednesday, October 9.

Steiner joined the hunger strikers because he had been placed on bread and water.

Eichel was undressed and given a cold shower.

Col. Barnes, the provost marshal, called while some of the objectors were taking their enforced exercise. He ordered them to stand at "attention." When they refused he beat them vigorously with his heavy riding crop. Shotkin was badly hurt, the colonel breaking his crop over the former's ankles. He deprecated the ruining of his stick and implied that the only reason he did not brain Shotkin was that he wasn't worth the trouble. He then addressed the men before him. "You have declared a famine strike on me. Well, the Third Assistant Secretary of War, your friend, knows it and has instructed that I permit you to starve to death."

Shotkin, limping, returned to quarters. A guard straightway ordered him outside. Shotkin insisted that he could not walk and demanded medical attention. Though the doctor was in the room at the time, no treatment was given him. On the contrary, though suffering intense pain, he was dragged outside and two guards pushed him around the inclosure.

Steiner was dragged from his solitary cell and ordered to walk around. Failing to obey, a guard seized him by his fingers and dragged him around. Steiner suffered intense pain, for the slightest resistance on his part meant the pulling of his finger out of joint.

After supper two slices of bread were given to those who were presumably on bread and water, despite the fact that every one of them was on hunger strike. The sergeant informed them, "Not a d—— drop of water do you get until this bread is consumed."

We, the undersigned, consider the above a fair and accurate account of our treatment at the military police guard house of Camp Funston, Kans.

David Eichel, Julius R. Greenberg, Chas. P. Larsen, Francis Steiner, Francis X. Hennessy, John Downey, Mayer Bernstein, Henry Monsky, Max Sandin, Emanuel Silver, Benjamin Breger, Rexford Powell, Morris Franklin, Thomas Shotkin, Herman Kaplan, Lester G. Ott, Joseph Brandon, Ulysses Da Rosa.

WILLIAMS ANSWERS FURTHER QUESTIONS ON RUSSIA—NOTED CORRESPONDENT EXPLAINS WHAT SOVIETS HAVE DONE FOR WORKERS.

[NOTE.—Arthur Rhys Williams, a noted journalist, worked with the Soviet Government and lived with the workers and peasants during the Bolshevik régime. Below he answers a few questions commonly asked about what the Soviet Government has done:]

When the workers took over the factories and mines, did they not make many mistakes?

They did. Lack of experience and technical skill led them to many blunders. But they learned quickly, and after a time many factories turned out more products than before.

As soon as the workmen found the factories really in their hands there came a change in their minds. Under the Kerensky régime they tended to elect a foreman who would let them do as they pleased. Under their own government, the Soviet, they began to elect as foreman those who put discipline into the shop and raised the production.

In the so-called American works at Vladivostok the wheels, frames, and brakes of cars were assembled, and the cars sent out over the Trans-Siberian Railway. In the Kerensky régime these shops were hotbeds of trouble. The 6,000 workmen on the pay roll were turning out but 18 cars a day.

The Soviet committee closed the plant down and put the men to work in other places. Then it reorganized the shops and started up with a force of 1,800 men. In the underframe section, instead of 1,400 there were 350, but by means of short cuts, introduced by the workers themselves, the output of that department was increased. Altogether the 1,800 men on the new pay roll were turning out 12 cars a day, an efficiency increase of more than 100 per cent per man.

I was standing with the Bolshevik president on the hills overlooking the shops below. He was listening to the clank of the cranes and the stamp of the trip hammers ringing up from the valley.

"That seems to be sweet music to your ears," I said.

"Yes," he replied; "the old revolutionists used to make a noise with bombs, but this is the noise of the new revolutionists, hammering out a new social order."

Are socialists the only ones who believe in the Soviets?

No; all classes of Americans—Col. W. B. Thompson, of Wall Street; Col. Raymond Robins, head of the American Red Cross, who knew Lenine and Trotzky; Maj. Thatcher; Bessie Beatty, of the San Francisco Bulletin; Louise Bryant, of the Bell Syndicate; Madeline Z. Doty, of Harper's; Edgar Lee Brown, of the Chicago Daily News; Dr. George F. Kunz, John Reed, of the Liberator, and scores of others.

How do we know that the Soviet is the government that the people of Russia want?

It is the only government that has shown any strength, and the only one that the people have fought and died for. The last Sunday in July an election was held in Vladivostok. There were 17 tickets. Everybody said the contest was between the Cadet Party and the Moderate Socialist block. It was not supposed that the Bolsheviks could cast any large vote, because their leaders were in prison and their papers suppressed. But when the votes were counted it was found that the Cadets had 4,000, the Socialists 5,000, and the Bolsheviks 12,000. The Bolsheviks got more votes than all the other 16 parties put together.

What have the Soviets done for the women of Russia?

Women have the same political, economic, and social rights as men. The Bolsheviki Government provides free care for women 16 weeks before, while, and after they become mothers. If they go back to work, they are allowed to work but four hours a day. Women have full rights over their property, the right of divorce the same as men, and in the shops are on the same footing. "Together men and women were slaves, now together they are free."

HOW IS JUSTICE ADMINISTERED UNDER THE SOVIETS?

Justice is very simple in Russia now. The old laws of Russia were very bad, and the Soviet Government had to rebuild the whole thing. In the meantime, a revolutionary tribunal which hears all cases was established. Sometimes lawyers are not present at all, but the people defend themselves, and their friends come forward to speak for them.

ALDERMAN PETERSON PUT HIS FOOT IN IT.

Alderman Peterson, of the sixth ward, is one of those genial souls who likes to please everybody, and particularly, we might say of him, he very much fears that he will be replaced by a Socialist in the next election. So it came about that the worthy alderman, who voted for the vicious red-flag ordinance, introduced an ordinance calling upon the telephone companies to increase the wages of the telephone employees. Now, it so happens that the present employees of the telephone company are all strike breakers; in plain English, scabs. So Mr. Peterson's bill really would raise the wages of the scabs, a group of contemptible devils who would sell their souls for a dollar bill.

Are Mr. Peterson's fears that he will be replaced by a Socialist in the coming elections well founded? We think they are.

MEYER'S POLICE GO ON RAMPAGE IN TWELFTH WARD—CONFISCATE PAPERS AND DRIVE CUSTOMERS FROM RADICAL NEWS STAND.

Mayor Meyer's police had a pleasant evening of it last Monday when they walked into the place of business owned by Mr. H. Gravedahl, 4004½ Minnehaha Avenue, stole copies of papers they wanted, and ordered the customers who were in the place to leave at once. The name of one of the officers is Dick Kerr; the other we have not yet been able to discover. They had no warrant; there was no disorder in the store, which is a combined news and confectionery establishment; the seizure of copies of the American Bolshevik, the Revolutionary Age, and other periodicals was entirely unwarranted and an act of unlawful rowdyism.

[The American Bolshevik. Published weekly. Box 593, Minneapolis, Minn. A. L. Sugarman, editor. Per year, $2; per copy, 5 cents. In bundles, 10 or more, 3 cents.]

A VICIOUS BILL.

The forty-first session of the Minnesota State Legislature was fittingly opened with the introduction of house file No. 1, the reactionary Nimock's bill to prohibit the use of the red flag. The bill is a blanket affair that would make it unlawful to print the Socialist Party emblem, an I. W. W. banner, a picket's banner; in short, any sort of a labor ensign that might be used by the working class in its struggle for freedom from wage slavery.

We are certain, of course, that the three Socialists in the legislature will vote "no" on the proposition; probably a few "progressives" will muster up sufficient courage to vote with them, despite the visions of anarchy and riot that will be brought before the house and senate by the old guard. We think the bill will pass. And we say further, "Pass it and be damned!" The days of corporation rule over the workers are nearing an end. Let these lickspittles of special privilege enjoy themselves while they may. "The future belongs to the people!"

THE MAGIC PAPERS.

There is a strange delusion abroad that unless an individual possesses citizenship papers he is a thorough undesirable. If he possesses the magic papers (and, of course, behaves himself to the satisfaction of the ruling class), he is accredited, he is entitled to express himself of what he thinks; but if, horrible to relate, he has not received the coveted documents he is worthless, useless, and an enemy of the country. How powerful a scrap of paper may be made to appear!

Does the fact that a man carries these sacred documents make him necessarily an asset to society? Does the fact that he does not carry them make him necessarily an enemy of the people? If we are to accept current opinion on the matter, only citizens should be allowed to exist; others really can not justify their existence. We know noncitizens who are really valuable to their communities, men who are struggling for the social good; we know citizens who are criminally enemies of the people. While there can be no objection to one's taking out these magic papers, if he so desires, it is often the case that the noncitizen is a better citizen, in the larger sense, than he who shouts the loudest against "these damned foreigners."

THOSE PROFITEERS.

Figures are, ordinarily, rather dull reading, but statistics brought to light in recent weeks by the Treasury Department and the Federal Trade Commission concerning the profits of the patriots during and because of the war are more than interesting. Particularly is this so in view of the testimony given a few days ago before a congressional committee by J. Ogden Armour, the millionaire packer, who made sweeping denial that the packers had profited unreasonably in recent years. According to the Federal Trade Commission report the profits of Armour, Swift, Morris, and Cudahy in 1912, 1913, and 1914 totaled about $19,000,000 each; in 1915 they earned $36,000,000; in 1916, $55,000,000; in 1917 the figures rose to the stupendous amount of $87,000,000. And while sales increased 150 per cent profits increased over 400 per cent. And Mr. Armour had the courage to tell an investigating committee that the poor, poor packers were practically starving to death!

Even the conservatives will hold with us that these profits are exorbitant. But a real solution to the problem will never be found until the packing industry, as well as all others, is made the property of the working class. Reduction in percentage of profit is, after all, a sadly mild remedy. "A little less robbery, please," is scarcely a satisfactory demand. We'll say, "No robbery at all." And with proper organization the working class can make that demand effective.

THE BOOK SHELF—REVIEWS OF SOME OF THE NEW BOOKS THAT ARE WORTH READING.

[Louise Bryant on Russia.]

Louise Bryant's kaleidoscopic "Six Red Months in Russia" (Geo. H. Doran Co.) reminds us, for all the world, of Pathé Weekly. From the constituent assembly she takes us with her enthusiastically to see Catherine Breshkovsky; from there we visit Kerensky, and learn many

things, interesting ones, indeed, about him; then we are given intimate views of the Bolshevik foreign office, where the author, John Reed, and Arthur Rhys Williams were employed, assisting in the Bolshevik propaganda; the fall of the Winter Palace is flashed before us; Lenine, Trotsky, Antonoff, Krylensko, Dubenoff, Kollantay are introduced and we learn of them and their work.

And while the book is thrown together, rather hastily it may appear, whatever page is turned to (in all the 300) will be found dramatically interesting; yes, almost melodramatically so. Louise Bryant was there. She saw these things we are all talking about. Saw the women soldiers and talked to them, watched the revolutionary tribunal, with its simple methods of dealing out real justice; saw the majestically sad red burial of 500 martyrs of the revolution, sat in at meetings of the constituent assembly and the council of Soviets. She was there when the Rusian proletariat wrote the most glorious page in modern history.

You'll find a dozen or so corking photographs of the leading figures, as well as a number of decrees that were issued by the Soviet Government. Information? Lots of it. And all with the personal touch that makes you know these people whom you have been talking about, shouting about for these many months. It's inspiration, is this book of Louise Bryant.

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THEN THE REVOLUTION.

[By J. O. Bentall.]

When does the revolution come? When we have educated the masses? When we have organized the working class? When we have elected socialist officials and established our free press and rostrum?

No.

Won't the revolution come by intelligent awakening?

Never.

Won't it come through the hungry stomach?

Never.

When oppression becomes unendurable and tyranny a nightmare; when hunger stalks abroad and want haunts the slaves; when liberty is taken away and the world is robbed of freedom; when war and blood and pestilence and death has overtaken the masses, and life becomes a ghost, a skeleton, a rotting carcass; when life becomes loathed and despised and death becomes the bright desired bride of the disgusted, discouraged, hounded, beaten, licked humanity; when the people get sick of life, then the revolution.

That is the stern history of Russia. When the people ceased to endure the iron heel of the Czar and of capitalism as a whole, they revolted.

That is the naked history of Germany. When the tyranny of militarism and the murder game of capitalism got the people down in the dumps, they rose up.

So it will be in France, in England, in Italy, in America.

When the people become sick of life, they will make one big leap for freedom.

The people of America are on the verge of a revolution because their liberty has been taken away from them.

They will not stand for that. They are disgusted, and cry to-day as Patrick Henry cried:

"Give me liberty or give me death."

—

THE BOLSHEVISTS, THE GRAVEDIGGERS OF CAPITALISM.

[Continued from last week.]

That they were right in this also we can easily prove by the acts of the governments of capitalistic countries. Even in those countries which have the most democratic institutions the governments are class governments—"committees for the conduct of the common affairs to the bourgeisie." In the United States the workers have the ballot and are in a majority, but the capitalist class controls the means of information. It controls the newspapers, the schools, the colleges, and the pulpits, and through this control it is able to mold the minds of the voters so that they elect to office men who will uphold their class interests. And when they are unable to control the voters they can always win over the "good men" elected to office by the pressure they can bring to bear through their economic power and promises of preferment. Consequently the Government of this country, as is proven by its acts, is greatly concerned and constantly engaged in passing laws conserving the interests of the capitalists, but never legislates in the interests of the workers.

THE WAY TO FREEDOM.

Marx and Engels pointed out also that the development of the means of production was bringing larger and larger masses of workers together in industry, and that the system of production was changing from individual production to collective production. Private ownership of industry, they said, was a fetter on the development of the highest and most efficient form of collectivism.

They meant by this what Mr. McAdoo, Director General of Railroads, pointed out in his annual report, when he said that under private ownership the railroads sent freight by roundabout routes and lost millions of dollars because they did not use common terminals. The coal industry furnishes another example of the fetters of private ownership on collective industry.

Marx and Engels said that the way to freedom for the workers was, in harmony with the development of industry, to transfer industry from private control and ownership by the capitalists to the common ownership and democratic management by the workers.

They said that to accomplish this the workers must gain control of the State—the Government—and change it from an instrument of capitalist oppression to a means of establishing the common ownership of industry and management by the workers.

They said that when the workers took control of the Government there would come into existence a "dictatorship of the proletariat"; that such a dictatorship of the proletariat was necessary in order to break down the resistance of the capitalists to the socialization of industry, but that, as the transformation of industry from private ownership for profit to collective ownership with management by the workers in the industries proceeded, the State would lose its class character and become merely an organization for the administration of industry; that in place of being an instrument of class rule it would become a huge cooperative organization of all the workers for the common purpose of supplying themselves with food, clothing, homes to live in, and education and recreation.

The capture of political power by the workers might come through a mass movement and revolution, as it did come in Russia and as it is now manifesting itself in Germany, or it might come as it did in Finland, where the Socialists elected a majority of the Finnish Parliament, and where civil war exists because the propertied classes resorted to force to stop the workers from proceeding with the work of socializing industry.

BOLSHEVISM—APPLIED MARXIAN SOCIALISM.

Now, we are ready to answer the question whether bolshevism is something new.

If we place in parallel columns the principles of Marxian socialism and the acts of the Bolshevists, we will find that the Bolshevists are acting upon the principles that Marx and Engels laid down more than half a century ago.

They organized the workers for a class conflict.

They seized control of the power of the State and established a dictatorship of the proletariat.

They are using the power of the State to wrest control of industry from the hands of the capitalists and to build up a democratic administration of industry by the workers.

In the period of transition the power of the State is being used to establish collectivism and democratic management. This process wipes out of existence the capitalist class, and as this class disappears, being absorbed in the ranks of the workers, its power of resistance ends, there disappears with it the coercive power of the State, and industrial democracy takes its place.

Bolshevism is not something strange and new. It is not a blind, raging force of destruction. If at present its triumph is accompanied by bloodshed and destruction, it is because the bankruptcy of capitalism precipitated a cataclysm, and the workers are obliged to rebuild the new order amidst the wreckage of the old, and with those who profited from their former oppression and exploitation placing every obstacle possible in their path.

Bolshevism is Marxian socialism in action. It is the social revolution under way. It is the workers on the road to victory and a better world.

WE ARE NOT IMMUNE.

The capitalist-owned newspapers are shrieking loudly against bolshevism. They are lying about it. They are resorting to the most desperate measures to poison the minds of the workers against it.

The reason they do this is clear.

They know that the exploitation and oppression of the workers in industry exists in this country as it exists in Europe. They know that the socialist movement in this country has and is carrying on the same kind of campaign of education and organization among the workers that was carried on in Russia and in Germany, and that the time is coming when the workers here will engage in the same struggle for their emancipation that is now going on in Europe.

They know that this struggle will not be precipitated by the wild schemes of a few individuals, but that it will be the logical result of the historical development in industry.

The Bolshevists are the gravediggers of capitalism and the builder of the new world. They are removing the wreckage and débris of a bankrupt system of production and putting in place the foundation on which will be erected the structure of the new society—the better and more beautiful world of the future.

It is because the gravediggers of the system that gives them great wealth and luxury are at work that the capitalists rave and are filled with fear and dread.

For the workers the present is the period of hope and joy in anticipation of coming happiness.

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Farewell meeting: J O. Bentall, who has received notice that he must deliver himself up to the Crow Wing County Jail on February 2, will speak at Commonwealth Hall, 1217 Hennepin Avenue, second floor, Saturday, February 1, 8 o'clock. Admission free.

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Max Eastman will speak in Minneapolis Sunday afternoon, February 9, at a place to be announced next week.

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WOMEN IN RUSSIA.

[By G. H.]

I heard a man say
The other day
That in Russia
They have made
Women public property,
And I wondered what he meant.
For in Russia
They have abolished
That blessed institution
Known as matrimony
And established
A registry system,
Making marriage
A civil contract,
So a man and a woman
May choose each other
Without the sanction
Of a priest or church.
And married life
Can be clean
And fine and decent
Without bonds or chains,
And children may be born
Into an honest world
Without hypocrisy
And cant about
The marriage relation.
And when it is
No longer possible
To live together in
Love and self-respect,
Either party may apply
For a separation
Without the scandal
Of a divorce.

But in America
Women must wait
Until some man
Asks them to share
His lot, and be
Blessed by a minister
For a fee,
So that they
Can do his cooking
And washing and scrubbing
And mend his clothes,

And bring his children
In respectability
Without any pay,
And if they live long enough
They may get
Some of his property
After he is dead.
And if they can not live
With him any longer
They may get a divorce,
If they can endure
The humiliation
Of a divorce court.

And I think
What the man meant
By public property
Was that in Russia
Women are free human beings,
And do not belong
To any man,
And that he would prefer
To have them remain
Private property,
As they are in
America.

—

DEFENSE ENTERTAINMENT FEBRUARY 2.

The Social Science League of America is giving an entertainment Sunday evening, February 2, at 43 South Fourth Street. The funds raised are to be divided between the Mooney Defense League, the I. W. W. defense fund, political prisoners' defense fund, and Socialist Party defense. A beautiful oil painting, by Miss Ada Wolf, and valued at a hundred dollars, is to be raffled off at this entertainment. Tickets are a quarter, and are on sale at socialist headquarters, 1217 Hennepin Avenue.

—

IT'S A GREAT LIFE.

Will the city council now kindly pass an ordinance against the use of red ink?

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Why American troops in Russia now? The Bolsheviks, according to the Associated Press, have already massacred four or five times the total Russian population!

—

One hundred million dollars has been appropriated to destroy bolshevism in Russia. As the population of Russia is 180,000,000, this means about 50 cents apiece, say, about one square meal for each person in the Empire. Do they really expect to stop bolshevism with one square meal?

—

The speech of a prominent citizen in a south side church, attacking bolshevism, was described to us as "about as intelligent as a burlesque show and as truthful as an account of a socialist meeting in the capitalist press."

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LEFT WINGERS' NATIONAL CONVENTION.

Local Boston has passed a resolution demanding immediately a national convention of the Socialist Party, in order to consider the problems which have arisen out of the war and the revolutions which have followed it. The demand is occasioned by the sending of Lee, Work, and Oneal, three conservatives, to attend the fake "international," called for Lausanne, Switzerland, by discredited enemies of socialism in Europe. The call is issued by Camille Huysmans, and others who have proven to be enemies of the revolutionary proletariat, "comrades" who have betrayed the movement time and again.

It is pointed out that the national executive committee had no authority whatever to send these delegates without referendum vote of the membership. It is further argued that, from all the information available, it would seem that the American Socialist Party has no place in such a reactionary gathering, and it is urged from these facts that locals protest by wire to the national secretary, and that a convention of the party be called for the purpose of taking a stand on the vital issues that have recently arisen.

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PORTLAND WORKERS AND SOLDIERS ORGANIZE.

Two thousand workers and soldiers organized a Workers and Soldiers' Council at Arion Hall last Thursday. An executive committee of 23 was elected, and resolutions were adopted demanding withdrawal of troops from Russia and amnesty for political prisoners.

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WHERE TO GO.

Latimer to speak February 2.

The first half of the season's lecture course will be completed Saturday evening, February 2, at new Commonwealth Hall, 1217 Hennepin Avenue, Minneapolis, with a lecture by T. E. Latimer, prominent Minneapolis attorney, on "Labor conditions in the Twin Cities." Mr. Latimer was counsel for the employees in the War Labor Board hearings in the Twin Cities recently, and his speech will deal with the startling information regarding wages, hours, etc., brought to light in this investigation.

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Minneapolis Local, Socialist Party, has moved into the new Commonwealth Hall, 1217 Hennepin Avenue, where it will hold regular meetings the first and third Thursday of every month.

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The Socialist Study Class has likewise moved its meeting place to Commonwealth Hall; meetings are every Friday.

I. W. W. Recruiting Union; every Wednesday night at headquarters, 14 South First Street.

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RUSSIANS TO ENTERTAIN.

The Russian Slavic Educational Association announces a concert and play for February 2 at Finnish Hall, Humboldt and Western Avenues. The play "Shot to Death" will be put on at 1.30 in the Russian language, and will be followed by musical numbers and a speech by A. E. Georgian.

TRADES AND LABOR ASSEMBLY DEMANDS POLITICAL AMNESTY.

Minneapolis Trades and Labor Assembly, representing 20,000 union men in this city, passed unanimously a resolution demanding amnesty for all political prisoners at a regular meeting last Wednesday.

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Complete line of radical and scientific books, newspapers, and magazines at Century News Co., 6 South Third Street. Louise Bryant's "Six Months in Russia" for sale here. Only a few copies left.

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For fine tailoring try Jacob Hymanson, the reliable tailor, 1321 Nic. Avenue, Minneapolis. Suits made to order; cleaning, pressing; remodeling neatly done.

Mr. BORAH. Mr. President, all in this Chamber have a very great respect for the Senator from Minnesota. He is one of the veterans of the Senate; and we have not only a high regard for his capacity as a legislator but a very tender regard for him individually. But I hope that when the Senator comes to review his remarks he will reflect upon one statement which he made—that the people to whom he referred here, Socialists and Bolshevists, are beyond the pale of the Constitution and beyond the pale of the law.

That doctrine we should all desire to keep from taking root in the American system of Government. It is the precise doctrine, if we understand correctly, upon which bolshevism and I. W. W.ism are founded, to wit, that the man who disagrees with you is entitled to no protection other than that which force may, in its beneficence, see fit to grant. I am sure that that doctrine is not the doctrine in which the Senator from Minnesota believes. These people are not beyond the pale of the Constitution; they are not beyond the pale of the law. The Republic can deal with them within the terms of the law and in an orderly way. It is an awful thing to say upon this floor that men are to be treated as beyond the pale of the law.

The Senator says certain people are bringing the doctrine of bolshevism into this country. Mr. President, what is the doctrine of bolshevism? It is the doctrine which the Senator accepts. Just as soon as Lenine and Trotsky were placed in power they suppressed every newspaper in the land that did not agree with them. They did not give anybody a hearing as to whether or not they should be suppressed. They denied a hearing to every man who did not agree with them. That is what the reports in the papers say. I do not know whether it is true or not. I am basing my statement upon what the papers reported, although I have reason to believe that perhaps sometimes these reports are exaggerated. But they not only denied a hearing to people who had published papers contrary to their views but they denied a hearing to those who had views with reference to government contrary to theirs. They disposed of them in arbitrary fashion, executed them without trial because they regarded them as beyond the pale of the law. They practiced the doctrine which the Senator preaches.

Mr. President, this is a Government of law and not of men; and no man in this country who is a citizen or who owes allegiance to this country, or is found in this country subject to its jurisdiction is beyond the pale of the law. That is the contest that has been going on for three centuries—to establish here a government of law, which would afford to every citizen under the law the ample protection of its provisions, regardless of whether he was insane or criminal. If insane, let him be sent to the asylum; if criminal, let him be adjudged such by the ordinary procedure of our courts, and sent to the penitentiary. But no man is without and beyond the protection of the law. To assert that to be true is to libel our institutions and to slander our whole form of government. I deny such principles. They have no place in this Chamber.

Mr. THOMAS. Mr. President, I am very largely in sympathy with the views expressed by the Senator from Idaho [Mr. BORAH], and I have been very much impressed by the argument which he has made in behalf of his motion to amend.

I took some part in the discussion which preceded the enactment of the espionage law. I took exception to some of its provisions, and did what I could to make it as workable as possible and soften the harshness of some of its sections. I was not here when the final vote was taken upon its passage; hence I am unable to say whether I would have voted for it or not.

Its only defense, its one defense, is that it is a war measure, made necessary for the protection of the Government which we all serve and because of the prevalence of a very large seditious element scattered throughout the length and breadth of the Nation. With the termination of the war it should disappear, for in time of peace, however dangerous the Bolsheviki menace may be—and I think I recognize its gravity as fully as anyone—it should be decided by constitutional methods and through constitutional agencies until overt acts committed by it justify a resort to other remedies.

Mr. President, I have always shrunk from the exercise of arbitrary power everywhere, and particularly in a Government like ours, but we must expect to meet them in some form during a period such as we are now happily emerging from.

I read a few days ago in the dispatches an incident which occurred in the United States district court in the city of Chicago, presided over by a judge of considerable prominence, Judge Kenesaw Mountain Landis. He asked the witness upon the stand, who was wearing a wrist watch, whether he belonged to the Army. The reply was that he did not. The judge then ordered him to take the watch from his wrist, saying no man should be permitted to wear a wrist watch who did not belong to the Army or Navy in some capacity. I think a member of the bench guilty of such infinitesimal, contemptible despotism should be impeached. I think any judge who would so conduct himself betrays by such conduct his utter unfitness for that or any other public position. I do not know how we can avoid such evidences of petty tyranny, because impeachment is one of those theoretic systems of criminal procedure which are not honored in the breach, because there never is any breach, except on rare occasions in demonstrations of its utter incompetency. That, however, is a digression.

Mr. LEWIS. Mr. President——

Mr. THOMAS. I yield to the Senator.

Mr. LEWIS. May I say to the Senator from Colorado, knowing his eminent fairness at all times and his high position as a Senator, if the charge made against Judge Landis or if the statement were accurate, would it not appeal to the Senator that possibly Judge Landis's real error was in assuming it as humor? I would suggest to the Senator that possibly Judge Landis felt when he made that remark to the witness that he was making a humorous reflection upon certain officials of the Army who always wear wrist watches. I can not conceive for a moment that he really meant seriously to reprove the witness.

Mr. THOMAS. The Senator knows Judge Landis and I do not. It may have been an exhibition of judicial humor; but if so, it is an incident of a humorous kind which does not arouse my sense of humor at all.

Mr. LEWIS. Let me say to my friend, it may be regrettable, and I have no knowledge of the instance; I can pass no judgment upon it; but I can not conceive that a man such as Judge Landis would really mean to indicate that no man had the right to wear a wrist watch except some officer of the Army, and if he dare to do so he should be degraded for doing such a thing. I would be astounded to hear that such evolution of his mind had transpired as to border very near to the question of responsibility, and that can not be charged to him.

Mr. THOMAS. I hope that it is unfounded. I hope for his sake, I hope for the sake of the judiciary, that it is unfounded or that it is a clumsy joke; but such incidents serve very largely to confirm that prejudice against Federal courts which is one of the characteristics of the time, and is based largely upon assumptions of petty tyranny and oppression that are unworthy of the bench and disagreeable to its occupants.

Mr. KENYON. I just came into the Chamber. May I ask the Senator what the complaint was about Judge Landis? Judge Landis is a man whom I have known intimately and well for very many years, and I am wondering just what it was the Senator said.

Mr. THOMAS. I referred to the fact that the exercise of arbitrary power in this country was not confined to proceedings under the espionage law, and as an illustration of it I referred to an incident which appeared in the press a few days ago, the substance of which was that a witness in Judge Landis's court in Chicago wore upon his wrist a watch, and upon being asked by Judge Landis if he belonged to the Army, and upon his replying that he did not, ordered him to take it off, Judge Landis saying that no man should be permitted to wear a wrist watch who did not wear a uniform or was not connected with the Army.

Mr. KENYON. Has the Senator any information that any such thing really occurred? Is it a very important matter, anyway?

Mr. THOMAS. All I know is what I saw in the papers.

Mr. KENYON. Does the Senator know Judge Landis?

Mr. THOMAS. I do not. I have had a very high opinion of him.

Mr. KENYON. The Senator's high opinion of Judge Landis is justified.

Mr. THOMAS. I have not seen the incident denied.

Mr. KENYON. No more patriotic man or better judge, in my opinion, ever sat upon a bench than Judge Landis.

Mr. THOMAS. He has been a good judge. I hope that is not one evidence of his brand of patriotism.

Mr. KENYON. His brand of patriotism is illustrated by his boy, who stopped here a few days ago on his way back home from France, his only boy, with a magnificent record in bringing down German airplanes. The Landis family is in the front rank whenever any question of patriotism is involved.

Mr. THOMAS. I am glad to hear that.

Mr. KENYON. The patriotic utterances of Judge Landis from one end of the country to the other during the war did much to stimulate patriotism. This matter, it seems to me, is in the nature of an attack on him and is very trivial. If ever a man stood for the right things, either on the bench or in public life, that man is Kenesaw Mountain Landis. If we had more judges like him it would be well for the country, and if the Senator from Colorado knew him as I know him no word other than commendation of him would ever come from his lips.

Mr. THOMAS. Before the Senator from Iowa came in I expressed the hope that it was not true. I reiterate it.

Now, Mr. President, let me proceed with the purpose for which I took the floor. We have been several days engaged in an abortive effort to pass an appropriation bill. That it has not yet reached a final vote is due to the fact that it was loaded by the committee with riders, and is now being loaded, or the attempt is being made to further load it, with other riders containing subjects none of which, in my judgment, are germane to the objects and purposes of the bill or in harmony with its title.

The amendment proposed by the Senator from Idaho is confessedly not subject to a point of order, and therefore it is accompanied by a motion to suspend the rule.

Mr. President, I am going to protest at this time against the continued practice of loading bills, and particularly those of national importance whose early passage is very essential, with amendments providing for objects and for obvious purposes that are not only foreign to the purposes to be accomplished by the bill, but which necessarily provoke prolonged discussion and controversy.

If every appropriation bill reported upon this calendar between now and the 4th of March is to be treated as this one has been treated we will be fortunate if we pass two of them. I see no reason why they should not be so treated, if we are to go to the extreme of suspending rules in order to permit the intrusion into this bill of a matter which however important is entirely foreign to it.

It is for that reason, Mr. President, that I shall vote against this amendment. I want to see this bill passed, much as I dislike some of its provisions, because we need all the time remaining at our disposal, if we should sit here by day and by night, for the proper and intelligent transaction of other remaining business. So believing and for these reasons I shall cast my vote against the suspension of the rule. I have no doubt that the distinguished Senator from Idaho will be able to secure a recognition of the main purpose of his discussion in some other fashion.

Mr. KING. If the Senator will pardon me, I understand there is a bill, indeed that the Senator from Maryland [Mr. FRANCE] has introduced a bill, having for its object the repeal of the espionage act, and that bill is before the Judiciary Committee.

Mr. THOMAS. That is the case. I think a majority of the riders that are offered to appropriation bills are also included in independent bills, some of which have been approved and reported to the calendar, and others are still in committee. But it is the practice which I protest against, not only the cumbrous and dilatory but the dangerous practice, of holding up important bills in this body until those who are interested in particular matters entirely foreign to them can compel the Senate, in order to reach an ultimate conclusion, to accept their amendments as a condition to a final vote.

Mr. KING. Of course, no one can dissent from the conclusion stated by the Senator from Colorado. I do not intend to discuss that.

I ask the attention of the Senator from Alabama [Mr. BANKHEAD]. First, I desire to give notice that I reserve the right to ask for a separate vote in the Senate upon the action of the Committee of the Whole with respect to the amendment found on page 15 of the bill under consideration, its provision being what is known as the pneumatic-tube item.

I move a reconsideration of the vote by which the amendment found on pages 28 and 29, being the motor-truck amendment, was rejected. I think the chairman of the committee will not object to the motion for a reconsideration.

Mr. BANKHEAD. I suggest that the Senator had better do that when the bill reaches the Senate. It can not be done now except by unanimous consent.

The PRESIDING OFFICER (Mr. MCCUMBER in the chair). The Chair understands that an amendment is now pending,

known as section 6 as amended. Therefore the amendment of the Senator from Utah [Mr. KING] is not at this time in order.

Mr. KING. Then, I shall not insist upon my request at the present time.

Mr. SMOOT. May I ask what amendment is now pending?

The PRESIDING OFFICER. It will be stated.

The SECRETARY. The pending amendment is on page 37, to insert lines 4 to 15, inclusive, including the amendments proposed by the Senator from Arkansas [Mr. KIRBY] and the Senator from Washington [Mr. JONES].

Mr. SMOOT. I do not want the vote taken on the amendment as amended until I can offer a substitute for it. I understood that the amendment of the Senator from Washington [Mr. JONES] was adopted last night.

Mr. JONES of Washington. It was adopted.

Mr. KIRBY. So was the amendment proposed by me.

Mr. SMOOT. I so understand.

The PRESIDING OFFICER. The amendments proposed by the Senator from Washington and the Senator from Arkansas were adopted, and also an amendment offered by the Senator from Minnesota [Mr. KELLOGG].

Mr. SMOOT. I understand that to be the case. What amendment is now pending to the amendment?

The PRESIDING OFFICER. The question is on agreeing to the amendment as amended.

Mr. SMOOT. I want to offer a substitute for it.

Mr. JONES of Washington. Before that is done I want to offer another amendment to the amendment.

Mr. BANKHEAD. I make the point of order that amendments can not be offered until half past 3 o'clock under the unanimous-consent agreement.

Mr. SMOOT. No.

Mr. BANKHEAD. That is what the agreement says.

Mr. SMOOT. I do not want to take the time of the Senate, but the agreement does not prevent amendments from being offered before 3.30. It says that general debate shall end at 3.30. As the Senator knows, an amendment has already been offered by the Senator from Idaho.

Mr. BANKHEAD. I do not care about it, but that was the agreement adopted at the suggestion of the Senator from Utah [Mr. SMOOT] and the Senator from Idaho, to continue the general debate until half past 3 o'clock, and after that amendments could be offered and voted upon.

Mr. JONES of Washington. The Senator will remember that I asked the Chair if under the agreement we could vote before 3.30 if the debate was exhausted on a proposition, and the Chair said yes.

Mr. BANKHEAD. I think we can do that.

Mr. JONES of Washington. I wish to offer an amendment to the amendment.

Mr. BANKHEAD. I have no objection. I simply wanted to call attention to the agreement.

The PRESIDING OFFICER. The Senator from Utah [Mr. SMOOT] has the floor.

Mr. SMOOT. I am the last Senator who would violate the unanimous-consent agreement, as the Senator from Alabama knows. The unanimous-consent agreement reads:

> It is agreed by unanimous consent that on the calendar day of Saturday, February 8, 1919, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill H. R. 13308, an act making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, through the regular parliamentary stages to its final disposition; and that after the hour of 3.30 o'clock p. m. on said calendar day no Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

There is not anything in that unanimous-consent agreement which prevents a Senator at any time before 3.30 from offering any amendment and speaking as long as he desires upon that amendment until 3.30.

Mr. BANKHEAD. I suggest that there is no necessity for all this explanation on the part of the Senator from Utah. I said I had no objection in the world to offering the amendment, but I do not think it is complying with the spirit of the agreement.

Mr. SMOOT. I am not going to violate the spirit of any unanimous-consent agreement; and the reason why I read the agreement was because I wanted the RECORD to show that I was not violating it.

If section 6 is now perfected——

Mr. JONES of Washington. It is not.

Mr. SMOOT. Very well, then I will yield the floor to the Senator to offer his amendment to section 6.

Mr. JONES of Washington. I wish to offer an amendment to section 6; I do not ask the Senator to yield the floor, but I desired at the proper time to offer it. In line 8, I move to strike out "$50,000" and insert "$125,000," and in lines 10 and 11 to strike out "and the sum of $75,000,000 for the fiscal year ending June 30, 1921."

Mr. President, that does not diminish the amount of the appropriation. I am supporting this provision, and I think a great many of the Senate are supporting it on the theory that the conditions of the country and the conditions likely to confront us justify us in appropriating money not only for the building of good roads, but largely to furnish a sort of reservoir for the employment of idle labor that we will very likely have in this country in the very near future.

If we will need money for that purpose we will need it soon. We are going to need it before 1921, and I believe we are going to need it, and I want to make ample provision for it. I would rather authorize the appropriation of too much money to take care of that situation than to appropriate too small an amount.

So I have offered this amendment to make available this year for good-road purposes $125,000, to be expended and used under the agency that has been built up and now exists, and that no doubt can use that much money in a very advantageous way. I think there is far more justification for appropriating the money in this way than to have $75,000,000 provided now for 1921. That is the reason why I offer the amendment.

Mr. KENYON. Mr. President, it seems to me there is force in the position taken by the Senator from Washington [Mr. JONES], but I think the amount is entirely too much. The Senator from Alabama stated on yesterday that with the $50,000,000 of appropriation there would be some $170,000,000 available, but the general principle enunciated by the Senator from Washington I am in accord with, and would be willing to vote a sum not to the extent the Senator indicates, but this sum of $50,000,000 in the bill, if it could be used within the next three months in some way to help with the labor situation, much as I am opposed to this general method of appropriation that there is in the bill.

In line with what the Senator from Washington has said as to the need of our doing something, let me say that at the date of the armistice there was a shortage of labor throughout the United States. The Department of Labor gather in from the different centers of the country statistics showing the labor situation, and report them every week. Four weeks after the armistice was signed there were 25 cities in their list, which I think is about 132, showing a surplus of labor—more men seeking work than there was work. Six weeks later unemployment was reported in 42 cities. The report this week, and this is all outside of the strike question, shows 69 cities reporting a greater or lesser degree of unemployment, and out of 120 important cities reporting the actual number of unemployed by these reports is approximately 292,000 men.

These reports are partial, they do not cover the entire labor situation in the country, and they only are gathered from parts of the employing firms. On the basis of these figures and these reports it is safe to estimate that there are over a million unemployed men in this country now, and this week the statistics show that as to the cities eight more show unemployment than the last week.

As I said a few days ago, it was not so much the number who are out of employment in the country that is alarming as it is the rapid increase in the number. That leads me to say that we ought to devise some method of taking care of this unemployment question. I introduced a bill here that public works should not be confined to roads but should take in all kinds of public works to try and start industry again in the country. There as a psychology to the situation of starting work. Private capital is holding back; somebody has got to start it. If the Government does, it is probable that private industry will follow along, and that is just as important in my mind as is the actual employment of the men by governmental work.

There should be some way in this bill of separating the sums, as the Senator from Washington has attempted to do, and not go to the large amount which he has proposed, because that is an amount which could not be expended by the 30th day of June, 1919, which is the limit of the first appropriation.

Mr. JONES of Washington. The Senator, I think, is mistaken. The Senator from Utah [Mr. SMOOT] stated yesterday that the money for the year 1919 could be used for the whole season of 1919; that the appropriation for 1919 under the road act does not terminate June 30, 1919, but it is for the whole season.

Mr. SMOOT. Or the whole season of 1920.

Mr. KENYON. That amendment, I understood, was defeated.

Mr. SMOOT. No; the amendment that was defeated was to spend it two years after the present act, which says:

So much of the appropriation appropriated for the fiscal year which remains unexpended at the close thereof shall be available for expenditure in that State until the close of the succeeding fiscal year.

Mr. KENYON. So it would, then, carry the appropriation until June 30, 1920, under that construction?

Mr. SMOOT. Yes.

Mr. JONES of Washington. A year and a half.

Mr. KENYON. I wish the Senator would make that sum a little more reasonable.

Mr. JONES of Washington. I wish to ask the chairman of the committee a question. I understand the chairman of the committee stated the other day that they had reported upon and really approved some three hundred and odd projects under the road act.

Mr. BANKHEAD. Three hundred and ninety-one.

Mr. JONES of Washington. What expenditure would that entail?

Mr. BANKHEAD. About $26,000,000 of Federal appropriation. Of course, that will be met by the States appropriating a like amount.

Mr. JONES of Washington. I think there is a lot of force in the suggestion the Senator from Iowa makes. What would the chairman say as to the possibility of a wise expenditure of $125,000,000 for roads between now and the 30th of June, 1920?

Mr. BANKHEAD. My judgment and the judgment of the Secretary of Agriculture and the Roads Department is that not more than $60,000,000 additional to the amount appropriated in the old law can be expended during the fiscal year 1919.

Mr. KENYON. That would take it up to June 30, 1920; or would it be June 30, 1919?

Mr. BANKHEAD. I call the attention of the Senator from Washington to the fact that under the law as it now is, or under the amendment which we have offered as it now stands, the amount available for the balance of the fiscal year from now until the 30th of June would be $190,000,000.

Mr. KENYON. That will be available.

Mr. BANKHEAD. That will be available between now and the 30th of June of this year.

Mr. KENYON. If you add this $75,000,000 to it you have up to $265,000,000, and that can not be used economically, at least.

Mr. BANKHEAD. I think that is more than they could possibly spend.

Mr. JONES of Washington. But would not that be available until June 30, 1920, giving them an additional year?

Mr. BANKHEAD. The first of the coming July there will be available $190,000,000, which can be immediately used, making a total of $360,000,000 available for the remainder of this fiscal year and the year 1920. He does not believe that the States can match more than that, if they can do that.

Mr. JONES of Washington. It does not look to me like we ought to appropriate anything for this year.

Mr. BANKHEAD. These are the figures. You want to increase and I do not.

Mr. KENYON. One hundred and seventy million dollars are now available. That ought to be enough.

Mr. BANKHEAD. If this $50,000,000 is added.

Mr. KENYON. With $50,000,000 added to $120,000,000.

Mr. BANKHEAD. No; $70,000,000.

Mr. KENYON. And now the Senator from Washington proposes to add $75,000,000 additional, making $195,000,000.

Mr. BANKHEAD. It would make $190,000,000 for 1920.

Mr. KENYON. To be used entirely on roads. Would it not be wiser, from the standpoint of unemployment, not to put so much to roads and put some part of these funds to other great public works that will give employment to labor, such as public buildings or reclamation projects, or even canals where they are necessary? With the statement made by the Senator from Alabama, I would not be willing to vote to increase this $50,000,000, but I would be willing to vote for the $50,000,000 to be immediately available, and I would vote for it wholly on the theory of a labor proposition to give employment to labor in the times that are ahead of us.

I will not vote for the other two provisions of $75,000,000 each, as I have heretofore said; but if they could be differentiated from this $50,000,000 in some way—because I believe, as has been expressed here, with the condition of our finances in this country that some time we have got to begin and stop some of these appropriations. I do not know that we ever shall. We have the cheerful information here, when the chairman was asked where the money was coming from, "That is not our business; that is the business of the Finance Committee." The business of Senators is to attend dinners at night and vote appropriations in the daytime, I suppose. Let the people pay. We are going to have $12,000,000,000 of expenses next year. What do we care? Let the people pay. That is the theory of Congress.

The last election, in my judgment, went against the Democratic Party not so much because of the President's letter, to which some Republicans like to ascribe it, as because of the feeling in the country about the wasteful and indefensible extravagance of Congress. The people are going to understand pretty soon the motto of each political party—"Let the people pay."

The Democrats went down largely because of that. If the Republicans come into power and keep on with these same kind of appropriations, practically leaving nothing for the States to do, and having the Federal Government as a great Santa Claus to deal these things out, the Republican Party will be driven out of power also, and I hope it will, if it goes on with that kind of a program. Pretty soon we will find that there will be a taxpayers' party in this country, as well as two tax-eaters' parties.

What a scene here in this Chamber a few days ago when Senators got up and talked about "our share—our State getting its share." Senators said to me, "Why, under this bill your State gets more than it puts in." That seemed to be an argument that nobody could refute. I have stood at this desk and fought appropriations some people in my State wanted, and I am going to continue to do so, because I have the conception—I may be wrong—that I am a Senator of the United States, and not simply trying to get my hands into the Public Treasury and get something for my own State. At some time we are all going to get around, I hope, to that platform. That does not mean, of course, to fight every appropriation that comes along. We have got to have money for great works in this country; but the idea seems to be to get "our share." I have seen Senators stand here and heard them solemnly talk about the "share of their State." What is this Public Treasury—merely a grab bag, to get "our part" and "our share"?

Both political parties declared practically for a budget system in 1916. How far have we gotten with it? How far will we get with it? We have from 27 to 29 committees in the Senate and in the other House, all appropriating money, with no regard one for the other, and no coordination one with the other. There is no business on earth that could last 60 days carried on in that kind of fashion. Economists of this country and business men are for it; the Chamber of Commerce of the United States have voted practically unanimously on the question of a budget, pleading with Congress for some kind of a budget. But, no; we will not give up the powers of different committees to appropriate money. Let the taxpayer go; let the people pay? What do we care? As the Senator from Colorado [Mr. THOMAS] said the other day, "Let the taxpayer kick; he needs the exercise." The principle now is "less taxes and more appropriations." It can not be done. If these appropriations are to go on, then heavy taxes must be levied. But the taxpayer is going to wake up pretty soon and take his exercise at the ballot box, for this country is piled up now with about all the taxation it can stand.

In the House of Representatives I notice that there is a proposition backed by the chairman of the Appropriations Committee and by one of the Republican leaders for a budget commission. I am delighted to see that. There is on the calendar a bill for that purpose in the Senate, which was introduced by myself. I asked that the Appropriations Committee be discharged from its consideration, and I finally got the bill on the calendar, but there has been no chance to get it up. I propose after the 4th of March, if we can not tack it onto some of these appropriation bills, to make it my business to see if we can not get such a plan and get some information before Congress from economists and students of these questions as to a budget plan that we can adopt and have some correlation between our income and our expenditures.

Much as I believe in good roads, much as I have urged them in my State, I am not willing to go into such a plan as this, which is increasing now by leaps and bounds over the act which we passed in 1916, which was a fair act, and which went to our limit in times of peace to stimulate road construction; but we are blossoming out now with $200,000,000 more, and in another year or so we shall find another $200,000,000, and eventually this barrel will get to be the greatest pork barrel that we ever have had in the American Congress.

Mr. WATSON. I should like to ask the Senator from Iowa a question.

Mr. KENYON. I yield to the Senator.

Mr. WATSON. The Senator from Iowa has been studying the budget system for a good while, and I desire to ask him, is it

possible to adopt a budget system unless we have but one appropriations committee?

Mr. KENYON. Oh, yes.

Mr. WATSON. Is it workable, even with the present system of committees on the other House and in the Senate?

Mr. KENYON. Yes; but I will say to the Senator that I do not believe it is as workable with so many committees as we now have as it would be if the committees were cut down. But those are all matters of information, I will say to the Senator, that will come out if a commission be appointed to report to Congress within a reasonable time.

Why should there not be such a commission? I have talked to Senators here who said, "Why, we do not propose to have some one from the outside tell us about our duties." Then, if you ask them what a budget system is, they say, "We do not know."

That is all I have to say, but I thought I had better take my 10 minutes now instead of later.

The PRESIDING OFFICER. The Chair desires to suggest to the Senator from Washington [Mr. JONES] that the amendment which he offered is divisible. The last section of his amendment covers an amendment which was adopted before the present occupant of the chair took the chair. The Chair will therefore be compelled to rule that the vote must first be taken upon the first division of the amendment.

Mr. JONES of Washington. I think the Chair is wrong. The last part of my amendment was not adopted on yesterday. I tried to strike that out, but failed.

The PRESIDING OFFICER. But let the Chair suggest that there has been a vote of the Senate to retain the clause which the Senator now seeks to strike out.

Mr. JONES of Washington. Yes; but there has not been a vote of the Senate on the proposition to increase the first appropriation to $125,000,000 and to cut the other out. That is all one proposition; that is one amendment, so far as I am concerned; but I will leave that to the Chair.

The PRESIDING OFFICER. The Chair is of the opinion that the amendment should be divided under the circumstances, there having been an affirmative vote refusing to strike out the second section.

Mr. JONES of Washington. Very well; but to my mind the amendment is not divisible, because it is one proposition; the one hangs on the other; but I appreciate the fact that probably the Senate might insist on a division. I want, however, to ask the chairman of the committee a question or two.

Leaving out the provisions of this bill entirely, I want to ask the chairman of the committee how much money is available, up to the 1st of July, 1919, for road-building purposes, under the act of 1916?

Mr. BANKHEAD. Seventy-five million dollars, including that which has already been expended.

Mr. JONES of Washington. And without this provision here how much would be available during the fiscal year ending June 30, 1920?

Mr. BANKHEAD. Twenty million dollars.

Mr. JONES of Washington. That would make $95,000,000 altogether, that either has been expended or is available for those years?

Mr. BANKHEAD. No; there could not be but $75,000,000 available for the five years. Twenty million dollars of that appropriation has not been expended for 1920.

Mr. JONES of Washington. I want to get this clear. I do not want any account taken of this division of the bill here at all.

Mr. BANKHEAD. I understand.

Mr. JONES of Washington. Under the act of 1916, how much is available up to June 30, 1919?

Mr. BANKHEAD. Unexpended?

Mr. JONES of Washington. Unexpended.

Mr. BANKHEAD. I think that I answer correctly when I say that, under the original law to which the Senator refers, for the fiscal year of 1920 there can not be more than $20,000,000 available, because that was all that was appropriated for that year.

Mr. JONES of Washington. There are $26,000,000 now available up to June 30, 1919, under the 1916 act? Is that correct?

Mr. BANKHEAD. That depends upon how much is unexpended for the year 1919.

Mr. JONES of Washington. We are on the year 1919 now; and how much has the department available to spend up to June 30, 1919—this year?

Mr. BANKHEAD. Fifteen million dollars for 1919—this year—and for 1920, the next year, $20,000,000. It is $15,000,000 for the year 1919.

Mr. JONES of Washington. Fifteen million dollars for the year 1919 and $20,000,000 additional for 1920 would make only $35,000,000.

Mr. BANKHEAD. That is all.

Mr. JONES of Washington. That is not quite so large as the $190,000,000 or the $380,000,000 we were talking about a while ago.

Mr. BANKHEAD. That includes the proposed increase in the appropriation.

Mr. JONES of Washington. I know; but we have $15,000,000 now for this year, and if we appropriate the $125,000,000 I propose, that would only give $140,000,000. So that the appropriation is not so formidable as the figures given a while ago would lead us to believe. I had about reached the conclusion to withdraw my amendment——

Mr. BANKHEAD. Mr. President, if the Senator will examine page 3 of the report he will find all of these figures worked out.

Mr. JONES of Washington. I have not had time to do that.

Mr. BANKHEAD. I can not carry all the figures in my head.

Mr. JONES of Washington. I know the chairman of the committee has looked into the matter very carefully.

Mr. BANKHEAD. I have; but I am obliged to refer to the figures in order to be strictly accurate.

Mr. JONES of Washington. I thought the Senator could give me the information without any trouble or delay.

Mr. BANKHEAD. I said that there was $15,000,000 available for 1918 and $20,000,000——

Mr. JONES of Washington. The Senator from Michigan [Mr. TOWNSEND] suggests to me that there was $70,000,000 carried over from the preceding year.

Mr. BANKHEAD. That includes both the State and Federal appropriations.

Mr. JONES of Washington. I do not care anything about the State appropriations. What I want to know is the amount available from the National Treasury to aid in the improvement of these roads.

Mr. SWANSON. Mr. President, if the Senator will permit me, here is a statement of it: For the fiscal year 1919, the present fiscal year, there will be available $35,000,000 from the Federal Treasury, which must be met by an equal amount from the State treasuries, making $70,000,000. The additional appropriation from the Federal Treasury of $50,000,000, to meet which an additional amount of $50,000,000 from the State treasuries must be appropriated, will make available for road improvement under this law from both Federal and State sources $170,000,000 for the fiscal year 1919.

Mr. JONES of Washington. Yes; but I want to leave out what the States are providing.

Mr. SWANSON. The States would pay $85,000,000, or one-half of the total amount, a sum equal to the amount paid by the Federal Government this year.

Mr. JONES of Washington. The Senator says that we have available for this year on the part of the United States $35,000,000.

Mr. SWANSON. In round numbers; yes.

Mr. JONES of Washington. Outside of what we propose here; so that if we add $50,000,000, it will make $85,000,000.

Mr. SWANSON. It will make $85,000,000 available from the Federal Treasury.

Mr. JONES of Washington. And if we add $125,000,000 more, the total amount from the Federal Treasury will be $160,000,000?

Mr. SWANSON. Yes. If the Senator wants to know the amount for 1920, the original Federal act gave $20,000,000 for that year; an equal amount from the States to meet that would be $20,000,000 more; the additional Federal appropriation for 1920 of $75,000,000 and an equal amount from the States to meet that of $75,000,000 would make a total of $190,000,000 to be expended during 1920 under the law for Federal aid. If the bill goes through carrying the provisions for 1921, the amount available would be as follows: From the original Federal appropriation, $25,000,000; an equal amount from the States, $25,000,000; the proposed additional Federal appropriation contained in the amendment to the pending bill, $75,000,000, and an equal amount from the States of $75,000,000, making in all $200,000,000 available for this purpose, one-half to come out of the Federal Treasury.

Mr. JONES of Washington. Mr. President, we have not very much money available for the year 1919 when we come to consider the probable demands that are likely to be imposed upon us. Thirty-five million dollars will not go very far in the employment of the million men whom the Senator from Iowa [Mr. KENYON] says are out of employment now, which number is increasing very largely every week. I agree with him that we

do not want to put into road building all of the money that is intended for the employment of labor; not at all; but we can put a larger amount than is now available in road building. We ought also to put several million dollars in irrigation works, as the Senator from Iowa suggests. As I stated yesterday, I have presented an amendment appropriating $50,000,000 for irrigation projects actually approved and under way, on which work can progress immediately, because we must not overlook the fact that if we want to do good, so far as the unemployed are concerned, we must get ready to make money available for it right away, and not in 1920 or in 1921.

The Senator from Iowa suggests that we ought to take advantage of the psychology of the times. I suggested that yesterday, and that is right. The National Government ought to go ahead. If it can not go ahead, or if it will not go ahead, how can we expect private enterprise to go ahead?

In line with that, Mr. President, I ask to insert in the RECORD, as a part of my remarks, an address delivered by N. B. Coffman, president of the Lewis County Reconstruction Congress, at Washington State Reconstruction Congress, at Tacoma, January 9, 1919, the point of which, the motto of which, is "go ahead." It expresses what I believe to be the real thought and desire of the country and the real necessity for the kind of action that the situation to-day requires.

The PRESIDING OFFICER. Without objection the address referred to will be printed in the RECORD.

The address referred to is as follows:

"GO AHEAD."

[Address of N. B. Coffman, president Lewis County Reconstruction Congress, at Washington State Reconstruction Congress, Tacoma, Jan. 9, 1919.]

Let the people of the State of Washington grapple the subject of reconstruction with unfaltering faith and enthusiastic courage. Go right ahead now and do the big things in private enterprise and public betterment that they believe should or must be done soon. Then there will be no unemployment, no slacking up in business, no uneasiness about the future.

The normal condition of business as following the great war is, will be, and should be, if not checked by doubt, hesitation, and pessimism, one of enlargement and general prosperity arising out of multiplied resourcefulness and opportunity for trade expansion.

The keynote should be, "Go ahead."

Go ahead with the big plans for National, State, and county highway construction. Go ahead with the National and State land-settlement program.

Go ahead with big public improvements.

Go ahead with transportation equipment and facilities for enlarged handling of traffic.

Go ahead with employment of private capital for every manner of enlargement and betterment of manufacturing, trade, commerce, and housing. From the repairing of the pig sty to the construction of a labyrinth system of nation-wide, nation-built, paved post highways, go ahead.

Every great war has been followed by a period of prosperity, wages and commodities climbing to new high levels after the war. The shilling was the day's wage before the Revolutionary War. After it the day's wage stood around 4 shillings. The 50-cent wage before the Civil War climbed to $1.50 level after the war. The $2 wage before the great war has mounted to $4, with shorter hours. The wage scale may fluctuate. It will not permanently recede to any great degree. Prices of commodities have always followed the same trend. Antewar prices have gone for good. It is not cause for regret or apprehension, rather for congratulation and assurance. There will be no sudden or great drop unless forced by a holding back from normal industrial activity. If we do hold back and force a drop, it will come with a jar and a shock that will cost immeasurably more than the saving in wages and prices of commodities.

An operator in the Central West of nation-wide standing and recognized foresight analyzes the future in this way:

"In my opinion the United States is in for several years of very prosperous conditions. Of course, I may be wrong, but my conclusions are predicated upon the facts and conditions outlined below, to wit:

"1. For four and a half years Europe has been engaged wholly in the work of destruction, producing only such things as would aid in destruction."

After destruction must come construction. Go ahead, America, with European construction and rehabilitation.

"2. The supply of raw material, textiles, and other products which Europe does not itself produce has been depleted because of requirements incident to the war and consumption or replenishment."

People of western and central Europe must be housed, clothed, and fed. Go ahead, America; supply Europe with lumber, clothing, and food.

"3. The steel industry of the United States, as well as other of the larger industries, since the beginning of the war has been engaged practically 100 per cent in war work."

Traffic calls for trucks; the people, automobiles; farmers, tractors; railroads and builders, steel. Go ahead, steel plants; supply big business with its needs.

"4. For 18 months the industrial energy of the United States has been engaged in the single purpose of winning the war, during which time production has not been maintained at its normal ratio, resulting in a depleted supply of materials of every character."

Turn to, now. Push ahead, industry. Get back to normal. Replenish the supply. Go ahead.

"5. Farm products have been at a high price in the United States since 1914, and the farmers are more prosperous than they ever were before."

Busy manufactories and construction activities mean much employment and large consumption and maintaining of good prices for foodstuffs. Prosperous farmers buy freely, improve, and build. Go ahead. When the farmer prospers all business is good.

"6. Prices of farm products will remain at a high level at least for the next 12 months, for the reason (a) the world is short of fats and (b) while there is no grain shortage the price of wheat has been guaranteed by the United States Government for next year. This insures prosperity for farmers, as they will have a large acreage of wheat and a small corn acreage, resulting in the high prices for corn."

Go ahead, farmers. Plant confidently, cultivate carefully. Produce more abundantly. The world awaits eager and hungry for your products. Go ahead in full assurance of profitable prices.

"7. The world is short some 20,000,000 tons of shipping, and during such shortage the natural tendency will be for Europe to purchase her supplies from the nearest sources of production. For instance, a ship can make three round trips between New York and Liverpool in the time which it would be required for one trip to Sydney, Australia. Consequently, products of the United States will be favored over those of Australia and other distant countries of the world."

Commerce and traffic, wake up. The United States of America is the world's near-by storehouse. Build docks, wharves, terminals, ships, and traffic equipment. Get ready quickly. New and great markets map their boundaries across seas. Go ahead.

"8. Reconstruction of the areas of devastation in Europe must necessarily require immense quantities of raw materials and other products."

Who is to supply them? We who have the materials in greatest abundance. It is our opportunity. Let's go ahead.

"9. The United States is practically the only industrial country in the world whose industries have not been completely disrupted and which is in a position to furnish the requirements of the other peoples of the world."

We are the world's most resourceful people. Shall we not plan and undertake and accomplish up to our mighty man capacity? Or shall we sit by, occupied in matters of small moment, and fritter away our ability and our opportunities to do big things in a big way? No. Master minds must find a master's work. We must go ahead.

"10. The United States is the only country whose financial condition will enable it to assist the nations of Europe in replenishing their depleted supplies."

The United States comes out of this war the world banker. A good banker is always constructive. He builds up and makes resourceful his clientele and thus increases his business. We as a Nation can prosper only in so far as we strengthen and stabilize the brother nations with whom we have trade and traffic. It is up to us to replenish the depleted coffers of European nations. We must go ahead.

"11. During the past four and a half years there has been practically no building in the United States other than for industrial requirements and industrial housing purposes. In 105 cities of the United States delayed building amounts to more than $3,030,000,000."

If you are planning to build soon, build now. In an on-moving world to pause is to fall behind. The community that stops building stops growing. Go ahead; build.

"12. The rural districts of this country have experienced great prosperity, but have been unable to expend their money for betterments and improvements on account of Government prohibitions. For the same reasons the same conditions prevail in other sections of the United States, building operations not having been able to keep pace with normal requirements."

Manufacturers and dealers in building materials, stock up. Get ready for the spring demand. It is coming. It must come. Go ahead with turning out products. Place your orders now.

"13. Business can not of itself pick up until more shipping is available. As already stated, the world's shipping is some 20,000,000 tons short, but the United States will commission a million tons during November and December and peace will release four or five million tons of German shipping. In addition, the shipping heretofore required to transport men and munitions abroad will soon be available for carrying other supplies. So, with the opening of spring, the return of our troops should add a stimulus to business, and we should experience a demand for our products such as we have never before. With the probable exception of steel, the production of the basic industries of the United States has not increased, but has been depleted. There have been no new investments or developments and old developments have been operated to their maximum capacity. By reason of such operations and enforced production a state of depletion has been brought about which has not been replaced. Consequently it is doubtful if the productive capacity of the country will be able to meet future demands."

Capital, come out of your temerity. Cut loose. Invest in productive and carrying enterprises. Business is bound to be good and profits are assured. Don't hesitate. All-round courage compels good times by forcing things to move. Venture boldly into business. This is a country whose resources in men and materials have only been scratched over. Go ahead. Invest.

"14. Present stocks of practically all commodities are low, and this is especially true of lumber, which is only 46 per cent of normal at the mills and 75 per cent of normal with the retailers."

With business soon humming as it will be, normal stocks will be short of the demand. Catch up on that 54 per cent and 25 per cent shortage and then some. Go ahead.

"15. With the plentiful supply of money now existing, the high price of food products, and the probable demand for the total capacity production of American industries, is it at all logical to conclude that business is going to be poor?"

No; it is not logical or at all probable. Money is abundant for commercial and industrial upbuilding. Use it. Keep away from speculation. Productive use will not breed disaster. Keep on the job and there need be no setback. Everybody turn to and work. No loafers, no hungry. No one without employment. The State and the Nation can furnish plenty of work to take up the slack. Everybody everywhere get busy. Keep busy. Go to it. Go ahead.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator if increasing this appropriation from $50,000,000 to $125,000,000 will not be futile in view of the enormous amount of work it is necessary to do in order to prepare for this work? Is it possible to arrange a plan and have a proper determination made by June 30, 1919, for the expenditure of $125,000,000 on road work?

Mr. JONES of Washington. I wish to suggest to the Senator that under the law—this is the construction of the Senator from Utah [Mr. SMOOT], but I have no doubt that he is correct—if this money is not spent prior to the first of July, 1919, it will be available throughout the whole year 1920. Therefore, if they have not the plans ready, of course they have got to get

them ready. They have been working under this law since 1916, and if they have not the plans perfected to provide for the expenditure of more than twenty or thirty million dollars, it probably will be half a century before they can provide for the expenditure of $125,000,000; but I think they will "get a move on" if they have the money, and will get their plans ready, so that the money may be expended.

Mr. SHAFROTH. But does not the Senator recognize that under a spur of that kind they are apt to make many mistakes, and consequently waste a large part of the money upon roads that are not needed or upon roads upon which there is light travel or upon roads which would perhaps require a different construction from that proposed?

Mr. JONES of Washington. Mr. President, under the provisions of section 5, as it has been adopted, if it becomes a law, I do not think they will have very much trouble in ascertaining places at which to spend the money. I do not like that section myself; but, Mr. President, in view of the statement and the showing made here and the apparent opinion of the chairman of the committee that even if we appropriate this amount of money they could not expend it, I am going to withdraw my amendment. I think the statements that have been made demonstrate conclusively that the amount for 1920 and 1921 should not be appropriated in this bill; but, even if they are not eliminated, I think I shall vote for the bill, in order to make available the money for 1919, in the hope that the next Congress will eliminate the appropriations for 1920 and 1921 until the time comes when we know what we want, what we need, and what we can properly take care of. I withdraw my amendment.

The PRESIDING OFFICER. The amendment of the Senator from Washington is withdrawn.

Mr. SMOOT. Mr. President, I offer an amendment as a substitute for section 6.

The PRESIDING OFFICER. The amendment will be stated.

The Secretary proceeded to state the amendment.

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Kendrick	Myers	Swanson
Bankhead	Kenyon	New	Thomas
Chamberlain	King	Overman	Thompson
Colt	Kirby	Page	Townsend
Cummins	Knox	Pittman	Trammell
Fletcher	La Follette	Pollock	Underwood
France	Lenroot	Pomerene	Vardaman
Frelinghuysen	Lewis	Ransdell	Warren
Gore	McCumber	Shafroth	Watson
Hale	McKellar	Sheppard	Weeks
Henderson	McLean	Smith, S. C.	Wolcott
Johnson, Cal.	McNary	Smoot	
Jones, Wash.	Martin, Va.	Spencer	
Kellogg	Moses	Sterling	

Mr. McNARY. I desire to announce that the Senator from Montana [Mr. WALSH], the Senator from Kansas [Mr. CURTIS], the Senator from New Mexico [Mr. JONES], the Senator from North Dakota [Mr. GRONNA], and the Senator from Idaho [Mr. NUGENT] are absent on official business of the Senate.

The PRESIDING OFFICER. Fifty-three Senators have answered to their names. There is a quorum present.

Mr. SMOOT. Mr. President, I wish Senators would give attention to the reading of my proposed substitute for section 6 of this bill. I assure Senators that if they have any regard for the Treasury of the United States, and desire to establish in this country a complete nationalized system for road building, they will support this proposition.

I ask now that the substitute may be read by the Secretary.

The VICE PRESIDENT. The substitute offered by the Senator from Utah will be stated.

The SECRETARY. In lieu of section 6, on page 37, it is proposed to insert the following:

That in order to establish, construct, improve, or maintain public roads that are now or may hereafter be needed for use as post roads, military roads, or for interstate commerce, there be, and hereby is, created a fund to be known as the United States highway fund. Said fund shall be raised in the manner herein provided, but the Treasurer of the United States is hereby authorized to receive and place to the credit of said fund any money that may be contributed from other sources and to expend the same upon the order of the United States Highway Commission or in accordance with the conditions of the contribution.

That for the purpose of providing money for the United States highway fund the Secretary of the Treasury is hereby authorized and directed to issue and sell, at par with accrued interest, coupon or registered bonds of the United States in such form as he may prescribe and in denominations of $20 or multiples of that sum, said bonds to be payable in coin 50 years from the date of issue and to bear interest, payable in coin semiannually, at the rate of 3 per cent per annum, the total amount of said bonds not to exceed $1,000,000,000, and the issue and sale of same not to exceed such amounts as may be necessary from time to time to enable the Treasurer of the United States to make payments from the United States highway fund to the several States in accordance with the provisions of this act. Bonds issued under authority of this act, or the income therefrom, shall not be subject to taxation of any kind for any purpose. Bonds authorized by this section shall be first offered at par as a popular loan under such regulations prescribed by the Secretary of the Treasury as will give opportunity to the citizens of the United States to participate in the subscriptions to such loan, and in allotting said bonds the several subscriptions of individuals shall be first accepted and the subscriptions for the lowest amounts shall be first allotted. Any portion of any issue of said bonds not subscribed for as above provided may be disposed of by the Secretary of the Treasury at not less than par, under such regulations as he may prescribe, but no commissions shall be allowed or paid thereon; and a sum not exceeding one twenty-fifth of 1 per cent of the amount of the bonds herein authorized is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expense of preparing, advertising, and issuing the same.

That before any State shall be entitled to take advantage of the provisions of this act it shall establish by law a State highway commission having general supervision of road construction and improvement in that State, which said commission shall have general supervision of the expenditure of money received from the United States highway fund, subject only to the provisions of this act and of State laws not inconsistent herewith.

That the United States highway fund shall be apportioned and credited to the several States in the following manner: The United States highway commission, hereinafter created, shall ascertain in the most practicable manner from the best information available the total land area, the population according to the last Federal census, the total assessed valuation of all taxable property, and the total mileage of public highways in each of the several States, and shall compute the percentage of the total of each of these four items possessed by each State. They shall then compute the average of the four percentages for each State, and this average shall be the per cent of the $1,000,000,000 United States highway fund that shall be apportioned and credited to each State. Said commission shall notify the Treasurer of the United States of the result of their ascertainment and computation, which shall be made as of a date to be fixed by the commission. Such fund so apportioned shall be paid to the States only in accordance with the provisions of this act.

That whenever any State, through its duly authorized agents, shall apply for any part of its share of the United States highway fund, but not exceeding 20 per cent thereof in any year, and shall deposit with the Treasurer of the United States its bonds for such amount payable in 50 years and bearing interest, payable semiannually, at the rate of 4 per cent per annum, the Secretary of the Treasury shall issue and sell, at par and accrued interest, in the manner prescribed in section 2, United States highway bonds to the amount that may be necessary to pay to said State the amount of money applied for, and upon the sale of said bonds shall pay over the proceeds to the custodian of the public funds of the State: *Provided*, That the bonds of any State shall not be accepted if the total amount of bonds of such State, including the bonds issued to take advantage of the provisions of this act, shall exceed 10 per cent of the amount of the assessed valuation of all taxable property in such State: *Provided further*, That any State desiring to do so may deposit with the Treasurer of the United States its 4 per cent bonds maturing in not less than 20 years, or may redeem its 50-year bonds at any time after 20 years from date of issue, but upon redemption of such bonds, whatever the period for which issued, such State shall pay to the Treasurer of the United States, in addition to the balance due on the principal after deducting the accumulated sinking fund, a premium of 2 per cent on such balance due on bonds redeemed, together with accrued interest. When the Treasurer of the United States shall receive any payment of interest on State bonds deposited in the manner above provided he shall devote three-fourths thereof to the payment of the interest due on the corresponding United States highway bonds, and one-fourth, herein designated as a sinking fund, he shall deposit in the Treasury of the United States to be used from time to time for the redemption of United States highway bonds as provided herein. The Treasurer of the United States shall keep an account with each State that shall deposit bonds and receive funds under the provisions of this act, and shall credit said State with interest compounded annually at the rate of 3 per cent per annum on the sinking funds paid in. Money received upon the principal of State bonds shall also be credited to the sinking fund, but no interest credit shall be allowed the State thereon. At the time of the maturity of the bonds deposited by any State, if all payments have been made when due, the Treasurer of the United States shall cancel said bonds and return them to the State issuing the same. Whenever and each time the sinking fund accumulation shall amount to $1,000,000, then the Secretary of the Treasury shall, and he is hereby directed to, go into the open market and purchase, at par if possible, $1,000,000 par value of the United States highway bonds. If unable to purchase all or any at par, then he is authorized and directed to pay such premium as necessary, determined by competition after public notice of not less than 30 days, but not exceeding a premium of 2 per cent and accrued interest. If he be unable thus to secure the full amount of bonds necessary to comply with this provision, then he is authorized and directed to call at par, plus premium of 2 per cent and accrued interest, such bonds, determined by drawing of bond numbers from among the largest denominations outstanding, as will make up the $1,000,000 purchase. These bonds thus purchased out of the sinking fund accumulation shall be retained in the United States Treasury, being stamped by the United States Treasurer "Nonnegotiable," but "kept alive," in order that the United States Government may receive for the sinking fund the benefit of the interest payments on the bonds thus purchased.

That on the 1st day of February of each year the Treasurer of the United States shall pay to the custodian of the public funds of each State, from any funds in the Treasury not otherwise appropriated, an amount of money equal to 2 per cent of the amount of State bonds said State has deposited with the Treasurer of the United States under the provisions of this act. The money so paid shall be expended by said State only in the maintenance of public highways. The Treasurer of the United States shall withhold the payment of money to any State under the provisions of this section in the event that such State default in payment of any interest or principal due, or in the event that the United States Highway Commission herein created shall certify to said United States Treasurer that money theretofore paid to said State for maintenance purposes has not been expended with reasonable effectiveness for the maintenance of public highways or that the State has failed to expend an equal amount of its own funds during the preceding 12 months for the same purpose.

That there is hereby created a United States Highway Commission, to be composed of the chairman of the Senate Committee on Post Offices and Post Roads, the chairman of the House Committee on Roads, and

the Director of the Office of Public Roads. Such commission shall have only an advisory voice in the expenditure of the United States highway fund in the several States. It shall have its head office in the District of Columbia, but may create highway divisions, never exceeding in number one for each State, and may maintain a division office in charge of a United States highway engineer in each division. Said commission shall have power to employ such clerical and expert assistance as may be provided for by appropriations made by Congress from time to time, and may require the assistance and cooperation of the officers and employees of any department in its work.

That for the further aid and encouragement of highway improvement in the several States, the United States Highway Commission shall maintain in the District of Columbia a school for special instruction in practical highway and bridge engineering, the entrance requirements of which school shall include completion of preparatory courses in civil engineering and such other studies as the commission shall specify qualifying the student to enter upon the special study of the practical problems of highway and bridge engineering. The rules, regulations, and curriculum of said school shall provide for instruction for two years for one student from each congressional district, selected by competitive examination, but if there be no qualified applicant for admission from any congressional district such vacancy may be filled by the admission of a student from some other congressional district in the same State. Upon the admission of a student to the school of highway engineering such student shall be paid, as traveling expenses, 4 cents for each mile of distance necessarily traveled in going from his home to Washington, D. C., and at the end of each calendar month thereafter during the continuance of such student in said school he shall be paid $50 to cover living and incidental expenses. The United States Highway Commission shall make rules and regulations for the management of said school and shall have entire control of same, subject only to the Constitution and laws of the United States. In connection with said school said commission shall maintain a testing laboratory in which said commission shall cause tests to be made of road or bridge building material free of charge at the request of the duly authorized highways officials of any State.

That for the purpose of carrying out the provisions of this act there is hereby appropriated, out of any money in the United States Treasury not otherwise appropriated, the following amounts, or so much thereof as may be necessary:

For the payment of salaries of clerical and expert assistance for the United States Highway Commission, $10,000.

Mr. SMOOT. Mr. President, in May, 1916, when the first appropriation was made, similar to the one that is now proposed, for road building in the United States, I offered this substitute; but it was not agreed to by the Senate, and in offering it at that time I had no hope of its being accepted. I was told then that the appropriation proposed of $75,000,000 was an emergency matter; that it ought to be appropriated for the building of roads at once, although it extended over the period of five years, dividing, I may say, the $75,000,000 into five payments, to be expended under the act of April 16, 1916. I said at that time:

Mr. President, we are about to enter upon a policy of road building in the United States in which the Government of the United States is asked to participate. It is my belief that whenever that policy is entered upon by the Government the very best plan that can be devised by mortal man ought to be put in force at the beginning; and it is for that reason that I have submitted the amendment as a substitute for the committee amendment.

I also stated:

I do not want to take any credit whatever for the preparation or the working out of this great plan of road building. It is not due me; but in passing I want to say that above all and foremost in the drafting of this legislation stands the ex-Senator from Oregon, Jonathan Bourne, jr.

* * * * * * *

The act creating the Joint Committee on Federal Aid in the Construction of Post Roads became effective August 24, 1912, and a joint committee of five Members of the House and five Members of the Senate was appointed, consisting of the following: From the Senate, Jonathan Bourne, jr., chairman, Senators PENROSE, GRONNA, SWANSON, and OVERMAN. Appointed by the Speaker of the House were the following: Congressman SHACKLEFORD as vice chairman of the joint committee, with Congressmen LEE, McGILLICUDDY, MADDEN, and AUSTIN.

Shortly after organization the work began, and for 21 months they continued their labors before submitting their report to Congress. The data that were collected were presented in 17 chapters. I do not care how long the question of good roads may be before the people for consideration, the information collected, tabulated, and printed by this committee can always be referred to as the very best that it was possible to obtain in the world up to that time.

Now, Mr. President, I am fully aware that the building of good roads in the United States is one of the great and popular questions of the day. I am fully aware that the roads in the United States, taken as a whole, are not what they should be, and that in the near future there will be perhaps billions of dollars spent for the building and maintenance of good roads in this country. I might add that it is absolutely necessary, not only for the convenience of the traveling public, but for the convenience of the farmer to transmit his products to market, and, as a whole, I agree that the building of good roads is an investment on the part of the State and, where great highways are built, on the part of the Government. This substitute bill simply means, in substance, that the States will build the roads within the States, under State control, under State direction, and the work is to be paid for by the States through the Government of the United States lending its credit to the different States of the Union.

The substitute bill authorizes the Secretary of the Treasury to sell a billion dollars' worth of Government bonds, drawing 3 per cent per annum; and it provides that the States, after the sum due them under the provisions of the bill is ascertained, can have each year one-fifth of the amount. The States issue their own bonds. They can make application for the amount of the bonds deposited with the Treasury, provided the amount is within the amount allotted to them, the bonds to bear 4 per cent interest. The 1 per cent difference in rate of interest for the term of 50 years, with interest compounded as provided in the substitute, at the end of that time will pay the bonds in full and whatever expenditures provided for in the substitute. The debt amortizes itself in that time. The States simply pay interest at 4 per cent on the money they receive from the Government of the United States to build their own roads through the credit of the Government of the United States, and the difference between the interest rate for which the Government can sell its obligations and that which a State pays the Government—namely, 1 per cent—in 50 years pays off the obligation as originally made by the States.

No one can doubt this. It is as simple a business proposition as was ever presented to Congress. If there were any doubt about it, Mr. President, I would not be asking the Congress of the United States to authorize the issuing of these bonds; but I know that if the Secretary of the Treasury follows the directions of the bill—and he can not do otherwise—and places three-fourths of 1 per cent of the difference in the rate of interest in the Treasury of the United States, and, whenever there is a million dollars placed there from interest upon the bond, obligations of the Government must be purchased with that three-fourths of 1 per cent; the interest is compounded, and at the end of 50 years the Government will have enough money in the Treasury of the United States to pay the billion dollars of bonds.

Some may say that while we are placing bonds by the billions upon the market to-day, perhaps it would be impossible to place these 3 per cent bonds. These bonds are nontaxable bonds, and I have little doubt but that they can sell $200,000,000 of them each year for five years, and that is all that could be sold under the bill. I do not believe, of course, that all the States will take every dollar allotted to them, and therefore not as much as $200,000,000 of the bonds of the Government would have to be sold yearly. The amount would be whatever the States decided they wanted to spend upon the roads within the States, but it could amount to as much as $200,000,000.

No one, then, could say that the Government of the United States was taking from the taxes of the people money to build roads in the States upon some kind of a plan, and, as has been charged here, an unfair and discriminatory plan at that. Under existing law, I will say, there is more or less justification in saying that the distribution of the money is not fair and nondiscriminatory between States; but under the plan of my substitute I can not believe that anyone can think for one moment that it is unfair, for the allotment is based upon the total land area of the States and——

Mr. VARDAMAN. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Mississippi?

Mr. SMOOT. I do.

Mr. VARDAMAN. The plan which the Senator is proposing is the one which was proposed here two or three years ago, in substance what is known as the Bourne amendment, is it not?

Mr. SMOOT. That is what I have stated. I do not know whether the Senator was in the Chamber at the time or not.

Mr. VARDAMAN. I was not present. I am perfectly familiar with that system, and I think it is a very admirable one, and I voted for it before.

Mr. SMOOT. Mr. President, if I could only get Senators to take the time to study this plan, as some of the Senators have done, I do not believe there is a Senator who would give it attention and studied it carefully but that would admit that it is the best system that has ever been offered for the building of roads in our country.

Now, as to the allotment, it is based upon four qualifications—not three, as the present law provides, but four: First, the total land area of the State. Second, the population according to the last Federal census. Third, the total assessed valuation of all taxable property within the State. Fourth, the total mileage of public highways in each of the several States.

Mr. President, the Senator from Delaware [Mr. WOLCOTT] offered an amendment to the pending bill adding a fourth requirement, and, instead of the total assessed value of all taxable property, he provided that it should be the amount of internal-revenue taxes paid by the State. I am not going to discuss that question now, because I think the Senator from Minnesota [Mr. KELLOGG] the other day plainly showed how very unfair that would be to many of the Middle West States and the Western States, particularly, for he pointed out that the great corporations of this country, like the United States

Steel Corporation and the Standard Oil Co., have their headquarters in the city of New York and are taxed by that State, whereas the property that produces the money is lying in other States of the Union. My provision here says that it shall be based upon the total assessed valuation of all taxable property.

Mr. WOLCOTT. Mr. President, will the Senator yield for a question?

Mr. SMOOT. I yield to the Senator from Delaware.

Mr. WOLCOTT. Will the Senator's amendment embrace personal property in the phrase "taxable property"?

Mr. SMOOT. It will. It will embrace the total assessed valuation of all taxable property; and wherever there is a State that imposes a tax on personal property, it will, of course, include that.

Mr. WOLCOTT. I should like to make this criticism of the Senator's plan; namely, that in many States personal property is not assessed, and in other States where it is assessed it is assessed very inadequately, only such things as jewelry, silver plate, and so forth, being assessed; so that taxable property as it is "get-at-able," so to speak, would be only real estate; which would be unjust to those States which have great personal assets.

Mr. SMOOT. Mr. President, most of the States of the Union now assess personal property. I agree with the Senator that there is a discrimination between the rates of taxation on personal property in some of the States of the Union; but, of course, this applies to just what taxes are imposed by the State, and if a State has not assessed its property, then, under this plan, it could not complain of not receiving the proper apportionment, based upon the taxable property of the State.

I see that the hour of 3.30 has arrived.

The VICE PRESIDENT. You have two minutes yet by the clock in front of the Chair. Then you have 10 minutes after that to speak on the amendments.

Mr. SMOOT. I was looking at the clock in front of me.

Another splendid thing in this provision is that it provides a fund for the maintenance of the roads. There is not a Senator, there is not a person in the United States who does not know that among the greatest mistakes and the most expensive comes from the fact that the roads after they are constructed are not maintained and repaired as they should be. If any State which builds good roads—I do not care what they may cost, whether it be $10,000 a mile or $20,000 a mile—allows the roads to deteriorate and no work to be done upon them for years, is adopting a policy which means great expense to the taxpayers in the end. This substitute provides that 2 per cent upon the value of the bonds that are deposited by the State with the Secretary of the Treasury shall be used for the repair and maintenance of these roads. If it is not used for that purpose, Mr. President, then the National Highway Commission says to the State officials, "This money shall not be paid to the States, and hereafter, unless it is expended as provided by law, no assistance shall go to the States."

I know some of the Western States that have expended upon their roads by piecemeal, by building dirt roads, by hauling in cobblestones one year and removing them the next, have roads to-day that are no better than they were 10 years ago. Such sums have made the roads cost the State nearly as much as if they had built in the first place good concrete and hard-surfaced roads.

What I want to do, Mr. President, is to point out a system that will apply to all parts of the United States, show the people of the United States what best to do in road building, how to do it, and if they have no one within the States who is familiar with road building now in vogue in the United States my substitute provides there shall be a school to educate inexperienced men how to construct modern roads and with no ultimate expense to the Government, as the one-fourth of 1 per cent provided for will take care of this item and every other expense provided in the substitute.

Mr. CUMMINS. Mr. President, I desire to ask the Senator if there is not another very valuable provision in his substitute with regard to maintenance of the roads. Usually I think by all competent engineers it is estimated that it requires annually about 4 per cent of the original cost to keep roads in good condition. This substitute provides that not only shall future help be withheld if the State does not expend the 2 per cent paid from the Treasury of the United States, but it shall be withheld if the State does not expend a similar amount in maintenance in order to always enjoy a good condition of the road that has been improved.

Mr. SMOOT. I thank the Senator for reminding me that I had not called the attention of the Senate to that fact. I recognized that I only had a few moments' time to cover this great question. What the Senator has said in relation to compelling the States to raise a similar amount for maintenance of these roads is absolutely correct. I believe myself it is one of the splendid provisions in the substitute.

Mr. CUMMINS. I should like to ask one further question. Before Senator Bourne, whose plan this is, or at least conceived this plan, made his report as a member of the Committee on Post Offices and Post Roads, is it not true that he called to his aid a committee of his associates in the Senate who contributed what they could toward the perfection of his plan, and is not this a plan which received at the time the approval and concurrence of substantially all Senators, at least, upon this side of this Chamber?

Mr. SWANSON. I was on that commission.

Mr. SMOOT. The Senator is not speaking of the commission now. He is speaking of the fact, and it is a fact, that ex-Senator Bourne called 15 or 20 Senators together for the purpose of discussing this plan which he originated, as I have already stated, and we spent not one evening only but for weeks this question was discussed and all the wisdom of the Senators who gathered together, not all upon this side of the Chamber, was given in the formation and wording of this plan of road building.

Not only that, Mr. President, but Senator BOURNE spent weeks and months, and I am perfectly frank in saying nearly years, in consulting all classes of men in the United States in regard to it. He met in New York and Chicago and other great cities with the financiers of this Nation. He consulted them. He secured their approval. He consulted the best engineers in the United States, held meeting after meeting with them, and the plan met with their approval. I know, also, Mr. President, that he was assured by the banking interests of this country that the bonds issued for this purpose would find a ready market in the United States, and I have no doubt that they will in the near future.

Why not let the Government of the United States issue its credit to the States of this Union and let the States only pay the 4 per cent interest upon the money which they want to expend upon roads, and at the end of 50 years the obligation of the State is paid in full? The States would build the roads under this provision, and not only that but pay for the roads in the way provided.

Mr. SWANSON. Will the Senator from Utah permit me to interrupt him a moment?

Mr. SMOOT. Yes.

Mr. SWANSON. The Senator has discussed the maintenance of roads. The wisest provision in the existing law is section 7 of the law which requires maintenance by the States. I should like to read it.

Mr. SMOOT. I hope the Senator will not do so, because I have only two minutes left.

Mr. SWANSON. It shows that these roads must be maintained by the States, or else they do not get another cent of money from the Federal Government.

Mr. SMOOT. Under the substitute which I have offered, it not only means that the Government provides 2 per cent, but the Senator must admit that all engineers agree that 4 per cent of the amount originally expended on roads ought to be expended on the maintenance and repair of the roads every year, and my substitute provides that in addition the State must provide 2 per cent additional. The best engineers of the United States have decided that the amount should be spent upon public roads, and under my substitute it must be spent, or no further assistance from the Government will be given.

If there were anything, Mr. President, in this proposition that any ordinary business man or any man in the United States could not understand, I would not be here asking support for it. But its very simplicity should appeal to Senators, showing that it is not a fad of some kind and can not work out. I say that it will work out. I say that if it is not adopted to-day, it will be adopted in the future just as surely as the people of the United States learn of the plan, and that is what they are going to do.

The VICE PRESIDENT. Unless the Senator from Utah wishes to proceed on the bill itself, his time has expired on this amendment.

Mr. SMOOT. My 10 minutes on the amendment have expired, and the only thing I could do now would be to take 10 minutes on the bill. I would prefer to reserve that at this time, and I will therefore yield the floor.

The VICE PRESIDENT. The Chair believes it the proper course to proceed with amendments while they are pending and with the bill after the amendments are disposed of. Otherwise it would be difficult to keep a record.

Mr. KELLOGG. Mr. President, speaking on the amendment of the Senator from Utah [Mr. SMOOT], I have examined it with care. I think it is a meritorious plan, and if it were an

original question, if it were 1916 and his plan was to be put in force, I would be inclined to vote for it. But I see some difficulties in the way of putting it in force now with another plan already in force which was adopted in 1916 and where the appropriations run until 1921.

I am not very familiar with the machinery, but I understand all the States have adopted this plan and are putting it in force. To adopt the Senator's plan now would require the States to provide for a new issue and a different issue of bonds. A number of legislatures have made provision so that they can take advantage of a larger appropriation than the one of 1916, but they have not made provision for issuing their bonds under the plan proposed by the Senator from Utah. I get what information I have from the road branch of the Government, which has had this matter in charge.

There is one other suggestion I should like to make. At that time undoubtedly the Federal Government could borrow money much more cheaply than the States. I doubt if the Federal Government can borrow money any cheaper to-day than the States can. State bonds are absolutely exempt from Federal taxation and exempt from State taxation.

Mr. SMOOT. Will the Senator yield?

Mr. KELLOGG. Yes; I yield.

Mr. SMOOT. It is true that the interest on the liberty bonds may be taxed, but the other bonds are tax free. It is proposed here that these bonds shall be tax free, and I have no doubt they will sell at 3 per cent.

Mr. KELLOGG. I have very grave doubts, with the demand for money that the Government is going to have in the next two years, whether the Federal Government can sell these bonds at 3 per cent or sell them any cheaper than the States could sell their bonds. I know many States have issued their bonds free from taxation, free from Federal taxation, and they can be sold to-day just as cheaply if not cheaper than the Federal Government can sell its bonds. My State can sell bonds more cheaply.

The main objection that I see is in having two systems here, one of which has already been laid out and an appropriation made to carry it out and many of the States having made all arrangements to carry it out. The legislatures in many of the States will expire in a very few days and many of them have already expired. While I do believe the plan has many merits, yet I should hesitate to substitute it for the plan of the committee at this time.

Mr. SWANSON. Mr. President, in addition to what the Senator from Minnesota [Mr. KELLOGG] has said, I wish to state that I was a member of the joint commission of the House of Representatives and Senate which investigated this road question. Federal bonds can be sold much better or cheaper than State bonds. The fact is, a large majority of the States have a constitutional prohibition against issuing State bonds, and that plan would not be available until the State constitutions could be changed in the majority of the States. If I mistake not, there is a good majority of the States that have that prohibition in their State constitutions. Consequently, some of the States could not change their constitutions for three or four years, and this plan would not be available at all until their constitutions were changed so that the bonds could be obtained. My State could not do it; Florida could not do it. I think Minnesota has such a prohibition. The report of the Bourne Commission will show the States that made it absolutely prohibitory. Consequently our commission looked into that phase of it, and the present law, I think, was practically unanimously reported by the Committee on Post Offices and Post Roads, but certainly by a large majority after they looked into it.

As to road improvement, there can not be any way under this law for the maintenance of roads, and a better method could not be provided or found anywhere than in section 7 of the present law. I wish to show how carefully the law was drawn. It has worked well and the results have been very satisfactory. Section 7 of the present law reads as follows:

SEC. 7. To maintain the roads constructed under the provisions of this act shall be the duty of the States or their civil subdivisions, according to the laws of the several States. If at any time the Secretary of Agriculture shall find that any road in any State constructed under the provisions of this act is not being properly maintained, he shall give notice of such fact to the highway department of such State, and if within four months from the receipt of said notice said road has not been put in a proper condition of maintenance, then the Secretary of Agriculture shall thereafter refuse to approve any project for road construction in said State or the civil subdivision thereof, as the fact may be, whose duty it is to maintain said road, until it has been put in a condition of proper maintenance.

I was a member of the Post Office Committee which reported the bill, and, as I remember, it was discussed here for several weeks. All amendments deemed necessary were offered and every safeguard given. The only dispute at the time was as to the amount of money the Federal Government should give for road construction. It seems to me, with this provision, we could not have a better law for the maintenance of the roads.

Mr. BANKHEAD. Is the substitute amendment offered by the Senator from Utah now pending?

The VICE PRESIDENT. It is.

Mr. BANKHEAD. If the substitute offered by the Senator from Utah is adopted, every Senator here, of course, knows that that means no legislation during the present session on this subject. I do not think I am unfair to the Senator when I say that that is his purpose.

Mr. SMOOT. I will say to the Senator that he is unfair when he makes that statement.

Mr. BANKHEAD. Then I will withdraw the statement.

I want to say this, further, and then I am through and ready to vote on this question. I repeat what I said. It means that there will be no legislation on this subject; but if there were, the measure is utterly impracticable. The Senator from Utah proposes to create a commission to put into operation its provisions and to superintend the spending of the billion dollars, or whatever the amount, as the case may be. Who comprise that commission? The chairman of the Post Office Committee of the Senate, the chairman of the Post Office Committe of the House, and one member to be selected from the Roads Administration.

Mr. President, if there were a greater political job than that ever put up, I do not know where to find it. The Senator puts in these chairmen, who are natural politicians and must be such, to administer this great project of road building. I will not be the chairman at that time, I know, but I do not hesitate to say that every Member of the Senate knows I have no capacity whatever for the administration of such a law as the Senator proposes. Besides, it would take the entire time of the chairmen of those committees. They could not possibly devote one moment of their time to any other business if they were going to administer such a law. I sincerely hope the amendment will not be adopted.

Mr. CUMMINS. Mr. President, it had not been my intention to say anything in regard to this amendment, but the last suggestion of the Senator from Alabama [Mr. BANKHEAD] I think needs some refutation. There could be possibly no political influences surrounding the commission which is provided for in this substitute. It has no discretion whatever. It is simply an administrative body to convey the money that is raised from the Federal Government to the States. The States determine, and the States alone determine, what roads shall be improved. They are improved entirely under the direction and supervision of the States and with the discretion or judgment of the States in that respect, with which the commission proposed has nothing whatever to do. I can hardly think, therefore, that it is vulnerable to the objection just made by the Senator from Alabama.

The objection made by the Senator from Virginia [Mr. SWANSON] is of a different kind. He says that in order that the States may avail themselves of the aid of the United States and issue their bonds in corresponding amounts, it would be necessary to amend some of the constitutions of the States. That is true. I think he is wrong, however, with regard to the proportion of constitutions that would necessarily have to be amended in order to accomplish that result. But that is neither here nor there. It is true that some constitutions must be amended in order to authorize the States to issue the obligations that are provided for in this amendment; but if this is the right way to deal with the subject, if there are safeguards in this plan that are not in other plans, if it will prevent a reckless and extravagant and wasteful expenditure of the public money, we ought to adopt the plan even though it will require a little time to put it into execution.

Mr. HARDWICK. Mr. President, I wish to suggest to the Senator from Iowa that he is correct in his statement that it is not a majority of the States whose constitutions would have to be amended. The number is 13, I believe.

Mr. CUMMINS. It is my recollection that a minority of the States would require an amendment to their constitutions. My own State is one of the number. We would not be able to avail ourselves of this privilege until we had amended our constitution and authorized the issuance of bonds.

The Senator from Minnesota [Mr. KELLOGG] objects to it, because it would interrupt the present plan. That is true, but why not interrupt the present plan if the present plan is wrong? All realize that this appropriation is simply an enlargement of the plan adopted a year or two ago, but those of us who believe that the Federal Government ought not to expend money in an improvement of the general roads of the country found in this plan a method of assisting the States quite as effective as the plan now in the law, and found in the plan a safeguard against

these constant inroads upon the Public Treasury. If we appropriate $275,000,000 this year, we will appropriate $500,000,000 next year, and we will gradually by progression along that line, Mr. President, bankrupt the Treasury of the United States.

Mr. SWANSON. Mr. President——

Mr. CUMMINS. I will yield in just a moment.

In my own State, if we were to improve all our roads at $10,000 a mile, it would cost us more than a billion dollars to do it, but I suppose the public of my State expect eventually that the Congress of the United States will appropriate a billion dollars for the improvement of the highways in Iowa. Much as I would like to see the highways in my own State permanently and effectually improved, I am not willing and never have been willing to enter upon a policy which would call for that expenditure from the Treasury of the United States.

Mr. SWANSON. If the Senator will permit me, those of us who were on the commission, and also on the committee in the Senate, did not favor the proposition in the amendment now pending, but took the ground that the same influences that would increase this appropriation would ultimately result in cancellation of the bonds of the States, and that ultimately those bonds would be canceled and be returned to the States through the same influence. Consequently those who examined it thoroughly looked upon it with hesitancy and reached the conclusion that this would be more reckless, and that the Government would not have any supervision over the roads and their construction. We reached the conclusion that this would be the more reckless plan of the two.

Mr. CUMMINS. There is no accounting for a variety of opinion, I presume, for we all observe it in one way or another; but I can not see the weight of that suggestion.

The Senator from Minnesota [Mr. KELLOGG] says we could not place the bonds of the United States at 3 per cent. I do not know whether we could or not, but the spirit of this bill is that the credit of the United States is 1 per cent per annum better than the credit of the several States. Taking the States as a whole that is true, because there was a most exhaustive inquiry made by the committee to which the Senator from Utah [Mr. SMOOT] refers, and that was the result of the inquiry. Taking the general indebtedness of the States and the general power of the States to borrow money, and comparing that with the ordinary and customary rates of Government obligations, the outcome was that the Government credit was about 1 per cent better than the credit of the States. If we were compelled, on account of the times, to issue Government obligations that must bear 4 per cent, then it follows that the State obligation would necessarily bear 5 per cent, because you will discover whenever you make that inquiry that the credit of the United States is a little better than the credit of any State.

Moreover, Mr. President, the immediate situation is not a good guide for us, on account of the variation in the laws respecting immunity from taxation. If we will put the obligations of the States upon exactly the same footing as to exemption from taxation that we put obligations of the Government, my observation will be found to be still true. There will be that difference. This plan enables us to help the States just as effectually as the plan of the committee, and without the expenditure of a penny from the Treasury of the United States, simply by utilizing the higher and better credit of the United States.

The VICE PRESIDENT. The Senator's time has expired.

Mr. BANKHEAD. Before the Senator sits down I should like to ask him one question.

The VICE PRESIDENT. The Senator's time has expired.

Mr. BANKHEAD. How long does the Senator think it would be before the construction of roads could be begun under the provisions of this amendment?

Mr. CUMMINS. It would be long.

The VICE PRESIDENT. The time of the Senator from Iowa [Mr. CUMMINS] has expired, and the Senator from Alabama [Mr. BANKHEAD] has once spoken on this amendment.

Mr. WEEKS. Mr. President, the so-called Bourne plan, which is justly named for former Senator Bourne, was a very ingenious and wise disposition of these questions, in my judgment, and I have never heard any sound objection to it; but I must dissent from what the Senator from Iowa [Mr. CUMMINS] has just said about credit.

The very essence of the Bourne plan was that the credit of the General Government was 1 per cent better than the credit of the States. Undoubtedly that was true at that time, for a thorough examination was made of that question; but it is very far from being true to-day. I am not sure about the rates at which the bonds of States in the newer sections of the Union are selling, but I know that some of the bonds of the States of the East are selling on rather a better basis than are United States bonds. The bonds of the State of New Hampshire, for example, are selling at only a little lower percentage basis than are Government bonds. Certainly New Hampshire is not a rich State, which would have unusual credit.

I think the same is true of the State of Rhode Island. I have noticed the quotations of Rhode Island bonds recently, and I think it will be found that, taking the country by and large, this very essential qualification to carry out this plan would not be found sound, for I am confident that a large percentage of the States of the Union could finance themselves as well to-day as could the General Government. That has been true to a greater or less extent for years.

Senators may remember that last year we appropriated some eight hundred odd thousand dollars to reimburse the State of Massachusetts for money which was expended for the benefit of the General Government during the Civil War, and expended for the General Government because the State of Massachusetts could sell its bonds at a lower rate of interest than could the General Government. It has been generally true that the credit of the Commonwealth, which I in part represent, has been practically as good as that of the Government, and would have been quite as good if it had not been for the provision that United States bonds should be used as a basis for circulation.

The PRESIDING OFFICER (Mr. FLETCHER in the chair). The question is on the amendment offered by the Senator from Utah [Mr. SMOOT] to the amendment of the committee.

Mr. SMOOT. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN], who is absent. I therefore withhold my vote.

Mr. TOWNSEND (when the name of Mr. SMITH of Michigan was called). I desire to announce the absence of my colleague [Mr. SMITH of Michigan] on account of sickness. He is paired with the senior Senator from Missouri [Mr. REED]. I wish this announcement to stand for the day.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER]. In his absence I withhold my vote.

The roll call was concluded.

Mr. PENROSE (after having voted in the affirmative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I note that he has not voted. I will transfer that pair to the junior Senator from New Jersey [Mr. BAIRD] and will let my vote stand. I also will let this announcement stand for the rest of the voting on this bill.

Mr. OVERMAN (after having voted in the negative). I should like to inquire if the senior Senator from Wyoming [Mr. WARREN] has voted?

The PRESIDING OFFICER. He has not.

Mr. OVERMAN. I have a general pair with that Senator. I transfer that pair to the Senator from Nebraska [Mr. HITCHCOCK] and will let my vote stand.

Mr. NEW. I have a general pair with the senior Senator from Delaware [Mr. SAULSBURY], but I am at liberty to vote on this amendment and on other amendments to the bill. I therefore vote. I vote "nay."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from New Mexico [Mr. FALL] with the Senator from Wyoming [Mr. KENDRICK]; and

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN].

Mr. KNOX. May I inquire if the senior Senator from Oregon [Mr. CHAMBERLAIN] has voted?

The PRESIDING OFFICER. He has not.

Mr. KNOX. Then I withhold my vote, having a pair with that Senator.

The result was announced—yeas 18, nays 46, as follows:

YEAS—18.

Borah	Harding	Page	Spencer
Cummins	Johnson, Cal.	Penrose	Wadsworth
France	Kenyon	Poindexter	Weeks
Frelinghuysen	Lodge	Sherman	
Gronna	New	Smoot	

NAYS—46.

Ashurst	Jones, N. Mex.	Nugent	Sterling
Bankhead	Jones, Wash.	Overman	Sutherland
Beckham	Kellogg	Pittman	Swanson
Colt	Kirby	Pollock	Thompson
Curtis	La Follette	Pomerene	Townsend
Fernald	Lewis	Ransdell	Trammell
Fletcher	McKellar	Shafroth	Underwood
Gay	McLean	Sheppard	Vardaman
Hale	McNary	Simmons	Walsh
Hardwick	Martin, Va.	Smith, Ariz.	Watson
Henderson	Myers	Smith, Ga.	
Johnson, S. Dak.	Nelson	Smith, S. C.	

NOT VOTING—32.

Baird	Goff	McCumber	Saulsbury
Brandegee	Gore	Martin, Ky.	Shields
Calder	Hitchcock	Moses	Smith, Md.
Chamberlain	Hollis	Norris	Smith, Mich.
Culberson	Kendrick	Owen	Thomas
Dillingham	King	Phelan	Warren
Fall	Knox	Reed	Williams
Gerry	Lenroot	Robinson	Wolcott

So Mr. SMOOT's amendment to the committee amendment was rejected.

Mr. FRELINGHUYSEN. I offer the amendment which I send to the desk, and move its adoption.

The PRESIDING OFFICER. The amendment proposed by the Senator from New Jersey will be stated.

The SECRETARY. At the end of the committee amendment inserting section 6 it is proposed to insert the following:

Provided further, That when any officer or enlisted man in the Army, the Navy, or the Marine Corps of the United States shall be or shall have been detailed for labor in the building of roads or in other highway construction or repair work which is or was not exclusively necessary to subserve military purposes, the pay of such officers or enlisted men shall be equalized to conform to the compensation paid to civilian employees in the same or like employment; and the sum due to each such officers or enlisted man, as herein provided, shall be computed by the Secretary of Agriculture and paid out of the appropriation herein made and deducted from the allotment made to the State wherein such employment was had and such equalized compensation incurred.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from New Jersey.

Mr. BANKHEAD. Mr. President, it is clear to my mind that that amendment would be utterly impossible of execution, and I hope it will not be adopted.

Mr. GRONNA. Mr. President, I heard the amendment hurriedly read, and I do not know that I fully understand it. I think I am in favor of it, but I should like to have the mover of the amendment explain it.

Mr. FRELINGHUYSEN. Mr. President, I am very glad to explain the amendment. It simply provides that in the construction of these roads, paid for by Federal aid, if any enlisted men or officers of the United States Army are employed they shall receive the same wages that are paid civilian laborers on construction work; in other words, that the soldiers who are paid $30 a month shall not be compelled to work for $30 a month when civilians side by side with them are getting $3, $4, and $5 per day.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Jersey. [Putting the question.] The "noes" seem to have it.

Mr. FRELINGHUYSEN. I ask for the yeas and nays, Mr. President.

Mr. TRAMMELL. Mr. President, I should like to have the amendment again stated.

The PRESIDING OFFICER. The Secretary will again state the amendment, as requested by the Senator from Florida.

The Secretary again read the amendment of Mr. FRELINGHUYSEN.

Mr. TOWNSEND. Mr. President, I do not quite understand the object of this amendment, because I do not understand that there is any proposition to work soldiers now in the Army upon road construction. I do not know by what authority they can be assigned to the building in the States of roads and highways not required for military purposes. While, of course, I think everyone would be willing to equalize their pay, if it were possible, it looks to me as if it would simply add confusion to the bill when there is no possibility of such a thing ever happening under its provisions.

Mr. SWANSON. Mr. President, if the Senator will permit me, it seems to me that if this amendment prevails it would, by implication, carry authority to detail soldiers of the Army to work on these roads.

Mr. TOWNSEND. That is, if it is agreed to.

Mr. SWANSON. If it is agreed to, it seems to me the effect of it would be that soldiers could be detailed to work on the roads.

Mr. FRELINGHUYSEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from New Jersey?

Mr. TOWNSEND. I yield.

Mr. FRELINGHUYSEN. The amendment simply provides that if any of the soldiers of the Army are utilized in the construction of roads they shall receive the same rate of wages as civilians so employed. Men who enlisted in the Army to fight in France have been employed in building roads at almost every cantonment in the United States, and many of them on military roads leading to and from the cantonments. At this time men who are awaiting discharge from the United States Army and are anxious to go home are being worked on certain of these roads at $30 per month when the usual civilian pay is from $3 to $5 per day. The amendment simply provides that that practice shall not be continued.

Mr. TOWNSEND. Does the Senator from New Jersey state that soldiers in the Army are now being worked on anything but military roads in connection with the cantonments and other establishments of that kind?

Mr. FRELINGHUYSEN. I have in my office—received this morning—five letters from enlisted men complaining that they are kept at work on military roads. These roads lead to and from cantonments, but they will be utilized by the States as highways when the cantonments are abandoned. It is done everywhere.

Mr. KELLOGG. Mr. President, I should like to ask the Senator from New Jersey a question.

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Minnesota?

Mr. TOWNSEND. I yield.

Mr. KELLOGG. It is difficult to understand from the reading of the amendment exactly what it does provide. Does it mean that if hereafter, under this appropriation, the United States Army shall detail men for work on roads in a State they shall receive the same pay as civilian workers or does it mean that they shall be paid for their past work wherever they have performed such work on military roads?

Mr. FRELINGHUYSEN. It is not retroactive; it simply applies to the appropriation contained in the pending bill.

Mr. ASHURST. Mr. President——

Mr. FRELINGHUYSEN. On the amendment I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Michigan has the floor. His time has not expired.

Mr. TOWNSEND. I yield the floor.

Mr. ASHURST. Mr. President, I simply rise to congratulate the distinguished Senator from New Jersey [Mr. FRELINGHUYSEN] for offering this amendment. It is very refreshing now to see him show solicitude for the soldier, and I congratulate him and the State he so well represents.

I recall that some two or three weeks ago, when we had up the bill providing for appropriating a hundred million dollars for some Europeans, who never understood and never will understand or comprehend our institutions, I tried to get an amendment attached to that bill to pay soldiers of the American Army two months' bonus, and my distinguished friend, the Senator from New Jersey, was active in opposition to that amendment. He was frank enough and manly enough, as is his attitude always, and courageous enough to come and tell me that he believed the amendment then offered to be political propaganda. He did not tell anybody else; he simply told me. I am going to tell him that I believe he is sincere in offering this amendment. I believe there is virtue in it, and the State that he represents and the Nation and its soldiers are to be congratulated that he, after some delay, has been converted to the idea that the private soldier has some rights in this country, and that if millions are to be "*dished out*" for the benefit of contractors, if millions are to be dished out for the benefit of Bolshevists, the American private soldier has a few rights. So, I congratulate the Senator from New Jersey upon his belated conversion.

Mr. FRELINGHUYSEN. Mr. President, in view of the fact that the Senator has revealed to the Senate a private conversation that I had with him, and in view of the fact that his remarks imply to some extent a criticism of me, I wish to explain to him why I was opposed to the amendment providing for two months' pay to every enlisted man in the Army. I did not believe that that was a practical solution of the problem. I believe that there are probably two million or two and a half million men who do not want charity of this kind, men who have plenty of means to take them back to their civil pursuits without that bonus being paid by the Government. I said to the Senator that I believed a better plan, if it could be provided, would be to send these men back to the draft boards, there demobilize them, and allow the draft boards to take care of their problems, such as the payment of their allotments, which have been so greatly delayed; the payment of dependency claims; the payment of back pay; and arranging for the transfer and conversion of their

life insurance, which at the present time, left to the department, is in a chaotic condition, and then provide, where the soldier is out of employment, that the draft board should pay $30 a month, to him or to his family, even for two, three, four, five, or six months—that they should find the men who really need the help and pay it in that manner.

Mr. ASHURST. Mr. President, if the Senator will yield to me for a minute?

Mr. THOMAS. Mr. President, I rise to a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona has the floor.

Mr. THOMAS. I rise to a parliamentary inquiry. The unanimous-consent agreement provides that—

> No Senator shall speak more than once or longer than 10 minutes upon the bill or more than once or longer than 10 minutes upon any amendment offered thereto.

The Senator from New Jersey has spoken twice and the Senator from Arizona once.

Mr. ASHURST. I desire to speak upon the bill now, Mr. President, and I have that right at this time.

The PRESIDING OFFICER. Not while the amendment is pending.

Mr. ASHURST. I desire to offer an amendment to the amendment, so as to provide that the soldiers who work upon the roads shall be paid 1 per cent more than the civilians, and upon that amendment I wish to speak.

I wish to assure the Senator from New Jersey that I would not be guilty of revealing private conversations with other Senators here; but I recalled his frank and manly statement, and I was not criticizing the Senator—I have no right to do that—for it was a manly thing for him frankly to tell me his views about the matter and I respect him for it.

I will say further that his proposal and his method of paying the soldiers a bonus was a more scientific and a more accurate one than the one I presented myself, and I am converted to his method. I am not speaking the language of criticism. He converted me to his view, that the money to be paid as a bonus ought to be paid through the local draft boards.

I have been converted to the Senator's method of paying the bonus. The Finance Committee, when it brings in the conference report on the revenue bill, is going to bring in a provision for a bonus of $60 to each soldier and each officer, and I am in favor of it. Will the Senator vote against the conference report because that provision is in it?

Mr. FRELINGHUYSEN. That is a question which at present I do not care to answer, because I have not seen the conference report. I do not know what it provides, but I will say to the Senator that I intend to introduce a bill embodying the provisions I have outlined to the Senator from Arizona.

Mr. ASHURST. That the soldiers shall be paid by the local draft boards?

Mr. FRELINGHUYSEN. If the soldiers can be still kept in commission, as I understand from Gen. Crowder that they can be.

Mr. ASHURST. The Senator will find me at least an active if not an effective supporter of his plan. That is all I have to say. I would not resort to the unparliamentary procedure, either privately or otherwise, of saying that the Senator's present amendment was offered for political effect, because that would be unparliamentary, however true. It is not true in this case, and I am going to vote for the Senator's amendment.

Mr. BANKHEAD. Mr. President, I hope the Senate will not lose sight of the fact that there is no authority in this bill at all to authorize the detail of soldiers or officers in the construction of the roads proposed to be constructed under its provisions. It simply provides that those men who have been discharged from the military service shall have the preference in employment. My judgment is that if such an amendment as this were adopted it would by implication authorize the Secretary of War to detail these men to work upon these roads, and that ought not to be done.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Arizona to the amendment offered by the Senator from New Jersey.

Mr. ASHURST. I withdraw my pro forma amendment.

The PRESIDING OFFICER. Then the question is on the amendment offered by the Senator from New Jersey to the amendment proposed by the committee.

Mr. FRELINGHUYSEN. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In the absence of that Senator I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], who is absent. I therefore withhold my vote. If at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. MYERS. I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from New Hampshire [Mr. HOLLIS] and vote "nay."

Mr. THOMAS. I transfer my pair with the senior Senator from North Dakota [Mr. MCCUMBER] to the senior Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. CURTIS. I desire to announce the absence of the junior Senator from Nebraska [Mr. NORRIS]. I will let this announcement stand for the day.

Mr. MOSES. I transfer my pair with the junior Senator from Kentucky [Mr. MARTIN] to the junior Senator from Nebraska [Mr. NORRIS] and vote "yea."

Mr. MCKELLAR. I wish to announce the unavoidable absence of the Senator from Wyoming [Mr. KENDRICK] and the Senator from Oklahoma [Mr. GORE].

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The roll call resulted—yeas 33, nays 33, as follows:

YEAS—33.

Ashurst	Hale	Lenroot	Shafroth
Borah	Harding	Lodge	Sherman
Colt	Henderson	McNary	Spencer
Cummins	Johnson, Cal.	Moses	Sutherland
Curtis	Jones, Wash.	New	Watson
Fernald	Kellogg	Nugent	Wolcott
France	Kenyon	Page	
Frelinghuysen	Knox	Penrose	
Gronna	La Follette	Poindexter	

NAYS—33.

Bankhead	McKellar	Sheppard	Townsend
Beckham	Martin, Va.	Simmons	Trammell
Chamberlain	Myers	Smith, Ariz.	Underwood
Fletcher	Nelson	Smith, Ga.	Vardaman
Gay	Overman	Smith, S. C.	Walsh
Hardwick	Pittman	Sterling	Warren
Jones, N. Mex.	Pollock	Swanson	
Kirby	Pomerene	Thomas	
Lewis	Ransdell	Thompson	

NOT VOTING—30.

Baird	Gore	Martin, Ky.	Smith, Md.
Brandegee	Hitchcock	Norris	Smith, Mich.
Calder	Hollis	Owen	Smoot
Culberson	Johnson, S. Dak.	Phelan	Wadsworth
Dillingham	Kendrick	Reed	Weeks
Fall	King	Robinson	Williams
Gerry	McCumber	Saulsbury	
Goff	McLean	Shields	

The PRESIDING OFFICER. On the amendment offered by the Senator from New Jersey [Mr. FRELINGHUYSEN] to the amendment of the committee, the yeas are 33 and the nays are 33, so the amendment is rejected.

Mr. FRELINGHUYSEN. I reserve the right to offer the amendment in the Senate.

Mr. BORAH. Mr. President, on January 31 I gave notice of a motion to suspend the rules with reference to general legislation on a general appropriation bill in order to enable me to offer the amendment upon which I have submitted some remarks this morning, and I am now about to make that motion. Before I do so I desire to say that, in case the motion to suspend the rules prevails and I am permitted to offer the amendment which accompanied the notice, I shall ask leave to perfect the amendment by excluding from the repeal sections 2 and 3 of the first espionage act, so that it will repeal section 1 of the first act and section 4 of the second. Sections 2 and 3 are the sections to which the Senator from Pennsylvania [Mr. KNOX] referred this morning. I want to say, however, that when I shall perfect the amendment in this respect it will not represent what I think should be the amendment. I am aware, however, that there are Senators who feel that those sections ought not to be repealed. That is not my view; but I am willing, if I can get it, to take half a loaf instead of the entire loaf.

Mr. President, I move at this time that the provisions of paragraph 3 of Senate Rule XVI, prohibiting an amendment proposing general legislation to any general appropriation bill, be, for the purpose of offering the amendment to which I have referred, suspended.

The PRESIDING OFFICER. The Chair will state to the Senator that the question of agreeing to section 6 as amended

is before the Senate, so that this motion will not be in order now. We must first dispose of section 6.

Mr. BORAH. Very well.

The PRESIDING OFFICER. The question is on agreeing to section 6 as amended.

Mr. THOMAS. I call for the yeas and nays.

The PRESIDING OFFICER. The Senator from Colorado calls for the yeas and nays. Is the call sustained. [A pause.]

Mr. FRANCE. I would like to have the amendment stated.

Mr. THOMAS. Mr. President, I understand that the question now is upon section 6 as amended.

The PRESIDING OFFICER. That is correct.

Mr. THOMAS. That is the section which appropriates $200,000,000 for roads. I think those who advocate it should not shrink from going upon record. I think those who are opposed to it should have a chance to go upon record.

Mr. LODGE. Let us have the yeas and nays.

Mr. THOMAS. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MOSES (when his name was called). In the absence of the junior Senator from Kentucky [Mr. MARTIN], with whom I have a general pair, I withhold my vote.

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], but I am at liberty to vote upon this question. I vote "nay."

Mr. GORE. I desire to announce that the Senator from Wyoming [Mr. KENDRICK] is detained on official business.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The roll call having been concluded, the result was announced—yeas 51, nays 17, as follows:

YEAS—51.

Ashurst	Johnson, S. Dak.	Nugent	Spencer
Bankhead	Jones, N. Mex.	Overman	Sterling
Beckham	Jones, Wash.	Pittman	Sutherland
Chamberlain	Kellogg	Poindexter	Swanson
Colt	Kirby	Pollock	Thompson
Curtis	La Follette	Pomerene	Townsend
Fletcher	Lenroot	Ransdell	Trammell
Gay	Lewis	Shafroth	Underwood
Gore	McKellar	Sheppard	Vardaman
Gronna	McLean	Simmons	Walsh
Harding	McNary	Smith, Ariz.	Warren
Hardwick	Martin, Va.	Smith, Ga.	Watson
Henderson	Nelson	Smith, S. C.	

NAYS—17.

Cummins	Kenyon	Page	Weeks
Fernald	King	Penrose	Wolcott
France	Knox	Sherman	
Frelinghuysen	Lodge	Thomas	
Hale	New	Wadsworth	

NOT VOTING—28.

Baird.	Gerry	Martin, Ky.	Robinson
Borah	Goff	Moses	Saulsbury
Brandegee	Hitchcock	Myers	Shields
Calder	Hollis	Norris	Smith, Md.
Culberson	Johnson, Cal.	Owen	Smith, Mich.
Dillingham	Kendrick	Phelan	Smoot
Fall	McCumber	Reed	Williams

So section 6 as amended was agreed to.

Mr. CHAMBERLAIN. Mr. President, I voted inadvertently on the amendment just preceding this one, offered, I think, by the Senator from New Jersey [Mr. FREYLINGHAUSEN]. The vote was a tie. While I do not ask that the result be changed at this time, in view of the fact that a vote on it has been reserved in the Senate, I want to say now that I shall vote for that amendment. There is no reason in the world why these young men who are wearing the uniform of the United States, if put to public employment on roads and other work, should not receive the same pay as civilians. It is the same rule that was applied in the Northwest, where the young men in uniform were compelled to work in the production of spruce lumber; they were paid civilian wages, and did splendid work. Of course, there was deducted from their monthly pay the salaries that they received as soldiers, which was perfectly proper. So I shall change my vote when the matter comes up again.

Mr. STERLING. Mr. President, will the Senator from Oregon yield for a question? I should like to ask the Senator if soldiers in active service have ever been put to work on roads other than military roads? If soldiers are to do this kind of work at all—if there is any possibility of their being put into this kind of work—I shall——

The VICE PRESIDENT. The Chair must enforce the unanimous-consent agreement. We are talking on nothing.

Mr. STERLING. In view of the statement of the Senator from Oregon, I made the inquiry.

Mr. WEEKS. Mr. President, I call up the amendment I offered yesterday to the bill.

The SECRETARY. On page 14——

The VICE PRESIDENT. Under the agreement, the amendments to sections 7 and 8 must be first disposed of. The question now is on section 7.

Section 7 was agreed to.

Mr. TOWNSEND. Mr. President, a parliamentary inquiry. Upon what amendment did we just vote?

The VICE PRESIDENT. Section 7.

Mr. BANKHEAD. Mr. President, has section 7 been adopted?

The VICE PRESIDENT. Section 7 has just been agreed to.

Mr. BANKHEAD. I have an amendment that I should like to offer to it. I move to reconsider the vote whereby it was agreed to.

The motion to reconsider was agreed to.

The VICE PRESIDENT. Now, section 7 is pending; and the Senator from Alabama offers an amendment to it, which will be stated.

The SECRETARY. On page 37, in line 18, after the word "material," and on page 38, in line 2, after the word "material," it is proposed to insert a comma and the words "equipment and supplies."

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question is on agreeing to section 7 as amended.

Mr. FRANCE. I desire to offer an amendment to the section.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. At the end of section 7, it is proposed to add the following:

Provided, That none of the sums made available under section 6 shall be expended except on such roads as may be designated as part of a national highway system to be laid out by the engineers of the construction division of the United States Army or of the War Department.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Maryland to the amendment of the committee.

The amendment to the amendment was rejected.

The VICE PRESIDENT. The question is on agreeing to section 7 as amended.

Section 7 as amended was agreed to.

The VICE PRESIDENT. The question now is on the adoption of section 8.

Mr. THOMAS. Mr. President, section 8, as I recall, is the section which makes an additional appropriation of $3,000,000 for the building of roads in forest reserves. The Government now has a fund for that purpose; and I can conceive of no reason why we should add to it, except that we have $3,000,000 left in the Treasury not yet disposed of. I do not believe that that is necessary. It is a very trifling sum, but I hope it will be voted out of the bill.

Mr. SMITH of Arizona. Mr. President, if the Senator from Colorado knows as much about western conditions as I think he does, his criticism is hardly justified. Fifty-two per cent and more of the best land in my State is in reservations; and yet I find a Senator from the West opposing the Government, on its own property, building the roads which are absolutely essential to it, and which may possibly work some benefit to a section of the country that has already been overburdened with taxation from the General Government and is receiving no compensation whatever from it.

Of all the things in this bill, this is the one above all others which should appeal to the Congress of the United States.

Mr. WALSH. Mr. President, just a word.

This appropriation is made in the bill in recognition of the principle which found place in the original act. When that was under consideration, the matter was debated at length, and the equity of the States in which there were great national forests for an additional appropriation to take care of roads in those forests was completely thrashed out and was entirely vindicated. The appropriation is quite in keeping with the original appropriation, which, in addition to the $75,000,000 provided therein, provided an appropriation of $1,000,000 each year for 10 years for the construction of roads in the national forests.

These great areas contribute nothing whatever to the Public Treasury. They contribute nothing either to the National Treas-

ury or to the State treasury. They contribute nothing for the building of roads. They contribute nothing for the support of schools. As they are kept out of the general body of property in the State from which the taxation must be drawn in pursuance of the policy of the National Government, at least the National Government ought to contribute something toward the construction of the necessary roads through these great areas.

Mr. KIRBY. Mr. President, I should like to ask the Senator a question. What do you want with a road in a forest reserve? There is nothing there but a forest.

Mr. WALSH. Mr. President, I shall be very glad to answer the question of the Senator.

In the first place, these great forests lie between densely populated and important agricultural and mining sections. There is no communication between these different sections except by roads through the forests. My county of Lewis and Clark, for the purpose of establishing communication facilities with the adjacent valley of the Deer Lodge, three years ago took upon itself the burden of a large expense for constructing a road through this national forest.

In the second place, these national forests are preserved because of the value of the timber in them. The timber is subject to being destroyed by enormous forest fires, and roads and trails are necessary through the forests in order that they may be protected from fire that is likely to destroy not only the forests themselves but property held by private owners in the immediate vicinity and adjacent to them; and there are many other considerations.

Mr. SHAFROTH. Mr. President, the section that is now under discussion is one that becomes vitally interesting to the States which contain forest reservations. There are millions and millions of acres in Colorado. We have 14,000,000 acres of land that have been withdrawn for forest purposes. These are practically Government lands, and it is necessary, in order to get access to the interior of them and also in approaching and leaving them, that there should be roads. Under our law none of this land can be the subject of taxation. Fourteen million acres of land have been withdrawn from taxation in the State of Colorado. Is it possible that we are to have no roads constructed there by reason of the fact that it is Government land? It seems to me the Government ought to be required to build roads in the interior. They can not ask the counties, but the counties are doing it to a certain extent, because it is necessary for them to get to the railroads.

Mr. President, it seems to me, in view of the fact that this is Government property and the State can not raise a dollar by taxation upon it, we ought to have a law at this time that will give at least some development, meager though it may be, of roads upon the public domain.

Mr. TRAMMELL. Mr. President, I desire to offer an amendment to the committee amendment.

The VICE PRESIDENT. It will be read.

The SECRETARY. Add at the end of the section the following proviso:

Provided, That no officer or soldier of the Army shall be detailed for work on the roads which come within the provisions of this section and other provisions of this act.

Mr. TRAMMELL. Mr. President, I voted against the amendment offered by the Senator from New Jersey not because I did not entertain the idea that if a soldier or an officer was detailed and assigned to this road work he should be paid the same compensation that was paid to civilians engaged in similar employment, because I am heartily in sympathy with the idea that if they should be so detailed they should draw similar compensation, but I am unalterably opposed to the idea that men who have been drafted into the Army or men who have enlisted in the Army should be detailed for other work than that contemplated upon their being called into the military service. Therefore it is my idea that we can best dispose of this question by adopting a specific provision prohibiting the detail of officers or soldiers for road work.

I can not contemplate or conceive the idea scarcely that the War Department and those having in charge our military affairs would so far violate the proprieties, would be guilty of such injustice to the officers and soldiers who have been called into the military service, as to assign them to do work of this nature and expect them to do it at the compensation they now receive. But as there seems to be some apprehension that some one may perchance be guilty of this injustice to our soldiers and our officers, I am willing to place a specific provision in the bill providing that officers and soldiers shall not be detailed for carrying on any of the work embraced within the appropriations here made. Therefore I have offered the amendment.

Mr. LODGE. Mr. President, the trouble with the amendment of the Senator from Florida [Mr. TRAMMELL] is that it does not meet the difficulty. The soldiers have been employed on what are nominally military roads, but which inure exclusively to the benefit of the States in which they are built. That is the way they get around it. I know it has been done in my own State. I know it has been done in Virginia, near Camp Humphreys. I am told that at one time they had as many as 40,000 men building a piece of road that is going to be a part of the main road to Richmond, and they call it a military road. You never will reach this difficulty until you pay the soldiers as the amendment of the Senator from New Jersey does.

Mr. TRAMMELL. I will be very glad to accept an amendment to the amendment offered by myself, providing that they shall not be detailed or assigned to roads contemplated under the provisions of the bill or any other class of roads.

Mr. LODGE. That does not meet it. The amendment of the Senator from New Jersey meets it, and I propose to support that amendment.

Mr. TRAMMELL. My idea is not to authorize the department and those having control over our soldiers to detail them for road work, and if you provide a compensation for them it indicates that it is the mind of the legislative branch of the Government that they shall have such authority. I am opposed to granting that authority.

Mr. BORAH. Mr. President, I voted for the amendment offered by the Senator from New Jersey because, certainly, if soldiers are to be assigned to work upon these roads which are either technically or in fact within the provisions of the bill, they should be paid the same as those who work beside them; but I am very anxious that no amendment shall be adopted which would seem to suggest to the War Department that they ought to continue to employ young men who have been conscripted for military purposes in the building of roads. There is no reason now to continue them in the building of military roads. That might have been true during the time the war was pending, but there is no longer any occasion for employment in that respect.

Whatever amendment is adopted, whether that of the Senator from New Jersey or the Senator from Florida, or both—and I shall support both—I hope we will not in the future have any information coming to the Senate that boys who have been conscripted are held for the purpose of building public roads, military or otherwise.

Mr. LODGE. Will the Senator allow me? I agree with him entirely, but the amendment of the Senator from Florida does not meet the difficulty. That is the trouble.

Mr. BORAH. The amendment of the Senator from Florida certainly expresses the view of the Senate, and we can adopt both.

Mr. LODGE. Ah! if we adopt both.

Mr. BORAH. This is not a substitute for the amendment of the Senator from New Jersey.

Mr. TRAMMELL. I ask the Senator from Massachusetts if my amendment does not remedy the situation so far as the appropriations provided in this bill are concerned?

Mr. LODGE. I am not interested in protecting the appropriations in this bill. That does not concern me. What I am interested in is to prevent soldiers from being used to do State work—and that is done under the cover of military roads.

Mr. BORAH. It ought to be distinctly understood that the Senate is in favor of demobilizing these men and that nothing should detain, retard, or embarrass that demobilization. We do not want them retained for the purpose of building roads or policing Russia or policing Turkey or any other place. They should be permitted to go home and take up the work which they left under the command of their Government.

Mr. LEWIS. Mr. President, I should like the attention of the Senator from New Jersey [Mr. FRELINGHUYSEN]. I call his attention to the proposed amendment. I invite his attention particularly to the fact that his amendment says no work that is not definitely or distinctively or exclusively military; no road building that is not exclusively military. I ask the Senator what system does his amendment suggest, as to how it shall be decided whether a particular road is a military work or otherwise? Does not the amendment of the Senator leave it open to 50 different commanders in 50 different parts of the country to render different kinds of decisions as to whether it is distinctively military or civil work? And, finally, does it not leave it solely and wholly to the commander of the men to be the sole and the only judge as to whether the work is military road work or road work for State uses? The Senator from Massachusetts used that expression.

Mr. FRELINGHUYSEN. Mr. President, it is quite true that the question as to what constitutes military roads and what does not constitute military roads might be open to many constructions, but in the building of the cantonments the roads within the cantonments were strictly military roads. Through special

orders from the War Department—I think it is the Quartermaster's Department that has control of that—certain roads were designated. Those are military roads, but in many cases the commander of the post has built other roads leading to and from the city adjacent to the cantonment and has utilized the labor of enlisted men. I have seen some of these roads. The men themselves have boasted of the fact that they built them during the stress of war, when it was necessary, in order to facilitate the traffic to the camp, that they should be built.

But now the criticism I get from the enlisted men is that the commanding officers, in order to keep the men employed, are building roads and highways that are not military roads and that will not be used for military roads, but will be used for the main line of traffic and travel in the States. There is bitter complaint from these men that they have become road gangs. What I want to do is to avoid that.

Mr. LEWIS. May I ask the Senator, then, the distinction he wishes to draw between those roads ordered by the War Department, military roads, and those roads which the commanders of camps assume to build on their own initiative?

Mr. FRELINGHUYSEN. I say there is great confusion regarding the two types of roads. I want to stop holding the men in camp to build roads for the community in which the camp may be located.

Mr. LEWIS. I agree with the Senator. I think every Senator in this Chamber agrees with the Senator.

Mr. FRELINGHUYSEN. These men want to go home and to go back to their old employment.

Mr. LEWIS. I am only anxious to have the Senator see the difficulty. Those who wish to vote with him would like an amendment, if he would prefer to present it himself, that specifically designates who shall determine what road is a military road from the kind of road he objects to, or an amendment that so defines the subject that by voting for it they do not vote against the military road ordered by the War Department in order to exempt the kind of road that may be ordered by a post commander within a State.

Mr. FRELINGHUYSEN. They do not need any soldier labor for military roads. The need for all military roads is over; but these men should be prohibited from performing any labor on any of the roads. If in the battalions or regiments that are held in camp any of the men voluntarily want to go out and work on the construction of these highways, I am providing, by changing and perfecting my amendment, that any soldier who volunteers to do that work will be allowed to do so under military command, and that he shall be paid the same wages that are paid for civilian labor.

Mr. LEWIS. Since the Senator has kindly suggested that he is what he calls perfecting his amendment, possibly when presented in a perfected state it will remedy some of the evils that I fancy would spring from it as originally it was offered.

Mr. FRELINGHUYSEN. The Senator, of course, can take advantage of my use of probably the wrong term. I simply tried to meet the objection of some Senators, who believe the amendment would be in better form if it were changed in that regard.

Mr. KELLOGG. Mr. President, I wish to invite the attention of the Senate to certain remarks made by the Senator from Idaho [Mr. BORAH] in his very able discussion of the espionage act. The Senator made the proposition to repeal sections 1, 2, and 3 of the act of 1917 and section 4 of the act of 1918. I think this is very important as bearing on the question whether we should repeal that at this time. I am as much in sympathy with the idea which the Senator put forth as anybody. I am as much in favor of the liberty of the press and the liberty of speech as any Senator in this Chamber. But, Mr. President, it seems to me these sections should be carefully revised at this time and should not be repealed until we know what we are doing.

Section 1 of the espionage act provides that—

> Whoever for the purpose of obtaining information respecting the national defense with intent or reason to believe that the information to be obtained is to be used to the injury of the United States, or to the advantage of any foreign nation, goes upon—

And so forth, and obtains certain information. I have not the time to read it, but Senators will remember what it is. The same section provides that—

> Whoever, for the purpose aforesaid, and with like intent or reason to believe, copies, takes, makes, or obtains, or attempts, or induces, or aids another to copy, take, make, or obtain, any sketch, photograph, photographic negative, blue print, plan, map, model, instrument, appliance, document, writing, or note of anything connected with the national defense * * * or whoever, lawfully or unlawfully having possession of, access to, control over, or being intrusted with any document, writing—

Going on and designating the same instruments as before—

> willfully communicates or transmits or attempts to communicate or transmit the same to any person not entitled to receive it, or willfully retains the same and fails to deliver it on demand to the officer or employee of the United States entitled to receive it—

Shall be punished—

> *Provided*, That whoever shall violate the provisions of subsection (a) of this section in time of war shall be punished—

And that—

> Whoever, in time of war, with intent that the same shall be communicated to the enemy, shall collect, record, publish, or communicate, or attempt to elicit any information with respect to the movement, numbers, description, condition, or disposition of any of the armed forces, ships, aircraft, or war materials of the United States—

Shall be punished.

This is a thing that is necessary in war time to prevent anyone by communication of any kind sending information to the injury of this country to the enemy.

Section 1, which is sought to be repealed by the proposition of the Senator from Idaho, being section 1 of Title XII, provides that—

> Every letter, writing, circular, postal card, picture, print, engraving, photograph, newspaper, pamphlet, book, or other publication, matter, or thing of any kind in violation of any of the provisions of this act is hereby declared to be nonmailable matter.

What I say is that by the section which it is sought to repeal the material in writing which one gathers under section 1 of the espionage act is made nonmailable matter. It has to do with communication with the enemy; and, of course, after the material is sent the damage is done and this Government must, as it has done, supervise all communications of that kind and prevent them from being carried in the mail.

Of course I realize that the war is practically over and there might be no harm in communicating in violation of section 1, but we ought to think about it. The war is not legally over, and it may start again actually. I think we should carefully consider whether we should repeal section 1 of Title XII at this time.

I am quite sure that no Senator here would object if a bill were brought in to accomplish what the Senator from Idaho desires, taking away from the Postmaster General the arbitrary power which he has now under this act as to many communications; but until I have further time to examine this question and study it with care I would not wish to vote to repeal section 1 of Title XII of the act.

I have no doubt that the power has been abused; all such power is liable to be abused; and I would like to see a bill brought in here revising these provisions and protecting the public, because I do not think at this time arbitrary restrictions as to mailable matter which can do no harm in this country should continue. But I think we should consider carefully whether we are going to take away the provision which makes all these documents and this information nonmailable matter.

Mr. TOWNSEND. Do I understand the question before the Senate is on the amendment of the Senator from Florida [Mr. TRAMMELL]?

The VICE PRESIDENT. It is.

Mr. TOWNSEND. Mr. President, a few moments ago, when the amendment offered by the Senator from New Jersey [Mr. FRELINGHUYSEN] was before the Senate, it occurred to me that it was simply going to lead to confusion in legislation, for I had not heard up to that time that there had been even any attempt upon the part of officers to work their men on State roads. Of course I condemn that proposition as heartily as any man can, and I am willing to vote for any proposition to prevent it. It seems to me that the amendment offered by the Senator from Florida, if properly worded, strikes at the root of this evil. It prohibits, or at least that is its object, the working of our soldiers upon roads. While I voted against the proposition of the Senator from New Jersey, I did so, first, because, as I have said, I did not know that such had been the practice, and, secondly, it seems to me that the evil might still exist and the soldiers be worked upon the roads just the same if they were paid the wages of ordinary civilian labor; in other words, they would probably be under coercion anyway. I am opposed to that, and, therefore, I am quite in sympathy with what the Senator from Idaho [Mr. BORAH] has said. I am willing to have almost any amendment adopted which will correct this evil. It seems to me if we adopt the amendment of the Senator from Florida, if it is properly worded, we should cure the evil without any question about it whatever.

Mr. LENROOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Wisconsin?

Mr. TOWNSEND. I yield.

Mr. LENROOT. As I understood the amendment, it applies only to soldiers working upon roads covered by this appropriation.

Mr. TOWNSEND. I suppose that would be about all the authority we have to exercise, as to something pertaining to roads covered by this appropriation. That was what the Senator from New Jersey tried to correct by his amendment. I want to go as far in this bill as I can lawfully go, and in a parliamentary manner, to prohibit the use of soldiers who are already in the service in the construction of roads or in doing any other work that is not in connection with the military service.

Mr. STERLING. Mr. President, I voted against the amendment of the Senator from New Jersey [Mr. FRELINGHUYSEN]. I did so because we had provided in the bill for the honorable discharge of soldiers, sailors, and marines, and I thought in doing that we perhaps had gone far enough, and because I also believed that soldiers in active service had not been detailed to do work on other than military roads; but it has been so constantly asserted in the Senate time and time again that soldiers have been so employed, and that they are likely to be so employed in the future—a thing to which I am utterly opposed—that I shall support the amendment offered by the Senator from Florida prohibiting the employment of soldiers for such purposes. To "make assurance double sure," I might say that if the amendment offered by the Senator from New Jersey is again offered I shall vote for that also.

Mr. BANKHEAD. Mr. President, I hope the amendment of the Senator from Florida will be adopted. I think it covers the whole question.

Mr. FRELINGHUYSEN. Mr. President, the amendment which I offered provides that if any of these soldiers are to be detailed on the highways for which appropriation is made in this bill they shall first voluntarily consent to the employment, and that then they shall receive the same pay as do civilians who are employed in like work upon such highways.

The amendment also provides that if any officer or enlisted man shall be detailed for any highway work other than that on military roads he shall receive the same pay as civilians. The amendment of the Senator from Florida does not go that far. Therefore I think that if we will wait until the bill is in the Senate, if I am permitted to reoffer my amendment then, all that the Senator seeks to secure will be secured if my amendment shall be agreed to.

Mr. President, I desire to make a parliamentary inquiry. I have modified my amendment. May I now offer it as a substitute for the amendment of the Senator from Florida?

The VICE PRESIDENT. That would be an amendment in the third degree. The Senator can read his amendment now to the Senate in his time; the Senate can then reject the amendment of the Senator from Florida and adopt the amendment of the Senator from New Jersey, if it chooses to do so, when the amendment is subsequently offered.

Mr. FRELINGHUYSEN. I shall wait until the bill is in the Senate, and then I shall reoffer my amendment.

The VICE PRESIDENT. The question is on the amendment of the Senator from Florida [Mr. TRAMMELL] to the committee amendment.

The amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to sections 7 and 8 as amended.

The amendment as amended was agreed to.

Mr. WEEKS. Mr. President, I now ask for a vote on the amendment which I sent to the desk, which I introduced yesterday.

The VICE PRESIDENT. The amendment proposed by the Senator from Massachusetts will be stated.

The SECRETARY. On page 14, line 11, at the end of the line, it is proposed to insert the following:

Provided, That whenever an employee is required to work on such holidays he shall be allowed compensatory time on one of the six days following the holiday upon which such service is performed, or, if he so elects, he may be paid for overtime in lieu thereof.

Mr. WEEKS. Mr. President, that amendment simply proposes to extend the practice which now prevails as to legal or other holidays set aside for the purpose by the President. Other governmental employees do not work on holidays, and yet they receive their pay. It is necessary for some postal employees to work on those days, and it seems perfectly reasonable, in fact it is carrying out the general provisions of the law, that they shall be given their pay for the work or shall be allowed compensatory time. I think the chairman of the committee is in favor of the amendment.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Massachusetts.

The amendment was agreed to.

Mr. WADSWORTH. Mr. President, I offer the amendment to the committee amendment which I send to the desk.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from New York will be stated.

The SECRETARY. On page 33, line 15, after the word "act," it is proposed to insert——

The VICE PRESIDENT. The committee amendment to which the Senator's amendment is offered has already been agreed to.

Mr. WADSWORTH. Is it out of order to offer an amendment to that section as it now stands in the bill, it having been adopted?

The VICE PRESIDENT. It must be reconsidered before the amendment can be offered at the place where the Senator is offering it.

Mr. WADSWORTH. Then I can offer my amendment in the Senate?

The VICE PRESIDENT. If the Senator reserves a separate vote on the committee amendment, he can then offer to amend the amendment in the Senate.

Mr. WADSWORTH. Do I understand, then, that the committee amendment, on page 33, having been adopted, it is not now open to any further amendment?

The VICE PRESIDENT. It is not, unless the vote whereby the committee amendment was agreed to is reconsidered, or unless the Senator reserves a separate vote on the amendment, and offers to amend it when it comes into the Senate.

Mr. WADSWORTH. I ask the Secretary to read to the Senate my proposed amendment to the amendment, and then I will ask unanimous consent that the vote by which the committee amendment was agreed to may be reconsidered.

The VICE PRESIDENT. The amendment to the amendment proposed by the Senator from New York will be stated.

The SECRETARY. On page 33, line 16, of the amendment already agreed to, after the word "act," it is proposed to insert:

Provided further, That no assistant postmaster or supervisory official shall receive a less salary than $100 per annum in excess of the sixth-grade salary provided for clerks and carriers in post offices of the first and second classes.

The VICE PRESIDENT. Is there objection to reconsidering the vote by which the amendment of the committee was agreed to? The Chair hears none, and the vote is reconsidered. The question now is on the amendment offered by the Senator from New York to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. MOSES. Mr. President——

The VICE PRESIDENT. Does the Senator wish to amend the same section?

Mr. MOSES. I wish to ask if the committee amendments have all been disposed of?

The VICE PRESIDENT. They will be in a moment, the Chair presumes. The question now is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

Mr. MOSES. If the committee amendments have been disposed of, I offer the amendment which I send to the desk to be added as a new section.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. At the end of the bill it is proposed to add a new section, as follows:

That the provisions of the fifth and sixth sections of the act entitled "An act establishing post routes, and for other purposes," approved March 3, 1877, for the transmission of official mail matter, be, and they are hereby, extended and made applicable to all communications necessitated to national banking associations, State banks, trust companies, and other banking institutions in connection with the business of collecting installment payments upon subscriptions to any issue of the liberty or victory loan.

Mr. BANKHEAD. I make the point of order against that amendment that it is general legislation.

The VICE PRESIDENT. What is the act referred to in the amendment? The Chair does not know anything about it.

Mr. MOSES. Mr. President, having in mind the decisions of the Senate made, reversed, and made again yesterday afternoon, it seems to me that this amendment clearly is in order; but, if the point of order is to be made and maintained against the amendment which I have offered, I think it is incumbent upon me to point out that this is not new legislation beyond the scope of what the Senate has already done in connection with this bill. If there is any proper place in any legislation for the insertion of the subject matter which my amendment covers, the Post Office appropriation bill is the place, because my amendment extends the franking privilege to the banking institutions in connection with mail which they may have to send out concerning the collection of installment payments on liberty loans.

It is well known that, in spite of the high-paid artists, the high-salaried directors, and all the oratory, all the cartoons, all the advertising, and all the mass meetings held throughout the country in order to make the liberty-loan drive a success, it was, after all, the work of the banks of the country that put us "over the top" every time there was a drive. In the prosecution of that work they have used their resources in carrying the installment payments of those who were unable to pay for their bonds in full, and often they have done so at a loss in connection with the use of the funds thus employed. They have had to employ extra clerks and they have been obliged to carry on extensive correspondence because of their work in connection with the liberty-loan campaigns.

The extension of the franking privilege I here ask is not a general extension of the franking privilege such as has heretofore been asked for and voted down so often in the Senate and in the other House, but it is an extension of the franking privilege for a single patriotic purpose for a time which will soon expire. The granting of the privilege carries a recognition of all the meritorious work done by the banking institutions of the country in connection with one of the Nation's greatest needs.

I wish to say further, Mr. President, that we shall soon be entering upon another liberty or victory loan drive, in which the work of the banks will be still more necessary than heretofore, and to which they may find it much more difficult to bring as great success as they have achieved in the prior drives. I think that anything that Congress may do to show its recognition of the work done by the banks, or to aid them in the still greater task which they soon must confront, would be in line with the generous spirit which Congress is showing toward all the agencies which have contributed to the successful outcome of the war.

Mr. BANKHEAD. I inquire if the Chair has ruled on the point of order?

The VICE PRESIDENT. No. The Chair was inquiring what is the act referred to in the proposed amendment. The Chair now knows. Does the Senator from Alabama insist on his point of order?

Mr. BANKHEAD. I do.

The VICE PRESIDENT. The point of order is sustained.

Mr. KING obtained the floor.

Mr. FRELINGHUYSEN. Mr. President——

Mr. KING. I yield to the Senator from New Jersey.

Mr. FRELINGHUYSEN. I offer an amendment as a new section, and ask that it be read. It is not in conflict with the amendment which has already been adopted.

The VICE PRESIDENT. The Secretary will read the amendment proposed by the Senator from New Jersey.

The SECRETARY. At the end of the bill it is proposed to add a new section as follows:

SEC. —. That when any officer or enlisted man in the Army, the Navy, or the Marine Corps of the United States shall be or shall have been detailed for labor in the building of roads or in other highway construction or repair work which is or was not exclusively necessary to subserve military purposes, the pay of such officers or enlisted men shall be equalized to conform to the compensation paid to civilian employees in the same or like employment; and the sum due to each such officer or enlisted man, as herein provided, shall be computed by the Secretary of Agriculture and paid out of the appropriation herein made and deducted from the allotment made to the State wherein such employment was had and such equalized compensation incurred: *Provided*, That no enlisted man of the Army, the Navy, or the Marine Corps of the United States shall be detailed for any such duty except by his own consent.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from New Jersey.

Mr. CHAMBERLAIN. Just a moment. I wish to suggest one little change in the amendment, by striking out the words "which is or was not exclusively necessary to subserve military purposes."

The VICE PRESIDENT. Does the Senator from New Jersey accept the proposed modification of his amendment?

Mr. FRELINGHUYSEN. I accept the modification.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from New Jersey as modified.

The amendment as modified was agreed to.

Mr. KING. Mr. President, a few days ago, under a misapprehension as to the status of the matter, not recalling that the House had made an appropriation of $1,000,000 for motor-vehicle truck service, the Senate rejected the proposed amendment offered by the Senate committee which cut down the House appropriations from $1,000,000 to $300,000. I now move to reconsider the vote by which the amendment of the committee, beginning on line 11, page 28, and extending to line 10, on page 29, was rejected.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah. [Putting the question.] The "noes" seem to have it.

Mr. KING. I ask for a division.

Mr. TOWNSEND. What is the amendment?

The VICE PRESIDENT. The Senator from Utah moves to reconsider the vote by which the amendment of the committee, beginning on line 11, page 28, which proposes to strike out lines 11 to 17 and to insert the matter printed in italic, extending down to and including line 10, on page 29, was rejected.

Mr. BORAH. Mr. President, I wish to ask the Senator from Utah a question.

Mr. KING. I yield to the Senator.

Mr. BORAH. What is the status of the amendment now with reference to the appropriation? What did we do the other day? Did we reduce it?

Mr. KING. We increased it; that is to say, the House made an appropriation of a million dollars. The Senate committee reduced it to $300,000, but that amendment was rejected, the Senate forgetting that it was a substitue for the House provision, so that if the motion which I have now made prevails we will then be called upon to vote upon the Senate committee amendment reducing the amount to $300,000, instead of leaving it at a million dollars.

Mr. BORAH. With that statement, I am in favor of the motion.

Mr. THOMAS. Mr. President, I should like to inquire of the Senator how his amendment will affect the soldier vote?

Mr. KING. I have not taken that into account.

The VICE PRESIDENT. The question is on the motion to reconsider.

The motion was agreed to.

The VICE PRESIDENT. Now the question recurs on agreeing to the amendment reported by the Senate committee.

Mr. KING. Mr. President, I move to amend the committee amendment by striking out "$300,000" and inserting "$70,000."

In support of that amendment I wish to say that the Postmaster General has stated in a report which has been submitted, and to which attention has been called by at least two Senators, that $70,000 was all that he required; and the Fourth Assistant Postmaster General, testifying in regard to this matter, stated, as the Senator from Iowa [Mr. KENYON] reported upon the floor of the Senate a few days ago, that unless he could have $8,000,000 he did not care for anything.

We would really be doing the proper and wise thing to appropriate nothing; but the Postmaster General has stated that he will be satisfied with $70,000, and it seems to me that with that report we ought not to increase it to $300,000.

Mr. HARDWICK. Mr. President, in behalf of the committee I submit that this amendment ought to be adopted in the form in which the committee proposed it and for the amount that the committee suggested. The action of the committee was taken after very careful consideration, much more careful than any Senator on the floor has been able to give the subject now, and not only after a full hearing of the Fourth Assistant Postmaster General, but after a full understanding of the Postmaster General's views and after hearing the inspectors who investigated this subject.

Let me say, Mr. President, that there were things of which we did not approve in connection with the way this experiment has been made. We believed that the accounts have been padded by the men who were conducting this experiment, without the consent, we hope, of the Fourth Assistant Postmaster General; but we wish to have a real, reasonable, and accurate opportunity of measuring what this service is before we finally relegate it to the rear, as we would do by appropriating only $70,000.

Let me call the attention of the Senate to the fact that the proposition reported by the Senate committee, and unanimously reported by that committee, embraces two kinds of experiments—first, the kind which the Postmaster General has said that $70,000 would permit him to make, and, second, another and a vastly more important character of experiment, which is the experiment in county rural parcel post express.

The Senate knows, I think, that one of the great objects that were expected to be accomplished by the rural delivery service was handling parcel post matter from the country, the rural sections, to the towns and villages. That service has fallen down absolutely, so much so that if you take the rural routes of the United States, they average one parcel incoming to the towns and seven outgoing from the towns to the rural sections per route throughout the United States. And more than that, We propose to use the greater part of this money to experiment in a number of counties, at least one in each State, to see what a parcel post county express system will do. The people who live in the towns and cities and villages get express facilities. They get parcel post service from the Government, operated on the railroads. It is impossible to put this parcel post service in connection with the mail routes for two reasons:

First, because the carriers do not desire to increase the size and cost of their equipage, and therefore oppose it; second, because it has a tendency to slow the mails, so much so that the patrons themselves do not patronize it and support it as they would do otherwise. Our idea is to try this service separate from the existing mail-route service but as a part of one system as a whole.

In my judgment the Senate would do wisely—I have no interest in the matter except the fact that I have studied it and think I understand it—to stand by what the committee has done and to keep this amount of $300,000 in the bill, so that both of these experiments can be conducted simultaneously.

Mr. SWANSON. Mr. President, as the Senator from Georgia has well stated, $1,000,000 was appropriated for this purpose by the House. It came to the Senate and investigations were made, and the profits were found to be not as large as were reported in the estimates made in connection with the automobile routes. The Senate committee thought this matter ought to be tested.

It is not a waste of $300,000. It is simply an investment, which, we think, will return more to the Government than it costs; and, as the Senator has well said, the parcel post is the country express. The reason why the parcel post was adopted was because it was impossible to get the express companies to carry parcel post out into the country. The cities had express, but they could not get to the country. There has been a great demand from the country to have their products, both pro and con, brought to the railroads, carried to the large cities, and have a means of communication between the country and the cities.

The experiment showed an immense profit. I wish to say, in justice to the Fourth Assistant Postmaster General, that these were estimates of profits made and not actual counts, and inspectors went there and investigated on certain days, and the profits reported by them were less than were estimated.

I am satisfied that there is a great need in the country for service of this kind. There are sections of the country where railroads can never be built; where there are distances of 20, 30, or 40 miles intervening between railroads; where there will be no possibility of ever having railroads. We now have the automobile, and the idea is that the automobile, to some extent, can supply the needs of the country where possibly it will be years before they will have any railroad facilities so that products can be sent by express. In that way the farmers can send their produce to the towns and the town people can send their patronage out to the farmers. In addition to that, a great many farmers have an idea that this can be developed so that the producer can be brought in direct contact with the consumer.

We direct experiments with both of these systems—first, as recommended in the case of the $70,000, immediately around the towns; second, to see if the country express can be made a success in the rural districts. The experiments that have been made have not been satisfactory. Very frequently these routes have paralleled railroad routes and did not extend into sections of the country where there were no railroads. We have drawn provisions that would require these two experiments to be made in the way stated by the Senator from Georgia [Mr. HARDWICK]. We require the accounts to be accurately kept. We give them an opportunity to select the routes where the system can be a success, and it seems to me that this experiment should be made. Nearly all the country people with whom I have been in communication—farmers' associations, people that produce—want a country express, and they are nearly unanimous for this service. We can never determine whether or not it can be made a success until the experiment is made. Seventy thousand dollars will not make an adequate experiment. It would only keep up one-fourth of the service that we already operate.

Mr. HARDWICK. We want to try the experiment in every State of the Union. We could hardly do it in one of them for $70,000.

Mr. SWANSON. That amount would merely enable them to keep in operation a few routes that are being operated at present.

The House thought $1,000,000 ought to be given for this purpose. The Fourth Assistant Postmaster General thought he could take $8,000,000 and show an immense return to the Government in the way of profits. This is not money wasted. This is a business proposition, to see if by experimenting with $300,000 you can not add to the Post Office Department a system of country express, bringing the producer and the consumer in close contact, and thus make it a profit, and not a loss, to the Government.

We do not want them to come in here next year and say that they have not had enough money for the purpose of making adequate experiments. I would be willing to vote the amount contained in the House provision, because I believe a million-dollar expenditure would show $1,000,000 or $2,000,000 of profit to the Government. The only difference of opinion has been as to whether the routes we have had have been as profitable as claimed; but I am satisfied that in the aggregate the experiment has shown that the money spent last year has brought in as much as was expended.

Mr. TOWNSEND. Mr. President, the Senator from Georgia [Mr. HARDWICK] has correctly stated that the Senate amendment was adopted unanimously by the subcommittee; but I feel that it is fair to state to the Senate that I had no faith, and have none now, or very little, in this provision. I am willing, however, under the language that we put in, to try this experiment for another year.

The fact of the matter is that $300,000 was appropriated last year for this very purpose, and the report of the Post Office Department as to the operation of this system by the Fourth Assistant Postmaster General was simply condemnatory in almost every particular. No experiment that was at all reliable was made. The representatives of the Post Office Department appeared before us, and said that they could establish seven routes at $10,000 per route, which would demonstrate whether or not this thing was feasible; but the Senator from Georgia and other Senators felt that we ought to extend the experiment a little further than under the provisions of the old law, and I finally consented to adopt that proposition. The Senate ought to know, however, that this experiment as it was tried last year was a failure, an ignominious failure; and it was bolstered up by reports from the carriers to the people who administered it for the purpose of deceiving the Congress. There was no question whatever about that. There could be no other purpose in it than to make it appear that it was a more useful and valuable institution than the facts actually disclosed.

I voted for this provision in the first place, a year ago, because I thought there was a great possible field at least for the operation of a sort of truck express. The more we have learned about it, the more the facts have been disclosed to us, the more I am convinced that it never can succeed; but still I am perfectly willing to continue the test under the restrictions placed upon it by the Committee on Post Offices and Post Roads, although I preferred in the first place that we should grant simply the $70,000, because the Postmaster General said he could make an experiment with that so as to test it out and know what to do in the future. I still think, however, that the amendment offered by the Senator from Georgia [Mr. HARDWICK] opened the field a little bit, and perhaps presented another aspect which ought to be disclosed through experiments.

Therefore I am willing that the provision of the Senate committee shall be adopted, and I shall support it.

Mr. KING. Mr. President, will the Senator yield?

Mr. TOWNSEND. I yield.

Mr. KING. I should like to ask the Senator, if this plan shall be carried on to any very great extent, whether it will not have the effect, first, of tremendously increasing the number of Federal employees, multiplying to a large extent the expenses of the Post Office Department, and ultimately putting hundreds and thousands and tens of thousands of people under the civil service; and will it not also result in curbing the construction of interurban electric-railroad systems, which in the past have done so much to link rural communities with the cities and rural communities with each other, and hurt the railroads, which are now struggling for existence, struggling for enough revenue—not only the large railroad systems, but the smaller, interurban railroad systems?

Mr. TOWNSEND. Mr. President, I am not so much interested in that; that is, I am not disturbed over it, because I am confident that unless this experiment proves that this is a really valuable facility in the interest of the people, it will not be continued; and if the demonstration shows that it is needed in the interest of the people of the country, I am not particularly interested in what happens to some other instrumentality of commerce. But, convinced as I am now that if it were left to me alone I should say that a demonstration has already been made sufficient to satisfy me that this scheme never can succeed, if I had time enough to disclose the facts that were brought out I perhaps could convince others that that was true; and yet, being finite, and very finite, and limited in my vision into the future, I am still willing to continue the experiment for another year under the restrictions we have thrown around it. The majority of the committee thought $300,000 was not too much—that is the same appropriation that we made last year—and I therefore consented that that might go in, although I wanted the amount made $70,000.

Mr. POMERENE. Mr. President, will the Senator yield for a question?

Mr. TOWNSEND. I yield.

Mr. POMERENE. A moment ago the Senator made the statement that the experiment heretofore had proven a failure. Will the Senator tell us in what respect it has proven a failure, and why, in the mind of the department, it was a failure?

Mr. TOWNSEND. Mr. President, it would take a long while, but I will say in brief that it was a failure because it did not answer any useful purpose, the useful purpose for which it was instituted. The department, or those immediately in charge, the carriers, padded the reports of what they were doing. They carried mail in this way that ought to have been sent by post, and that was paid for by the Government to go by post They put those in as returns of the system, in order to make it appear less of a financial loss than it really was. Furthermore, it was not instituted in the places where possibly there could have been a good test of it. There were many things that entered into it.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Idaho?

Mr. TOWNSEND. I do.

Mr. BORAH. Are the people who padded the reports still at large?

Mr. TOWNSEND. They are still at large; and the singular part of it is that the Fourth Assistant Postmaster General did not think that of much consequence anyway, because after they got their reports of receipts all in they commenced by a series of arbitrary reductions to cut out this much and that much, 33⅓ per cent for one thing and 50 per cent for another, with the hope that finally they would get to a basis that might be approximately correct, but with no foundation of fact as to what the cost was or what the receipts were. We have tried to prevent that in this bill, and to get an experiment that would be a faithful exposition of what the operation really is.

Mr. WEEKS. Mr. President——

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Massachusetts?

Mr. TOWNSEND. I do.

Mr. WEEKS. I think the Senator from Michigan might also have added that while it was reported to the committee that the experiment was a financial success, it developed that it was only a financial success because the first-class mail was diverted from other means of transportation and carried in these trucks, very frequently delaying the delivery of the mail, and I think the Fourth Assistant Postmaster General agreed that without carrying first-class mail it can not be made a financial success.

Mr. JONES of Washington. Mr. President, may I ask the Senator a question?

Mr. TOWNSEND. Yes.

Mr. JONES of Washington. In answer to the Senator from Idaho, the Senator from Michigan said a moment ago that the people who had padded these returns were still at large. Can the Senator tell me whether or not they are still in the employ of the Government?

Mr. WEEKS. As far as I have any information, they are in the employ of the Government.

Mr. JONES of Washington. Are they likely to carry on these new experiments, and report on the money we are giving in this bill?

Mr. WEEKS. I am not sure about that. I should perhaps say to the Senate that the Postmaster General and the Fourth Assistant Postmaster General are not at all in harmony in connection with this system, except that the Postmaster General is trying to eliminate those people who are guilty of padding the returns. A specific case with reference to padding of returns is that of the transporting of mail between Baltimore and Gettysburg, Pa. The return indicated a very large amount of first-class mail carried, but the actual experiments developed that there were some days when there was none, and the average amount carried was only one-tenth of that reported by the carriers. Who was responsible for that I do not know, except the carrier himself on some kind of basis had made a false return.

Mr. HARDWICK. May I suggest to the Senator from Massachusetts, as I believe the Senator will agree, that I am sure we have safeguarded that situation as much as we can.

Mr. WEEKS. I should have said I voted for the appropriation of $300,000, because I thought the experiment had been so badly done and safeguards had been placed around it by the committee of such a character that as long as they had undertaken it we felt we had better have a fair and businesslike experiment made and returns made to Congress next year.

The VICE PRESIDENT. The question is on the amendment of the Senator from Utah [Mr. KING] to the amendment of the committee.

The amendment to the amendment was rejected.

The amendment was agreed to.

Mr. BORAH. Mr. President, I wish to submit a motion to suspend the rules, if this is the proper time to do it.

The VICE PRESIDENT. This is as good as any.

Mr. BORAH. Before making the motion to suspend the rules, I will offer an amendment to the bill by adding a new section, as follows:

SEC. —. That section 1 of an act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," passed and approved June 15, 1917; also that section 4 of the act passed and approved May 16, 1918, known as the second espionage act, be repealed.

I offer that as a new section to the bill. I do not care to discuss it if I can have a yea-and-nay vote upon the amendment.

Mr. BANKHEAD. Mr. President, I make a point of order against the amendment.

The VICE PRESIDENT. The point of order is sustained.

Mr. BORAH. Mr. President, I now move, in accordance with notice which I gave January 31, 1919, for a suspension of the rules, as follows:

I move that the provision of paragraph 3 of Senate Rule XVI, prohibiting any amendment proposing general legislation to any general appropriation bill, be suspended for the purpose of offering the following amendment—

Which amendment, Mr. President, I have just stated, and I do not think it necessary to restate it in order to get the motion before the Senate.

The VICE PRESIDENT. It is not. The question is, Shall the rule be suspended for the purpose of enabling the Senator from Idaho [Mr. BORAH] to offer his amendment?

Mr. BORAH. Upon that I ask for the yeas and nays.

Mr. BANKHEAD. Mr. President, I want to make a point of order against the motion to suspend the rule for the reason that we are proceeding under a unanimous-consent agreement on this bill, and we have agreed unanimously to proceed with it through the regular parliamentary stages to its passage. My point is that if we can change the unanimous-consent rule under which we are operating to make this amendment in order, we can change the rule for any other purpose and make any other proposition in order. It is a violation absolutely of the unanimous-consent agreement.

The VICE PRESIDENT. The rules of the Senate are not set aside by the unanimous-consent agreement. The point of order is overruled. The yeas and nays are called for.

The yeas and nays were ordered.

The VICE PRESIDENT. The Secretary will call the roll.

Mr. ASHURST. Mr. President, I understand the amendment of the Senator from Idaho is to repeal the so-called espionage law and amendments thereto.

Mr. BORAH. This is simply a motion to suspend the rule. If the motion prevails, then I will offer an amendment to provide for the repeal of section 1 of the first espionage act and section 4 of the second espionage act, which have reference alone to the power of the Postmaster General to exclude certain matter from the mail.

Mr. ASHURST. I always differ from the distinguished Senator from Idaho with reluctance, and I am rather amazed that such an amendment should be offered. Is the question debatable?

The VICE PRESIDENT. In the opinion of the Chair, the question is not debatable.

Mr. ASHURST. I beg the Chair's pardon.

The VICE PRESIDENT. The question is whether the Senate will suspend the rule. If it does, then the Senator from Arizona will have 10 minutes. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. KENDRICK (when his name was called). I have a general pair with the Senator from New Mexico [Mr. FALL], which I transfer to the Senator from California [Mr. PHELAN] and vote. I ask that this announcement may stand for the day. I vote "nay."

Mr. KNOX (when his name was called). I have a general pair with the senior Senator from Oregon [Mr. CHAMBERLAIN]. If at liberty to vote, I would vote "yea."

Mr. MOSES (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. MARTIN]. In his absence I withhold my vote.

Mr. MYERS (when his name was called). I have a general pair with the Senator from Connecticut [Mr. MCLEAN], who is absent. I transfer my pair to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], but upon this question I am at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. LEWIS. I rise to announce the necessary absence of the Senator from Oregon [Mr. CHAMBERLAIN], and that he is paired with the Senator from Pennsylvania [Mr. KNOX].

Mr. KNOX. I transfer my pair with the Senator from Oregon [Mr. CHAMBERLAIN] to the Senator from Illinois [Mr. SHERMAN] and vote. I vote "yea."

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN]; and

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED].

The roll call resulted—yeas 25, nays 39, as follows:

YEAS—25.

Borah	Hale	Lenroot	Spencer
Cummins	Harding	Lodge	Sutherland
Curtis	Hardwick	McNary	Townsend
France	Johnson, Cal.	New	Wecks
Frelinghuysen	Kellogg	Norris	
Gore	Knox	Page	
Gronna	La Follette	Penrose	

NAYS—39.

Ashurst	King	Pollock	Sterling
Bankhead	Kirby	Pomerene	Swanson
Beckham	Lewis	Ransdell	Thomas
Colt	McKellar	Shafroth	Thompson
Fletcher	Martin, Va.	Sheppard	Trammell
Gay	Myers	Simmons	Underwood
Henderson	Nelson	Smith, Ariz.	Wadsworth
Jones, N. Mex.	Overman	Smith, Ga.	Walsh
Jones, Wash.	Pittman	Smith, S. C.	Warren
Kendrick	Poindexter	Smoot	

NOT VOTING—32.

Baird	Gerry	Martin, Ky.	Sherman
Brandegee	Goff	Moses	Shields
Calder	Hitchcock	Nugent	Smith, Md.
Chamberlain	Hollis	Owen	Smith, Mich.
Culberson	Johnson, S. Dak.	Phelan	Vardaman
Dillingham	Kenyon	Reed	Watson
Fall	McCumber	Robinson	Williams
Fernald	McLean	Saulsbury	Wolcott

The VICE PRESIDENT. On the question, the yeas are 25 and the nays 39. So the Senate refuses to suspend the rule.

Mr. POINDEXTER. I offer the following amendment to be inserted at the close of the bill.

The SECRETARY. At the end of the bill add the following as an additional section:

SEC. 1. The office of postmaster in each class shall hereafter be a nonpolitical office, and shall be within the classified civil service, and appointments thereto shall be made in accordance with the civil-service rules and, so far as practicable, by promotion, or transfer, upon merit, without regard to politics, from the employees of the Post Office Department, subject to the permanent civil-service regulations and requirements.

Mr. BANKHEAD. I make a point of order against the amendment.

Mr. POINDEXTER. I was in hopes that the Senator from Alabama would not make a point of order. I suppose the point of order is good. It was the purpose of the amendment merely to establish the merit system instead of mere partisan politics in the appointment of these officials.

The VICE PRESIDENT. The point of order is sustained.

Mr. KING. Mr. President, I was absent the other day when the provision found on page 15, which is an amendment reported by the committee, was under consideration, and I think it was adopted in a pro forma way by the Senate. I refer to the provision commencing on line 7, page 15. The amendment authorizes the Postmaster General to contract in his discretion for pneumatic mail tube service in the city of New York, and so forth. I move to reconsider the action of the Senate by which the amendment was agreed to.

Mr. BANKHEAD. The amendment was agreed to four or five days ago, and it is too late for a motion to reconsider.

The VICE PRESIDENT. The Chair does not know when it was agreed to.

Mr. KING. It was agreed to several days ago.

Mr. BANKHEAD. About a week ago.

Mr. KING. I can say the amendment was accepted several days ago. I did not learn until a few days after it had been accepted by the Senate.

Mr. SWANSON. Mr. President, I hope the Senator will not press his motion to reconsider. I have always been opposed to pneumatic tubes and always voted against them; but it seems to me this is a very harmless provision. There was a difference of opinion as to whether the pneumatic tube is a failure or a success. This simply leaves it in the discretion of the Postmaster General to find out whether it is a success and to simply keep the tubes until the experiment is absolutely completed and it is determined whether it is a success or not. It is done without cost to the Government. I see no reason why the tubes should now be taken out. We might reconsider our action and afterwards find it was a mistake not to have the tubes. They might be utilized and I see no reason why they should not be kept there; in other words, I see no reason why this provision should not be retained in the bill.

Mr. KING. Will the Senator yield?

Mr. SWANSON. I yield for a question.

Mr. KING. The Senator will recall that when the bill was passed about a year ago, the President vetoed it because of the provision in the bill providing for pneumatic tubes. It seems to me in the light of the action of the President and in view of the opposition of the Postmaster General, it would be very unwise and improper for us to insert it in the bill.

Mr. SWANSON. I do not know whether the Postmaster General is opposed to it or not. I do not know anything about that. I have never heard from him about it. I know I fought and antagonized the appropriation for pneumatic tubes. I did not think it was a success. I fought it when I was in the House and always believed we spent more money than was justified by the good we got out of it, but there is a difference of opinion. Commissions have investigated it. I think the Senator from Georgia [Mr. HARDWICK] investigated it and thought it ought to be experimented with. All the objection is that the Postmaster General is opposed to it, and I concur with him in it. This authorizes him, if the mail can not be more economically carried without these tubes, to carry it over the pneumatic tubes. The second provision is that pending this experiment for a year or two the tubes shall be kept in their present place without expense to the Government. What harm can be done by this provision?

Mr. BANKHEAD. I find that the amendment was agreed to last Friday, a week ago yesterday, and there was no suggestion of a motion to reconsider within the time prescribed by the rule. Therefore the motion now comes too late.

The VICE PRESIDENT. The Chair sustains the point of order.

Mr. KING. I reserve the right to ask for a separate vote on the amendment in the Senate.

The VICE PRESIDENT. If there are no further amendments as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. What amendments have been reserved?

Mr. THOMAS. I reserve the right to make a point of order against sections 5 and 6.

Mr. SMITH of Georgia. I desire to reserve the amendment offered by the Senator from Arkansas [Mr. KIRBY] to the road provision with reference to the use of convict labor.

The VICE PRESIDENT. The question is on concurring in all amendments not reserved.

Mr. KING. If it is permissible under the rules, I also reserve the right to raise the point of order in the Senate with respect to the amendment found on page 15, known as the pneumatic-tube amendment.

The VICE PRESIDENT. The question is on concurring in all the amendments made as in Committee of the Whole that are not reserved. They are concurred in, without objection.

Mr. THOMAS. Mr. President, I desire to make a point of order against sections 5, 6, and 8—that they are general legislation attached to an appropriation bill and are, therefore, obnoxious to the rule of the Senate upon that subject.

Mr. SWANSON. This specific question was debated at length and passed on yesterday by the Senate; the point of order was overruled after full debate and, on a yea-and-nay vote, the Senate sustained that decision.

There has also been some question as to whether or not a point of order which had once been raised and decided as in Committee of the Whole could be renewed in the Senate. There has been a conflict of opinion as to that; but the Chair has formerly held—I do not know whether that decision has been subsequently reversed—that under the rule the point of order must be made as in Committee of the Whole. The late Senator Clarke, of Arkansas, at one time took the ground that when a point of order had been decided as in Committee of the Whole the matter had been finally determined; and, acting as President pro tempore, he declined to consider a renewal of the point of order in the Senate. The raising of the point of order now has been precluded by the action of the Senate when it passed judgment upon the matter on yesterday.

The VICE PRESIDENT. The Chair announced as to the pending bill on yesterday that the Chair would not pass upon points of order or upon any question involved in the road controversy, for the reasons then given. So it is now up to the Senate to decide this question.

Mr. THOMAS. If the matter is to be decided by a vote of the Senate, of course I know what the decision will be.

The VICE PRESIDENT. Of course, it would be an appeal from the decision of the Chair, and would be decided the same way. It would not make the slightest difference in the world.

Mr. THOMAS. Then I withdraw the point of order, Mr. President, as, of course, it is a foregone conclusion.

The VICE PRESIDENT. Everybody knows that. The point of order is withdrawn. The question is on concurring in the amendment.

The amendment was concurred in.

The VICE PRESIDENT. The Senator from Utah [Mr. KING] reserved for a separate vote an amendment, which will be stated.

The SECRETARY. On page 15, the Senate, as in Committee of the Whole, agreed to an amendment beginning in line 3, after the words "*Providing further*," to strike out from the House text the words down to and including the words "District of Columbia," in line 7, and proposed to insert an item relative to the pneumatic-tube service.

Mr. KING. Mr. President, I raise the point of order against this amendment that it is general legislation on an appropriation bill.

The VICE PRESIDENT. The Chair overrules the point of order. It is not general legislation.

Mr. KING. I ask for a vote.

The VICE PRESIDENT. The question now is on concurring in the amendment.

The amendment was concurred in.

The VICE PRESIDENT. The bill is in the Senate and still open to amendment. If there be no further amendment, the amendments will be ordered to be engrossed and the bill read a third time.

Mr. MOSES. I wish to offer in the Senate an amendment which I offered as in Committee of the Whole on yesterday, which was lost by a tie vote.

The VICE PRESIDENT. The amendment proposed by the Senator from New Hampshire will be stated.

The SECRETARY. On page 37, line 15——

The VICE PRESIDENT. The Senator from New Hampshire will have to move to reconsider the vote by which the committee amendment was agreed to, if he is going to offer his amendment to the amendment of the committee. His amendment is out of order at present. The Senator from Colorado [Mr. THOMAS] withdrew his point of order, and the Chair put the question to the Senate on the amendment, and the amendment was concurred in. Now, the Senator from New Hampshire proposes an amendment to the committee amendment, but the vote whereby the committee amendment was agreed to will have to be reconsidered if the amendment to the amendment is to be presented by the Senator from New Hampshire.

Mr. MOSES. Then, I offer the amendment, Mr. President, in the form of a new section, to come in at the end of the bill.

The VICE PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following as a new section:

SEC. —. That any money expended by the United States Government in the construction of military roads in any State to and from (but not within) any cantonment, aviation field, or any property used for military or naval purposes, shall first be deducted from the amount apportioned to such State under this appropriation.

The VICE PRESIDENT. The question is on the amendment.

Mr. MOSES. Mr. President, the purpose of again bringing this amendment to the attention of the Senate is because of the manner in which it was voted upon on yesterday and the result of that vote, and also to call attention to the desirability of equalizing the advantages to be derived by the several States under the provisions of this act.

In many of the States where military establishments were set up there were many miles of enduring roads built wholly by soldier labor and paid for wholly out of the military appropriations. The men who built those roads had enlisted to fight the Hun, but they became much more familiar with the concrete mixer than with the machine gun. While I am not questioning the military utility of the roads thus built, I do know that they extend over many miles in length; that they are wholly suitable for roads proposed to be created in this bill; and that, if they are to be taken over into the systems which the States thus benefited will create under this measure, it is only a matter of equity that those States should have the cost of those roads deducted from their allotment under this bill.

Mr. BANKHEAD. I did not catch the reading of the amendment, and I ask to have it again read.

The VICE PRESIDENT. The Secretary will again read the amendment.

The Secretary again read the amendment of Mr. MOSES.

Mr. BANKHEAD. We have voted that amendment down on one or two occasions, and I hope it will not be adopted.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from New Hampshire. [Putting the question.] The noes seem to have it.

Mr. MOSES. I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FRELINGHUYSEN (when his name was called). I transfer my general pair with the junior Senator from Montana [Mr. WALSH] to the junior Senator from New Jersey [Mr. BAIRD] and vote "yea."

Mr. FRELINGHUYSEN (when the name of Mr. MOSES was called). The junior Senator from New Hampshire [Mr. MOSES] desires to have the announcement made that he is paired with the junior Senator from Kentucky [Mr. MARTIN], and therefore would withhold his vote.

Mr. MYERS (when his name was called). I transfer my pair with the Senator from Connecticut [Mr. MCLEAN] to the Senator from Nebraska [Mr. HITCHCOCK] and vote "nay."

Mr. THOMAS (when his name was called). I have a general pair with the senior Senator from North Dakota [Mr. MCCUMBER], who is absent. I therefore withhold my vote.

The roll call was concluded.

Mr. PENROSE (after having voted in the affirmative). I have a general pair with the senior Senator from Mississippi [Mr. WILLIAMS]. I observe that that Senator has not voted, and I transfer my pair with him to the senior Senator from Utah [Mr. SMOOT] and will let my vote stand.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from Vermont [Mr. DILLINGHAM] with the Senator from Maryland [Mr. SMITH];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED];

The Senator from Indiana [Mr. WATSON] with the Senator from Delaware [Mr. WOLCOTT]; and

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON].

The result was announced—yeas 20, nays 35, as follows:

YEAS—20.

France	Kendrick	New	Sterling
Frelinghuysen	Kenyon	Norris	Sutherland
Gore	La Follette	Page	Wadsworth
Jones, Wash.	Lenroot	Penrose	Warren
Kellogg	McNary	Spencer	Weeks

NAYS—35.

Ashurst	Jones, N. Mex.	Poindexter	Smith, S. C.
Bankhead	Kirby	Pollock	Swanson
Beckham	Lewis	Pomerene	Thompson
Colt	McKellar	Ransdell	Townsend
Fletcher	Martin, Va.	Shafroth	Trammell
Gay	Myers	Sheppard	Underwood
Gronna	Nelson	Simmons	Vardaman
Hardwick	Overman	Smith, Ariz.	Walsh
Henderson	Pittman	Smith, Ga.	

NOT VOTING—41.

Baird	Gerry	McCumber	Shields
Borah	Goff	McLean	Smith, Md.
Brandegee	Hale	Martin, Ky.	Smith, Mich.
Calder	Harding	Moses	Smoot
Chamberlain	Hitchcock	Nugent	Thomas
Culberson	Hollis	Owen	Watson
Cummins	Johnson, Cal.	Phelan	Williams
Curtis	Johnson, S. Dak.	Reed	Wolcott
Dillingham	King	Robinson	
Fall	Knox	Saulsbury	
Fernald	Lodge	Sherman	

So Mr. MOSES's amendment was rejected.

Mr. SMITH of Georgia. Mr. President, there was an amendment reserved by me. Will that amendment be read in its order or what status will it occupy? It is to be acted upon again in the Senate, as I understand. Unless it is acted upon in the Senate favorably, it will not become a part of the bill.

The VICE PRESIDENT. The Senate will have to reconsider the vote. Is there any objection to that?

Mr. SMITH of Georgia. I could not understand the Chair.

The VICE PRESIDENT. The Chair said the vote will have to be reconsidered whereby the amendment was adopted.

Mr. SMITH of Georgia. It has not been adopted in the Senate. I reserved it.

The VICE PRESIDENT. The Chair understands that; and then the Senator went out.

Mr. SMITH of Georgia. I did not go out, Mr. President. The amendment was not called up.

The VICE PRESIDENT. Well, without objection, to make the record straight, the vote whereby the amendment of the committee was concurred in is reconsidered. The Secretary will state the amendment reserved by the Senator from Georgia for a separate vote in the Senate.

The SECRETARY. There was added at the end of section 6, after the word "marines," in line 15, the following amendment offered by Mr. KIRBY:

And provided further, That none of the funds herein appropriated shall be expended for improvements whereon convict labor is employed.

Mr. SMITH of Georgia. Mr. President, in a number of the States convicts have been put upon the public roads. In my own State I had the privilege of breaking up the convict lease system and turning the convicts over to the counties, where, under the county authorities, their entire time is given in the fresh air and under humane treatment to work upon the public roads. Our public road system is based upon the use of convicts. We have found that is the very best way that the convicts can be handled, and all the friends of reform in the treatment of convicts, especially in the States of mild climate, agree that it is by far the best way to handle them.

Of course, in the State of Georgia and in all States where there are unemployed laborers who desire work, there will be a chance afforded them to work on this enterprise. A road may stretch for quite a number of miles, and to exclude the use of any convicts on any part of the roads would be unwise and would seriously interfere with the existing mode of construction. No exclusion of the unemployed who desire work would take place, I feel absolutely certain; but to exclude entirely the use of convict labor in those States, especially in States where the climate is mild, where all the convicts are used on road work, would handicap those States in doing this work. In my own State it would be impossible at this time to employ free labor to do the road work. There is not labor sufficient to do the work now in the State, and many demands for labor are made in the State that can not be filled. There are no unemployed in the State, and I do not believe that there will be any unemployed this year in the State in which I live, of the class of unskilled labor that will do this work. I think we can trust the State authorities in this matter to handle it in the spirit of the bill. If this amendment is insisted upon, a number of them will be handicapped in their road work.

Mr. KIRBY. Mr. President, I presented this amendment because I thought it ought to become a part of the bill. We have talked here about improving conditions for the benefit of the returning soldier; we have said that he should be given the preference in the construction of these improvements for which the money is provided by this appropriation; and, if we are going to permit convicts to work on these roads to the exclusion of other labor, we are in effect obtaining this money from the Government under false pretenses. That is about what it amounts to.

The condition in my State is that we work the convicts on the State farm. I helped to destroy the convict lease system in my State, which was an outrage against labor, decency, and humanity there, and very scandalous conditions attached to the operation of it, and inhuman treatment resulted to the convicts employed under the contract. We work the roads by taxation in my State, and here we tax the people and give this money back to the State to improve the roads. I say that when you put a convict on the road you deprive the man who has not committed an offense, and who is not a criminal, and who has paid the taxes, of the opportunity to go out there and work on the road and get some of this money back. You deprive him of the opportunity for employment.

The convict on the farm is subject to the State's control. He is not required to work any more than he ought to be required to work. Nobody has any interest in doing that; and he can not produce enough crops to affect the price of crops. He therefore does not come in competition with the farmer. If you put him on the road, he does deprive the free man, who has paid his taxes and has not violated the law, of that opportunity for employment, and comes in competition directly with his labor.

I do not think that ought to be encouraged under a bill that is proposed to bring relief to the discharged soldier and give him an opportunity for employment upon his return home.

Mr. OVERMAN. Mr. President, in the State of North Carolina we work convicts on the farm, and then the counties also work their convicts. That does not interfere at all with free labor. We work free labor and convicts. They do not work together. The convict gang works one part of a road, and the free labor works another part of the road, so that under this very bill which we propose to amend here we have used money to build the great highways through my State partly by free labor and partly by convict labor.

If we get this money we will use the soldiers, but at the same time we will not have enough free labor to build the roads unless we can use our convicts. If we send the convicts back to the penitentiary, or send them back to the farm, we can do scarcely any road building.

Mr. KIRBY. Mr. President, we are proceeding on the theory that we will need this authority to give the soldiers employment.

Mr. OVERMAN. Why, certainly we will need the North Carolina soldiers. We will work them on the road; we will pay them the salary and work them without regard to the convicts. The convicts will do their part, and the free labor will be paid, and every one of them will be employed.

Mr. KIRBY. I should like to ask the Senator this question: Can you not under the provisions of this amendment—it was intended in no other way—work the free labor on roads upon which convicts are not employed? You can say, "We will build this road, and this road, and this road with free labor."

Mr. OVERMAN. This will not interfere with the free labor. It will not interfere with the soldiers. We will give employment to every one of them, as we have been doing for two years under the appropriation we have and under the law to which this is amendatory. Now you want to deprive us of the appropriation we got two years ago and stop the convicts from working on the great central highways of the country.

As I say, free labor is not interfered with. There is no competition. There will be no competition. We will work all the soldiers that can be worked and that will accept employment.

Mr. SHAFROTH. Mr. President, in the State of Colorado we passed a law allowing 10 days off of a sentence for each month's service in road building, and the result was marvelous. The men who were convicts willingly, eagerly sought to be placed on the road. They did the work more rapidly than the ordinary person employed. It made them healthy. It gave them strength, so that when they left the prison, instead of having the prison pallor upon them, they were vigorous, strong, and could readily get employment. It has been a wonderful success in that State and has resulted in no opposition whatever to the convicts being used upon the State roads in the State of Colorado.

Mr. THOMAS. Mr. President——

The VICE PRESIDENT. Does the Senator from Colorado yield to his colleague?

Mr. SHAFROTH. Certainly.

Mr. THOMAS. The Senator should also state that convict labor in the State which we represent is devoted to road building under what is called the honor system. The convicts in Colorado work in squads, without guards. They select their own foremen. They are responsible for their return to prison whenever called upon. They are paid wages, the same wages which others draw. Their work is excellent, just as good as can be found anywhere; and the effect upon the morale of the prison population has been simply wonderful.

Mr. SHAFROTH. I will state, further, that although they have no guards—that while they are working in the daytime there is nobody watching over them except an unarmed superintendent, and at night no one but a guard who is himself a convict—we have no more escapes than occurred in the prisons before the time when that law was adopted.

On account of the great benefit which it has been to the State, it seems to me that that should be taken into consideration when we pass on this matter.

Mr. BANKHEAD. Mr. President, I simply desire to say a word.

It seems to me that the amendment of the Senator from Arkansas will have this effect if it is adopted: You are going to take these convicts off the road. Then what are you going to do with them? You must return them to the walls of the penitentiary or somewhere else where they can be employed, and necessarily you will put them to manufacturing different products for the market, thereby putting them in direct competition with skilled free labor. Now, does anybody want to do that?

That is all I want to say. I am against this amendment. I think it is very bad indeed.

Mr. SMITH of South Carolina. Mr. President, I want to state that the facts in reference to North Carolina, as stated by the Senator from that State, are practically the same that exist in my State. There was opposition to the use of convict labor to any extent upon what we call the State farm. There was unrest among some, whether well-founded or not, on the

ground that the products of this labor would come in competition with the products put upon the market by free labor.

It is now the universal custom in my State to put the convicts upon the roads. We have the taxing system there, and the convicts are employed in road building, not to the exclusion of free labor; and under this good-roads bill free labor can be employed to supplement the convict labor without any detriment whatever to the caste of those of free labor who do the work. If the amendment of the Senator from Arkansas should be agreed to, it would necessarily force us to employ them only on the roads for which the State itself had appropriated. We could not use them in conjunction with this appropriation to carry out the coordinated work that is here contemplated. It would demoralize the whole system. It would cause us not to coordinate. We could not have anything like the perfect system that could be worked out otherwise if this amendment should prevail.

I sincerely hope the amendment will be defeated. It will serve no good purpose whatever, but will create confusion.

Mr. VARDAMAN. Mr. President, I am not going to discuss this amendment. I rise simply for the purpose of expressing my regret that I was not here to vote on suspending the rules for the consideration of the amendment offered by the Senator from Idaho [Mr. BORAH]. I was called out of the Chamber on account of the illness of a friend, and was unable to be present to vote for that amendment, of which I very much approve, and I am sorry that it was not adopted.

Mr. JONES of New Mexico. Mr. President, I want to say just a word with regard to the amendment of the Senator from Arkansas [Mr. KIRBY].

New Mexico was the pioneer in this respect. As a Territory she first began in the United States the work of using convicts upon the public roads. We had quite a problem in handling our convicts. We did not know how to use them in any other way, so as not to bring them in competition with free labor; and so New Mexico first established the system of using her convicts in public road building.

I sincerely hope that the amendment of the Senator from Arkansas will not be adopted.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Arkansas [Mr. KIRBY] to the amendment of the committee. [Putting the question.] By the sound the "noes" seem to have it.

Mr. KIRBY. I should like to have a division on it, anyway. The Senate all voted for it the other day.

On a division, the amendment to the amendment was rejected.

The VICE PRESIDENT. The question now is on concurring in the amendment made as in Committee of the Whole, as amended.

The amendment as amended was concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. FRANCE. Mr. President, as there will be no roll call on the passage of this bill, and as there are certain features of the bill which I can not bring myself to approve, I desire the RECORD to show that I voted against the bill.

The VICE PRESIDENT. The question is on the passage of the bill.

The bill was passed.

Mr. BANKHEAD. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BANKHEAD, Mr. SWANSON, Mr. HARDWICK, Mr. TOWNSEND, and Mr. WEEKS conferees on the part of the Senate.

SECOND DEFICIENCY APPROPRIATIONS.

Mr. MARTIN of Virginia. I move that the Senate proceed to the consideration of the second deficiency bill, H. R. 15140.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

RECESS.

Mr. MARTIN of Virginia. I now move that the Senate take a recess until 2.45 o'clock to-morrow afternoon. The Roosevelt memorial exercises are to take place in the Hall of the House of Representatives at 3 o'clock, and I ask that the Senate recess until 2.45 o'clock p. m.

The motion was agreed to; and (at 6 o'clock and 55 minutes p. m.) the Senate took a recess until to-morrow, Sunday, February 9, 1919, at 2.45 o'clock p. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 8, 1919.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty and ever blessed God, whose mercy is from everlasting to everlasting, we bless Thee for that providence which has upheld, sustained, and guided us through all the past. Continue, we beseech Thee, Thy blessings unto us that we come more and more into Thy kingdom under the leadership of the world's Great Redeemer. Amen.

The Journal of the proceedings of yesterday were read and approved.

NATIONAL CEMETERY IN FRANCE.

Mr. FOSTER and Mr. KELLEY of Michigan rose.

The SPEAKER. For what purpose does the gentleman from Michigan [Mr. KELLEY] rise?

Mr. KELLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a letter written to the Secretary of War by one of the leading lawyers of the State of Michigan, urging the establishment of a national cemetery in France.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The following is the letter referred to:

JANUARY 24, 1919.

Hon. NEWTON D. BAKER,
Secretary of War, Washington, D. C.

DEAR MR. BAKER: I am informed by the Secretary to the President that a letter which I wrote to the President on December 27 has been referred to you. This letter related to the establishment in Europe of an American cemetery, wherein the soldiers of this country who died in Europe may be interred in a proper and decent manner. I am also informed that some Congressman has introduced a resolution on this subject, but I have not that resolution before me, and therefore do not know just what it is.

The idea I have in mind is this, as I think was fully stated in my letter to the President, that we ought to obtain two or three thousand acres of land somewhere in France or Belgium, preferably in France, that could be converted into a cemetery which would be large enough for all the deceased soldiers over there, and have their remains transferred there as soon as possible. While the Government has said, as I understand it, that it will cause to be shipped home the remains of such soldiers as their relatives desire to have brought home for burial, yet I am satisfied that many will feel, as did ex-President Roosevelt, that they would not prefer to have the remains brought to the United States for burial, and indeed it would be an almost impossible thing, and a gruesome one as well, to attempt to bring the remains of very many to this country after they have already been buried for several months.

If anything is to be done along this line it ought to be done promptly. Yourself and myself, as lawyers, know that we would have no right to purchase land in a foreign country even for burial purposes without some sanction by the Government of that country allowing us to do so, and a part of what we would need would be a provision by which we would have supervision of the property and the right to travel to and from it with such soldiers, servants, and agents as we might see fit to employ, and, of course, this would be a perpetual right, as the cemetery would be supposed to be perpetual. Then again, if the right were granted us by the Government of France we might have difficulty in getting title to the property that we needed or wanted, as some would perhaps refuse to sell, and others would hold us up for an excessive price, and, therefore, the only seemingly practical way would be for the French Government, or whatever country we might want to locate it in, by proper law passed, to purchase for us these lands, and, of course, would have the right to put in the act a condemnation clause where it became necessary. I would suggest that this cemetery be located not far from one of the battle fields where our boys fought so valiantly, and that the matter be taken up at once so that when spring comes we could begin transferring the remains of our boys into this cemetery. We have a large number of soldiers over there now who might be used for the purpose of aiding in this work, and I take it we could find plenty of people over there whom we could employ to assist in this work. In other words, it ought to be done quickly and before the markers which have already been put up to mark the graves have been destroyed or decay. I should judge from what I hear of the resolution which has been presented in Congress that the contemplation was to have several burying grounds. Of course, that might be necessary, but it would take legislation in other lands wherever the burying grounds were located, and it occurs to me that it would be more practical to have it all in one place, as above suggested, and the work handled along the lines as above suggested.

You probably have seen the cemetery at Chattanooga, wherein the remains of many of the Union soldiers are buried who fell on the battle fields near there. When I first saw that cemetery I was impressed with the idea that so many men were buried there when their relatives and friends lived in the same country and might have had their remains taken home for burial, but it is very certain that there would be a large number of our American boys whose remains would not be sent back to the United States; many of them have no friends who would ask to have them sent back home, as we certainly ought to honor them, as well as honor our country, by arranging for a decent burial place, and I know of no better way than the one I have suggested. I would, therefore, suggest that if the resolution already offered in Congress does not provide for one central cemetery, as above suggested, that it be amended accordingly. I am satisfied that the people of this country without exception would be pleased to have this work done, and that we would have no trouble when once it was understood throughout the country, and the matter should be carried through Congress without delay, because every Congressman would be deluged with letters if people knew this was up before them to have this carried through.

Please pardon me for taking so much of your time on this matter, but I deem it very essential and important, and, as above suggested, something ought to be done just as soon as possible. If you have any sug-

gestions of where I can help you get this through Congress by writing the Members of Congress from this State, with all of whom I am very well acquainted, I would be glad to take it up.

Respectfully, yours, ———— ————.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River in the State of Ohio;

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North, between Traill County., N. Dak., and Polk County, Minn.;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 15219. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes;

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto, approved October 6, 1917; and

H. R. 1607. An act for the relief of David E. Gray.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 5534. An act granting the consent of Congress to Oliver Cabana, jr., Myron S. Hall, E. G. Connette, William F. MacGlashan, John H. Bradley, and M. A. Hurt, to construct a bridge across Niagara River within or near the city limits of Buffalo, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917;

H. R. 13353. An act to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies;

H. R. 1607. An act for the relief of David E. Gray;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio; and

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn.

DIGEST AND MANUAL.

Mr. FOSTER. Mr. Speaker, I present a resolution and ask unanimous consent for its consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 557 (H. Doc. No. 1779).

Resolved, That there be printed as a House document 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the third session of the Sixty-fifth Congress, the same to be bound and distributed through the folding room.

The SPEAKER. Is there objection?

Mr. DYER. Reserving the right to object, does the gentleman propose that these be put to the credit of the Members?

Mr. FOSTER. It is proposed to distribute them through the folding room.

Mr. DYER. Is that the understanding? I know we have had trouble in the past to get even a copy.

The SPEAKER. Is there objection to the consideration of this resolution? [After a pause.] The Chair hears none.

The question is on the resolution.

The question was taken, and the resolution was agreed to.

E. F. KEISTER.

Mr. HASTINGS. Mr. Speaker, I present a privileged report from the Committee on Accounts, House resolution 547, to pay the clerk of the late Representative ROBBINS salary for one month.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 547.

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay, out of the contingent fund of the House, to E. F. Keister, clerk to EDWARD E. ROBBINS, a Representative from the State of Pennsylvania at the time of his death, the sum of $166.66, being an amount equal to one month's salary of a clerk of a Representative in Congress.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

LINCOLN'S GETTYSBURG ADDRESS.

Mr. RUBEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUBEY. I desire to submit a unanimous-consent request relating to Lincoln's birthday, and I ask to proceed for not more than one minute.

The SPEAKER. The gentleman from Missouri asks unanimous consent to proceed for one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. RUBEY. Mr. Speaker, for a number of years my colleague from Missouri [Mr. RUSSELL] has read Lincoln's Gettysburg speech on Lincoln's birthday. I am sure my colleagues will all regret that this year, on account of illness, he will not be able to perform that duty. I believe the custom should be continued, and therefore I ask unanimous consent that the Speaker of the House shall designate some Member to read, after the approval of the Journal on the 12th, Lincoln's Gettysburg speech.

The SPEAKER. The gentleman asks unanimous consent that the Speaker designate somebody to read Lincoln's Gettysburg speech. Is there objection? [After a pause.] The Chair hears none. The Chair appoints the gentleman from Missouri [Mr. RUBEY].

HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 3 o'clock p. m. to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-day it adjourn to meet at 3 o'clock p. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

HOUR OF MEETING MONDAY, FEBRUARY 10.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock a. m. on Monday, February 10.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that when the House adjourns to-morrow it adjourn to meet at 11 o'clock a. m. on Monday, February 10. Is there objection? [After a pause.] The Chair hears none.

THE REVENUE—CONFERENCE REPORT (NO. 1037).

Mr. KITCHIN. Mr. Speaker, I call up for consideration the conference report on the bill (H. R. 12863) to provide revenue, and for other purposes.

The SPEAKER. The Clerk will report it.

The Clerk proceeded to read the conference report.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to dispense with the reading of the report, and ask that the statement be read in lieu thereof.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 5, 10, 35, 37, 38, 50, 54, 55, 58, 59, 112, 120, 121, 122, 123, 127, 131, 140, 186, 187, 189, 208, 211, 218, 222, 223, 235, 272, 273, 274, 275, 276, 329, 330, 332, 333, 352, 362, 377, 378, 379, 381, 394, 405, 407, 410, 444, 445, 488, 490, 491, 493, 498, 499, 500, 509, 516, 518, 519, 539, 540, 541, 553, 559, 587, 588, and 594.

That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 8, 9, 12, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 56, 57, 60, 61, 62, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 79, 82, 83, 84, 85, 87, 88, 89, 90, 91, 93, 97, 98, 99, 100,

101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 113, 114, 115, 116, 117, 119, 124, 126, 128, 130, 132, 133, 134, 136, 137, 138, 139, 141, 142, 143, 145, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 162, 163, 164, 165, 166, 167, 168, 170, 172, 173, 174, 175, 176, 177, 178, 179, 181, 182, 183, 184, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 209, 210, 212, 213, 217, 219, 224, 225, 226, 227, 228, 229, 230, 237, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 255, 256, 258, 260, 262, 264, 265, 266, 267, 268, 269, 271, 278, 279, 280, 281, 283, 284, 286, 287, 288, 290, 291, 293, 294, 295, 296, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 326, 327, 328, 331, 334, 335, 336, 337, 338, 339, 340, 342, 343, 344, 346, 347, 348, 349, 350, 351, 353, 354, 355, 356, 358, 359, 360, 361, 363, 364, 365, 366, 370, 371, 372, 373, 374, 380, 382, 383, 384, 385, 386, 388, 389, 390, 392, 396, 398, 400, 401, 402, 403, 406, 408, 409, 411, 412, 413, 415, 416, 419, 422, 423, 427, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 447, 448, 449, 450, 451, 452, 453, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 468, 470, 471, 472, 473, 475, 476, 477, 478, 479, 481, 482, 483, 486, 487, 489, 494, 496, 497, 501, 502, 503, 504, 505, 506, 507, 508, 510, 511, 512, 513, 514, 515, 517, 520, 521, 522, 524, 525, 527, 528, 529, 530, 531, 532, 533, 534, 536, 537, 538, 543, 545, 546, 547, 549, 551, 552, 554, 555, 556, 557, 558, 560, 562, 563, 564, 565, 566, 567, 568, 570, 571, 572, 573, 574, 575, 576, 577, 579, 580, 582, 583, 584, 585, 586, 589, 590, 591, 592, and 593; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: On page 1, line 5 of the bill, strike out the comma after the word "partnerships"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a comma and the following: "as well as individuals"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "The term 'Government contract' means (a) a contract made with the United States, or with any department, bureau, officer, commission, board, or agency, under the United States and acting in its behalf, or with any agency controlled by any of the above if the contract is for the benefit of the United States, or (b) a subcontract made with a contractor performing such a contract if the products or services to be furnished under the subcontract are for the benefit of the United States. The term 'Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive' when applied to a contract of the kind referred to in clause (a) of this paragraph, includes all such contracts which, although entered into during such period, were originally not enforceable, but which have been or may become enforceable by reason of subsequent validation in pursuance of law" and a semicolon; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "The term 'personal service corporation' means a corporation whose income is to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation and in which capital (whether invested or borrowed) is not a material income-producing factor; but does not include any foreign corporation, nor any corporation 50 per cent or more of whose gross income consists either (1) of gains, profits, or income derived from trading as a principal, or (2) of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive" and a semicolon; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The term 'paid,' for the purposes of the deductions and credits under this title, means 'paid or accrued' or 'paid or incurred,' and the terms 'paid or incurred' and 'paid or accrued' shall be construed according to the method of accounting upon the basis of which the net income is computed under section 212."

And the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"DIVIDENDS.

"SEC. 201. (a) That the term 'dividend' when used in this title (except in paragraph (10) of subdivision (a) of section 234) means (1) any distribution made by a corporation, other than a personal service corporation, to its shareholders or members, whether in cash or in other property or in stock of the corporation, out of its earnings or profits accumulated since February 28, 1913, or (2) any such distribution made by a personal service corporation out of its earnings or profits accumulated since February 28, 1913, and prior to January 1, 1918.

"(b) Any distribution shall be deemed to have been made from earnings or profits unless all earnings and profits have first been distributed. Any distribution made in the year 1918 or any year thereafter shall be deemed to have been made from earnings or profits accumulated since February 28, 1913, or, in the case of a personal service corporation, from the most recently accumulated earnings or profits; but any earnings or profits accumulated prior to March 1, 1913, may be distributed in stock dividends or otherwise, exempt from the tax, after the earnings and profits accumulated since February 28, 1913, have been distributed.

"(c) A dividend paid in stock of the corporation shall be considered income to the amount of the earnings or profits distributed. Amounts distributed in the liquidation of a corporation shall be treated as payments in exchange for stock or shares, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

"(d) If any stock dividend (1) is received by a taxpayer between January 1 and November 1, 1918, both dates inclusive, or (2) is during such period bona fide authorized or declared, and entered on the books of the corporation, and is received by a taxpayer after November 1, 1918, and before the expiration of 30 days after the passage of this act, then such dividend shall, in the manner provided in section 206, be taxed to the recipient at the rates prescribed by law for the years in which the corporation accumulated the earnings or profits from which such dividend was paid, but the dividend shall be deemed to have been paid from the most recently accumulated earnings or profits.

"(e) Any distribution made during the first 60 days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years; but any distribution made during the remainder of the taxable year shall be deemed to have been made from earnings or profits accumulated between the close of the preceding taxable year and the date of distribution, to the extent of such earnings or profits, and if the books of the corporation do not show the amount of such earnings or profits, the earnings or profits for the accounting period within which the distribution was made shall be deemed to have been accumulated ratably during such period."

And the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(b) When property is exchanged for other property, the property received in exchange shall for the purpose of determining gain or loss be treated as the equivalent of cash to the amount of its fair market value, if any; but when in connection with the reorganization, merger, or consolidation of a corporation a person receives in place of stock or securities owned by him new stock or securities of no greater aggregate par or face value, no gain or loss shall be deemed to occur from the exchange, and the new stock or securities received shall be treated as taking the place of the stock, securities, or property exchanged.

"When in the case of any such reorganization, merger, or consolidation the aggregate par or face value of the new stock or securities received is in excess of the aggregate par or face value of the stock or securities exchanged, a like amount in par or face value of the new stock or securities received shall be treated as taking the place of the stock or securities exchanged, and the amount of the excess in par or face value shall be treated as a gain to the extent that the fair market value of the new stock or securities is greater than the cost (or if acquired prior to March 1, 1913, the fair market value as of that date) of the stock or securities exchanged."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"NET LOSSES.

"SEC. 204. (a) That as used in this section the term 'net loss' refers only to net losses resulting from either (1) the operation of any business regularly carried on by the taxpayer, or (2) the bona fide sale by the taxpayer of plant, buildings, machinery, equipment or other facilities, constructed, installed, or acquired by the taxpayer on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war; and when so resulting means the excess of the deductions allowed by law (excluding in the case of corporations amounts allowed as a deduction under paragraph (6) of subdivision (a) of section 234) over the sum of the gross income plus any interest received free from taxation both under this title and under Title III.

"(b) If for any taxable year beginning afted October 31, 1918, and ending prior to January 1, 1920, it appears upon the production of evidence satisfactory to the commissioner that any taxpayer has sustained a net loss, the amount of such net loss shall under regulations prescribed by the commissioner with the approval of the Secretary be deducted from the net income of the taxpayer for the preceding taxable year; and the taxes imposed by this title and by Title III for such preceding taxable year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. If such net loss is in excess of the net income for such preceding taxable year, the amount of such excess shall under regulations prescribed by the commissioner with the approval of the Secretary be allowed as a deduction in computing the net income for the succeeding taxable year.

"(c) The benefit of this section shall be allowed to the members of a partnership and the beneficiaries of an estate or trust under regulations prescribed by the commissioner with the approval of the Secretary."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"FISCAL YEAR WITH DIFFERENT RATES.

"SEC. 205. (a) That if a taxpayer makes return for a fiscal year beginning in 1917 and ending in 1918, his tax under this title for the first taxable year shall be the sum of: (1) The same proportion of a tax for the entire period computed under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period: *Provided*, That in the case of a personal service corporation the amount to be paid shall be only that specified in clause (1).

"Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title I of the revenue act of 1916 as amended by the revenue act of 1917, and by Title I of the revenue act of 1917, shall be credited toward the payment of the tax imposed for such fiscal year by this act, and if the amount so paid exceeds the amount of such tax imposed by this act, or, in the case of a personal service corporation, the amount specified in clause (1), the excess shall be credited or refunded in accordance with the provisions of section 252.

"(b) If a taxpayer makes a return for a fiscal year beginning in 1918 and ending in 1919, the tax under this title for such fiscal year shall be the sum of: (1) the same proportion of a tax for the entire period computed under this title at the rates specified for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates specified for the calendar year 1919 which the portion of such period falling within the calendar year 1919 is of the entire period.

"(c) If a fiscal year of a partnership begins in 1917 and ends in 1918 or begins in 1918 and ends in 1919, then notwithstanding the provisions of subdivision (b) of section 218, (1) the rates for the calendar year during which such fiscal year begins shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year, and (2) the rates for the calendar year during which such fiscal year ends shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such calendar year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year: *Provided*, That in the case of a personal service corporation with respect to a fiscal year beginning in 1917 and ending in 1918, the amount specified in clause (1) shall not be subject to normal tax."

And the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"PARTS OF INCOME SUBJECT TO RATES FOR DIFFERENT YEARS.

"SEC. 206. That whenever parts of a taxpayer's income are subject to rates for different calendar years, the part subject to the rates for the most recent calendar year shall be placed in the lower brackets of the rate schedule provided in this title, the part subject to the rates for the next preceding calendar year shall be placed in the next higher brackets of the rate schedule applicable to that year, and so on until the entire net income has been accounted for. In determining the income, any deductions, exemptions or credits of a kind not plainly and properly chargeable against the income taxable at rates for a preceding year shall first be applied against the income subject to rates for the most recent calendar year; but any balance thereof shall be applied against the income subject to the rates of the next preceding year or years until fully allowed."

And the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following inclosed in parentheses: "including in the case of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees, whether elected or appointed, of the United States, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, the compensation received as such"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "possessions; or (d) bonds issued by the War Finance Corporation: *Provided*, That every person owning any of the obligations, securities or bonds enumerated in clauses (a), (b), (c) and (d) shall, in the return required by this title, submit a statement showing the number and amount of such obligations, securities and bonds owned by him and the income received therefrom, in such form and with such information as the commissioner may require"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "or (e) in the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon property or business" and a semicolon; and on page 17, line 5, of the bill, after the matter inserted by Senate amendment numbered 81, insert a comma and the following: "and clause (e) of paragraph (3)" and a comma; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment, and, on page 14, line 19 of the bill, after "business," insert a comma and the following: "including a reasonable allowance for obsolescence"; and the Senate agree to the same.

Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: On page 20, line 3, of the Senate engrossed amendments strike out "12 months" and insert "30 days"; and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows:

"(12) (a) At the time of filing return for the taxable year 1918 a taxpayer may file a claim in abatement based on the fact that he has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for such taxable year, or from the actual payment after the close of such taxable year of rebates in pursuance of contracts entered into during such year upon sales made during such year. In such case payment of the amount of the tax covered by such claim shall not be required until the claim is decided, but the taxpayer shall accompany his claim with a bond in double the amount of the tax covered by the claim, with sureties satisfactory to the commissioner, conditioned for the payment of any part of such tax found to be due, with interest. If any part of such claim is disallowed, then the remainder of the tax due shall on notice and demand by the collector be paid by the taxpayer with interest at the rate of 1 per cent per month from the time the tax would have been due had no such claim been filed. If it is shown to the satisfaction of the commissioner that such substantial loss has been sustained, then in computing the tax imposed by this title the amount of such loss shall be deducted from the net income. (b) If no such claim is filed, but it is shown to the satisfaction of the commissioner that during the taxable year 1919 the taxpayer has sustained a substantial loss of the character above described, then the amount of such loss shall be deducted from the net income for the taxable year 1918 and the tax imposed by this title for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252."

And the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "(10), (12)"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: "and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(e) Personal service corporations shall not be subject to taxation under this title, but the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. All the provisions of this title relating to partnerships and the members thereof shall so far as practicable apply to personal service corporations and the stockholders thereof: *Provided*, That for the purpose of this subdivision amounts distributed by a personal service corporation during its taxable year shall be accounted for by the distributees; and any portion of the net income remaining undistributed at the close of its taxable year shall be accounted for by the stockholders of such corporation at the close of its taxable year in proportion to their respective shares."

And the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "212, except that there shall also be allowed as a deduction (in lieu of the deduction authorized by paragraph (11) of subdivision (a) of sec. 214) any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid to or permanently set aside for the United States, any State, Territory, or any political subdivision thereof, or the District of Columbia, or any corporation organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: On page 23, line 10, of the Senate engrossed amendments after "administration" insert "or settlement"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: On page 23, line 14, of the Senate engrossed amendments strike out "or" and insert "of"; and the Senate agree to the same.

Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "distributed, such corporation shall not be subject to the tax imposed by section 230, but the stockholders or members thereof shall be subject to taxation under this title in the same manner as provided in subdivision (e) of section 218 in the case of stockholders of a personal service corporation, except that the tax imposed by Title III shall be deducted from the net income of the corporation before the computation of the proportionate share of each stockholder or member"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"CREDIT FOR TAXES.

"SEC. 222. (a) That the tax computed under Part II of this title shall be credited with:

"(1) In the case of a citizen of the United States, the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country, upon income derived from sources therein, or to any possession of the United States; and

"(2) In the case of a resident of the United States, the amount of any such taxes paid during the taxable year to any possession of the United States; and

"(3) In the case of an alien resident of the United States who is a citizen or subject of a foreign country, the amount of any such taxes paid during the taxable year to such country, upon income derived from sources therein, if such country, in imposing such taxes allows a similar credit to citizens of the United States residing in such country; and

"(4) In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes of the partnership or the estate or trust paid during the taxable year to a foreign country or to any possession of the United States, as the case may be.

"(b) If accrued taxes when paid differ from the amounts claimed as credits by the taxpayer, or if any tax paid is refunded in whole or in part, the taxpayer shall notify the commissioner who shall redetermine the amount of the tax due under Part II of this title for the year or years affected, and the amount of tax due upon such redetermination, if any, shall be paid by the taxpayer upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the commissioner as a condition precedent to the allowance of this credit may require the taxpayer to give a bond with sureties satisfactory to and to be approved by the commissioner in such penal sum as the commissioner may require, conditioned for the payment by the taxpayer of any amount of tax found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the commissioner may require.

"(c) These credits shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, and all other information necessary for the computation of such credits."

And the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "Except in the case of taxpayers who are abroad, no such extension shall be for more than six months"; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(1) For the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 236; and

"(2) For each calendar year thereafter, 10 per cent of such excess amount.

"(b) For the purposes of the act approved March 21, 1918, entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' five-sixths of the tax imposed by paragraph (1) of subdivision (a) and four-fifths of the tax imposed by paragraph (2) of subdivision (a) shall be treated as levied by an act in amendment of Title I of the revenue act of 1917."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a comma and the following: "except that:

"(1) In the case of life insurance companies there shall not be included in gross income such portion of any actual premium received from any individual policyholder as is paid back or credited to or treated as an abatement of premium of such policyholder within the taxable year.

"(2) Mutual marine insurance companies shall include in gross income the gross premiums collected and received by them less amounts paid for reinsurance."

And the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "238; or (e) in the case of a foreign corporation, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon the property or business"; and on page 40 of the bill, lines 22 and 23, strike out "paragraphs (2) and (3)" and insert "paragraph (2) and in clauses (a), (b), and (c) of paragraph (3)"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: "and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress"; and the Senate agree to the same.

Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment, and on page 37, line 24, of the bill, after "business," insert a comma and the following: "including a reasonable allowance for obsolescence"; and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: On page 33, line 9, of the Senate engrossed amendments, strike out "12 months" and insert "30 days"; and the Senate agree to the same.

Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"(10) In the case of insurance companies, in addition to the above: (a) The net addition required by law to be made within the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers pursuant to law as additions to guarantee or reserve funds); and (b) the sums other than dividends paid within the taxable year on policy and annuity contracts;

"(11) In the case of corporations issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan continuing for life and not subject to cancellation, in addition to the above, such portion of the net addition (not required by law) made within the taxable year to reserve funds as the commissioner finds to be required for the protection of the holders of such policies only;

"(12) In the case of mutual marine insurance companies, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment and the payment thereof;

"(13) In the case of mutual insurance companies (other than mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, (unless otherwise allowed under such paragraphs) the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves and a semicolon."

And the Senate agree to the same.

Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows:

"(14) (a) At the time of filing return for the taxable year 1918 a taxpayer may file a claim in abatement based on the fact that he has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for such taxable year, or from the actual payment after the close of such taxable year of rebates in pursuance of contracts entered into during such year upon sales made during such year. In such case payment of the amount of the tax covered by such claim shall not be required until the claim is decided, but the taxpayer shall accompany his claim with a bond in double the amount of the tax covered by the claim, with sureties satisfactory to the commissioner, conditioned for the payment of any part of such tax found to be due, with interest. If any part of such claim is disallowed then the remainder of the tax due shall on notice and demand by the collector be paid by the taxpayer with interest at the rate of 1 per cent per month from the time the tax would have been due had no such claim been filed. If it is shown to the satisfaction of the commissioner that such substantial loss has been sustained, then in computing the taxes imposed by this title and by Title III the amount of such loss shall be deducted from the net income. (b) If no such claim is filed, but it is shown to the satisfaction of the commissioner that during the taxable year 1919 the taxpayer has sustained a substantial loss of the character above described then the amount of such loss shall be deducted from the net income for the taxable year 1918 and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252."

And the Senate agree to the same.

Amendment numbered 169: That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "in computing the tax as provided in subdivision (a) of section 205, the tax computed for the entire period under Title II of the revenue act of 1917 shall be credited against the net income computed for the entire period under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, and the tax computed for the entire period under Title III of this act at the rates prescribed for the calendar year 1918 shall be credited against the net income computed for the entire period under this title; and"; and the Senate agree to the same.

Amendment numbered 171: That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with an amendment as follows: In lieu of the figure "8" inserted by said amendment insert the figures "10"; and the Senate agree to the same.

Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(c) If a domestic corporation makes a return for a fiscal year beginning in 1917 and ending in 1918, only that proportion of this credit shall be allowed which the part of such period within the calendar year 1918 bears to the entire period."

And on page 42 of the bill, after line 20, insert the following new paragraph:

"If accrued taxes when paid differ from the amounts claimed as credits by the corporation, or if any tax paid is refunded in whole or in part, the corporation shall at once notify the commissioner who shall redetermine the amount of the taxes due under this title and under Title III for the year or years affected, and the amount of taxes due upon such redetermination, if any, shall be paid by the corporation upon notice and demand by the collector, or the amount of taxes overpaid, if any, shall be credited or refunded to the corporation in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the commissioner as a condition precedent to the allowance of this credit may require the corporation to give a bond

with sureties satisfactory to and to be approved by him in such penal sum as he may require, conditioned for the payment by the taxpayer of any amount of taxes found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the commissioner may require."

And on page 42 of the bill, line 21, at the beginning of the line, insert the letter "b" in parentheses.

And the Senate agree to the same.

Amendment numbered 185: That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"CONSOLIDATED RETURNS.

"SEC. 240. (a) That corporations which are affiliated within the meaning of this section shall, under regulations to be prescribed by the commissioner with the approval of the Secretary, make a consolidated return of net income and invested capital for the purposes of this title and Title III, and the taxes thereunder shall be computed and determined upon the basis of such return: *Provided*, That there shall be taken out of such consolidated net income and invested capital, the net income and invested capital of any such affiliated corporation organized after August 1, 1914, and not successor to a then existing business, 50 per cent or more of whose gross income consists of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive. In such case the corporation so taken out shall be separately assessed on the basis of its own invested capital and net income and the remainder of such affiliated group shall be assessed on the basis of the remaining consolidated invested capital and net income.

"In any case in which a tax is assessed upon the basis of a consolidated return, the total tax shall be computed in the first instance as a unit and shall then be assessed upon the respective affiliated corporations in such proportions as may be agreed upon among them, or, in the absence of any such agreement, then on the basis of the net income properly assignable to each. There shall be allowed in computing the income tax only one specific credit of $2,000 (as provided in section 236); in computing the war-profits credit (as provided in section 311) only one specific exemption of $3,000; and in computing the excess-profits credit (as provided in section 312) only one specific exemption of $3,000.

"(b) For the purpose of this section two or more domestic corporations shall be deemed to be affiliated (1) if one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or (2) if substantially all the stock of two or more corporations is owned or controlled by the same interests.

"(c) For the purposes of section 238 a domestic corporation which owns a majority of the voting stock of a foreign corporation shall be deemed to have paid the same proportion of any income, war-profits and excess-profits taxes paid (but not including taxes accrued) by such foreign corporation during the taxable year to any foreign country or to any possession of the United States upon income derived from sources without the United States, which the amount of any dividends (not deductible under section 234) received by such domestic corporation from such foreign corporation during the taxable year bears to the total taxable income of such foreign corporation upon or with respect to which such taxes were paid: *Provided*, That in no such case shall the amount of the credit for such taxes exceed the amount of such dividends (not deductible under section 234) received by such domestic corporation during the taxable year."

And the Senate agree to the same.

Amendment numbered 188: That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 250. (a) That except as otherwise provided in this section and sections 221 and 237 the tax shall be paid in four installments, each consisting of one-fourth of the total amount of the tax. The first installment shall be paid at the time fixed by law for filing the return, and the second installment shall be paid on the fifteenth day of the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month, after the time fixed by law for filing the return. Where an extension of time for filing a return is granted the time for payment of the first installment shall be postponed until the date of the expiration of the period of the extension, but the time for payment of the other installments shall not be postponed unless the commissioner so provides in granting the extension. In any case in which the time for the payment of any installment is at the request of the taxpayer thus postponed, there shall be added as part of such installment interest thereon at the rate of one-half of 1 per cent per month from the time is would have been due if no extension had been granted, until paid. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector."

And the Senate agree to the same.

Amendment numbered 214: That the House recede from its disagreement to the amendment of the Senate numbered 214, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "imposing an income tax"; and the Senate agree to the same.

Amendment numbered 215: That the House recede from its disagreement to the amendment of the Senate numbered 215, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following: "*Provided further*, That all bona fide stockholders of record owning 1 per cent or more of the outstanding stock of any corporation shall, upon making request of the commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries. Any stockholder who pursuant to the provisions of this section is allowed to examine the return of any corporation, and who makes known in any manner whatever not provided by law the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any such return, shall be guilty of a misdemeanor and be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both"; and the Senate agree to the same.

Amendment numbered 216: That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "in such manner as he may determine, in the office of the collector in each internal revenue district and in such other places as he may determine, lists"; and the Senate agree to the same.

Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"CITIZENS OF THE UNITED STATES POSSESSIONS.

"SEC. 260. That any individual who is a citizen of any possession of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States, shall be subject to taxation under this title only as to income derived from sources within the United States, and in such case the tax shall be computed and paid in the same manner and subject to the same conditions as in the case of other persons who are taxable only as to income derived from such sources."

And the Senate agree to the same.

Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"PORTO RICO AND PHILIPPINE ISLANDS.

"SEC. 261. That in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the revenue act of 1916 as amended.

"Returns shall be made and taxes shall be paid under Title I of such act in Porto Rico or the Philippine Islands, as the case may be, by (1) every individual who is a citizen or resident of Porto Rico or the Philippine Islands or derives income from sources therein, and (2) every corporation created or organized in Porto Rico or the Philippine Islands or deriving income from sources therein. An individual who is neither a citizen nor a resident of Porto Rico or the Philippine Islands but derives income from sources therein, shall be taxed in Porto Rico or the Philippine Islands as a nonresident alien individual, and a corporation created or organized outside Porto Rico or the Philippine Islands and deriving income from sources therein shall be taxed in Porto Rico or the Philippine Islands as a foreign corporation. For the purposes of section 216 and of paragraph (6) of subdivision (a) of section 234 a tax imposed in Porto Rico or the Philippine Islands upon the net income of a corporation shall not be deemed to be a tax under this title.

"The Porto Rican or Philippine Legislature shall have power by due enactment to amend, alter, modify, or repeal the income tax laws in force in Porto Rico or the Philippine Islands, respectively."

And the Senate agree to the same.

Amendment numbered 231: That the House recede from its disagreement to the amendment of the Senate numbered 231,

and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "equal to the sum of the following:

"FIRST BRACKET.

"30 per cent of the amount of the net income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital;

"SECOND BRACKET.

"65 per cent of the amount of the net income in excess of 20 per cent of the invested capital;

"THIRD BRACKET.

"The sum, if any, by which 80 per cent of the amount of the net income in excess of the war-profits credit (determined under section 311) exceeds the amount of the tax computed under the first and second brackets.

"(b) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation (except corporations taxable under subdivision (c) of this section) a tax equal to the sum of the following:

"FIRST BRACKET.

"20 per cent of the amount of the net income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital;

"SECOND BRACKET.

"40 per cent of the amount of the net income in excess of 20 per cent of the invested capital.

"(c) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation which derives in such year a net income of more than $10,000 from any Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive, a sum equal to the sum of the following:

"(1) Such a portion of a tax computed at the rates specified in subdivision (a) as the part of the net income attributable to such Government contract or contracts bears to the entire net income. In computing such tax the excess-profits credit and the war-profits credit applicable to the taxable year shall be used;

"(2) Such a portion of a tax computed at the rates specified in subdivision (b) as the part of the net income not attributable to such Government contract or contracts bears to the entire net income.

"For the purpose of determining the part of the net income attributable to such Government contract or contracts, the proper apportionment and allocation of the deductions with respect to gross income derived from such Government contract or contracts and from other sources, respectively, shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

"(d) In any case where the full amount of the excess-profits credit is not allowed under the first bracket of subdivision (a) or (b), by reason of the fact that such credit is in excess of 20 per cent of the invested capital, the part not so allowed shall be deducted from the amount in the second bracket.

"(e) For the purposes of the act approved March 21, 1918, entitled 'An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes,' the tax imposed by this title shall be treated as levied by an act in amendment of Title II of the revenue act of 1917."

And the Senate agree to the same.

Amendment numbered 232: That the House recede from its disagreement to the amendment of the Senate numbered 232, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "the tax imposed by subdivision (a) of section 301 shall in no case be more than 30 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 80 per cent of the amount of the net income in excess of $20,000; the tax imposed by subdivision (b) of section 301 shall in no case be more than 20 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 40 per cent of the amount of the net income in excess of $20,000; and the above limitations shall apply to the taxes computed under subdivisions (a) and (b) of section 301, respectively, when used in subdivision (c) of that section. Nothing in this section shall be construed in such manner as to increase the tax imposed by section 301"; and the Senate agree to the same.

Amendment number 233: That the House recede from its disagreement to the amendment of the Senate numbered 233, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 303. That if part of the net income of a corporation is derived (1) from a trade or business (or a branch of a trade or business) in which the employment of capital is necessary, and (2) a part (constituting not less than 30 per cent of its total net income) is derived from a separate trade or business (or a distinctly separate branch of the trade or business) which if constituting the sole trade or business would bring it within the class of 'personal service corporations,' then (under regulations prescribed by the commissioner with the approval of the Secretary) the tax upon the first part of such net income shall be separately computed (allowing in such computation only the same proportionate part of the credits authorized in sections 311 and 312), and the tax upon the second part shall be the same percentage thereof as the tax so computed upon the first part is of such first part: *Provided*, That the tax upon such second part shall in no case be less than 20 per cent thereof, unless the tax upon the entire net income, if computed without benefit of this section, would constitute less than 20 per cent of such entire net income, in which event the tax shall be determined upon the entire net income, without reference to this section, as other taxes are determined under this title. The total tax computed under this section shall be subject to the limitations provided in section 302."

And the Senate agree to the same.

Amendment numbered 234: That the House recede from its disagreement to the amendment of the Senate numbered 234, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Any corporation whose net income for the taxable year is less than $3,000 shall be exempt from taxation under this title"; and the Senate agree to the same.

Amendment numbered 236: That the House recede from its disagreement to the amendment of the Senate numbered 236, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(c) In the case of any corporation engaged in the mining of gold, the portion of the net income derived from the mining of gold shall be exempt from the tax imposed by this title, and the tax on the remaining portion of the net income shall be the proportion of a tax computed without the benefit of this subdivision which such remaining portion of the net income bears to the entire net income."

And the Senate agree to the same.

Amendment numbered 242: That the House recede from its disagreement to the amendment of the Senate numbered 242, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(c) If the corporation was not in existence during the whole of at least one calendar year during the prewar period, then, except as provided in subdivision (d), the war-profits credit shall be the sum of:

"(1) A specific exemption of $3,000; and

"(2) An amount equal to the same percentage of the invested capital of the taxpayer for the taxable year as the average percentage of net income to invested capital, for the prewar period, of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer; but such amount shall in no case be less than 10 per cent of the invested capital of the taxpayer for the taxable year. Such average percentage shall be determined by the commissioner on the basis of data contained in returns made under Title II of the revenue act of 1917, and the average known as the median shall be used. If such average percentage has not been determined and published at least 30 days prior to the time when the return of the taxpayer is due, then for purposes of such return 10 per cent shall be used in lieu thereof; but such average percentage when determined shall be used for the purposes of section 250 in determining the correct amount of the tax.

"(d) The war-profits credit shall be determined in the manner provided in subdivision (b) instead of in the manner provided in subdivision (c), in the case of any corporation which was not in existence during the whole of at least one calendar year during the prewar period, if (1) a majority of its stock at any time during the taxable year is owned or controlled, directly or indirectly, by a corporation which was in existence during the whole of at least one calendar year during the prewar period, or if (2) 50 per cent or more of its gross income (as computed under section 233 for income tax purposes) consists of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive."

And the Senate agree to the same.

Amendment numbered 243: That the House recede from its disagreement to the amendment of the Senate numbered 243, and agree to the same with an amendment as follows: In lieu

of the matter inserted by said amendment insert: "e" in parentheses; and the Senate agree to the same.

Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "therefor, unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the Commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus: *Provided*, That the commissioner shall keep a record of all cases in which tangible property is included in invested capital at a value in excess of the stock or shares issued therefor, containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, the value of the tangible property at the time paid in, the par value of the stock or shares specifically issued therefor, and the amount included under this paragraph as paid-in surplus. The commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257"; and the Senate agree to the same.

Amendment numbered 257: That the House recede from its disagreement to the amendment of the Senate numbered 257, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "25"; and the Senate agree to the same.

Amendment numbered 259: That the House recede from its disagreement to the amendment of the Senate numbered 259, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "25." And on page 62, line 14, of the bill, after the word "lowest," insert a colon and the following: "*Provided*, That in no case shall the total amount included under paragraphs (4) and (5) exceed in the aggregate 25 per cent of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year"; and the Senate agree to the same.

Amendment numbered 261: That the House recede from its disagreement to the amendment of the Senate numbered 261, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "a percentage thereof equal to the percentage which the amount of inadmissible assets is of the amount of admissible and inadmissible assets held during the taxable year"; and the Senate agree to the same.

Amendment numbered 263: That the House recede from its disagreement to the amendment of the Senate numbered 263, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That in the following cases the tax shall be determined as provided in section 328:

"(a) Where the commissioner is unable to determine the invested capital as provided in section 326;

"(b) In the case of a foreign corporation;

"(c) Where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively;

"(d) Where upon application by the corporation the commissioner finds and so declares of record that the tax if determined without benefit of this section would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without benefit of this section and the tax computed by reference to the representative corporations specified in section 328. This subdivision shall not apply to any case (1) in which the tax (computed without benefit of this section) is high merely because the corporation earned within the taxable year a high rate of profit upon a normal invested capital, nor (2) in which 50 per cent or more of the gross income of the corporation for the taxable year (computed under section 233 of Title II) consists of gains, profits, commissions, or other income derived on a cost-plus basis from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

"SEC. 328. (a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year, as the average tax of representative corporations engaged in a like or similar trade or business, bears to their average net income (in excess of the specific exemption of $3,000) for such year. In the case of a foreign corporation the tax shall be computed without deducting the specific exemption of $3,000 either for the taxpayer or the representative corporations.

"In computing the tax under this section."

And on page 65 of the bill, after line 16, insert the following:

"In cases in which the tax is to be computed under this section, if the tax as computed without the benefit of this section is less than 50 per cent of the net income of the taxpayer, the installments shall in the first instance be computed upon the basis of such tax; but if the tax so computed is 50 per cent or more of the net income, the installments shall in the first instance be computed upon the basis of a tax equal to 50 per cent of the net income. In any case, the actual ratio when ascertained shall be used in determining the correct amount of the tax. If the correct amount of the tax when determined exceeds 50 per cent of the net income, any excess of the correct installments over the amounts actually paid shall on notice and demand be paid together with interest at the rate of one-half of 1 per cent per month on such excess from the time the installment was due."

And the Senate agree to the same.

Amendment numbered 270: That the House recede from its disagreement to the amendment of the Senate numbered 270 and agree to the same with an amendment as follows: On page 65 of the bill, lines 22 and 23, strike out "section" and insert "subdivision"; and the Senate agree to the same.

Amendment numbered 277: That the House recede from its disagreement to the amendment of the Senate numbered 277, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"If such predecessor trade or business was carried on by a partnership or individual, the net income for the prewar period shall, under regulations prescribed by the commissioner with the approval of the Secretary, be ascertained and returned as nearly as may be upon the same basis and in the same manner as provided for corporations in Title II, including a reasonable deduction for salary or compensation to each partner or the individual for personal services actually rendered.

"In the case of the organization as a corporation before July 1, 1919, of any trade or business in which capital is a material income-producing factor and which was previously owned by a partnership or individual, the net income of such trade or business from January 1, 1918, to the date of such reorganization may at the option of the individual or partnership be taxed as the net income of a corporation is taxed under Titles II and III; in which event the net income and invested capital of such trade or business shall be computed as if such corporation had been in existence on and after January 1, 1918, and the undistributed profits or earnings of such trade or business shall not be subject to the surtax imposed in section 211, but amounts distributed on or after January 1, 1918, from the earnings of such trade or business shall be taxed to the recipients as dividends, and all the provisions of Titles II and III relating to corporations shall so far as practicable apply to such trade or business: *Provided*, That this paragraph shall not apply to any trade or business the net income of which for the taxable year 1918 was less than 20 per cent of its invested capital for such year: *Provided further*, That any taxpayer who takes advantage of this paragraph shall pay the tax imposed by section 1000 of this act and by the first subdivision of section 407 of the revenue act of 1916, as if such taxpayer had been a corporation on and after January 1, 1918, with a capital stock having no par value.

"If any asset of the trade or business in existence both during the taxable year and any prewar year is included in the invested capital for the taxable year but is not included in the invested capital for such prewar year, or is valued on a different basis in computing the invested capital for the taxable year and such prewar year, respectively, then under rules and regulations to be prescribed by the commissioner with the approval of the Secretary such readjustments shall be made as are necessary to place the computation of the invested capital for such prewar year on the basis employed in determining the invested capital for the taxable year."

And the Senate agree to the same.

Amendment numbered 282: That the House recede from its disagreement to the amendment of the Senate numbered 282, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert a colon and the following:

"*Provided*, That if such previous owner was not a corporation, then the value of any asset so transferred or received shall be taken at its cost of acquisition (at the date when acquired by such previous owner) with proper allowance for depreciation, impairment, betterment, or development, but no addition to the original cost shall be made for any charge or ex-

penditure deducted as expense or otherwise on or after March 1, 1913, in computing the net income of such previous owner for purposes of taxation."

And the Senate agree to the same.

Amendment numbered 285: That the House recede from its disagreement to the amendment of the Senate numbered 285, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(1) the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates specified in subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period. Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title II of the revenue act of 1917 shall be credited toward the payment of the tax imposed for such fiscal year by this title, and if the amount so paid exceeds the amount of the tax imposed by this title, the excess shall be credited or refunded to the corporation in accordance with the provisions of section 252.

"(b) If a corporation makes return for a fiscal year beginning in 1918 and ending in 1919, the tax for such fiscal year under this title shall be the sum of (1) the same proportion of a tax for the entire period computed under subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed under subdivision (b) or (c) of section 301 which the portion of such period falling within the calendar year 1919 is of the entire period.

"(c) If a partnership or a personal service corporation makes return for a fiscal year beginning in 1917 and ending in 1918, it shall pay the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period.

"Any tax paid by a partnership or personal service corporation for any period beginning on or after January 1, 1918, shall be immediately refunded to the partnership or corporation as a tax erroneously or illegally collected."

And on page 67, line 5, of the bill, after "corporation" insert the following inclosed in parentheses: "other than a personal service corporation."

And the Senate agree to the same.

Amendment numbered 289: That the House recede from its disagreement to the amendment of the Senate numbered 289, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

TITLE IV.—ESTATE TAX.

"SEC. 400. That when used in this title—

"The term 'executor' means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

"The term 'collector' means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or, if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the commissioner.

"SEC. 401. That (in lieu of the tax imposed by Title II of the revenue act of 1916, as amended, and in lieu of the tax imposed by Title IX of the revenue act of 1917) a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this act, whether a resident or nonresident of the United States:

"1 per cent of the amount of the net estate not in excess of $50,000;

"2 per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000;

"3 per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000;

"4 per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000;

"6 per cent of the amount by which the net estate exceeds $450,000 and does not exceed $750,000;

"8 per cent of the amount by which the net estate exceeds $750,000 and does not exceed $1,000,000;

"10 per cent of the amount by which the net estate exceeds $1,000,000 and does not exceed $1,500,000;

"12 per cent of the amount by which the net estate exceeds $1,500,000 and does not exceed $2,000,000;

"14 per cent of the amount by which the net estate exceeds $2,000,000 and does not exceed $3,000,000;

"16 per cent of the amount by which the net estate exceeds $3,000,000 and does not exceed $4,000,000;

"18 per cent of the amount by which the net estate exceeds $4,000,000 and does not exceed $5,000,000;

"20 per cent of the amount by which the net estate exceeds $5,000,000 and does not exceed $8,000,000;

"22 per cent of the amount by which the net estate exceeds $8,000,000 and does not exceed $10,000,000; and

"25 per cent of the amount by which the net estate exceeds $10,000,000.

"The taxes imposed by this title or by Title II of the revenue act of 1916 (as amended by the act entitled 'An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes,' approved Mar. 3, 1917) or by Title IX of the revenue act of 1917, shall not apply to the transfer of the net estate of any decedent who has died or may die while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service, and any such tax collected upon such transfer shall be refunded to the executor.

"SEC. 402. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

"(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

"(b) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, courtesy, or by virtue of a statute creating an estate in lieu of dower or courtesy;

"(c) To the extent of any interest therein of which the decedent has at any time made a transfer, or with respect to which he has at any time created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer or trust is made or created before or after the passage of this act), except in case of a bona fide sale for a fair consideration in money or money's worth. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within two years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title;

"(d) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent;

"(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after, his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

"(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over $40,000 of the amount receivable by all other beneficiaries as insurance under policies taken out by the decedent upon his own life.

"SEC. 403. That for the purpose of the tax the value of the net estate shall be determined—

"(a) In the case of a resident, by deducting from the value of the gross estate—

"(1) Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon income received after the death of the decedent, or any estate, succession, legacy, or inheritance taxes;

"(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be

identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property as included in the decedent's gross estate;

"(3) The amount of all bequests, legacies, devises, or gifts, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes. This deduction shall be made in case of the estates of all decedents who have died since December 31, 1917; and

"(4) An exemption of $50,000;

"(b) In the case of a nonresident, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—

"(1) That proportion of the deductions specified in paragraph (1) of subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per cent of the value of that part of his gross estate which at the time of his death is situated in the United States;

"(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in that part of the decedent's gross estate which at the time of his death is situated in the United States; and

"(3) The amount of all bequests, legacies, devises, or gifts, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any domestic corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes within the United States. This deduction shall be made in case of the estates of all decedents who have died since December 31, 1917; and

"No deduction shall be allowed in the case of a nonresident unless the executor includes in the return required to be filed under section 404 the value at the time of his death of that part of the gross estate of the nonresident not situated in the United States.

"For the purpose of this title stock in a domestic corporation owned and held by a nonresident decedent, and the amount receivable as insurance upon the life of a nonresident decedent where the insurer is a domestic corporation, shall be deemed property within the United States, and any property of which the decedent has made a transfer or with respect to which he has created a trust, within the meaning of subdivision (c) of section 402, shall be deemed to be situated in the United States, if so situated either at the time of the transfer or the creation of the trust, or at the time of the decedent's death.

"In the case of any estate in respect to which the tax under existing law has been paid, if necessary to allow the benefit of the deduction under paragraph (3) of subdivision (a) or (b) the tax shall be redetermined and any excess of tax paid shall be refunded to the executor.

"SEC. 404. That the executor, within 60 days after qualifying as such, or after coming into possession of any property of the decedent, whichever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such times and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 403; (c) the value of the net estate of the decedent as defined in section 403; and (d) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

"Return shall be made in all cases where the gross estate at the death of the decedent exceeds $50,000, and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The commissioner shall make all assessments of the tax under the authority of existing administrative special and general provisions of law relating to the assessment and collection of taxes.

"SEC. 405. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 404, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the commissioner shall assess the tax thereon.

"SEC. 406. That the tax shall be due one year after the decedent's death; but in any case where the commissioner finds that payment of the tax within one year after the decedent's death would impose undue hardship upon the estate he may grant an extension of time for the payment of the tax for a period not to exceed three years from the due date. If the tax is not paid within one year and 180 days after the decedent's death, interest at the rate of 6 per cent per annum from the expiration of one year after the decedent's death shall be added as part of the tax.

"SEC. 407. That the executor shall pay the tax to the collector or deputy collector. If the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the commissioner shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the collector shall notify the executor of the amount of such excess and demand payment thereof. If such excess part of the tax is not paid within 30 days after such notification, interest shall be added thereto at the rate of 10 per cent per annum from the expiration of such 30 days' period until paid, and the amount of such excess shall be a lien upon the entire gross estate, except such part thereof as may have been sold to a bona fide purchaser for a fair consideration in money or money's worth.

"The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

"SEC. 408. That if the tax herein imposed is not paid within 180 days after it is due, the collector shall, unless there is reasonable cause for further delay, proceed to collect the tax under the provisions of general law or commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court to be paid under its direction to the person entitled thereto.

"If the tax or any part thereof is paid by, or collected out of that part of the estate passing to or in the possession of, any person other than the executor in his capacity as such, such person shall be entitled to reimbursement out of any part of the estate still undistributed or by a just and equitable contribution by the persons whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest is subject to equal or prior liability for the payment of taxes, debts, or other charges against the estate, it being the purpose and intent of this title that so far as is practicable and unless otherwise directed by the will of the decedent the tax shall be paid out of the estate before its distribution. If any part of the gross estate consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds, in excess of $40,000, of such policies bear to the net estate. If there is more than one

such beneficiary, the executor shall be entitled to recover from such beneficiaries in the same ratio.

"SEC. 409. That unless the tax is sooner paid in full, it shall be a lien for 10 years upon the gross estate of the decedent, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien. If the commissioner is satisfied that the tax liability of an estate has been fully discharged or provided for, he may, under regulations prescribed by him with the approval of the Secretary, issue his certificate releasing any or all property of such estate from the lien herein imposed.

"If (a) the decedent makes a transfer of, or creates a trust with respect to, any property in contemplation of or intended to take effect in possession or enjoyment at or after his death (except in the case of a bona fide sale for a fair consideration in money or money's worth) or (b) if insurance passes under a contract executed by the decedent in favor of a specific beneficiary, and if in either case the tax in respect thereto is not paid when due, then the transferee, trustee, or beneficiary shall be personally liable for such tax, and such property, to the extent of the decedent's interest therein at the time of such transfer, or to the extent of such beneficiary's interest under such contract of insurance, shall be subject to a like lien equal to the amount of such tax. Any part of such property sold by such transferee or trustee to a bona fide purchaser for a fair consideration in money or money's worth shall be divested of the lien and a like lien shall then attach to all the property of such transferee or trustee, except any part sold to a bona fide purchaser for a fair consideration in money or money's worth.

"SEC. 410. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both.

"Whoever fails to comply with any duty imposed upon him by section 404, or, having in his possession or control any record, file, or paper, containing or supposed to contain any information concerning the estate of the decedent, or, having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request to the commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $500, to be recovered, with costs of suit, in a civil action in the name of the United States."

And the Senate agree to the same.

Amendment numbered 292: That the House recede from its disagreement to the amendment of the Senate numbered 292, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"*Provided*, That where such water transportation lines are in competition between American ports with foreign water transportation lines from adjacent foreign ports, the tax imposed under this subdivision on amounts paid for water transportation between American ports shall not exceed the amount of the transportation tax to which such foreign water transportation lines are subjected by their government corresponding to this tax."

And the Senate agree to the same.

Amendment numbered 297: That the House recede from its disagreement to the amendment of the Senate numbered 297, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment and at the end thereof insert the following new paragraph:

"The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filling the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due."

And on page 85, line 19 of the bill, strike out "November 1, 1918" and insert "April 1, 1919."

And on page 86, line 16 of the bill, insert after "policy" a colon and the following:

"*And provided further*, That on all policies covering life, health, and accident insurance combined in one policy by which a life is insured not in excess of $500, issued on the industrial, or weekly or monthly payment plan of insurance, the tax shall be 40 per cent of the amount of the first weekly premium or 20 per cent of the amount of the first monthly premium, as the case may be."

And the Senate agree to the same.

Amendment numbered 312: That the House recede from its disagreement to the amendment of the Senate numbered 312, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "of $3.20 (if intended for sale for beverage purposes or for use in the manufacture or production of any article used or intended for use as a beverage) on each proof gallon, and a proportionate tax at a like rate on all fractional parts of such proof gallon"; and the Senate agree to the same.

Amendment numbered 325: That the House recede from its disagreement to the amendment of the Senate numbered 325, and agree to the same with an amendment as follows: On page 92, line 9, of the Senate engrossed amendments strike out "of fermentation"; and the Senate agree to the same.

Amendment numbered 341: That the House recede from its disagreement to the amendment of the Senate numbered 341, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$6"; and the Senate agree to the same.

Amendment numbered 345: That the House recede from its disagreement to the amendment of the Senate numbered 345, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "$3"; and the Senate agree to the same.

Amendment numbered 357: That the House recede from its disagreement to the amendment of the Senate numbered 357, and agree to the same with an amendment as follows: On page 95, line 14, of the Senate engrossed amendment strike out "of" and insert "entitled 'An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes,' approved"; and the Senate agree to the same.

Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1½ cents"; and the Senate agree to the same.

Amendment numbered 368: That the House recede from its disagreement to the amendment of the Senate numbered 368, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: "societies for the prevention of cruelty to children or animals, or exclusively to the benefit of organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, none of the profits of which are distributed to members of such organizations"; and the Senate agree to the same.

Amendment numbered 369: That the House recede from its disagreement to the amendment of the Senate numbered 369, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "April 1, 1919" and a comma; and the Senate agree to the same.

Amendment numbered 375: That the House recede from its disagreement to the amendment of the Senate numbered 375, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Automobile trucks and automobile wagons (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof)" and a comma, and on page 127, line 7, of the bill, strike out the figure "5" and insert the figure "3"; and the Senate agree to the same.

Amendment numbered 376: That the House recede from its disagreement to the amendment of the Senate numbered 376, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "Other automobiles and motorcycles (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof), except tractors, 5 per cent" and a semicolon; and the Senate agree to the same.

Amendment numbered 387: That the House recede from its disagreement to the amendment of the Senate numbered 387, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "5" in parentheses; and the Senate agree to the same.

Amendment numbered 391: That the House recede from its disagreement to the amendment of the Senate numbered 391, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "6" in parentheses; and the Senate agree to the same.

Amendment numbered 393: That the House recede from its disagreement to the amendment of the Senate numbered 393, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "7" in parentheses; and the Senate agree to the same.

Amendment numbered 395: That the House recede from its disagreement to the amendment of the Senate numbered 395,

and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "8" in parentheses; and the Senate agree to the same.

Amendment numbered 397: That the House recede from its disagreement to the amendment of the Senate numbered 397, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure "9" in parentheses; and the Senate agree to the same.

Amendment numbered 399: That the House recede from its disagreement to the amendment of the Senate numbered 399, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures "10" in parentheses; and the Senate agree to the same.

Amendment numbered 404: That the House recede from its disagreement to the amendment of the Senate numbered 404, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "(11) Hunting and bowie knives, 10 per centum" and a semicolon; and the Senate agree to the same.

Amendment numbered 414: That the House recede from its disagreement to the amendment of the Senate numbered 414, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "15" in parentheses; and the Senate agree to the same.

Amendment numbered 417: That the House recede from its disagreement to the amendment of the Senate numbered 417, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "16" in parentheses, and the Senate agree to the same.

Amendment numbered 418: That the House recede from its disagreement to the amendment of the Senate numbered 418, and agree to the same with an amendment as follows: On page 129, line 13, of the bill strike out the words "weighing or" and on page 129, line 14 of the bill, after the word "centum" insert a comma and the following: "and automatic slot-device weighing machines, 10 per centum"; and the Senate agree to the same.

Amendment numbered 420: That the House recede from its disagreement to the amendment of the Senate numbered 420, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "17" in parentheses; and the Senate agree to the same.

Amendment numbered 421: That the House recede from its disagreement to the amendment of the Senate numbered 421, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "18" in parentheses; and the Senate agree to the same.

Amendment numbered 424: That the House recede from its disagreement to the amendment of the Senate numbered 424, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "(19) Articles made of fur on the hide or pelt, or of which any such fur is the component material of chief value, 10 per centum" and a semicolon; and the Senate agree to the same.

Amendment numbered 425: That the House recede from its disagreement to the amendment of the Senate numbered 425, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "20" in parentheses; and the Senate agree to the same.

Amendment numbered 426: That the House recede from its disagreement to the amendment of the Senate numbered 426, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "not designed for trade, fishing, or national defense"; and the Senate agree to the same.

Amendment numbered 428: That the House recede from its disagreement to the amendment of the Senate numbered 428, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "21" in parentheses; and the Senate agree to the same.

Amendment numbered 446: That the House recede from its disagreement to the amendment of the Senate numbered 446, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "This section shall not apply to the sale of any such article to an educational institution or public art museum"; and the Senate agree to the same.

Amendment numbered 454: That the House recede from its disagreement to the amendment of the Senate numbered 454, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "by or for a dealer or his estate"; and the Senate agree to the same.

Amendment numbered 467: That the House recede from its disagreement to the amendment of the Senate numbered 467, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "or (2) to any article made of fur on the hide or pelt, or of which any such fur is the component material of chief value" and a comma; and the Senate agree to the same.

Amendment numbered 469: That the House recede from its disagreement to the amendment of the Senate numbered 469, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "(17) or (18)"; and the Senate agree to the same.

Amendment numbered 474: That the House recede from its disagreement to the amendment of the Senate numbered 474, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "by or for a dealer or his estate"; and the Senate agree to the same.

Amendment numbered 480: That the House recede from its disagreement to the amendment of the Senate numbered 480, and agree to the same with an amendment as follows: On page 180 of the bill, after line 2, insert the following: "(6) This section shall not apply to any tax imposed by section 906"; and the Senate agree to the same.

Amendment numbered 484: That the House recede from its disagreement to the amendment of the Senate numbered 484, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "by or for a dealer or his estate"; and the Senate agree to the same.

Amendment numbered 485: That the House recede from its disagreement to the amendment of the Senate numbered 485, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"*Provided*, That the provisions of this section shall not apply to the sale of vaccines and bacterines which are not advertised to the general lay public, nor to the sale by a physician in personal attendance upon a patient of medicinal preparations not so advertised."

And the Senate agree to the same.

Amendment numbered 492: That the House recede from its disagreement to the amendment of the Senate numbered 492, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a period and the following: "The taxes imposed by this section shall apply to mutual insurance companies, and in the case of every such domestic company the tax shall be equivalent to $1 for each $1,000 of the excess over $5,000 of the sum of its surplus or contingent reserves maintained for the general use of the business and any reserves the net additions to which are included in net income under the provisions of Title II, as of the close of the preceding accounting period used by such company for purposes of making its income tax return: *Provided*, That in the case of a foreign mutual insurance company the tax shall be equivalent to $1 for each $1,000 of the same proportion of the sum of such surplus and reserves, which the reserve fund upon business transacted within the United States is of the total reserve upon all business transacted, as of the close of the preceding accounting period used by such company for purposes of making its income tax return"; and the Senate agree to the same.

Amendment numbered 495: That the House recede from its disagreement to the amendment of the Senate numbered 495, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures "$50"; and the Senate agree to the same.

Amendment numbered 523: That the House recede from its disagreement to the amendment of the Senate numbered 523, and agree to the same with an amendment as follows: On page 129 of the bill, at the end of line 14 and before the semicolon inserted by Senate amendment numbered 419, insert the following: "in the case of a vending machine, and 10 per cent of its fair market value in the case of a weighing machine"; and the Senate agree to the same.

Amendment numbered 526: That the House recede from its disagreement to the amendment of the Senate numbered 526, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "or before July 1 of each year"; and the Senate agree to the same.

Amendment numbered 535: That the House recede from its disagreement to the amendment of the Senate numbered 535, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 1007. That section 6 of such act of December 17, 1914, is hereby amended to read as follows:

"'SEC. 6. That the provisions of this act shall not be construed to apply to the manufacture, sale, distribution, giving

away, dispensing, or possession of preparations and remedies which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salt or derivative of any of them in 1 fluid ounce, or, if a solid or semi-solid preparation, in 1 avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: *Provided*, That such remedies and preparations are manufactured, sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act: *Provided further*, That any manufacturer, producer, compounder, or vendor (including dispensing physicians) of the preparations and remedies mentioned in this section shall keep a record of all sales, exchanges, or gifts of such preparations and remedies in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall direct. Such record shall be preserved for a period of two years in such a way as to be readily accessible to inspection by any officer, agent, or employee of the Treasury Department duly authorized for that purpose, and the State, Territorial, District, municipal, and insular officers named in section 5 of this act, and every such person so possessing or disposing of such preparations and remedies shall register as required in section 1 of this act, and, if he is not paying a tax under this act, he shall pay a special tax of $1 for each year, or fractional part thereof, in which he is engaged in such occupation, to the collector of internal revenue of the district in which he carries on such occupation as provided in this act. The provisions of this act as amended shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine?'

And the Senate agree to the same.

Amendment numbered 542: That the House recede from its disagreement to the amendment of the Senate numbered 542, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a colon and the following: "*Provided*, That where a premium is charged for the issuance, execution, renewal or continuance of such bond the tax shall be 1 cent on each dollar or fractional part thereof of the premium charged: *Provided further*, That policies of reinsurance shall be exempt from the tax imposed by this subdivision;" and the Senate agree to the same.

Amendment numbered 544: That the House recede from its disagreement to the amendment of the Senate numbered 544, and agree to the same with an amendment as follows: On page 118, line 1, of the Senate engrossed amendments strike out "5" and insert "3"; and on page 85, line 24, of the bill, before the comma insert the following inclosed in parenthesis: "except those taxable under subdivision 15 of Schedule A of Title XI"; and the Senate agree to the same.

Amendment numbered 548: That the House recede from its disagreement to the amendment of the Senate numbered 548, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "furniture" and a comma; and the Senate agree to the same.

Amendment numbered 550: That the House recede from its disagreement to the amendment of the Senate numbered 550, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and on page 173, after line 9 of the bill, insert the following:

"(d) (1) There is hereby created a board to be known as the 'Advisory Tax Board,' hereinafter called the board, and to be composed of not to exceed six members to be appointed by the commissioner with the approval of the Secretary. The board shall cease to exist at the expiration of two years after the passage of this act, or at such earlier time as the commissioner with the approval of the Secretary may designate.

"Vacancies in the membership of the board shall be filled in the same manner as an original appointment. Any member shall be subject to removal by the commissioner with the approval of the Secretary. The commissioner with the approval of the Secretary shall designate the chairman of the board. Each member shall receive an annual salary of $9,000, payable monthly, together with actual necessary expenses when absent from the District of Columbia on official business.

"(2) The commissioner may, and on the request of any taxpayer directly interested shall, submit to the board any question relating to the interpretation or administration of the income, war-profits or excess-profits tax laws, and the board shall report its findings and recommendations to the commissioner.

"(3) The board shall have its office in the Bureau of Internal Revenue in the District of Columbia. The expenses and salaries of members of the board shall be audited, allowed, and paid out of appropriations for collecting internal revenue, in the same manner as expenses and salaries of employees of the Bureau of Internal Revenue are audited, allowed, and paid.

"(4) The board shall have the power to summon witnesses, take testimony, administer oaths, and to require any person to produce books, papers, documents, or other data relating to any matter under investigation by the board. Any member of the board may sign subpœnas and members and employees of the Bureau of Internal Revenue designated to assist the board, when authorized by the board, may administer oaths, examine witnesses, take testimony, and receive evidence."

And the Senate agree to the same.

Amendment numbered 561: That the House recede from its disagreement to the amendment of the Senate numbered 561, and agree to the same with an amendment as follows: On page 128, line 17, and again on page 129, line 7, of the Senate engrossed amendments strike out the word "Titles" and insert the word "Title"; and the Senate agree to the same.

Amendment numbered 569: That the House recede from its disagreement to the amendment of the Senate numbered 569, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"(c) That the paragraph of section 3689 of the Revised Statutes, as amended, reading as follows: 'Refunding taxes illegally collected (internal revenue): To refund and pay back duties erroneously or illegally assessed or collected under the internal-revenue laws,' is repealed from and after June 30, 1920; and the Secretary of the Treasury shall submit for the fiscal year 1921, and annually thereafter, an estimate of appropriations to refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws."

And the Senate agree to the same.

Amendment numbered 578: That the House recede from its disagreement to the amendment of the Senate numbered 578, and agree to the same with an amendment as follows: On page 132, line 11 of the Senate engrossed amendments, after the word "States," insert the following: "at the instance of the United States"; and the Senate agree to the same.

Amendment numbered 581: That the House recede from its disagreement to the amendment of the Senate numbered 581, and agree to the same with an amendment as follows: On page 133, line 7, of the Senate engrossed amendments, strike out the parenthesis, and also in line 8 of said page strike out the parenthesis; and the Senate agree to the same.

Amendment numbered 595: That the House recede from its disagreement to the amendment of the Senate numbered 595, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1402"; and the Senate agree to the same.

Amendment numbered 596: That the House recede from its disagreement to the amendment of the Senate numbered 596, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1403"; and the Senate agree to the same.

Amendment numbered 597: That the House recede from its disagreement to the amendment of the Senate numbered 597, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1404"; and the Senate agree to the same.

Amendment numbered 598: That the House recede from its disagreement to the amendment of the Senate numbered 598, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1405"; and the Senate agree to the same.

Amendment numbered 599: That the House recede from its disagreement to the amendment of the Senate numbered 599, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 1406. That all persons serving in the military or naval forces of the United States during the present war who have, since April 6, 1917, resigned or been discharged under honorable conditions (or, in the case of reservists, been placed on inactive duty), or who at any time hereafter (but not later than the termination of the current enlistment or term of service) in the case of the enlisted personnel and female nurses, or within one year after the termination of the present war in the case of officers, may resign or be discharged under honorable conditions (or, in the case of reservists, be placed on inactive duty), shall be paid in addition to all other amounts due them in pursuance of law, $60 each.

"This amount shall not be paid (1) to any person who though appointed or inducted into the military or naval forces on or prior to November 11, 1918, had not reported for duty at

his station on or prior to such date; or (2) to any person who has already received one month's pay under the provisions of section 9 of the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917; or (3) to any person who is entitled to retired pay; or (4) to the heirs or legal representatives of any person entitled to any payment under this section who has died or may die before receiving such payment. In the case of any person who subsequent to separation from the service as above specified has been appointed or inducted into the military or naval forces of the United States and has been or is again separated from the service as above specified, only one payment of $60 shall be made.

"The above amount, in the case of separation from the service on or prior to the passage of this act, shall be paid as soon as practicable after the passage of this act, and in the case of separation from the service after the passage of this act shall be paid at the time of such separation.

"The amounts herein provided for shall be paid out of the appropriations for 'pay of the Army' and 'pay of the Navy,' respectively, by such disbursing officers as may be designated by the Secretary of War and the Secretary of the Navy.

"The Secretary of War and the Secretary of the Navy respectively shall make all regulations necessary for the enforcement of the provisions of this section."

And the Senate agree to the same.

Amendment numbered 600: That the House recede from its disagreement to the amendment of the Senate numbered 600, and agree to the same with an amendment as follows: Strike out the section number "1408" in the matter inserted by said amendment and insert in lieu thereof the number "1407"; and the Senate agree to the same.

Amendment numbered 601: That the House recede from its disagreement to the amendment of the Senate numbered 601, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 1408. That every person who on or after April 6, 1917, has entered into any contract, undertaking, or agreement, with the United States, or with any department, bureau, officer, commission, board, or agency under the United States or acting in its behalf, or with any other person having contract relations with the United States, for the performance of any work or the supplying of any materials or property for the use of or for the account of the United States, shall, within 30 days after a request of the commissioner therefor, file with the commissioner a true and correct copy of every such contract, undertaking, or agreement.

"Whoever fails to comply with such request of the commissioner shall be guilty of a misdemeanor and shall be punished by a fine of not more than $1,000, or by imprisonment for not more than one year, or both.

"The commissioner shall (when not violative of the technical military or naval secrets of the Government) have access to all information and data relating to any such contract, undertaking, or agreement, in the possession, control or custody of any department, bureau, board, agency, officer or commission of the United States, and may call upon any such department, bureau, board, agency, officer or commission for a full statement and description of any allowance for amortization, obsolescence, depreciation or loss, or of any valuation, appraisal, adjustment or final settlement, made in pursuance of any such contract, undertaking, or agreement."

And the Senate agree to the same.

Amendment numbered 602: That the House recede from its disagreement to the amendment of the Senate numbered 602, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "1409"; and the Senate agree to the same.

CLAUDE KITCHIN,
HENRY T. RAINEY,
LINCOLN DIXON,
J. W. FORDNEY,
J. HAMPTON MOORE,
Managers on the part of the House.

F. M. SIMMONS,
JOHN SHARP WILLIAMS,
HOKE SMITH,
BOIES PENROSE,
H. C. LODGE,
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment No. 1: This amendment is a clerical change; and the Senate recedes.

On amendment No. 2: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 3: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 4: This amendment is a clerical change; and the House recedes.

The action of the conferees on amendments Nos. 1 to 4, inclusive, will make the term "person" wherever used in the act include partnerships and corporations, as well as individuals; and the term "corporation" include associations, joint-stock companies, and insurance companies.

On amendment No. 5: This amendment defined the term "life insurance company" as used in the Senate life insurance amendments; and the Senate recedes.

On amendment No. 6: The House bill defined a "Government contract." The Senate struck out this definition. The House recedes with an amendment restoring the House definition and providing that the term "Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive," when applied to certain Government contracts "includes all such contracts which, although entered into during such period, were originally not enforceable, but which have been or may become enforceable by reason of subsequent validation in pursuance of law."

On amendment No. 7: This amendment defines the term "military or naval forces of the United States"; and the House recedes.

On amendment No. 8: This amendment provides that wherever in the act the term "present war" is used it shall mean the war in which the United States is now engaged against the German Government; and the House recedes.

On amendment No. 9: This amendment provides that for the purposes of this act the date of the termination of the present war shall be fixed by proclamation of the President; and the House recedes.

On amendment No. 10: This amendment is a clerical change; and the Senate recedes.

On amendment No. 11: This amendment defines the term "personal service corporation" to mean a corporation whose income is to be ascribed primarily to the activities of the principal owners or stockholders, who are themselves regularly engaged in the active conduct of the affairs of the corporation and in which capital (whether invested or borrowed) is not a material income producing factor. The House recedes with an amendment providing that the term "personal service corporation" shall not include a foreign corporation nor any corporation 50 per cent or more of whose gross income consists either (1) of gains, profits, or income derived from trading as a principal, or (2) gains, profits, commissions, or income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

On amendment No. 12: This amendment struck out the definition of the term "dividend" as it appeared in the House bill; and the House recedes.

On amendment No. 13: This amendment provides that the terms "paid or incurred" and "paid or accrued" when used in the income-tax title shall be construed according to the method of accounting upon the basis of which the net income is computed under action 212; and the House recedes with an amendment defining the word "paid" when used for the purpose of computing the deductions and credits.

On amendment No. 14: This amendment defines the term "dividends." The House recedes with an amendment effecting clerical changes and providing that if any stock dividend is received by a taxpayer between January 1 and November 1, 1918, or is during such period bona fide authorized or declared, and entered on the books of the corporation, and is received after November 1, 1918, and before the expiration of 30 days after the passage of this act, then such dividend shall be taxed to the recipient at the rates prescribed by law for the years in which the corporation accumulated the earnings or profits from which such dividend was paid; and declaring that any distribution made during the first 60 days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years, but that any distribution made during the remainder of the taxable year shall be deemed to have been made from earnings accumulated between the close of the preceding taxable year and the

date of distribution, to the extent of such earnings or profits. With the exception of the aforementioned changes and the modification of the amendment to cover the case of the personal service corporation the dividend definition in practical effect is the same as the definition in the House bill. The House bill taxed all dividends received by the taxpayer at the rates in effect in the year in which the dividend was received.

On amendments Nos. 15, 16, 17, 18, 19, and 20: These amendments are clerical changes; and the House recedes.

On amendment No. 21: The Senate amendment provided that no gain or loss shall be deemed to occur from the exchange when—in connection with the reorganization, merger, or consolidation of a corporation—a person receives in place of securities owned by him new securities of no greater aggregate par or face value, "or when a person or persons owning property receive in exchange for such property stock of a corporation formed to take over such property." This amendment also provides that when property is exchanged for other property, the property received in exchange shall, for the purpose of determining gain or loss, be treated as the equivalent of cash to the amount of its fair market value. The House recedes with an amendment striking out the clause relating to corporations formed to take over the property of individuals and adding a provision that when—in the case of any reorganization, merger, or consolidation—the aggregate par or face of the securities received is in excess of the aggregate par or face value of the securities exchanged, the amount of such excess shall be treated as a gain to the extent that the fair market value of the new securities is greater than the cost of the securities exchanged (or their value on March 1, 1913, if acquired prior to that date).

On amendment No. 22: This amendment is a change in section number; and the House recedes.

On amendment No. 23: This amendment is a clerical change; and the House recedes.

On amendment No. 24: This amendment provides that inventories for the purpose of determining net income under the income-tax title shall be taken upon the basis determined by the Commissioner of Internal Revenue as conforming as nearly as may be to the best accounting practice in the trade or business; and the House recedes.

On amendment No. 25: This amendment is a clerical change; and the House recedes.

On amendment No. 26: This amendment provides for the deduction of net losses sustained during one taxable year from the net income of the taxpayers for the preceding or succeeding taxable years. The House recedes with amendments making clerical changes and confining the application of this section to net losses sustained during taxable years beginning after October 31, 1918, and ending prior to January 1, 1920.

On amendment No. 27: The Senate bill struck out section 239 of the House bill (which dealt with the computation of income taxes for the fiscal year 1917–18) and inserted as section 205 a general provision dealing with the computation of the income tax for any fiscal year ending during a calendar year for which the rates of tax differ from those of the preceding calendar year. The House, as a necessary result of its action under amendment 285, recedes with an amendment providing that the tax for a fiscal year beginning in 1917 and ending in 1918 shall be the sum of (1) the same proportion of a tax for the entire period computed under Title I of the revenue act of 1916 as amended by the revenue act of 1917, and under Title I of the revenue act of 1917, which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of the tax for the entire period computed under this title at the rates for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period. A similar method is also provided for fiscal years beginning in 1918 and ending in 1919.

On amendment No. 28: This amendment provides that whenever parts of a taxpayer's income are subject to rates for different calendar years the part subject to the rates for the most recent calendar year shall be placed in the lower brackets, the part subject to the rates for the next preceding calendar year shall be placed in the next higher brackets, and so on until the entire net income has been accounted for. The House recedes with an amendment striking out the reference to any personal exemption or other specific exemption contained in the Senate bill, and providing that in determining the income any deductions, exemptions, or credits of a kind not plainly and properly chargeable against the income taxable at rates for a preceding year shall first be applied against the income subject to rates for the most recent calendar year, but that any balance thereof shall be applied against the income subject to the rates of the next preceding year or years until fully allowed.

On amendment No. 29: This amendment is a clerical change; and the House recedes.

On amendment No. 30: The House bill levied a normal income tax of 12 per cent upon the amount of the net income in excess of the credits provided in section 216, but provided that the tax upon the first $4,000 of such excess amount in the case of a citizen or resident of the United States should be 6 per cent. The Senate bill provided the same rates for the calendar year 1918, but provided that the normal income tax for each calendar year thereafter shall be 8 per cent of the amount of the net income in excess of the credits provided in section 216, except that in the case of a citizen or resident of the United States the tax shall be 4 per cent upon the first $4,000 of such excess amount; and the House recedes.

On amendment No. 31: This amendment is a clerical change; and the House recedes.

On amendment No. 32: The following table shows the House and Senate surtax rates:

Surtax bracket upon the amount of the net income in excess of—	Rate.	
	House.	Senate.
	Per cent.	*Per cent.*
$5,000 and not in excess of $6,000	2	1
$6,000 and not in excess of $7,500	2	2
$7,500 and not in excess of $8,000	3	2
$8,000 and not in excess of $10,000	3	3
$10,000 and not in excess of $12,000	7	4
$12,000 and not in excess of $14,000	7	5
$14,000 and not in excess of $15,000	7	6
$15,000 and not in excess of $16,000	10	6
$16,000 and not in excess of $18,000	10	7
$18,000 and not in excess of $20,000	10	8
$20,000 and not in excess of $22,000	15	9
$22,000 and not in excess of $24,000	15	10
$24,000 and not in excess of $26,000	15	11
$26,000 and not in excess of $28,000	15	12
$28,000 and not in excess of $30,000	15	13
$30,000 and not in excess of $32,000	20	14
$32,000 and not in excess of $34,000	20	15
$34,000 and not in excess of $36,000	20	16
$36,000 and not in excess of $38,000	20	17
$38,000 and not in excess of $40,000	20	18
$40,000 and not in excess of $42,000	25	19
$42,000 and not in excess of $44,000	25	20
$44,000 and not in excess of $46,000	25	21
$46,000 and not in excess of $48,000	25	22
$48,000 and not in excess of $50,000	25	23
$50,000 and not in excess of $52,000	32	25
$52,000 and not in excess of $54,000	32	26
$54,000 and not in excess of $56,000	32	26
$56,000 and not in excess of $58,000	32	27
$58,000 and not in excess of $60,000	32	28
$60,000 and not in excess of $62,000	38	29
$62,000 and not in excess of $64,000	38	30
$64,000 and not in excess of $66,000	38	31
$66,000 and not in excess of $68,000	38	32
$68,000 and not in excess of $70,000	38	33
$70,000 and not in excess of $72,000	42	34
$72,000 and not in excess of $74,000	42	35
$74,000 and not in excess of $76,000	42	36
$76,000 and not in excess of $78,000	42	37
$78,000 and not in excess of $80,000	42	38
$80,000 and not in excess of $82,000	46	39
$82,000 and not in excess of $84,000	46	40
$84,000 and not in excess of $86,000	46	41
$86,000 and not in excess of $88,000	46	42
$88,000 and not in excess of $90,000	46	43
$90,000 and not in excess of $92,000	48	44
$92,000 and not in excess of $94,000	48	45
$94,000 and not in excess of $96,000	48	46
$96,000 and not in excess of $98,000	48	47
$98,000 and not in excess of $100,000	48	48
$100,000 and not in excess of $150,000	50	52
$150,000 and not in excess of $200,000	50	56
$200,000 and not in excess of $300,000	52	60
$300,000 and not in excess of $500,000	54	63
$500,000 and not in excess of $1,000,000	58	64
$1,000,000 and not in excess of $5,000,000	60	65
$5,000,000	65	65

The House recedes.

On amendment No. 33: This amendment provides that in the case of a bona fide sale of mines, oil, or gas wells, or any interest therein, where the principal value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the surtax attributable to such sales shall not exceed 20 per cent of the selling price of such property or interest; and the House recedes.

On amendment No. 34: This amendment is a clerical change; and the House recedes.

On amendment No. 35: This amendment is a clerical change; and the Senate recedes.

On amendment No. 36: The House bill specifically provided that the term "gross income" should include the salaries of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and

employees, whether elected or appointed, of the United States or of any State, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia. The Senate bill struck out this provision. The House recedes with an amendment making the salaries of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees of the United States, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, subject to the income tax.

On amendment No. 37: This amendment is a clerical change; and the Senate recedes.

On amendment No. 38: The House bill provided that gross income for the purpose of the income tax should not include the proceeds of life insurance policies paid upon the death of the insured to individual beneficiaries or to the estate of the insured. The Senate bill broadened this provision by providing that gross income should not include the proceeds of life insurance policies paid upon the death of the insured; and the Senate recedes.

On amendment No. 39: The House bill proposed to make the interest from certain State and municipal bonds subject to the surtax. The Senate in this amendment struck out the provision, thereby making all the interest from State and municipal bonds exempt from income taxes; and the House recedes.

On amendment No. 40: This amendment made the interest from bonds issued by the War Finance Corporation exempt except as otherwise provided under amendment No. 41. The House recedes with an amendment providing that every person owning any tax-free securities shall submit in his income-tax return a statement showing the number and amount of such obligations owned by him, and the income received therefrom.

On amendment No. 41: This amendment provides that the interest from bonds issued by the War Finance Corporation shall be exempt from income tax only to the extent provided in the war-finance corporation act; and the House recedes.

On amendments Nos. 42, 43, and 44: These amendments are clerical changes; and the House recedes.

On amendment No. 45: The House bill provided that gross income for the purpose of the income tax does not include income accruing to the Government of the Philippine Islands or Porto Rico, or any political subdivision thereof. The Senate bill extended this exemption to include Porto Rico, the Philippine Islands, and all other possessions of the United States, and any political subdivisions thereof; and the House recedes.

On amendments Nos. 46, 47, 48, and 49: These amendments are clerical changes; and the House recedes.

On amendment No. 50: This amendment is a clerical change; and the Senate recedes.

On amendment No. 51: This amendment limits the exemption from income tax of the income from the United States of persons in the military or naval forces to the period of the present war; and the House recedes.

On amendment No. 52: This amendment limits the exemption from income tax of salaries of persons in the military or naval service to those in active service; and the House recedes.

On amendment No. 53: The House bill limited the exemption of the salaries of those in the military and naval forces from income tax to those serving abroad or at sea. The Senate change in this limitation has been explained in amendment No. 52; and the House recedes.

On amendment No. 54: The House bill limited the exemption from income tax of the income from the United States of persons in the military or naval forces to so much of the income as did not exceed $3,500. The Senate bill eliminated this limit; and the Senate recedes.

On amendment No. 55: This amendment provides that in the case of a device which a taxpayer has invented and which has been accepted by the War and Navy Departments since April 6, 1917, for use in the present war and which has been put into actual use as a basis for successful major operation by the United States Government in the war, and that if the Secretary of War or the Secretary of the Navy shall so certify to the Secretary of the Treasury, no tax shall be imposed for the year 1918 on the royalties received or any amount received in lieu of royalties by the taxpayer for the use of such devices; and the Senate recedes.

On amendment No. 56: This amendment is a clerical change; and the House recedes.

On amendment No. 57: This amendment provides that in the case of nonresident alien individuals gross income includes all amounts received (although paid under a contract for the sale of goods or otherwise) representing profits on the manufacture and disposition of goods within the United States; and the House recedes.

On amendments Nos. 58 and 59: The House bill provided that one of the deductions in computing net income should be payments required to be made as a condition to the continued use or possession for purpose of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he has no equity. The Senate amendment broadened this provision by providing that the deduction should be of payments required to be made as a condition to the continued use or possession of property for purposes of the trade or business; and the Senate recedes.

On amendment No. 60: This amendment provides that interest paid or accrued on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after Sept. 24, 1917), the interest upon which is wholly exempt from taxation under the income tax title as income to the taxpayer, shall not be allowed as a deduction in computing net income; and the House recedes.

On amendment No. 61: In the case of a nonresident alien individual, the House bill limited the interest deduction to interest paid during the taxable year. The Senate amendment extended the deduction to interest accrued during the taxable year; and the House recedes.

On amendment No. 62: This amendment authorizes a deduction in computing net income for taxes assessed against local benefits when such benefits are not "of a kind tending to increase the value of the property assessed"; and the House recedes.

On amendment No. 63: This amendment authorizes, in the case of a nonresident alien individual, a deduction for certain taxes imposed by the authority of any foreign country upon property or business, to the extent that the income from such property or business is subject to taxation under this title; and the House recedes with an amendment making clerical changes.

On amendment No. 64: The House bill required a loss to be sustained and charged off during the taxable year before it could be allowed as a deduction in computing net income. The Senate bill only required the loss to be sustained during the taxable year; and the House recedes.

On amendment No. 65: The House bill provided that in determining net income a reasonable allowance should be made for exhaustion, wear, and tear of property used in the trade or business. The Senate bill provided that a reasonable allowance should be made in computing net income for the depreciation of property used in the trade or business. The House recedes with an amendment providing that in computing net income a reasonabe allowance should be made for the exhaustion, wear, and tear of property used in the trade or business, including a reasonable allowance for obsolescence.

On amendment No. 66: The House bill provided that a nonresident alien individual should be entitled to deduct in computing net income a reasonable allowance for the exhaustion, wear, and tear of property used in the trade or business within the United States. The Senate bill permitted a nonresident alien individual to avail himself of the deduction for exhaustion, wear, tear, and obsolescence to the extent that they are connected with (taxable) income arising from sources within the United States; and the House recedes.

On amendment No. 67: This amendment extended the amortization provision to vessels constructed or acquired on or after April 6, 1917, for the transportation of articles or men contributing to the prosecution of the present war; and the House recedes.

On amendment No. 68: The House bill made the amortization deduction discretionary; the Senate bill makes it compulsory; and the House recedes.

On amendment No. 69: This amendment is a clerical change; and the House recedes.

On amendment No. 70: The House bill provided that the amortization deduction should not include amounts otherwise allowed under the income-tax title for depreciation, exhaustion, or wear and tear. The Senate amendment provides that the amortization deduction shall not include any amount otherwise allowed under the income-tax title or previous acts of Congress as a deduction in computing net income; and the House recedes.

On amendments Nos. 71, 72, 73, 74, and 75: These amendments are clerical changes; and the House recedes.

On amendment No. 76: The House bill limited the deduction for "amortization" by providing that in the case of a nonresident alien individual "this deduction shall be allowed only as to facilities within the United States," and that in no case shall the deduction for "amortization" exceed 25 per cent of the taxpayer's net income as computed without the benefit of such deduction. The Senate amendment strikes out the above limitations; and the House recedes.

On amendment No. 77: This amendment authorizes a reasonable allowance for the depletion of oil and gas wells in place of a similar allowance "for actual reduction in flow and production" as authorized by the House bill and adds a proviso "that in the case of mines, oil and gas wells, discovered by the taxpayer, on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of the discovery, or within 12 months thereafter." The House recedes with an amendment changing the valuation period from 12 months to 30 days.

On amendments Nos. 78 and 79: These amendments are clerical changes; and the House recedes.

On amendment No. 80: This amendment provides that if it is shown to the satisfaction of the commissioner that during the taxable years 1919 and 1920 the taxpayers (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition), resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the income taxes for such year shall be redetermined accordingly. The House recedes with amendments (1) limiting the allowance for losses sustained during the taxable year to losses resulting from the actual payment of rebates on sales of the previous year in pursuance of contracts made during such year; (2) limiting the deduction for falling inventories to the taxable year 1919; and (3) permitting the taxpayer to take advantage of this deduction at the time of making his return by filing a claim in abatement accompanied with a bond in double the amount of the tax covered by the claim.

On amendment No. 81: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 82: Nonresident alien individuals, by the House bill, were authorized to deduct certain expenses "only if and to the extent that they are connected with a trade or business carried on within the United States." This amendment authorizes such deductions to be made if and to the extent that they are connected with "income arising from a source within the United States"; and the House recedes.

On amendment No. 83: This amendment is a clerical change made necessary by amendment No. 82; and the House recedes.

On amendments Nos. 84 and 85: Under the House bill a taxpayer would not be permitted to deduct in computing net income premiums paid on group insurance policies for the benefit of employees. Under the Senate bill such premium will be an allowable deduction. The House bill provided that premiums paid on any life insurance policy covering the life of any officer or employee, of any person financially interested in any trade or business carried on by the taxpayer shall not be allowed as a deduction when the taxpayer or anyone financially interested in such trade or business is a beneficiary under such policy. The Senate amendment provides that in the case of such policies the premiums shall not be allowed as a deduction when the taxpayer is directly or indirectly a beneficiary under such policy; and the House recedes.

On amendment No. 86: This amendment provides that for the purpose of computing the normal tax, the amount received as dividends from insurance companies taxable under section 504, and amounts received as dividends from personal service corporations out of earnings or profits upon which income tax has been imposed by act of Congress shall be allowed as credits; and the House recedes with an amendment striking out the reference to insurance companies taxable under section 504 of the Senate bill.

On amendment No. 87: This amendment complies with the terms of the War Finance Corporation act by providing that the interest from the bonds issued by the War Finance Corporation shall not be subject to the normal income tax; and the House recedes.

On amendment No. 88: This amendment is a clerical change to carry out the policy of exempting the interest from State and municipal bonds from income tax; and the House recedes.

On amendments Nos. 89, 90, and 91: These amendments are clerical changes; and the House recedes.

On amendment No. 92: This amendment provides that personal-service corporations shall not be subject to taxation under the income tax title, but that the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. The House recedes with an amendment making minor clerical changes.

On amendment No. 93: This amendment provides for the taxation of "income collected by a guardian of an infant to be held or distributed as the court may direct"—a class of income whose status under the House bill was uncertain; and the House recedes.

On amendment No. 94: This amendment allows, in the case of estates and trusts, a deduction for amounts which, pursuant to the terms of the will or deed creating the trust, are paid to or permanently set aside for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals; and the House recedes with amendments making clerical changes and confining the deductions to amounts contributed to or permanently set aside for governmental purposes or corporations organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual.

On amendment No. 95: This amendment provides that in determining the net income of the estate of any deceased person during the period of administration there may be deducted the amount of any income properly paid or credited to any legatee, heir, or other beneficiary; and the House recedes with a clerical change.

On amendment No. 96: This amendment provides that any income of an estate during the period of administration or settlement permitted to be deducted from the net income upon which tax is to be paid by the fiduciary shall be accounted for by the beneficiary; and the House recedes with a clerical amendment.

On amendments Nos. 97, 98, 99, 100, and 101: These amendments are clerical changes; and the House recedes.

On amendment No. 102: This amendment eliminates the necessity of proving fraud when earnings of a corporation are allowed to accumulate for the purpose of preventing the imposition of the surtax upon the stockholders or members; and the House recedes.

On amendments Nos. 103 and 104: These amendments are clerical changes; and the House recedes.

On amendment No. 105: This amendment provides that, when the Commissioner of Internal Revenue certifies that an accumulation of profits is, in his opinion, to enable the stockholders of a corporation to avoid payment of the surtaxes, such corporation shall not be subject to the corporation income tax or the excess or war profits taxes, but that the stockholders shall be subject to taxation in the same manner as in the case of stockholders of a personal service corporation. The House recedes from its disagreement to this amendment with an amendment adopting the Senate amendment, but providing that in case a corporation is taxed on the basis of this amendment in the manner provided for personal service corporations, it shall also be subject to the excess or war profits taxes.

On amendments Nos. 106, 107, 108, 109, and 110: These amendments are clerical changes; and the House recedes.

On amendment No. 111: This amendment provides that the Commissioner of Internal Revenue instead of the Secretary of the Treasury shall certify the cases in which, in his opinion, the accumulation of earnings is unreasonable for the purpose of the business; and the House recedes.

On amendment No. 112: This amendment is a clerical change due to the method of taxing insurance under section 504 of the Senate bill; and the Senate recedes.

On amendment No. 113: In the case of income tax withheld at the source the tax in the House bill was at the rate of 12 per cent. The Senate reduced the rate to 8 per cent to comply with the normal income-tax rate after 1918 in the case of citizens or residents of the United States; and the House recedes.

On amendment No. 114: In the case of many American securities taken over and held by foreign Governments the owners of the securities are unknown to the withholding agent. This amendment provides that the Commissioner of Internal Revenue may authorize the tax to be deducted and withheld from the interest upon any securities the owners of which are not known to the withholding agent; and the House recedes.

On amendment No. 115: This amendment provides that in the case of tax-free-covenant obligations in which the interest is payable to a partnership the obligor shall withhold a tax equal to 2 per cent the same as in the case of interest from such obligations payable to individuals; and the House recedes.

On amendment No. 116: This amendment is the same as amendment No. 114, except that in this case it applies to tax-free-covenant obligations; and the House recedes.

On amendment No. 117: This amendment is a clerical change; and the House recedes.

On amendment No. 118: The House bill provided that a citizen of the United States might credit against his income tax the amount of any income, war-profits, and excess-profits taxes paid to any foreign country, Porto Rico, or the Philippine Islands upon income derived from sources therein and allowed a similar credit to an alien resident if his country makes reciprocal provisions. The Senate amendment entirely rewrites the section and broadens it to include a credit for taxes paid to any possession of the United States, which is also to be given to an alien resident of the United States. The House recedes with an amendment providing that if any deduction is allowed for taxes accrued in any possession or foreign country, the commissioner may require the taxpayer to give a surety bond providing for the payment of any tax found to be due the Government in case too great a deduction shall be allowed for accrued taxes in our possessions or any foreign country. The amendment as agreed to also provides that if such accrued taxes when paid differ from the amounts claimed as credits by the taxpayer, or if the tax paid is refunded in whole or in part, the taxpayer shall notify the Commissioner of Internal Revenue, who shall redetermine the amount of the tax due, and the amount of the tax due shall be paid by the taxpayer, or the amount of the tax overpaid shall be credited or refunded to the taxpayer.

On amendment No. 119: This amendment is a clerical change; and the House recedes.

On amendments Nos. 120 and 121: The House bill required every person having a net income for the taxable year of $1,000 or over if single or if married and not living with husband or wife, or of $2,000 or over if married and living with husband or wife, to file an income-tax return. The Senate bill required income-tax returns from individuals having a gross income of $1,000 or over if single or if married and not living with husband or wife, or of $2,000 or over if married and living with husband or wife; and the Senate recedes.

On amendments Nos. 122 and 123: The House bill basis for requiring fiduciary return in the case of single and married persons was the same as the basis for requiring individual returns. The Senate changed the basis to gross income, as it did in the case of individual returns; and the Senate recedes.

On amendment No. 124: This amendment is a clerical change; and the House recedes.

On amendment No. 125: The House bill provided that, except in the case of taxpayers who are abroad, no extension of time for filing returns of income tax shall be for a longer period than two months. The Senate bill struck out the House limitation and left the time of extension to the discretion of the commissioner. The House recedes from its disagreement to this amendment with an amendment providing that, except in the case of taxpayers who are abroad, no extension of the time for making the return shall be for a longer period than six months.

On amendment No. 126: This amendment is a clerical change; and the House recedes.

On amendment No. 127: This amendment exempts insurance companies from the income-tax provision, because the Senate bill proposed a separate and distinct tax on the investment income of insurance companies; and the Senate recedes.

On amendment No. 128: This amendment is a clerical change; and the House recedes.

On amendment No. 129: The House bill levied upon the net income of domestic corporations an income tax of 18 per cent, but provided that the rate should be 12 per cent upon so much of the amount of the net income subject to the tax as does not exceed the sum of (1) the amount of dividends paid during the taxable year, plus (2) the amount paid during the taxable year out of earnings or profits in discharge of bonds and other interest-bearing obligations outstanding prior to the beginning of the taxable year, plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918. The House bill taxed the net income of foreign corporations at the same rate with slight modifications because of the different situation in the case of foreign corporations. The Senate amendment changes the corporation income-tax rate for the calendar year 1918 to a flat rate of 12 per cent and for each calendar year thereafter to a flat rate of 8 per cent. It also provides that for the purpose of the Federal railway control act of March 21, 1918, five-sixths of the corporation income tax for 1918 and three-fourths of the tax for future years shall be treated as levied by an act in amendment of Title I of the revenue act of 1917.

The House recedes with an amendment fixing the corporation income tax for the calendar year 1918 at a flat rate of 12 per cent and for each calendar year thereafter at a flat rate of 10 per cent and providing that for the purposes of the Federal railway control act five-sixths of the corporation income tax for 1918 and four-fifths of the tax for each calendar year thereafter shall be treated as levied by an act in amendment of Title I of the revenue act of 1917.

On amendment No. 130: This amendment adds to the list of corporations exempt from income tax corporations organized and operated exclusively for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual; and the House recedes.

On amendment No. 131: The House bill exempted from income tax certain farmers', fruit growers', and like associations. The Senate amendment extends the exemption to cover cooperative societies but restricts the deductions heretofore allowed to associations or societies of this class which sell for or to nonmembers; and the Senate recedes.

On amendment No. 132: This amendment strikes joint stock land banks out of the list of corporations exempt from income tax. It also includes personal-service corporations among the corporations exempt from the corporation income tax, Senate amendment numbered 92 having made the stockholders of a personal-service corporation individually liable to income taxes in the same manner as members of a partnership; and the House recedes.

On amendments Nos. 133 and 134: These amendments are clerical changes; and the House recedes.

On amendment No. 135: The House bill provided that in computing the gross income of life insurance companies there should not be included such portion of any premium received "within the taxable year" as is paid back or credited to or treated as an abatement of premium within the taxable year; and also provided a rule for computing gross income in the case of mutual marine insurance companies. The Senate amendment strikes out these provisions, in pursuance of the Senate plan to tax insurance companies on the basis of investment income. The House recedes with an amendment restoring the House provisions but omitting the requirement in the case of a life insurance company that premiums to be excluded from gross income must be received "within the taxable year."

On amendments Nos. 136 and 137: These amendments propose to make foreign corporations selling raw materials in the United States to be manufactured here under an agreement that certain profits on the manufacture and disposition of the finished products shall be paid to the foreign corporation include such profits in computing gross income; and the House recedes.

On amendments Nos. 138 and 139: These amendments are clerical changes; and the House recedes.

On amendment No. 140: The House bill provided that in computing net income rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title, or in which it has no equity, could be allowed as a deduction. The Senate amendment broadens this deduction provision by providing that rentals or other payments required to be made as a condition to the continued use or possession of property may be allowed as a deduction in computing net income; and the Senate recedes.

On amendment No. 141: This amendment provides that interest paid or accrued on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after Sept. 24, 1917), the interest upon which is wholly exempt from taxation under the income tax title as income to the taxpayer, shall not be allowed as a deduction in computing net income; and the House recedes.

On amendment No. 142: In the case of a foreign corporation, the House bill limited the interest deduction to interest paid during the taxable year. The Senate bill extended the deduction to interest accrued during the taxable year; and the House recedes.

On amendment No. 143: This amendment authorizes a deduction for taxes assessed against local benefits when such benefits are not "of a kind tending to increase the value of the property assessed"; and the House recedes.

On amendment No. 144: This amendment authorizes, in the case of a foreign corporation, a deduction for certain taxes imposed by the authority of any foreign country upon property or business to the extent that the income from such property or business is subject to taxation under this title; and the House recedes, with an amendment making clerical changes.

On amendment No. 145: In the case of corporations the House bill required losses sustained during the taxable year to be charged off before allowing them to be deducted in computing the net income. The Senate amendment allowed losses sustained to be deducted although the taxpayer may not be

able to charge them off during the taxable year; and the House recedes.

On amendment No. 146: The House bill provided that in computing the net income of a corporation there should be deducted the dividends received from a corporation subject to income tax. The Senate amendment provides that amounts received by corporations as dividends from insurance companies not subject to income tax, and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress, shall be deducted in computing net income. The House recedes with an amendment striking out the specific reference to insurance companies, since, by reason of the recession of the Senate from its amendment No. 127, such companies are subject to income tax.

On amendment No. 147: The House bill provided that in determining net income a reasonable allowance should be made for exhaustion, wear, and tear of the property used in the trade or business. The Senate amendment provides that a reasonable allowance shall be made in computing net income for the depreciation of property used in the trade or business. The House recedes with an amendment providing that in computing net income a reasonable allowance shall be made for the exhaustion, wear, and tear of the property used in the trade or business, including a reasonable allowance for obsolescence.

On amendment No. 148: This amendment permits a foreign corporation to avail itself of the deduction for exhaustion, wear, tear, and obsolescence of property outside the United States to the extent that they are connected with income arising from sources within the United States; and the House recedes.

On amendment No. 149: This amendment extends the amortization provision to vessels constructed or acquired on or after April 6, 1917, for the transportation of articles or men contributing to the prosecution of the present war; and the House recedes.

On amendment No. 150: The House bill made the amortization deduction discretionary. The Senate bill makes it compulsory; and the House recedes.

On amendment No. 151: This amendment is a clerical change; and the House recedes.

On amendment No. 152: The House bill provided that the amortization deduction should not include amounts otherwise allowed under the income-tax title for depreciation, exhaustion, or wear and tear. The Senate amendment provides that the amortization deduction shall not include any amount otherwise allowed under the income-tax title or previous acts of Congress as a deduction in computing net income; and the House recedes.

On amendments Nos. 153, 154, 155, 156, and 157: These amendments are clerical changes; and the House recedes.

On amendment No. 158: The House bill limited the deduction for amortization by providing that in the case of a foreign corporation "this deduction shall be allowed only as to facilities within the United States," and that in no case shall the deduction for amortization exceed 25 per cent of the taxpayer's net income as computed without the benefit of such deduction. The Senate amendment strikes out the above limitation; and the House recedes.

On amendment No. 159: This amendment authorizes a reasonable allowance for the depletion of oil and gas wells in place of a similar allowance "for actual reduction in flow and production" as authorized by the House, and adds a proviso "that in the case of mines, oil and gas wells, discovered by the taxpayer on or after March 1, 1913, and not acquired as the result of purchase of a proven tract or lease, where the fair market value of the property is materially disproportionate to the cost, the depletion allowance shall be based upon the fair market value of the property at the date of discovery, or within 12 months thereafter." The House recedes with an amendment changing the valuation period from 12 months to 30 days.

On amendment No. 160: The Senate bill carried a new and separate scheme of taxation for insurance companies, and this amendment strikes out as superfluous special deductions provided in the House bill for computing the net income of such corporation. The House recedes with an amendment restoring the House deductions and making a clerical change.

On amendment No. 161: This amendment provides that if it is shown to the satisfaction of the commissioner that during the taxable years 1919 and 1920 the taxpayer (a) has for the first time ascertained the amount of a loss sustained during the preceding taxable year and not deducted from the gross income therefor, or (b) has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for the preceding taxable year, then the amount of such loss shall be deducted from the net income for such preceding taxable year, and the income taxes and excess-profits or war-profits taxes for such year shall be redetermined accordingly. The House recedes with amendments (1) limiting the allowance for losses sustained during the taxable year to losses resulting from the actual payment of rebates on sales of the previous year in pursuance of contracts made during such year; (2) limiting the deduction for falling inventories to the taxable year 1919; and (3) permitting the taxpayer to take advantage of this deduction at the time of making his return by filing a claim in abatement accompanied with a bond in double the amount of the tax covered by the claim.

On amendment No. 162: The House bill authorized foreign corporations to deduct certain expenses "only if and to the extent that they are connected with a trade or business carried on within the United States." The Senate amendment authorizes such deductions to be made if and to the extent that they are connected with "income arising from a source within the United States"; and the House recedes.

On amendment No. 163: This amendment is a clerical change made necessary by amendment No. 162; and the House recedes.

On amendment No. 164: This amendment is a clerical change; and the House recedes.

On amendment No. 165: This amendment complies with the terms of the War Finance Corporation act by providing that the interest from bonds issued by the War Finance Corporation shall not be subject to the corporation income tax; and the House recedes.

On amendment No. 166: This amendment is a clerical change to carry out the policy of exempting the interest from State and municipal bonds from income tax; and the House recedes.

On amendments Nos. 167 and 168: These amendments are clerical changes; and the House recedes.

On amendment No. 169: This amendment changes the method of computing income taxes for fiscal years begining in 1917 and ending in 1918; and the House recedes with an amendment providing that in such cases, the excess-profits tax computed under Title II of the revenue act of 1917 shall be credited against the net income computed for the entire period under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, and the tax computed for the entire period under Title III of this act at the rates prescribed for the calendar year 1918 shall be credited against the net income computed for the entire period under this title.

On amendment No. 170: This amendment is a clerical change; and the House recedes.

On amendment No. 171: In the case of foreign corporations not engaged in trade or business within the United States and not having an office or place of business therein, the House bill required the corporation income tax to be withheld at the source at the rate of 18 per cent. The Senate reduced the rate to 8 per cent. The House recedes from its disagreement to the Senate amendment with an amendment providing that tax shall be withheld at the rate of 10 per cent.

On amendments Nos. 172, 173, 174, and 175: These amendments are clerical changes; and the House recedes.

On amendments Nos. 176 and 177: The effect of the Senate amendments is to extend the benefit of the credit for taxes to taxes paid to all possessions of the United States; and the House recedes.

On amendments Nos. 178 and 179: These amendments are clerical changes; and the House recedes.

On amendment No. 180: This amendment provides that in the case of a corporation which makes return for a fiscal year beginning in 1917 and ending in 1918 any tax paid for such fiscal year under Title I of the revenue act of 1916 or Title I of the revenue act of 1917 shall be credited against the tax imposed by this title. The House recedes with an amendment (1) limiting the allowance to that proportion of the credit for foreign taxes which the part of the fiscal year falling within the calendar year 1918 bears to the entire period; and (2) safeguarding the allowance by a provision inserted in subdivision (a) that if accrued taxes when paid differ from the amounts claimed as credits, or if any tax paid is refunded in whole or in part, the taxes due shall be redetermined, and authorizing the commissioner to require bond, in the case of claims based upon taxes accrued but not paid, conditioned for the payment by the taxpayer of any amount of tax found due upon any such redetermination. Provision is also made in amendment 169 that in the case of a corporation which makes return for a fiscal year beginning in

1917 and ending in 1918, the part of the war-profits and excess-profits taxes attributable to the calendar year 1917 shall be credited against the net income (not against the tax) for such year.

On amendment No. 181: This amendment strikes out section 239 of the House bill (which dealt with the computation of income taxes for the fiscal year 1917–18) as a part of the general change made by section 205 of the Senate bill, which—as explained in connection with amendment No. 27—provides a general method for computing the income tax for any fiscal year ending during a calendar year for which the rates of tax differ from those of the preceding calendar year; and the House recedes.

On amendment No. 182: This amendment is a change in section number; and the House recedes.

On amendment No. 183: This amendment is a clerical change; and the House recedes.

On amendment No. 184: This amendment provides that when the accounting period is changed as provided under section 226, only such portion of the $2,000 corporation credit allowed under subdivision (c) of section 236 shall be allowed as the number of months in the period for which the return is made bears to 12 months; and the House recedes.

On amendment No. 185: This amendment provides for the computation of the income, excess profits and war profits taxes of affiliated corporations on the basis of a consolidated return of their net income and invested capital. The House recedes with an amendment providing:

(1) That there shall be taken out of such consolidated net income and invested capital, the net income and invested capital of any such affiliated corporation organized after August 1, 1914, and not successor to a then existing business, 50 per cent or more of whose gross income consist of gains, profits, commissions, or other income derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

(2) That two or more domestic corporations shall be deemed to be affiliated (1) if one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or (2) if substantially all the stock of two or more corporations is owned or controlled by the same interests.

(3) Retaining (out of the part of the Senate amendment which permitted the consolidation of foreign corporations affiliated with a domestic corporation and provided that in such consolidations, the total tax, computed as a unit, shall be reduced by the credit for foreign taxes authorized in section 238) only the features relating to the credit for foreign taxes, which are stated in the following terms:

> For the purposes of section 238 a domestic corporation which owns a majority of the voting stock of a foreign corporation shall be deemed to have paid the same proportion of any income, war-profits and excess-profits taxes paid (not including taxes accrued) by such foreign corporation during the taxable year to any foreign country or to any possession of the United States upon income derived from sources within the United States, which the amount of any dividends (not deductible under section 234) received by such domestic corporation from such foreign corporation during the taxable year bears to the total taxable income of such foreign corporation upon or with respect to which such foreign taxes were paid: *Provided*, That in no such case shall the amount of the credit for such taxes exceed the amount of such dividends (not deductible under section 234) received by such domestic corporation during the taxable year.

On amendment No. 186: This amendment added a new "Part" to the income tax title and provided a separate tax on the investment income of life insurance companies and mutual insurance companies in lieu of all other taxes imposed in the bill upon such companies; and the Senate recedes.

On amendment No. 187: This amendment is a change in section number; and the Senate recedes.

On amendment No. 188: The House bill provided for the payment of income, war-profits, and excess-profits taxes in three installments, at intervals of two months. The Senate amendment provides for the payment of these taxes in four quarterly installments, the first to be paid at the time fixed by law for filing the return. The House recedes with amendments making clerical changes and providing that where an extension of time for filing a return is granted, the time for payment of the first installment shall be postponed until the expiration of the extension, but the time for payment of the other installments shall not be postponed unless the commissioner so provides in granting the extension.

On amendment No. 189: The House bill provided that where an extension of time for filing an income-tax return is granted the taxpayer may pay his tax in a single payment on or before the expiration of the period of extension. The Senate amendment struck out the House provision and substituted a provision providing (1) that in the case of any tax of not over $200 paid at the time of the filing of the return, there should be allowed a discount of 1 per cent, and (2) that where an extension of time for filing the return has been granted no interest shall be added to the tax if the whole amount of the tax is paid on or before the time the third installment would be due if no extension had been granted; and the Senate recedes.

On amendments Nos. 190, 191, and 192: These amendments are clerical changes; and the House recedes.

On amendments Nos. 193 and 194: The House bill provided that if a false or fraudulent return is made with intent to evade the tax, in addition to other penalties provided by law for false or fraudulent returns, there should be added as part of the tax 100 per cent of the amount of tax understated. The Senate amendment reduces the penalty to 50 per cent of the tax understated and provides that this penalty should be in lieu of the penalty provided by section 3176 of the Revised Statutes, as amended; and the House recedes.

On amendments Nos. 195, 196, 197, 198, and 199: These amendments are clerical changes; and the House recedes.

On amendment No. 200: This amendment provides, as to any amount of income tax remaining unpaid after the date when it is due and for 10 days after notice and demand by the collector, that if such amount is subject to a bona fide claim for abatement the 5 per cent penalty shall not be added to the tax and that interest from the time the amount was due until the claim is decided shall be at the rate of one-half of 1 per cent per month; and the House recedes.

On amendment No. 201: This amendment provides that in the case of the first installment payment of income taxes, the instructions printed on the return shall be deemed to be sufficient notice of the date when the tax is due and sufficient demand, and the taxpayer's computation of the tax on the return shall be deemed sufficient notice of the amount due; and the House recedes.

On amendment No. 202: This amendment provides that in any case in which in order to enforce payment of a tax it is necessary for a collector to cause a warrant of distraint to be served, there shall also be added as part of the tax the sum of $5; and the House recedes.

On amendment No. 203: The effect of this amendment is to prevent taxpayers departing from the United States or removing their property therefrom before the close of the regular taxable year in order to avoid payment of the income taxes; and the House recedes.

On amendment No. 204: This amendment provides that internal-revenue collectors shall only give receipts for income taxes upon request; and the House recedes.

On amendment No. 205: The House bill provided that no credit or refund for income, war-profits, or excess-profits taxes shall be allowed or made after two years from the date when the return was due unless before the expiration of the two-year period a claim for such credit or refund is filed by the taxpayer. The Senate struck out this limitation and in amendment No. 207 increased the period in which claims for credit or refunds can be made to five years; and the House recedes.

On amendment No. 206: This amendment is a clerical change; and the House recedes.

On amendment No. 207: This amendment increases the period for which claims for credits or refund of income, excess profits, or war profits can be made from the two-year period provided in the House bill to five years; and the House recedes.

On amendment No. 208: This amendment is a clerical change; and the Senate recedes.

On amendment No. 209: This amendment authorizes the Commissioner of Internal Revenue to require personal service corporations to render returns of dividend payments, stating the name and address of each stockholder, the number of shares owned by him, and the amount of dividends paid to him; and the House recedes.

On amendment No. 210: The House bill authorized the Commissioner of Internal Revenue to require every individual, corporation, or partnership doing business as a broker on any exchange or board of trade or other similar place of business to render a return showing the names of customers for whom such individual, corporation, or partnership has transacted any business, with such details as to the profits, losses, or other information which the commissioner may require, as to each of such customers, as will enable the commissioner to determine whether all income tax due on profits or gains of such customers has been paid. The Senate amendment broadened the House provision to allow the commissioner to require this information from all brokers; and the House recedes.

On amendment No. 211: The House bill required all individuals, corporations, and partnerships making payment to another individual, corporation, or partnership of interest, rent,

salaries, wages, premiums, annuities, compensations, remunerations, emoluments, profits, and income of $1,000 or more in any taxable year, to render an information return to the commissioner setting forth the amount of such gains, profits, and income, and the name and address of the recipient of such payment. The Senate amendment broadens this provision to require the aforementioned information with reference to all such payments made "at the rate of" $1,000 or more in any taxable year; and the Senate recedes.

On amendment No. 212: The House bill provided that the foregoing information returns should be in such manner and form as the commissioner, with the approval of the Secretary, may prescribe, setting forth the amount of gains, profits, and income, and the name and address of the recipient of such payments. The Senate amendment provides that this information shall be given "to such extent" as may be prescribed by the commissioner, with the approval of the Secretary; and the House recedes.

On amendment No. 213: The House bill required all income-tax returns to be filed in the office of the commissioner. The Senate amendment struck out this requirement; and the House recedes.

On amendment No. 214: The House bill authorized the proper officers of any State "imposing an income tax to which corporations are subject," upon the request of the governor thereof, to have access to the return of any corporation. The Senate bill gave this authority whether or not the State imposed an income tax. The House recedes with an amendment providing that the proper officers of any State imposing an income tax may, upon the request of the governor thereof, have access to the returns of any corporation.

On amendment No. 215: This amendment provides that all bona fide stockholders of record owning 1 per cent or more of the outstanding stock of any corporation shall, upon making request of the commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries; and the House recedes, with an amendment providing a penalty for disclosing any information so obtained.

On amendment No. 216: The House bill required the commissioner to have prepared each year and made available to public inspection in the office of each collector a list containing the names in alphabetical order and the post-office addresses of all individuals making income-tax returns in such district. The Senate amendment authorizes the commissioner to prepare and make public these lists in such manner as he may determine. The House recedes with an amendment providing that the lists of income-tax payers of each respective collection district must be available to public inspection in the office of the collector and at such other place and in such manner as the commissioner may determine.

On amendment No. 217: The House bill required the foregoing lists to be in alphabetical order. The Senate amendment strikes out this requirement; and the House recedes.

On amendment No. 218: The House bill required that there should be made available to public inspection in the office of the collector of each district the names and post-office addresses of all individuals making income-tax returns in "such district." The Senate amendment strikes out the words quoted; and the Senate recedes.

On amendment No. 219: The House bill provided that in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the revenue act of 1916, as amended by the revenue act of 1917, and gave the Porto Rican or Philippine Legislature power by due enactment to amend, alter, modify, or repeal the income-tax laws in force in Porto Rico or the Philippine Islands, respectively. The Senate amendment strikes out this provision and incorporated it in amendment No. 221 which is the new section 261; and the House recedes.

On amendment No. 220: This amendment provides that any individual who is a citizen of any possession of the United States and who is not a resident of the United States shall be subject to income taxes under this act only as to income derived from sources within the United States; and the House recedes with a clerical amendment.

On amendment No. 221: This amendment provides that the income tax in Porto Rico and the Philippine Islands shall be imposed in accordance with the provisions of the revenue act of 1916, as amended; defines the classes of taxpayers who shall make returns in such possessions; defines the classes of persons who are to be taxed in such possessions as nonresident aliens and as foreign corporations; and empowers the Porto Rican and the Philippine Legislatures to amend or repeal the income-tax laws in force in such possessions; and the House recedes with an amendment providing that a tax imposed in such possessions upon the net income of a corporation shall not be considered to be a tax under this title.

On amendment No. 222: This amendment levies a tax of 100 per cent upon the excess over $500 of campaign contributions contributed in the aggregate during any taxable year for the purpose of influencing the results of elections to which candidates for Members of the House of Representatives or for United States Senator or for presidential electors are to be nominated or elected; and the Senate recedes.

On amendment No. 223: Title III in the House bill bore the title "War profits and excess-profits taxes." The Senate amendment makes this read "War excess-profits tax"; and the Senate recedes.

On amendments Nos. 224, 225, and 226: These amendments are clerical changes; and the House recedes.

On amendment No. 227: This amendment is a clerical change made necessary by amendment 233; and the House recedes.

On amendments Nos. 228, 229, and 230: These amendments are clerical changes made necessary by and explained in connection with amendment 231; and the House recedes.

On amendment No. 231: The House bill provided an alternative war profits and excess-profits tax computed according to whichever of the two methods yielded the higher amount of tax. The tax under the excess-profits method was computed at the following rates: Thirty-five per cent of the amount of the net income in excess of the excess-profits credit and not in excess of 15 per cent of the invested capital for the taxable year; 50 per cent of the amount of the net income in excess of 15 per cent and not in excess of 20 per cent of such capital; and 70 per cent of the amount of the net income in excess of 20 per cent of the capital. The tax as computed by the war-profits method was 80 per cent of the amount of the net income in excess of the war-profits credit. The above rates applied to the taxable year 1918 and each taxable year thereafter.

The Senate amendment combines the war-profits and excess-profits methods in a single schedule, inserting the 80 per cent war-profits tax as the third bracket; changes the excess-profits rates from 35 per cent, 50 per cent, and 70 per cent to 30 per cent and 60 per cent; makes the above rates and the war-profits tax applicable only to the year 1918 and adopts the following excess-profits tax rates for the taxable year 1919 and each taxable year thereafter: Twenty per cent of the amount of the net income in excess of the excess-profits credit and not in excess of the invested capital; 40 per cent of the amount of the net income in excess of the invested capital. The Senate amendment also contains a provision that for the purposes of the Federal railroad-control act approved March 21, 1918, the tax imposed by this title shall be treated as levied by an act in amendment of Title II of the revenue act of 1917, thus making it certain that the war-profits and excess-profits tax, so far as applicable to transportation systems now under Federal control, shall be borne by the owners of such systems.

The House recedes with amendments: (1) Fixing the excess-profits tax rates for the taxable year 1918 at 30 per cent of the amount of the net income in excess of the excess-profits credit and not in excess of 20 per cent of the invested capital, and 65 per cent of the amount of the net income in excess of 20 per cent of the invested capital; and (2) continuing these rates for the taxable year 1918 into the taxable year 1919 and succeeding years with respect to the net income of each corporation which derives in any such year a net income of more than $10,000 from any Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive—the tax upon corporations of this class being equal to the sum of the following: (a) Such a portion of a tax computed at the 1918 rates as the part of the net income attributable to such Government contract or contracts bears to the entire net income; plus (b) such a portion of a tax computed at the rates for 1918 and thereafter as the part of a net income not attributed to such Government contract or contracts bears to the entire net income.

On amendment No. 232: The House bill limited the tax in the case of corporations whose invested capital or net income for the taxable year did not exceed $50,000. The Senate amendment strikes out this limitation and substitutes a general provision limiting the tax upon the amount of the net income in excess of $3,000 and not in excess of $20,000; and the House recedes with amendments making clerical changes.

On amendment No. 233: The House bill (in section 303) provided a special rate of 20 per cent of the net income in excess of $3,000 in the case of a corporation, the earnings of which are to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation. The Senate amendment strikes out this provision, having defined (by amendment 11) the above class of corporations as "personal-service corpora-

tions" and having provided (by amendments 92 and 132) that they should be exempt from income, war-profits, and excess-profits taxes and be treated as partnerships. The Senate amendment also inserted, as section 303, an amendment providing for the taxation of a corporation, the net income of which is derived in part (1) from a trade or business in which the employment of capital is necessary, and in part (2) from a separate trade or business, which, if constituting the sole trade or business, would bring it within the class of "personal-service corporations." The House recedes with amendments making clerical changes.

On amendments Nos. 234 and 235: Amendment 234 provided—as part of the Senate plan of insurance taxation—that certain insurance companies should be exempted from war tax and excess-profits taxes. The House recedes with an amendment striking out the Senate amendment and inserting here the language of amendment No. 235, from which the Senate recedes. The restored matter provides that any corporation whose net income for the taxable year is less than $3,000 shall be exempt from taxation under this title.

On amendment No. 236: This amendment provides that in the case of any corporation engaged in the mining of gold the portion of the net income derived from the mining of gold shall be exempt from the war-profits and excess-profits tax; and the House recedes with an amendment providing that the tax on the remaining portion of the net income shall be the proportion of a tax computed without the benefit of this exemption which such remaining portion of the net income bears to the entire net income.

On amendments Nos. 237, 238, and 239: These amendments are clerical changes necessitated by the amalgamation of the war-profits and excess-profits methods explained in connection with amendment 231; and the House recedes.

On amendment No. 240: In computing the war-profits credit the House bill provided that the average net income for the prewar period should be increased or diminished by 10 per cent of the "invested capital added or withdrawn since the close of the prewar period." The Senate amendment bases this allowance on the "difference between the average invested capital for the prewar period and the invested capital for the taxable year"; and the House recedes.

On amendment No. 241: This amendment is a clerical change necessitated by amendment 242; and the House recedes.

On amendment No. 242: This amendment provides that if a corporation was not in existence during the whole of at least one calendar year during the prewar period its war-profits credit shall be the sum of $3,000 and an amount equal to the same percentage of the invested capital for the prewar period of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer, but such amount shall in no case be less than 10 per cent of the invested capital of the taxpayer for the taxable year.

The House recedes with an amendment providing that the ordinary war-profits credit (i. e., $3,000 plus 10 per cent of the invested capital for the taxable year) shall apply in the case of any "new" corporation if (1) a majority of its stock at any time during the taxable year is owned or controlled, directly or indirectly, by a corporation which was in existence during the whole of at least one calendar year during the prewar period, or if (2) 50 per cent or more of its gross income consists of gains, profits, commissions, or other income derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

On amendment No. 243: This amendment is a clerical change; and the House recedes with a further clerical change.

On amendment No. 244: This amendment is a clerical change necessitated by the amalgamation of the war profits and excess profits methods (explained in connection with amendment 231); and the House recedes.

On amendments Nos. 245 and 246: These amendments are clerical changes; and the House recedes.

On amendment No. 247: The Senate amendment as a consequence of the adoption of amendment 159 struck out the allowance for hazard provided for producers or prospectors of oil in the House bill at this point; and the House recedes.

On amendment No. 248: This amendment is a clerical change; and the House recedes.

On amendment No. 249: This amendment provides that a corresponding part of the capital invested in "inadmissible assets" shall not be deemed to be inadmissible assets "where all or part of the interest derived from such assets is in effect included in the net income because of the limitation on the deduction of the interest under paragraph (2) of subdivision (a) of section 234"; and the House recedes.

On amendment No. 250: This amendment is a clerical change; and the House recedes.

On amendment No. 251: The term "admissible assets" is by this amendment defined to mean "all assets other than inadmissible assets, valued in accordance with the provisions of subdivision (a) of section 326, section 330, and section 331"; and the House recedes.

On amendment No. 252: This amendment provides that the par value of stock or shares shall, in the case of stock or shares issued at a nominal value, be deemed to be the fair market value as of the date or dates of issue of such stock or shares; and the House recedes.

On amendment No. 253: This amendment is a clerical change; and the House recedes.

On amendment No. 254: The House bill provided that tangible property should be included in invested capital in an amount not to exceed the par value of the original stock or shares specifically issued therefor. The Senate amendment adds the following qualification: "Unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus." The House recedes with an amendment providing that the commissioner shall keep a detailed record of all cases in which tangible property is included in invested capital at a value in excess of the stock or shares issued therefor, which record shall be furnished when required by resolution of either House of Congress, without regard to the restrictions contained in section 257.

On amendment No. 255: This amendment is a clerical change; and the House recedes.

On amendment No. 256: The House bill specifically provided that "paid-in or earned surplus and undivided profits" should not include the increase in the value of any asset above the original cost until such increase is actually realized by sale. This was stricken out by the Senate amendment as surplusage and merely declaratory of an accepted general principle controlling the whole computation of invested capital; and the House recedes.

On amendment No. 257: The House bill limited to 20 per cent of the par value of the total stock or shares of the corporations outstanding on March 3, 1917, the aggregate allowance which may be made for intangible property paid in for stock or shares prior to March 3, 1917. The Senate amendment increased this limit to 30 per cent; and the House recedes with an amendment changing the 30 per cent to 25 per cent.

On amendment No. 258: The House bill excluded from "invested capital" intangible property (other than patents and copyrights) paid in for stock or shares on or after March 3, 1917. The Senate amendment permits all intangible property bona fide paid in for stock on or after March 3, 1917 (subject to the limitation noted in amendment 259), to be included in invested capital; and the House recedes.

On amendment No. 259. The House bill limited to 20 per cent of the par value of the total stock or shares outstanding at the beginning of the taxable year the aggregate allowance which may be made (in computing invested capital) for patents and copyrights paid in for stock or shares on or after March 3, 1917. The Senate amendment increased this limit to 30 per cent (having by amendment 258 also allowed other intangible property to be included); and the House recedes with amendments changing the 30 per cent to 25 per cent, and providing that in no case shall the total allowance for intangible property paid in for stock or shares before, on, or after March 3, 1917, exceed in the aggregate 25 per cent of the par value of the total stock of shares outstanding at the beginning of the taxable year.

On amendment No. 260: This amendment strikes out the House provision excluding from "invested capital" intangible property (other than patents and copyrights) paid in for stock or shares on or after March 3, 1917; and the House recedes.

On amendment No. 261: This amendment provides that there shall be deducted from invested capital as defined in section 326 a percentage equal thereof to the percentage which the amount of inadmissible assets is of the amount of the admissible and inadmissible assets held during the taxable year, except in the case of certain dealers in securities, insurance companies, banks, banking associations, loan or trust companies; and the House recedes with an amendment striking out the exception.

On amendment No. 262: This amendment strikes out the definition provided in the House bill of the invested capital of a foreign corporation (see amendment No. 263), makes clerical changes in the method of computing the invested capital for a fractional part of a year, and defines the average invested capital for the prewar period; and the House recedes.

On amendment No. 263: The House bill in the so-called relief provisions provided that in certain specified cases the

invested capital of a corporation shall be the amount which bears the same ratio to the net income of the corporation for the taxable year as the average invested capital for the taxable year of representative corporations engaged in a like or similar trade or business bears to their average net income for such year.

The Senate amendment increases the classes of cases in which the tax is to be fixed by reference to the experience of representative corporations; includes therein all foreign corporations (see amendment 262), and provides that in such cases the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to their average net income (in excess of the specific exemption of $3,000) for such year.

The House recedes with amendments:

(1) Making clerical changes;

(2) Consolidating a number of separate classes or cases differentiated in the Senate amendment into a single class of cases in which "upon application by the corporation the commissioner finds and so declares of record that the tax if determined without benefit of this section would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without benefit of this section and the tax computed by reference to the representative corporations specified in section 328. This subdivision shall not apply to any case in which the tax (computed without benefit of this section) is high merely because the corporation earned within the taxable year a high rate of profits upon a normal invested capital, nor in which 50 per cent or more of the gross income of the corporation for the taxable year (computed under sec. 233 of Title II) consists of gains, profits, commissions, or other income, derived on a cost-plus basis from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive"; and

(3) Providing (since the taxpayer, in cases falling under this section, does not know the basis on which the final assessment will be made) that the return shall be made and the first installments of the tax computed on the basis of a tax equal to 50 per cent of the net income, in any case in which the tax as computed without benefit of this section is 50 per cent or more of the net income, and that where the tax, as computed without benefit of this section is less than 50 per cent of the net income, then the installments shall in the first instance be computed upon the basis of such tax.

On amendments Nos. 264, 265, 266, and 267: These amendments are clerical changes; and the House recedes.

On amendment No. 268: The Senate amendment strikes out the House provision that in the case of a corporation making a return on the basis of a fiscal year the ratio (between the average invested capital and the average net income of representative corporations) for the calendar year ending during such fiscal year shall be used; and the House recedes.

On amendment No. 269: This amendment is a clerical change necessitated by amendment 263; and the House recedes.

On amendment No. 270: This amendment is a clerical change; and the House recedes with an amendment making another clerical change.

On amendment No. 271: This is a clerical change; and the House recedes.

On amendments Nos. 272, 273, 274, and 275: These amendments are clerical changes; and the Senate recedes.

On amendment No. 276: This amendment provided that nothing contained in section 330 relating to the reorganization, consolidation, or change of ownership after January 1, 1911, of a trade or business now carried on by a corporation should be so construed as to conflict with the provisions of section 326; and the Senate recedes.

On amendment No. 277: The House bill provided that in the case of reorganizations, etc., if the predecessor trade or business was carried on by a partnership or individual the net income for the prewar period should be ascertained and returned upon the same basis as provided for partnerships and individuals in Title II. The Senate amendment provides that in such cases the net income for the prewar period shall be ascertained and returned upon the basis provided for corporations in Title II, including a reasonable deduction for salary or compensation to each partner or the individual.

The House recedes with an amendment providing that in the case of the reorganization as a corporation before July 1, 1919, of certain trades or businesses previously owned by a partnership or individual the net income of such trade or business from January 1, 1918, to the date of such reorganization may, at the option of the individual or partnership, be taxed as the net income of a corporation is taxed under Titles II and III; in which event the undistributed profits of such trade or business shall not be subject to surtaxes, but amounts distributed on or after January 1, 1918, from the earnings of such trade or business shall be taxed to the recipients as dividends, and any taxpayer availing himself of this option is required to pay the capital stock tax as if such taxpayer had been a corporation on and after January 1, 1918, with a capital stock having no par value.

On amendment No. 278: This amendment extends certain House provisions relating to the reorganization, consolidation, or change of ownership of a trade or business, to include "change of ownership of property"; and the House recedes.

On amendments Nos. 279, 280, and 281: These amendments are clerical changes dependent upon amendment 278; and the House recedes.

On amendment No. 282: This amendment provides that in cases of reorganization, etc., if the previous owner was not a corporation then the value of any asset transferred or received shall be taken at its cost of acquisition at the date when acquired by such previous owner; and the House recedes with an amendment making a clerical change.

On amendments Nos. 283 and 284: These amendments are clerical changes; and the House recedes.

On amendment No. 285: In the case of corporations making return for a fiscal year beginning in 1917 and ending in 1918 the House bill provided that the entire net income (for purposes of computing the war-profits and excess-profits tax) should be determined under Title II of this act. The Senate amendment alters the methods of computing both the net income and the tax, in such cases, by providing that the tax for the first taxable year under this title shall be (1) the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title which the portion of such period falling within the calendar year 1918 is of the entire period. The Senate amendment also contains certain necessary provisions required by the exemption of personal service corporations from war-profits and excess-profits tax. The House recedes with amendments making clerical changes.

On amendment No. 286: This amendment is a clerical change; and the House recedes.

On amendment No. 287: This amendment strikes out the House provision prohibiting the use of the so-called consolidated return; and the House recedes.

On amendment No. 288: This amendment provides that in the case of a bona fide sale of mines, oil or gas wells, or any interest therein, where the par value of the property has been demonstrated by prospecting or exploration and discovery work done by the taxpayer, the portion of the tax imposed by the excess-profits title attributable to such sale shall not exceed 20 per cent of the selling price of such property or interest; and the House recedes.

On amendment No. 289: The House bill imposed a tax upon the transfer of the net estate of every decedent dying after the passage of this act based upon the total value of the net estate regardless of the number of shares into which it was divided among the various beneficiaries (substantially the same as the present law at increased rates). The Senate amendment strikes out this tax and in lieu thereof imposes an inheritance tax based upon the value of the beneficial interests passing to each individual beneficiary, with much lower rates than the House bill and much smaller revenue return. The House recedes with an amendment restoring the provisions of the House bill, with the following changes:

1. Exempting from the tax under this act and the existing law the transfer of the net estate of any decedent who has died or may die while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service.

2. Changing from three years to two years the period of time within which a transfer of a material part of his property by a decedent before his death shall be deemed to have been made in contemplation of death.

3. Allowing as a deduction in computing the net estate the amount of all bequests, legacies, and devises to the United States or a State or a political subdivision thereof for public purposes, or to a corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or to a trustee exclusively for such purposes.

4. Extending from two years to three years the maximum time to which the commissioner may extend the time for the payment of the tax.

5. Making other minor administrative changes.

6. The following table shows the rates of the House bill and as agreed to in conference:

Amount of net estate (an exemption of $50,000 is allowed estates of residents of the United States in computing the value of net estate).	Rates on net estates under—	
	Conference agreement.	House bill.
	Per cent.	*Per cent.*
Not exceeding $50,000	1	3
Exceeding $50,000 and not exceeding $150,000	2	6
Exceeding $150,000 and not exceeding $250,000	3	9
Exceeding $250,000 and not exceeding $450,000	4	12
Exceeding $450,000 and not exceeding $750,000	6	15
Exceeding $750,000 and not exceeding $1,000,000	8	15
Exceeding $1,000,000 and not exceeding $1,500,000	10	18
Exceeding $1,500,000 and not exceeding $2,000,000	12	18
Exceeding $2,000,000 and not exceeding $3,000,000	14	21
Exceeding $3,000,000 and not exceeding $4,000,000	16	24
Exceeding $4,000,000 and not exceeding $5,000,000	18	27
Exceeding $5,000,000 and not exceeding $8,000,000	20	30
Exceeding $8,000,000 and not exceeding $10,000,000	22	35
Exceeding $10,000,000	25	40

On amendment No. 290: The House bill made the transportation taxes effective November 1, 1918. The Senate bill made them effective April 1, 1919; and the House recedes.

On amendment No. 291: The House bill exempted from the passenger tax the amounts paid for transportation the fare for which does not exceed 35 cents. The Senate amendment increased this exemption to 42 cents; and the House recedes.

On amendment No. 292: This amendment limits the 8 per cent tax on passenger fares over transportation lines which are in competition with foreign lines so that such tax shall not exceed the amount of transportation tax to which foreign transportation companies are subjected by their Governments. The House recedes with an amendment confining the limitation or exemption to passenger traffic between American ports on water lines which are in competition between American ports with foreign water transportation lines from adjacent foreign ports.

On amendment No. 293: This amendment confines the tax on the amount paid for seats, berths, or staterooms in parlor cars or on vessels to such facilities when used in connection with transportation upon which the passenger tax is imposed; and the House recedes.

On amendment No. 294: The House bill imposed a tax of 6½ per cent on the amount paid for the transportation of oil by pipe line. The Senate amendment increases this tax to 8 per cent; and the House recedes.

On amendment No. 295: This amendment provides that the taxes upon transportation and other facilities shall not be imposed upon any payment received for services rendered to the United States or to any State or Territory or the District of Columbia; and the House recedes.

On amendment No. 296: This amendment provides that the taxes upon transportation and other facilities shall without assessment by the commissioners or notice from the collectors be due and payable to the collectors at the time of filing each monthly return and provides a penalty for nonpayment; and the House recedes.

On amendment No. 297: The House bill imposed a tax equivalent to 8 cents on each $100 or fractional part thereof of the amount for which any life is insured. In the case of group life insurance, covering groups of not less than 25 lives in the employ of the same person for the benefit of persons other than the employer, the House bill imposed a tax equivalent to 4 cents on each $100 of the aggregate amount for which the group policy is issued and of any net increase in the amount of insurance under such policies. It also reenacted the tax under existing law of 1 cent on each dollar or fractional part thereof of the premium charged under each policy of marine, inland, and fire insurance without change. The House bill also substantially reenacted the tax levied under existing law of 1 cent on each dollar or fractional part thereof of the premium charged under each casualty insurance policy.

The Senate bill presented an entirely new scheme of insurance taxation by which the income, excess profits, war profits, capital stock, and premium taxes upon insurance companies other than life and mutual insurance companies were replaced by premium taxes at higher rates than have been heretofore imposed. As part of this plan the premium taxes upon issuance of insurance policies (including life insurance policies) provided in the House bill was stricken out by the Senate in this amendment.

The House recedes with amendments making clerical changes; restoring the House tax provision on the issuance of insurance policies; and providing that such taxes shall be due and payable, without assessment or notice, at the time fixed for filing return and that if not paid when due there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.

On amendment No. 298: This amendment is a clerical change; and the House recedes.

On amendment No. 299: The House bill imposed a tax on nonbeverage alcohol of $4.40 per proof gallon or wine gallon when below proof. The Senate bill reduced this rate to $2.20; and the House recedes.

On amendment No. 300: The House bill levied a tax upon beverage alcohol of $8 per proof gallon or wine gallon when below proof. The Senate reduced this rate to $6.40, and the House recedes.

On amendment No. 301: Distilled spirits stored under bonds in accordance with the law are subject after eight years to tax whether withdrawn or not. The approaching period of prohibition provided by the food-stimulation act would therefore force the payment either by owners or sureties of large sum of taxes upon spirits which could not be lawfully sold or removed from the warehouse. To meet this situation the Senate bill provides in this amendment that the tax on distilled spirits intended for beverage purposes shall not be payable on such spirits while stored in any distillery, bonded warehouse, or special or general bonded warehouse, and which, pursuant to any act of Congress, or proclamation of the President of the United States, can not be lawfully sold or removed from such warehouse during the period of prohibition; and all warehousing bonds or transportation and warehousing bonds conditioned for the payment of tax on any such spirits so stored on the date such prohibition takes effect shall, as to all such spirits actually so stored, be canceled and discharged, provided the distiller of such spirits shall, in lieu of such bonds and prior to their cancellation, execute a bond in a penal sum of not less than $10,000, with sureties satisfactory to the collector of the district conditioned that the principal shall, during the period of such prohibition, safely cause to be kept in good condition all such spirits and the warehouse in which the same are stored, and shall not remove or suffer to be removed from the warehouse, contrary to law, any such spirits during the period of such prohibition. The distiller may also be permitted to retain in any such bonded warehouse distilled spirits on which, under the terms of any existing bond, the tax imposed thereon becomes due and payable prior to the date such prohibition takes effect, but on the removal of such prohibition the distiller shall, as to all spirits as to which the bonded period fixed by law has not expired and which remains stored in warehouse, execute new and satisfactory bond in the form required by existing law conditioned for the payment of the tax on all such spirits.

The amendment also authorizes upon the withdrawal of the distilled spirits from bonded warehouses, after the period of prohibition has ended, an allowance (in addition to that allowed by existing law) for loss by leakage or other unavoidable cause, not exceeding 1 proof gallon as to packages of a capacity of not less than 40 wine gallons; and a like additional allowance of 1 proof gallon as to each package withdrawn may be made for each period of four months, or a fraction thereof, for such spirits as shall have remained in warehouse during the period of prohibition and after the expiration of the maximum leakage period fixed by existing law.

The amendment also provides that liquors which may be in any customs bonded warehouse under the customs laws on the date such prohibition takes effect shall be permitted to remain therein without payment of any taxes or duties thereon, beyond the three-year period provided in section 2971 of the Revised Statutes, during such period of prohibition; and may be exported at any time during such extended period. Any imported spirits, wines, or other liquors as to which the three-year bonded period may expire after the passage of this act and prior to the date such prohibition takes effect may, at the option of the owner, remain in bond during such period of prohibition; and the House recedes.

On amendment No. 302: This amendment is a clerical change; and the House recedes.

On amendment No. 303: The House bill imposed a tax upon perfume containing distilled spirits of $3.30 per wine gallon.

The Senate bill reduced this tax to $1.10; and the House recedes.

On amendments Nos. 304, 305, 306, 307, 308, 309, 310, and 311: These amendments are clerical changes; and the House recedes.

On amendment No. 312: The House bill imposed a floor tax upon distilled spirits for beverage purposes of $4.80 per proof gallon, and upon spirits for nonbeverage purposes of $2.20. The Senate imposed a floor tax upon such spirits equal to the difference between the tax imposed by this act and existing law. The House recedes with an amendment imposing a floor tax of $3.20 per proof gallon upon beverage spirits.

On amendments Nos. 313, 314, 315, 316, 317, 318, and 319: These amendments are clerical changes; and the House recedes.

On amendment No. 320: This amendment exempts from the tax on liqueurs, cordials, or similar compounds those not containing sweet wine fortified with grape brandy; and the House recedes.

On amendment No. 321: This amendment is a clerical change; and the House recedes.

On amendment No. 322: The House bill levied upon sweet wines held for sale on the day after the passage of the act a floor tax equivalent to 20 cents per proof gallon upon the grape brandy or wine spirits used in the fortification of the wine. The Senate amendment increased this tax to 30 cents; and the House recedes.

On amendment No. 323: This amendment is a clerical change due to the action upon Senate amendment 318; and the House recedes.

On amendment No. 324: This amendment is a clerical change; and the House recedes.

On amendment No. 325: This amendment makes it lawful to produce grape wines on bonded winery premises and to transport and use the same and like wines heretofore produced as distilling material for the production of nonbeverage spirits; and the House recedes with an amendment striking out the words "of fermentation."

On amendment No. 326: This amendment imposes a penalty upon anyone who evades or attempts to evade the taxes imposed upon wines and grape brandy similar to the penalty imposed upon distilled spirits in section 3256 of the Revised Statutes; and the House recedes.

On amendment No. 327: This amendment is a clerical change; and the House recedes.

On amendment No. 328: The House bill imposed a tax upon nonalcoholic cereal beverages of 30 per cent of the price for which sold; the Senate amendment reduced this rate to 15 per cent; and the House recedes.

On amendments Nos. 329 and 330: The House bill taxed unfermented grape juice and all fruit or berry juices at the same rates as other soft drinks except cereal beverages. The Senate bill exempted such drinks from tax; and the Senate recedes.

On amendment No. 331: The House bill imposed a tax of 20 per cent upon the manufacturer's selling price of soft drinks other than cereal beverages. The Senate bill reduced this tax with the exception of the action heretofore mentioned in amendments 329 and 330 to 10 per cent. This recession taken in connection with the action upon amendments 329 and 330 makes the tax upon all soft drinks other than cereal beverages 10 per cent of the prices for which sold by the manufacturer, producer, or importer.

On amendments Nos. 332 and 333: The House bill imposed a tax of 2 cents per gallon upon all natural mineral waters or table waters sold at over 10 cents per gallon. The Senate bill in these two amendments imposed a tax of 5 per cent upon the price for which sold, whether or not at over 10 cents per gallon; and the Senate recedes.

On amendment No. 334: This amendment is a clerical change; and the House recedes.

On amendment No. 335: This amendment provides that the tax upon soft drinks shall without assessment by the commissioner or notice by the collectors be due and payable to the collectors at the time of the filing of each monthly return, and provides a penalty for nonpayment; and the House recedes.

On amendment No. 336: The House bill made the tax upon sales at soda fountains and similar places effective November 1, 1918. The Senate bill changed the date to May 1, 1919; and the House recedes.

On amendments Nos. 337 and 338: The House bill imposed a tax of 2 cents for each 10 cents or fraction thereof of the amount paid for soft drinks, ice cream, or other similar articles of food or drink sold at soda fountains, ice-cream parlors, or other similar places of business with a proviso that where the charge for any such article is 7 cents or less the tax shall be 1 cent. The Senate amendments reduced this tax to 1 cent for each 10 cents or fraction thereof; and the House recedes.

On amendments Nos. 339, 340, 341, 342, 343, and 344: The following table shows the taxes proposed upon cigars in the bill as it passed the House and Senate and as agreed to in conference:

Item.	House bill.	Senate bill.	As agreed to in conference.
Cigars weighing not more than 3 pounds per 1,000, per thousand	$2.00	$1.50	$1.50
Cigars weighing more than 3 pounds per 1,000, if manufactured or imported to retail at—			
Less than 5 cents each, per thousand	5.00	4.00	4.00
More than 5 cents each and not more than 8 cents each, per thousand	8.00	5.40	6.00
More than 8 cents each and not more than 15 cents each, per thousand	12.00	9.00	9.00
More than 15 cents each and not more than 20 cents each, per thousand	16.00	12.00	12.00
More than 20 cents each, per thousand	20.00	15.00	15.00

On amendments Nos. 345 and 346: The House bill imposed a tax upon cigarettes weighing not more than 3 pounds per thousand if manufactured or imported to retail at less than 2 cents each of $4.10 per thousand and of $5.10 per thousand upon those manufactured or imported to retail at 2 cents or more each. The Senate bill by amendment 346 strikes out the tax on cigarettes to retail at 2 cents or more each, and the House recedes; and by amendment 345 makes the rate upon all cigarettes weighing not more than 3 pounds per thousand, $2.90 per thousand; and the House recedes with an amendment making the tax upon all such cigarettes $3 per thousand.

On amendment No. 347: The House bill imposed a tax upon cigarettes weighing more than 3 pounds per thousand of $9.00 per thousand. The Senate bill made this tax $7.20; and the House recedes.

On amendments Nos. 348, 349, and 350: These amendments are clerical changes; and the House recedes.

On amendment No. 351: The House bill imposed a tax upon manufactured tobacco and snuff of 26 cents per pound. The Senate bill reduced this tax to 18 cents; and the House recedes.

On amendment No. 352: This amendment exempted from floor tax the following amount of tobacco stock: Not over 50 pounds of manufactured tobacco and snuff or 1,000 cigars and not over 3,000 cigarettes held by any person. The House bill gave no similar exemption; and the Senate recedes.

On amendments Nos. 353, 354, 355, and 356: The House bill imposed the following tax upon each package, book, or sheet of cigarette papers: Each containing more than 25 but not more than 50 papers, 1 cent; each containing more than 50 but not more than 100 papers, 2 cents; and each containing over 100 papers, for each 100 or fraction thereof, 2 cents. The Senate bill reduced the rates to one-half of the House rate; and the House recedes.

On amendment No. 357: Section 35 of the act of August 5, 1909, provides that "unstemmed leaf tobacco in the natural leaf, in the hand, and not manufactured or altered in any manner, raised and grown in the United States, shall not be subject to any internal-revenue tax or charge of any kind whatsoever, and it shall be lawful for any person to buy and sell such unstemmed tobacco in the leaf, in the hand, without payment of tax of any kind."

This amendment repeals the above section and provides that sales or shipments of leaf tobacco by a dealer in leaf tobacco shall be in quantities of not less than a hogshead, tierce, case, or bale, except loose leaf tobacco comprising the breaks on warehouse floors, and except to a duly registered manufacturer of cigars for use in his own manufactory exclusively, and that dealers in leaf tobacco shall make shipments of leaf tobacco only to other dealers in leaf tobacco, to registered manufacturers of tobacco, snuff, cigars, or cigarettes, or for export. The amendment also provides that upon all leaf tobacco sold, removed, or shipped by any dealer in leaf tobacco in violation of the aforementioned provision, or in respect to which no report has been made by such dealer in accordance with the provisions of subdivision (b), there shall be levied, assessed, collected, and paid a tax equal to the tax then in force upon manufactured tobacco, such tax to be assessed and collected in the same manner as the tax on manufactured tobacco.

The amendment also provides a penalty for the enforcement of the same. It is also provided that for the purposes of this section a farmer or grower of tobacco shall not be regarded as a dealer in leaf tobacco in respect to the leaf tobacco produced by him.

The House recedes with an amendment making a clerical change.

On amendment No. 358: The House bill provided that admission taxes should go into effect November 1, 1918. The Senate amendment fixed the date as April 1, 1919; and the House recedes.

On amendments Nos. 359 and 360: The House bill imposed a tax of 2 cents for each 10 cents or fraction thereof on the amount paid for admission to any place with a proviso that where the charge for admission is 7 cents or less, and in the case of children under 12 years of age where an admission charge for such children is made, the tax shall be 1 cent. The Senate amendment reduces this tax to 1 cent for each 10 cents or fraction thereof of the amount paid for such admission; and the House recedes.

On amendment No. 361: The House bill imposed upon free admissions, with exceptions, a tax of 2 cents for each 10 cents or fraction thereof of the price charged to other persons for the same accommodations. The Senate amendment reduces this tax to 1 cent for each 10 cents or fraction thereof of the price so charged to other persons; and the House recedes.

On amendment No. 362: The House bill imposed upon theater tickets sold at places other than the box office at not to exceed 50 cents in excess of the sum of the regular price plus the amount of the ordinary tax of 1 cent for each 10 cents or fraction thereof a tax equivalent to 5 per cent of the amount of such excess. The Senate amendment increased this to 10 per cent of the amount of such excess; and the Senate recedes.

On amendment No. 363: The House bill imposed upon tickets sold at places other than the box office for more than 50 cents in excess of the sum of the regular price plus the amount of the ordinary tax of 1 cent for each 10 cents or fraction thereof, a tax equivalent to 30 per cent of the amount of such excess. The Senate amendment increases this to 50 per cent of the amount of such excess; and the House recedes.

On amendments Nos. 364 and 365: These amendments are clerical changes; and the House recedes.

On amendment No. 366: The House bill imposed upon persons having permanent boxes or seats or a lease for the use of such boxes or seats a tax equivalent to 25 per cent of the amount for which a similar box or seat is sold for each performance at which such box or seat is used or reserved. The Senate amendment reduces this to 10 per cent; and the House recedes.

On amendment No. 367: The House bill imposed a tax of 2 cents for each 10 cents or fraction thereof of the amount paid for admission to any public performance for profit at any roof garden, cabaret, or similar entertainment to which a charge for admission is wholly or in part included in the price paid for refreshment, service, or merchandise. The Senate amendment reduces this to 1 cent for each 10 cents or fraction thereof; and the House recedes with an amendment making the rate 1½ cents for each 10 cents or fraction thereof.

On amendment No. 368: This amendment provides that the admission tax shall not be levied in respect to admissions all the proceeds of which inure exclusively to the benefit of societies for the prevention of cruelty to children and animals, or organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions. The House recedes with an amendment making clerical changes and providing that if any of the profits of organizations maintaining symphony orchestras are distributed to members the exemption shall be allowed.

On amendment No. 369: The House bill provided that the tax on club dues should go into effect on November 1, 1918. The Senate amendment fixed the date as April 1, 1919; and the House recedes with a clerical amendment.

On amendment No. 370: The House bill imposed a tax of 20 per cent upon the amount paid for club dues to social, athletic, or sporting clubs or organizations. The Senate amendment reduces this tax to 10 per cent; and the House recedes.

On amendment No. 371: The House bill made subject to the tax upon club dues the dues paid to any produce exchange, board of trade, or other similar organization, or to any stock exchange. The Senate amendment strikes out this tax; and the House recedes.

On amendment Nos. 372 and 373: These amendments are clerical changes made necessary by the removal of the tax on dues applicable to stock and produce exchanges; and the House recedes.

On amendment No. 374: This amendment is a clerical change striking out language which is reinserted in slightly different form by amendment No. 431; and the House recedes.

On amendments Nos. 375 and 376: The House bill imposed a tax upon automobile trucks, automobile wagons, automobile trailers, or tractors of 5 per cent of the manufacturer's selling price, and upon other automobiles or motorcycles a tax of 10 per cent. The Senate amendments exempts from the tax automobile trucks, automobile wagons, automobile trailers, or tractors, and imposes a tax of 5 per cent of the manufacturer's selling price of automobiles and motorcycles. The House recedes with amendments imposing a tax upon automobile trucks and automobile wagons of 3 per cent of the manufacturer's selling price, and in the case of other automobiles and motorcycles, except tractors, of 5 per cent upon such price.

On amendments Nos. 377, 378, 379: These amendments are clerical changes; and the Senate recedes.

On amendment No. 380: The House bill imposed a tax upon automobile tires, inner tubes, parts, or accessories of 10 per cent of the manufacturer's selling price when such tires are sold to any person other than an automobile manufacturer or producer. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 381: This amendment is a clerical change; and the Senate recedes.

On amendments Nos. 382 and 383: The House bill imposed a tax upon pipe organs of 10 per cent of the manufacturer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 384: This amendment makes music boxes subject to the musical-instrument tax; and the House recedes.

On amendment No. 385: The House bill imposed a tax upon musical instruments and records thereof of 10 per cent upon the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 386: The House bill imposed a tax upon positive moving-picture films, containing a picture ready for projection, of 10 per cent of the manufacturer's selling or leasing price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 387: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendments Nos. 388, 389, and 390: These amendments are clerical changes; and the House recedes.

On amendment No. 391: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 392: The House bill imposed a tax upon chewing gum of 6 per cent of the manufacturer's selling price. The Senate amendment reduces this to 3 per cent; and the House recedes.

On amendment No. 393: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 394: The House bill exempted from the tax upon cameras those weighing more than 100 pounds each. The Senate amendment strikes out this exemption; and the Senate recedes.

On amendment No. 395: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 396: The House bill imposed a tax upon photographic films and plates equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 397: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 398: The House bill imposed a tax upon candy of 10 per cent of the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 399: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendments Nos. 400 and 401: These amendments are clerical changes; and the House recedes.

On amendments Nos. 402 and 403: The House bill imposed upon pistols and revolvers a tax of 25 per cent of the manufacturer's selling price. The Senate amendments reduce this tax to 10 per cent; and the House recedes.

On amendment No. 404: This amendment imposes a tax upon hunting and bowie knives equivalent to 10 per cent of the manufacturer's selling price. The House recedes with an amendment making a clerical change in the paragraph number.

On amendment No. 405: This amendment is a clerical change; and the Senate recedes.

On amendment No. 406: The House bill imposed a tax upon bowie knives equivalent to 100 per cent upon the manufacturer's selling price. The Senate amendment strikes out this tax and by Senate amendment No. 404 imposes a tax of 10 per cent on such knives. In view of the House having agreed to the rate

imposed by amendment No. 404, the House recedes in this amendment.

On amendment No. 407: This amendment is a clerical change; and the Senate recedes.

On amendments Nos. 408 and 409: The House bill levied a tax upon electric fans equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment imposes a tax of 5 per cent on portable electric fans; and the House recedes.

On amendment No. 410: This amendment is a clerical change; and the Senate recedes.

On amendment No. 411: This amendment is a clerical change; and the House recedes.

On amendment No. 412: The House bill imposed a tax upon thermos and thermostatic bottles and similar containers equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes.

On amendment No. 413: The House bill imposed a tax upon tapestries and textiles for furniture coverings or hangings as interior decorations, and upon woolen rugs, equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 414: This amendment is a clerical change, and the House recedes with an amendment making a further clerical change.

On amendment No. 415: The House bill imposed a tax upon photographs, productions, or reproductions, equivalent to 10 per cent of the producer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 416: The House bill imposed a tax upon cash registers equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 417: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 418: The House bill imposed upon automatic slot weighing and vending machines a tax equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment reduces this tax to 5 per cent; and the House recedes with an amendment making the tax 5 per cent in case of the vending machines and 10 per cent in the case of the weighing machines.

On amendment No. 419: The House bill in a different section (sec. 1007, amendment No. 523) provided that on and after January 1, 1919, every manufacturer of automatic vending or weighing machines who operates such machines shall pay annually an excise tax equivalent to 5 per cent of the gross amount received by him from such operation during the preceding year ending June 30. The Senate by amendment No. 523 struck out this provision and by amendment No. 419 provided that if the manufacturer, producer, or importer of any such machine operates it for profit he shall pay a tax in respect of each such machine put into operation equivalent to 5 per cent of its fair market value. The House recedes from amendment No. 419, but recedes from amendment No. 523 with an amendment adding to Senate amendment 419 a clause providing that a manufacturer, producer, or importer operating such a weighing machine for profit shall pay a tax in respect of each such machine put into operation equivalent to 10 per cent of its fair market value.

On amendments Nos. 420 and 421: These amendments are clerical changes; and the House recedes with amendments making further clerical changes.

On amendment No. 422: The House bill imposed upon hunting garments and riding habits a tax equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment adds shooting garments to the articles covered by this tax; and the House recedes.

On amendment No. 423: The House imposed a tax on bathing suits equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 424: The House imposed upon certain specified furs a tax equivalent to 10 per cent of the manufacturer's selling price. The Senate amendment extends the tax so as to include all articles made out of fur or articles of which fur is a component material of chief value. The House recedes with a clerical amendment and with an amendment confining the tax to articles made of fur on the hide or pelt, or articles of which any such fur is the component material of chief value.

On amendment No. 425: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 426: The House bill imposed upon yachts and motor boats a tax equivalent to 10 per cent of the builder's selling price. The Senate amendment exempts from this tax those "used exclusively" for trade, fishing, and national defense. The House recedes with an amendment confining the exemption to those "designed" for trade, fishing, or national defense.

On amendment No. 427: This amendment is a clerical change; and the House recedes.

On amendment No. 428: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 429: This amendment is a clerical change; and the House recedes.

On amendment No. 430: The House bill imposed upon toilet soaps and soap powder a tax equivalent to 10 per cent of the manufacturer's selling price; the Senate amendment reduces this tax to 3 per cent; and the House recedes.

On amendment No. 431: This amendment inserts in slightly different form matter already stricken out by amendment No. 374; and the House recedes.

On amendments Nos. 432, 433, 434, 435, 436, 437, 438, 439, and 440: The House bill contained a provision to prevent evasion of the tax on articles sold by a manufacturer by selling them at less than the fair market price. The Senate amendments extend this provision to cover the leasing or licensing for exhibition of motion-picture films at less than the fair market price; and the House recedes.

On amendment No. 441: The House bill imposed upon gasoline suitable for motor power, sold by the manufacturer, refiner, or importer, a tax of 2 cents a gallon. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 442: This amendment is a change in section number; and the House recedes.

On amendments Nos. 443, 444, 445, and 446: The House bill imposed upon sculpture, paintings, and statuary sold by any person other than the artist a tax equivalent to 10 per cent of the price for which so sold. Senate amendment No. 443 adds to this list art porcelains and bronzes; and the House recedes. Amendment No. 444 adds to this list antique furniture sold by any person; and the Senate recedes. Amendment No. 445 reduces the rate from 10 per cent to 5 per cent; and the Senate recedes. Amendment No. 446 provides that the tax shall not apply to the sale of any such article to an educational institution or art museum. The House recedes with an amendment confining the exemption to sales to educational institutions or public art museums.

On amendment No. 447: This amendment is a change in section number; and the House recedes.

On amendments Nos. 448 and 449: These amendments are clerical changes; and the House recedes.

On amendment No. 450: This amendment provides that the excise taxes imposed in Title IX shall without assessment by the commissioner or notice from the collector be due and payable to the collectors at the time of filing each monthly return, and provides a penalty for nonpayment; and the House recedes.

On amendment No. 451: This amendment is a change in section number; and the House recedes.

On amendment No. 452: The House bill provided that the tax on the excess amount paid for certain articles should go into effect on November 1, 1918. The Senate amendment changes this date to May 1, 1919; and the House recedes.

On amendment No. 453: The House bill imposed a tax equivalent to 20 per cent of so much of the amount paid for certain articles (specified in section 905 of such bill) as is in excess of the price specified in such section as to each such article when sold for consumption or use. The Senate amendment reduces this to 10 per cent; and the House recedes.

On amendment No. 454: This amendment limits the application of the tax referred to in the preceding amendment to articles sold by a dealer. The House recedes with an amendment making the limitation apply to articles sold by or for a dealer or his estate.

On amendment No. 455: This amendment strikes from the articles subject to tax referred to under amendment No. 453, men's and boys' suits or overcoats and women's and misses' suits, cloaks, coats, and dresses; and the House recedes.

On amendments Nos. 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, and 466: These amendments are all clerical changes; and the House recedes.

On amendment No. 467: This amendment exempts from the tax referred to under amendment No. 453 articles made out of fur or of which fur is the component material of chief value. The House recedes with an amendment confining the exemption to articles made of fur on the hide or pelt or of which any such fur is the component material of chief value.

On amendment No. 468: This amendment is a clerical change; and the House recedes.

On amendment No. 469: This amendment is a clerical change; and the House recedes with an amendment making a further clerical change.

On amendment No. 470: This amendment is a clerical change made necessary by the adoption of amendment No. 455; and the House recedes.

On amendment No. 471. This amendment is a change in section number; and the House recedes.

On amendment No. 472: The House bill provided that the jewelry tax should go into effect on November 1, 1918. The Senate amendment changes this date to April 1, 1919; and the House recedes.

On amendment No. 473: The House bill imposed a tax upon articles made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof or ivory. The Senate amendment excludes surgical instruments falling within this class; and the House recedes.

On amendment No. 474: This amendment confines the jewelry tax imposed by the House to articles sold by a dealer. The House recedes, with an amendment making the tax applicable when the article is sold by or for a dealer or his estate.

On amendment No. 475: The House bill imposed upon jewelry and similar articles when sold for consumption or use a tax equivalent to 10 per cent of the price for which sold. The Senate amendment reduces this to 5 per cent; and the House recedes.

On amendment No. 476: The House bill provided that the jewelry tax should not apply to articles sold by any person whose principal business is not the sale of such articles for consumption or use and whose gross receipts from the sale of such articles during the preceding year does not exceed $200. The Senate amendment strikes out this exception; and the House recedes.

On amendment No. 477: This amendment is a clerical change; and the House recedes.

On amendment No. 478: This amendment provides that the tax upon jewelry shall without assessment by the commissioner or notice from the collectors be due and payable to the collectors at the time of filing each monthly return, and provides a penalty for nonpayment; and the House recedes.

On amendment No. 479: The House bill imposed a tax equivalent to 10 per cent of the amount paid for any jewelry composed in whole or in part of platinum when sold for consumption or use. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 480: This amendment provides that on and after May 1, 1919, any person engaged in the business of leasing or licensing for exhibition positive motion-picture films containing pictures ready for projection shall pay monthly an excise tax of 5 per cent of the total rentals during the preceding month; and the House recedes with an amendment making a clerical change.

On amendment No. 481: This amendment is a change in section number; and the House recedes.

On amendment No. 482: The House bill provided that the tax on cosmetics and proprietary and patent medicines should go into effect on November 1, 1918; the Senate amendment changed this date to May 1, 1919; and the House recedes.

On amendments Nos. 483 and 484: The House bill imposed upon cosmetics and proprietary and patented medicines a tax of 1 cent for each 10 cents or fraction thereof when sold for consumption or use. The Senate amendments reduce this rate to 1 cent for each 25 cents or fraction thereof and confine the tax to cases where the article is sold by a dealer. The House recedes from amendment No. 483, fixing the rate, and recedes from amendment No. 484 with an amendment limiting the application of the tax to cases where the articles are sold by or for a dealer or his estate.

On amendment No. 485: This amendment provides that the House tax on proprietary and patent medicines should not apply to the sale of medicinal preparations which are not advertised to the general lay public. The House recedes with an amendment limiting the exemption to vaccines and bacterines which are not advertised to the general lay public, and to the sale of medicinal preparations, not so advertised, by a physician in personal attendance upon a patient.

On amendments Nos. 486 and 487: These amendments strike out the floor taxes imposed by the House bill upon the articles subject to the excise taxes held by a dealer and intended for sale on the day after the passage of this act; and the House recedes.

On amendment No. 488: The House bill imposed upon a domestic corporation an annual excise tax equivalent to $1 for each $1,000 of so much of the fair average value of its capital stock for the preceding year as is in excess of $5,000. It also provided that in estimating the value of the capital stock the surplus and undivided profits should be included. This is the basis of the tax under the present law, with the rate increased 100 per cent. The Senate amendment changes the basis of the tax from the fair average value of the capital stock to the amount of the net assets shown on the books as of the close of the preceding income-tax year; and the Senate recedes.

On amendment No. 489: The House bill based the capital stock tax in the case of foreign corporations upon the average amount of "capital actually invested" in the United States. The Senate amendment changes this basis and places this tax upon the average amount of "capital employed" in the United States; and the House recedes.

On amendment No. 490: This amendment, as part of the Senate's general plan of insurance taxation, strikes out the House provisions relating to the computation of the capital stock tax in the case of insurance companies; and the Senate recedes.

On amendment No. 491: This amendment is a clerical change; and the Senate recedes.

On amendment No. 492: This amendment, as part of the Senate's general plan of insurance taxation, specifically exempts insurance companies from the capital stock tax. The House recedes with an amendment making the tax specifically applicable to mutual insurance companies and providing that in the case of every such domestic company the tax shall be based upon the sum of its surplus or contingent reserves maintained for the general use of the business and any reserves the net additions to which are included in the net income under the provisions of Title II, as of the close of its preceding income tax year; and providing that in the case of a foreign mutual insurance company the tax shall be based upon the same proportion of the sum of such surplus and reserve which the reserve fund upon business transacted within the United States is of the total reserve upon all business transacted.

On amendment No. 493: This amendment is a clerical change; and the Senate recedes.

On amendment No. 494: This amendment is a clerical change striking out certain language which is reinserted in slightly changed form at a different place by amendment No. 511; and the House recedes.

On amendment No. 495: The House bill imposed a special license tax upon brokers at $100 a year. The Senate amendment reduces this to $40; and the House recedes with an amendment making the rate $50.

On amendments Nos. 496 and 497: The House bill provided that brokers who are members of stock or produce exchanges should pay in addition to the license tax imposed upon all brokers additional amounts as follows: If the average value during the preceding year ending June 30 of a seat or membership in such exchange was not more than $2,000, $50; if such value was more than $2,000 and not more than $5,000, $100; if such value was more than $5,000, $150. The Senate amendments strike out the additional tax of $50 where the value of the seat was less than $2,000; and the House recedes.

On amendment No. 498: This amendment provides in addition to the pawnbroker's license tax an additional tax based on the value of the gross receipts for the preceding year; and the Senate recedes.

On amendment No. 499: The House bill provided for a special license tax on ship brokers of $50 per year. The Senate amendment reduces this to $40; and the Senate recedes.

On amendment No. 500: The House bill provides for a special license tax on customhouse brokers of $50 per year. The Senate amendment reduces this tax to $40; and the Senate recedes.

On amendment No. 501: This amendment exempts from the special license tax on proprietors of theaters, museums, and concert halls, edifices owned by religious, educational, or charitable institutions, societies or organizations where all the proceeds from admissions inure exclusively to the benefit of such institutions, societies, or organizations, or exclusively to the benefit of persons in the military or naval forces of the United States; and the House recedes.

On amendment No. 502: The House bill imposed a special license tax on circus proprietors of $200 per year. The Senate amendment reduces this to $100; and the House recedes.

On amendment No. 503: The House bill imposed a special license tax on proprietors or agents of public exhibitions or shows not otherwise enumerated of $20 per year. The Senate amendment reduces this to $15; and the House recedes.

On amendment No. 504: The House bill provided that an aggregation of entertainments known as street fairs should not pay a larger tax than $200 in any State, Territory, or the District of Columbia. The Senate amendment reduces this to $100; and the House recedes.

On amendments Nos. 505, 506, 507, and 508: The House bill imposed upon persons carrying on the business of operating

sight-seeing automobiles an annual tax equivalent to 10 per cent of the gross receipts during the preceding year ending June 30 from the operation of each such automobile having a seating capacity of more than seven. The Senate amendment, in lieu of this tax, imposes upon persons carrying on the business of operating or renting passenger automobiles for hire an annual tax of $10 for each such automobile having a seating capacity of more than two and not more than seven and $20 for each such automobile having a seating capacity of more than seven; and the House recedes.

On amendment No. 509: The House bill provided that every person carrying on the business of a brewer, distiller, or liquor dealer in any place contrary to State laws shall pay in addition to all other taxes $1,000 annually, and provided that the payment of this tax should not be held to exempt any person from the penal provisions of the local laws. The Senate amendment strikes out this provision; and the Senate recedes.

On amendment No. 510: The House bill imposed a special license tax upon persons engaged in any trade, business, or profession, with certain exceptions. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 511: This amendment is a clerical change inserting in slightly different form matter stricken out by amendment No. 494; and the House recedes.

On amendments Nos. 512 and 513: The House bill provided that manufacturers of tobacco whose annual sales exceed 100,000 and do not exceed 200,000 pounds shall each pay $24 annually, and that manufacturers of tobacco whose annual sales exceed 200,000 pounds shall pay annually at the rate of 16 cents per thousand pounds or fraction thereof. The Senate amendments do not change the provisions of the House bill as to manufacturers of tobacco whose annual sales are between 100,000 and 200,000 pounds, but provide that where the annual sales exceed 200,000 pounds the manufacturer shall pay annually $24 and at the rate of 16 cents per thousand pounds or fraction thereof in respect to the excess over 200,000 pounds; and the House recedes.

On amendments Nos. 514 and 515: The House bill provides that manufacturers of cigars whose annual sales exceed 200,000 and do not exceed 400,000 cigars shall each pay $24 annually, and that manufacturers of cigars whose annual sales exceed 400,000 cigars shall each pay annually at the rate of 10 cents per thousand cigars or fraction thereof. The Senate amendments do not change the provisions of the House bill as to manufacturers of cigars whose annual sales are between 200,000 and 400,000 cigars, but provide that where the annual sales exceed 400,000 cigars the manufacturer shall pay annually $24 and at the rate of 10 cents per thousand cigars or fraction thereof in respect to the excess over 400,000 cigars; and the House recedes.

On amendment No. 516: This amendment changes the basis of computing the tax on yacht users from net to gross tonnage; and the Senate recedes.

On amendment No. 517: The House bill exempted from the special tax on users of yachts and motor boats those used exclusively for trade or national defense. The Senate amendment extends the exemption to those used exclusively for fishing; and the House recedes.

On amendments Nos. 518 and 519: These amendments are clerical changes; and the Senate recedes.

On amendment No. 520: This amendment provides in case of special license taxes that if the corresponding tax imposed by the revenue act of 1916 was not payable by stamp an amount paid under such act for any period for which the corresponding tax is also imposed by Title X of the bill may be credited against the tax imposed by such title; and the House recedes.

On amendment No. 521: The House bill imposed upon mail-order houses an annual tax equivalent to 1 per cent of the annual gross receipts in excess of $100,000. The Senate amendment strikes out this tax; and the House recedes.

On amendment No. 522: The House bill imposes a special license tax upon users of automobiles and motorcycles. The Senate amendment strikes out this tax, and the House recedes.

On amendment No. 523: The House bill imposed a tax upon the manufacturer of automatic vending and weighing machines operating such machines equivalent to 5 per cent of the annual gross amount received by the manufacturer from such operation. The Senate amendment strikes out this provision; and in view of the conference agreement under amendment 419 the House recedes with an amendment, which is explained in connection with that amendment.

On amendment No. 524: This section provides a penalty for any person who carries on any business or occupation for which a special license tax is imposed by Title X of the bill without having paid such tax; and the House recedes.

On amendment No. 525: This amendment is a change in section number; and the House recedes.

On amendments Nos. 526, 527, 528, 529, and 530: These amendments are clerical changes; and the House recedes, with a minor clerical change in amendment No. 526.

On amendment No. 531: This amendment provides that the physicians, dentists, veterinary surgeons, and other practitioners who are required to pay a special tax under the Harrison Narcotic Act as amended, in respect to the business of distributing, dispensing, and giving away or administering any of the narcotics specified in that act, shall be only such persons as are in attendance upon patients "in the course of their professional practice"; and the House recedes.

On amendments Nos. 532 and 533: The House bill provided that it shall be unlawful for any person to purchase, sell, dispense, or distribute any of the drugs specified in the Harrison Narcotic Act except in the original stamped package or from the original stamped package, and exempted from this provision the dispensing, administration, or giving away of any such drug to a patient by a registered physician, dentist, veterinary surgeon, or other practitioner in personal attendance upon such patient. The Senate amendments struck out the requirement of personal attendance and confined the exception to cases where the practitioner was acting in the course of his professional practice; and the House recedes.

On amendments Nos. 534 and 535: The House bill repealed all the provisions of section 6 of the Harrison narcotic act, which exempts certain preparations and remedies containing small quantities of narcotics from the provisions of that act, but retained those provisions of section 6 which exempted from the operation of the Harrison Act decocanized coca leaves from which all cocaine has been extracted. Senate amendment No. 534 struck out this provision of the House bill, and Senate amendment No. 535 amended section 6 of the Harrison Act by adding a proviso requiring the keeping of records by the manufacturer, producer, or compounder of the preparations and remedies which under such section are exempted from the operation of the narcotic act. The House recedes from amendment No. 534 and recedes from amendment No. 535, with an amendment (1) retaining section 6 of the Harrison Act with a few verbal amendments, (2) providing more carefully for the keeping of the records provided for in the Senate amendment, and (3) providing that such records need not be kept by the manufacturer, producer, compounder, or vendor of preparations or remedies made out of decocanized coca leaves or other preparations of coca leaves which do not contain cocaine.

On amendments Nos. 536 and 537: These amendments are changes of section numbers; and the House recedes.

On amendment No. 538: The House bill provided that the stamp taxes should take effect on November 1, 1918; the Senate amendment changes this date to April 1, 1919; and the House recedes.

On amendments Nos. 539, 540, and 541: The House bill imposed a stamp tax of 50 cents upon all policies of guaranty and fidelity insurance. The Senate amendments strike out this tax; and the Senate recedes.

On amendment No. 542: The House bill provided that where a premium is charged for the execution of any fidelity or surety bond the stamp tax shall be 1 cent on each dollar or fractional part thereof of the premium charged, and that policies of reinsurance shall be exempt from the tax. The Senate amendment, as a part of the general plan of the Senate bill in taxing insurance, strikes out this provision; and the House recedes with an amendment providing that where a premium is charged for the execution, renewal, or continuance of such a bond the tax shall be 1 cent on each dollar or fractional part thereof of the premium charged, and that policies of reinsurance shall be exempt.

On amendment No. 543: The House bill imposed a stamp tax upon sales, agreements of sale, or agreements to sell products or merchandise at any exchange or board of trade for future delivery. The Senate amendment makes also taxable such sales or agreements made under the rules or usages of any exchange or board of trade for future delivery; and the House recedes.

On amendment No. 544: This amendment imposes a stamp tax of 5 cents on each dollar or fractional part thereof of the premium charged for policies of insurance against peril on the sea or inland waters or in transit by land, or by fire, lightning, tornado, etc., issued to a domestic corporation or partnership, or resident of the United States by any foreign insurer when such policy is not signed or countersigned by an officer or agent of the insurer in the United States in a locality within which such insurer is authorized to do business; and the House recedes with an amendment reducing the rate to 3 cents on each dollar or fractional part thereof of the premium, and exempting such policies from the policy tax imposed by section 503 of the bill.

On amendment No. 545: This amendment strikes out the provisions of the House bill creating an advisory tax board, but the Senate by amendment No. 550 reinserted this matter in a different form at another place; and the House recedes.

On amendment No. 546: This amendment imposes a tax of 10 per cent on the net profits from the operation of (a) any mine or quarry situated in the United States in which children under the age of 16 years have been employed or permitted to work during any portion of the taxable year; or (b) any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of 7 o'clock p. m., or before the hour of 6 o'clock a. m., during any portion of the taxable year. Such tax is not to apply in the case of an employer relying in good faith upon an employment certificate issued under regulations prescribed by a board composed of the Secretary of the Treasury, the Secretary of Labor, and the Commissioner of Internal Revenue; nor in the case of an employer who satisfies the Secretary of the Treasury that his employment of a child under the prescribed ages was due to an honest mistake of fact as to the age of such child; and the House recedes.

On amendment No. 547: The House bill provided that deputy collectors appointed under the appropriation made by the bill for the expenses of the Internal Revenue Bureau should be appointed under the civil service, as well as all other employees under such appropriation. The Senate amendment permits deputy collectors of a class now outside the civil-service law to be appointed without regard to civil-service requirements; and the House recedes.

On amendment No. 548: This amendment authorizes expenditures for furniture out of the appropriation made by the bill for the expenses of collecting internal-revenue taxes for the current fiscal year; and the House recedes with a clerical amendment.

On amendment No. 549: This amendment authorizes the expenditure of not exceeding $500 for street car fares in the District of Columbia out of the appropriations made by the bill for collecting internal-revenue taxes for the current fiscal year; and the House recedes.

On amendment No. 550: This amendment provides that not more than $60,000 of the amount appropriated by the bill for the collection of internal-revenue taxes may be expended for salaries and traveling expenses of members of an advisory tax board, to be appointed by the commissioner, with the approval of the Secretary, and provides that, under rules prescribed by the commissioner and approved by the Secretary, the Secretary or the commissioner may, and on the request of any taxpayer interested shall, submit to the board any question relating to the income and excess-profits tax laws. The House recedes with an amendment substantially reinserting the provisions of the House bill stricken out by amendment 545, providing (1) that the board is to be composed of not to exceed six members, to be appointed by the commissioner, with the approval of the Secretary, at an annual salary of $9,000; (2) that the board is to remain in existence for two years after the passage of the act, unless the commissioner, with the approval of the Secretary, designates an earlier time for the termination of its existence; and (3) that the commissioner may, and at the request of any taxpayer directly interested shall, refer to the board any question relating to the income, war-profits, or excess-profits tax laws.

On amendments Nos. 551 and 552: These amendments are clerical changes; and the House recedes.

On amendment No. 553: The House bill provided that whenever in the judgment of the commissioner necessary he may require any person by notice served upon him to make a return or such statements as he deems sufficient to show whether or not such person is liable to tax. The Senate amendment strikes out this provision and inserts a provision authorizing the commissioner, with the approval of the Secretary, to require any person, whether liable to tax or not, to file returns of income or such statements as may be deemed by him to be sufficient to show whether or not such person is so liable; and the Senate recedes.

On amendment No. 554: This amendment consolidates and makes administrative changes in the penalty provisions of the bill; and the House recedes.

On amendment No. 555: By this amendment the commissioner may make regulations, with the approval of the Secretary, providing that any return required to be under oath by the portions of the bill relating to transportation, beverages, tobacco, admissions, excise, or special taxes, may be signed or acknowledged before two witnesses instead of under oath, if the amount of the tax is not in excess of $10; and the House recedes.

On amendment No. 556: This amendment is a clerical change; and the House recedes.

On amendment No. 557: This amendment provides that where a tax under this act is required to be paid by the purchaser to the vendor at the time of a sale and the sale is made on credit, then under regulations prescribed by the commissioner, with the approval of the Secretary, the tax may at the option of the vendor be returned and paid by him to the United States as if paid to him by the purchaser at the time of the sale, and gives a right of action in such cases to the vendor against the purchaser for the amount of the tax; and the House recedes.

On amendment No. 558: This amendment provides that under regulations made by the commissioner, with the approval of the Secretary, the taxes on beverages, cigars, and tobacco, and the excise taxes shall not apply in respect to articles sold or leased for export and in due course so exported. It also provides that under proper regulations the amount of any internal-revenue tax erroneously or illegally collected in respect to exported articles may be refunded to the exporter instead of to the manufacturer, if the manufacturer waives his claim to refund; and the House recedes:

On amendment No. 559: This amendment is a clerical change; and the Senate recedes.

On amendments Nos. 560 and 561: These amendments are of a clerical and administrative character designed for the relief of persons who have made a contract for the sale of articles taxable under the act before notice of a tax imposed by it, under circumstances under which they can not pass the tax along to the purchaser; and the House recedes from amendment No. 560 and recedes with minor clerical changes from amendment No. 561.

On amendments Nos. 562, 563, 564, and 565: These amendments are clerical changes; and the House recedes.

On amendment No. 566: The House bill provided that certificates of indebtedness and uncertified checks may be received in payment of income, war-profits, and excess-profits taxes. The Senate amendment permits them to be received also in payment of any other taxes payable other than by stamp; and the House recedes.

On amendment No. 567: This amendment amends section 3315 of the Revised Statutes so as to permit the commissioner, with the approval of the Secretary, to issue stamps for restamping packages of wines which have been duly stamped and from which the stamps have been lost by unavoidable accident; and the House recedes.

On amendment No. 568: This amendment is a change of section number; and the House recedes.

On amendment No. 569: This amendment amended section 3689 of the Revised Statutes so that the permanent appropriation provided in that section could be used to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws, notwithstanding the limitations imposed by the act of June 20, 1874. The House recedes with an amendment repealing that portion of section 3689 of the Revised Statutes relating to the refunding of internal-revenue taxes erroneously or illegally collected, and providing that the Secretary of the Treasury shall submit for the fiscal year 1921 and annually thereafter an estimate of appropriations to refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes erroneously or illegally assessed or collected under the internal-revenue laws.

On amendment No. 570: This amendment is a change of section number; and the House recedes.

On amendment No. 571: This amendment is a clerical change; and the House recedes.

On amendment No. 572: This amendment amends sections 3164 and 3165 of the Revised Statutes. Section 3164 of the Revised Statutes provides that if a collector of internal revenue has knowledge of any violation of any revenue law he shall file with the district attorney a statement of the facts of the case within 10 days after coming into possession of such knowledge. The section as rewritten by the Senate makes it the duty of the collector, within 30 days after coming into possession of knowledge of any willful violation of any revenue law, to file a statement thereof with the district attorney, and makes minor clerical changes in that section. The Senate amendment to section 3165 of the Revised Statutes adds internal-revenue agents to the class of officers authorized by that section to administer oaths and take evidence in relation to the administration of the internal-revenue laws; and the House recedes.

On amendment No. 573: The House bill provided a method of making a return or list where any person fails to make such

return or list at the time prescribed by law. The Senate amendment extends the provision to cover cases where a return or list is not made at the time prescribed by regulation made under authority of law; and the House recedes.

On amendments Nos. 574 and 575: The House bill provided that in case of failure to make a return at the proper time there shall be added to the tax 50 per cent of its amount, and if a false and fraudulent return is willfully made there shall be added to the tax 100 per cent of its amount. The Senate amendments reduce these penalties to 25 per cent and 50 per cent, respectively; and the House recedes.

On amendment No. 576: This amendment is a change of section number; and the House recedes.

On amendment No. 577: The House bill provided that if any person is summoned under Title XIII to appear to testify or produce books, the district courts should have jurisdiction to enforce obedience. The Senate amendment extended the provision to cover the case of any person summoned under this act; and the House recedes.

On amendment No. 578: This amendment gives jurisdiction to the district courts of the United States to issue in actions at law and suits in equity certain writs and orders, such as are necessary or appropriate for the enforcement of the provisions of this act; and the House recedes with an amendment confining the jurisdiction of the court to cases where the relief is asked for by the United States.

On amendment No. 579: This amendment is a change of section number; and the House recedes.

On amendment No. 580: This amendment is a clerical change; and the House recedes.

On amendment No. 581: The House bill provided for the acceptance of United States bonds in lieu of sureties on bonds required to be furnished by law. The Senate amendment added provisions for the protection of the United States and mechanics and material men; and the House recedes with a clerical amendment.

On amendment No. 582: The House bill provided for the repeal of any act inconsistent with this act. The Senate amendment specifies a number of acts and parts of acts to be repealed, all of which are incorporated in this bill; and the House recedes.

On amendments Nos. 583, 584, 585, 586: These amendments are clerical changes; and the House recedes.

On amendments Nos. 587 and 588: These amendments are clerical changes; and the Senate recedes.

On amendments Nos. 589, 590, 591, and 592: These amendments are clerical changes; and the House recedes.

On amendment No. 593: This amendment reduces the rate of postage on first-class mail matter, effective July 1, 1919, to the rates in force before the passage of the last revenue act; and the House recedes.

On amendment No. 594: This amendment repeals the zone system for postage for second-class mail matter contained in the last revenue act and substitutes a rate of 1 cent per pound or fraction thereof for delivery within the first and second zones and 1½ cents per pound or fraction thereof for delivery in any other zone, effective July 1, 1919; and the Senate recedes.

On amendments Nos. 595, 596, 597, and 598: These amendments are changes in section numbers, and the House recedes with an amendment making further changes in section numbers.

On amendment No. 599: This amendment provides that all officers and enlisted personnel of the military and naval forces in the war against Germany who have been honorably discharged since November 11, 1918, or who may hereafter be honorably discharged shall be paid one month's salary. The House recedes with an amendment substituting for the Senate provision a section (1) providing that $60 shall be paid to each person serving in the military or naval forces of the United States in the present war who has since April 6, 1917, resigned or been honorably discharged, or who may hereafter resign or be honorably discharged (within one year after the termination of the war in the case of officers and not later than the termination of the current enlistment in the case of enlisted personnel); (2) providing for the protection of the Government from unjust claims and double payments; (3) providing that this payment in the case of separation from the service before the passage of the act shall be made as soon as practicable after the passage of the act, and in the case of separation from the service after the passage of the act shall be made at the time of separation from the service; and (4) providing that these amounts shall be paid out of the appropriations for "Pay of the Army" and "Pay of the Navy," respectively.

On amendment No. 600: This amendment provides that the so-called "Reed" or "bone-dry" amendment relating to transportation of liquors in interstate commerce shall be made applicable to the District of Columbia, thus making it unlawful to transport liquors in or out of the District; and the House recedes with an amendment changing the section number.

On amendment No. 601: This amendment provides that every individual, partnership, and corporation which, since the 6th day of April, 1917, has entered into any contract, undertaking, agreement, or transaction with the United States, or with any agency, officer, or commission of the United States, or with any other person, partnership, or corporation having contract relations with the United States, for the performance of any work or for the supplying of any materials or property for the use of or for the account of the United States, shall file with the Commissioner of Internal Revenue and with the Attorney General, within 60 days after the passage of this act, a true and correct copy of every such contract, undertaking, agreement, or transaction, together with a true, accurate, and complete statement of all work and labor performed and materials and property supplied and an account of all moneys or other things of value received, expenses incurred, and profits made and realized from such contract, undertaking, agreement, or transaction.

The House recedes with an amendment providing that (1) every person who on or after April 6, 1917, has entered into any contract, undertaking, or agreement with the United States, or with any department, bureau, officer, commission, board, or agency under the United States or acting in its behalf, or with any other person having contract relations with the United States for the performance of any work or the supplying of any materials or property for the use of or for the account of the United States, shall, within 30 days after a request of the commissioner therefor, file with the commissioner a true and correct copy of every such contract, undertaking, or agreement; and (2) authorizing the commissioner (when not violative of the technical military or naval secrets of the Government) to have access to all information and data relating to any such contract, undertaking, or agreement in the possession, control, or custody of any department, bureau, board, agency, officer, or commission of the United States, and to call upon any such department, bureau, board, agency, officer, or commission for a full statement and description of any allowance for amortization, obsolescence, depreciation, or loss, or of any valuation, appraisal, adjustment, or final settlement made in pursuance of any such contract, undertaking, or agreement.

On amendment No. 602: This amendment makes a change in section number; and the House recedes with an amendment making a further change in section number.

CLAUDE KITCHIN,
HENRY T. RAINEY,
LINCOLN DIXON,
JOSEPH W. FORDNEY,
J. HAMPTON MOORE.
Managers on the part of the House.

The SPEAKER. The gentleman from North Carolina is recognized for one hour. [Applause.]

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina may proceed until he concludes his remarks.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the gentleman from North Carolina may proceed until he concludes his remarks. Is there objection?

Mr. MANN. I have no objection to the gentleman from North Carolina having all the time he wants, but long observation has taught me that if a man gets permission to proceed until he concludes other Members of the House are apt to take up most of his time. I suggest that the gentleman take what time he likes, and then his time can be extended so far as it may be necessary.

Mr. KITCHIN. Mr. Speaker, I will ask Members of the House not to interrupt me until I have finished my general statement. In that I shall try to include the important differences between the House and the Senate and explain the way in which the conferees composed those differences. After I shall have concluded, if any gentleman then desires to ask me any questions and I have time I will be glad to answer any question I can.

It will be almost impossible, certainly impracticable, for me or anyone to attempt before the House to explain each and every item of difference on each and every amendment that the Senate put on the House bill.

I shall confine my remarks to the important differences and the agreements reached by the conferees. The statement of the managers on the part of the House goes into details as to every single one of the amendments and explains the way in which the conferees disposed of them; and if one would take the statement and the bill in his hands and apply the explanation contained in

the statement to the bill he would have a clear idea of each and every one of the amendments and its disposition.

During the war, in May last, the Secretary of the Treasury and the President of the United States advised and urged that Congress should enact a revenue law that would produce $8,000,000,000 of revenue for a 12-month period. After three or four months of arduous labor the Committee on Ways and Means presented to the House a bill that would produce $8,000,000,000 of revenue. The House unanimously passed that bill. It went to the Senate. The Senate Finance Committee proceeded with the consideration of the House bill with a view of raising the $8,000,000,000. While considering it the war suddenly came to a close; the armistice was signed. The Secretary of the Treasury then addressed a letter to Senator SIMMONS, chairman of the Finance Committee of the Senate, and to myself, as chairman of the Committee on Ways and Means, advising and urging, since the war had ceased and our expenditures would necessarily be reduced, that the bill be modified in the Senate to the extent of reducing for this fiscal year the tax levy from $8,000,000,000 to $6,000,000,000, and to provide for tax levies thereafter—that is, after the fiscal year 1919—of $4,000,000,000 a year.

The Senate Finance Committee at once proceeded to revise the bill with that policy of reduction in view. It finally presented a bill to the Senate that would raise the $6,000,000,000 for this fiscal year and $4,000,000,000 for the next fiscal year.

Not only did the Secretary of the Treasury recommend and insist upon that reduction, but the President in his last address before Congress just before departing for Europe advised and urged Congress to adopt the recommendation of the Secretary of the Treasury with respect to such reduction. I have doubted—and I fear that the future will confirm my doubts—the wisdom of such a large reduction as was advised and urged by the Secretary of the Treasury and the President of the United States. This year our expenditures will amount to at least $19,000,000,000. That is the amount of the Treasury estimates. In my judgment they will amount to at least $20,000,000,000 for this fiscal year, some $10,000,000,000 or $12,000,000,000 less than we would have had to expend had the war continued. The administration, as I before stated, recommended that for this fiscal year the taxes be reduced from the House bill of $8,000,000,000 to $6,000,000,000.

How are we going to get this $19,000,000,000? We can get it in this way, and in this way only: We have received $7,000,000,000 from the fourth liberty loan. That amount has been expended in our disbursements of this year. Our receipts from war-savings certificates will amount to about $1,000,000,000. That makes $8,000,000,000. We propose to get $6,000,000,000 of revenue from this bill. That makes $14,000,000,000. And the Treasury Department proposes to issue and sell $5,000,000,000 more of bonds between now and June 30. These items make up the $19,000,000,000.

If the expenditures run to $20,000,000,000, which, in my judgment, they will, the Secretary of the Treasury will have to come to Congress and get a new bond authorization, because the $5,000,000,000 that he proposes to sell between now and the 30th of June will exhaust the amount of authorizations heretofore made by Congress. He would have to come to Congress and get an authorization for another $1,000,000,000, or else issue short-time certificates of indebtedness which later would have to be paid by taxes or proceeds of future sales of bonds. The total authorizations of bond issues since our entrance into the war have been $22,000,000,000 in round numbers. We have sold, in round numbers, $17,000,000,000, leaving an authorization of $5,000,000,000.

Now take next year. When the Secretary of the Treasury advised a reduction in the revenues for the following years—that is, for the next fiscal year and the years thereafter—to $4,000,000,000, his annual report showed that we will require at least $6,500,000,000 in order to defray the expenditures of the next fiscal year, a difference between the tax bill which he urged and expenditures of $2,500,000,000. I have not been wrong in my predictions about increased expenditures when I presented bond bills and tax bills heretofore. I make another prediction, that instead of the expenditures next year being $6,500,000,000 they will be nearer $10,000,000,000, unless the President and Congress take a firmer hand in reducing appropriations and expenditures than they have heretofore done. Of this, I must confess, I am not very hopeful.

Now, we have a tax bill that will produce, upon the recommendation of the Secretary of the Treasury and the President, $4,000,000,000 for the fiscal year 1920. Say we receive in addition to the tax levied by this bill from customs and miscellaneous receipts $500,000,000. An expenditure of $10,000,000,000 will make a deficit of $5,500,000,000 in that year. We must get that from bonds. If expenditures are kept down to $6,500,000,000 we will still have a deficit of $2,000,000,000. We must get that from bonds. When we think of the enormous amount of bonds that are already piled up and that will be piled up in the next two years on the American people, which will be a mortgage upon them and their children, upon the energies and industries of the people for generations to come, we can well doubt the wisdom of the policy of making such large tax reductions, especially when the industries, especially the corporations, of the country have made such enormous profits in the last three years. Our industries could stand higher taxes, especially in view of the net loss and inventory reduction provisions in the bill, to which I shall refer later. After you deduct all the taxes that all the corporations of this country have paid or shall have paid for the years 1916, 1917, and 1918, and then deduct the average amount of incomes and profits that those corporations were making for the three prewar years, they will then have, in round numbers, $10,000,000,000 of clear net profits. In other words, give them first the average net income of $4,122,000,000, which the corporations were making during the three prewar years, or the total for the three years of $12,366,000,000. Then add to that every dollar of taxes that they shall have paid under this bill and under all other bills for the years 1916, 1917, and 1918. Then deduct that from the total amount of profits which they made in those years, and they will then have a clear net gain of $10,000,000,000. In other words, they have made in the three war years a total net profit, after deducting all taxes, of over $22,000,000,000. That is already made. That is already on the books. That is already piled up in their surplus and increase of capital and new investments. It would not have destroyed the industries of this country if we could have raised a little more tax in this bill. I believe that the farseeing and broad-visioned business man, when he sits right down and looks the question squarely in the face, will conclude with me that it is very doubtful whether we should have made such big reductions in the taxes in this bill, inevitably resulting in a longer permanent mortgage by bonds on the energies and industries of business.

We all know that there must be a transition period from war conditions to peace conditions, and in that time of transition there will be shrinkages in values, shrinkages in inventories. There will be losses, but the Senate initiated and the conferees, I think, have perfected provisions that will take care of industries that are going to have these net losses and the shrinkage of inventories on account of the transition period. With this taken care of, the industries could have stood a little more tax. I fear that instead of our bonded indebtedness being $25,000,000,000, as at the end of this fiscal year, it will be nearer $30,000,000,000 at the end of the next fiscal year. A bonded indebtedness of $30,000,000,000 is going to mean an annual interest charge of about $1,275,000,000, which must be paid by annual taxes. Such annual interest or tax charge is twice as much as the total amount of taxes we collected a year from all sources before the European war began. If we deduct the interest which we hope and propose to get from the allies for the $8,500,000,000 which we have and shall have loaned them by the end of this fiscal year, which will amount to about $400,000,000, you see that we will still have to raise between $800,000,000 and $900,000,000 of annual taxes to pay the interest if we continue to issue bonds.

There has been a great propaganda to defeat this bill and let the existing tax law remain. If so, that means $2,000,000,000 to $3,000,000,000 more of bonds to pile up on top of this $28,000,000,000 or $30,000,000,000 and more interest charges each year.

If this propaganda had succeeded in getting the conference committee or the membership of this House or the Senate to defeat this bill, of course that would reinstate the existing law, and under it the war profiteers in this country for the year 1918 would escape $1,700,000,000 of taxes. If any man shall vote against this bill with the idea that the taxes in it are too high, or whatever his reason or pretext, with the result of its defeat and the continuance of existing law, then he will vote to take from the Treasury, to take from the pockets of the people, from the toil and sweat and energy of the people, $1,700,000,000 and give it to the war profiteers, whom I have shown you have had billions and billions of dollars of profit in addition to all the profits they were making before the war. If any man votes against this bill with the idea of reinstating the old law, he is voting to give the United States Steel Corporation out of the pockets of all the people, out of the Treasury of the United States, $165,000,000, because that is the difference which the United States Steel Corporation, based upon the profits of 1917—we have not the figures for those of 1918—would have to pay under this bill and under the existing law. If there be one Member who proposes to vote against this bill with the idea of reinstating the old law, he will be voting to give the Standard Oil Trust Companies of the United States $20,000,000, adding that much more to their fabulous profits. He will be voting to

give the Bethlehem Steel Co. $10,000,000. He will be voting to give the Utah Copper Co. $5,000,000. He will be voting to give the five big meat-packing companies, the meat-packing combine, over $16,000,000 to add to their war profits. These are the differences between what this bill will levy upon them and what the existing law levies upon them. There are 20 corporations in this country that alone would save $240,000,000 out of their enormous war profits by the defeat of this bill. The defeat of this bill would lose to the Government over $200,000,000 of taxes on whisky and beer. Gentlemen, under existing conditions no man can afford to vote against this bill with the idea of continuing the existing law.

The Senate reduced the tax levy from $8,000,000,000 to $6,000,000,000 for this fiscal year. It cut down not so much the individual income tax and the war-profit tax of the House bill—they remain practically the same—but it cut down the excise and special taxes; that is, special taxes levied on articles of the various industries. It reduced the individual income tax for the fiscal year 1919 about $50,000,000 and reduced the corporation income tax about $119,000,000 for the same year, and reduced the excess-profits taxes from the provisions of the House bill down to 30 per cent on the net income in excess of the deduction and not in excess of 20 per cent of the capital invested, and 60 per cent on all of the net income over 20 per cent of the invested capital.

The House bill had it 35 per cent on all of the net income in excess of the deduction and not in excess of 15 per cent of the invested capital, and 50 per cent on the amount of the net income between 15 and 20 per cent of the invested capital, and 70 per cent on the amount of the net income in excess of 20 per cent on the invested capital. In the general reductions the Senate followed the recommendation of the President and the Secretary of the Treasury.

The Senate and the conferees retained the war-profit tax of 80 per cent on war profits over and above the deduction.

The conferees accepted the Senate 30 per cent rate in the first bracket and increased the rate in the second bracket to 65 per cent for the calendar year 1918. But for the year beginning January 1, 1919, the Senate reduced the excess-profits taxes in the first bracket to 20 per cent and the second bracket to 40 per cent, which is a pretty large reduction. That was on account of the recommendation of the President and the Secretary to reduce the total taxes to $4,000,000,000. The conferees accepted this reduction.

Though the 80 per cent war-profits tax is eliminated for the next fiscal year—since there are no war profits for 1919–20—the conferees put in a provision extending the 80 per cent war-profits tax over into the calendar year 1919 to catch the profits that are derived in 1919 from war contracts made in 1918 and 1917, so that the war profiteers will not get off with 80 per cent eliminated after January 1, 1919. They will receive some income during 1919 from war contracts made between the beginning of the war and the signing of the armistice, November 11. The conferees, Senate and House, were unanimous in the opinion that this should be done. The 80 per cent tax will, under this provision, apply to such income.

I ought to say here that the Senate followed the method and policy of taxation, and practically the subjects of taxation, of the House bill. There were only three exceptions in which they departed widely and adopted an entirely new policy of taxation. These exceptions were the estate tax, the insurance tax, and capital-stock tax. After a full and free discussion in conference the policies of the House bill in these instances were adopted with some modifications, to which I will call attention later.

The House had a provision known as the differential corporation tax. We had a differential of 6 per cent. The House bill provided that corporations should pay 12 per cent on so much of the amount of the net income as does not exceed the sum of (1) the amount of dividends paid during the taxable year plus (2) the amount paid during the taxable year out of earnings or profits in discharge of bonds and other interest-bearing obligations outstanding prior to the beginning of the taxable year plus (3) the amount paid during the taxable year in the purchase of obligations of the United States issued after September 1, 1918, and 18 per cent on the remainder of the net income retained in the business. When we put in the 18 per cent provision the war was on, and the Government needed all the money it could reasonably and justly get. The individual income tax being so heavy, there would be a tendency in the corporation not to pay dividends but to pile them up in a surplus so that the stockholders in the high surtax class could escape liability to taxation. As I said, we needed all the money we could reasonably and justly get at that time to vigorously prosecute the war. But now the importance of this differential is not as great as during the war.

The Senate struck out the differential, and the House conferees agreed to the Senate amendment with an amendment increasing the corporation income tax rate on corporate income for years succeeding 1918 from 8 to 10 per cent. That will make a difference—an increase—of about $150,000,000 a year in the taxes.

The normal income tax on individuals for 1918 is kept at 12 per cent, like the House bill, with the split differential of 6 per cent up to $4,000 of net income in excess of the specific exemption. But under the policy of reducing the taxes to $4,000,000,000 after January, 1919, the Senate cut down the normal tax on individuals to 8 per cent, with the split differential of 4 per cent, and the House conferees agreed to that.

The surtaxes are practically and substantially like the House only there are more brackets and slightly different rates are made. The House yielded to the Senate provision on the surtaxes. The Senate rates on surtaxes are practically the same as the House up to a $10,000 income—in fact there is not more than $15 difference in the tax between the House bill and the Senate bill to a man who earns $6,000, $7,000, $8,000, or $10,000, but from $10,000 up to $200,000 there is some difference between the rates—the Senate rates being lower.

For instance, a man having an income of $12,500 under the House bill would pay $1,320 and under the Senate bill $1,235. You see there is quite a difference at once after you leave the $10,000 income. A man making $20 000 would pay under the House bill $2,895 and under the Senate bill $2,630. A man making $50,000 a year would pay under the House bill $12,495 and under the Senate bill $11,030. A man making $80,000 a year would pay under the House bill $27,295 and under the Senate bill $23,930. A man making $100,000 would pay under the House bill $39,095 and under the Senate bill $35,030. But when you reach $200,000 and up there comes another change. At $300 000 under the House bill a man would pay $165,095, while under the Senate bill he would pay $173,030. When you get up to $1,000,000, under the House bill a man would pay $647,095 and under the Senate bill $703,030. A man making $5,000,000 would pay under the House bill $3,527,095 and under the Senate bill $3,783,030, or about $250 000 more. On the whole, there is a difference of only about $50,000,000, being the amount which the Senate rate levies on the individual incomes less than under the House bill. So they are, on the whole, substantially the same, the total amount levied under the House bill on individual incomes being $1,482,000,000 and under the Senate rates $1,432,000,000.

The following table shows the income taxes upon specified incomes of married persons or heads of families, with no dependents, levied in the United States, United Kingdom, Canada, and France:

Income taxes upon specified incomes of married persons or heads of families, with no dependents, levied in the United States, United Kingdom, Canada, and France.

Income of married persons or heads of families.	United States tax under—						United Kingdom tax.				Canada.		France.	
	Existing law.		House bill.		Bill as passed Senate and agreed to in conference (1918 rates).		Amount.		Rate (per cent).		Amount.	Rate (per cent).	Amount.	Rate (per cent).
	Amount.	Rate (per cent).	Amount.	Rate (per cent).	Amount.	Rate (per cent).	Unearned.	Earned.	Unearned.	Earned.				
$2,500	$10	0.40	$30	1.20	$30	1.20	$281.25	$210.94	11.25	8.44	$10.00	0.40	$31.25	1.25
$3,000	20	.67	60	2.00	60	2.00	445.31	356.25	14.84	11.87	20.00	.67	50.00	1.67
$3,500	30	.86	90	2.57	90	2.57	568.44	453.75	16.24	12.96	40.00	1.14	72.50	2.07
$4,000	46	1.00	120	3.00	120	3.00	726.56	581.25	18.16	14.53	60.00	1.50	97.50	2.44
$4,500	60	1.33	150	3.33	150	3.33	843.75	675.00	18.75	15.00	80.00	1.78	128.75	2.86
$5,000	80	1.60	180	3.60	180	3.60	937.50	750.00	18.75	15.00	100.00	2.00	160.00	3.20
$5,500	105	1.91	220	4.00	215	3.91	1,237.50	1,031.25	22.50	18.75	120.00	2.18	191.25	3.48

Income taxes upon specified incomes of married persons or heads of families, with no dependents, levied in the United States, United Kingdom, Canada, and France—Continued.

Income of married persons or heads of families.	United States tax under—						United Kingdom tax.				Canada.		France.	
	Existing law.		House bill.		Bill as passed Senate and agreed to in conference (1918 rates).		Amount.		Rate (per cent).		Amount.	Rate (per cent).	Amount.	Rate (per cent).
	Amount.	Rate (per cent).	Amount.	Rate (per cent).	Amount.	Rate (per cent).	Unearned.	Earned.	Unearned.	Earned.				
$6,000	$130	2.16	$260	4.33	$250	4.16	$1,350.00	$1,125.00	22.50	18.75	$140.06	2.33	$222.50	3.71
$6,500	155	2.38	330	5.08	320	4.92	1,462.50	1,218.75	22.50	18.75	171.50	2.64	253.75	3.90
$7,000	180	2.57	400	5.71	390	5.57	1,575.00	1,312.50	22.50	18.75	203.00	2.90	285.00	4.07
$7,500	205	2.73	470	6.27	460	6.13	1,687.50	1,406.25	22.50	18.75	234.50	3.13	316.25	4.21
$8,000	235	2.93	545	6.81	530	6.63	2,100.00	1,800.00	26.25	22.50	266.00	3.33	347.50	4.34
$8,500	265	3.12	620	7.29	605	7.12	2,231.25	1,912.50	26.25	22.50	297.50	3.50	385.00	4.53
$9,000	295	3.28	695	7.72	680	7.71	2,362.50	2,025.00	26.25	22.50	329.00	3.66	422.50	4.69
$9,500	325	3.42	770	8.11	755	7.95	2,493.75	2,137.50	26.25	22.50	360.50	3.79	460.00	4.84
$10,000	355	3.55	845	8.45	830	8.30	2,625.00	2,250.00	26.25	22.50	392.00	3.92	497.50	4.98
$12,500	530	4.24	1,320	10.56	1,235	9.88	3,750.00	3,281.25	30.00	26.25	639.50	5.12	691.25	5.53
$15,000	730	4.87	1,795	11.97	1,670	11.13	4,812.50	4,812.50	32.08	32.08	887.00	5.91	910.00	6.07
$20,000	1,180	5.90	2,895	14.48	2,630	12.15	6,812.50	6,812.50	34.06	34.06	1,382.00	6.91	1,397.50	6.99
$25,000	1,780	7.12	4,245	16.98	3,720	14.80	8,937.50	8,937.50	35.75	35.75	2,042.00	8.17	1,960.00	7.84
$30,000	2,380	7.93	5,595	18.65	4,930	16.43	11,187.50	11,187.50	37.29	37.29	2,702.00	9.01	2,522.50	8.41
$35,000	2,980	8.51	7,195	20.56	6,270	17.91	13,562.50	13,562.50	38.75	38.75	3,472.00	9.92	3,147.50	8.99
$40,000	3,580	8.95	8,795	21.99	7,730	19.33	15,937.50	15,937.50	39.84	39.84	4,242.00	10.60	3,772.50	9.43
$45,000	4,380	9.73	10,645	23.66	9,320	20.71	18,437.50	18,437.50	40.97	40.97	5,012.00	11.14	4,397.50	9.77
$50,000	5,180	10.36	12,495	24.99	11,030	22.06	20,937.50	20,937.50	41.88	41.88	5,782.00	11.56	5,022.50	10.05
$55,000	5,980	10.87	14,695	26.72	12,870	23.40	23,562.50	23,562.50	42.84	42.84	6,827.00	12.41	5,647.50	10.27
$60,000	6,780	11.30	16,895	28.16	14,830	24.71	26,187.50	26,187.50	43.65	43.65	7,872.00	13.12	6,272.50	10.45
$70,000	8,880	12.69	21,895	31.26	19,130	27.33	31,437.50	31,437.50	44.91	44.91	9,962.00	14.23	7,772.50	10.75
$80,000	10,980	13.72	27,295	34.12	23,930	29.81	36,687.50	36,687.50	45.86	45.86	12,327.00	15.41	8,772.50	10.96
$100,000	16,180	16.18	39,095	39.10	35,030	35.03	47,187.50	47,187.50	47.19	47.19	17,607.00	17.61	11,272.50	11.27
$150,000	31,680	21.12	70,095	46.73	67,030	44.69	73,437.50	73,437.50	48.96	48.96	34,282.00	22.85	17,522.50	11.68
$200,000	49,180	24.59	101,095	50.55	101,030	50.52	99,687.50	99,687.50	49.84	49.84	50,957.00	25.48	23,772.50	11.89
$300,000	92,680	30.89	165,095	55.03	173,030	57.68	152,187.50	152,187.50	50.73	50.73	96,857.00	32.28	36,272.50	12.09
$500,000	192,680	38.54	297,095	59.42	323,030	64.61	257,187.50	257,187.50	51.44	51.44	195,407.00	39.08	61,272.50	12.25
$1,000,000	475,180	47.52	647,095	64.71	703,030	70.30	519,687.50	519,687.50	51.97	51.97	499,157.00	49.92	123,772.50	12.38
$5,000,000	3,140,180	62.80	3,527,095	70.54	3,783,030	75.66	2,619,687.50	2,619,687.50	52.39	52.39	3,415,157.00	68.30	623,772.50	12.48

The Senate retained the provisions of the House bill excluding partnerships and individuals from excess or war profits taxes.

There are two important amendments which the Senate incorporated, relative to the excess and war profits taxes and the income tax. They are what we call the inventory and the net loss relief provisions. The net loss relief provision in the Senate amendment was extended indefinitely and reached back to 1916. After discussion of the matter the conferees agreed that it was wiser and safer to limit those relief provisions for the one year, for the transition period from war conditions to peace conditions, and extend it just for this year, 1919. Both of those provisions are innovations in American tax laws. They exist to a certain extent in the British tax laws.

The inventory provision is this: If at any time within 1919 the taxpayer discovers that he has sustained an actual loss on account of the reduction in values of his inventory which he returned for the taxable year of 1918, he can have that loss ascertained by the Commissioner of Internal Revenue, and have his tax on his returns for 1918 redetermined after deducting from his net income of 1918 the amount of such loss, and have returned to him the difference between the tax paid on such return and the tax found after such redetermination to be due. For instance, we will say that a wool manufacturer had $500,000 of wool on hand at the end of his business or taxable year, December 31, 1918. He included that in his tax returns in order to make up his net income. That was put in at $500,000. It cost him that much. It was worth that much. He had made that return, as the law requires, as constituting part of all of the other assets upon which is estimated his net income. Suppose in this transition period from war to peace there is a shrinkage in the value of that wool, so that what was estimated to be worth $500,000 on December 31, 1918, on April 1, 1919, is worth only $250,000. On the face of it he would have a net loss of $250,000, and on which amount he had already paid his income and excess or war profits taxes, based on his net income return for 1918.

The bill does not provide, as I have seen stated in the newspapers, that he could have deducted the $250,000 shrinkage value from his net income of 1918 and have the tax redetermined accordingly. In that shrinkage he must show to the commissioner that he has sustained an actual loss by reason of it. That actual loss may not be over $50,000, it may be but $20,000, or it may be $150,000, or as much as the $250,000, but whatever loss he shows he sustained by reason of the reduction in value of his inventory he has the right to have it deducted from his net income for 1918 and have his tax for 1918 recomputed on the basis of a deduction of the loss from his net income. Suppose it should turn out that with the $500,000 of wool on hand he had already contracted and sold to his customers the finished product based upon that price of wool. He then will have lost nothing, although the wool has shrunk in value to $250,000. Suppose he sells it at that rate and makes his profit and then begins to buy wool for the next month at a lower price and sells the finished product upon the basis of the price for which he purchased it, and so on, he loses nothing by such reduction in wool value. He must show an actual loss by virtue of the shrinkage. If there be an actual loss sustained, and there will be millions and hundreds of millions of losses sustained in that way, and the taxpayer shows it, he then can go to the commissioner or to the advisory board and have his taxes readjusted, as before explained. Suppose, in the case given, that he lost in 1919 $100,000 by such shrinkage in value and had given in his return a net income of $500,000 for 1918. The commissioner must go back and take the 1918 returns and deduct the $100,000 of loss on account of the shrinkage in value from the net income of $500,000 and redetermine his taxes for 1918 on a basis of $400,000 net income instead of $500,000, and the difference in a tax on $500,000 and on $400,000 is to be refunded to him. While it is an innovation, and it struck me at first as unwise, the more I considered it the more just it appeared to me, and it appeared just to the House conferees, and I believe it will appear just to the membership of the House and to the country at large.

Another innovation to which I have referred, which the Senate put in the bill, was the net loss provision. As I said, the Senate had the time unlimited for the future, and it reached back to the taxes of 1916; that is, the Senate provision permitted a redetermination of the taxes as far back as 1916 and for all time in the future. The conferees finally concluded that the best thing to do was to limit it to the transition period; in other words, the one year 1919. The inventory and net loss relief provisions are emergency provisions, and the conferees agreed to treat them in that way. The net loss provision is this: If a business or trade shows in 1919, in its fiscal year, between October 31, 1918, and January 1, 1920, which includes the calendar year of 1919, a net loss instead of a net profit, it can take the amount of that loss from the income upon which it paid the taxes for 1918 and have the 1918 tax redetermined, just as I explained in the case of the inventory, and have the difference between the tax paid and the tax as redetermined refunded to it. In other words, if the trade or business made $500,000 clear net profit in 1918, and this year—1919—during the transition period, instead of making a profit it loses $100,000, then we permit that business to go to the commis-

sioner and ask for a redetermination of its tax for 1918. The commissioner will deduct from the income of $500,000 as returned for 1918 the $100,000 loss, leaving $400,000. Upon the basis of $400,000 income the 1918 tax will be recomputed, and the difference between the tax paid on the $500,000 and the tax computed on $400,000 income will be returned to the taxpayer.

These are two relief provisions in the bill which the House conferees thought were right and proper as modified by the conferees, but there are some relief provisions, especially those known as the mineral, oil, and gas provisions, in this bill that I can not subscribe to, and I reserved the right to say so upon the floor of the House. I can not subscribe to them because I regard them as pieces of special favoritism. Many others do not so regard them. With due respect to my colleagues SCOTT FERRIS, CARTER, HASTINGS, and the other Oklahoma Members, and some Members from Missouri and other States, who have importuned me and the other House conferees night and day, so long and so often, with respect to these provisions, and have been so urgent that they should remain in the bill, I want to say that, in my judgment, they are unwise, unjust, and unwarranted. But we need not quarrel about them now; they are in the bill. I do not like to take up the time of the House telling what some of these provisions are. One of them provides that when a man discovers a mine or gas or oil field, or an oil or gas well, a prospector or an adventurer, and sells—it makes no difference how much profit he may make, he may put in $10,000 and make by sale $1,000,000 profit in five days—his income surtax shall in no case exceed 20 per cent of the selling price, though all other classes of individuals—farmers, merchants, manufacturers, doctors, lawyers, or persons engaged in any other business—if they put in $10,000 on a proposition and make $1,000,000 clear profit out of it, whether overnight or in a year, they will have to pay $583,510 in surtaxes which the bill provides, but the mine, oil, or gas prospector or discoverer under this provision of the bill will pay only $200,000. There is a similar provision in the case of the war or excess profits tax. When a corporation discovers a mine, an oil field, an oil well, or gas well and sells, it does not make any difference how much clear profit it makes, a hundred per cent or a thousand per cent on the capital invested, its war and excess profits taxes shall not exceed 20 per cent of the selling price, although corporations in every other kind of business making the same profit on the same capital must pay from 30 to 80 per cent tax on their profits.

There is another provision that I did and do not like, which seems to me and to my colleague on the conference committee [Mr. DIXON] is unwarranted and can not be justified, and yet I am afraid I had a majority of the House conferees against me on it. It is that if a corporation has an income from gold mining, no matter how big it is and how large a per cent of profit on its capital invested, it pays no excess-profit tax on it. In other words, if the corporation had $1,000,000 net income from a gold-mining industry, it would not pay any excess or war profit tax on it, though that income was 100 per cent profit on its invested capital. They had a plausible argument for it. They say that everything has appreciated in value except gold, which has depreciated in value, and that gold-mining machinery and labor and supplies have increased wonderfully; that gold is the world's standard of value and that we ought to encourage its production, and therefore the profit of the gold mines should not bear a war-profit or excess-profits tax. I looked at it in this way, that even suppose the cost of production had increased wonderfully and even if gold had greatly depreciated, as it has, compared with other articles, in spite of all such handicaps if a corporation in the gold-mining business should make 50 per cent profit on its investment, why is it not as able to pay an excess or war profit tax on that as well as a corporation manufacturing shoes and making 50 per cent on a like amount of capital? If such a corporation is able in spite of all handicaps to make as large a per cent as any other corporation, it ought to pay the same tax as a corporation in any other business making the same profits on the same amount of capital; but the gold-mining argument appealed to a majority of the House conferees and the provision went in.

If I had my way, this bill would not have been quite as it is now. But I found on the conference committee five Senate conferees and four other House conferees, and each one of them had a way, too. So I just could not have my way, because they insisted on having their way. But, on the whole, I believe we have got a good bill, as good as five House conferees could make it in conjunction with five Senate conferees. [Laughter.]

I think we have a bill, on the whole, that every patriotic man in the House and Senate can stand for and will stand for, although he will find many provisions in it that he does not like. We had to give and take. We had to have a bill. If we did not have this bill, we would have had to be content with the existing law, and the war profiteers of this country would benefit just $1,700,000,000.

Another important difference between the House and the Senate was with respect to consolidated returns. The House bill declared specifically that the corporations having subsidiary corporations should not be permitted to file consolidated returns; that is, combine the capital invested and income of all the subsidiaries and find the capital invested and net income of the group and pay the income tax on that basis, because many large corporations by such method would get out of paying a large amount of taxes. The Senate struck that out and most strenuously contended for consolidated returns. While Dr. Adams, who is chairman of the Advisory Tax Board, stated before the conference committee that there will be very little difference between the taxes that will be paid under consolidated returns and those that would be paid under non-consolidated returns, in my judgment the difference will amount to over $200,000,000. I found that practically every corporation in this country that had subsidiaries was in favor of the consolidated returns. The Senate conferees were very insistent, and I may say stubborn, upon having the consolidated returns. There was a unique difference between the Senate conferees and House conferees. The two worst things in this bill in our judgment were the two best things in the Senate's judgment. And the two features that I thought ought to be eliminated beyond all doubt were the two features that the Senate conferees were most insistent upon, the oil and gas and mining provision, to which I have referred, and the consolidated-return provision.

It was the unanimous opinion of the conferees of the Senate and the House that while the Senate amendments did not do it, as the House bill did, that the profiteers on Government war contracts should not escape taxation through the several relief provisions in the bill. We protected the Government against them even with respect to the consolidated-return proposition and provided that no corporation organized since August 1, 1914, since the European war began, shall be permitted to make a consolidated return if 50 per cent of its gross income came from gains, commissions, profits, or other income derived from Government war contracts. In such a case the corporation can not file a consolidated return, but it must make a separate return, and its net income and taxes must be computed upon its capital invested and not the investments of some other affiliated company.

It is estimated that there are several thousand of such corporations, most of them war corporations incorporated to take some Government contracts or subcontracts. Some of the subsidiary companies of the big companies organized since August 1, 1914, with a capital of from $2,000 to $5,000, will make a profit out of war contracts running from $2,000,000 to $12,000,000, and we provided in the House concurring amendment that the Government should be protected against them and that they should pay on their own net income and profits, based on their own invested capital. The conferees put into these relief provisions half a dozen or more provisions excepting these war-contract corporations from their benefit, which the Senate conferees readily agreed to as right and proper.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. LONGWORTH. Would it embarrass the gentleman to yield to a question in regard to the consolidated returns?

Mr. KITCHIN. No.

Mr. LONGWORTH. I have in mind a certain corporation with an invested capital of approximately $15,000,000, which organized a subsidiary corporation with a capital of $1,000, whose profits so far have been in one transaction with the Government; that is to say, the profits of this corporation of $1,000 capital have been $1,000,000. I would like to have the gentleman explain how under this proposition that corporation would be taxed?

Mr. KITCHIN. Such a corporation will pay income tax on $1,000,000 and will have its percentage of profits for the excess and war profits tax computed upon the invested capital of $1,000. The war-profits tax will be 80 per cent on all profits in excess of 10 per cent of its capital invested plus the specific deduction of $3,000.

Mr. LONGWORTH. Under the Senate consolidated return provision that company would pay no tax whatever?

Mr. KITCHIN. Very little, if anything. Its return would be consolidated with the parent company and other subsidiaries. In other words, the parent company and this subsidiary company and other subsidiary companies, if any, would make a con-

solidated return, and the total capital and the total income of all would be computed, and the little company would get the advantage of the $15,900,000 capital invested for purpose of the deduction. Instead of getting about 80 per cent of its net income we would get little, if any, tax.

The Senate provided for quarterly payments of all income and war or excess profits taxes—that is, when the tax return is filed the taxpayer can pay one-quarter of his total tax, and then, three months after the time fixed by law for filing the return, pay another one-quarter of the total tax; then, six months after the time fixed by law for filing the return, pay another one-quarter of the total tax; and nine months after the time fixed by law for filing the return pay the remainder. The conferees agreed to the Senate provision. The House bill authorized the commissioner to extend the time for filing returns whenever, in his judgment, good cause existed for allowing an extension, but provided that except in the case of taxpayers who are abroad that the extension should not exceed two months. The Senate eliminated the two-month limit. The conferees agreed upon a six-month period as the maximum time the commissioner could allow as an extension of time for filing returns, except in the case of taxpayers who are abroad.

The SPEAKER pro tempore (Mr. FERRIS). The time of the gentleman from North Carolina has expired.

Mr. MANN. How much time does the gentleman desire?

Mr. KITCHIN. I want to get through in half an hour.

Mr. MANN. I ask unanimous consent that the gentleman may have half an hour more.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent that the gentleman from North Carolina may proceed for half an hour more. Is there objection?

There was no objection.

Mr. KITCHIN. Now, as to the definition of "invested capital," it is practically the same as the definition in the House bill, with but one exception. The House bill provided that invested capital meant, in the case of tangible property, bona fide paid in for stock or shares, the actual cash value of such property, but in no case to exceed the par value of the original stock or shares specifically issued therefor. The Senate put in a provision, to which the House conferees finally agreed, some of us very reluctantly, that where the taxpayer can show to the satisfaction of the commissioner that the actual cash value of the tangible property at the time it was paid in was clearly and substantially in excess of the par value of the stock issued for it, the real value of the tangible property at the time it was turned over for the shares of stock could be counted as part of the invested capital.

The House bill also specifically provided that "paid-in or earned surplus and undivided profits" should not include the increase in the value of any asset above the original cost until such increase is actually realized by sale. This provision was stricken out by the Senate, and the conferees accepted the amendment, because it was surplusage and merely declaratory of an accepted general principle controlling the whole computation of invested capital.

There were in the Senate amendment several specific relief provisions other than those to which I have heretofore referred, and one section in the House bill, which included several general relief provisions, which we thought was very liberal. The conferees finally agreed that it would be safer and better and do no injustice to the honest taxpayers to strike out all these specific and general relief provisions and have just one general relief provision, which is section 327, paragraph (d), and begins on page 134.

I will read it:

(d) Where upon application by the corporation the commissioner finds and so declares of record that the tax if determined without benefit of this section would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without benefit of this section and the tax computed by reference to the representative corporations specified in section 328. This subdivision shall not apply to any case (1) in which the tax (computed without benefit of this section) is high merely because the corporation earned within the taxable year a high rate of profits upon a normal invested capital nor (2) in which 50 per cent or more of the gross income of the corporation for the taxable year (computed under sec. 233 of Title II) consists of gains, profits, commissions, or other income, derived on a cost-plus basis from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

The bill provides that in the cases specified in section 327 the tax shall be an amount which bears the same proportion to the net income of the taxpayer, in excess of the specific exemption of $3,000, for the taxable year as the average tax of representative corporations engaged in a like or similar trade or business bears to their average net income, in excess of the specific exemption of $3,000, for such year. Under the specific provisions no official had any particular responsibility, and one could take any case he desired, whether it was an exceptional hardship or not, and make application that the tax should be computed on the basis of representative corporations.

The conferees, as I said awhile ago, as a matter of safety to the Government, without doing any injustice to the taxpayer, in case he is actually entitled to relief, provide that the taxpayer, in order to get relief under this representative corporation section, must apply to the commissioner and must show to the commissioner that it is an exceptional hardship; not that he is making an exceedingly large profit on invested capital and therefore his tax is exceedingly large, but it must be an exceptional hardship owing to the peculiar and exceptional conditions surrounding the taxpayer's business, income, invested capital, and so forth; and the commissioner must find, and so declare of record, that the case is one of exceptional hardship before it can be considered under section 327.

This provision gives a taxpayer only that to which he is entitled, because he ought not to have relief unless, owing to the peculiar situation of his business or capital or income or something, the payment of the tax would be an exceptional hardship upon him without the benefit of the relief provision.

Mr. EMERSON. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Let me get through with this first, please. I do not think the House or the Senate will object for one moment to that relief provision taking the place of the others, because it is a safeguard to the Government; and I believe it will save millions and millions of dollars by substituting it for the provisions which the Senate had.

There is one very ingenious provision that the Senate put in, which is a very wise one. It accomplishes what the House intended to accomplish and what its provision substantially would accomplish, but it would not do it in such a skillful and scientific way as will the Senate provision, which the House conferees agreed to, with an amendment excepting from its application the war-contract corporation. The House bill provided that in the case of a corporation the earnings of which are to be ascribed primarily to the activities of the stockholders of the corporation and not to the capital invested, where capital is not a material income-producing factor, the excess-profit tax should not exceed 20 per cent. That would take care of corporations doing the business of architecture, corporations doing the business of insurance agencies, or that had no capital invested, or where whatever little capital was invested was not a material factor that produced the income.

I think the Senate provision is an improvement on that of the House. It describes such corporations as personal-service corporations and provides that they shall be taxed just as partnerships are taxed. If, for instance, such a corporation makes $100,000 the taxable year, each stockholder will pay income tax on the amount of earnings he would be entitled to if distributed, whether distributed or not by the corporation, as if it were a partnership. I think we can all agree to that provision.

But here is one important thing that the Senate overlooked. Many, and perhaps a large majority of corporations, having cost-plus contracts would come under the personal-service corporation provision of the Senate. In these cases the Government furnished the money or capital. For example, take a corporation that was organized for the purpose of building a cantonment or constructing ships. The stockholders of other corporations would organize a corporation with only a nominal capital, say, of from $1,000 to $5,000. It would furnish no money or capital with which to execute the contract. The Government would furnish all. So under the interpretation of the Senate's language these corporations would escape all excess-profits and war-profits taxes. Some of these little thousand-dollar corporations made a million—in some cases several million—dollars profit, one of which the gentleman from Ohio referred to. These would have entirely escaped the excess and war profit taxes. But the House conferees proposed an amendment which protects the Government and compels the cost-plus contract corporations to pay such taxes. The Senate conferees readily agreed to it. Like the House conferees, they favored catching the profiteers under Government war contracts with the excess and war profits taxes and leaving no loophole for escape. We therefore provided that this section should not apply to any corporation 50 per cent or more of whose gross income was received from Government contracts. So we caught all the cost-plus contract gentlemen under that provision, and their corporations pay, as other corporations, the full corporation income and excess and war profits taxes.

I must hurry on. I want now to refer to some important subjects of taxation retained or stricken out of the House bill. The House bill taxes the salary of the President and of the Federal judges, also the salaries of State and municipal officers, and the interest from certain State and municipal bonds. As

I said to the House when the bill was being considered by it, that in my opinion it was doubtful whether we could constitutionally tax the salaries of State and municipal officers or the interest on State and municipal bonds, but I supported the House provision on the floor and gave reasons why it should remain in so that the question might go to the Supreme Court for final determination, and if constitutional we would get several millions of dollars to help win the war. But since the war has been concluded, since the armistice has been signed and the taxes reduced, the Senate struck the provision out. In fact, the Senate also struck out the tax on the President's and judges' salaries, as well as the tax on salaries of State and municipal officers, and the tax on the interest from State and municipal bonds.

The House conferees yielded as to striking out the tax on the salaries of State and municipal officers and the interest from State and municipal bonds, but the Senate conferees yielded to the House provision with respect to the President's and judges' salaries. So that the President's and judges' salaries will be subject to tax like the salaries of all other Federal officers, like yours and mine and like the income of every other citizen of the country. [Applause.]

The automobile-license tax and the tax on gasoline, which were written in the House bill during the war, were stricken out by the Senate. The House conferees yielded.

The provision in the House bill taxing mail-order houses whose gross annual sales exceed $100,000 was stricken out by the Senate. Its conferees insisted on the amendment. We of the House yielded. We yielded to a great many Senate amendments to the bill in order to get this bill to tax the war profiteers. We feared that some people in the Senate and in the House would like to have some excuse to defeat this bill in order that certain corporations and influential constituents might pay under the present law and thereby escape the war-profits tax.

As I said a few moments ago, this bill as it comes from the conference—and I want the membership of this House to bear this in mind—pursues in the matter of taxation, practically on all subjects, the methods and policies adopted by the House. The Senate did not change the policy or method of the House bill, barring the change of the rate of tax and removal in a few instances of the tax in order to reduce the total amount from $8,000,000,000 to $6,000,000,000, except in three instances, and in each of those three instances the Senate adopted an entirely different method and policy of taxation from that in the House bill.

These were with respect to the estate tax, the tax on insurance of all kinds, and the capital-stock corporation tax. The Senate struck out all the provisions in the House bill relating to those three subjects of taxation and substituted an entirely different plan and method of taxation. After considering each one of those propositions for some time the conferees agreed to go back to the House method and policy of taxation in all of them. For the estate tax the Senate substituted what is called a legacy tax, which would collect only $22,000,000 a year, while the House bill would collect $110,000,000 the first year and the second year $140,000,000. The conferees in returning to the House estate-tax method did modify the rate of taxation on estates, and, since the war is over, I think justly so. The House estate tax was entirely too high for peace times, and we reached the very highest limit even in war times. When the conferees agreed to accept the House estate-tax policy we agreed to accept the present existing estate-tax rates on net estates of $1,500,000 and over. The rates on the net estates under $1,500,000 will be somewhat lower than the rates under existing law.

Table showing the estate tax rates as agreed to in conference and under existing law.

Amount of net estate (an exemption of $50,000 is allowed estates of residents of the United States in computing the value of net estate).	Rates on net estates under—	
	Conference agreement.	Existing law.
	Per cent.	*Per cent.*
Not exceeding $50,000	1	2
Exceeding $50,000 and not exceeding $150,000	2	4
Exceeding $150,000 and not exceeding $250,000	3	6
Exceeding $250,000 and not exceeding $450,000	4	8
Exceeding $450,000 and not exceeding $750,000	6	10
Exceeding $750,000 and not exceeding $1,000,000	8	10
Exceeding $1,000,000 and not exceeding $1,500,000	10	12
Exceeding $1,500,000 and not exceeding $2,000,000	12	12
Exceeding $2,000,000 and not exceeding $3,000,000	14	14
Exceeding $3,000,000 and not exceeding $4,000,000	16	16
Exceeding $4,000,000 and not exceeding $5,000,000	18	18
Exceeding $5,000,000 and not exceeding $8,000,000	20	20
Exceeding $8,000,000 and not exceeding $10,000,000	22	22
Exceeding $10,000,000	25	25

In view of the high estate taxes, inheritance taxes, in the several States, the House conferees thought the rates agreed to were sufficiently high in peace times. There was one other important modification or amendment to the estate-tax provision of the House bill which the conferees agreed to. The House provision did not permit, nor does existing law, exemption from taxation of bequests, legacies, gifts, or devises to charitable, educational, religious, literary, and scientific institutions. That exemption was put into the conference bill. Also we extended the time for the payment of these taxes, which the commissioner could grant, from two years to three years. That is, we gave the commissioner the power, in cases where he thought it was justified, to extend the time for payment to three years. The conference action also exempts from the tax under this bill and the existing law the transfer of the net estate of any decedent who has died or may die while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service.

The conference agreement also changes from three years to two years the period of time within which a transfer of a material part of his property by a decedent before his death shall be deemed to have been made in contemplation of death. With these exceptions, and the exception of a few amendments making minor administrative changes, the estate tax is exactly as we passed it in this House, line for line and word for word.

The House insurance tax provisions have been restored in every particular.

The capital-stock tax was stricken out by the Senate and a tax upon the net assets shown by the corporation books was substituted. This, as it was discovered in the conference, would work a great injustice to and a discrimination against many corporations and would get several million dollars of taxes less. After analyzing in the conference the new method proposed by the Senate, it was agreed to restore the capital-stock tax provision just as the House had it.

I will now take up important Senate amendments relating to entirely new matters and the conference action thereon. As I said a few days ago in the House, some of these amendments are entirely without the province of a revenue bill, but being in the bill by the Senate's action the conference had to face and consider them. To the so-called bone-dry amendment, applying to the District of Columbia, the House conferees yielded.

Then there is the extra tax on the income of manufacturers employing child labor. Remembering what took place in the House when the bill went to conference, and the sentiment of the House in favor of that amendment, the House conferees yielded.

To the amendment repealing the additional 1 cent on letter and card postage, the House readily yielded. So that after July 1, 1919, we will not have to pay 3 cents letter postage, but will go back to the old postage rate of 2 cents on letters.

A Senate amendment repealed the existing law as to the zone rates on second-class postage matters, magazines, and papers. The Senate yielded on that, and the zone system will remain just as it is in the present law.

As to the Senate amendment taxing political contributions, the Senate conferees refused to accept the amendment which the House had instructed its conferees to propose and insist upon, striking out the retroactive feature of the Senate amendment and applying the tax only to future contributions. They, therefore, against the protest of some of the House conferees, yielded, and between us I think they, or some of them, wanted to yield. [Laughter.] Some of the Senate conferees declared that they wanted the political-contribution amendment making it retroactive remain in its "original symmetry, purity, and beauty," and they would withdraw the Senate amendment or at once yield, if the amendment striking out the retroactive features was insisted upon. [Laughter.]

As I stated in the House here when we had this matter up about a week ago it was my judgment, it mattered not which motion, whether that of the gentleman from Texas [Mr. GARNER] or that of the gentleman from Missouri [Mr. RUCKER] the House adopted, the Senate was going to have some good reason to yield and not let that provision go into the law. So it will not be in the law.

Now, I come to a very important and very just provision, which the House conferees and Senate conferees very willingly agreed upon. It is in regard to the so-called month's pay to officers and enlisted men in our military and naval forces. When the House conferees read the Senate bill they found a provision giving one month's pay to the officers and enlisted men in the Army and Navy, including the Nurse Corps, but it only applied to those officers and men who had been honorably discharged after November 11, 1918, or who shall hereafter be discharged. It did not give the man any pay who had been dis-

charged prior to the armistice. It gave the officers a month's pay and the enlisted men a month's pay. In other words, it would mean that a colonel would get $333 when he was discharged and an enlisted man, who had gone right to the front and bared his breast to the enemy's shot and shell, would only get about $36. We did not think that was the right, fair, and equitable thing to do. This is a bonus; it is a guaranty in the nature of a token of the country's appreciation of and as a tribute to the loyalty, valor, and sacrifices of our men of the Army and Navy, and when we are bestowing such gratuities we feel that the enlisted man was entitled to just as much consideration as the highest general. So the conferees provided that the enlisted man should have the same as an officer—each should have $60. [Applause.]

We provided, too, that any enlisted man who had been honorably discharged since April 6, 1917, should have this pay or gratuity the same as the man who was discharged the day after November 11, 1918. [Applause.]

I want you to read this provision and see if we did not do the right, fair, and just thing, especially under the present embarrassed financial condition of the Government. Oh, I know some of you gentlemen would like to say 6 months' or 12 months' pay; some would like to say $500 or $1,000; but, gentlemen, you underrate the sense of honor and pride and intelligence of the enlisted men in the present Army and Navy. The man, in or out of Congress, who attempts to demagogue for the soldier vote will make a miserable failure. Within the ranks of the private in the Army and Navy are found some of our most intelligent and capable men. Thousands of college or university graduates, hundreds of thousands, through not blessed with a college degree but equally as intelligent and capable, are there; business men, professional men, bankers, farmers, mechanics, many leaving lucrative business, practice, and position are there. The enlisted man of the Army or Navy represents the best type of manhood of every vocation. He stands just as high in character and ability and commands respect just as much in his community as the highest officer in the Army or Navy. [Applause.] He comes from every section and county and town in the United States. I believe the man from your community who went in as a private and came out as a private is as good as the man in my community who went in as a private and came out as a private, and he is as good in every way as any officer in the United States Army or Navy. [Applause.] He knows the immense war debt his Government has incurred. He knows the fabulous amount of bonds already piled upon this and future generations. He knows the enormous amount of taxes being levied. He knows that further bonds and higher taxes must come to enable his Government to pay its war debts and maintain its actual current expenses. He knows that in its present financial straits $266,000,000, which is required to pay the $60 granted to each by this bill, is as much as could be expected of his Government at this time.

The SPEAKER. The time of the gentleman has again expired.

Mr. KITCHIN. Give me 10 more minutes, and I will finish in that time.

Mr. MANN. I ask unanimous consent that the gentleman have 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none.

Mr. QUIN. Does the gentleman put Army nurses in?

Mr. KITCHIN. Yes; they are in.

Mr. RAMSEYER. What is the amount you provide?

Mr. KITCHIN. Sixty dollars each.

Mr. RAMSEYER. For officers?

Mr. KITCHIN. And men; all alike. We provide here a lump sum of $60 for each man and officer, and we provide that upon discharge then and there the $60 is to be paid to him, in addition to every other amount the Government may owe him. We provide, too, that those who shall have been discharged before this act shall be paid their $60 each just as soon as practicable, which, we hope, it will be immediately upon the application of the discharged soldier setting forth the facts called for by the department.

Now, gentlemen, I have about seven or eight minutes. Does anyone desire to ask me a question?

Mr. PHELAN. Will the gentleman yield just a minute?

Mr. HOWARD. Will the gentleman explain section 55, that was struck out?

Mr. KITCHIN. That is the royalty proposition, which the Senate put in. We all agreed that it should be stricken out. The Senate amendment provided that royalties paid by the Government for inventions used by the War or Navy Department during the present war should be exempt from taxation. The House and Senate conferees considered that we ought to make no such exception in the income-tax law. If the Government took a fellow's invention and paid him $2,000 or $200,000 royalty a year and it was used during the war, and it was worth $500,000 or $1,000,000, the place to get relief was not in a tax bill. He could come to Congress with his claim and present it to the proper committee hereafter.

Mr. EMERSON. Will the gentleman yield to me?

Mr. KITCHIN. I will yield first to the gentleman from Massachusetts [Mr. PHELAN], who was first on his feet, and then to the gentleman, if he desires.

Mr. PHELAN. I took up with the gentleman from North Carolina the luxury tax and pointed out the apparent discrimination. Will the gentleman explain what has been done in that case?

Mr. KITCHIN. The luxury tax was put in the bill by the Ways and Means Committee during the war at the urgent request of the Secretary of the Treasury, not so much to get the tax but to encourage thrift and prevent extravagance. When the armistice was signed I felt, from the views of members of the committee, and many other Members of the House, that I would be safe in saying to Senator SIMMONS, chairman of the Finance Committee of the Senate, which I did, that if the Senate would strike out the luxury-tax section I thought the House or House conferees would concur. The Senate Finance Committee did strike it out. I think it was during the last day's debate in the Senate upon the bill, in the confusion of things and the desire to hurry up and get through with the bill, that the luxury tax was restored to the bill. After it was restored some gentleman in the Senate made a motion to strike out just one or two items——

Mr. PHELAN. Three items.

Mr. KITCHIN (continuing). Relating to clothing and some other wearing apparel, and left in all the other items, such as shoes, hats, shirts, and so forth. Now, as it came to the conferees in that shape the conferees were powerless to remedy the matter, for the reason that the Senate had kept in all the items except clothing at a 10 per cent rate, and the House bill rate was 20 per cent. The conferees could not go below the 10 per cent rate, neither could they eliminate any items to which the Senate had agreed, and the only way we could think of to correct the discrimination was, after the bill became a law, to have a joint resolution to strike out that whole section, including probably the tax on articles made of fur, as they are chiefly wearing apparel. And I hope we can do it.

Mr. CARTER of Oklahoma. I understood the gentleman to say they allow the consolidated returns except in the case of the so-called war-profiteers' corporations.

Mr. KITCHIN. Except corporations organized since August 1, 1914.

Mr. CARTER of Oklahoma. The gentleman understands and knows better than the balance of us the difference between the tax on a small income and on a large income. Now, how do you overcome that preference that would be given to the small income when you do not allow the consolidated returns?

Mr. KITCHIN. I will say that a small corporation, having, say, $20,000 net income or less, is taken care of specifically in this bill.

Mr. EMERSON. Will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. EMERSON. I wanted simply to say, confirming what the gentleman has said with reference to the private soldier, that there are private soldiers serving in the Army from the city of Cleveland who earned $10,000 or $15,000 a year as business and professional men, and earned as civilians, three, four, five, and even six times as much as the captains or the colonel of the regiment in which they served.

Mr. STAFFORD. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. STAFFORD. Did I understand the gentleman to say the conferees withdrew the excess-profit and war-profit taxes on individuals and partnerships?

Mr. KITCHIN. The Senate agreed to the House provision on that. The House and Senate provisions only made corporations subject to the excess-profits and war-profits taxes.

Mr. STAFFORD. Why was it that individuals or partnerships that had been making large profits out of war contracts should not be taxed like other corporations?

Mr. KITCHIN. Because the surtax, together with the normal income tax, on individual incomes was so enormously high that they would be reached in that way.

Mr. STAFFORD. Has the gentleman compiled any tables showing the amount of revenue that will be derived from the respective titles?

Mr. KITCHIN. The tables are not included in my report, but I will put them in my remarks. Under this bill we will raise for this fiscal year $6,077,000,000 and for the fiscal year ending June 30, 1920, $4,184,000,000.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. SNYDER. I want to ask the gentleman a question in regard to what the gentleman said about subsequent legislation to take care of the luxury tax. Does the gentleman think that can be brought about in time?

Mr. KITCHIN. Oh, yes. Section 904 does not go into effect until May 1, 1919.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

Mr. KITCHIN. Yes.

Mr. RAMSEYER. I would like to ask the gentleman to state whether the provision affecting the postal zones is changed?

Mr. KITCHIN. The Senate receded on that amendment. The zone system will remain the same as it is under existing law.

Mr. SMITH of Michigan. Is the tax still kept on the sales of jewelry?

Mr. KITCHIN. Yes.

Mr. STAFFORD. Has any change been made in regard to the rate on postal cards?

Mr. KITCHIN. After July 1, 1919, it will be the same as it was before the revenue act of 1917.

Mr. LOBECK. When does the 2-cent postage rate take effect?

Mr. KITCHIN. After July 1, 1919.

In closing, I predict that never again will the Government get along any one year on less than $4,000,000,000. It ought to be less, however.

If our public indebtedness reaches $30,000,000,000, which I fear it will by June 30, 1920, it will mean that our annual taxes to pay interest will amount to about $1,275,000,000; and even if we deduct the interest that we will receive from our loans to foreign governments, we will still have to raise in taxes to pay interest between $800,000,000 and $1,000,000,000. I fear that our Army and Navy will cost us annually hereafter in the neighborhood of $1,000,000,000. Pensions, in one shape or another, and insurance will cost us not less than $1,000,000,000 a year. It will certainly take another $1,000,000,000 a year to finance all the other functions of the Government, including all the new things and new functions which the war has and will graft upon it. Besides all the above, a sinking fund must soon be established to retire our war debt.

In conclusion I will repeat what I have before said, our annual expenditure will hereafter be much more than $4,000,000,000 unless the President and Congress take a firmer and stronger hold on appropriations than they have heretofore. [Applause.]

The estimated revenue receipt tables referred to are as follows:

TABLE 1.—*Estimated revenue receipts under H. R. 12863, entitled "A bill to provide revenue, and for other purposes," for a 12-months' period, as reported to the House, as passed by the House, as reported in the Senate, as passed by the Senate, and as agreed to by the conference committee, and receipts for the fiscal year 1918.*

	As reported to the House.	As passed by the House.	As reported to the Senate.	As passed by the Senate.	As agreed to by the conference committee.	Fiscal year 1918.
Income tax:						
Individual	$1,482,186,000	$1,482,186,000	$1,432,000,000	$1,432,000,000	$1,432,000,000	
Corporation	894,000,000	894,000,000	775,000,000	775,000,000	775,000,000	$2,839,000,000
Excess-profits tax	3,200,000,000	3,200,000,000	2,400,000,000	2,400,000,000	2,500,000,000	
Estate tax	110,000,000	110,000,000	22,000,000	22,000,000	60,000,000	47,453,000
Transportation:						
Freight	[1] 115,000,000	115,000,000	115,000,000	115,000,000	115,000,000	30,002,000
Express	[1] 14,000,000	14,000,000	14,000,000	14,000,000	14,000,000	6,459,000
Persons	[1] 75,000,000	75,000,000	75,000,000	75,000,000	75,000,000	24,306,000
Oil by pipe lines	4,550,000	4,559,000	5,000,000	5,000,000	5,000,000	1,433,000
Seats and berths	[1] 6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	2,237,000
Telegraph and telephone	[1] 17,000,000	17,000,000	17,000,000	17,000,000	17,000,000	6,299,000
Insurance	[1] 13,000,000	13,000,000	20,000,000	20,000,000	[2] 14,000,000	6,492,000
Admissions	[1] 95,000,000	95,000,000	50,000,000	50,000,000	50,000,000	26,357,000
Club dues	[1] 8,000,000	8,000,000	3,500,000	3,500,000	3,500,000	2,259,000
Excise taxes:						
Automobiles, etc	[1] 120,000,000	120,000,000	71,500,000	60,000,000	71,000,000	23,981,000
Jewelry, sporting goods, etc	[1] 70,000,000	70,500,000	60,000,000	60,000,000	60,000,000	[3] 13,866,000
Other taxes on luxuries, at 10 per cent	88,760,000	90,000,000	58,750,000	58,750,000	58,750,000	
Other taxes on luxuries, at 20 per cent	184,795,000	175,000,000		85,000,000	85,000,000	
Gasoline	40,000,000	40,000,000				
Yachts and pleasure boats	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	
Beverages	[4] 85,000,000	85,000,000	75,000,000	75,000,000	75,000,000	441,200,000
Stamp taxes	32,000,000	32,000,000	31,000,000	31,000,000	31,000,000	17,539,000
Tobacco:						
Cigars	[1] 65,000,000	65,000,000	46,200,000	46,500,000	46,500,000	30,910,000
Cigarettes	165,240,000	165,240,000	115,000,000	115,000,000	125,000,000	66,492,000
Tobacco	[1] 105,000,000	105,000,000	72,000,000	72,000,000	72,000,000	47,485,000
Snuff, etc	9,100,000	9,100,000	6,300,000	6,300,000	6,300,000	4,049,000
Leaf			100,000	100,000	100,000	
Floor tax	[5]	[5]	[5]	[5]	[5]	6,281,000
Papers and tubes	[1] 2,000,000	2,000,000	1,000,000	1,000,000	1,000,000	431,000
Special taxes:						
Capital stock	[1] 80,000,000	80,000,000	60,000,000	60,000,000	80,000,000	24,996,000
Brokers	[1] 1,800,000	1,800,000	1,200,000	1,200,000	1,200,000	333,000
Theaters, etc	[1] 2,500,000	2,500,000	2,100,000	2,100,000	2,100,000	865,000
Mail-order sales	5,000,000	5,000,000				
Bowling alleys, billiard and pool tables	[1] 2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	1,086,000
Shooting galleries	400,000	400,000	400,000	400,000	400,000	
Riding academies	50,000	50,000	50,000	50,000	50,000	
Business license tax	10,000,000	10,000,000				
Manufacturers of tobacco	[1] 70,000	70,000	70,000	70,000	70,000	45,000
Manufacturers of cigars	850,000	850,000	850,000	850,000	850,000	379,000
Manufacturers of cigarettes	240,000	240,000	240,000	240,000	240,000	115,000
Use of automobiles and motorcycles	72,930,000	72,930,000				
Automobiles for hire			700,000	700,000	700,000	
Use of motor boats, yachts, etc	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	407,000
Total	7,178,971,000	7,170,916,000	5,541,460,000	5,615,260,000	5,788,260,000	3,672,847,000

[1] Actual collections since July 1, 1918, indicate that original House bill estimate was too low.
[2] The income and excess and war profits taxes upon insurance companies are estimated to yield $6,000,000. This amount is included in the estimated yield for income and excess-profits taxes.
[3] Including floor tax.
[4] Reduction from the House bill estimate of $1,137,600,000 is due to the prohibition and food conservation features of the food stimulation act.
[5] Floor tax not included.

TABLE 2.—*Estimated revenue receipts under the existing law and the revenue act of 1918, as agreed to by the conference committee, for the fiscal year ending June 30, 1919, and under the revenue act of 1918, as agreed to by the conference committee for the fiscal year ending June 30, 1920.*

	Fiscal year ending June 30—	
	1919	1920
Income tax:		
Individual	$1,432,000,000	$1,290,000,000
Corporation	775,000,000	510,000,000
Excess-profit tax	2,500,000,000	1,250,000,000
Estate tax	110,000,000	110,000,000
Transportation:		
Freight	115,000,000	115,000,000
Express	14,000,000	14,000,000
Persons	75,000,000	75,000,000
Oil by pipe lines	5,000,000	5,000,000
Seats and berths	6,000,000	6,000,000
Telegraph and telephone	16,000,000	17,000,000
Insurance	14,000,000	14,000,000
Admissions	50,000,000	50,000,000
Club dues	3,500,000	3,500,000
Excise taxes:		
Automobiles, etc	50,000,000	75,000,000
Jewelry, sporting goods, etc	41,200,000	60,000,000
Other taxes on luxuries, at 10 per cent	14,500,000	58,000,000
Other taxes on luxuries, at 20 per cent	20,000,000	85,000,000
Gasoline		
Yachts and pleasure boats	250,000	1,000,000
Beverages	450,000,000	75,000,000
Stamp taxes	31,000,000	31,000,000
Tobacco:		
Cigars	43,000,000	46,500,000
Cigarettes	106,500,000	125,000,000
Tobacco	61,000,000	72,000,000
Snuff, etc	6,000,000	6,300,000
Leaf	20,000	100,000
Papers and tubes	1,000,000	1,000,000
Special taxes:		
Capital stock	80,000,000	80,000,000
Brokers	1,000,000	1,200,000
Theaters, etc	2,000,000	2,100,000
Mail-order sales		
Bowling alleys, billiard and pool tables	1,900,000	2,500,000
Shooting galleries	100,000	400,000
Riding academies	10,000	50,000
Business license tax		
Manufacturers of tobacco	50,000	70,000
Manufacturers of cigars	640,000	850,000
Manufacturers of cigarettes	180,000	240,000
Use of automobiles and motorcycles		
Automobiles for hire	350,000	700,000
Use of motor boats, yachts, etc	1,000,000	1,000,000
Floor stock tax	50,000,000	
Total	6,077,200,000	4,184,510,000

Mr. FORDNEY. Mr. Speaker and gentlemen, I am going to be very brief. I am going to occupy but very little time. The gentleman from North Carolina [Mr. KITCHIN] asked me to say that the change in the postal rates takes effect July 1 instead of July 11, 1919.

There are only a few things that I want to mention. First of all let me say this bill is a much better bill now than when it passed the House first. There are many amendments that have been made in the Senate and in conference that, in my opinion, make the bill more equitable and just to the taxpayers. There are some inequalities in the law which are hard to remedy. It can not be done easily. The tax upon a corporation or a partnership with large capital is very difficult to adjust so that the corporation and the partnership with the same amount of capital and the same volume of business and the same amount of profits shall pay the same amount of tax. It is very difficult to draw this or any other law to put them in two classes, namely, the corporation and the individual, and yet have the tax paid by each the same.

I believe the provision in the law, as now agreed to, relating to oil and gas wells is equitable. A prospecting company might go on for several years prospecting and losing money. All at once they strike a well, a good flow of oil or gas. They can only use as capital the money invested in that particular well, not the money used by the corporation for several years past. Consequently their deductions are not equitable and just, as compared with those of other corporations, so that when a profitable well has been discovered the limitation is 20 per cent on the selling price of that particular well.

I know of a particular instance where a firm had gone and spent $600,000 in prospecting for oil in Oklahoma. At last they struck a very valuable flow of oil and were offered $600,000 for that property. They could not sell because, as the bill passed the House, they would be taxed 80 per cent of their entire proceeds from that sale except what money was expended on that particular property. Therefore they could not sell at all, although the law as it now stands before the House, in my opinion, is equitable and just, much more so, at least, than the original provision as the bill passed the House.

Now, as to the cost-plus contracts. The cost-plus contractors of the country made profits because of the war. There is no question about that. In many instances the capital was only a nominal sum and the profits very great. I know of a single instance where the capital invested was $25,000 and the profits during the year 1918 were $1,150,000.

Another case was called to my attention. I believe the gentleman from Ohio [Mr. LONGWORTH] spoke to-day of a subsidiary company, with $1,000 capital, whose profits were $1,000,000. Those were the men that the committee wished to bring within the limits of that dragnet and impose heavy taxes upon them, because those profits were made out of the war, and the taxpayer must pay it.

Now, let me show you what that does with the subsidiary company with $1,000 capital invested and $1,000,000 profit. I know of an instance where practically no capital was invested and where $3,600,000 profit was made. I want to get that fellow, and this bill does get him. Here is what happens to the firm with $1,000 capital and $1,000,000 profit: First of all it is entitled to a 10 per cent deduction on the capital, which is $100, plus $3,000, or $3,100 from a million dollars, which leaves $996,900, on which an 80 per cent tax applies, which amounts to $797,520. Deducting that war tax from the total of $1,000,000 leaves $202,480, from which the normal tax is deducted of 12 per cent, or $24,279.60, making a total tax upon that corporation of $821,799.60. Out of the $1,000,000 profit, on $1,000 capital, the firm still has $178,200, or 178 per cent on the capital invested.

Mr. SMITH of Michigan. Mr. Speaker, will the gentleman yield for a question?

Mr. FORDNEY. Certainly.

Mr. SMITH of Michigan. Is it not true that under the cost-plus contract the contractor is also allowed to include this tax that he pays?

Mr. FORDNEY. In answering the gentleman let me say there were some contracts drawn by the Government that were construed by me and other members of the committee as exempting the contractor from all taxes paid. In other words, there was language in the contract that said all taxes paid should be a part of the cost. Therefore if the courts construe a contract of that kind to mean that the Federal tax paid shall be a part of the cost, then the man who pays that tax gets his taxes back and his per cent of profit, 5, 7, or 10 per cent, whatever it may be, on those taxes paid. That is bad law.

Mr. SMITH of Michigan. Yes; that is bad.

Mr. FORDNEY. I obtained that information from testimony given before a Senate committee. I gave the name of the firm, the date of the contract, and the number. However, it was said that the Government did not intend to include the Federal tax in that provision. But there is the language in the contract.

Mr. JONES. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. JONES. What was the purpose of excluding trading corporations from the benefit of the personal-service corporation provision? I see you put them in as one of the exceptions, and cost-plus contractors as the other.

Mr. FORDNEY. Trading corporations?

Mr. JONES. Yes; why should they be exempted?

Mr. FORDNEY. If I am correct, a trading corporation means a sort of cooperative concern, where a portion of the business is done for the stockholders of that corporation, and yet they carry on a part of the business in trade, and so on. Now, where the business is carried on for no other purpose except the handling of the goods of the people who make up the association, there is no tax on that part of their business.

Mr. JONES. Would that cover a concern which was selling cottonseed cake on commission, for instance?

Mr. FORDNEY. No; I think not.

Mr. JONES. In other words, if it were purely a personal-service corporation it would be entitled to the benefits of the personal-service corporation exemption. If I read this exception correctly, they would not get the benefit of it, because they would be a commission house.

Mr. FORDNEY. They would be considered as a commission house, and I do not think they would come in under that provision.

Now, when the bill passed the House we had in it a tax of 2 cents a gallon on gasoline. There were 2,200,000,000 gallons of gasoline used in the country last year, and a tax of 2 cents per gallon would yield a revenue to the Government of $44,000,000 if the same amount of gasoline was used in 1918 as was used in 1917. In the reduction of the volume of taxes in the bill that

item was stricken out, because gasoline has become a thing of such common use by everybody.

There was much said in the committee about the amount of compensation, or bonus, as it was called, to the soldiers who served in this war. I believe that every Member of this House and of the Senate feels that he wants to be generous to the poor boys who went to the battle front and helped win this war. Those boys suffered great hardships and great dangers. Many came back with one arm, with one leg, or without any legs or without arms. A physician told me the other day that he found a man out here in the hospital with both arms and both legs off. The people of this country can not do too much for those poor fellows. The people of the country remained at home and enjoyed good beds and good tables to sit down to, in no danger, enjoying all the comforts of life, while these boys were over there defending the Stars and Stripes, and God knows we owe them a debt that we never can repay. [Applause.] I wanted to yield more to the soldier boys than was finally agreed upon—$60 flat to everybody. What does this amount to, though, my friends? These items run up to an enormous sum. Sixty dollars to each soldier will call for a contribution of $266,000,000. It is a mere bagatelle in comparison to the services rendered. One year's pay was suggested by some men—one year's pay at $30 a month for the men in the field—but that would amount to $1,596,000,000 in money.

Mr. LANGLEY. Will the gentleman yield there?

Mr. FORDNEY. Yes.

Mr. LANGLEY. Does not the gentleman think we could take $500,000,000 out of the naval appropriation bill and double this amount for the soldiers? Would not that serve a much better purpose than to proceed to build a lot of ships that will not be finished for several years?

Mr. FORDNEY. I had much rather economize in ways where we can economize and give this money to these beloved boys. [Applause.]

Mr. LANGLEY. I think the gentleman is entirely right, and I think we ought to do it if there is any way to do it while we are considering this subject.

Mr. FORDNEY. We are going to take care of those boys. [Applause.] I have spent some time of late trying to prepare a bill to present to this House, and to my happy surprise I find there is existing law by which those boys who have lost arms or legs or have been disabled can, at the expense of the Federal Government, be sent to school and educated in some line—in medicine, in law, in electricity, in mechanical engineering, or any course chosen by the soldier—and receive an income from the Federal Government of not less than $65 per month while receiving that education, and in addition thereto the family is entitled to the allotments and allowances as under existing law during the time of his schooling.

Mr. LANGLEY. That is very true and that is right, but how about the man who has lost his job, even though he did not lose an arm? What is he going to do while all this unemployment exists?

Mr. FORDNEY. I am not alarmed about employment for the poor fellows when they come back. What I am anxious about now is to see the immediate discharge of the soldiers in the camps in the United States. [Applause.] Let them go home, where they want to go. They came forward like brave men at the call of their country. They were anxious to render assistance. Our Government accepted them quickly. Now, for Heaven's sake let them go home.

It has been suggested that we are going to have one grand parade of soldiers in this city before they are mustered out. My boy wants to go home and your boy wants to go home, and they do not care a baubee about marching down Pennsylvania Avenue for some officer to bow and scrape and say "How do you do; you have done well, my boys," so that afterwards we can go down to the movies and see the picture of that fellow bowing and scraping. That is all there is to be derived in the way of benefit from such a parade. [Applause.]

Mr. CANNON. Will the gentleman yield?

Mr. FORDNEY. I take pleasure in yielding to my friend from Illinois.

Mr. CANNON. As I understand, this bill carries $60 to be paid to every soldier?

Mr. FORDNEY. Yes.

Mr. CANNON. Whether he has been injured or not?

Mr. FORDNEY. Yes.

Mr. CANNON. And that is in addition to the compensation for the loss of limbs, and so forth?

Mr. FORDNEY. Oh, yes.

Mr. CANNON. And that is in addition to the care for the families and dependents of the soldiers?

Mr. FORDNEY. Yes; in addition to everything he is entitled to under existing law. This is in addition to everything.

Mr. CANNON. Including the vocational education?

Mr. FORDNEY. Yes.

Mr. CANNON. I am very glad that that provision is made. However, the great mass of soldiers who come back and the great mass of those who supported them will pay cheerfully, in addition to compensation the like of which was never made by any government in the tide of time, and I am glad of it.

Mr. GALLIVAN. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GALLIVAN. Will the adoption of this $60 bonus preclude any additional legislation along the line of granting a bonus?

Mr. FORDNEY. Oh, no.

Mr. GALLIVAN. If another bonus is granted will this $60 be paid as well? Sixty dollars is a measly amount to pay to our soldiers. I want to vote a really substantial recognition of their work.

Mr. FORDNEY. The $60 will be paid whether there is any suggestion for another bonus following this or not.

Mr. GALLIVAN. I may say, if the gentleman will excuse me for a moment, that I want to vote for this bill, although my present intention is not to vote for it because of the very small pittance which has been given the soldier. I have a six months' pay bill introduced here, and I was wondering if this provision would preclude the consideration by Congress of that six months' pay bill. I am anxious to have Congress give the soldiers and sailors, and the nurses, too, the equivalent of six months' pay.

The gentleman will again pardon me if I remind him that in the last deficiency bill passed by this House we are covering back into the Treasury, because of the sudden and unexpected ending of the war, practically $15,000,000,000, thanks to our boys. [Applause.] They finished the job they undertook in quick time, and we can afford to give them a better deal than this bill provides.

Mr. MADDEN. Will the gentleman yield?

Mr. FORDNEY. Certainly we can.

Mr. MADDEN. I see that the Agriculture Committee has provided for an additional billion dollars as compensation to the farmer to maintain the price of wheat during the year 1919–20. The Railroad Administration had placed to its credit $500,000,000 when the Government took the railroads over. They have lost $216,000,000 in the operation of railroads within a year. They are now asking for $750,000,000 more to tide them over for another year. The Post Office Department has taken over the telegraph and telephone wires, and as a result of that they will be compelled to tax the telephone and telegraph users large sums to prevent loss. Now, if we can afford to maintain the extravagant expenditures provided for in the items I have indicated, is it not of infinitely more importance and more decent to pay additional compensation or bonus to the men who offered their lives to save the country?

Mr. FORDNEY. I agree with the gentleman.

Mr. MADDEN. Is not $60 a measly sum to give them?

Mr. FORDNEY. I agree with the gentleman that the $60 is a very small pittance, but the best we could get in conference.

Mr. GALLIVAN. A mere tip.

Mr. FORDNEY. I was much in favor of a larger sum. The sum the gentleman mentions as the guaranty for the price of wheat in the country will be paid; that was a guaranty made by the Government——

Mr. MADDEN. But this is a new guaranty.

Mr. FORDNEY. As an inducement to the farmer to raise more wheat at any cost to supply the hungry people of the world.

Mr. LEVER. And the farmer raised it.

Mr. FORDNEY. He raised it and the Government is going to carry out its contract. [Applause.]

Mr. MADDEN. But they propose to make a new contract.

Mr. FORDNEY. The Government took over the railroads and the gentleman's figures of the amount lost during Government control do not correspond with my own. I obtained from the Committee on Appropriations this information, that the first year the loss to the Federal Government for their meddling with the railroads was $755,000,000. But we are like the man in the hollow log that has the bear by the tail, he does not dare to let go just now. [Laughter.]

Mr. STEENERSON. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. STEENERSON. The gentleman is aware of the fact that, although the Government guaranteed that price of wheat last year, the Food Administration reports that they will come out of the guaranty without any loss.

Mr. FORDNEY. I understand so, and I hope so.

Mr. STEENERSON. And that the next year does not indicate a loss of a million.

Mr. FORDNEY. I do not know how we can be called upon to pay a billion dollars and pay it and not lose some money. I do not know how or where the Government is going to get it back.

Now, let me go a little further. The Government has taken over the steamships and, with all due respect for my good friend from Pennsylvania, they came very near taking over the canals. [Laughter.]

Mr. MOORE of Pennsylvania. That would have been the cheapest investment they could have made.

Mr. FORDNEY. I respect you, my good friend. [Laughter.]

Mr. MOORE of Pennsylvania. I want to say, if the gentleman will permit, that they propose now to take another $200,000,000 out of the Treasury for good roads, whereas $100,000,000 taken out for canals would have put us in business for years.

Mr. FORDNEY. The gentleman is correct, as he sometimes is. [Laughter.] The Government took over the steamship lines. Less than two weeks ago the Government notified the Merchant & Miners Transportaion Co., whose steamships they had taken over, an old established transportation company doing business on the Atlantic coast, that they were going to return them. When the Government took that company's ships it took some $600,000 of money then in that company's treasury. Last week the Government notified that transportation company that it was going to give them back the ships without any money. The Government is not only not paying the company for the use of its ships, but is keeping the money it took out of the treasury of the company. That is Uncle Sam for you and Government ownership.

Mr. LOBECK. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. LOBECK. Is not the great loss in the administration of railroads largely due to the increased wages paid to every man employed?

Mr. FORDNEY. Partially so.

Mr. LOBECK. Is not that the largest item?

Mr. FORDNEY. The power vested in the Interstate Commerce Commission controlled the incomes of the railroads, fixed the maximum rates that the roads could charge for freight and passenger service. The railroad companies for several years had been appealing to the Interstate Commerce Commission to give them higher freight rates and higher passenger rates, but that was continuously declined by the Interstate Commerce Commission. The Interstate Commerce Commission fixed the income of the railroads, but did not control the outlay; but a political body, the Congress of the United States, came in to help out the situation and said to the railroad companies, through the Adamson bill, "You must advance your wages," and they did it without any increase in their incomes. When you put a corporation or an individual or any business between one body in the Government fixing your income and another body fixing your outlay you are between the devil and the deep blue sea, and you will land with one or the other, and either of them is enough to destroy you. The minute the Government took over the railroads it saw that the income of the railroads was not sufficient to meet the necessary expenses in the increased wage scales and the upkeep of their lines, in betterment, in equipment, in the maintaining of their roads, and the Government immediately advanced the passenger rates 50 per cent and advanced the freight rates 25 per cent. In 12 months, upon the basis of the income of the railroads for passenger fares—$800,000,000, which was the income for 1916—50 per cent would mean $400,000,000. Two billion four hundred million dollars was collected in freight by the railroads of this country in 1916. An advance of 25 per cent in their rates means $600,000,000 in 12 months' increase in their income, and the estimated increase of those two things—passenger fare 50 per cent and freight rates 25 per cent—would mean an increase in income of $1,000,000,000.

Now, in answer to your question, the increase in the wages which was made retroactive beginning the 1st of January, 1918, amounts only in round numbers to about $300,000,000. Where is the balance of that billion dollars which they should receive in an increased income? There is a loss of $750,000,000. For the first six months of 1917 the profits of the railroads of this country were a fraction over $565,000,000, and for the first six months of 1918, under Government ownership, the loss was over $300,000,000, making a difference of more than $800,000,000 for the first six months under Government control, as compared with the corresponding six months of the year before. That is Government ownership for you, something that some of you seem so much in favor of.

Mr. HARDY. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. HARDY. Does not the gentleman recognize that if we pursue the policy of diverging and going into every other thing under the sun, as we have been for the last 15 minutes, not discussing the measure before the House, that we can not get through with the measures that we ought to pass during this session?

Mr. FORDNEY. My friend, I am anxious to get all bills through Congress to avoid an extra session of Congress. I have been doing my duty. I have worked faithfully since the 6th day of June on this devilish bill, and I am only going to take about five minutes more in explaining my views upon it, although it is to take from the people $6,000,000,000 in money. Do you think I am filibustering?

Mr. HARDY. Mr. Speaker, will the gentleman permit one observation?

Mr. FORDNEY. Yes.

Mr. HARDY. I do not think the gentleman courted this diversion. I think he wanted to discuss the bill. I merely rose to call attention to the fact that this starting off after Tom, Dick, and Harry, and every other issue under the sun, is prolonging this session and endangering the possibility of doing what we should do. The gentleman knows that if answers were attempted to be made to all of these chargeful questions we would take all the balance of this term discussing immaterial matters.

Mr. FORDNEY. I have said all I want to say about the Government ownership of railroads, and have put my stamp of disapproval upon it or anything else controlled by the Government as against private ownership.

Mr. HARDY. That has nothing to do with this bill.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MOORE of Pennsylvania. Does not the gentleman think that it approaches the point of impertinence, after the majority leader has spent nearly three hours discussing this bill, when every Republican is prepared to hasten its passage and to vote upon it, for anyone to rise and suggest that a gentleman, the ranking member of the committee on the Republican side, who has devoted 10 months of his time to the bill, should be shut off in the midst of one of the important points covered by the bill?

Mr. FORDNEY. Oh, I believe the gentleman from Texas was kindly in his suggestion. He is a very dear friend of mine.

Mr. MOORE of Pennsylvania. I suggest that sometimes a great deal of buncombe comes from those who do not watch things quite so closely as do those upon the committee.

Mr. MANN. Mr. Speaker, will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. MANN. Did the gentleman consider this point in reference to the payment of $60 to the discharged soldiers? The provision in the bill reads:

and in the case of separation from the service after the passage of this act shall be paid at the time of such separation.

Did the committee consider how long that would delay demobilizing the Army?

Mr. FORDNEY. No; the committee had no information as to when those men would be discharged.

Mr. MANN. The committee must know that after the passage of this act, which does not take effect until the day of its passage, the Army can not give an honorable discharge to any soldier in the service unless it is prepared at the time to pay him the $60 extra.

And, as in many cases probably they will not be prepared to pay this $60, they will not grant the discharge. That will be the only way out of it.

Mr. FORDNEY. I will say to the gentleman the bill provides, as I understand it, for the payment of this $60 from the time the law takes effect to all who were discharged from that time on, and information comes from the War Department that those who are already discharged would be paid just as quickly as the machinery would permit.

Mr. MANN. I understand. I did not refer to that; but, considering the fact that the law now requires soldiers shall be paid monthly, and that we know of innumerable cases in France where they have not been paid in many months, what will the department do about this sort of a regulation?

Mr. FORDNEY. Well, all we can do is to say that when a man is discharged they shall pay this sum anyway. That is about as far as the committee could go in framing the law.

Mr. GARNER. Will the gentleman yield?

Mr. FORDNEY. I will.

Mr. GARNER. I want to ask the gentleman, in view of the statement made by the gentleman from North Carolina [Mr.

KITCHIN], if he does not think it will be necessary to have additional revenue in order to run the Government for the next fiscal year?

Mr. FORDNEY. I do. I gave some figures here yesterday of the extraordinary expenditures of this Government, and the gentleman will find those figures in the RECORD of this morning, in which I showed that a few of the extraordinary expenditures of the Government will amount to $6,795,000,000 extra—not ordinary running expenses of the Government, but those are extras—and that to that must be added other millions, which will bring up the expenses of this Government to, in my opinion, about $10,000,000,000. Now, we must have more revenue—that is to say, taxes—or we must borrow it from the sale of Government bonds, or we must pass an additional revenue bill, which I believe will be passed in the next Congress.

Mr. EMERSON. Will the gentleman yield?

Mr. FORDNEY. Yes, sir.

Mr. EMERSON. Did the conference committee take into consideration that in the next fiscal year there will not be anywhere near the profits there are in this fiscal year, and unless some miracle happens there will not be any profits at all?

Mr. FORDNEY. My good friend, this was considered by the committee. Every business man knows that the cost of living, that the labor cost, material cost, and other costs are abnormally high at the present time. Adjustments must be made and are being made now where we must get back to normal conditions in the near future. During that reconstruction period, my friend, it is a matter of great seriousness between capital and labor in this country. You can not have a high cost for materials and low cost for labor, you can not have low cost for materials and high cost for labor; labor and the value of the products of that labor must go together up or down. They are up now. They must and will go down; and during that time there will be, as there is now, great unrest in the labor world, in the world over, not only in the United States. On the Pacific coast there is a great strike on at the present time, where this morning's paper states that there are 70,000 workingmen on a strike in Seattle and Tacoma, Wash., striking for $1 an hour. I received a letter from Michigan yesterday from an employer of labor who had closed his factory and wanted to start up and had put out an offer of $4 a day for labor, and out of 200 employees only 7 accepted and said they were ready to go to work. Wages are abnormal, my friends. In the lumber market in the State of Washington labor is averaging 50 cents to $1 per hour. Section hands on the railroads in the State of Washington to-day get $4 per day for an eight-hour day. While that scale of wages lasts, my good friends, the cost of production of every article we consume must and will be high. Therefore I say great unrest now prevails throughout the country, and the Lord only knows when that situation will settle down to normal conditions, but while we are going on this Government has incurred great expenses, great costs upon the people. Much taxes must be collected from the 110,000,000 of the people of this country. We are calling in this bill for $6,000,000,000 for the calendar year of 1918. It is not a sufficient sum to meet a fair proportion of our costs, to pay our debts, to administer this great Government, and therefore, gentlemen, I will vote for it, and I will be called upon, if the Lord lets me live a few months longer, to vote for additional revenue laws to produce more money in order that we may meet our obligations already incurred. Now, Mr. Speaker, I yield 15 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. FARR. Will the gentleman answer a question?

Mr. FORDNEY. All right.

Mr. FARR. What will this war have cost the Government when these extraordinary expenses to which the gentleman refers are paid?

Mr. FORDNEY. The reports show, down to and including January, 1919, about $25,500,000,000 as the cost of the war.

Mr. KEARNS. Will the gentleman yield for a question?

Mr. FORDNEY. I will.

Mr. KEARNS. Not in line with what the gentleman talks about, but perhaps the gentleman can give some information. There is a corporation doing business in the State of Ohio. It is not a branch even, but they are doing business also in Canada——

Mr. FORDNEY. Yes.

Mr. KEARNS. But they are not incorporated in Canada, but the Canadian Government licensed them for the privilege of doing business there.

Mr. FORDNEY. Yes. Now, let me say to you, I see the point coming, this law provides that an American citizen doing business in Canada and paying taxes in Canada is also taxed here——

Mr. KEARNS. Yes.

Mr. FORDNEY. And whatever taxes are paid by him in Canada will be deducted from his tax in this country on what his income from the business in Canada amounts to.

Mr. KEARNS. Although in his business in Canada now the profits are brought into this country? All the profits remain in Canada and are used in the operation of the business in Canada.

Mr. FORDNEY. If he is a citizen of the United States, doing business solely in Canada, living in Canada, he is subject to taxes in this country as a citizen of the United States, and on his income in Canada he is taxed there and he is taxed here, but we permit him to deduct from his taxes here whatever tax he pays over there.

Mr. JOHNSON of Washington. And that country does the same in regard to our country?

Mr. FORDNEY. I think the Canadian Government treats our citizens over there the same.

Mr. Speaker, I reserve the balance of my time. [Applause.]

The SPEAKER. The gentleman from Pennsylvania [Mr. MOORE] is recognized.

Mr. MOORE of Pennsylvania. Mr. Speaker, when the big revenue bill came out of the Ways and Means Committee I gave credit for it to the President, the Secretary of the Treasury—Mr. McAdoo—and the gentleman from North Carolina [Mr. KITCHIN], chairman of the Ways and Means Committee. Although 602 amendments were tacked onto the bill in the Senate, and it now comes back through the conferees of the House and Senate extended in length to 362 pages, accompanied by a 94-page conference report, it is still the Wilson-McAdoo-Kitchin bill with a few harbors of refuge not hitherto provided, presumably for deserving taxpayers. As it came to the House originally the bill proposed to raise the taxes from incomes, corporations, war profits, estates, and miscellaneous, about $8,000,000,000. That was the amount the President, acting as Commander in Chief of the Army and Navy, proposed should be raised by taxation, as the Secretary of the Treasury, Mr. McAdoo, explained in detail in his letter to the chairman of the Ways and Means Committee June 5, 1918. Notwithstanding the President's address to Congress insisting upon taxation along with loans to meet the expenses of war, and his suggestion that the proportion of taxes should be at best one-third, and despite the insistence of the Secretary of the Treasury that $24,000,000,000 would be spent for the fiscal year ending June 30, 1919, alone, and that $8,000,000,000 must be raised by taxation, this redraft of the Wilson-McAdoo-Kitchin bill is expected to cut down the sum total to be collected from $8,000,000,000 to $6,000,000,000. At least that is the amount which the Treasury experts estimate the bill, as amended, will produce. In view of this attempted reduction of the enormous burdens imposed by the bill it is fair to assume that the administration has reason to ameliorate the wrath of the taxpayers who must pay the war bill, or is reasonably assured that the expenses of war will be speedily reduced.

That the taxpayers—even the remotest of them—are about to sustain their greatest shock no one who has attempted to read this forbidding measure will deny. It carries the greatest monetary burden ever imposed upon any people at any time. That our so-called war expenses—and many offenses have been committed in that name—have been, or are being, so reduced as to justify the administration's attempt to lessen the burden of taxation, I am not prepared to admit.

So recently as January 31 last the efficient and painstaking chairman of the Appropriations Committee, in an earnest effort to show salvage in war expenditures, admitted that we were still spending $50,000,000 a day and that our monthly expenses up to and including January, 1919, were running over $1,600,000,000. If that statement is accurate, and no one has dared deny it, then this great revenue bill, over which Congress has labored since the Commander in Chief presented his war demands last April, unprecedented and crushing in effect as it is, will produce much less than will be necessary to meet our war requirements for the short period of four months. It is mighty important we take these significant facts into consideration in connection with the efforts that are being made to show that the country has unlimited credit and that the American people can saddle themselves with the burdens of mankind. It is a fact, patent to anyone who scans the Treasury statements, that our total money supply in the United States is only about $7,500,000,000. But financiers and Treasury experts like the former Secretary of the Treasury, always cheerful and optimistic, talk of "our Nation's wealth" as a tangible thing. That wealth, as I understand it, is not cash; it is farms, homes, stock; it is something of value which the owner can not always speedily turn into cash even for taxes, so that when under guise of war

hundreds of millions and billions of dollars are asked for by the administration, even though it is not clear that the money is intended for purposes of war, the average citizen may fairly inquire, "Where is this money coming from?" The facts to date are that with about $7,500,000,000 of money in the country we have fallen back upon "the Nation's wealth" for the more than $12,500,000,000 we spent for the war up to May 31, 1918—see Exhibit A, Secretary McAdoo's letter to Mr. KITCHIN June 5, 1918—and for the year ending June 30, 1919, we have appropriated more than $24,000,000,000, as demanded by the Commander in Chief and the Secretary of the Treasury, plus an additional $7,000,000,000 provided in the deficiency bill, a total of appropriations and authorizations for one year of $31,000,000,000. To meet this tremendous indebtedness we have had one loan issue of $6,000,000,000 and taxes returned under existing law amounting to about $4,000,000,000. If these figures are correct $21,000,000,000 remains to be accounted for by salvage or repeal of appropriations already made, by additional loans, or by taxes. It is a serious financial situation which cries out above all things else for economy and retrenchment.

And, parenthetically, Mr. Speaker, I have looked at the statement prepared by the clerks of the Appropriation Committees of the Senate and the House, showing a recapitulation of appropriations for 1918–19. They show in that statement that we have appropriated or authorized for this period more than $36,000,000,000. I mention that because there may be a discrepancy in my statement, due to authorizations being mixed up with appropriations. For the purposes of the argument, however, I am willing to take the official statement of the Committee on Appropriations, showing the total expenses authorized and appropriated to be $36,000,000,000, and make allowance for the salvage shown here the other day by the chairman of the Committee on Appropriations totaling $15,000,000,000; but still, according to those figures there would have to be accounted for by loans or taxes the difference between $36,000,000,000 shown in that statement and the $15,000,000,000 of salvage claimed by the chairman of the Committee on Appropriations.

Mr. GARNER. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I will.

Mr. GARNER. In view of the statement the gentleman makes, does he not think it a great mistake in not insisting upon the House provisions of the bill in order to collect more money this year than this bill does?

Mr. MOORE of Pennsylvania. I will say to the gentleman I do not believe the $6,000,000,000 to be raised by this bill, while it may tend to satisfy a popular demand at this time, will be sufficient for the purposes of the administration.

Mr. GARNER. In other words, the gentleman believes that, in order to have more money not only for this fiscal year, but the next fiscal year, you will have to have additional taxes?

Mr. MOORE of Pennsylvania. I am very much inclined to think the gentleman is right.

Mr. GARNER. Does the gentleman consider the present conference report, which, I believe, he signed——

Mr. MOORE of Pennsylvania. I did.

Mr. GARNER (continuing). A better bill than the one that passed the House?

Mr. MOORE of Pennsylvania. I was going to discuss that in the brief statement I have before me. But I will say now that I have not been wholly satisfied in my own mind that the $6,000,000,000 would meet the requirements of the administration as those requirements were set out by the Secretary of the Treasury before the Ways and Means Committee.

Mr. GARNER. Of course, we have all voted for these appropriations. I am merely getting down to the policy of the gentleman from Pennsylvania.

Mr. MOORE of Pennsylvania. I am taking the judgment of my conferees that $6,000,000,000 will be sufficient for all administrative purposes for the present, and I am holding those in power responsible for the reduction which has been made.

Mr. GARNER. I think the gentleman is right to hold them responsible, but we are responsible in the last analysis, as the gentleman from Illinois [Mr. CANNON] would say, and especially as the gentleman from Pennsylvania [Mr. MOORE], whom we appointed as one of the conferees to adjust these differences, is responsible. Now, the gentleman from Pennsylvania [Mr. MOORE] or his conferees ought to have insisted on more of the House provisions if he has taken the position that the administration was responsible for them. I think a mistake was made when we reduced it from $8,000,000,000 to $6,000,000,000, and I think the gentleman ought to have insisted on getting more money in this bill.

Mr. MOORE of Pennsylvania. The gentleman knows that the "gentleman from Pennsylvania" has been a minority member of the Ways and Means Committee, a minority member of the conferees, and the gentleman knows how inconsequential that is.

Mr. GARNER. I imagine that the gentleman from Pennsylvania was not entirely in the minority in all questions in the conference.

Mr. MOORE of Pennsylvania. Let me say to the gentleman and for the edification of the House that the President from this rostrum told us we would need a certain amount of money. He indicated that one-third that was raised should be raised by taxation. He was followed up by the Secretary of the Treasury, who came before the Committee on Ways and Means, and who laid before that committee a plan for raising this one-third by taxation, to wit, $8,000,000,000. And the gentleman from Texas well knows that scarcely a witness of importance came before the Committee on Ways and Means seeking a reduction of taxation who was not reminded by "the gentleman from Pennsylvania" that the President had asked for $24,000,000,000, and that he expected $8,000,000,000 to be raised by taxation. Inasmuch as we are spending $50,000,000 a day, inasmuch as the last monthly statement shows that for January just passed we have spent $1,600,000,000, inasmuch as that $1,600,000,000 required for one month would eat up what we need in four months, I question whether this bill is going to raise all the money this administration needs to meet its obligations.

Mr. GARNER. Then I will repeat the query. Although the President of the United States from that rostrum suggested $8,000,000,000, and so did the Secretary of the Treasury, and we must have the responsibility, why do you say that you and your conferees, realizing that we needed more money than the $6,000,000,000, did not arrange to get it in this bill?

Mr. MOORE of Pennsylvania. Because the majority was in favor of the bill as it is reported here.

Mr. CANNON. Will the gentleman yield?

Mr. MOORE of Pennsylvania. I yield to the gentleman from Illinois.

Mr. CANNON. If the bill is such as my friend from Texas says, there is a way by which a majority could reject the conference report.

Mr. GARNER. And leave the law as it is, which would leave a little less than $4,000,000,000 for the next year. The gentleman from Illinois has been here long enough, I am sure, to know that the rejection of the conference report at this time would mean defeat of the bill.

Mr. CANNON. If my friend will allow me further——

Mr. MOORE of Pennsylvania. I yield to the gentleman from Illinois——

Mr. CANNON. If this is inevitable, as the gentleman says, why whine about it? [Laughter.]

Mr. MOORE of Pennsylvania. I think the gentleman from Texas and I can get together on this proposition. I think I know why the suggestion was made to reduce the volume of taxation from $8,000,000,000 to $6,000,000,000. There was an uproar throughout the country against the $8,000,000,000 proposition. The newspapers were quite condemnatory. There was a general outcry that an $8,000,000,000 bill was going to ruin industries in this country, and that was the one thing on earth that the Secretary of the Treasury and the President did not want to have happen. They did not want to get in bad with the people of the United States on the question of taxation. Therefore, when this hue and cry went up against an $8,000,000,000 bill the President, being human, was in favor of $6,000,000,000, to test it out; and I say to the gentleman that while I do not believe the President is going to raise as much money by this bill as he would like to have, still it may have been a wise thing, if not good politics, to have suggested that we can get along with $6,000,000,000 for the balance of this administration up to the 4th of March, so that the burden of raising this tremendous deficit, this $21,000,000,000 in the first instance, and the difference between $36,000,000,000 and $15,000,000,000 in the second instance, might be left to the incoming Republican Congress. I do not want to have the Secretary of the Treasury or the President or this outgoing Democratic Congress to unload this great job on a Republican Congress. I want to see the Democrats, those in power, work out their own destiny. They spent the money and they should raise it.

Mr. COLLIER. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. COLLIER. Will the gentleman state some of the specific appropriations for carrying on the war that he was opposed to and did not vote on with us along that line?

Mr. MOORE of Pennsylvania. I do not know just what items I did not vote for with the gentleman. On general principles of political economy I may have voted against certain things, but I think I supported all propositions brought in for carrying

on the war. I voted with the gentleman and in support of the President on the things he said were essential.

Mr. COLLIER. I think the gentleman came forward very liberally and patriotically and supported all the provisions deemed necessary to carry on this war. That being the case, what is the gentleman's complaint now?

Mr. MOORE of Pennsylvania. The gentleman knows that I made no exception in the committee, especially during the hearings, when men of prominence, or even obscure men, if there were any, came before the committee. I told them all that this was cold-blooded business, that sentiment and pretended patriotism would not work with the committee, and that it would not work with me. I told them that they as well as we had incurred these obligations. They had been for the war. They had said, "Stand by the President"; and now they would have to pay. That is what I said, and I said it with uniform regularity, and I say it now. I do not know that this bill will make them all pay.

Mr. COLLIER. I will say to the gentleman that there was no politics in the committee, and all the members of the minority, as well as those of the majority, patriotically came forward and supported every measure that was asked for. I do not see, under those circumstances, why the gentleman should be complaining at this late hour.

Mr. MOORE of Pennsylvania. I do not particularly complain. I was simply stating facts that might edify my large audience. [Laughter.]

Mr. BAER. Mr. Speaker, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. BAER. The gentleman will recall that he voted with me recently against an appropriation of $100,000,000 to buy food for the hungry people of Europe, and thus establish a precedent so that when the people of this country are hungry we might be called upon to feed them or feed all the people of the world, and thus end in a proposition that might involve the expenditure of $1,000,000,000.

Mr. MOORE of Pennsylvania. I voted as the gentleman did against still further burdens on the people of the United States to relieve the people abroad. I did vote against that $100,000,000 appropriation, and I am happy to say that I have just received a letter from a high officer in the Army of the United States who has been going through France and Belgium and Germany, a man with an excellent record, who read some footnote in a Paris newspaper about my vote on this question, which he commended highly. He tells me the starvation stories from over there are overdone, that many of the people are living well, that they are willing to take everything we will send over, and that they are not crazy about going back to work while we are willing to support them.

Mr. COLLIER. The gentleman says he has received a letter like that from an officer of the United States Army?

Mr. MOORE of Pennsylvania. Yes.

Mr. COLLIER. Has the gentleman any objection to giving his name?

Mr. MOORE of Pennsylvania. I would like to give his name, but I will not. I know enough about Army regulations to know how to keep confidence. At the same time I know that if the court-martial of a favorite for spending $640,000,000 without getting results in aviation is recommended, he may be whitewashed by the Secretary of War. [Applause.] I am not anxious to violate the confidence of those in whom I have placed my trust and who placed their trust in me. I wish the day would come when we could read some of the letters that come to us about conditions in France, in Germany, and in Belgium. I wish I could read personal letters that I have now about the boys sleeping in the mud and dying outside of the city of Brest, in France, but I will not go into that now. I could talk of the life and death of boys who have been obliged to sail upon foreign ships and spend their substance with a commissary organized not under our auspices but the auspices of others, but I shall refrain. I would like to show how they have been herded like cattle in the ships. I would like to show some of the sufferings they have endured. I would like to be able to tell of the manner in which their mail has miscarried, and how some of them were led to believe that they had been deserted by their friends and relatives in the United States. But that is not a part of this discussion.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Mr. Speaker, I ask for five minutes more.

Mr. FORDNEY. I yield five minutes more to the gentleman.

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. MOORE of Pennsylvania. If expenditures in the name of war and a world democracy are not more carefully checked up and scrutinized in the future, no one, not even the financial wizards who have had so much to do with the encouragement of expenditures during the war, can foretell the consequences upon and among the American people, whose sons have made the supreme scacrifice, and who themselves must sustain "the national wealth."

Mr. Speaker, I shall not attempt to discuss the details of this bill. To wander through its pages is suggestive of a journey through the chamber of financial horrors. It is supposed to have come from the Senate simplified and bereft of the supposedly expert and scientific treatment it received before it was presented to the House. Then it was to raise $8,000,000,000; now, chastened and "made clear," it is to raise $6,000,000,000. As one of the minority conferees I would not desire to be called upon to attest that these efforts in the interest of clarity were worth the $2,000,000,000 which it is claimed will be saved to the taxpayers by the changes made. It is a lawyer's bill—an expert's bill—from start to finish. It reflects credit upon the indefatigable industry of the gentleman from North Carolina [Mr. KITCHIN], who knows the remnants of his "baby" better than any other man in Congress, but it is a bill the like of which I fondly hope and pray we may never be called to look upon again.

But the bill is here, changed and amended, loaded up with riders that do not pertain to revenue and which have no rightful place in the measure, and there is no recourse but to act upon it. What shall we of the minority do? Shall we rise against this four months' war provider and smite it? For one I shall vote for it despite its imperfections. As a Member of the House I voted for war. With that vote I assumed my full share of responsibility. That vote was a vote to support the President, who is Commander in Chief of the Army and Navy. The Commander in Chief asked for the money to prosecute the war; the Secretary of the Treasury went over the financial needs in detail. The particular plan of taxation which this bill established is their plan, not mine. If there was graft or waste in this bill so earmarked that we could distinguish it, I would vote to eliminate it; but that is not now the question. If the war was over and we could assure ourselves that any of this tax money is not needed, it might enable me to vote against the bill or for its amendment. But the President is still the Commander in Chief; he has not yet issued his proclamation declaring that a state of war no longer exists. To all financial intents and purposes we are still at war. We must raise money to meet our obligations. Nor can we cease to tax or borrow until peace is finally declared, and perhaps not then. It was what we got into when we got into war. We must support our soldiers and sailors until they are called home. We must provide for the wounded and for the dependents of those who laid down their lives.

Some men say the war is over and we should vote against this bill. They forget that we have obligated ourselves this year for from four to six times the amount of money this bill will produce. Under other circumstances I would gladly vote against this measure, but under the conditions that now prevail I deem it a moral duty to support it. Those who stand prepared to justify their acts in peace or war will not avoid their responsibility in this regard; and as for those who have been profiteering, those who were safe at home making money when red-blooded young Americans were fighting in the trenches and sleeping in the mud of France, who now expect of Congress that they shall be excused from paying a fair share of the Government expenditures they enjoyed, it seems as if we might say, "Get thee behind me, Satan."

Mr. Speaker, I do not like this bill—neither the method nor style of it—but I recognize in it, despite its intricacies, an effort by the administration to live up to its legal and moral obligations. If the enforcement of it will help the American people to better understand the ease, if not the extravagance, with which their money has been spent; if it will tend to promote a better understanding of the manner in which our domestic resources have been applied, with the general world welfare as an altruistic objective, it may bring about an early realization of the great importance of calling a halt and hastening a return to the American normal. [Applause.]

Mr. FORDNEY. I yield five minutes to the gentleman from Oregon [Mr. HAWLEY].

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FORDNEY. I ask unanimous consent that my time be extended 30 minutes. I have requests for about that much time on this side.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that his time be extended 30 minutes. Is there objection?

Mr. GREEN of Iowa. Reserving the right to object, why not let the gentleman from Oregon be recognized in his own right?

Mr. FORDNEY. I will yield to the gentleman from Oregon 15 minutes, if that will be sufficient.

Mr. HAWLEY. Mr. Speaker and gentlemen of the House, I have just one purpose in the remarks I am about to make. That is to explain how the corporation income taxes as imposed in the bill, according to the agreement of the conferees, will be computed.

You will remember that the House bill provided that there should be three taxes, and that each corporation should pay out of the three a normal tax, which all should pay, and then a war-profits tax or an excess-profits tax, according to which of the two latter taxes was the higher one on the particular corporation. The Senate has changed this arrangement, consolidating the war-profits tax and the excess-profits tax into one system.

AN ILLUSTRATED PRIMER OF THE INCOME-TAX PROVISIONS OF THE WAR-REVENUE ACT.

Mr. Speaker, it is the purpose of these remarks to present plainly in the English of conversation and commerce the income-tax features of the war-revenue act of the Sixty-fifth Congress, chiefly by means of illustrations.

It discusses the income taxes to be paid on incomes for the year 1918.

These taxes are four in number:

Individuals pay—
- First, a normal tax (sec. 210); and
- Second, a surtax (sec. 211).

Corporations pay—
- First, a normal tax (sec. 230); and
- Second, a war-profits tax and excess-profits tax (secs. 301–312).

These are the most important features of the bill, since $4,707,000,000 of the $6,077,200,000 of the estimated receipts for the fiscal year ending June 30, 1919, or over 77 per cent of its total amount, will be derived from the income taxes.

In the computations given below too great detail has not been attempted but the segregations are sufficient to illustrate the application of the principles upon which such taxes are based. Accuracy in the computations and simplicity in their presentation have been the chief aim.

Supposed returns from individuals and corporations have been used as illustrations, and the purpose has been to present illustrations covering typical cases, and as nearly as possible including all the essential features of each tax without embarrassing the illustrations with multitudes of details.

The adoption of the income-tax amendment to the Constitution prior to the outbreak of the present war was most fortunate. Otherwise it would have been a practically impossible task to have raised over $6,000,000,000 by taxation and distributed the burden among the taxpayers with any approach to an equitable apportionment of the burden in proportion to ability to pay.

In the preparation of the statements and charts included in these remarks I have had the expert assistance of Mr. John E. Walker, clerk of the Committee on Ways and Means, who has given them a careful examination. I wish to express my sincere appreciation of the valuable assistance he has rendered.

Partnerships (secs. 218a and 224).

Partnerships as such do not pay the normal tax or the surtax. But each member of a partnership will pay both the normal tax and the surtax upon his pro rata share of the taxable income of the partnership, whether the earnings have been distributed or not.

Personal-service corporations (sec. 218c).

Personal-service corporations, as such, are not taxed under Title II, but the individual stockholders are taxed in the same manner as members of partnerships.

INDIVIDUALS.

Individuals pay two kinds of income taxes, but on net income only:

1. A normal tax (sec. 210).
2. A surtax (sec. 211).

Net income (sec. 212) is ascertained by computing the gross income (sec. 213) and subtracting therefrom certain deductions (sec. 214) (but excluding certain items not deductible, sec. 215) and credits (sec. 216).

Gross income (sec. 213a).

Gross income (sec. 213a) is the total upon all gains, profits, and income derived from salaries, wages, or compensations, from professions, vocations, trades, businesses, commerce, sales, or dealings in property, interest, rent, dividends, or securities, or gains from any business transaction, or gains, profits, or income from all sources whatever.

Items not included in gross income (sec. 213b).

The following items are not included in the gross income:

Life insurance paid to beneficiaries or to the estate of the insured.

Refund of premiums paid on life insurance.

Value of property acquired by gift, bequest, devise, or descent, but income derived therefrom is included in gross income.

Interest on securities issued by State, Territory, or municipalities or obligations of the United States, under certain restrictions, but a statement of such holdings must be made in the return.

Accident or health insurance or money received under workingmen's compensation acts.

Soldiers, sailors, and marines pay income taxes only upon that portion of the compensation received during the period of the war from the Government which is in excess of $3,500.

Deductions (sec. 214a).

Deductions (sec. 214): From the gross income ascertained as above stated there are subtracted the following deductions (sec. 214) arising during the year for which the taxes are paid:

Ordinary and necessary expenses incurred in carrying on the trade, profession, or business.

Interest paid or accrued.

Taxes paid or accrued, except on indebtedness incurred to purchase tax-free obligations other than bonds of the United States issued after September 24, 1917, except income, war-profit and excess-profits taxes levied by the United States, and taxes against local benefits.

Losses sustained and charged off, where not compensated for by insurance or otherwise, under certain limitations.

Debts ascertained to be worthless and charged off during the taxable year.

Allowances for amortization in the case of buildings, equipment, or machinery or other facilities constructed, erected, installed, or acquired on or after April 6, 1917, for the production of articles contributing to the prosecution of the war.

Allowances for losses sustained during the taxable year 1919 from falling inventories.

Reasonable allowance for exhaustion, wear, and tear.

Depletion in the case of oil or gas wells, or other natural deposits, or timber.

Contributions or gifts for religious, charitable, scientific, and educational purposes not in excess of 15 per cent of the net income.

Items not deductible (sec. 215).

No deduction shall be allowed for personal, living, or family expenses.

For new building or betterments increasing the value of the property.

For restoring property or making good the exhaustion for which allowance is or has been made.

Life insurance premiums in certain cases.

Credits (sec. 216).

Credits allowed in computing net income for the normal tax only (sec. 216).

Credits (sec. 216): There is further subtracted from the gross income the amount of the following credits (sec. 216):

Dividends received from corporations taxed before being distributed.

Interest on obligations of the United States as provided by law and bonds of the War Finance Corporation. See section 213 (4) and section 214 (a) (2).

One thousand dollars for each single person, $2,000 for each head of family or married persons living together, and $200 for each dependent child.

Dividends.

Amounts received by individuals as dividends from corporations which have paid corporation normal tax prior to distribution are not subject to the normal tax, but are subject to the surtax.

CHART I.

Net income (sec. 212).

Net income means the gross income as defined in section 213, less the deductions allowed by section 214.

This illustration is taken from the experience of John S. Brown, a thrifty and versatile merchant, doing business in a town of 20,000 people, interested in local business enterprises, buying and selling city and farm property, and lending money.

Gross income (sec. 213).

His gross income (sec. 213 (a)) consists of the following items:

Profits as a merchant	$60,000
Compensation as president of the local water company	3,000
Compensation as manager of the electric-light company	2,000
Profit on sale of city property	3,000
Profit on sale of farm	10,000
Rents from city property	1,000
Rents from farm property	2,000
Interest on money lent	3,000
Dividends from corporation securities	6,000
Total gross income	90,000

Deductions (sec. 214).

He is allowed the following deductions (sec. 214) from the gross income ascertained above:

Rent paid for store building	$5,000
Pay of employees	10,000
Numerous incidental items necessary for the conduct of the business	2,000
State, county, and local taxes for the year 1918	4,000
Loss from fire, less insurance	2,000
Debts ascertained to be worthless and charged off	2,000
Wear, tear, and depreciation	1,000
Gifts and contributions—Red Cross, $1,000; church, $600; Y. M. C. A., $400; college endowment, $5,000; other contributions, $1,000	8,000
Total deductions	34,000

Credits for normal tax only (sec. 216).

For the purposes of the normal tax only he is allowed the following credits (sec. 216) as a further reduction of the gross income:

Dividends received on corporation on which the tax was paid prior to distribution	$6,000
Interest on securities issued by public authority (none held).	
$2,000 as married man living with his wife and $200 each for 5 dependent children	3,000
Total credits allowed	9,000

CERTAIN ITEMS OF WHICH NO ACCOUNT IS TAKEN IN COMPUTING THE GROSS INCOME.

He received during the year the following sums which are not included in his gross income, and of which no account is taken in computing his gross income (sec. 213 (b)):

Life insurance carried by his father	$5,000
From bequest of his father	10,000
Refund of premiums on insurance	100
Interest on public or municipal securities (none held).	
From accident and health insurance	1,000

CERTAIN ITEMS FOR WHICH NO DEDUCTION IS ALLOWED.

He is not allowed to deduct these items (sec. 215):

Personal, living, and family expenses	$4,000
Improvements and betterments, adding to the value of the property	10,000
Repairs compensated for under the wear-and-tear allowance	1,000
Premiums on life insurance inuring to his benefit	1,000

CHART II.

THE NORMAL TAX TO BE PAID BY JOHN S. BROWN.

Normal tax: We are now ready to compute his normal tax:

Gross income		$90,000
Deductions allowed	$34,000	
Credits allowed	9,000	
Total items to be subtracted		43,000
Net amount subject to the normal tax		47,000
He will pay normal tax on—		
$4,000 at the rate of 6 per cent		240
$43,000 at the rate of 12 per cent		5,160
Total normal tax		5,400

THE SURTAX.

The first chart deals with the income taxes paid by individuals. This chart takes the supposed returns made for and the taxes paid by John S. Brown, a merchant in a town of 20,000 people, doing a general mercantile business, buying and selling real estate, city and country, owning a farm and some city property, and having some money at interest. As the income taxes are levied only on net incomes, the important factor, then, in any computation for any individual, it is essential to ascertain what his net income is. Mr. Brown has a gross income under section 213 (a) of the bill on his profits as merchant, of $60,000; as president of the local water company, $3,000; as manager of the local electric light company, $2,000; as a profit on a city property that he bought and sold, $3,000; as profit on farm property, $10,000; rent on city property, rent on farm property, interest on loans, dividends from corporation securities, making a total gross income of $90,000.

The deductions allowed under the bill are the rent on the store building, the pay of the employees, incidental expenses, city, county, and local taxes, loss from fire, insurance, debts, wear and tear in depreciation, gifts, and purchases, making a total of $34,000. The credits provided in the bill under section 216 and shown in Chart I apply only to normal taxes on the individual and not on the surtax of individuals. So the credits under this section are the dividends from corporations, which he must report in his gross income, but for which he is given credit in the credits, interest on public securities, of which he held none, and, being a married man, living with his wife, he is entitled to a $2,000 deduction, and, having five children, a further deduction of $200 for each child, making $3,000 in all, and a total credit of $9,000.

Having ascertained the factors necessary to determine what tax you will pay, we will compute the normal tax on Mr. Brown, paid on net income only. The gross income is $90,000. The deductions are $34,000, the credits are $9,000, making a total of $43,000 to be subtracted from the gross income. Deducting $43,000 from the $90,000 it leaves $47,000 subject to the normal tax. He will pay on the first $4,000 of this at the rate of 6 per cent, or $240; he will pay on the remainder of $43,000 at 12 per cent, or $5,160; or the total normal tax will be $5,400.

CHART III.

SURTAX TO BE PAID BY JOHN S. BROWN.

Surtax: The surtax is computed as follows:

Gross income		$90,000
Deductions	$34,000	
Credits (not allowed).		
Total of items to be subtracted		34,000
Net amount subject to surtax		56,000

Computation of tax.

On amounts between—	
$5,000 to $6,000, or $1,000 at 1 per cent	$10
$6,000 to $8,000, or $2,000 at 2 per cent	40
$8,000 to $10,000, or $2,000 at 3 per cent	60
$10,000 to $12,000, or $2,000 at 4 per cent	80
$12,000 to $14,000, or $2,000 at 5 per cent	100
$14,000 to $16,000, or $2,000 at 6 per cent	120
$16,000 to $18,000, or $2,000 at 7 per cent	140
$18,000 to $20,000, or $2,000 at 8 per cent	160
$20,000 to $22,000, or $2,000 at 9 per cent	180
$22,000 to $24,000, or $2,000 at 10 per cent	200
$24,000 to $26,000, or $2,000 at 11 per cent	220
$26,000 to $28,000, or $2,000 at 12 per cent	240
$28,000 to $30,000, or $2,000 at 13 per cent	260
$30,000 to $32,000, or $2,000 at 14 per cent	280
$32,000 to $34,000, or $2,000 at 15 per cent	300
$34,000 to $36,000, or $2,000 at 16 per cent	320
$36,000 to $38,000, or $2,000 at 17 per cent	340
$38,000 to $40,000, or $2,000 at 18 per cent	360
$40,000 to $42,000, or $2,000 at 19 per cent	380
$42,000 to $44,000, or $2,000 at 20 per cent	400
$44,000 to $46,000, or $2,000 at 21 per cent	420
$46,000 to $48,000, or $2,000 at 22 per cent	440
$48,000 to $50,000, or $2,000 at 23 per cent	460
$50,000 to $52,000, or $2,000 at 24 per cent	480
$52,000 to $54,000, or $2,000 at 25 per cent	500
$54,000 to $56,000, or $2,000 at 26 per cent	520
Total surtax	7,010

The surtax is computed on the same amounts, except that he is not allowed to deduct the credits. His gross income is $90,000; his total deduction is $34,000. He is not allowed credits provided in section 216. This leaves an amount of $56,000 upon which the surtax is to be calculated. The surtax begins at $5,000. He will really pay surtax on $51,000 only.

CHART IV.

TOTAL TAX TO BE PAID BY JOHN S. BROWN.

His total tax will be—

Normal tax	$5,400
Surtax	7,010
Total of taxes	12,410

CORPORATIONS.

The House bill provided that there should be three income taxes, and that each corporation should pay out of the three a normal tax, which all should pay, and then a war-profits tax or an excess-profits tax, according to which of the two latter taxes was the higher one on the particular corporation. The Senate has changed this arrangement, consolidating the war-profits tax and the excess-profits tax into one system.

Corporations pay two kinds of taxes. They pay on their net income only:

1. A normal tax (sec. 230), and
2. A war-profits and excess-profits tax (sec. 301a).

Gross income (sec. 233).

For the purpose of the normal tax, gross income is ascertained in the same manner as that for individuals (sec. 213), with the modifications provided in section 233 for three special cases.

From the gross income so ascertained there is then subtracted the deductions allowed in sections 234, 235, 236, and 238 to determine the net amount upon which the normal tax is to be paid.

The Treasury sheets will contain all the items in detail and with minuteness. It would complicate this explanation and

require a large number of pages even to enumerate all the possible items that are deductible arising out of the various trades, businesses and occupations. I have attempted only the general descriptions.

The items in the report of each corporation will depend upon its own business facts, but each computation will follow the lines in general of the illustrations given below.

For the purposes of these taxes the important factor is to ascertain the net income for the taxable year of 1918, and around the various methods for arriving thereat, for determining the average profits for the years 1911, 1912, and 1913, known as the prewar period, and the definition of invested capital the battle of conflicting opinions rages.

Deductions (sec. 234).

Deductions (sec. 234): The following deductions from the gross income are authorized which arise during the year for which the tax is to be paid:

All ordinary, usual, and necessary expenses paid or incurred in carrying on the business, trade, or occupation.

Interest.

Taxes (except indebtedness incurred to purchase tax-free obligations other than bonds of the United States issued after Sept. 24, 1917) paid or accrued, except income, war-profits or excess-profits taxes, or taxes assessed against local benefits; but the war-profits or excess-profits tax paid by a corporation is deducted from its net income before computing its normal tax.

Losses sustained and charged off and not covered by insurance or otherwise.

Debts ascertained to be worthless and charged off.

Dividends from other corporations which have paid tax thereon.

Allowances for exhaustion, wear and tear of property used in the trade or business.

Allowances for amortization in the case of machinery, buildings, equipment, or other facilities constructed, installed, or acquired on or after April 6, 1917, for the production of articles contributing to the prosecution of the war.

Depletion allowance for oil or gas wells or other natural deposits and timber.

Additions required by law to reserve funds in case of insurance companies, death losses, and annuity payments.

There are other provisions for insurance companies.

Allowances for losses sustained during the taxable year 1919 from falling inventories.

Credits.

Credits (sec. 236): The following credits are also allowed to be deducted from the gross income arising in the year for which the tax is to be paid:

Income from securities issued by public authority and included in the gross income under section 233.

War-profits and excess-profits taxes, for normal tax only.

Special exemption of $3,000 for war-profits and excess-profits tax.

Special exemption of $2,000 for normal corporation tax.

Certain credits for taxes paid to other countries. (Sec. 238.)

Items not deductible.

The same items as for individuals under section 215.

The war-profits and excess-profits tax (sec. 301a).

It will be necessary to compute these taxes before computing the normal tax, as the amount paid in such taxes is deducted from the net income before computing the normal tax.

The war-profits and excess-profits tax is computed for each corporation. (Secs. 301, 302, 303, 304, 305, 310, 311, and 312.)

This tax has a long name, written in reverse order, as in computing it the excess-profits brackets are computed first, so that it should be called an excess-profits and war-profits tax.

That part of this tax with the long name, which is based upon excess profits, has reference to profits in excess of a net return of 8 per cent on the invested capital for the taxable year, and in addition there is a special exemption of $3,000.

If the corporation earned less than $3,000 during the taxable year it is exempt from this tax. There are also other cases enumerated in section 304, in which exemptions may occur.

The excess-profits tax for the taxable year 1918 is computed in the first and second brackets of section 301a, with the deductions provided in section 312.

FIRST BRACKET.

First bracket: The rate of tax in this bracket is 30 per cent of the amount found to be taxable in it. If the net income for 1918 is 20 per cent or more than 20 per cent of the invested capital, the taxable amount is ascertained by finding 20 per cent of the invested capital and subtracting therefrom 8 per cent of the invested capital and also the special deduction of $3,000. (See Charts V, VI, VII, and others.)

If, however, the net income is less than 20 per cent of the invested capital, then the taxable amount is found by subtracting from the actual income in dollars 8 per cent of the invested capital and the special exemption of $3,000. (See Chart XVII.)

SECOND BRACKET.

Second bracket: No tax will be levied in this bracket unless the net income exceeds 20 per cent of the invested capital. If the net income does exceed 20 per cent of the invested capital, then the amount taxable in this bracket is found by subtracting from the actual net income 20 per cent of the invested capital, as that part of the income has been taxed in the first bracket. (See Charts V, VI, VII, and others.) The rate of the tax is 65 per cent on the amount found to be taxable in this bracket.

THIRD BRACKET.

The war-profits tax is computed in the third bracket. It is based upon a comparison of the net income for 1918 with the average net earning for the prewar years of 1911, 1912, and 1913. For a corporation to pay taxes in this bracket its net income for 1918 must considerably exceed its prewar earning—that is, the average earning for the prewar years. This tax is ascertained by subtracting from the net income for 1918 the average prewar earning and a special exemption of $3,000; and after finding what the amount of this difference is multiply this difference by 80 per cent. Then if the amount obtained by taking 80 per cent of the difference exceeds the combined taxes in the first and second brackets, the corporation will pay in the third bracket; that is, will pay the war-profits tax, and its amount will be found by subtracting the combined taxes of the first and second brackets from the 80 per cent found above. (See Charts V, VI, VII, and others.) But really if a corporation pays in the third bracket, the 80 per cent computed as above is the whole amount of the war-profits and excess-profits tax it will pay. (See Charts V, VI, VII, and others.)

Mr. GREEN of Iowa. Mr. Speaker, will the gentleman yield there?

Mr. HAWLEY. Yes.

Mr. GREEN of Iowa. Perhaps the gentleman will remember that this is the plan that I suggested very early in the consideration of the bill in the committee.

Mr. HAWLEY. Yes. Now, in order to make the method of computing the taxes clear, I have prepared a number of charts:

CHART V.

Corporation taxes.

Original invested capital	$250,000
Capital added in 1918	50,000
Total capital in 1918	300,000
Net income for 1918	150,000
Prewar average earning	50,000

It is necessary to have the above items ascertained in order to compute the taxes on corporations under section 301.

Excess-profits taxes (secs. 301 and 312).

First bracket, section 301 (a):		
20 per cent of $300,000		$60,000
Deductions, section 312—		
8 per cent of $300,000	$24,000	
Special exemption	3,000	
Total deductions		27,000
Amount taxable in first bracket		33,000
Tax in first bracket is 30 per cent of $33,000		$9,900

I have taken the case of a corporation whose original capital invested was $250,000. That is the amount of money it had invested in the business prior to the year 1918. In 1918 it found it necessary to add the sum of $50,000 to its capital, making its total capital $300,000 for the year 1918. It had a prewar average earning for the years 1911, 1912, and 1913 of $50,000 a year. Its net income for the year 1918 is $150,000. Under the law, we compute these taxes in the following manner: The first is the excess-profits tax. It is computed under sections 301 and 312. The war-profits and excess-profits tax is computed under three brackets—a first bracket, a second bracket, and a third bracket. In the first bracket you will find that the exemptions are to be 8 per cent of the invested capital for the year, plus a flat deduction of $3,000; and the difference between whatever sum that may amount to in any case, and 20 per cent on the invested capital, is the amount to be taxed in the first bracket. Now, under our specific instance 20 per cent of the invested capital is $60,000. Then subtract from that 8 per cent of the invested capital, or $24,000, plus $3,000 flat exemption, or $27,000, and there will be left $33,000 to be taxed in the first bracket. This is taxed at the rate of 30 per cent, and 30 per cent of $33,000 is $9,900. That is the tax in the first bracket.

Second bracket, section 301 (a):		
Net income	$150,000	
20 per cent of $300,000	60,000	
Amount taxable in second bracket	90,000	
Tax in second bracket is 65 per cent of $90,000		$58,500
Total of taxes in first and second brackets		68,400

In the second bracket the tax is computed in a different way. From the net income of $150,000 there is subtracted 20 per cent of the capital. This 20 per cent is the 20 per cent on which we have already reckoned the tax in the first bracket. Twenty per cent of the invested capital is $60,000. Subtracting that from $150,000 will leave an amount to be taxed in the second bracket of $90,000. The rate of tax in the second bracket is 65 per cent, and 65 per cent of $90,000 is $58,500. Now, adding the tax in the first bracket to the tax in the second bracket, we find the total tax of the first and second brackets, or the excess-profit tax, to be $68,400.

War-profits tax (secs. 301 and 311).

Third bracket, section 301 (a):		
Net income	$150,000	
Deductions—		
Specific exemption	$3,000	
Prewar average earning	50,000	
10 per cent of $50,000 added capital	5,000	
Total deductions	58,000	
Remainder	92,000	
80 per cent of $92,000	73,600	
Total tax in first and second brackets	68,400	
Difference, or tax in third bracket		$5,200
Total taxes under section 301 (a)		73,600

The third bracket is the war-profits tax. The Senate combined the excess-profits tax and the war-profits tax into one system. The first and second brackets are the excess-profits tax. The third bracket is the war-profits tax, and the taxes under this bracket are computed under sections 301 and 311.

This is done as follows: The net income is $150,000. The deductions under section 311 are the prewar earnings of $50,000, the special exemption of $3,000, and 10 per cent of the $50,000 capital added during the year, or $5,000, making a total deduction of $58,000, which, taken from $150,000, leaves $92,000.

The act provides that 80 per cent of the $92,000 should be ascertained, which is $73,600. From $73,600 there shall be subtracted the amount of the taxes in the first and second brackets, or $68,400, which would leave $5,200, the tax in the third bracket, and the total of the first, second, and third brackets will make a total tax paid by this corporation under the war-profits and excess-profits tax of $73,600.

Mr. STAFFORD. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. STAFFORD. That is not quite 50 per cent of the total income of the corporation.

Mr. HAWLEY. No; but that is not all the tax it pays.

Mr. BUTLER. They have to make it before they pay it.

Mr. HAWLEY. Yes. If the gentlemen will note, if the corporation must pay in the third bracket—and that will be determined by the rate of profit which is made during the year in comparison with the rate of profit in the prewar period—if it must pay in the third bracket, it is not necessary to compute the first and second brackets, because if we compute the third bracket and take 80 per cent of the amount left after the deductions are subtracted, we obtain the sum of $73,600, which is the amount we found due here as the total of the three brackets.

If the corporation's rate of earning was insufficient to put it into the third bracket, then the amount of tax will be ascertained by the computations in the first and second brackets.

Normal corporation tax (secs. 230 and 236).

The normal corporation tax is computed at the rate of 12 per cent on the difference between the net income for 1918 and the war-profits and excess-profits tax and a $2,000 special exemption. That is, from the net income subtract the war-profits and excess-profits taxes and $2,000 and take 12 per cent of the remainder. See any chart.

Net income	$150,000	
Deductions, section 236:		
Taxes under section 301 (a)	$73,600	
Specific exemption	2,000	
Total deductions	75,600	
Net taxable amount	74,400	
12 per cent of $74,400 is the normal tax, or		$8,928
Total of all taxes to be paid by this corporation		82,528

Or 55 per cent of its net income for the year.

Having ascertained what it must pay under section 301 of the bill, we now compute the corporation tax commonly referred to as the normal tax, as provided in sections 230 and 236.

It is computed in this way: The net income of $150,000 is taken, and from that is deducted, under section 236, the amount of taxes paid under section 301—$73,600—and then a special exemption of $2,000, making a total deduction of $75,600, which, taken from $150,000, leaves the net taxable amount $74,400. The corporation or normal tax is 12 per cent of this $74,400, so that the normal tax will be $8,928.

Add $8,928 to the amount ascertained in the three brackets of $73,600, making a total tax that this corporation will pay on this statement of facts of $82,528, or 55 per cent of the net income. [Applause.]

Mr. STAFFORD. Will the gentleman yield?

Mr. HAWLEY. I will.

Mr. STAFFORD. The deduction is that in all corporations where the net income paid is one-half of the capital invested, the percentage that they will pay under this bill is 55 per cent, and as the income is greater in proportion naturally the percentage increases?

Mr. HAWLEY. The gentleman must take into consideration what the prewar earning was, because that affects the computation in the third bracket.

Mr. FORDNEY. What percentage of original invested capital does it permit the taxpayer to have net—$45,000 on $250,000?

Mr. HAWLEY. He will have $67,472 left.

Mr. FORDNEY. About 18 per cent.

Mr. HAWLEY. Twenty-two per cent. He will have $67,472 left, after subtracting $82,528 from the net income.

Mr. FORDNEY. Twenty-two per cent; well, he could live on that until spring if he is economical.

Mr. STAFFORD. The chairman of the committee, in reply to an inquiry, stated the reason why the House conferees receded from the Senate provision leaving these excess-profit taxes of individuals in partnership was because the income tax almost equaled that provided for the corporation. Can the gentleman give the House what rate of tax would be on the individual and partnership doing business with like earnings?

Mr. HAWLEY. I will insert a chart at the conclusion showing the amount of taxes paid by an individual as compared with that paid by a corporation on the same statement of facts. I desire to revise a certain primer I formerly prepared and to include computations and explanations concerning all the income-tax features.

Mr. WINGO. Will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. WINGO. Is it true according to the gentleman's computation that the corporation, after paying the total tax, has still $17,000 more war profits than it had during the prewar year?

Mr. HAWLEY. After the tax is paid here, if my subtraction is correct, $67,472 is left.

Mr. WINGO. That gives him $67,500?

Mr. HAWLEY. Yes.

Mr. WINGO. And he made $50,000 in the prewar period?

Mr. HAWLEY. Yes.

Mr. WINGO. That would leave him still an excess profit of $17,000 more than he made before?

Mr. HAWLEY. Yes.

Mr. WINGO. Does the gentleman think he is hurt?

Mr. HAWLEY. I think he can afford to pay the taxes, especially under the circumstances. There is one other observation I wish to submit. This particular corporation, if it distributed one-half of its net income in dividends, under the provisions of the House bill before the Senate amendments were agreed to, would have paid $87,540, or about $5,000 more than they will pay under the conference report.

The SPEAKER pro tempore (Mr. RUBEY). The time of the gentleman from Oregon has expired.

Mr. FORDNEY. Mr. Speaker, I yield five minutes more to the gentleman.

Mr. HAWLEY. I understand that this change in the system of computing the taxes was due to a feeling in another body that to provide a war excess-profits tax and an excess-profits tax and for a corporation to pay whichever was the highest, was in the nature of double taxation, and a constitutional objection was met by combining the two systems into one system, with three brackets. By this continuous arrangement for the assessment, levying, and collection of taxes it was thought that the constitutional objection would be avoided. That was the principal reason leading to this rearrangement, as I understand.

Mr. HAYES. Mr. Speaker, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. HAYES. Of course, the gentleman recognizes that this is a purely academic table. No corporation that he knows of probably makes any such showing as he has indicated. Am I not correct?

Mr. HAWLEY. I had submitted to me from a home corporation a statement of facts very much like this.

Mr. HAYES. I would like to buy some of their stock.

Mr. HAWLEY. I do not think it is for sale.

CHART VI.

A CORPORATION PAYING IN ALL THE BRACKETS, WHICH AFFORDS AN OPPORTUNITY FOR DETAILED EXPLANATIONS.

Invested capital for 1918		$100,000
Net income for 1918		35,000
Prewar earning		16,000
First bracket, excess profits (sec. 301a).		
20 per cent of $100,000		$20,000
Deductions (sec. 312):		
8 per cent of $100,000	$8,000	
Specific exemption	3,000	
Total deductions		11,000
Amount taxable		9,000
30 per cent of $9,000, or tax in first bracket		2,700

The term "excess profits" means net profits on the invested capital in excess of 8 per cent thereon. This corporation made 35 per cent net profit on its invested capital in 1918. In the first bracket a tax is levied at the rate of 30 per cent on that portion of the net profit which equals a return of 20 per cent on the invested capital. Twenty per cent on $100,000 is $20,000. But before levying the tax certain deductions are allowed. Every corporation is exempt from taxation on an earning equal to 8 per cent on its invested capital, which in this case is $8,000, and also in addition thereto a specific exemption of $3,000, making in this instance a total deduction of $11,000. A deduction of $11,000 from $20,000 leaves $9,000 to be taxed in this bracket, at the rate of 30 per cent, producing a tax of $2,700.

Second bracket, excess profits.		
Net income for 1918		$35,000
Deductions (20 per cent of $100,000)		20,000
Amount taxable		15,000
65 per cent of $15,000, or tax in second bracket		$9,750
Total tax in first and second brackets		12,450

In the second bracket the remainder of the net income for 1918 is taxed. The amount is ascertained by subtracting from the entire net income the amount taxed in the first bracket, which is an amount equal to a return of 20 per cent on the invested capital. The net income of $35,000, less $20,000, dealt with in the first bracket, leaves $15,000 to be taxed at 65 per cent, producing a tax of $9,750.

The total tax based upon net profits in excess of a return of 8 per cent on the invested capital, with an additional exemption of $3,000, is $2,700 in the first bracket and $9,750 in the second bracket, or $12,450 in all.

Third bracket, war profits.		
Net income for 1918		$35,000
Deductions (sec. 311a):		
Prewar earning	$16,000	
Specific exemption	3,000	
Total deductions		19,000
Taxable amount		16,000
80 per cent of $16,000 is		12,800
Deduct total of first and second brackets		12,450
Tax in third bracket		$350
Total war-profits and excess-profits tax		12,800

The distinguishing feature in the third bracket is the use of the prewar earning in the computations. If any tax is paid in this bracket, it will be due to the fact that the net income for 1918 was greatly in excess of the prewar earning.

From the net income of $35,000 subtract the prewar earning of $16,000 and a special exemption of $3,000, or $19,000 in all, which will leave $16,000. Upon this $16,000 compute 80 per cent, producing an amount of $12,800. From $12,800 subtract the total tax in the first and second brackets, or $12,450, leaving $350, the tax in the third bracket.

In every case if a corporation pays in the third bracket, the computations in the first and second brackets are superfluous, so far as ascertaining the tax to be paid is concerned, and the tax to be paid under section 301 (a) will be the amount computed in the third bracket. The value of computing the taxes in the first and second brackets is to ascertain what amount of the taxes under section 301 (a) are due to an earning in excess of 8 per cent on the invested capital and what due to earning in excess of the prewar profits.

Normal corporation tax (sec. 230).		
Net income for 1918		$35,000
Deductions, section 236:		
Taxes computed above	$12,800	
Specific exemption	2,000	
Total deductions, c. c		14,800
Amount subject to normal tax		20,200
12 per cent of $20,200, or normal tax		$2,424

Every corporation must pay the normal corporation tax, unless its net income is in excess of $2,000 and the interest received on obligations of the United States or bonds issued by the War Finance Corporation and the excess-profits and war-profits taxes to be paid.

From the net income for 1918, or $35,000, deduct the taxes paid in the first, second, and third brackets, a total of $12,800, and also the specific exemption of $2,000, and there is a remainder of $20,200, which is the amount subject to the normal tax of 12 per cent. Twelve per cent on $20,200 produces a tax of $2,424.

Total of all taxes.	
Tax computed in first bracket	$2,700
Tax computed in second bracket	9,750
Tax computed in third bracket	350
Normal corporation tax	2,424
Grand total	15,224

CHART VII.

This is an illustration of the taxes a corporation will pay, which before the war was making 30 per cent on its invested capital and during 1918, by reason of the great demand for its product and rapid turnover, made 150 per cent:

Invested capital in 1918			$100,000
Net income for 1918			150,000
Prewar earning			30,000
First bracket, excess profits.			
20 per cent on $100,000		$20,000	
Deductions, section 312:			
8 per cent on $100,000	$8,000		
Specific exemptions	3,000		
Total deductions		11,000	
Taxable amount		9,000	
30 per cent of $9,000, or tax in first bracket			2,700
Second bracket, excess profits.			
Net income		$150,000	
Less 20 per cent on $100,000, or		20,000	
		130,000	
65 per cent of $130,000, or tax in second bracket			84,500
Total tax in first and second brackets			87,200
Third bracket, war profits.			
Net income		$150,000	
Deductions:			
Prewar earning	$30,000		
Specific exemption	3,000		
		33,000	
		117,000	
80 per cent of $117,000 is $93,600.			
$93,600 less $87,200 is the tax in third bracket			6,400
Total taxes in the three brackets			93,600
Normal corporation tax.			
Net income		$150,000	
Deductions:			
Taxes paid above	$93,600		
Specific exemption	2,000		
		95,600	
Amount subject to normal tax		54,400	
12 per cent on $54,400, or the normal tax, is			6,528
Total of all taxes to be paid by this corporation in 1918			100,128

CHART VIII.

A CORPORATION WHOSE NET INCOME MATERIALLY INCREASED FOR THE YEAR 1918, AND PAYING IN ALL THREE BRACKETS.

Invested capital, 1918			$1,000,000
Net income, 1918			400,000
Prewar earning			150,000
First bracket, excess profits (sec. 301a).			
20 per cent of $1,000,000		$200,000	
Deductions (sec. 312):			
8 per cent of $1,000,000	$80,000		
Specific exemption	3,000		
Total deductions		83,000	
Amount taxed on first bracket		117,000	
30 per cent of $117,000, or tax in first bracket			$35,

Second bracket, excess profits.

Net income	$400,000	
Less 20 per cent of $1,000,000, or	200,000	
Amount taxed in second bracket	200,000	
65 per cent of $200,000, or tax in second bracket		$130,000
Total of first and second brackets		165,100

Third bracket, war profits.

Net income	$400,000	
Deductions (sec. 311a):		
Prewar earning	$150,000	
Specific exemption	3,000	
	153,000	
	247,000	
80 per cent of $247,000 is $197,600; $197,600 less $165,100 (the total of the tax of first and second brackets), is tax in third bracket		32,500
Total war-profits and excess-profits taxes		197,600

Normal corporation tax (sec. 230).

Net income	$400,000	
Deductions (sec. 236):		
Taxes as above	$197,600	
Specific exemption	2,000	
	199,600	
Amount subject to normal tax	200,400	
12 per cent of $200,400, or normal tax		24,048
Total of all income taxes paid by this corporation		221,648

CHART IX.

A LARGE CORPORATION MAKING LARGE PROFITS IN 1918.

Invested capital for 1918	$15,000,000
Net income for 1918	7,500,000
Prewar earning	2,250,000

First bracket, excess profits (sec. 301a).

20 per cent of $15,000,000	$3,000,000	
Deductions (sec. 312):		
8 per cent of $15,000,000	$1,200,000	
Specific exemption	3,000	
Total deductions	1,203,000	
Amount taxable	1,797,000	
30 per cent of $1,797,000, or tax in first bracket		539,100

Second bracket, excess profits (sec. 301a).

Net income for 1918	$7,500,000	
Deductions:		
20 per cent of $15,000,000	3,000,000	
Amount taxable	4,500,000	
65 per cent of $4,500,000, or tax in second bracket		2,925,000
Total tax in first and second brackets		3,464,100

Third bracket, war profits (sec. 301a).

Net income for 1918	$7,500,000	
Deductions (sec. 311a):		
Prewar earning	$2,250,000	
Specific exemption	3,000	
Total deductions	2,253,000	
	5,247,000	
80 per cent of $5,247,000 is	4,197,600	
Deduct total of first and second brackets	3,464,100	
Tax in third bracket		$733,500
Total war-profits and excess-profits tax		4,197,600

Normal corporation tax.

Net income for 1918	$7,500,000	
Deductions (sec. 236):		
Taxes computed above	$4,197,600	
Specific exemption	2,000	
Total deductions	4,199,600	
Amount subject to normal tax	3,300,400	
12 per cent of $3,300,400, or normal tax		396,048

Total of all taxes.

Tax computed in first bracket	539,100
Tax computed in second bracket	2,925,000
Tax computed in third bracket	733,500
Normal corporation tax	396,048
Grand total	4,593,648

CHART X.

A SMALL CORPORATION WHOSE INCOME INCREASED FOR THE YEAR 1918.

Invested capital for 1918	$50,000
Net income for 1918	18,000
Prewar earning	10,000

First bracket, excess profits (sec. 301a).

20 per cent of $50,000	$10,000	
Deductions (sec. 312):		
8 per cent of $50,000	$4,000	
Specific exemption	3,000	
Total deductions	7,000	
Amount taxable	3,000	
30 per cent of $3,000, or tax in first bracket		900

Second bracket, excess profits.

Net income for 1918	$18,000	
Deductions: 20 per cent of $50,000	10,000	
Amount taxable	8,000	
65 per cent of $8,000, or tax in second bracket		$5,200
Total tax in first and second brackets		6,100

Third bracket, war profits.

Net income for 1918	$18,000	
Deductions (sec. 311a):		
Prewar earning	$10,000	
Specific exemption	3,000	
Total deductions	13,000	
	5,000	
80 per cent of $5,000 is	4,000	
Deduction total of first and second brackets		0
Tax in third bracket		0
(Since $4,000 is less than $6,100 there will be no tax in the third bracket.)		
Total war profits and excess-profits tax		6,100

Normal corporation tax (sec. 230).

Net income for 1918	$18,000	
Deductions (sec. 236):		
Taxes computed above	$6,100	
Specific exemption	2,000	
Total deductions	8,100	
Amount subject to normal tax	9,900	
12 per cent of $9,900, or normal tax		$1,188

Total of all taxes.

Tax computed in first bracket	900
Tax computed in second bracket	5,200
Tax computed in third bracket	0
Normal corporation tax	1,188
Grand total	7,288

CHART XI.

A CORPORATION PAYING NO TAX IN THE FIRST BRACKET.

Invested capital for 1918	$25,000
Net income for 1918	5,000
Prewar earning	15,000

First bracket, excess profits (sec. 301a).

20 per cent of $25,000	$5,000	
Deductions (sec. 312):		
8 per cent of $25,000	$2,000	
Specific exemption	3,000	
Total deductions	5,000	
Amount taxable		0
30 per cent of $0, or tax in first bracket		0

Second bracket, excess profits.

Net income for 1918	$15,000	
Deductions: 20 per cent of $25,000	5,000	
Amount taxable	10,000	
65 per cent of $10,000, or tax in second bracket		6,500
Total tax in first and second brackets		6,500

Third bracket, war profits.

Net income for 1918	$15,000	
Deductions (sec. 311a):		
Prewar earning	$5,000	
Specific exemptions	3,000	
Total deductions	8,000	
Remainder	7,000	
80 per cent of $7,000 is	5,600	
Deduct total of first and second brackets	6,500	
(Since $5,600 is less than $6,500 there will be no tax in the third bracket.)		
Tax in third bracket		0
Total war profits and excess profits tax		6,500

Normal corporation tax (sec. 230).

Net income for 1918	$15,000	
Deductions (sec. 236):		
Taxes computed above	$6,500	
Specific exemption	2,000	
Total deductions	8,500	
Amount subject to normal tax	6,500	
12 per cent of $6,500, or normal tax		780
		7,280

Total of all taxes.

Tax computed in first bracket	0
Tax computed in second bracket	$6,500
Tax computed in third bracket	0
Normal corporation tax	780
Grand total	7,280

CHART XII.

A CORPORATION WHICH PAYS NO TAXES IN THE FIRST, SECOND, OR THIRD BRACKETS.

Invested capital for 1918	$25,000
Net income for 1918	5,000
Prewar earning	3,000

First bracket, excess profits (sec. 301a).

20 per cent of $25,000		$5,000
Deductions (sec. 312):		
8 per cent of $25,000	$2,000	
Specific exemption	3,000	
Total deductions		5,000
Amount taxable		0
30 per cent of $———, or tax in first bracket		0

Second bracket, excess profits.

Net income for 1918		$5,000
Deductions: 20 per cent of $25,000		5,000
Amount taxable		0
65 per cent of $———, or tax in second bracket		0
Total tax in first and second brackets		0

Third bracket, war profits.

Net income for 1918		5,000
Deductions (sec. 311a):		
Prewar earning	$3,000	
Specific exemption	3,000	
Total deductions		6,000
Amount taxable		0
80 per cent of $——— is		0
Deduct total of first and second brackets		0
Tax in third bracket		0
Total war-profits and excess-profits tax		0

Normal corporation tax.

Net income for 1918		$5,000
Deductions (sec. 236):		
Taxes computed above	0	
Specific exemption	2,000	
Total deductions		2,000
Amount subject to normal tax		3,000
12 per cent of $3,000, or normal tax		$360

Total of all taxes.

Tax computed in first bracket	0
Tax computed in second bracket	0
Tax computed in third bracket	0
Normal corporation tax	360
Grand total	360

CHART XIII.

A SMALL CORPORATION WHOSE INCOME FOR 1918 AND THE PREWAR PERIOD ARE THE SAME.

Invested capital for 1918	$50,000
Net income for 1918	10,000
Prewar earning	10,000

First bracket, excess profits.

20 per cent of $50,000		$10,000
Deductions (sec. 312):		
8 per cent of $50,000	$4,000	
Specific exemption	3,000	
Total deductions		7,000
Amount taxable		3,000
30 per cent of $3,000, or tax in first bracket		$900

Second bracket, excess profits.

Net income for 1918		$10,000
Deductions: 20 per cent of $———		10,000
Amount taxable		0
65 per cent of $——— or tax in second bracket		0
Total tax in first and second brackets		900

NOTE.—Having a net income of only 20 per cent, there is no amount to be taxed in the second bracket, as only the amounts in excess of a 20 per cent net income on invested capital is taxed in the second bracket.

Third bracket, war profits.

Net income for 1918		$10,000
Deductions (311a):		
Prewar earning	$10,000	
Specific exemption	2,000	
Total deductions		12,000
80 per cent of $——— is		0
Deduct total of first and second brackets		900
Amount taxable		0
Tax in third bracket		0
Total war-profits and excess-profits tax		900

NOTE.—Since the deductions exceed the net income it is evident there will be no tax in this bracket.

Normal corporation tax.

Net income for 1918		$10,000
Deductions (sec. 236):		
Taxes computed above	$900	
Specific exemption	2,000	
Total deductions		2,900
Amount subject to normal tax		7,100
12 per cent on $7,100 or normal tax		852

Total of all taxes.

Tax computed in first bracket	$900
Tax computed in second bracket	0
Tax computed in third bracket	0
Normal corporation tax	852
Grand total	1,752

CHART XIV.

A LARGER CORPORATION WHOSE PREWAR EARNING AND NET INCOME FOR 1918 WERE THE SAME AMOUNTS.

Invested capital for 1918		$100,000
Net income for 1918		30,000
Prewar earning		30,000

First bracket, excess profits (sec. 301a).

20 per cent of $100,000		$20,000
Deductions (sec. 312):		
8 per cent of $100,000	$8,000	
Specific exemption	3,000	
Total deductions		11,000
Amount taxable		9,000
30 per cent of $9,000, or tax in first bracket		2,700

Second bracket, excess profits.

Net income for 1918		$30,000
Deductions:		
20 per cent of $100,000		20,000
Amount taxable		10,000
65 per cent of $10,000, or tax in second bracket		$6,500
Total tax in first and second brackets		9,200

Third bracket, war profits.

Net income for 1918		$30,000
Deductions (sec. 311a):		
Prewar earning	$30,000	
Specific exemption	3,000	
Total deductions		33,000
Amount taxable		0
80 per cent of $——— is		0
Deduct total of first and second brackets		9,200
Tax in third bracket		0
Total war-profits and excess-profits tax		9,200

NOTE.—No tax in this bracket because the deductions of $33,000 exceed the $30,000 on which tax is to be computed.

Normal corporation tax (sec. 230).

Net income for 1918		$30,000
Deductions (sec. 236):		
Taxes computed above	$9,200	
Specific exemption	2,000	
Total deductions		11,200
Amount subject to normal tax		18,800
12 per cent of $18,800, or normal tax		2,256

Total of all taxes.

Tax computed in first bracket	2,700
Tax computed in second bracket	6,500
Tax computed in third bracket	0
Normal corporation tax	2,256
Grand total	11,456

CHART XV.

A CORPORATION WHOSE NET INCOME FOR 1918 WAS LESS THAN ITS PREWAR EARNING.

Invested capital for 1918	$200,000
Net income for 1918	40,000
Prewar earning	50,000

First bracket, excess profits (sec. 301a).

20 per cent of $200,000		$40,000
Deductions (sec. 312):		
8 per cent of $200,000	$16,000	
Specific exemption	3,000	
Total deductions		19,000
Amount taxable		21,000
30 per cent of $21,000, or tax in first bracket		6,300

Second bracket, excess profits.

Net income for 1918		$40,000
Deductions: 20 per cent of $200,000		40,000
Amount taxable		0
65 per cent of $———, or tax in second bracket		0
Total tax in first and second brackets		6,300

Third bracket, war profits.

Net income for 1918		$40,000
Deductions (see 311a):		
Prewar earning	$50,000	
Specific exemption	2,000	
Total deductions		52,000
80 per cent of $——— is		0
Amount taxable		0
Deduct total of first and second brackets	6,300	0
Tax in third bracket		0
Total war-profits and excess-profits tax		$6,300

Normal corporation tax (sec. 230).

Net income for 1918		$40,000
Deductions (see 236):		
Taxes computed above	$6,300	
Specific exemption	2,000	
Total deductions		8,300
Amount subject to normal tax		31,700
12 per cent of $31,700, or normal tax		$3,804

Total of all taxes.

Tax computed in first bracket	6,300
Tax computed in second bracket	0
Tax computed in third bracket	0
Normal corporation tax	3,804
Grand total	10,104

CHART XVI.

Invested capital, 1918	$150,000
Net income for 1918	42,000
Prewar earning	30,000

First bracket, excess profits (sec. 301a).

20 per cent of $150,000		$30,000
Deductions (sec. 312):		
8 per cent of $150,000	$12,000	
Specific exemption	3,000	
Total deductions		15,000
Amount taxed in first bracket		15,000
30 per cent of $15,000, or tax in first bracket		4,500

Second bracket, excess profits.

Net income		$42,000
Less 20 per cent of $150,000		30,000
Amount taxed in second bracket		12,000
65 per cent of $12,000, or tax in second bracket		7,800
Total tax in first and second brackets		12,300

Third bracket, war profits.

Net income		$42,000
Deductions (sec. 311a):		
Prewar earning	$30,000	
Specific deduction	3,000	
Total deductions		33,000
		9,000
80 per cent of $9,000 or $7,200 is less than the total of the first and second brackets, and therefore there will be no tax in the third bracket		0

Normal corporation tax (sec. 230).

Net income		$42,000
Deductions (sec. 236):		
Taxes as above	$12,300	
Specific exemption	2,000	
Total deductions		14,300
Amount subject to normal tax		27,700
12 per cent on $27,700		$3,324
Total of all income taxes to be paid by this corporation		15,624

CHART XVII.

A CORPORATION EARNING LESS THAN 20 PER CENT NET INCOME IN 1918.

Invested capital for 1918	$60,000
Net income for 1918	10,800
Prewar earning	9,000

First bracket.

Net income for 1918		$10,800
Deductions:		
8 per cent of $60,000	$4,800	
Specific exemption	3,000	
Total deductions		7,800
Amount taxable		3,000
30 per cent of $3,000, or tax in first bracket		900

Second bracket.

Net income for 1918		$10,800
Deductions: 20 per cent of $60,000		12,000
Amount taxable		0
65 per cent of $———, or tax in second bracket		0
Total tax in first and second brackets		900

NOTE.—Since the deductions exceed the $10,800 there will be no tax in this bracket.

Third bracket.

Net income for 1918		$10,800
Deductions:		
Prewar earning	$9,000	
Specific exemption	3,000	
Total deductions		12,000
80 per cent of $——— is		0
Tax in third bracket		0
Total war-profits and excess-profits tax		900

Normal corporation tax.

Net income for 1918		$10,800
Deductions:		
Taxes computed above	$900	
Specific exemption	2,000	
Total deductions		2,900
Amount subject to normal tax		7,900
12 per cent of $7,900, or normal tax		$948

Total of all taxes.

Tax computed in first bracket	900
Tax computed in second bracket	0
Tax computed in third bracket	0
Normal corporation tax	948
Grand total	1,848

CHART XVIII.

A CORPORATION WHOSE SPECIFIC EXEMPTION OF $3,000 IS NOT EXHAUSTED IN THE FIRST BRACKET.

Invested capital for 1918	$15,000
Net income for 1918	4,500
Prewar earning	3,000

First bracket.

20 per cent of $15,000		$3,000
Deductions:		
8 per cent of $15,000	$1,200	
Specific exemption	3,000	
Total deductions		4,200
Amount taxable		0
30 per cent of $———, or tax in first bracket		0

1. Since the deductions amount to $4,200, and this exceeds $3,000 by $1,200, this corporation has the right to deduct this $1,200 in the second bracket in addition to the usual 20 per cent on invested capital.

Second bracket.

Net income for 1918		$4,500
Deductions:		
20 per cent of $15,000	$3,000	
Additional	1,200	
	4,200	
Amount taxable		300
65 per cent of $300, or tax in second bracket		195
Total tax in first and second brackets		195

NOTE.—The "additional" $1,200 is the amount obtained in the first bracket in excess of the $3,000 to be taxed; this $1,200 is therefore deducted in the second bracket that the corporation may receive exemption for the full amount of $3,000 specific exemption.

Third bracket.

Net income for 1918		$4,500
Deductions:		
Prewar earning	$3,000	
Specific exemption	3,000	
Total deductions	6,000	
80 per cent of $—— is		0
Tax in third bracket		0
Total war-profits and excess-profits tax		195

NOTE.—Since deductions exceed $4,500, there will be no tax in this bracket.

Normal corporation tax.

Net income for 1918		$4,500
Deductions:		
Taxes computed above	$195	
Specific exemptions	2,000	
Total deductions		2,195
Amount subject to normal tax		2,305
12 per cent of $2,305, or normal tax		276.60

Total of all taxes.

Tax computed in first bracket	0
Tax computed in second bracket	195.00
Tax computed in third bracket	0
Normal corporation tax	276.60
Grand total	471.60

CHART XIX.

A CORPORATION WITH AN 8 PER CENT EARNING IN THE PREWAR PERIOD.

Invested capital for 1918	$100,000
Net income for 1918	30,000
Prewar earning	8,000

First bracket, excess profits (sec. 301a).

20 per cent of $100,000		$20,000
Deductions (sec. 312):		
8 per cent of $100,000	$8,000	
Specific exemption	3,000	
Total deductions		11,000
Amount taxable		9,000
30 per cent of $9,000, or tax in first bracket		2,700

Second bracket, excess profits.

Net income for 1918	$30,000	
Deductions: 20 per cent of $100,000	20,000	
Amount taxable	10,000	
65 per cent of $10,000, or tax in second bracket		$6,500
Total tax in first and second brackets		9,200

Third brackets, war profits.

Net income for 1918	$30,000	
Deductions (sec. 311b):		
10 per cent of invested capital, 1918	$10,000	
Specific exemption	3,000	
Total deductions	13,000	
	17,000	
80 per cent of $17,000	13,600	
Deduct total of first and second brackets	9,200	
Tax in third bracket		4,400
Total war-profits and excess-profits tax		13,600

NOTE.—Since the prewar earning was only 8 per cent it is not used, but a 10 per cent deduction is allowed in the third bracket.

Normal corporation tax (sec. 230).

Net income for 1918	$30,000	
Deductions (sec. 236):		
Taxes computed above	$13,600	
Specific exemption	2,000	
Total deductions	15,600	
Amount subject to normal tax	14,400	
12 per cent of $14,400, or normal tax		1,728

Total of all taxes.

Tax computed in first bracket	2,700
Tax computed in second bracket	6,500
Tax computed in third bracket	4,400
Normal corporation tax	1,728
	15,328

A CORPORATION WITH NO NET INCOME IN THE PREWAR PERIOD.

The above method would be used in computing the tax on a corporation which had no net income during its prewar period.

A CORPORATION NOT IN EXISTENCE AT LEAST ONE WHOLE CALENDAR YEAR DURING THE PREWAR PERIOD.

A corporation not in existence during one whole calendar year will have in lieu of the deductions in section 311 a, those provided in section 311 c and d, which are:

I. A specific exemption of $3,000; and

II. A constructive prewar earning based upon the average experience of corporations in the same trade or business, similarly situated, but in no case to be less than 10 per cent on its invested capital taxable for 1918.

A CORPORATION HAVING A NET INCOME IN 1918 OF LESS THAN $3,000.

A corporation having a net income of less than $3,000 in 1918 will not pay the war-profits and excess-profits taxes.

CHART XX.

WHAT INCOME TAXES WOULD HAVE BEEN PAID HAD THE BUSINESS IN CHART IV BEEN MANAGED BY AN INDIVIDUAL INSTEAD OF A CORPORATION.

It is difficult to make a comparison of this kind as the deductions and exemptions for normal and surtaxes for individuals are different from those for corporations for the normal and war-profits and excess-profits tax. But supposing that an individual had an income of $150,000 upon which he pays both normal and surtax.

Normal tax (sec. 210a).

Net income	$150,000	
Deductions:		
Credit under section 216 A	$6,000	
Credit under section 216 C	2,000	
Total deductions	8,000	
Amount on which normal tax is computed		$142,000
$4,000, at 6 per cent	240	
$138,000, at 12 per cent	16,560	
Total income tax		16,800

Surtax (sec. 211).

Net income subject to surtax	150,000
On amounts between—	
$5,000 and $6,000, or $1,000 at 1 per cent	$10
6,000 and 8,000, or 2,000 at 2 per cent	40
8,000 and 10,000, or 2,000 at 3 per cent	60
10,000 and 12,000, or 2,000 at 4 per cent	80
12,000 and 14,000, or 2,000 at 5 per cent	100
14,000 and 16,000, or 2,000 at 6 per cent	120
16,000 and 18,000, or 2,000 at 7 per cent	140
18,000 and 20,000, or 2,000 at 8 per cent	160
20,000 and 22,000, or 2,000 at 9 per cent	180
22,000 and 24,000, or 2,000 at 10 per cent	200
24,000 and 26,000, or 2,000 at 11 per cent	220
26,000 and 28,000, or 2,000 at 12 per cent	240
28,000 and 30,000, or 2,000 at 13 per cent	260
30,000 and 32,000, or 2,000 at 14 per cent	280
32,000 and 34,000, or 2,000 at 15 per cent	300
On amounts between—Continued.	
$34,000 and $36,000, or $2,000 at 16 per cent	$320
36,000 and 38,000, or 2,000 at 17 per cent	340
38,000 and 40,000, or 2,000 at 18 per cent	360
40,000 and 42,000, or 2,000 at 19 per cent	380
42,000 and 44,000, or 2,000 at 20 per cent	400
44,000 and 46,000, or 2,000 at 21 per cent	420
46,000 and 48,000, or 2,000 at 22 per cent	440
48,000 and 50,000, or 2,000 at 23 per cent	460
50,000 and 52,000, or 2,000 at 24 per cent	480
52,000 and 54,000, or 2,000 at 25 per cent	500
54,000 and 56,000, or 2,000 at 26 per cent	520
56,000 and 58,000, or 2,000 at 27 per cent	540
58,000 and 60,000, or 2,000 at 28 per cent	560
60,000 and 62,000, or 2,000 at 29 per cent	580
62,000 and 64,000, or 2,000 at 30 per cent	600
64,000 and 66,000, or 2,000 at 31 per cent	620
66,000 and 68,000, or 2,000 at 32 per cent	640
68,000 and 70,000, or 2,000 at 33 per cent	660
70,000 and 72,000, or 2,000 at 34 per cent	680
72,000 and 74,000, or 2,000 at 35 per cent	700
74,000 and 76,000, or 2,000 at 36 per cent	720
76,000 and 78,000, or 2,000 at 37 per cent	740
78,000 and 80,000, or 2,000 at 38 per cent	760
80,000 and 82,000, or 2,000 at 39 per cent	780
82,000 and 84,000, or 2,000 at 40 per cent	800
84,000 and 86,000, or 2,000 at 41 per cent	820
86,000 and 88,000, or 2,000 at 42 per cent	840
88,000 and 90,000, or 2,000 at 43 per cent	860
90,000 and 92,000, or 2,000 at 44 per cent	880
92,000 and 94,000, or 2,000 at 45 per cent	900
94,000 and 96,000, or 2,000 at 46 per cent	920
96,000 and 98,000, or 2,000 at 47 per cent	940
98,000 and 100,000, or 2,000 at 48 per cent	960
100,000 and 150,000, or 50,000 at 52 per cent	26,000
Total surtax	$49,510
Normal tax	16,800
Surtax	49,510
Total tax	66,310

The corporation will pay $82,528.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HULL of Tennessee. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FORDNEY. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Speaker and gentlemen of the House, I am moved to speak at this time because of a provision in the bill which gives $60 pay to the soldiers. I am in favor of that and would vote for more. That is not all the soldier wants, however. The soldier wants first to be returned home, and, second, he wants to be returned to the position that he held before he entered the service of this country. Right here I want to second the compliment paid by the chairman of this committee to the private soldier. I know personally soldiers who are serving in France as privates who earned from $10,000 to $15,000 a year; from four to five and six times as much as the captains and colonels of the organizations in which they are serving. I know Pvt. Sam Rosenberg, who had a law business that paid him over $10,000 per year, who entered the service as a private. How are we going to do this? I have introduced to-day two bills. First, a bill to forever bar the alien who refused to enter the service of his country when he was drafted from becoming a citizen of the United States; second, to make the alien who volunteered or was drafted and did not claim his exemption a citizen upon presentation of his papers showing honorable discharge. I have introduced another bill to give a preference to the soldier, sailor, and marine, and even the citizen of this country, when it comes to employment. To think of an American soldier, sailor, or marine returning from France walking the streets of the cities of this country in idleness and seeing some alien slacker holding a profitable position is scandalous. What we ought to do in this country is to start an Americanization scheme. If we had been prepared socially, educationally, and in a military way we would never have had to enter this war with Germany, and the nearly 60,000 brave American boys who now sleep in France would be here. I believe in giving a preference to the soldier, the sailor, or the marine, and the citizen of this country, over any alien who comes here to infest this country with anarchy and Bolshevism and the I-won't-work stuff. I believe in giving employment to the soldier who does not belong to the I-won't-work class, and who not only belong to the I-will-work class but who belongs to the I-will-fight class. [Applause.]

In compliance with resolutions adopted at a meeting of soldiers and sailors in Cleveland, Ohio, I have introduced two bills—one to punish the alien slacker and the other to give preference to soldiers, sailors, marines, and citizens over aliens in the matter of employment, and especially over aliens who

refused to enter the military service of the United States during this world's war.

More important than a league of nations is the Americanization of this country.

Of all the persons who should go to the foot when it comes to employment the alien slacker is that person.

Every alien who was exempted from military service because of his alienage should never become a citizen of this country, and should never have employment as long as an American citizen is idle and physically and mentally able to fill such employment.

It should be made unlawful to hire an alien when an American can do the work.

It will mean more for the peace of this country if the United States would prepare itself industrially and educationally than the mere belonging to a league of nations to enforce peace.

Let us clean house at home first.

There are in this country millions of aliens who never intend to become citizens of this country, who have not the interests of the country at heart, who are here simply to get all they can out of the country and spread Bolshevism and I. W. W.ism while they are here. They should be curbed. No alien should be given employment by any firm or corporation while an American citizen walks the streets in idleness. Just think of an American soldier, sailor, or marine walking the streets after returning from the trenches and finding some alien slacker holding the position he held before he entered the service of his country. What an ungrateful country he must think this is.

Yes, and that same alien slacker enjoyed the peace and happiness and prosperity for which the soldier, sailor, or marine was willing to die.

The memory of a great past is the inspiration of a great present, and the country which honors its great men has the prospects of producing more in the future.

The gratitude of a free people in the United States will lead them to erect memorials to the gallant and heroic men who offered their lives that liberty might live. We have suggestions of the conventional shafts placed in cemeteries for the fallen, but for those who were saved to the Nation let the memorial of employment be first erected as a tribute to the returning soldier who offered his to-day for our to-morrow. No better or more fitting tribute can be tendered the brave boys for their future than supplying them with employment, not swamp lands, but jobs, the jobs they held before they went 3,000 miles from home to die if need be for their country. No alien wheresoever he may hail from should deprive the American soldier from American employment in America.

No true American can negative this assertion unless he is untrue to America, with unpatriotic motives detrimental to American progress. These slackers are simply human lice who crawl over the body politic and pester and annoy civilization and progress. We might as well give them to understand that America is no place for them. There is no country on the face of this earth that would give them as much liberty and opportunity as this country does, but in spite of that they come here and infest the country with disloyalty and anarchy. Is it fair? Is it proper? Is it just? Does it not on the contrary cause dissension and dissatisfaction and unrest among the people of this country? Does it promote patriotism? If we are to have an America of which we may feel proud let us clean out this nest of disloyal aliens, who would neither fight for this country nor their own.

They are citizens of no country—just wandering citizens of the world, with no object but to prey upon the citizens of other countries. The great European conflict is drawing to a close. Hundreds of thousands of American soldiers are returning for demobilization. They have been fighting for the preservation of our liberties, for the preservation of our industrial institutions, and it is now our paramount duty to see to it that every mill, factory, and workshop turns the wheels of industry with the aid of the boys who offered their lives to save industry from destruction.

Every firm, company, or corporation refusing or neglecting to employ a soldier, sailor, marine, or citizen of these United States to take the place of an alien slacker, or even an alien, should be industrially blacklisted and its name published to the country.

Can it be well said that those of this vast army who returned from military service should return to find alien slackers employed all over the country, and should be forced to live upon the charity of relatives and friends? These boys are not of the I-will-not-work crowd; they belong to the I-will-work crowd, as well as the I-will-fight crowd. It is our plain duty to do this by legislation. We have rightfully protected American industry from alien industry; now let us protect American labor from alien labor and the ungrateful alien slacker. American labor should be given the first opportunity in this country. American labor should hold every job in this country, and the alien should wait. I would only allow the alien to come here with the distinct understanding that he must establish himself here and prepare himself for citizenship or go back where he came from. If he can find any place where he is better treated, just let him go, and it will be good riddance of bad rubbish. We would soon get rid of bad aliens if we passed a law giving a preference to American labor. I would make it a crime punishable with a fine or imprisonment to employ an alien while there was an American citizen idle who could perform the work.

Returning soldiers do not want simply praise, they do not want a parcel of land out in the wilderness, they do not want merely a few months' extra pay. What the returning soldier wants is the job back he had before he entered the military or naval service of the United States. He wants his old employment; and this Government should give back to every returning soldier who worked for the Government before the war his old employment, no matter how it may inconvenience some one else; and we should make it mighty unpleasant for any firm or corporation who does not do this. We took these men from their wives, children, mothers, and friends and sent them 3,000 miles away, and we owe them something besides a vote of thanks. But think of the alien who was drafted and claimed his exemption because of his alienage. What do we owe him? We owe him nothing. What right has he to take a job away from an alien who was drafted and went and fought in the ranks? Is not there a vast difference? Perhaps if we looked out a little for the citizens of this country the alien might think a little more of us. If Germany had known we would have entered the war as vigorously as we did, we would never have had to go to war, and the lives of nearly 60,000 of our brave boys might have been saved. If we do this, perhaps the alien will appreciate what it means to live in a land of peace and opportunity, where all men are equal, where the humblest serf may come and be free and work out his own salvation, educate his children, and live in comfort, peace, and happiness.

I am for Americanizing America, for preparing America for any emergency. I believe in industrial preparedness, military preparedness, educational preparedness, social preparedness in every way, but above all by showing the alien that he can not come to this country and enjoy all its liberties and opportunities but share none of its responsibilities. Teach him respect for this country, for its Constitution and laws, and for its flag, and when we have done this we are prepared for any emergency. [Applause.]

Now, if we do not do something like that we are going to discourage the soldier, and, besides, we owe him everything. There are in this country thousands of people who have come here with no intention of becoming citizens of this country, who simply get all they can from the country. They never intend to be identified with the institutions of this country; and if there is anyone who should walk the street in idleness Mr. Alien Slacker is the man.

Mr. DEWALT. Will the gentleman permit an interruption?

Mr. EMERSON. Yes.

Mr. DEWALT. Granting that the gentleman may be able to enforce the provisions of his intended bills in regard to giving employment and in regard to employment in governmental work, how would the gentleman be able to enforce it in regard to private employment by private people or private corporations not engaged in any such work? Would it not be a violation of the constitutional provision in regard to contracts?

Mr. EMERSON. I appreciate the force of the gentleman's question. I considered it very seriously when I prepared this second bill.

Mr. DEWALT. What is the gentleman's answer?

Mr. EMERSON. My answer is this: If it is necessary, we will amend the Constitution. That is all there is to that. I place the welfare of my country above the rights of any corporation.

Mr. DEWALT. Oh, I see.

Mr. EMERSON. That is all there is about that; that is the way I feel about it.

Mr. DEWALT. That is very simple.

Mr. EMERSON. That is very simple; but that is what we ought to do and what we have got to do if we want to preserve the institutions of this country. And had we begun years ago to prepare this country in some way we would not have been in this war and 60,000 men would not lie sleeping in Flanders fields and over 200,000 more wounded and maimed. Had the Kaiser known we would have fought he never would have transgressed the rights of an American citizen.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. EMERSON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman? [After a pause.] The Chair hears none.

Mr. FORDNEY. Mr. Speaker, I yield 10 minutes to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Speaker, in the few moments allotted to me I shall of course be unable to say very much, and I ask unanimous consent to revise and extend my remarks.

Mr. WALSH. Mr. Speaker, nobody can hear what the gentleman from Kentucky is asking.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent to extend his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. LANGLEY. Mr. Speaker, I have made up my mind that I will not vote for this bill if it is put upon its final passage in its present shape, and I assume that that is what will occur. As a general rule I do not permit the speeches and arguments of a Democrat to have much influence over me. [Laughter.] But I do not mind confessing that my previous inclination against this bill was very much strengthened by the able speech of the distinguished gentleman from Texas [Mr. DIES] last Thursday. I have read a great deal of Republican literature and I have heard many good Republican speeches, but I do not think I ever heard a better 15-minute Republican speech, both politically and fundamentally, in my life than the one delivered by the gentleman from Texas, and I am sure that my colleagues on this side of the Chamber share with me the regret that he is not to remain in Congress, and I think his colleagues on the other side should also share in that regret. [Applause.]

Mr. Speaker, I want to say in the outset that I do not for a moment countenance the idea of our Government repudiating or failing to pay any of its just obligations, however burdensome they may be to our people. While those who are for the time being managing the affairs of our Government may have erred in entering into these obligations, the good faith of the Nation requires that they be met sooner or later. All that I am going to contend for is that in fulfilling these obligations due regard should be had for the financial and industrial conditions in the country so that an unbearable burden may not be placed upon the people now. [Applause.]

There are several provisions in this bill that I am in favor of. Of course, I am in favor of the bone-dry provision. [Applause.] That goes without saying. [Laughter and applause.] I am also in favor of the purpose of the child-labor provision, but I pause here to say that I do not think it is a wise policy, although it is frequently resorted to of late, to load up appropriation bills with legislative riders involving propositions entirely extraneous to the regular supply bills of the Government, and which ought to be considered separate and apart therefrom and upon their own merits. I am likewise in favor of the principle underlying the provision for a bonus to be paid to our soldiers, sailors, and marines, except that I believe, as I indicated earlier in the debate to-day, that $60 is a very small pittance to give them. [Applause.] Indeed, Mr. Speaker, I think it is little less than an insult to them to give them what really amounts to little more than a "tip" upon their discharge from a service in entering which and going through which they have made so many sacrifices, and many of them have suffered so much. I question also whether it is equitable and fair to give all of them the same amount, when some of them have served so much longer than others and have made much greater sacrifices than others, and especially in view of the fact that hundreds of thousands of them are still overseas and being held there, many of them under the most distressing conditions, although the war has in fact been over for nearly three months. I think some sliding scale would be better so as to compensate them in a measure in proportion to their service and sacrifice. Of course, it is not practicable to do this literally, but it can be done approximately, and I recently introduced a bill which follows that general plan.

The distinguished gentleman from Michigan [Mr. FORDNEY] called attention awhile ago to the fact that this $60 flat bonus would cost the Government a little over a quarter of a billion dollars, but what does that amount to in view of the service that our boys have rendered our country and the civilized world? As I stated when interrupting the gentleman, I think it would be a good idea to take about twice that amount out of the proposed appropriation for increasing the Navy, which is now pending, and give that to our soldier boys to help them along until they can resume their former vocations or secure remunerative employment elsewhere. If I had the time I could suggest other large items that it is proposed to appropriate in this Congress, for things that could be very well dispensed with or postponed, and utilize the money for purposes like this.

Mr. Speaker, while I favor the provisions to which I have referred, and while there are some other features in this bill that I would vote for as separate propositions, I do not propose to be forced to vote for this bill as a whole, with all of its objectionable features, simply because it contains some provisions that I am for. The people of my district are sensible and just, and they understand the situation. They know just as well as we do that the way this conference bill is brought up we can not get a separate vote on each item, but must vote for or against the bill as a whole. They know how I would vote on all these matters if under the rules of the House we could have a chance for a separate vote.

Mr. Speaker, I have voted under this Democratic administration for a number of huge tax bills and appropriation bills. For most of them I voted conscientiously; in some cases I voted for them almost in spite of my conscience, but in all cases my vote was based upon assurances from the highest sources that they were vital to the welfare of the country. But I have about reached the parting of the ways. I do not propose to vote for any more of these appropriation bills or tax bills blindly if I can help it. One of the reasons that I oppose this bill is that some of the money that will be collected under it, if it is enacted into law, will be expended in carrying out the unprecedented naval program that is proposed, and against which I shall also register my vote unless it is very materially amended. In previous Congresses I have always voted for the largest increase in our Navy that was proposed, but conditions were different then. Our Navy needed increasing then, and we were financially able to do it. Now we are paving the way to a permanent peace and do not need such a gigantic Navy, and now the people are already carrying an almost unbearable burden of taxation and are not able to meet the added expense.

Mr. LAZARO. Will the gentleman yield right there?

Mr. LANGLEY. Certainly.

Mr. LAZARO. The gentleman knows there is a provision in the bill that authorizes the President to stop the building program if we agree to such a thing as that.

Mr. LANGLEY. Oh, yes; but the trouble about the President is that sometimes he will not stop when he ought to when he once gets started. [Laughter.]

Mr. ASHBROOK. Is the gentleman in favor at this time of an omnibus public buildings bill?

Mr. LANGLEY. I certainly am. I am in favor of scattering the money around throughout the country instead of taking it in huge bulks and putting it where it is not absolutely necessary, and where it will not reach the public generally, but enrich the few at the expense and distress of the many. That is exactly the point I had in mind when the gentleman from Ohio interrupted me. That is why I am in favor of giving more to the soldiers. I believe in helping those who need help rather than those who can get along without it.

Mr. JOHNSON of Washington. How are we going to raise the money?

Mr. LANGLEY. That raises the point to which I am going to address myself in a minute. I may say now, in reply to the gentleman, that, so far as the naval program is concerned, I think it will make very little, if any, difference to the country, in view of present conditions, as to just how many years we take to complete the program already authorized, but it will make a great deal of difference to the people, in view of the stress under which they are now laboring, as to whether we try to raise hundreds of millions of the money now or string the completion of the program out for several years, and thus avoid increasing the burden now, which the people, in my judgment, can not stand at this time.

The suggestion has been made that this naval appropriation is needed for bluffing purposes. Gentlemen, this is too serious a matter to bluff about. To gamble legitimately with the people's money, hard pressed as they are now, is bad enough, but to bluff with it is monstrous. The gentleman from Texas was right. If we go ahead with these reckless expenditures we will commit a double crime—we will not only purloin the golden egg but kill the goose that laid it.

The gentleman from Washington raised a very pertinent and very important question, and it has also been raised by other gentlemen in the same connection. I do not claim to be an expert on this tax question. Indeed, I have tried several times without success to fill out one of the blanks, and I doubt very much whether there is a single Member of this House, the Ways and Means Committee included, who could fill out one of them without making some mistakes. But if I had my way about it, I will tell you what I would do. I would reenact the tax law of October, 1917, with such amendments as would pre-

vent discriminations that have been cited in this debate, and particularly by the gentleman from North Carolina [Mr. KITCHIN], and strike out the balance of this pending bill, except the provisions to which I have referred with approval. Experts who have made a thorough study of the question say that this reenactment of the act of 1917 would, with the increased earnings of the current year, raise something over $4,000,000,000. That would save the people for the present from all of the added burdens of the pending bill, and if a little later on it should develop that the Government needs more money to meet its just and necessary obligations, we could then devise some way to raise it. We have shown since we entered this war that the American Congress can do that very quickly when there is need for it to be done. Let us give the people a little chance to save a few dollars instead of taking all they have made and thus destroy their initiative and enterprise. Let us consider the people's side of it a little. I tell you, gentlemen, they are not only astonished but they are stunned by the appalling propositions embodied in this bill, and the deepening shadows of despair are gathering over them. [Applause.] I for one am in favor of heeding their appeals instead of increasing their distress. I am talking now not about men with immense incomes, who will never feel it, but I have in mind the average man and the average family. They are the ones who are going to feel this burden the most. And, gentlemen, while I am on that subject, let me make this further observation: Even if I knew that the adoption of my suggestion for the amendment and reenactment of the 1917 tax law would not raise all the money that the Government needs now, I would still stick to the proposition. These vast expenditures are the result of a war in which we entered for the preservation of republican government and civilization, and for the protection of humanity in general. What we accomplished in this war will inure more to the benefit of future generations in America than to the present generation.

I do not think that the people of this day should do all the fighting and endure all the suffering and bear the bulk of the financial burden. We have issued a good many bonds already, it is true, and authorized the issuance of more, but before I would paralyze business and oppress the people, as this new tax bill will do, I would authorize the issuance of still more long-time bonds, and let the future generations pay the most of the expense, because they will get the most of the benefit.

Mr. BANKHEAD. Will the gentleman yield to me for a question?

Mr. LANGLEY. I would be delighted to yield to my old friend and schoolmate if I had the time.

Mr. Speaker, I see that my time is about up, and so I will have to let these few remarks go in the RECORD and avail myself of the privilege granted me to extend in the RECORD on this subject at a later date. Permit me to suggest, in conclusion, that there is still another remedy for the situation, which, in my judgment, is shortly to be applied by the people of the country themselves. Let the Republican Party take charge of the affairs of this country. [Applause.] Unless I greatly misinterpret the temper of the American people they are growing weary of so much theoretical, schoolmaster government. [Applause.] They are sick and tired of the way in which their money is being recklessly scattered around, like autumn leaves, by the billions. They are longing for a return of the good old days of Republican management [applause]; for more of the old-time religion of the fathers of the Republic; for more Americanism, and less chasing of the chimerical will-o'-the-wisp of world democracy; for the reestablishment of the old, time-honored doctrine of protection to American industries and American labor. [Applause.] And they are demanding, too, that their boys be permitted to return home, so that they may enjoy their due share of the era of happiness and prosperity that will come with Republican rule and Republican legislation. [Applause.] May the good Lord hasten the day. [Applause.]

The SPEAKER pro tempore. The question is on agreeing to the conference report.

Mr. HENRY T. RAINEY. Mr. Speaker, I yield 15 minutes to the gentleman from Mississippi [Mr. VENABLE].

Mr. VENABLE. Mr. Speaker and gentlemen of the House, I am placed in a very peculiar attitude by virtue of what I consider a vicious practice of appending to unrelated bills various matters of legislation that should be considered alone. In this bill as amended by the Senate we find a provision that if any factory in the country employs any child under 14 years of age, or between the ages of 14 and 15 employs children who shall be worked over eight hours a day, or before 6 o'clock in the morning or after 7 o'clock in the afternoon, that factory shall be taxed 10 per cent of its net profits. I believe that this provision is unconstitutional. I remember that when I became a Member of this House I, in company with you, before this desk, was called upon to hold up my right hand and ask the Deity to withdraw from me all of His blessings if I should fail to defend the Constitution against its enemies, both domestic and foreign. And I am placed in the situation where I must either vote down this conference report, which otherwise I would vote for, or foreswear myself; and in that situation there is only one thing that I can do, and that is to vote down the report and seek to have the obnoxious features stricken from it.

I know that it is said, upon the authority of the oleomargarine case, the phosphorus match cases, and others, that the courts of the country will never, a power being granted to exist, inquire as to the motive for the exercise of that power. But before this Congress the question is not what the Supreme Court will decide, but the question is whether, as a matter of fact, our intended vote is a violation of the Constitution, which we have sworn to defend. Of course, it is a rule, and a good rule—and I am not quarreling with the decisions in those cases—that the courts of the country will not, where the enactment of Congress is consistent with a due performance of duty, put a construction upon those acts making them inconsistent with duty; but where the act itself can be construed as being a performance of a just power of the Congress, the courts, through a just comity, will indulge the presumption that Congress acted from righteous motives, and will sustain the legislative enactment.

But it has never been held, and I trust never will be held, where an enactment of Congress is inherently violative of the fundamental law and destructive of our form of government that the courts of the land will not construe that enactment as violative of the fundamental law through any idea of comity or sensitiveness in dealing with a correlative branch of the Government.

But be the powers of the court as they may, this Congress can not delegate to the Supreme Court of the United States the keeping of its conscience. This Congress can not hold up its hands and swear to defend the Constitution of the country and then vote for a measure that it believes to be unconstitutional on the theory that perhaps the court will be more observant of its duty and its oath than the membership of this House.

Mr. BAER. Mr. Speaker, will the gentleman yield?

Mr. VENABLE. In a moment. The duty is personal, and the oath is personal; and I contend that this enactment under the guise of exercising the taxing power of the United States is simply another effort to exercise a power which the Federal Government has never had, which was sought to be exercised under the power of regulating commerce, and which has already been declared unconstitutional by the courts.

I do not care a baubee whether men believe in a written constitution or not, whether they say that this Government was wisely or unwisely founded. We have a written Constitution, and every man in taking his oath takes his oath that he will defend it and observe it.

Now, what is the act? The act specifically provides that—

> any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of 7 o'clock post meridian, or before the hour of 6 o'clock ante meridian, during any portion of the taxable year, shall pay for each taxable year, in addition to all other taxes imposed by law, an excise tax equivalent to 10 per cent of the entire net profits received or accrued for such year from the sale or disposition of the product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment.

The States of the Union, when they formed the Union under the Constitution, as has been decided in a thousand decisions, never gave to the National Government the so-called police powers; the right to legislate on the safety, health, comfort, and morals of the citizen. The founders of this Government in their wisdom wrote it in the Constitution that as regards those laws which affect men in their health, their comfort, their safety, and their morals, they shall be governed and ruled, if you please, by men selected by them; by men who lived under the local conditions and understood them. Fearful of a concentration of all these powers under one government, where necessarily the only practical way was to govern them through bureaus and bureau chiefs, it has been decided a thousand times by the Supreme Court that the National Government has no police power. The Supreme Court has said that the commerce clause of the Constitution shall not be used as a guise to filch away from the States powers which were never granted by the States. When that effort failed under the taxing power it is sought to do the thing by indirection which was prohibited by direction.

But what is the provision? I contend that on its very face it shows it is unconstitutional; that on its face it is not an

exercise of the taxing power in good faith, but it is a subterfuge to exercise police powers that were never granted to the Federal Government.

Mr. LAZARO. Mr. Speaker, will the gentleman yield right there?

Mr. VENABLE. Yes, sir.

Mr. LAZARO. As I understand the gentleman, he is opposed to legislation by riders?

Mr. VENABLE. Yes; and I am opposed to the exercise of police powers by the Federal Government, because no such powers were ever granted to it.

Mr. LAZARO. What does the gentleman think of the "bone-dry" amendment attached to this measure over there in the Senate?

Mr. VENABLE. On the question of riders, I am opposed to riders on unrelated bills.

Mr. LAZARO. I know; but I am asking the gentleman what does he think about the "bone-dry" amendment attached to this bill as a rider?

Mr. VENABLE. Inherently I favor it on its merits, just as I favor a child-labor law on its merits. I am in favor of child-labor regulation.

Mr. GOODWIN of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. VENABLE. Pardon me. I have a certain amount of ground that I wish to cover, and when I shall have covered it I shall be glad to yield if I have the time.

Now, what is this provision? It does not undertake to tax the products of child labor, but it taxes the act of employment of children. It says you may employ as many children as you please, unless you employ them under certain conditions. It taxes not only the profits earned by the labor of the children, but it taxes the profits earned by the labor of the adults also who are associated with the children in production. If it was an effort to levy a tax upon a product it would tax the product of the child labor. But it taxes not the product of child labor or the profits earned by child labor, but the profits earned by the entire establishment. It imposes the same tax whether the violation is great or small. It says to the man who operates a factory, "If you work a child 3 minutes before 6 o'clock in the morning I will tax you just as much as if you worked a thousand children." Would a revenue bill designed to get revenue adopt such provisions as that?

Mr. IGOE. Will the gentleman yield for a question?

Mr. VENABLE. Yes.

Mr. IGOE. On the fundamental question as to the constitutional right to enact this legislation, can the gentleman see any great fundamental difference between this and the cotton legislation that we passed sometime ago?

Mr. VENABLE. What was that?

Mr. IGOE. The regulation of cotton contracts for future delivery, grading of cotton, and so forth.

Mr. VENABLE. I do not know. I was not in Congress when you passed the cotton grading act.

Mr. WINGO. That proposed a specific tax.

Mr. VENABLE. Yes; and in every one of these cases heretofore you have taxed a specific article of a specific kind. You may have used certain descriptive matter, as in the oleomargarine act, where you said oleomargarine which had an artificial coloring in it should be taxed, but you have always taxed the specific article, and I understand this is the first time where you have undertaken to tax not an article but an act.

Mr. GOODWIN of Arkansas. Will the gentleman yield?

Mr. VENABLE. Yes.

Mr. GOODWIN of Arkansas. The gentleman said awhile ago, and said correctly, too, that the Supreme Court had decided, possibly a thousand times, that the States did not surrender their police powers to the Federal Government when the Federal Constitution was adopted.

Mr. VENABLE. That is true.

Mr. GOODWIN of Arkansas. That the States still hold such powers.

Mr. VENABLE. The powers not granted to the Federal Government are reserved to the States.

Mr. GOODWIN of Arkansas. Yes; and that such things as men's habits and the public health——

Mr. VENABLE. All the police powers are reserved to the States.

Mr. GOODWIN of Arkansas. But the gentleman's position on the submission of the national prohibition amendment——

Mr. VENABLE. That involves no question of constitutionality, because the very Constitution itself provides a method for its amendment. That was a case of amending the Constitution, not of violating it.

The people themselves in their Constitution inserted a provision that they could adopt any amendment, wise or otherwise, if the legislatures of a certain number of the States ratified it. They could say, "We declare as a fundamental constitutional truth that the moon is made of green cheese" if they wanted to do so. I am not talking about the wisdom of amending the Constitution. I am talking about its violation and the exercise by this Congress of powers that were never given to it.

Mr. EMERSON. Will the gentleman yield?

Mr. VENABLE. Yes.

The SPEAKER. The time of the gentleman has expired.

Mr. VENABLE. May I have five minutes more?

Mr. HENRY T. RAINEY. I yield five minutes.

Mr. VENABLE. I hope the gentleman from Ohio will pardon me. I have not time to yield. What is the practical effect of such legislation? If you enter upon the business of taking the police powers away from the States under the guise of taxation, there is nothing in the world that you can not regulate in that way. You can completely socialize the entire Government in a year. You can make a socialist State of this Government in a term of Congress. Every object good in itself would have its supporters. We can conceive that machinery should be guarded, and hence we could tax the products of all factories where the machinery was unguarded, imposing a tax of 100 per cent, and force the adoption of mechanical safeguards, and establishing at the same time a gigantic bureau to look after that, having the people ruled by men they never selected, not answerable to them but appointed by a man a thousand miles away. In the same manner we could regulate the working of women. Yea, more than that, we could fix a minimum wage scale, and say that unless the laborers in field and factory received a certain minimum wage, the product of their labor should be taxed at such a rate as practically to compel the payment of the minimum wage.

Mr. LAZARO and Mr. WALSH rose.

Mr. VENABLE. I hope gentlemen will pardon me. I have not time to yield. These objects may be good in themselves, but the people of the United States have said in their fundamental law that as far as these subject matters are concerned they propose to keep that part of the Government close to the people. The power to enact such laws is reserved to the people of the States, and has never been granted the Federal Government.

We propose to be ruled over—if you call it ruling—or served by men selected by us, by men answerable to us, by men who live in communities and know the conditions, by men who, if they do not do right, are under your observation, while this proposal is that you transfer all these reserved police powers to the Federal Government, that you regulate everything from Washington, with the result of the establishment of national bureaus, clothed with discretionary powers, in order to adopt regulations suitable to varying local conditions, with the result that from Washington will issue edicts of bureaucrats not elected by the people, not answerable to the people, but appointed by another authority, with all the inherent expense and tyranny that is naturally inherent in a bureaucratic government.

Mr. LAZARO. Will the gentleman yield?

Mr. VENABLE. Yes.

Mr. LAZARO. The gentleman stated that he was in favor of the Reed bone-dry amendment.

Mr. VENABLE. On its merits.

Mr. LAZARO. Does the gentleman think that was done in a constitutional way in the District of Columbia?

Mr. VENABLE. I think so; I think the trade in interstate commerce, as far as whisky is concerned, is sui generis. That is the principle of law decided by the Supreme Court of the United States. For years they have held that whisky is of such a character and nature that the ordinary property guaranties did not apply to it, and the power of legislation in it was practically plenary.

Mr. EMERSON. Will the gentleman yield?

Mr. VENABLE. Yes.

Mr. EMERSON. Why should we be held to the Constitution when the Supreme Court sometimes changes its mind?

Mr. VENABLE. Because you swore to do it.

Mr. EMERSON. And they also swore to do it.

Mr. VENABLE. They try to do it.

Mr. EMERSON. The Supreme Court sometimes changes its mind on a constitutional question and sometimes divides on a constitutional question.

Mr. VENABLE. The gentleman can vote as his conscience tells him to and let them take care of theirs.

Mr. EMERSON. That is what we do.

Mr. VENABLE. If you differ with me, well and good; but as I understand your position it is that because we have a Supreme Court to pass on constitutional questions that relieves us of the obligation of doing it individually.

Mr. EMERSON. A former Member of this House, elected to the next Congress, decided that the espionage act was unconstitutional and now he goes to jail.

Mr. VENABLE. That comes purely from the necessary operation of law. Having decided it wrongfully, he suffers the penalty. He has my sympathy, although I admire his honesty if he was honest. But a man can not come here, if there still remains in this Congress a belief in Deity, and invoke the Deity to withdraw from him all His blessings if he fails to defend and observe the Constitution as against all enemies and shift that personal responsibility because there happens to be a judicial tribunal before whom the question can be eventually brought. [Applause.]

Mr. HENRY T. RAINEY. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. GARD].

Mr. GARD. Mr. Speaker, when the résumé of this bill of private assessment shall have been finally determined, in my mind there will one thing be considered as establishing a great forward step by the American people, and that is the enactment in it of a proper child-labor law, because I believe implicitly as a permanent governmental principle that of which the gentleman from Mississippi [Mr. VENABLE] complains. The language in this amendment provides that a child of tender years shall not work in a mine or quarry, or shall not work in a public cannery or workshop or factory; and that is deterrent to one who deliberately assaults public life—because that is what it is, it is an assault on the public life—when he deliberately seeks to exploit the labor of children and to distort and ruin their lives.

I agree in general with what the gentleman from Mississippi said about legislation by riders, but this is a matter of proper legislation by rider. But very recently the Supreme Court of the United States passed upon a separate bill in the case of Hammer against Dagenhart, the case involving the application of child labor in so far as it prohibited the transportation in interstate commerce of goods made by child labor.

This separate measure which was construed by the Supreme Court was presented to this House, if I recall correctly, by the gentleman from Colorado [Mr. KEATING]. It was declared to be unconstitutional by the Supreme Court of the United States, so that now we face not a question of unconstitutionality, but we face, as the gentleman from Mississippi [Mr. VENABLE] says, the question of voting as our consciences demand. As we face the world, we are to vote now not on the question of what the Supreme Court will say, because the Congress has the right to enact this legislation, but we vote as our consciences dictate, and my conscience dictates that I vote for the salvation of American childhood. [Applause.]

There has never been a stronger statement made in a judicial decision than that made by Mr. Justice Holmes in his minority opinion in the case already cited, wherein he said that "the public policy of the United States is shaped with a view to the benefit of the Nation as a whole." There is an enunciation from the highest court of the land that the United States is a Union of States, and that the benefit of the Nation is for its benefit as a whole. In the same opinion he says:

> But if there is any matter upon which civilized countries have agreed, it is the evil of premature and excessive child labor.

The gentleman from Mississippi——

Mr. VENABLE. Mr. Speaker, I am sure the gentleman from Ohio does not want to convey the idea that I had one thing in mind when I had another. I referred to the conscience of a Member as to his conclusion on the constitutionality of this matter, and not to the merits of child labor. We all agree that it is an outrageous wrong to abuse the child in a factory, but it is simply a question of how the matter shall be regulated, and the power of Congress to do it. On the merits of the proposition the gentleman and I are in full accord.

Mr. GARD. Mr. Speaker, I am very glad that the gentleman is in full accord with me on the great subject of child labor, and I am sure that he must be in full accord with me upon that which is presented in this bill, because there is absolutely no question here but that the legislation which is being enacted in this revenue bill is entirely within the power of this legislative body to enact. When it is said, as it is in this provision, that the greatest evil to civilized countries is the evil of premature and excessive child labor, then I say that this form of legislation—proper as it is—is responsive to the demands of humanity, and builds through strong men and women of the future for the security of our great Republic.

The SPEAKER. The time of the gentleman from Ohio has expired.

By unanimous consent, Mr. GARD was given leave to extend his remarks in the RECORD.

Mr. HENRY T. RAINEY. Mr. Speaker, I yield 15 minutes to the gentleman from Mississippi [Mr. HUMPHREYS].

Mr. HUMPHREYS. Mr. Speaker, the gentleman from Ohio [Mr. GARD], although seeming to read from the opinion "of the highest court in the land," did not, as a matter of fact, read from the opinion of that court. He read from the dissenting opinion of a justice sitting upon the bench of the Supreme Court, which opinion the court, in the very case at bar, declared was not the opinion of the highest court in the land. It was the opinion of a very able lawyer, but it is not the opinion of the Supreme Court.

Mr. GOODWIN of Arkansas. Mr. Speaker, the gentleman means to say that that was a dissenting opinion by Mr. Justice Holmes?

Mr. HUMPHREYS. The dissenting opinion by Mr. Justice Holmes. A gentleman on the Democratic side of the House a few moments ago asked a question of my colleague who was addressing the House as to the "fundamental principle" in the cotton-exchange tax, which brings a thought to my mind. I believe it is in order under the rules still to refer to the Democratic platform. The Democratic Party has elected two men to the Presidency within the past sixty-odd years, and only two. Each of those men was elected on a platform which contained this declaration—and I took those declarations so seriously and quoted them so frequently that it is not necessary for me to refer to the text. I can quote them from memory, for I remember it very well. That declaration is that "it is a fundamental principle of the Democratic Party"—not a passing fancy, mark you, not a paramount issue, not "molasses to catch flies," but—

> It is a fundamental principle of the Democratic Party that the Federal Government has no constitutional power to levy taxes, except for the purpose of revenue only.

Upon that platform a few years ago we nominated Mr. Woodrow Wilson for President of the United States, and in accepting the nomination, speaking to this particular plank, he used this language:

> Our own clear conviction, as Democrats, is that in the last analysis the only safe and legitimate object of tariff duties, as of taxes of every other kind, is to raise revenue for the support of the Government.

Mr. COOPER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. HUMPHREYS. Well, I shall submit, although I do not think this is a matter in which the gentleman from Wisconsin is concerned. I was talking about a Democratic doctrine. [Laughter.]

Mr. COOPER of Wisconsin. I want just to ask one question; that is all.

The SPEAKER. Does the gentleman yield or not?

Mr. HUMPHREYS. I yield.

Mr. COOPER of Wisconsin. The gentleman says the only legitimate object of taxation is to raise revenue.

Mr. HUMPHREYS. That is what the gentleman who accepted the nomination for the Presidency on the Democratic ticket said.

Mr. COOPER of Wisconsin. The gentleman from Mississippi, of course, knows well that Congress voted a tax of 10 per cent on State bank issues ostensibly to raise revenue, but everybody knew it was for no such purpose.

Mr. HUMPHREYS. It was not——

Mr. COOPER of Wisconsin. But that it was to extinguish the issues of State banks, and that was held to be constitutional by the Supreme Court of the United States.

Mr. HUMPHREYS. It was not "a safe or legitimate object" of taxation. Congress has the constitutional power to levy taxes on the issues of State banks, on oleomargarine, or white phosphorus matches, of course, and if all the children engaged in labor in the United States were engaged in the manufacture of cravats Congress would have the power to levy a tax on the manufacture of cravats so high that it would destroy the business, but the Supreme Court has never gone beyond this and never will go beyond it, that in levying taxes the Federal Government can not go beyond the scope of Federal authority to seek its object of taxation. It never has said more than that. Oh, we all know the case of McCulloch against Maryland, quoted so often in this House, but I will refer to that once more. It is the fundamental case on taxation and the power to tax. The opinion was delivered by John Marshall, perhaps the greatest judge who ever presided over any court in all the history of the world, and in determining the power of taxation he said this:

> It may be objected to this definition that the power of taxation is not confined to the people and property of a State. It may be exercised upon every object brought within its jurisdiction. This is true. But to what source do we trace this right?

Now, listen to this:

It is obvious that it is an incident of sovereignty and is coextensive with that to which it is an incident. All subjects over which the sovereign power of a State extends are objects of taxation; but those over which it does not extend are, upon the soundest principles, exempt from taxation. This proposition may almost be pronounced self-evident.

Now, is this a subject over which the scope of Federal authority extends? We do not have to speculate on that. The Supreme Court a very short while ago, from the dissenting opinion in which case the gentleman from Ohio quoted, not from the opinion of the court, said this:

We have neither authority nor disposition to question the motives of Congress in enacting this legislation. The purposes intended must be attained consistently with constitutional limitations and not by an invasion of the powers of the States. This court has no more important function than that which devolves upon it the obligation to preserve inviolate the constitutional limitations upon the exercise of authority, Federal and State, to the end that each may continue to discharge, harmoniously with the other, the duties intrusted to it by the Constitution.

In our view the necessary effect of this act is, by means of a prohibition against the movement in interstate commerce of ordinary commercial commodities, to regulate the hours of labor of children in factories and mines within the States, a purely State authority. Thus the act in a twofold sense is repugnant to the Constitution. It not only transcends the authority delegated to Congress over commerce but also exerts a power as to a purely local matter to which the Federal authority does not extend.

Mr. KEATING. Will the gentleman yield there?

Mr. HUMPHREYS. I will.

Mr. KEATING. I understood the gentleman to say that that was from the dissenting opinion.

Mr. HUMPHREYS. The gentleman misunderstood me. The gentleman from Ohio [Mr. GARD] quoted from the dissenting opinion, but announced that it was the opinion of "the highest court in the land." I am reading from the opinion of the court.

Mr. KEATING. I misunderstood you.

Mr. HUMPHREYS. The court says what? That this is "purely a local matter to which the Federal authority does not extend," and the Supreme Court says if the Federal authority does not extend to it it is exempt from taxation. So says John Marshall in McCulloch against Maryland.

And then there is another old case with which we are all familiar—the case of Gibbons against Ogden. In this the court said:

Congress is not empowered to tax for those purposes which are within the exclusive province of the State.

This is not an open question any further. The court, in the very recent child-labor decision, says that the regulation of the hours of labor is in the exclusive province of the State, and that Congress has no power to legislate for that purpose. The subject matter is not within the scope of Federal sovereignty, and McCulloch against Maryland says Congress can not levy a tax upon it because all such objects are exempt from taxation.

"The purpose is in the exclusive province of the State, and therefore," says Gibbons against Ogden, "Congress is without power to tax it." Now, I do not regard President Wilson as a great lawyer. Of course, I would not set his opinion up with the opinion of John Marshall or with the opinion of the Supreme Court of the United States, and yet he is, as we all know, one of the foremost men of all the world, one of the world's great statesmen, and he was for many years a lecturer on constitutional law in one of the great universities of this country. I quote from a lecture which he habitually delivered and which was subsequently published in his book on constitutional government. I quote from his lecture on that subject.

Referring to that clause of the Constitution which confers upon Congress the right to regulate commerce among the several States, he says:

Its power is "to regulate commerce between the States," and the attempts now made during every session of Congress to carry the implications of that power beyond the utmost boundaries of reasonable and honest inference show that the only limits likely to be observed by politicians are those set by the good sense and conservative temper of the country.

The proposed Federal legislation with regard to the regulation of child labor affords a striking example. If the power to regulate commerce between the States can be stretched to include the regulation of labor in mills and factories, it can be made to embrace every particular of the industrial organization and action of the country. The only limitations Congress would observe, should the Supreme Court assent to such obviously absurd extravagancies of interpretation, would be the limitations of opinion and of circumstance.

That is what Woodrow Wilson said as a lecturer on constitutional law to his classes at Princeton.

Mr. LONDON. Will the gentleman yield?

Mr. HUMPHREYS. For a question.

Mr. LONDON. Does the gentleman mean to imply that President Wilson has not learned anything since he wrote that?

Mr. HUMPHREYS. Of course, I have no doubt he has learned a great deal. He has learned this—that the matter has gone to the Supreme Court of the United States and the issue squarely presented, and that the Supreme Court tracked, almost to the wording itself, the opinion he gave to his class and showed that as a lecturer upon constitutional law at Princeton his judgment in this particular matter was entirely accurate and warranted.

Mr. DENISON. Will the gentleman yield?

Mr. HUMPHREYS. I yield.

Mr. DENISON. I was going to ask my friend from Mississippi if the President, as a matter of fact, did not change his mind upon that question before the Supreme Court made a decision?

Mr. HUMPHREYS. He did; but the Supreme Court thought the opinion of the lecturer on constitutional government at Princeton was sounder than the opinion of the President of the United States subsequently expressed.

Mr. IGOE. I wanted to ask the gentleman if he can distinguish between the power of Congress to regulate through the taxing power the dealing in futures and this?

Mr. HUMPHREYS. Yes; I can. I voted against the tax to regulate cotton futures. I voted against the tax on the white-phosphorus matches. So "let the galled jade wince; our withers are unwrung." I have not consciously voted during my long service in this House to exercise the power of taxation except for the purpose of raising revenue.

Now, what purpose have we in doing this? Not to raise revenue. Nobody claims that; and, if the gentleman from Missouri will honor me with his attention, I will endeavor to differentiate this pending proposition from the bank-tax case, the oleomargarine tax, the cotton-exchange tax, and other similar cases. No divinity hedges about bank notes, oleomargarine, phosphorous matches, and so forth. They are all clearly proper subjects of taxation if the tax, in the opinion of Congress, will produce revenue wherewith to pay the debts and provide for the common defense and general welfare. They are all objects within the scope of Federal sovereignty, and therefore subjects for taxation, and the Supreme Court in passing upon the constitutionality of these laws refused to inquire into the legislative purpose. They refused to listen to the stories which were told them to the effect that Congress had really levied those taxes for the unconstitutional purpose of destroying the enterprise taxed.

These were all innocent-looking laws, every one of them preceded by the declaration—untrue, to be sure, but nevertheless there—"in order to provide revenue," and so forth, "Be it enacted," and so forth. The court refused to believe or to listen to any gossip dehors the record that Congress was cheating, and pointed in justification of their faith in a coordinate branch of the Government to the law itself, and there it was—O spirit of Talleyrand!—"In order to provide revenue," and so forth.

But we are growing in grace; we are becoming frank; we have thrown off dissimulation; we write now in the very face of the law itself: "Tax on employment of child labor."

Let me read it:

TITLE XII.—TAX ON EMPLOYMENT OF CHILD LABOR.

SEC. 1200. That every person (other than a bona fide boys' or girls' canning club recognized by the agricultural department of a State and of the United States) operating (a) any mine or quarry situated in the United States in which children under the age of 16 years have been employed or permitted to work during any portion of the taxable year; or (b) any mill, cannery, workshop, factory, or manufacturing establishment situated in the United States in which children under the age of 14 years have been employed or permitted to work, or children between the ages of 14 and 16 have been employed or permitted to work more than eight hours in any day or more than six days in any week, or after the hour of 7 o'clock post meridian, or before the hour of 6 o'clock ante meridian, during any portion of the taxable year, shall pay for each taxable year, in addition to all other taxes imposed by law, an excise tax equivalent to 10 per cent of the entire net profits received or accrued for such year from the sale or disposition of the product of such mine, quarry, mill, cannery, workshop, factory, or manufacturing establishment.

There it stands in all its nakedness, boldly refusing to hide its shame or its unlawful purpose. No less a personage than a member of the Cabinet only a few years ago in almost a passion of indignation declared on this floor that it was "a prostitution of the taxing power." Yet here it is to look the Supreme Court straight in the eyes, neither "honest nor legitimate," according to the President, yet impudently associating with all the other statutes of the realm and brazenly claiming the right of equality in the society of these other lawfully begotten children of our brain. When the court is told now of this unwarranted attempt by Congress to usurp the powers of the States they can not choose but hear!

Can Congress lay a tax on all marriage ceremonies which are performed by a Christian minister? Can Congress tax the products of the farm, the factory, or the mine in all States which do not grant suffrage to women or which prescribe a property or educational qualification for the voter? Can we tax all cotton where the farmer permits his hired hands to go to the field before 7 o'clock in the morning or remain after 5 in the afternoon? And if not, why not? The only reason which can

be assigned against it is that these subjects are not within the scope of Federal power. The Supreme Court has in this very latest volume of its printed reports most solemnly and unequivocally declared that the employment of child labor is not within the scope of Federal sovereignty, and yet it is proposed to tax it. If this is constitutional, so would the other be. No wonder the court declared:

> That if Congress can thus regulate matters entrusted to local authority * * * all the powers of the States over local matters may be eliminated, and thus our system of Government be practically destroyed.

Why should we at this particular time flagrantly violate the Constitution of the United States? What will it lead to?

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. HUMPHREYS. Can I have five minutes more?

Mr. HENRY T. RAINEY. I will yield the gentleman five minutes.

The SPEAKER. The gentleman is recognized for five minutes more.

Mr. HUMPHREYS. Where are you going? This is not the opinion of a debater in the heat of debate. This is the deliberate opinion of the Supreme Court. Where do you think we are going if you do this? I read from the child-labor decision:

> The far-reaching result of upholding the act can not be more plainly indicated than by pointing out that if Congress can thus regulate matters intrusted to local authority by prohibition of the movement of commodities in interstate commerce all freedom of commerce will be at an end and the powers of the States over local matters may be eliminated, and thus our system of government be practically destroyed.

What is it that makes the heads of the chancelleries of all Europe rest uneasily on their pillows to-night? What is it that inspires with fear the liberty-loving peoples of the earth who believe in a government to protect life, liberty, and property? What is it that makes them look to the future now with anxiety? It is because on the horizon we see the ugly visage of bolshevism rising. To do what? To overturn orderly government in the world. How can we in this country—I ask you seriously—how can we in this country expect against this menace of bolshevism to maintain our system of government under the law and under the Constitution if we here now, in response to some imaginative clamor coming up from the people, do what the Supreme Court of the United States says we will do—take the last step toward the destruction of our system of government?

It does occur to me, Mr. Speaker, that in these times those of us who love orderly government ought to be clasping the Constitution to our hearts tighter than ever before, and in view of the storm that is threatening us to-day to cling to it as we would to the Rock of Ages. Under our Constitution this Government has grown, as no other country has grown, in physical power and in righteousness. We have sent our boys abroad to spread the beneficent light of our stars throughout the world, that those who love liberty and seek it may find a way. They have done well; and when they are returned I for one want to be able to look them squarely in the face and say to them, "My boys, I could not go with you to France and make the sacrifice on the battle field to preserve our system of government. I remained here in the place of high responsibility to which you appointed me. But while you fought and conquered and won peace over there, I also kept the faith." [Applause.]

The SPEAKER. The time of the gentleman from Mississippi has again expired.

Mr. DICKINSON. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY rose.

Mr. MOORE of Pennsylvania. Mr. Speaker, will the gentleman from Illinois yield?

Mr. HENRY T. RAINEY. Yes.

Mr. MOORE of Pennsylvania. Will there be any further speeches on the gentleman's side?

Mr. HENRY T. RAINEY. No.

Mr. MOORE of Pennsylvania. This will be the last?

Mr. HENRY T. RAINEY. Yes. I shall conclude the argument. I wish to be recognized for 15 minutes, Mr. Speaker.

The SPEAKER. The gentleman from Illinois is recognized for 15 minutes.

Mr. HENRY T. RAINEY. Mr. Speaker, in concluding the debate on this the greatest revenue bill in the history of nations, I desire at the outset to pay my tribute to the gentleman whose name it will bear.

Unswerving honesty, uninfluenced by fulsome flattery or by virulent criticism, ability of a high order, with energy and the hardest kind of work, have characterized the efforts of the gentleman from North Carolina [Mr. KITCHIN] [applause]; and I would be remiss in what I conceive to be my duty if I did not say of the gentleman from Michigan [Mr. FORDNEY], the ranking minority member on the committee, that absolute lack of partisanship, a high sense of duty, a devotion to high ideals, and patriotism of the highest order have characterized throughout these discussions the efforts of the gentleman from Michigan [applause], who, I presume, will soon be assigned by the present minority in this House, soon to become the majority, to a more important position than he even now occupies. [Applause.]

And I will say of the conferees on both sides, and of the members of the Ways and Means Committee, both Republicans and Democrats, that throughout the strenuous labors, extending over almost a year of time, which have characterized their efforts in the preparation of this bill and in its passage through this House, and in its final passage to-day, partisanship has been forgotten, and only patriotism and a high sense of duty have prevailed throughout. And I want to say of these two young gentlemen, who under the rules of this House are permitted to be here on the floor to-day, Mr. John E. Walker, clerk of the Committee on Ways and Means [applause], and Mr. Middleton Beaman [applause], the bill-drafting expert furnished to the Congress by Columbia University—and we pay none of his compensation—I want to say of them that at the present time they know more about the tariffs and the taxes imposed and to be imposed by this Congress, and more about the tariffs and the taxes imposed by other nations, than any other two men in all the world. [Applause.]

FUTURE TAXING BILLS.

In the brief time in which I shall address the House I want to discuss not so much this bill as future bills, because I anticipate that, during the life of the Congress so soon to commence, the same nonpartisan characteristics will prevail as have prevailed during this Congress in the preparation of taxing bills. We all of us know that there must be a revision of the tariff; we know it must come in the immediate future; and we know that when the readjustment of nations occurs tariff readjustments here will be necessary. Our own bill, drawn principally to meet German competition, is no longer tenable; and we know there must be other and different methods adopted for collecting internal revenue. The time has passed in the history of this country when taxes can be concealed, when people can be persuaded that they are not paying taxes, when taxes collected at our ports and excise taxes are sufficient to run this great Government. From now on through the future years, as long as any man now living lives, we must collect from systems of internal taxation alone every year three or four times as much as we collected from all sources under the old system which was possible and which prevailed prior to the great war.

THIS BILL WILL BE CRITICIZED.

The bill we are just sending out will meet with most violent criticism. It levies an enormous burden of taxation, and as the months pass we will begin to understand that it levies it in a manner to a very large degree illogical; but we have been compelled to build upon the foundations already existing in drafting these war measures. We have been compelled to develop the Civil War method of levying taxes. We have been compelled to study and to apply to our own conditions methods of levying taxes adopted in the warring nations; and in obedience to the clamor throughout the country we have been compelled to reduce this bill below the amount it carried when it left this House. We know now that at the conclusion of the present fiscal year we will have expended during the year for the purpose of carrying on this great Government the enormous sum of $19,000,000,000, and we know now that we will be able to get through this fiscal year with one more bond issue. I agree with the gentleman from North Carolina [Mr. KITCHIN] in his conclusion that next year—during the fiscal year ending June 30, 1920—it will be necessary for us to raise in some way at least $10,000,000,000. Whether we shall be required to raise and to expend more than that amount during the fiscal year ending in June, 1920, will depend upon how long this House and the Senate remain in session this summer.

If the House and Senate remain in session, even $10,000,000,000 will not pay the bill, because we are compelled to admit—some of us—that when it comes to expenditures of money and to demands on the Treasury of the United States, this House and the other branch also have almost failed to function.

MUST REVISE RULES.

First of all, we need a revision of the methods of procedure in this House, some kind of a budget committee with some powers assigned it, some rules which will prevent amendments from the floor for reasons purely sentimental which take out of the Treasury large sums of money and distribute them among

large numbers of people. We shall be compelled to meet this condition of affairs in the near future by revising the rules of this House. And I want to say to the Republicans that when they present a logical method of revising the rules, and the changed conditions make it necessary, they will find some of us on this side, including myself, supporting them most enthusiastically and to the very best of our ability. [Applause.]

THREE KINDS OF INTERNAL-REVENUE TAXES.

I would like to see, so far as I am concerned, just three kinds of internal-revenue taxes levied in this country. I would like to see taxes on individual incomes, I would like to see taxes on estates, and I would like to see excise taxes levied upon tobacco. That is all.

We must arrive at some system of levying taxes in this country of which the people can not complain that all are not being treated alike. An income tax answers that sort of condition. An income tax is fair; nobody can be heard to complain. It is graduated all the way up.

Is it not wrong from an economic standpoint to tax industry? Taxing an industry is like hanging weights on the wheels of *some* great, powerful, but easily disturbed machine. We can tax the incomes from industry after they reach individuals. These industries we are hampering with taxes do not belong to the men who operate them; they belong to the 100,000,000 people who live here in the United States. The men who operate and control them are only the trustees who have charge of them. It is an awful thing to injure industries with taxes.

The SPEAKER. The time of the gentleman from Illinois has expired, and all time has expired.

Mr. MANN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois have more time.

The SPEAKER. Is there objection?

There was no objection.

Mr. HENRY T. RAINEY. We preserve in this bill these three methods of levying taxes. The estate tax as the years pass will be apparently more and more necessary. We have at the present time in the United States I do not know how many millionaires, developed by this war. When the war started we had 7,000, the next year we had 10,600, and the next year 17,085. If that ratio of progress, which of course has not been kept up since we commenced to levy taxes, if that ratio continued we would have 60,000 at the present time.

It is safe to say, without any expectation of successful contradiction, that at the present time we have in the United States 30,000 millionaires, 22,000 of whom have been created by this war. These increased estates must be taken care of in some way. We must distribute them by estate taxes upon the death of the persons who now control them. Some days ago I estimated that we have at the present time 25,000 millionaires in the United States. I have reason to believe that estimate was much too small.

It is an easy matter to distribute estates by this method of taxing them; I do not care whether it is done by the States or by the National Government. I know the States will not do it unless the National Government does do it. They have been trying, some of them, to levy taxes on inheritances or upon estates for over 100 years and have accomplished practically nothing in that direction. I would like to see at some time in the future a tax levied by the National Government upon estates, a high tax, graduated, highest upon the greatest estates providing for credits of the amounts levied by the various States. In that way we will be able to distribute large portions of these large estates at the death of the persons who control them. If we do not do it at their death, we will find mobs in this country insisting on doing it while they live. [Applause.]

OUR COMPLICATED TAXING SYSTEM.

The numerous pages of this great revenue bill contain hundreds of carefully drawn but technical and complicated paragraphs. In our efforts to conceal taxes and make it apparently easier to pay them, we have inserted paragraphs relating to amortization, depletion, deductions, normal taxes, flat rates, war profits, excess profits, estate taxes, excise taxes, special taxes, and other complicated and technical paragraphs on other subjects. Under the system I propose our methods can be simplified so that taxpayers will not be compelled to employ experts in order to make out their schedules.

HOW OUR SYSTEM BURDENS BUSINESS.

In this bill and in all the bills we have passed we impose burdensome taxes upon the transaction of business. We tax bonds, we tax also the original issues of capital stock, capital-stock sales, sales of produce on exchanges, drafts or checks payable not on demand, deeds of conveyance, powers of attorney, passage tickets to Canada and Mexico, proxies for voting at meetings of corporate stockholders, parcel-post packages. In fact, there does not seem to be any of the ordinary methods of transacting business which have escaped.

OUR ILLOGICAL METHODS OF LEVYING TAXES.

In this bill we levy a tax on women's hose which cost more than $2, while a silk dress may be bought by a millionaire's wife for $1,000 and escape taxes. We tax men's shirts which cost over $3, women's hats which cost more than $15, fans which cost more than $1, shoes which cost more than $10, men's and boys' caps which cost more than $2, umbrellas which cost more than $4—all upon the theory that they are luxuries. But if we tax these articles upon the theory that they are luxuries, upon what theory do we tax medicines, pills, and tablets when sold by or for a dealer? Are they luxuries? We tax tooth pastes, perfumes, toilet waters, and hair dyes. Do we do that upon the theory that they are luxuries? Why should we tax articles that are sold in a drug store and not tax articles that are sold in a grocery store? Upon what theory can we tax automobiles? Are they luxuries? They are considered necessities at the present time in the rural sections as well as in the cities.

We propose, however, to take all the so-called luxury taxes out of this bill as soon as it becomes a law by passing through the Congress a joint resolution—a long step in the direction of the system I am advocating.

A METHOD OF SIMPLIFYING TAXES.

I propose hereafter to advocate individual income taxes to the very best of my ability, an income-tax system which contemplates taking the taxes entirely off industrial organizations and off all the instruments used for the transaction of business, a system which will preserve intact the business of the country and which will reach the incomes of individuals only. There are easy methods by which we can compel corporations to distribute, when they do not properly distribute, earnings, and when the money reaches the bank accounts of individuals the Government can then reach out and take any amount of it that may be necessary, without interfering with business and without interfering with the wages of labor. As a matter of fact, the amount of taxes we will obtain in this bill from any other source than the sources I have mentioned is almost negligible. According to our estimates we will obtain during the next fiscal year from taxes on incomes, including individual and corporate incomes, $4,762,000,000. We will obtain from taxes on cigars and tobaccos $250,000,000, and from taxes on estates $115,000,000, making a total of $5,127,000,000. This leaves a balance of less than $1,000,000,000 which we obtain from the oppressive methods of burdening business and industry which I have been discussing.

A COMMODITIES SALES TAX.

A very small tax, indeed, on sales, to be paid either by the vendor or the vendee, would yield an immense sum of money. From a tax of this character we could exclude foods and medicines and tax every other transaction. There could be no complaint with reference to this tax that some persons were being unfairly discriminated against. It would not bear heavier upon one business than another business. A very light tax indeed, varying, of course, with the amount of the sales, could be levied which would produce a billion dollars. A tax of this character could be expanded indefinitely.

MORE SHOULD PAY TAXES.

In 1916 out of the 110,000,000 people living then within the boundaries of continental United States only 437,036 paid income taxes to the National Government. More than that will pay this year, but not many more. A citizen who does not contribute something, no matter how small, toward the support of the National Government does not develop that interest in the affairs of the Government which makes of him the best citizen. The income-tax exemptions ought to be lowered to a point where it is profitable to collect, and of course ought to be assessed and graduated with reference to the ability of the persons taxed to pay.

Whenever the amount collected is not materially larger than the amount expended in the collection of it, it is not advisable to collect. Our exemptions can be materially lowered, and we can obtain in that way in small amounts a tremendous revenue, and we can add some millions of taxpayers to the very small number who now pay taxes, and in that way we can increase the number of stockholders in this great Government of ours—who will be interested in its affairs and anxious for the success of our form of Government. At the present time we have less than 500,000 stockholders in the enterprise of carrying on this great Government.

OUR INCREASING NATIONAL EXPENDITURES.

It is going to take more money than ever to provide for the necessities of the National Government. If we supply a reasonable sinking fund with which to retire our bonded indebtedness, the tax for that purpose, together with the interest on our bonded indebtedness, will soon mean an annual expenditure of $1,600,000,000—nearly twice the amount of our entire national expenditures a few years ago—and there must be added to this very large amount all the expense of conducting this Government, including the expenses of our Army and Navy and any public improvements Congress may authorize.

For the next 25 years we can not expect a national annual expenditure much less than $4,000,000,000, and we may as well get ready for it with a logical taxing system. We can not expect much revenue at our ports. As compared with our tremendous national expenditures, the revenue we can get at our ports will be almost negligible. The system which appeals to me on account of its simplicity, and the system we ought to speedily develop, ought to include only individual taxes, excise taxes on tobaccos, estate taxes, and the amount we can get at our ports out of taxes levied for revenue only. Whenever we release business from the burdens we have been placing upon it and establish the very simple system which I have suggested, we can enter upon an era of prosperity unparalleled in the history of nations, and we will be able to retain the position in the sun which by right belongs to us through the centuries to come. [Applause.]

Mr. VENABLE. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. VENABLE. I rise to make a motion to recommit.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Motion to recommit by Mr. VENABLE: "I move to recommit the conference report to the committee of conference with instructions to the managers on the part of the House to disagree to Senate amendment No. 546, and that they further insist on the disagreement of the House thereto."

Mr. KITCHIN. On that, Mr. Speaker, and on the conference report I demand the previous question.

The previous question was ordered.

The question was taken; and on a division (demanded by Mr. HUMPHREYS) there were 15 ayes and 171 noes.

So the motion to recommit was lost.

The SPEAKER. The question now is on agreeing to the conference report.

Mr. KITCHIN and Mr. GARNER asked for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 312, nays 11, answered "present" 13, not voting 93, as follows:

YEAS—312.

Alexander	Copley	French	Johnson, Ky.
Anderson	Cramton	Fuller, Ill.	Johnson, Wash.
Anthony	Crisp	Gandy	Jones
Ashbrook	Crosser	Gard	Juul
Aswell	Currie, Mich.	Garland	Kearns
Austin	Curry, Cal.	Garner	Keating
Ayres	Dale	Garrett, Tenn.	Kehoe
Baer	Dallinger	Garrett, Tex.	Kelly, Pa.
Bankhead	Darrow	Glynn	Kennedy, Iowa
Barkley	Davis	Good	Kennedy, R. I.
Barnhart	Decker	Goodwin, Ark.	Kettner
Beakes	Dempsey	Gordon	Kiess, Pa.
Bell	Denison	Graham, Ill.	Kincheloe
Beshlin	Denton	Gray, Ala.	King
Black	Dewalt	Green, Iowa	Kinkaid
Bland, Va.	Dickinson	Greene, Mass.	Kitchin
Blanton	Dill	Greene, Vt.	Knutson
Bowers	Dillon	Gregg	Kraus
Brand	Dixon	Griffin	Lampert
Brodbeck	Dominick	Hadley	Larsen
Browne	Dooling	Hamilton, Mich.	Lazaro
Browning	Doolittle	Hamlin	Lea, Cal.
Burnett	Doughton	Hardy	Lee, Ga.
Burroughs	Dowell	Harrison, Miss.	Lehlbach
Butler	Dunn	Harrison, Va.	Lesher
Byrnes, S. C.	Dupré	Haskell	Lever
Byrns, Tenn.	Eagan	Hastings	Little
Caldwell	Eagle	Haugen	Lobeck
Campbell, Kans.	Edmonds	Hawley	London
Campbell, Pa.	Elliott	Hayes	Lonergan
Candler, Miss.	Ellsworth	Heflin	Longworth
Cannon	Elston	Hensley	Lufkin
Cantrill	Esch	Hersey	Lunn
Caraway	Fairchild, B. L.	Hicks	McArthur
Carter, Mass.	Fairchild, G. W.	Holland	McClintic
Carter, Okla.	Fairfield	Hollingsworth	McCormick
Chandler, Okla.	Farr	Houston	McFadden
Clark, Pa.	Ferris	Howard	McKenzie
Classon	Fields	Huddleston	McKeown
Cleary	Fisher	Hull, Iowa	McLaughlin, Mich.
Collier	Flood	Hull, Tenn.	McLaughlin, Pa.
Connally, Tex.	Focht	Hutchinson	Madden
Connelly, Kans.	Fordney	Igoe	Magee
Cooper, Ohio	Foss	Ireland	Maher
Cooper, W. Va.	Foster	Jacoway	Mann
Cooper, Wis.	Freeman	James	Mansfield
Mapes	Purnell	Shouse	Tinkham
Martin	Quin	Siegel	Towner
Mason	Ragsdale	Sims	Treadway
Mays	Rainey, H. T.	Sinnott	Vare
Merritt	Rainey, J. W.	Slemp	Vestal
Miller, Wash.	Raker	Sloan	Vinson
Mondell	Ramseyer	Small	Voigt
Moon	Randall	Smith, Idaho	Volstead
Moore, Pa.	Rankin	Smith, Mich.	Walsh
Moores, Ind.	Reavis	Smith, C. B.	Walton
Morgan	Reed	Smith, T. F.	Wason
Morin	Riordan	Snell	Watkins
Mott	Roberts	Snook	Watson, Pa.
Mudd	Robinson	Stafford	Weaver
Nelson, A. P.	Rodenberg	Steagall	Webb
Nelson, J. M.	Rogers	Stedman	Welling
Nicholls, S. C.	Romjue	Steele	Welty
Nichols, Mich.	Rouse	Steenerson	Whaley
Oldfield,	Rubey	Stephens, Nebr.	Wheeler
Oliver, Ala.	Rucker	Sterling	White, Me.
Oliver, N. Y.	Sabath	Stiness	Williams
Olney	Sanders, Ind.	Sullivan	Wilson, Ill.
Osborne	Sanders, La.	Sumners	Wilson, La.
O'Shaunessy	Sanders, N. Y.	Sweet	Wilson, Tex.
Overmyer	Sanford	Switzer	Wingo
Overstreet	Saunders, Va.	Taylor, Colo.	Winslow
Padgett	Schall	Temple	Wood, Ind.
Parker, N. J.	Scott, Iowa	Thomas	Woods, Iowa
Parker, N. Y.	Scott, Mich.	Thompson	Woodyard
Peters	Shackleford	Tillman	Wright
Phelan	Shallenberger	Tilson	Young, N. Dak.
Polk	Sherwood	Timberlake	Young, Tex.

NAYS—11.

Blackmon	Humphreys	Rayburn	Stephens, Miss.
Dies	Langley	Selis	Venable
Dyer	Powers	Sisson	

ANSWERED "PRESENT"—13.

Buchanan	Gallagher	Miller, Minn.	Tague
Carlin	Gallivan	Neely	
Cary	Hayden	Pou	
Emerson	Kelley, Mich.	Ramsey	

NOT VOTING—93.

Almon	Drukker	Husted	Rowe
Bacharach	Essen	Johnson, S. Dak.	Rowland
Benson	Estopinal	Kahn	Russell
Birch	Evans	Key, Ohio	Scully
Bland, Ind.	Fess	Kreider	Sears
Booher	Flynn	La Follette	Sherley
Borland	Francis	LaGuardia	Slayden
Britten	Frear	Linthicum	Snyder
Brumbaugh	Fuller, Mass.	Littlepage	Stevenson
Carew	Gillett	Lundeen	Strong
Chandler, N. Y.	Godwin, N. C.	McAndrews	Swift
Church	Goodall	McCulloch	Taylor, Ark.
Clark, Fla.	Gould	McKinley	Templeton
Claypool	Graham, Pa.	McLemore	Van Dyke
Coady	Gray, N. J.	Montague	Waldow
Costello	Griest	Nolan	Walker
Cox	Hamill	Norton	Ward
Crago	Hamilton, N. Y.	Paige	Watson, Va.
Davey	Heaton	Park	White, Ohio
Delaney	Heintz	Platt	Wise
Dent	Helm	Porter	Zihlman
Donovan	Helvering	Pratt	
Doremus	Hilliard	Price	
Drane	Hood	Rose	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. MONTAGUE (for) with Mr. LAGUARDIA (against).

Until further notice:

Mr. CAREW with Mr. GOODALL.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. BENSON with Mr. BLAND of Indiana.

Mr. POU with Mr. BRITTEN.

Mr. BUCHANAN with Mr. BACHARACH.

Mr. BOOHER with Mr. NOLAN.

Mr. CLARK of Florida with Mr. CRAGO.

Mr. ALMON with Mr. FREAR.

Mr. COADY with Mr. FESS.

Mr. DELANEY with Mr. FULLER of Massachusetts.

Mr. DENT with Mr. KAHN.

Mr. DONOVAN with Mr. GRAHAM of Pennsylvania.

Mr. HAMILL with Mr. GRIEST.

Mr. HELM with Mr. HUSTED.

Mr. HELVERING with Mr. KREIDER.

Mr. LINTHICUM with Mr. MCCULLOCH.

Mr. LITTLEPAGE with Mr. PLATT.

Mr. MCANDREWS with Mr. PORTER.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. PARK with Mr. ROSE.

Mr. RUSSELL with Mr. STRONG.

Mr. SCULLY with Mr. WARD.

Mr. PRICE with Mr. SWIFT.

Mr. DOREMUS with Mr. ZIHLMAN.

Mr. SEARS with Mr. BIRCH.

Mr. ROGERS. Mr. Speaker, my colleague, Mr. PAIGE, has been called to Massachusetts and is unavoidably absent. He is in favor of the conference report and, if present, would vote "aye."

Mr. MILLER of Minnesota. Mr. Speaker, I desire to vote "aye."

The SPEAKER. Was the gentleman in the Hall listening?

Mr. MILLER of Minnesota. I was not in the Hall; I thought this was a call of the House.

The SPEAKER. It is not a call of the House.

Mr. MILLER of Minnesota. I was out of the Chamber when my name was called.

The SPEAKER. The gentleman can not vote except to answer "present."

The name of Mr. MILLER of Minnesota was called, and he answered "Present."

Mr. SNELL. Mr. Speaker, Messrs. GOULD, ROWE, and SNYDER were called away this afternoon on important business. If they were here, they would vote "aye" on this proposition.

Mr. KELLEY of Michigan. Mr. Speaker, I was not in the room at the time my name was called. If I had been here, I would have voted "aye."

The result of the vote was announced as above recorded.

On motion of Mr. KITCHIN, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

LEAVE OF ABSENCE.

Mr. ALMON, by unanimous consent, was granted leave of absence for to-day on account of illness.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 39 minutes p. m.) the House, under its previous order, adjourned to meet at 3 p. m. Sunday, February 9, 1919.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Attorney General submitting supplemental and deficiency estimates of appropriations required by the Department of Justice for the fiscal years 1920, 1919, 1918 (H. Doc. No. 1775); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Secretary of the Treasury submitting an estimate of appropriation to enable the Secretary of the Treasury to provide water supply for Cape Charles Quarantine Station (H. Doc. No. 1776); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting copy of a communication from the president of the Civil Service Commission submitting a supplemental estimate of appropriation required by the commission for additional cost of envelopes for the fiscal year 1919 (H. Doc. No. 1777); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Interior submitting a supplemental estimate of appropriation for the completion of the Alaska Railroad (H. Doc. No. 1778); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CARAWAY, from the Committee on the Judiciary, to which was referred the bill (S. 2654) providing for the appointment of two additional district judges in the northern district of the State of Illinois, reported the same without amendment, accompanied by a report (No. 1046), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SLAYDEN, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 195) providing for the filling of a proximate vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress, reported the same without amendment, accompanied by a report (No. 1044), which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. RAKER, from the Committee on the Public Lands, to which was referred the bill (H. R. 13630) for the relief of the estate of Christian Hoffman, reported the same with amendment, accompanied by a report (No. 1043), which said bill and report were referred to the Private Calendar.

Mr. STEPHENS of Mississippi, from the Committee on Claims, to which was referred the bill (H. R. 12753) for the relief of Eugene F. Sanguinette, reported the same without amendment, accompanied by a report (No. 1045), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 12790) for the relief of the heirs of R. F. Graves, jr., and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DOUGHTON: A bill (H. R. 15782) providing for the erection of a public building at Lenoir, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15783) providing for the purchase of a site and erection thereon of a public building at Albemarle, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. EMERSON: A bill (H. R. 15784) to determine the qualifications for citizenship of alien slackers exempted from, and aliens who served in, the military or naval service of the United States under the selective-service act of May 18, 1917; to the Committee on Immigration and Naturalization.

By Mr. FULLER of Illinois: A bill (H. R. 15785) authorizing the Secretary of War to donate to the village of Somonauk, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. EMERSON: A bill (H. R. 15786) to give preference to soldiers, sailors, marines, and citizens for employment within the United States of America; to the Committee on the Judiciary.

By Mr. KELLY of Pennsylvania: A bill (H. R. 15787) providing for a United States civil-service board of adjustments to constitute a court of appeals for employees in the classified civil service of the United States; to the Committee on Reform in the Civil Service.

By Mr. HAMILTON of New York: A bill (H. R. 15788) to provide for the purchase of a site for a public building in the village of Wellsville, N. Y.; to the Committee on Public Buildings and Grounds.

By Mr. JOHN W. RAINEY: A bill (H. R. 15789) to amend an act entitled, "An act to regulate and improve the civil service of the United States," approved January 16, 1883; to the Committee on Reform in the Civil Service.

By Mr. RAMSEY: A bill (H. R. 15790) authorizing the Secretary of War to donate to the town of Belvidere, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15791) authorizing the Secretary of War to donate to the borough of Washington, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 15792) authorizing the Secretary of War to donate to the city of Maple Shade, N. J., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HICKS: A bill (H. R. 15793) authorizing the Secretary of War to donate to the village of Westbury, in the State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. SINNOTT: A bill (H. R. 15794) to add certain lands to the Ochoco National Forest, Oreg.; to the Committee on the Public Lands.

By Mr. REED: A bill (H. R. 15795) authorizing the Secretary of the Treasury in his discretion to sell the present public building and site in the city of Clarksburg, W. Va., and purchase a new site and erect thereon a new public building in said city; to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 15796) to enable the President to carry out the price guaranty made to producers of wheat

of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder; to the Committee on Agriculture.

By Mr. BURNETT: A bill (H. R. 15797) for the purchase of a site and the erection of a public building at Fort Payne, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. MARTIN: A bill (H. R. 15798) to provide for the erection of a public building at Morgan City, La.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15799) to provide for the erection of a public building at Houma, La.; to the Committee on Public Buildings and Grounds.

By Mr. KETTNER: A bill (H. R. 15800) authorizing the Secretary of War to donate to the town of Upland, Cal., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. GOULD: A bill (H. R. 15801) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and amended October 6, 1917, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SLOAN: A bill (H. R. 15802) to repeal the daylight-saving law; to the Committee on Interstate and foreign Commerce.

Also, a bill (H. R. 15803) to loan certain cannon to Diller, Friend, Milford, and York, Nebr.; to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 15804) authorizing the Secretary of War to donate to the village of Donaldson, Kittson County, in the State of Minnesota, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 15811) providing for a site and public building for post office and other Federal purposes at Russellville, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15812) to provide for the purchase of a site and the erection of a building thereon at Fayette, in the State of Alabama; to the Committee on Public Buildings and Grounds.

By Mr. KEHOE: A bill (H. R. 15813) for the erection of a public pos-office building at De Funiak Springs, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. CARAWAY: A bill (H. R. 15814) granting the consent of Congress to road district No. 1, Lee County, Ark., to construct a bridge across the St. Francis River at or near the present location of the Missouri Pacific Railroad Co.'s bridge; to the Committee on Interstate and Foreign Commerce.

By Mr. BURNETT: Resolution (H. Res. 558) providing additional compensation to W. H. Miller, janitor and messenger to the Official Reporters of Debates; to the Committee on Accounts.

By Mr. GOULD: Resolution (H. Res. 559) calling upon the President for information regarding the $50,000,000 appropriation for national security and defense; to the Committee on Appropriations.

Also, resolution (H. Res. 560) calling upon the President of the United States for certain facts as to the building and operation program of wooden ships; to the Committee on the Merchant Marine and Fisheries.

Also, resolution (H. Res. 561) calling upon the President for certain information regarding food price fixing; to the Committee on Agriculture.

Also, resolution (H. Res. 562) calling upon the President for certain information in accordance with section 12 of the shipping act approved September 7, 1916; to the Committee on the Merchant Marine and Fisheries.

By Mr. SABATH: Joint resolution (H. J. Res. 408) establishing diplomatic relations with Czechoslovakia and Poland; to the Committee on Foreign Affairs.

By Mr. HAWLEY: Memorial from the Legislature of the State of Oregon, favoring six months' pay for discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

By Mr. CAREW: Memorial from the Legislature of the State of New York, urging Congress to enact laws guaranteeing soldiers, sailors, and marines pay for some sufficient time after their discharge; to the Committee on Military Affairs.

By Mr. ADOLPHUS P. NELSON: Memorial from the Legislature of the State of Wisconsin, memorializing the Congress of the United States to cooperate with the Dominion of Canada in the enlarged canalization of the St. Lawrence River for the passage of ocean-going vessels into the Great Lakes; to the Committee on Rivers and Harbors.

Also, memorial from the Legislature of the State of Wisconsin, relating to the tobacco industry and requesting the Federal Trade Commission to report on such industry; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KEATING: A bill (H. R. 15805) granting an increase of pension to Andrew A. Ebert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15806) granting an increase of pension to David M. Gray; to the Committee on Pensions.

Also, a bill (H. R. 15807) granting a pension to William H. Harris; to the Committee on Pensions.

By Mr. LUNN: A bill (H. R. 15808) for the relief of Patrick J. Purcell; to the Committee on Claims.

By Mr. SLOAN: A bill (H. R. 15809) granting an increase of pension to Jerome B. Brooks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15810) granting an increase of pension to John W. Grewell; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURROUGHS: Petition of 45 residents of Newton, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of 35 residents of Derry, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of 108 residents of the State of New Hampshire, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of 132 residents of Keene, N. H., for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of 70 residents of the State of New Hampshire, for the repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, concurrent resolution passed by both branches of the New Hampshire Legislature, that the Congress of the United States make immediate appropriations whereby adequate measures of suppression of an insect pest known as the European borer may be undertaken without delay by the proper Federal authorities; to the Committee on Agriculture.

By Mr. CAREW: Petition of mass meeting of Friends of Irish Freedom at Our Lady of Good Counsel Hall, New York, expressing sympathy with Irish people and urging the Government of the United States to aid Ireland at the peace conference; to the Committee on Foreign Affairs.

Also, petition of Roger Casement Branch, Friends of Irish Freedom, St. Monica Hall, New York, relating to self-determination of Ireland; to the Committee on Foreign Affairs.

Also, petition of the Western Fruit Jobbers' Association of America, asking Congress to enact necessary legislation releasing all means of transportation from Government control to individuals or corporations under charters from Government of United States; to the Committee on Interstate and Foreign Commerce.

Also, petition of New York Produce Exchange in relation to price fixing and Government control of foodstuffs; to the Committee on Agriculture.

By Mr. CARY: Petition of Workingmen's Sick and Death Benefit Society, No. 156, of Milwaukee County, Wis., urging Government control and ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Milwaukee, Wis., urging repeal of postal zone-rate bill; to the Committee on Ways and Means.

Also, petition of Workingmen's Sick and Death Benefit Society, No. 156, urging recall of soldiers "over there" back to the United States of America as speedily as possible; to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: Petition of A. J. Smith and other residents of Racine County, Wis., urging passage of Senate bill 4937, providing Federal aid to States in the promotion of education; to the Committee on Education.

By Mr. COPLEY: Petition of sundry citizens of Dundee, Elgin, and Naperville, Ill., asking that the present postal-zone law be repealed; to the Committee on Ways and Means.

By Mr. DALE: Affidavit of Dr. Ernest H. Baily in support of the bill (H. R. 15678) granting an increase of pension to Jason Johnson; to the Committee on Invalid Pensions.

Also, petition of members of Hedding Methodist Episcopal Church, of Barre, Vt., favoring a league of nations; to the Committee on Foreign Affairs.

By Mr. DALLINGER: Petition of Board of Aldermen of Medford, Mass., asking that the Congress of the United States and

War Department pay to soldiers, sailors, and marines their military wages for six months after their discharge from service; to the Committee on Military Affairs.

Also, petition of New England Nurserymen's Association, protesting against quarantine order No. 37 as unwise, unnecessary, and harmful to nurserymen and purchasers; to the Committee on Agriculture.

By Mr. ESCH: Petition of the Merchants' Association of New York, relative to the restoration of railroads by the Government to their original owners; to the Committee on Interstate and Foreign Commerce.

By Mr. BENJAMIN L. FAIRCHILD: Petition of trustees of Merchants' Association of Yonkers Chamber of Commerce, Yonkers, N. Y., in re Federal control and operation of telephone and telegraph lines; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of J. W. Browning, superintendent of schools, and teachers of high school, Belvidere, Ill., for repeal of the postal-zone law; to the Committee on Ways and Means.

By Mr. HAMILTON of New York: Petition of sundry citizens of Olean, N. Y., favoring Government ownership of railroads; to the Committee on Interstate and Foreign Affairs.

By Mr. HOLLINGSWORTH: Memorial of Publishers' Advisory Board, New York, and 489 citizens of eighteenth congressional district of Ohio, asking for repeal of postal zone system; to the Committee on Ways and Means.

By Mr. LONERGAN: Petition of certain citizens of Hartford County, Conn., relating to the postal zone law; to the Committee on Ways and Means.

Also, petition of certain citizens of Hartford County, Conn., relating to luxury tax; to the Committee on Ways and Means.

By Mr. LUNDEEN: Petition of Minnesota State Horticultural Society, of Minneapolis, Minn., protesting against the enforcement of quarantine order No. 37, made by the Federal Horticulture Board; to the Committee on Agriculture.

Also, petition of Minnesota Independent Telephone Association, 922 McKnight Building, Minneapolis, Minn., asking for the return of all telephone properties not later than December 31, 1920; to the Committee on Interstate and Foreign Commerce.

Also, petition of Commercial Telegraphers' Union of America, Local No. 8, Minneapolis, Minn., protesting against the new rate of compensation for telegraph employees, which is a cut in wages instead of an increase; to the Committee on Labor.

Also, petition of Building Trades' Council of St. Paul, Minn., declaring in favor of Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Federation of Labor No. 16045, Findlay, Ohio, requesting that all armed troops be withdrawn from Russian territory; to the Committee on Foreign Affairs.

Also, petition of Central Supply Co., Minneapolis, Minn., protesting against sections 1409 to 1416 of the 1919 revenue bill; to the Committee on Ways and Means.

By Mr. JOHN M. NELSON: Petition of citizens of the State of Wisconsin, urging Congress to enact into law the bill (H. R. 10550) providing for National ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. POLK: Petition of Hilles & Jones Co., Wilmington, Del., favoring and commenting on House bill 15625, providing for further educational facilities by requiring the War Department to loan certain machine tools not in use for Government purposes to trade and technical schools and universities, and for other purposes; to the Committee on Education.

By Mr. RAKER: Petition of Estelle V. Krautz, David Atkins, Mrs. L. S. Capp, and Mrs. Dagmar Netendorff, all of San Francisco, Cal., requesting repeal of postal zone system; to the Committee on Ways and Means.

Also, petition of sundry citizens of San Francisco, Cal., protesting against postal zone rates; to the Committee on Ways and Means.

By Mr. REED: Petition of the Chamber of Commerce of Clarksburg, W. Va., and other citizens of said city, urging Congress to make an appropriation of $500,000 for securing a site and erecting a public building thereon adequate for the needs of the post office, United States court, and other governmental offices in said city; to the Committee on Public Buildings and Grounds.

By Mr. RUCKER: Petition of Brotherhood of Railway Carmen of America, Lodge No. 64, Moberly, Mo., in reference to Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. SABATH: Petition of sundry citizens of the State of Illinois, urging Congress to enact into law House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Idaho: Petition of Pocatello Council, Knights of Columbus, urging enactment of House joint resolution 357, favoring independence of Ireland; to the Committee on Foreign Affairs.

Also, petition of Rotary Club, Boise, Idaho, urging enactment of legislation providing for removal of illiteracy and Americanization of foreigners; to the Committee on Education.

Also, petition of Interstate Realty Association, Portland, Oreg., urging the abandonment of the construction of houses for war workers and providing for their sale; to the Committee on Military Affairs.

By Mr. THOMAS F. SMITH: Petition of citizens of New York City, protesting against postal zone rates; to the Committee on Ways and Means.

Also, petition of citizens of New York City, urging adoption of the Gallagher resolution on the Irish question; to the Committee on Foreign Affairs.

By Mr. SNELL: Petition of Mary E. Crosby, Mary C. Attoe, Gladys Andrews, Pearl Geandrew, Muriel King, Emma Ackerman, all of Ogdensburg, N. Y., for repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Frank Burrel, of Hawkeye, and Mrs. Mabel Deman, Mrs. Eliza Barnett, H. E. Baker, Mrs. George A. Tellier, Miss Lydia Baker, Mrs. H. M. Kelly, Mrs. Benjamin Dodge, all of Ausable Forks, and all in the State of New York, for repeal of the postal zone rate bill; to the Committee on Ways and Means.

By Mr. SNOOK: Petition of Van Wert Lodge, No. 667, of International Association of Machinists, favoring the passage of House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. SNYDER: Petition of 24 residents of Little Falls, N. Y., favoring Government ownership of railways; to the Committee on Interstate and Foreign Commerce.

By Mr. WASON: Concurrent resolution of the New Hampshire Legislature, requesting the New Hampshire delegation to Congress to use their influence with the Government, first, to pay our private soldiers and noncommissioned officers promptly; and, second, to give every private soldier, noncommissioned officer, and sailor at the time of his honorable discharge the sum of $200; to the Committee on Military Affairs.

By Mr. WATSON of Pennsylvania: Petition of Washington Camp, No. 631, Patriotic Order Sons of America of Pennsylvania, favoring a law prohibiting all immigration for a period of not less than four years; to the Committee on Immigration and Naturalization.

SENATE.

SUNDAY, *February 9, 1919.*

(Legislative day of Friday, February 7, 1919.)

The Senate reassembled at 2 o'clock and 45 minutes p. m., on the expiration of the recess.

MEMORIAL ADDRESS ON THEODORE ROOSEVELT.

The VICE PRESIDENT. The Senate will proceed to the Hall of the House of Representatives to participate in the joint memorial services in honor of Theodore Roosevelt.

The Senate, preceded by the Sergeant at Arms and by the Vice President and the Secretary, proceeded to the Hall of the House of Representatives.

After the conclusion of the memorial services, the Senate returned to its Chamber, and the Vice President resumed the chair.

Mr. MARTIN of Virginia. I move that the Senate adjourn until 12 o'clock meridian to-morrow.

The motion was agreed to; and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Monday, February 10, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SUNDAY, *February 9, 1919.*

The House met at 3 o'clock p. m.

JOINT SESSION OF THE SENATE AND HOUSE.

The Doorkeeper, Mr. Joseph J. Sinnott, announced—

The Vice President and the Senate.

The Chief of Staff and Major Generals of the Army, the Rear Admirals of the Navy, and the Adjutant and Inspector of the Marine Corps.

The members of the President's Cabinet.

The ex-President of the United States.

The honorable Chief Justice and Associate Justices of the Supreme Court of the United States.

The ambassadors, ministers, and chargés d'affaires of foreign governments.

The Chaplain of the House of Representatives, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty Father, whose infinite wisdom, power, and goodness find their way into the mind and heart of man, inspiring the susceptible to great thoughts, heroic deeds, and splendid achievements, such men live, become leaders, their names gild the pages of history, sacred and profane, and become beacon lights to guide mankind ever onward and upward to larger and grander civilization.

We are here in memory of one of the Nation's noblest sons—a writer, a speaker, a scientist, a patriot, a soldier, a statesman. We respect him because he respected his country. We love him because he loved her people. We honor him because he honored and revered her sacred institutions and would have poured out his heart's blood to uphold and sustain them; a Christian, ever turning with faith and confidence to his God for strength and guidance.

God help us to cherish his memory, emulate his virtues, that we may leave a record well pleasing in Thy sight.

How firm a foundation, ye saints of the Lord,
Is laid for your faith in his excellent word!
What more can he say than to you he hath said,
To you, who for refuge to Jesus have fled?

Fear not, I am with Thee, O be not dismayed,
For I am thy God, I will still give thee aid;
I'll strengthen thee, help thee, and cause thee to stand,
Upheld by my gracious, omnipotent hand.

Let Thy kingdom possess our hearts, that we may hallow Thy name, our God and our Father. Amen.

The VICE PRESIDENT. Happy is the memory of that man who has for his eulogist one who not only knew all about him but who knew him; happier still if that eulogist be a man of letters, happiest if he be a friend.

I present to you the Hon. HENRY CABOT LODGE, senior Senator of the United States from the State of Massachusetts, scholar, statesman, orator, and the friend of the lamented great President of the United States, Theodore Roosevelt. [Applause.]

MEMORIAL ADDRESS ON THEODORE ROOSEVELT.

Mr. LODGE said:

A tower is fallen, a star is set! Alas! Alas! for Celin.

The words of lamentation from the old Moorish ballad, which in boyhood we used to recite, must, I think, have risen to many lips when the world was told that Theodore Roosevelt was dead. But whatever the phrase the thought was instant and everywhere. Variously expressed, you heard it in the crowds about the bulletin boards, from the man in the street and the man on the railroads, from the farmer in the fields, the women in the shops, in the factories, and in the homes. The pulpit found in his life a text for sermons. The judge on the bench, the child at school, alike paused for a moment conscious of a loss. The cry of sorrow came from men and women of all conditions, high and low, rich and poor, from the learned and the ignorant, from the multitude who had loved and followed him and from those who had opposed and resisted him. The newspapers pushed aside the absorbing reports of the events of these fateful days and gave pages to the man who had died. Flashed beneath the ocean and through the air went the announcement of his death, and back came a world-wide response from courts and cabinets, from press and people, in other and far-distant lands. Through it all ran a golden thread of personal feeling which gleams so rarely in the somber formalism of public grief. Everywhere the people felt in their hearts that:

A Power was passing from the Earth
To breathless Nature's dark abyss.

It would seem that here was a man, a private citizen, conspicuous by no office, with no glitter of power about him, no ability to reward or punish, gone from the earthly life, who must have been unusual even among the leaders of men, and who thus demands our serious consideration.

This is a thought to be borne in mind to-day. We meet to render honor to the dead, to the great American whom we mourn. But there is something more to be done. We must remember that when History, with steady hand and calm eyes, free from the passions of the past, comes to make up the final account, she will call as her principal witnesses the contemporaries of the man or the event awaiting her verdict. Here and elsewhere the men and women who knew Theodore Roosevelt or who belong to his period will give public utterance to their emotions and to their judgments in regard to him. This will be part of the record to which the historian will turn when our living present has become the past, of which it is his duty to write. Thus is there a responsibility placed upon each one of us who will clearly realize that here, too, is a duty to posterity whom we would fain guide to the truth as we see it and to whose hands we commit our share in the history of our beloved country—that history so much of which was made under his leadership.

We can not approach Theodore Roosevelt along the beaten paths of eulogy or satisfy ourselves with the empty civilities of commonplace funereal tributes, for he did not make his life journey over main-traveled roads nor was he ever commonplace. Cold and pompous formalities would be unsuited to him who was devoid of affectation, who was never self-conscious, and to whom posturing to draw the public gaze seemed not only repellent but vulgar. He had that entire simplicity of manners and modes of life which is the crowning result of the highest culture and the finest nature. Like Cromwell, he would always have said: "Paint me as I am." In that spirit, in his spirit of devotion to truth's simplicity, I shall try to speak of him to-day in the presence of the representatives of the great Government of which he was for seven years the head.

The rise of any man from humble or still more from sordid beginnings to the heights of success always and naturally appeals strongly to the imagination. It furnishes a vivid contrast which is as much admired as it is readily understood. It still retains the wonder which such success awakened in the days of hereditary lawgivers and high privileges of birth. Birth and fortune, however, mean much less now than two centuries ago. To climb from the place of a printer's boy to the highest rank in science, politics, and diplomacy would be far easier to-day than in the eighteenth century, given a genius like Franklin to do it. Moreover, the real marvel is in the soaring achievement itself, no matter what the origin of the man who comes by "the people's unbought grace to rule his native land" and who on descending from the official pinnacle still leads and influences thousands upon thousands of his fellow men.

Theodore Roosevelt had the good fortune to be born of a well-known, long-established family, with every facility for education and with an atmosphere of patriotism and disinterested service both to country and humanity all about him. In his father he had before him an example of lofty public spirit, from which it would have been difficult to depart. But if the work of his ancestors relieved him from the hard struggle which meets an unaided man at the outset, he also lacked the spur of necessity to prick the sides of his intent, in itself no small loss. As a balance to the opportunity which was his without labor, he had not only the later difficulties which come to him to whom fate has been kind at the start, but he had also spread before him the temptations inseparable from such inherited advantages as fell to his lot—temptations to a life of sports and pleasure, to lettered ease, to an amateur's career in one of the fine arts, perhaps to a money-making business, likewise an inheritance, none of them easily to be set aside in obedience to the stern rule that the larger and more facile the opportunity the greater and more insistent the responsibility. How he refused to tread the pleasant paths that opened to him on all sides and took the instant way which led over the rough road of toil and action his life discloses.

At the beginning, moreover, he had physical difficulties not lightly to be overcome. He was a delicate child, suffering acutely from attacks of asthma. He was not a strong boy, was retiring, fond of books, and with an intense but solitary devotion to natural history. As his health gradually improved he became possessed by the belief, although he perhaps did not then formulate it, that in the fields of active life a man could do that which he willed to do; and this faith was with him to the end. It became very evident when he went to Harvard. He made himself an athlete by sheer hard work. Hampered by extreme nearsightedness, he became none the less a formidable boxer and an excellent shot. He stood high in scholarship, but as he worked hard so he played hard, and was popular in the university and beloved by his friends. For a shy and delicate boy all this meant solid achievement as well as unusual determination and force of will. Apparently he took early to heart and carried out to fulfillment the noble lines of Clough's Dipsychus:

In light things
Prove thou the arms thou long'st to glorify,
Nor fear to work up from the lowest ranks
Whence come great Nature's Captains. And high deeds
Haunt not the fringy edges of the fight,
But the pell-mell of men.

When a young man comes out of college he descends suddenly from the highest place in a little world to a very obscure

corner in a great one. It is something of a shock, and there is apt to be a chill in the air. Unless the young man's life has been planned beforehand and a place provided for him by others, which is exceptional, or unless he is fortunate in a strong and dominating purpose or talent which drives him to science or art or some particular profession, he finds himself at this period pausing and wondering where he can get a grip upon the vast and confused world into which he has been plunged.

It is a trying and only too frequently a disheartening experience, this looking for a career, this effort to find employment in a huge and hurrying crowd which appears to have no use for the newcomer. Roosevelt, thus cast forth on his own resources—his father, so beloved by him, having died two years before—fell to work at once, turning to the study of the law, which he did not like, and to the completion of a history of the War of 1812 which he had begun while still in college. With few exceptions young beginners in the difficult art of writing are either too exuberant or too dry. Roosevelt said that his book was as dry as an encyclopedia, thus erring in precisely the direction one would not have expected. The book, be it *said*, was by no means so dry as he thought it, and it had some other admirable qualities. It was clear and thorough, and the battles by sea and land, especially the former, which involved the armaments and crews, the size and speed of the ships engaged in the famous frigate and sloop actions, of which we won eleven out of thirteen, were given with a minute accuracy never before attempted in the accounts of this war, and which made the book an authority, a position it holds to this day.

This was a good deal of sound work for a boy's first year out of college. But it did not content Roosevelt. Inherited influences and inborn desires made him earnest and eager to render some public service. In pursuit of this aspiration he joined the Twenty-first Assembly District Republican Association of the City of New York, for by such machinery all politics were carried on in those days. It was not an association composed of his normal friends; in fact, the members were not only eminently practical persons but they were inclined to be rough in their methods. They were not dreamers, nor were they laboring under many illusions. Roosevelt went among them a complete stranger. He differed from them with entire frankness, concealed nothing, and by his strong and simple democratic ways, his intense Americanism, and the magical personal attraction which went with him to the end, made some devoted friends. One of the younger leaders, "Joe" Murray, believed in him, became especially attached to him, and so continued until death separated them. Through Murray's efforts he was elected to the New York Assembly in 1881, and thus only one year after leaving college his public career began. He was just twenty-three.

Very few men make an effective State reputation in their first year in the lower branch of the State legislature. I never happened to hear of one who made a national reputation in such a body. Roosevelt did both. When he left the assembly after three years' service he was a national figure, well known, and of real importance, and also a delegate at large from the great State of New York to the Republican national convention of 1884, where he played a leading part. Energy, ability, and the most entire courage were the secret of his extraordinary success. It was a time of flagrant corporate influence in the New York Legislature of the "Black Horse Cavalry," of a group of members who made money by sustaining corporation measures or by levying on corporations and capital through the familiar artifice of "strike bills." Roosevelt attacked them all openly and aggressively and never silently or quietly. He fought for the impeachment of a judge solely because he believed the judge corrupt, which surprised some of his political associates of both parties, there being, as one practical thinker observed, "no politics in politics." He failed to secure the impeachment, but the fight did not fail nor did the people forget it, and despite—perhaps because of—the enemies he made he was twice reelected. He became at the same time a distinct, well-defined figure to the American people. He had touched the popular imagination. In this way he performed the unexampled feat of leaving the New York Assembly, which he had entered three years before an unknown boy, with a national reputation and with his name at least known throughout the United States. He was twenty-six years old.

When he left Chicago at the close of the national convention in June, 1884, he did not return to New York but went West to the Bad Lands of the Little Missouri Valley, where he had purchased a ranch in the previous year. The early love of natural history which never abated had developed into a passion for hunting and for life in the open. He had begun in the wilds of Maine and then turned to the West and to a cattle ranch to gratify both tastes. The life appealed to him and he came to love it. He herded and rounded up his cattle, he worked as a cow-puncher, only rather harder than any of them, and in the intervals he hunted and shot big game. He also came in contact with men of a new type, rough, sometimes dangerous, but always vigorous and often picturesque. With them he had the same success as with the practical politicians of the twenty-first assembly district, although they were widely different specimens of mankind. But all alike were human at bottom and so was Roosevelt. He argued with them, rode with them, camped with them, played and joked with them, but was always master of his outfit. They respected him and also liked him because he was at all times simple, straightforward, outspoken, and sincere. He became a popular and well-known figure in that western country and was regarded as a good fellow, a "white man," entirely fearless, thoroughly good natured and kind, never quarrelsome, and never safe to trifle with, bully, or threaten. The life and experiences of that time found their way into a book, "The Hunting Trips of a Ranchman," interesting in description and adventure and also showing a marked literary quality.

In 1886 he ran as Republican candidate for mayor of New York and might have been elected had his own party stood by him. But many excellent men of Republican faith, the "timid good," as he called them, panic-stricken by the formidable candidacy of Henry George, flocked to the support of Mr. Abram Hewitt, the Democratic candidate, as the man most certain to defeat the menacing champion of single taxation. Roosevelt was beaten, but his campaign, which was entirely his own and the precursor of many others, his speeches with their striking quality then visible to the country for the first time, all combined to fix the attention of the people upon the losing candidate. Roosevelt was the one of the candidates who was most interesting, and again he had touched the imagination of the people and cut a little deeper into the popular consciousness and memory.

Two years more of private life, devoted to his home, where his greatest happiness was always found, to his ranch, to reading and writing books, and then came an active part in the campaign of 1888, resulting in the election of President Harrison, who made him civil-service commissioner in the spring of 1889. He was in his thirty-first year. Civil-service reform as a practical question was then in its initial stages. The law establishing it, limited in extent and forced through by a few leaders of both parties in the Senate, was only six years old. The promoters of the reform, strong in quality but weak in numbers, had compelled a reluctant acceptance of the law by exercising a balance of power vote in certain States and districts. It had few earnest supporters in Congress, some lukewarm friends, and many strong opponents. All the active politicians were practically against it. Mr. Conkling had said that when Dr. Johnson told Boswell "that patriotism was the last refuge of a scoundrel" he was ignorant of the possibilities of the word "reform," and this witticism met with a large response.

Civil-service reform, meaning the establishment of a classified service and the removal of routine administrative offices from politics, had not reached the masses of the people at all. The average voter knew and cared nothing about it. When six years later Roosevelt resigned from the commission the great body of the people knew well what civil-service reform meant, large bodies of voters cared a great deal about it, and it was established and spreading its control. We have had many excellent men who have done good work in the Civil Service Commission, although that work is neither adventurous nor exciting and rarely attracts public attention, but no one has ever forgotten that Theodore Roosevelt was once civil-service commissioner.

He found the law struggling for existence, laughed at, sneered at, surrounded by enemies in Congress, and with but few fighting friends. He threw himself into the fray. Congress investigated the commission about once a year, which was exactly what Roosevelt desired. Annually, too, the opponents of the reform would try to defeat the appropriation for the commission, and this again was playing into Roosevelt's hands, for it led to debates, and the newspapers as a rule sustained the reform. Senator Gorman mourned in the Senate over the cruel fate of a "bright young man" who was unable to tell on examination the distance of Baltimore from China, and thus was deprived of his inalienable right to serve his country in the post office. Roosevelt proved that no such question had ever been asked and requested the name of the "bright young man." The name was not forthcoming, and the victim of a question never asked goes down nameless to posterity in the CONGRESSIONAL RECORD as merely a "bright young man." Then General Grosvenor, a leading Republican of the House, denounced the commissioner for crediting his district with an appointee name Rufus Putnam who was not a resident of the district,

and Roosevelt produced a letter from the general recommending Rufus Putnam as a resident of his district and a constituent. All this was unusual. Hitherto it had been a safe amusement to ridicule and jeer at civil-service reform, and here was a commissioner who dared to reply vigorously to attacks, and even to prove Senators and Congressmen to be wrong in their facts. The amusement of baiting the Civil Service Commission seemed to be less inviting than before, and, worse still, the entertaining features seemed to have passed to the public, who enjoyed and approved the commissioner who disregarded etiquette and fought hard for the law he was appointed to enforce. The law suddenly took on new meaning and became clearly visible in the public mind, a great service to the cause of good government.

After six years' service in the Civil Service Commission Roosevelt left Washington to accept the position of President of the Board of Police Commissioners of the city of New York, which had been offered to him by Mayor Strong. It is speaking within bounds to say that the history of the police force of New York has been a checkered one in which the black squares have tended to predominate. The task which Roosevelt confronted was then, as always, difficult, and the machinery of four commissioners and a practically irremovable chief made action extremely slow and uncertain. Roosevelt set himself to expel politics and favoritism in appointments and promotions and to crush corruption everywhere. In some way he drove through the obstacles and effected great improvements, although permanent betterment was perhaps impossible. Good men were appointed and meritorious men promoted as never before, while the corrupt and dangerous officers were punished in a number of instances sufficient, at least, to check and discourage evildoers. Discipline was improved, and the force became very loyal to the chief commissioner, because they learned to realize that he was fighting for right and justice without fear or favor. The results were also shown in the marked decrease of crime, which judges pointed out from the bench. Then, too, it was to be observed that a New York police commissioner suddenly attracted the attention of the country. The work which was being done by Roosevelt in New York, his midnight walks through the worst quarters of the great city to see whether the guardians of the peace did their duty, which made the newspapers compare him to Haroun Al Raschid, all appealed to the popular imagination. A purely local office became national in his hands, and his picture appeared in the shops of European cities. There was something more than vigor and picturesqueness necessary to explain these phenomena. The truth is that Roosevelt was really laboring through a welter of details to carry out certain general principles which went to the very roots of society and government. He wished the municipal administration to be something far greater than a business man's administration, which was the demand that had triumphed at the polls. He wanted to make it an administration of the workingmen, of the dwellers in the tenements, of the poverty and suffering which haunted the back streets and hidden purlieus of the huge city. The people did not formulate these purposes as they watched what he was doing, but they felt them and understood them by that instinct which is often so keen in vast bodies of men. The man who was toiling in the seeming obscurity of the New York police commission again became very distinct to his fellow countrymen and deepened their consciousness of his existence and their comprehension of his purposes and aspirations.

Striking as was the effect of this police work, it only lasted for two years. In 1897 he was offered by President McKinley, whom he had energetically supported in the preceding campaign, the position of Assistant Secretary of the Navy. He accepted at once, for the place and the work both appealed to him most strongly. The opportunity did not come without resistance. The President, an old friend, liked him and believed in him, but the Secretary of the Navy had doubts, and also fears that Roosevelt might be a disturbing and restless assistant. There were many politicians, too, especially in his own State, whom his activities as civil service and police commissioner did not delight, and these men opposed him. But his friends were powerful and devoted, and the President appointed him.

His new place had to him a peculiar attraction. He loved the Navy. He had written its brilliant history in the War of 1812. He had done all in his power in stimulating public opinion to support the "new Navy" we were just then beginning to build. That war was coming with Spain he had no doubt. We were unprepared, of course, even for such a war as this, but Roosevelt set himself to do what could be done. The best and most far-seeing officers rallied round him, but the opportunities were limited. There was much in detail accomplished which can not be described here, but two acts of his which had very distinct effect upon the fortunes of the war must be noted. He saw very plainly—although most people never perceived it at all—that the Philippines would be a vital point in any war with Spain. For this reason it was highly important to have the right man in command of the Asiatic Squadron. Roosevelt was satisfied that Dewey was the right man, and that his rival was not. He set to work to secure the place for Dewey. Through the aid of the Senators from Dewey's native State and others, he succeeded. Dewey was ordered to the Asiatic Squadron. Our relations with Spain grew worse and worse. On February 25, 1898, war was drawing very near, and that Saturday afternoon Roosevelt happened to be Acting Secretary, and sent out the following cablegram:

Dewey—Hongkong.

Order the squadron, except the *Monocacy*, to Hongkong. Keep full of coal. In the event of declaration of war, Spain, your duty will be to see that the Spanish squadron does not leave the Asiatic coast, and then offensive operations in the Philippine Islands. Keep *Olympia* until further orders.

ROOSEVELT.

I believe he was never again permitted to be Acting Secretary. But the deed was done. The wise word of readiness had been spoken and was not recalled. War came, and as April closed, Dewey, all prepared, slipped out of Hongkong and on May 1 fought the battle of Manila Bay.

Roosevelt, however, did not continue long in the Navy Department. Many of his friends felt that he was doing such admirable work there that he ought to remain, but as soon as war was declared he determined to go, and his resolution was not to be shaken. Nothing could prevent his fighting for his country when the country was at war. Congress had authorized three volunteer regiments of Cavalry, and the President and the Secretary of War gave to Leonard Wood—then a surgeon in the Regular Army—as colonel, and to Theodore Roosevelt, as lieutenant colonel, authority to raise one of these regiments, known officially as the First United States Volunteer Cavalry and to all the country as the "Rough Riders." The regiment was raised chiefly in the Southwest and West, where Roosevelt's popularity and reputation among the cowboys and the ranchmen brought many eager recruits to serve with him. After the regiment had been organized and equipped they had some difficulty in getting to Cuba, but Roosevelt as usual broke through all obstacles, and finally succeeded, with Col. Wood, in getting away with two battalions, leaving one battalion and the horses behind.

The regiment got into action immediately on landing and forced its way, after some sharp fighting in the jungle, to the high ground on which were placed the fortifications which defended the approach to Santiago. Colonel Wood was almost immediately given command of a brigade, and this left Roosevelt colonel of the regiment. In the battle which ensued and which resulted in the capture of the positions commanding Santiago and the bay, the Rough Riders took a leading part, storming one of the San Juan heights, which they christened Kettle Hill, with Roosevelt leading the men in person. It was a dashing, gallant assault, well led and thoroughly successful. Santiago fell after the defeat of the fleet, and then followed a period of sickness and suffering—the latter due to unreadiness—where Roosevelt did everything with his usual driving energy to save his men, whose loyalty to their colonel went with them through life. The war was soon over, but brief as it had been Roosevelt and his men had highly distinguished themselves, and he stood out in the popular imagination as one of the conspicuous figures of the conflict. He brought his regiment back to the United States, where they were mustered out, and almost immediately afterwards he was nominated by the Republicans as their candidate for governor of the State of New York. The situation in New York was unfavorable for the Republicans, and the younger men told Senator Platt, who dominated the organization and who had no desire for Roosevelt, that unless he was nominated they could not win. Thus forced, the organization accepted him, and it was well for the party that they did so. The campaign was a sharp one and very doubtful, but Roosevelt was elected by a narrow margin and assumed office at the beginning of the new year of 1899. He was then in his forty-first year.

Many problems faced him and none were evaded. He was well aware that the "organization" under Senator Platt would not like many things he was sure to do, but he determined that he would have neither personal quarrels nor faction fights. He knew, being blessed with strong common sense, that the Republican Party, his own party, was the instrument by which alone he could attain his ends, and he did not intend that it should be blunted and made useless by internal strife. And yet he meant to have his own way. It was a difficult rôle which he undertook to play, but he succeeded. He had many differences with the organization managers, but he declined to lose his temper or to have a break, and he also refused to yield

when he felt he was standing for the right and a principle was at stake. Thus he prevailed. He won on the canal question, changed the insurance commissioner, and carried the insurance legislation he desired. As in these cases so it was in lesser things. In the police commission he had been strongly impressed by the dangers as he saw them of the undue and often sinister influence of business, finance, and great money interests upon government and politics. These feelings were deepened and broadened by his experience and observation on the larger stage of State administration. The belief that political equality must be strengthened and sustained by industrial equality and a larger economic opportunity was constantly in his thoughts until it became a governing and guiding principle.

Meantime he grew steadily stronger among the people, not only of his own State but of the country, for he was well known throughout the West, and there they were watching eagerly to see how the ranchman and Colonel of Rough Riders, who had touched both their hearts and their imagination, was faring as governor of New York. The office he held is always regarded as related to the Presidency, and this, joined to his striking success as governor, brought him into the Presidential field wherever men speculated about the political future. It was universally agreed that McKinley was to be renominated, and so the talk turned to making Roosevelt Vice President. A friend wrote to him in the summer of 1899 as to this drift of opinion, then assuming serious proportions. "Do not attempt," he said, "to thwart the popular desire. You are not a man nor are your close friends men who can plan, arrange, and manage you into office. You must accept the popular wish, whatever it is, follow your star, and let the future care for itself. It is the tradition of our politics, and a very poor tradition, that the Vice Presidency is a shelf. It ought to be, and there is no reason why it should not be, a stepping-stone. Put there by the popular desire, it would be so to you." This view quite naturally did not commend itself to Governor Roosevelt at the moment. He was doing valuable work in New York; he was deeply engaged in important reforms which he had much at heart and which he wished to carry through; and the Vice Presidency did not attract him. A year later he was at Philadelphia, a delegate at large from his State, with his mind unchanged as to the Vice Presidency, while his New York friends, anxious to have him continue his work at Albany, were urging him to refuse. Senator Platt, for obvious reasons, wished to make him Vice President, another obstacle to his taking it. Roosevelt forced the New York delegation to agree on some one else for Vice President, but he could not hold the convention nor could Senator Hanna, who wisely accepted the situation. Governor Roosevelt was nominated on the first ballot, all other candidates withdrawing. He accepted the nomination, little as he liked it.

Thus when it came to the point he instinctively followed his star and grasped the unvacillating hand of destiny. Little did he think that destiny would lead him to the White House through a tragedy which cut him to the heart. He was on a mountain in the Adirondacks when a guide made his way to him across the forest with a telegram telling him that McKinley, the wise, the kind, the gentle, with nothing in his heart but good will to all men, was dying from a wound inflicted by an anarchist murderer, and that the Vice President must come to Buffalo at once. A rapid night drive through the woods and a special train brought him to Buffalo. McKinley was dead before he arrived, and that evening Governor Roosevelt was sworn in as President of the United States.

Within the narrow limits of an address it is impossible to give an account of an administration of seven years which will occupy hundreds of pages when the history of the United States during that period is written. It was a memorable administration, memorable in itself and not by the accident of events, and large in its accomplishment. It began with a surprise. There were persons in the United States who had carefully cultivated, and many people who had accepted without thought, the idea that Roosevelt was in some way a dangerous man. They gloomily predicted that there would be a violent change in the policies and in the officers of the McKinley administration. But Roosevelt had not studied the history of his country in vain. He knew that in three of the four cases where Vice Presidents had succeeded to the Presidency through the death of the elected President their coming had resulted in a violent shifting of policies and men, and, as a consequence, in most injurious dissensions, which in two cases at least proved fatal to the party in power. In all four instances the final obliteration of the Vice President who had come into power through the death of his chief was complete. President Roosevelt did not intend to permit any of these results. As soon as he came into office he announced that he intended to retain President McKinley's Cabinet and to carry out his policies, which had been sustained at the polls. To those overzealous friends who suggested that he could not trust the appointees of President McKinley and that he would be but a pallid imitation of his predecessor he replied that he thought, in any event, the administration would be his, and that if new occasions required new policies he felt that he could meet them, and that no one would suspect him of being a pallid imitation of anybody. His decision, however, gratified and satisfied the country, and it was not apparent that Roosevelt was hampered in any way in carrying out his own policies by this wise refusal to make sudden and violent changes.

Those who were alarmed about what he might do had also suggested that with his combative propensities he was likely to involve the country in war. Yet there never has been an administration, as afterwards appeared, when we were more perfectly at peace with all the world, nor were our foreign relations ever in danger of producing hostilities. But this was not due in the least to the adoption of a timid or yielding foreign policy; on the contrary, it was owing to the firmness of the President in all foreign questions and the knowledge which other nations soon acquired that President Roosevelt was a man who never threatened unless he meant to carry out his threat, the result being that he was not obliged to threaten at all. One of his earliest successes was forcing the settlement of the Alaskan boundary question, which was the single open question with Great Britain that was really dangerous and contained within itself possibilities of war. The accomplishment of this settlement was followed later, while Mr. Root was Secretary of State, by the arrangement of all our outstanding differences with Canada, and during Mr. Root's tenure of office over thirty treaties were made with different nations, including a number of practical and valuable treaties of arbitration. When Germany started to take advantage of the difficulties in Venezuela the affair culminated in the dispatch of Dewey and the fleet to the Caribbean, the withdrawal of England at once, and the agreement of Germany to the reference of all subjects of difference to arbitration. It was President Roosevelt whose good offices brought Russia and Japan together in a negotiation which closed the war between those two powers. It was Roosevelt's influence which contributed powerfully to settling the threatening controversy between Germany, France, and England in regard to Morocco, by the Algeciras conference. It was Roosevelt who sent the American fleet of battleships round the world, one of the most convincing peace movements ever made on behalf of the United States. Thus it came about that this President, dreaded at the beginning on account of his combative spirit, received the Nobel prize in 1906 as the person who had contributed most to the peace of the world in the preceding years, and his contribution was the result of strength and knowledge and not of weakness.

At home he recommended to Congress legislation which was directed toward a larger control of the railroads and to removing the privileges and curbing the power of great business combinations obtained through rebates and preferential freight rates. This legislation led to opposition in Congress and to much resistance by those affected. As we look back, this legislation, so much contested at the time, seems very moderate, but it was none the less momentous. President Roosevelt never believed in Government ownership, but he was thoroughly in favor of strong and effective Government supervision and regulation of what are now known generally as public utilities. He had a deep conviction that the political influence of financial and business interests and of great combinations of capital had become so great that the American people were beginning to distrust their own Government, than which there could be no greater peril to the Republic. By his measures and by his general attitude toward capital and labor both he sought to restore and maintain the confidence of the people in the Government they had themselves created.

In the Panama Canal he left the most enduring, as it was the most visible, monument of his administration. Much criticized at the moment for his action in regard to it, which time since then has justified and which history will praise, the great fact remains that the canal is there. He said himself that he made up his mind that it was his duty to establish the canal and have the debate about it afterwards, which seemed to him better than to begin with indefinite debate and have no canal at all. This is a view which posterity both at home and abroad will accept and approve.

These, passing over as we must in silence many other beneficent acts, are only a few of the most salient features of his administration, stripped of all detail and all enlargement. Despite the conflicts which some of his domestic policies had produced

not only with his political opponents but within the Republican ranks, he was overwhelmingly reelected in 1904, and when the seven years had closed the country gave a like majority to his chosen successor, taken from his own Cabinet. On the 4th of March, 1909, he returned to private life at the age of fifty, having been the youngest President known to our history.

During the brief vacations which he had been able to secure in the midst of the intense activities of his public life after the Spanish War he had turned for enjoyment to expeditions in pursuit of big game in the wildest and most unsettled regions of the country. Open-air life and all its accompaniments of riding and hunting were to him the one thing that brought him the most rest and relaxation. Now, having left the Presidency, he was able to give full scope to the love of adventure, which had been strong with him from boyhood. Soon after his retirement from office he went to Africa, accompanied by a scientific expedition sent out by the Smithsonian Institution. He landed in East Africa, made his way into the interior, and thence to the sources of the Nile, after a trip in every way successful both in exploration and in the pursuit of big game. He then came down the Nile through Egypt and thence to Europe, and no private citizen of the United States—probably no private man of any country—was ever received in a manner comparable to that which met Roosevelt in every country in Europe which he visited. Everywhere it was the same—in Italy, in Germany, in France, in England. Every honor was paid to him that authority could devise, accompanied by every mark of affection and admiration which the people of those countries were able to show. He made few speeches while in Europe, but in those few he did not fail to give to the questions and thought of the time real and genuine contributions, set forth in plain language, always vigorous and often eloquent. He returned in the summer of 1910 to the United States and was greeted with a reception on his landing in New York quite equaling in interest and enthusiasm that which had been given to him in Europe.

For two years afterwards he devoted himself to writing, not only articles as contributing editor of the Outlook, but books of his own and addresses and speeches which he was constantly called upon to make. No man in private life probably ever had such an audience as he addressed, whether with tongue or pen, upon the questions of the day, with a constant refrain as to the qualities necessary to make men both good citizens and good Americans. In the spring of 1912 he decided to become a candidate for the Republican nomination for the Presidency, and a very heated struggle followed between himself and President Taft for delegations to the convention. The convention when it assembled in Chicago was the stormiest ever known in our history. President Taft was renominated, most of the Roosevelt delegates refusing to vote, and a large body of Republicans thereupon formed a new party called the "Progressive" and nominated Mr. Roosevelt as their candidate. This division into two nearly equal parts of the Republican Party, which had elected Mr. Roosevelt and Mr. Taft in succession by the largest majorities ever known, made the victory of the Democratic candidate absolutely certain. Colonel Roosevelt, however, stood second in the poll, receiving 4,119,507 votes, carrying 6 States and winning eighty-eight electoral votes. There never has been in political history, when all conditions are considered, such an exhibition of extraordinary personal strength. To have secured eighty-eight electoral votes when his own party was hopelessly divided, with no great historic party name and tradition behind him, with an organization which had to be hastily brought together in a few weeks, seems almost incredible, and in all his career there is no display of the strength of his hold upon the people equal to this.

In the following year he yielded again to the longing for adventure and exploration. Going to South America, he made his way up through Paraguay and western Brazil, and then across a trackless wilderness of jungle and down an unknown river into the Valley of the Amazon. It was a remarkable expedition and carried him through what is probably the most deadly climate in the world. He suffered severely from the fever, the poison of which never left him and which finally shortened his life.

In the next year the great war began, and Col. Roosevelt threw himself into it with all the energy of his nature. With Major Gardner he led the great fight for preparedness in a country utterly unprepared. He saw very plainly that in all human probability it would be impossible for us to keep out of the war. Therefore in season and out of season he demanded that we should make ready. He and Major Gardner, with the others who joined them, roused a widespread and powerful sentiment in the country, but there was no practical effect on the Army. The Navy was the single place where anything was really done, and that only in the bill of 1916, so that war finally came upon us as unready as Roosevelt had feared we should be. Yet the campaign he made was not in vain, for in addition to the question of preparation he spoke earnestly of other things, other burning questions, and he always spoke to an enormous body of listeners everywhere. He would have had us protest and take action at the very beginning, in 1914, when Belgium was invaded. He would have had us go to war when the murders of the *Lusitania* were perpetrated. He tried to stir the soul and rouse the spirit of the American people, and despite every obstacle he did awaken them, so that when the hour came, in April, 1917, a large proportion of the American people were even then ready in spirit and in hope. How telling his work had been was proved by the confession of his country's enemies, for when he died the only discordant note, the only harsh words, came from the German press. Germany knew whose voice it was that more powerfully than any other had called Americans to the battle in behalf of freedom and civilization, where the advent of the armies of the United States gave victory to the cause of justice and righteousness.

When the United States went to war Colonel Roosevelt's one desire was to be allowed to go to the fighting line. There if fate had laid its hand upon him it would have found him glad to fall in the trenches or in a charge at the head of his men, but it was not permitted to him to go, and thus he was denied the reward which he would have ranked above all others, "the great prize of death in battle." But he was a patriot in every fiber of his being, and personal disappointment in no manner slackened or cooled his zeal. Everything that he could do to forward the war, to quicken preparation, to stimulate patriotism, to urge on efficient action, was done. Day and night, in season and out of season, he never ceased his labors. Although prevented from going to France himself, he gave to the great conflict that which was far dearer to him than his own life. I can not say that he sent his four sons, because they all went at once, as everyone knew that their father's sons would go. Two have been badly wounded; one was killed. He met the blow with the most splendid and unflinching courage, met it as Siward, the Earl of Northumberland, receives in the play the news of his son's death:

Siw. Had he his hurts before?
Ross. Ay, on the front.
Siw. Why then, God's soldier be he!
Had I as many sons as I have hairs,
I would not wish them to a fairer death:
And so, his knell is knoll'd.

Among the great tragedies of Shakespeare, and there are none greater in all the literature of man, Macbeth was Colonel Roosevelt's favorite, and the moving words which I have just quoted I am sure were in his heart and on his lips when he faced with stern resolve and self-control the anguish brought to him by the death of his youngest boy, killed in the glory of a brave and brilliant youth.

He lived to see the right prevail; he lived to see civilization triumph over organized barbarism; and there was great joy in his heart. In all his last days the thoughts which filled his mind were to secure a peace which should render Germany forever harmless and advance the cause of ordered freedom in every land and among every race. This occupied him to the exclusion of everything else, except what he called and what we like to call Americanism. There was no hour down to the end when he would not turn aside from everything else to preach the doctrine of Americanism, of the principles and the faith upon which American government rested, and which all true Americans should wear in their heart of hearts. He was a great patriot, a great man; above all, a great American. His country was the ruling, mastering passion of his life from the beginning even unto the end.

So closes the inadequate, most incomplete account of a life full of work done and crowded with achievement, brief in years and prematurely ended. The recitation of the offices which he held and of some of the deeds that he did is but a bare, imperfect catalogue into which history when we are gone will breathe a lasting life. Here to-day it is only a background, and that which most concerns us now is what the man was of whose deeds done it is possible to make such a list. What a man was is ever more important than what he did, because it is upon what he was that all his achievement depends and his value and meaning to his fellow men must finally rest.

Theodore Roosevelt always believed that character was of greater worth and moment than anything else. He possessed abilities of the first order, which he was disposed to underrate because he set so much greater store upon the moral qualities which we bring together under the single word "character."

Let me speak first of his abilities. He had a powerful, well-trained, ever-active mind. He thought clearly, independently,

and with originality and imagination. These priceless gifts were sustained by an extraordinary power of acquisition, joined to a greater quickness of apprehension, a greater swiftness in seizing upon the essence of a question, than I have ever happened to see in any other man. His reading began with natural history, then went to general history, and thence to the whole field of literature. He had a capacity for concentration which enabled him to read with remarkable rapidity anything which he took up, if only for a moment, and which separated him for the time being from everything going on about him. The subjects upon which he was well and widely informed would, if enumerated, fill a large space, and to this power of acquisition was united not only a tenacious but an extraordinarily accurate memory. It was never safe to contest with him on any question of fact or figures, whether they related to the ancient Assyrians or to the present-day conditions of the tribes of central Africa, to the Syracusan Expedition, as told by Thucydides, or to protective coloring in birds and animals. He knew and held details always at command, but he was not mastered by them. He never failed to see the forest on account of the trees or the city on account of the houses.

He made himself a writer, not only of occasional addresses and essays, but of books. He had the trained thoroughness of the historian, as he showed in his history of the War of 1812 and of the "Winning of the West," and nature had endowed him with that most enviable of gifts, the faculty of narrative and the art of the teller of tales. He knew how to weigh evidence in the historical scales and how to depict character. He learned to write with great ease and fluency. He was always vigorous, always energetic, always clear and forcible in everything he wrote—nobody could ever misunderstand him—and when he allowed himself time and his feelings were deeply engaged he gave to the world many pages of beauty as well as power, not only in thought but in form and style. At the same time he made himself a public speaker, and here again, through a practice probably unequaled in amount, he became one of the most effective in all our history. In speaking, as in writing, he was always full of force and energy; he drove home his arguments and never was misunderstood. In many of his more carefully prepared addresses are to be found passages of impressive eloquence, touched with imagination and instinct with grace and feeling.

He had a large capacity for administration, clearness of vision, promptness in decision, and a thorough apprehension of what constituted efficient organization. All the vast and varied work which he accomplished could not have been done unless he had had most exceptional natural abilities, but behind them was the driving force of an intense energy and the ever-present belief that a man could do what he willed to do. As he made himself an athlete, a horseman, a good shot, a bold explorer, so he made himself an exceptionally successful writer and speaker. Only a most abnormal energy would have enabled him to enter and conquer in so many fields of intellectual achievement. But something more than energy and determination is needed for the largest success, especially in the world's high places. The first requisite of leadership is ability to lead, and that ability Theodore Roosevelt possessed in full measure. Whether in a game or in the hunting field, in a fight or in politics, he sought the front, where, as Webster once remarked, there is always plenty of room for those who can get there. His instinct was always to say "come" rather than "go," and he had the talent of command.

His also was the rare gift of arresting attention sharply and suddenly, a very precious attribute, and one easier to illustrate than to describe. This arresting power is like a common experience which we have all had on entering a picture gallery, of seeing at once and before all others a single picture among the many on the walls. For a moment you see nothing else, although you may be surrounded with masterpieces. In that particular picture lurks a strange, capturing, gripping fascination as impalpable as it is unmistakable. Roosevelt had this same arresting, fascinating quality. Whether in the legislature at Albany, the Civil Service Commission at Washington, or the police commission in New York, whether in the Spanish War or on the plains among the cowboys, he was always vivid, at times startling, never to be overlooked. Nor did this power stop here. He not only without effort or intention drew the eager attention of the people to himself, he could also engage and fix their thoughts upon anything which happened to interest him. It might be a man or a book, reformed spelling or some large historical question, his traveling library or the military preparation of the United States, he had but to say, "See how interesting, how important, is this man or this event," and thousands, even millions, of people would reply, "We never thought of this before, but it certainly is one of the most interesting, most absorbing things in the world." He touched a subject and it suddenly began to glow as when the high-power electric current touches the metal and the white light starts forth and dazzles the onlooking eyes. We know the air played by the Pied Piper of Hamelin no better than we know why Theodore Roosevelt thus drew the interest of men after him. We only know they followed wherever his insatiable activity of mind invited them.

Men follow also most readily a leader who is always there before them, clearly visible and just where they expect him. They are especially eager to go forward with a man who never sounds a retreat. Roosevelt was always advancing, always struggling to make things better, to carry some much-needed reform, and help humanity to a larger chance, to a fairer condition, to a happier life. Moreover, he looked always for an ethical question. He was at his best when he was fighting the battle of right against wrong. He thought soundly and wisely upon questions of expediency or of political economy, but they did not rouse him or bring him the absorbed interest of the eternal conflict between good and evil. Yet he was never impractical, never blinded by counsels of perfection, never seeking to make the better the enemy of the good. He wished to get the best, but he would strive for all that was possible even if it fell short of the highest at which he aimed. He studied the lessons of history and did not think the past bad simply because it was the past, or the new good solely because it was new. He sought to try all questions on their intrinsic merits, and that was why he succeeded in advancing, in making government and society better where others, who would be content with nothing less than an abstract perfection, failed. He would never compromise a principle, but he was eminently tolerant of honest differences of opinion. He never hesitated to give generous credit where credit seemed due, whether to friend or opponent, and in this way he gathered recruits and yet never lost adherents.

The criticism most commonly made upon Theodore Roosevelt was that he was impulsive and impetuous, that he acted without thinking. He would have been the last to claim infallibility. His head did not turn when fame came to him and choruses of admiration sounded in his ears, for he was neither vain nor credulous. He knew that he made mistakes, and never hesitated to admit them to be mistakes and to correct them or put them behind him when satisfied that they were such. But he wasted no time in mourning, explaining, or vainly regretting them. It is also true that the middle way did not attract him. He was apt to go far, both in praise and censure, although nobody could analyze qualities and balance them justly in judging men better than he. He felt strongly, and as he had no concealments of any kind he expressed himself in like manner. But vehemence is not violence nor is earnestness anger, which a very wise man defined as a brief madness. It was all according to his nature, just as his eager cordiality in meeting men and women, his keen interest in other people's cares or joys, was not assumed, as some persons thought who did not know him. It was all profoundly natural, it was all real, and in that way and in no other was he able to meet and greet his fellow men. He spoke out with the most unrestrained frankness at all times and in all companies. Not a day passed in the Presidency when he was not guilty of what the trained diplomatist would call indiscretions. But the frankness had its own reward. There never was a President whose confidence was so respected or with whom the barriers of honor which surround private conversation were more scrupulously observed. At the same time, when the public interest required, no man could be more wisely reticent. He was apt, it is true, to act suddenly and decisively, but it was a complete mistake to suppose that he therefore acted without thought or merely on a momentary impulse. When he had made up his mind he was resolute and unchanging, but he made up his mind only after much reflection, and there never was a President in the White House who consulted not only friends but political opponents and men of all kinds and conditions more than Theodore Roosevelt. When he had reached his conclusion he acted quickly and drove hard at his object, and this it was, probably, which gave an impression that he acted sometimes hastily and thoughtlessly, which was a complete misapprehension of the man. His action was emphatic, but emphasis implies reflection, not thoughtlessness. One can not even emphasize a word without a process, however slight, of mental differentiation.

The feeling that he was impetuous and impulsive was also due to the fact that in a sudden, seemingly unexpected crisis he would act with great rapidity. This happened when he had been for weeks, perhaps for months, considering what he should do if such a crisis arose. He always believed that one of the most important elements of success, whether in public or in private life, was to know what one meant to do under given circumstances. If he saw the possibility of

perilous questions arising, it was his practice to think over carefully just how he would act under certain contingencies. Many of the contingencies never arose. Now and then a contingency became an actuality, and then he was ready. He knew what he meant to do, he acted at once, and some critics considered him impetuous, impulsive, and, therefore, dangerous, because they did not know that he had thought the question all out beforehand. Very many people, powerful elements in the community, regarded him at one time as a dangerous radical, bent upon overthrowing all the safeguards of society and planning to tear out the foundations of an ordered liberty. As a matter of fact, what Theodore Roosevelt was trying to do was to strengthen American society and American government by demonstrating to the American people that he was aiming at a larger economic equality and a more generous industrial opportunity for all men, and that any combination of capital or of business which threatened the control of the Government by the people who made it was to be curbed and resisted, just as he would have resisted an enemy who tried to take possession of the city of Washington. He had no hostility to a man because he had been successful in business or because he had accumulated a fortune. If the man had been honestly successful and used his fortune wisely and beneficently, he was regarded by Theodore Roosevelt as a good citizen. The vulgar hatred of wealth found no place in his heart. He had but one standard, one test, and that was whether a man, rich or poor, was an honest man, a good citizen, and a good American. He tried men, whether they were men of "big business" or members of a labor union, by their deeds and in no other way. The tyranny of anarchy and disorder, such as is now desolating Russia, was as hateful to him as any other tyranny, whether it came from an autocratic system like that of Germany or from the misuse of organized capital. Personally he believed in every man earning his own living, and he earned money and was glad to do so, but he had no desire or taste for making money, and he was entirely indifferent to it. The simplest of men in his own habits, the only thing he really would have liked to have done with ample wealth would have been to give freely to the many good objects which continually interested him.

Theodore Roosevelt's power, however, and the main source of all his achievement, was not in the offices which he held, for those offices were to him only opportunities, but in the extraordinary hold which he established and retained over great bodies of men. He had the largest personal following ever attained by any man in our history. I do not mean by this the following which comes from great political office or from party candidacy. There have been many men who have held the highest offices in our history by the votes of their fellow countrymen who have never had anything more than a very small personal following. By personal following is meant here that which supports and sustains and goes with a man simply because he is himself; a following which does not care whether their leader and chief is in office or out of office, which is with him and behind him because they, one and all, believe in him and love him and are ready to stand by him for the sole and simple reason that they have perfect faith that he will lead them where they wish and where they ought to go. This following Theodore Roosevelt had, as I have said, in a larger degree than anyone in our history, and the fact that he had it and what he did with it for the welfare of his fellow men have given him his great place and his lasting fame.

This is not mere assertion; it was demonstrated, as I have already pointed out, by the vote of 1912, and at all times, from the day of his accession to the Presidency onward there were millions of people in this country ready to follow Theodore Roosevelt and vote for him, or do anything else that he wanted, whenever he demanded their support or raised his standard. It was this great mass of support among the people, and which probably was never larger than in these last years, that gave him his immense influence upon public opinion, and public opinion was the weapon which he used to carry out all the policies which he wished to bring to fulfillment and to consolidate all the achievements upon which he had set his heart. This extraordinary popular strength was not given to him solely because the people knew him to be honest and brave, because they were certain that physical fear was an emotion unknown to him, and that his moral courage equaled the physical. It was not merely because they thoroughly believed him to be sincere. All this knowledge and belief, of course, went to making his popular leadership secure; but there was much more in it than that, something that went deeper, basic elements which were not upon the surface, which were due to qualities of temperament interwoven with his very being, inseparable from him and yet subtle rather than obvious in their effects.

All men admire courage, and that he possessed in the highest degree. But he had also something larger and rarer than courage, in the ordinary acceptation of the word. When an assassin shot him at Chicago he was severely wounded; how severely he could not tell, but it might well have been mortal. He went on to the great meeting awaiting him, and there, bleeding, suffering, ignorant of his fate, but still unconquered, made his speech and went from the stage to the hospital. What bore him up was the dauntless spirit which could rise victorious over pain and darkness and the unknown and meet the duty of the hour as if all were well. A spirit like this awakens in all men more than admiration—it kindles affection and appeals to every generous impulse.

Very different, but equally compelling, was another quality. There is nothing in human beings at once so sane and so sympathetic as a sense of humor. This great gift the good fairies conferred upon Theodore Roosevelt at his birth in unstinted measure. No man ever had a more abundant sense of humor—joyous, irrepressible humor—and it never deserted him. Even at the most serious and even perilous moments if there was a gleam of humor anywhere he saw it and rejoiced and helped himself with it over the rough places and in the dark hour. He loved fun, loved to joke and chaff, and, what is more uncommon, greatly enjoyed being chaffed himself. His ready smile and contagious laugh made countless friends and saved him from many an enmity. Even more generally effective than his humor, and yet allied to it, was the universal knowledge that Roosevelt had no secrets from the American people.

Yet another quality—perhaps the most engaging of all—was his homely, generous humanity, which enabled him to speak directly to the primitive instincts of man.

He dwelt with the tribes of the marsh and moor,
  He sate at the board of kings;
He tasted the toil of the burdened slave
  And the joy that triumph brings.
But whether to jungle or palace hall
  Or white-walled tent he came,
He was brother to king and soldier and slave,
  His welcome was the same.

He was very human and intensely American, and this knit a bond between him and the American people which nothing could ever break. And then he had yet one more attraction, not so impressive, perhaps, as the others, but none the less very important and very captivating. He never by any chance bored the American people. They might laugh at him or laugh with him, they might like what he said or dislike it, they might agree with him or disagree with him, but they were never wearied of him and he never failed to interest them. He was never heavy, laborious, or dull. If he had made any effort to be always interesting and entertaining he would have failed and been tiresome. He was unfailingly attractive because he was always perfectly natural and his own unconscious self. And so all these things combined to give him his hold upon the American people, not only upon their minds but upon their hearts and their instincts, which nothing could ever weaken and which made him one of the most remarkable, as he was one of the strongest, characters that the history of popular government can show. He was also—and this is very revealing and explanatory, too, of his vast popularity—a man of ideals. He did not expose them daily on the roadside with language fluttering about them like the Thibetan who ties his slip of paper to the prayer wheel whirling in the wind. He kept his ideals to himself until the hour of fulfillment arrived. Some of them were the dreams of boyhood from which he never departed and which I have seen him carry out shyly and yet thoroughly and with intense personal satisfaction.

He had a touch of the knight errant in his daily life, although he would never have admitted it; but it was there. It was not visible in the medieval form of shining armor and dazzling tournaments but in the never-ceasing effort to help the poor and the oppressed, to defend and protect women and children, to right the wronged and succor the downtrodden. Passing by on the other side was not a mode of travel through life ever possible to him; and yet he was as far distant from the professional philanthropist as could well be imagined, for all he tried to do to help his fellow men he regarded as part of the day's work to be done and not talked about. No man ever prized sentiment or hated sentimentality more than he. He preached unceasingly the familiar morals which lie at the bottom of both family and public life. The blood of some ancestral Scotch covenanter or of some Dutch reformed preacher facing the tyranny of Philip of Spain was in his veins, and with his large opportunities and his vast audiences he was always ready to appeal for justice and righteousness. But his own particular ideals he never attempted to thrust upon the world until the day came when they were to be translated into realities of action.

When the future historian traces Theodore Roosevelt's extraordinary career he will find these embodied ideals planted like milestones along the road over which he marched. They never left him. His ideal of public service was to be found in his life, and as his life drew to its close he had to meet his ideal of sacrifice face to face. All his sons went from him to the war and one was killed upon the field of honor. Of all the ideals that lift men up, the hardest to fulfill is the ideal of sacrifice. Theodore Roosevelt met it as he had all others and fulfilled it to the last jot of its terrible demands. His country asked the sacrifice and he gave it with solemn pride and uncomplaining lips.

This is not the place to speak of his private life, but within that sacred circle no man was ever more blessed in the utter devotion of a noble wife and the passionate love of his children. The absolute purity and beauty of his family life tell us why the pride and interest which his fellow countrymen felt in him were always touched with the warm light of love. In the home so dear to him, in his sleep, death came, and—

So Valiant-for-Truth passed over and all the trumpets sounded for him on the other side.

BENEDICTION.

Rev. Forrest J. Prettyman, D. D., Chaplain of the Senate, pronounced the following benediction:

And now may the grace of our Lord Jesus Christ, and the love of God, and the fellowship of the Holy Spirit be with you all evermore. Amen.

ADJOURNMENT.

The VICE PRESIDENT. The purpose for which this joint session of the Congress of the United States this day assembled having been satisfactorily concluded, it is now adjourned.

Whereupon (at 4 o'clock and 45 minutes p. m.) the House adjourned until Monday, February 10, 1919, at 11 o'clock a. m.

SENATE.

MONDAY, *February 10, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast given to us our place in the world and called us to places of responsibility at a time when the world is seeking the paths of peace and the nations are conferring with each other about the way for the establishment of justice and right among all men. We pray that we may all turn back to the ancient statutes of the Lord and may find that upon building on these we may build with security and with hope and with confidence the temple of human justice and right. Grant us willing hearts to respond to the divine command and active lives to express our consecration to the divine will. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Friday, February 7, 1919, when, on request of Mr. SHEPPARD and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 1847. An act to authorize the addition of certain lands to the Wyoming National Forest;

H. R. 1607. An act for the relief of David E. Gray;

H. R. 12996. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 12997. An act granting the consent of Congress to the Youngstown Sheet & Tube Co. to construct, maintain, and operate a bridge across the Mahoning River, in the State of Ohio;

H. R. 13232. An act to extend the time for the construction of a bridge across the Red River of the North, between Traill County, N. Dak., and Polk County, Minn.;

H. R. 13273. An act to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917; and

H. R. 13353. An act to extend the provisions of the homestead laws touching credit for period of enlistment to the soldiers, nurses, and officers of the Army and the seamen, marines, nurses, and officers of the Navy and the Marine Corps of the United States who have served or will have served with the Mexican border operations or during the war between the United States and Germany and her allies.

SENATOR FROM NEBRASKA.

The VICE PRESIDENT. The Chair lays before the Senate the following credentials of election of the Senator from Nebraska [Mr. NORRIS], which will be read and placed on the files.

The credentials were read and ordered to be filed, as follows:

To the PRESIDENT OF THE UNITED STATES SENATE:

This is to certify that on the 5th day of November, 1918, GEORGE W. NORRIS was duly chosen by the qualified electors of the State of Nebraska a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency, our governor, S. R. McKelvie, and our seal hereto affixed at Lincoln, Nebr., this 23d days of January, A. D. 1919.

SAMUEL R. MCKELVIE, *Governor.*

By the governor:
[SEAL.]

D. M. AMSBERRY,
Secretary of State.

SENATOR FROM ARKANSAS.

Mr. KIRBY. Mr. President, I present the credentials of my colleague [Mr. ROBINSON] and ask that they may be read and placed on the file.

The VICE PRESIDENT. The Secretary will read the credentials.

The credentials were read and ordered to be filed, as follows:

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 5th day of November, 1918, JOE T. ROBINSON was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1919.

Witness: His excellency, our governor, Charles H. Brough, and our seal hereto affixed at Little Rock, this 5th day of February, A. D. 1919.

CHARLES H. BROUGH, *Governor.*

By the governor:
[SEAL.]

TOM J. TERRAL,
Secretary of State.

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. Mr. President, I purpose asking unanimous consent to call up House joint resolution 200, and preliminary to that I suggest the absence of a quorum.

Mr. LODGE. Has morning business been disposed of?

The VICE PRESIDENT. No; nothing has been done.

Mr. BORAH. Does that dispense with——

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	Martin, Va.	Smith, S. C.
Baird	Henderson	Moses	Smoot
Bankhead	Hitchcock	Nelson	Spencer
Beckham	Hollis	New	Sterling
Borah	Johnson, Cal.	Norris	Sutherland
Brandegee	Johnson, S. Dak.	Nugent	Swanson
Calder	Jones, N. Mex.	Overman	Thomas
Colt	Jones, Wash.	Page	Thompson
Culberson	Kellogg	Penrose	Townsend
Cummins	Kenyon	Pittman	Trammell
Curtis	King	Poindexter	Underwood
Dillingham	Kirby	Pollock	Vardaman
Fernald	La Follette	Pomerene	Wadsworth
Fletcher	Lenroot	Ransdell	Walsh
France	Lewis	Robinson	Warren
Frelinghuysen	Lodge	Saulsbury	Watson
Gay	McCumber	Shafroth	Williams
Gerry	McKellar	Sheppard	Wolcott
Gore	McLean	Sherman	
Gronna	McNary	Smith, Ga.	
Hale	Martin, Ky.	Smith, Mich.	

Mr. MCNARY. I wish to announce the unavoidable absence of my colleague [Mr. CHAMBERLAIN] on official business.

Mr. LENROOT. I desire to announce that the junior Senator from Georgia [Mr. HARDWICK] is absent on official business.

Mr. SAULSBURY. I wish to announce that the Senator from Maryland [Mr. SMITH] is detained by illness.

Mr. BECKHAM. I desire to announce that the Senator from Georgia [Mr. HARDWICK] is detained on official business.

Mr. MCKELLAR. I wish to announce that my colleague [Mr. SHIELDS] is detained by illness.

The VICE PRESIDENT. Eighty-one Senators have answered to the roll call. There is a quorum present.

Mr. JONES of New Mexico. It has been suggested that it would be satisfactory to the Senate to dispense with the morning business and proceed at once to the consideration of House joint resolution 200. A week ago I gave notice that on to-day the

joint resolution would be called up for consideration, and I will now ask unanimous consent that we may proceed to the consideration of the joint resolution. I will withhold the motion for a little while if any Senator has anything urgent to present.

Mr. LODGE. I have no objection at all to the request the Senator is making, but there is a little morning business that I think we all wish to dispose of and would be glad to put in now—petitions and things of that sort.

Mr. JONES of New Mexico. Then I will withhold the request for a short time.

Mr. LODGE. I am much obliged to the Senator.

The VICE PRESIDENT. The presentation of petitions and memorials is in order.

PETITIONS AND MEMORIALS.

Mr. LODGE. Mr. President, I have here a petition against what are known as the luxury taxes, signed by some 10,000 persons. They request to have stricken from the pending revenue bill the so-called luxury taxes, and give their reasons, which are very brief, and I shall ask to have the petition printed in the RECORD.

I merely wish to say that I am getting many letters on this subject, as well as these great petitions. I wish to state for the benefit of the petitioners that those taxes—so-called luxury taxes, most of them being on objects of prime necessity—were put in in the House while we were at war when it was necessary to raise $8,000,000 of revenue. After the armistice the committee of the Senate struck them out, and the House was anxious to have them stricken out, looking on them only as an extreme war tax. But the Senate in its wisdom saw fit to restore them, and by restoring them put them beyond the power of the conferees. It was impossible for the conferees to take them from the bill and nothing can be done further with that bill. It may be possible to pass a joint resolution later removing them, for they are excessive taxes which ought not to remain. I send the petition to the desk and ask to have it printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

To the SENATORS AND REPRESENTATIVES IN CONGRESS FROM MASSACHUSETTS:

The undersigned consumers respectfully request that you use your votes and influence to have stricken from the pending internal-revenue bill the so-called luxury taxes.

We request this action, because these taxes are discriminatory, will be an unjust and annoying burden to the consumer, will throw out of employment many workmen engaged in manufacturing the articles taxed at a time when it would appear to be necessary to prevent unemployment and because of the fact that the Government will derive a comparatively small revenue at an exceedingly heavy cost of collection.

Mr. SMOOT. Mr. President, I simply rose to say that I have received similar petitions from nearly every institution in the State of Utah signed by the employees of all the dry-goods and grocery stores of that State. I am not going to present them to the Senate, because they are of a character similar to those already presented and printed in the RECORD.

Mr. LODGE presented a petition adopted at a meeting of 1,000 citizens of Brookline, Mass., under the auspices of the Brookline Civic Forum, and a petition of sundry members of the National Academy of Sciences, praying for the creation of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented a telegram in the nature of a petition from the Rotary Club of Lynn, Mass., praying for the return to private ownership of the telephone and telegraph lines, which was referred to the Committee on Post Offices and Post Roads.

He also presented a telegram in the nature of a petition from Local Union 1A, Telephone Operators' Union, of Boston, Mass., and a telegram in the nature of a petition from Local Union No. 142, Inside Telephone Men's Union, of Boston, Mass., praying that an investigation be made of the Federal administration of telephone and telegraph lines, which were referred to the Committee on Post Offices and Post Roads.

He also presented the petition of Henry H. Edes, W. M. Davis, and 136 other citizens of Massachusetts, members of the American Academy of Arts and Sciences, of Boston, praying for action by the President and Congress with a view toward establishing a league of nations for the maintenance of peace, which was referred to the Committee on Foreign Relations.

Mr. GRONNA. Mr. President, it will be remembered that a few days ago we had before the Senate a bill reported from the Committee on Banking and Currency providing that the law be changed so that a national bank may loan more than 10 per cent upon its capital and surplus. I have received a great many telegrams on this subject, but I shall present only one, and I ask to have it printed in the RECORD. It is from the North Dakota Bankers' Association. They favor the provision recommended by the board and the Comptroller of the Currency.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

FARGO, N. DAK., *February 8, 1919.*

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.:

North Dakota national banks very much in favor of bill increasing loaning capacity to 20 per cent of capital. Will greatly aid in development of industries.

NORTH DAKOTA BANKERS ASSOCIATION.

Mr. GRONNA. I also present two telegrams, one from the chairman of the North Dakota Council of Defense, of Bismarck, N. Dak., and one from the chairman of the committee on agriculture of the General Assembly of Connecticut and the president of the Farmers' Association of Connecticut, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the telegrams were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

BISMARCK, N. DAK., *February 4, 1919.*

Hon. A. J. GRONNA,
United States Senate, Washington, D. C.:

The woman's committee of the North Dakota Council of Defense finds the home demonstration agents invaluable in carrying out Government requests. Work just now well underway, and any decrease in fund available for this purpose will be fatal. Woman's committee urges you to do your utmost to defeat bill cutting appropriation.

Mrs. F. L. CONKLIN, *Chairman.*

HARTFORD, CONN, *February 6, 1919.*

Senator ASLE J. GRONNA,
United States Senate, Washington, D. C.:

The farmers association of the Connecticut General Assembly is shocked at the news that the United States Congress is taking away nearly all of our appropriation for extension work in agriculture in our State, and we are appealing to your judgment and for your assistance in preserving this most useful and efficient instrument that assists us in feeding our people. Please help us in this crisis.

CLIFFORD E. HOUGH,
President Farmers Association.
Connecticut General Assembly of 1919.
WATSON WOODRUFF,
Chairman Committee on Agriculture,
Connecticut General Assembly.

Mr. TOWNSEND. My colleague and myself have received a telegram from the Michigan State Legislature in the form of a resolution which was adopted January 2 in behalf of woman's suffrage, practically ratifying the provision to be submitted to the people. This being, as I understand it, the first State to adopt such a resolution, I ask that it be read.

The VICE PRESIDENT. The Secretary will read.

The Secretary read as follows:

LANSING, MICH., *February 8, 1919.*

Senator CHARLES E. TOWNSEND,
Washington, D. C.:

Following is copy of resolution adopted by the Michigan Senate and House of Representatives in joint convention on January 2, 1919:

Whereas an amendment to the Federal Constitution providing that "the right of citizens of the United States to vote shall not be denied or abridged in the United States or any State on account of sex" has passed the House of Representatives and is now pending in the Senate; and

Whereas during the war, in recognition of the value of woman's war service the Parliaments of Great Britain and Canada enfranchised the women of those countries, and those of France and Italy have virtually promised the same act of political justice; and

Whereas immediately after signing of armistice autocratic Germany and Hungary gave women the ballot; and

Whereas in our own country women vote on same terms as men in 15 States and have some voting rights in 20 others laboriously acquired during a struggle of 40 years; and

Whereas the electors of Michigan defeated woman suffrage five years ago by 96,000 votes, two months ago it carried by nearly 35,000 votes, an indication of the great change in sentiment throughout the State; and

Whereas the leaders of all political parties, major and minor, have demanded the passage of this amendment, and the national committee of the major political parties have earnestly indorsed it: Therefore be it

Resolved, That we the members of the Michigan State Legislature in joint session assembled, in recognition of the justice of women's demands and of their contribution to society in war and in peace, do hereby call upon the Senate of the United States to pass the woman suffrage amendment and give the States opportunity to ratify the same.

DENNIS E. ALWARD,
CHARLES E. PIERCE,
Secretaries of Joint Convention.

Mr. PITTMAN. I present a telegram from the governor of Nevada, transmitting resolutions of the Legislature of the State of Nevada urging the passage of the joint resolution proposing an amendment to the Constitution providing for woman suffrage, and requesting the Senators from that State to vote for it. I ask that the telegram may be read.

The VICE PRESIDENT. The Secretary will read, as requested.

The Secretary read as follows:

CARSON, NEV., *February 8, 1919.*

Hon. KEY PITTMAN,
Hon. CHARLES B. HENDERSON,
United States Senate, Washington, D. C.:

Assembly joint and concurrent resolution No. 2 was approved by me February 4, 1919, and is as follows:

"Whereas there is now pending before the Senate of the United States a resolution to submit to the several States an amendment to the Constitution of the United States granting the right of suffrage to women; and

"Whereas the President of the United States has urged the passage of such resolution not only as an act of justice to the women of America, but as a means to encourage the acceptance of democratic ideals throughout the civilized world; and

"Whereas the world war laid its burdens and sacrifices with even hand upon men and women alike and demanded and received from both the fullest measure of patriotism and devotion, in order that the great purposes for which the war was successfully fought might be permanently secured for the benefit of mankind; and

"Whereas in the period of readjustment and reconstruction upon which we have entered there will arise the most difficult and far-reaching moral, social, economic, industrial, and political problems that must of necessity affect the lives of all our people for generations to come and in the solution of which men and women must equally be concerned: Therefore be it

"*Resolved by the assembly (the senate concurring)*, That the Senate of the United States be hereby requested to immediately pass such resolution to submit to the States for their approval the Susan B. Anthony amendment to the Constitution of the United States; and be it further

"*Resolved*, That the Senators from Nevada be requested to present this resolution to the United States Senate and to energetically and actively support the resolution submitting such amendment."

EMMET D. BOYLE, *Governor.*

Mr. PITTMAN. Mr. President, I ask leave to have published in the RECORD, following the telegram just read, the list of the names of the women representing the National American Woman Suffrage Association of the State, which has indorsed the resolution.

The VICE PRESIDENT. Is there objection?

There being no objection, the list referred to was ordered to be printed in the RECORD, as follows:

Assembly joint and concurrent resolution.

Whereas there is now pending before the Senate of the United States a resolution to submit to the several States an amendment to the Constitution of the United States granting the right of suffrage to women; and

Whereas the President of the United States has urged the passage of such resolution, not only as an act of justice to the women of America but as a means of encouraging the acceptance of democratic ideals throughout the civilized world; and

Whereas the world war laid its burdens and sacrifices with even hand upon men and women alike and demanded and received from both the fullest measure of patriotism and devotion in order that the great purposes for which the war was successfully fought might be permanently secured for the benefit of mankind; and

Whereas in the period of readjustment and reconstruction upon which we have entered there will arise the most difficult and far-reaching moral, social, economic, industrial, and political problems that must of necessity affect the lives of all our people for generations to come and in the solution of which men and women must equally be concerned: Therefore be it

Resolved by the assembly (the senate concurring), That the Senate of the United States be hereby requested to immediately pass such resolution to submit to the States for their approval the Susan B. Anthony amendment to the Constitution of the United States; and be it further

Resolved, That the Senators from Nevada be requested to present this resolution to the United States Senate and to energetically and actively support the resolution submitting such amendment.

Helen T. Belford, Sadie D. Hurst, Mrs. I. B. Church, Emma G. Vanderheith, Mrs. W. H. Hood, Mrs. Mark Walser, Mrs. F. G. Patrick, Fannie V. McKenzie, Mrs. C. H. Burke, Mrs. R. D. Eichelberger, Mrs. W. H. Bray, Mrs. Christina W. Clark, Mrs. Tegwen M. Daniel, Mrs. O. H. Mack, Mary Franzman, Mary A. Boyd, Nevada Suffrage Ratification Committee of the National American Woman Suffrage Association, indorsed by the Woman's Citizens' Club, of Reno, Nev.

Mr. KELLOGG. I present a resolution adopted by the Legislature of the State of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

[Minnesota Legislature, session of 1919.]

Resolution by the House of Representatives of the State of Minnesota (the Senate concurring), memorializing Congress to provide means for purchasing and moving of the wheat still remaining in the hands of the farmers.

Whereas fully one-third of the wheat crop of the Northwest tributary to the terminal markets of Minneapolis, St. Paul, and Duluth still remains in the hands of the farmers, who are anxious to dispose of their grain, but are advised by grain buyers that they are unable to purchase any more wheat for the reason that an embargo has been imposed against all shipments of grain; and

Whereas in some parts of Minnesota and North Dakota the granaries are not in condition to carry grain for any considerable period, and if the embargo against the shipments of grain is not lifted at once and the wheat disposed of there will be a great loss sustained by the farmers of this section, who, responding to the call of the Federal Government to produce this wheat, did so under personal sacrifice and under difficult conditions, owing to the fact that many of their young men were taken into the Army: Therefore be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That we request the Government of the United States to cause some provision to be made for moving of such wheat as speedily as possible, and we ask and urge the Representatives of the State of Minnesota in Congress to do all in their power to have some means provided for the purchase and movement of the wheat crop still in the hands of our farmers: Be it further

Resolved, That the chief clerk of the house is hereby instructed to forward a copy of this resolution to the Secretary of Agriculture and to each of the United States Senators and Congressmen from Minnesota.

Adopted February 4, 1919.

W. I. NOLAN,
Speaker of the House.

Attest:

OSCAR ARNESON,
Chief Clerk.

Mr. KELLOGG. I also present a resolution adopted by the Legislature of the State of Minnesota, which I ask to have printed in the RECORD.

There being no objection, the resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

[Minnesota Legislature, House of Representatives, session of 1919.]

A concurrent resolution to the House of Representatives and Senate of the United States.

Whereas the successful prosecution of the recent world war would have been impossible without the staunch and loyal cooperation of the Nation's workers; and

Whereas many of these workers have, while engaged in industry, sustained injuries as serious and as enduring as those suffered by soldiers on the field of battle and are as greatly in need of rehabilitation in order that they may be restored to capacity for useful pursuits; and

Whereas there is now pending in Congress a bill known as the Smith-Bankhead bill (S. 4922; H. R. 12880), which would make available for industrial and other cripples the same advantages of retraining that have been extended to soldiers wounded in the line of duty, granting aid from the Federal Treasury for the reeducation and placement of the disabled and giving the invaluable assistance of the Federal Government in standardizing and developing such work: Now, therefore, be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That we earnestly and urgently petition your honorable body to give early and favorable consideration to the aforesaid Smith-Bankhead bill, both as an act of justice and as a fitting recognition of the splendid service of American labor during the recent world crisis.

That a copy of this resolution be forwarded to the Speaker of the House of Representatives, the President of the Senate, and to each Senator and Representative from the State of Minnesota.

W. I. NOLAN,
Speaker of the House.

Attest:

OSCAR ARNESON,
Chief Clerk.

Mr. KENYON presented a petition of the Commercial Club of Ottumwa, Iowa, praying that better service be rendered by the express companies, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Town Club of Marshalltown, Iowa, praying for the enactment of legislation to prevent the return to the United States of any person who was engaged in opposition to the United States and its allies in the war, and for the deportation of all enemy aliens, which was referred to the Committee on Immigration.

He also presented a petition of Local Branch United Textile Workers of America, of New York City, N. Y., praying for the establishment of an eight-hour workday for textile workers, which was referred to the Committee on Education and Labor.

He also presented a petition of the Monday Evening Club of Washington, D. C., praying for the passage of the so-called Johnson-Nolan minimum-wage bill, which was referred to the Committee on Education and Labor.

He also presented memorials of the Ida County Farm Bureau; of Rev. Howard P. Young, of Boone; of S. F. Buck, of Diagonal; of F. J. Ritchie, of Cherokee; of H. L. Vander Hammer, of Ireton; and of Raymond Murphy, of Denmark, all in the State of Iowa, remonstrating against the reenactment of the so-called daylight saving bill, which were referred to the Committee on Interstate Commerce.

He also presented a petition of sundry citizens of Arthur, Iowa, praying for the early return of our soldiers from abroad, which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Creston, Waterloo, Dubuque, and Des Moines, all in the State of Iowa, praying for Government ownership of railroads, which were referred to the Committee on Interstate Commerce.

Mr. NELSON. I present a resolution adopted by the Legislature of Minnesota, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

The resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

[Minnesota Legislature, session of 1919.]

Resolution by the House of Representatives of the State of Minnesota, the Senate concurring, memorializing Congress to provide means for purchasing and moving of the wheat still remaining in the hands of the farmers.

Whereas fully one-third of the wheat crop of the Northwest, tributary to the terminal markets of Minneapolis, St. Paul, and Duluth, still remains in the hands of the farmers, who are anxious to dispose of

their grain but are advised by grain buyers that they are unable to purchase any more wheat for the reason that an embargo has been imposed against all shipments of grain; and

Whereas in some parts of Minnesota and North Dakota the granaries are not in condition to carry grain for any considerable period, and if the embargo against the shipments of grain is not lifted at once and the wheat disposed of there will be a great loss sustained by the farmers of this section, who, responding to the call of the Federal Government to produce this wheat, did so under personal sacrifice and under difficult conditions, owing to the fact that many of their young men were taken into the Army: Therefore be it

Resolved by the House of Representatives of the State of Minnesota (the Senate concurring), That we request the Government of the United States to cause some provision to be made for moving of such wheat as speedily as possible, and we ask and urge the Representatives of the State of Minnesota in Congress to do all in their power to have some means provided for the purchase and movement of the wheat crop still in the hands of our farmers; be it further

Resolved, That the chief clerk of the house is hereby instructed to forward a copy of this resolution to the Secretary of Agriculture and to each of the United States Senators and Congressmen from Minnesota.

Adopted February 4, 1919.

W. I. NOLAN,
Speaker of the House.

Attest:

OSCAR ARNESON, *Chief Clerk.*

Mr. CURTIS. I present a resolution adopted by the Legislature of the State of Kansas, which I ask to have printed in the RECORD and referred to the Committee on Mines and Mining.

The resolution was referred to the Committee on Mines and Mining and ordered to be printed in the RECORD, as follows:

House resolution 11.

Whereas the largest metal-mining industry in the State of Kansas is the zinc-mining industry; and

Whereas the said industry has been greatly crippled by reason of the immense importations of zinc ore from foreign countries, which said importations amounted in four years ending July 30, 1918, to the huge total of 824,000 tons; and

Whereas the War Industries Board has recently removed the embargo of April, 1918, which prohibited the use of ship bottoms for the importation of zinc ores; and

Whereas there are now 350,000 tons of zinc ore concentrated in Australia ready for shipment to the United States, together with a potential importation of 150,000 tons of zinc ore per year from Mexico and Canada: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas, That immediate action is necessary to save the zinc-mining industry of the State from destruction by reason of these huge importations, and therefore the Congress of the United States is hereby requested to take immediate action to save said industry by attaching a rider to the present revenue bill providing for a tariff of 2 cents per pound upon the metallic content of all zinc ore imported into the United States; and be it further

Resolved, That the Senators and Congressmen from the State of Kansas be requested to immediately confer with the Finance Committee of the Senate and the Ways and Means Committee of the House, with a view to having such a provision incorporated in the revenue bill.

Adopted February 5, 1919.

W. P. LAMBERTSON,
Speaker of the House.
CLARENCE W. MILLER,
Chief Clerk of the House.

Mr. CURTIS. I present a telegram in the nature of a petition from the president of the Kansas Council of Women, which I ask to have printed in the RECORD.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

TOPEKA, KANS., *February 10, 1919.*

Senator CHARLES CURTIS,
United States Senate, Washington, D. C.:

Kansas Council of Women, representative 80,000 enfranchised, prays Senate vote simple justice to American womanhood; trusting justification to grateful centuries. 'Tis the Kansas way; make it national.

EFFIE GRAHAM,
President Kansas Council of Women.

Mr. COLT presented a petition of sundry citizens of Providence, Willimantic, West Kingston, Auburn, and Bristol, all in the State of Rhode Island, praying for the early withdrawal of our troops from Russia, which was referred to the Committee on Military Affairs.

Mr. THOMPSON presented a petition of Crawford County Branch of the Kansas Division of the Farmers' Education and Cooperative Union of America, praying for the enactment of legislation to guarantee $2.20 per bushel for the 1919 wheat crop, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Dodge County, Kans., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. WARREN. I present a resolution adopted by the Legislature of the State of Wyoming, favoring the adoption of the woman suffrage amendment, which I ask to have printed in the RECORD.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

THE STATE OF WYOMING,
OFFICE OF THE SECRETARY OF STATE.

UNITED STATES OF AMERICA,
State of Wyoming, ss:

I, W. E. Chaplin, secretary of state of the State of Wyoming, do hereby certify that the annexed copy of enrolled act No. 1, House of Representatives, Fifteenth Legislature of the State of Wyoming, being original house joint resolution No. 1, has been carefully compared with the original filed in this office on the 4th day of February, A. D. 1919, and is a full, true, and correct copy of the same and of the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 7th day of February, A. D. 1919.

[SEAL.]

W. E. CHAPLIN,
Secretary of State.
By H. M. SYMONS,
Deputy.

[Enrolled joint resolution No. 1, House of Representatives, Fifteenth Legislature of the State of Wyoming.]

A joint resolution relating to woman's suffrage.

Be is resolved by the House of Representatives of the State of Wyoming (the Senate concurring):

Whereas there is now pending in the Senate of the United States a resolution providing for the submission of a constitutional amendment, which will grant full rights of suffrage to the women of the Nation; and

Whereas the right to vote was granted to the women of Wyoming in the year 1869, and 50 years' experience in this State has proven the real merit and worth of woman's suffrage; and

Whereas we heartily indorse said resolution and sincerely believe that suffrage for all women of this Nation would be not only a great moral and social benefit but also a practical success: Therefore be it

Resolved, That the Senate of the United States is hereby earnestly requested to pass said resolution at an early date; and be it further

Resolved, That a certified copy of this resolution be forwarded at once by the Hon. W. Chaplin, secretary of state, to Senator JONES, of New Mexico, and also to the United States Senators from Wyoming.

E. J. SULLIVAN,
Speaker of the House.
T. G. POWERS,
President of the Senate.

Approved:

ROBERT D. CAREY,
Governor.

FEBRUARY 3, 1919—6 p. m.

Mr. MARTIN of Virginia presented a petition of sundry citizens of Portsmouth and Norfolk, in the State of Virginia, praying for Government ownership of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE. I present a petition of certain members of the Seventy-ninth Legislature of the State of Maine, praying for the passage of the woman suffrage amendment, which I ask to have printed in the RECORD.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

To the Hon. FREDERICK HALE,
United States Senator from Maine, Washington, D. C.:

We, the undersigned members of the Seventy-ninth Legislature of Maine, believing that in response to the demand for a more complete and consistent democracy in this country inspired by the ideals of the world war, there has been a change in the attitude of the people of Maine toward the question of the enfranchisement of women since the referendum submitted in 1917, and that the proposed Federal amendment to the Constitution granting the franchise to women would, if submitted, be ratified by the legislature of this State, do hereby, without assuming the right in any way in our capacity as legislators to dictate what your course of action should be, respectfully request you to give your vote and support to secure the passage of that measure.

WILLIAM L. WALKER AND OTHERS.

Mr. HALE presented a petition of Twin City Council, No. 160, United Commercial Travelers of America, of Auburn, Me., praying for the return to private ownership of the railroads of the country, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Philomothian Club of Fort Fairfield, Me., and a petition of the Woman's Literary Club of Caribou, Me., praying for the establishment of a department of education, which were referred to the Committee on Education and Labor.

Mr. MOSES. I present a resolution adopted by the Legislature of the State of New Hampshire, requesting Congress to use its influence with the Government to pay our private soldiers and noncommissioned officers promptly, which I ask to have printed in the RECORD and referred to the Committee on Military Affairs.

The resolution was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Resolution passed by the New Hampshire Legislature February 6, 1919.

Resolved by the senate (the house of representatives concurring), That whereas we have heard with regret of the delay in the payment of wages to our soldiers;

Resolved, That we request our National Senators and Representatives in Congress to use their influence with the Government—

First, to pay our private soldiers and noncommissioned officers promptly; and,

Secondly, to give every private soldier, noncommissioned officer, and sailor, at the time of his honorable discharge, the sum of $200.

Mr. McKELLAR. I present two telegrams from citizens of my State relative to the national suffrage amendment, which I ask to have printed in the RECORD.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

CHATTANOOGA, TENN., *February 9, 1919.*

Hon. KENNETH D. MCKELLAR,
Senate Office Building, Washington, D. C.:

As representative of 20,000 organized-labor men of Tennessee, we call upon you to do all in your power to secure the passage of the national suffrage amendment Monday. We expect you to use every legitimate means of influence with Democratic Senators to win the one vote needed. Defeat of this measure, justice to American women, would bring everlasting discredit upon your party.

TENNESSEE FEDERATION OF LABOR.
JNO. O'CONNOR, *President.*
PAUL AYMON, *Vice President.*
W. C. BIRTHWRIGHT,
Secretary and Treasurer.
HAS HANSLEY,
Legislative Chairman.

CHATTANOOGA, TENN., *February 9, 1919.*

Hon. KENNETH D. MCKELLAR,
United States Senate, Washington, D. C.:

Tennessee women are looking to you not merely to vote for the suffrage amendment, but to work hard and fast to secure the one vote still needed. We will never forgive the Democratic Party if it allows our measure to be defeated on Monday.

Mabel F. Chumley, Mrs. W. T. Bland, Mrs. Margaret Severance, Mrs. Franklin Harris, Mrs. Y. L. Abernathy, Mrs. J. D. Alsup, Mrs. Claudia Griscom, Mrs. B. B. Crandall, Mrs. Florence W. Hughes, Mrs. Paul Moross, Ella F. Dyer, Mrs. D. H. Barker, Mrs. Mary V. Grayson, Mrs. J. W. Westbrook, Mrs. Benj. Bush, Mrs. H. A. Burnett, Marjorie B Burton, Frances Pursell, Mrs. Edward Mullery, Mrs. Dorothy M. Donahue, Mary Donahue, Mrs. Wm. Hoge, Katherine E. Shirley, Mrs. W. H. Robinson, Selma J. Robinson.

Mr. SPENCER. I present a telegram from the speaker of the house of representatives of the Legislature of Missouri, which I ask to have read.

There being no objection, the telegram was read, as follows:

JEFFERSON CITY, MO., *February 9, 1919.*

Senator SELDON SPENCER,
Senate Office Building, Washington, D. C.:

Concurrent resolution memoralizing Congress on Federal woman-suffrage amendment passed by Missouri Senate and House. Official text follows.

S. F. O'FALLON, *Speaker.*

Mr. BORAH. I present a resolution adopted by the Legislature of the State of Idaho, which I ask to have printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, Robert O. Jones, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial 3, by Pettibone (by request), which was filed in this office on the 4th day of February, A. D. 1919, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 5th day of February, in the year of our Lord 1919 and of the Independence of the United States of America the one hundred and forty-third.

[SEAL.] ROBERT O. JONES,
Secretary of State.

[Legislature of the State of Idaho, fifteenth session. In the Senate. Senate joint memorial 3. By Pettibone (by request).]

To the honorable Senate and House of Representatives of the United States of America in Congress assembled:

We, your memorialists, the Legislature of the State of Idaho respectfully represent that—

Whereas the construction of a suitable wagon road over which auto trucks can be operated up the South Fork of the Clearwater River, in Idaho County, State of Idaho, beginning either at the town of Stites or the city of Grangeville, both being railroad terminal points, thence up said river to the gold-mining districts of Elk City, Dixie, and Buffalo Hump is a great public and national necessity; and

Whereas since the announcement by the honorable Secretary of the Treasury: "That next in importance to war munitions and foodstuffs was a greater production of gold," the question of a greater production of gold has ever since and now is being seriously considered by the National Government, and that said question is now being considered by the national committee, with a view of determining what is the best method of bringing about the desired results, and that in all probability there soon will be large appropriation made for the construction of highways into the gold districts, where needed; and

Whereas said proposed highway would intersect the gold-mining districts as follows: Clearwater, Ten Mile, Elk City, Dixie, Oro Grande, and Buffalo Hump, all known to be gold-producing sections, and with proper transportation would yield a large output of the precious metal, now so much desired by the Government; and

Whereas the construction of such a road was contemplated something like two years ago, and data compiled and submitted to the Government, showing the necessity for such a road from a cheaper postal-operating expense as well as the operating of the National Forest Department, and that the same was approved by the Government on a basis of 50–50; and

Whereas under present conditions the constitutional limitations of the State of Idaho prohibit the raising of a sufficient fund to meet the Government on said 50–50 basis, and that locally the county and State are bonded to their limit for other road purposes, including the North and South Highway, which is now under construction; and

Whereas such a highway would not only be a great benefit in opening up the several gold districts mentioned but would ultimately be extended and be another artery or highway extending across the country, connecting with said North and South Highway, and would be a great benefit to the Government in lessening the operating expenses from both Parcels Post and Forest Reserve Departments, and would also open up a vast grazing country and timberlands, and would be a great accommodation to something like 250 homesteaders along said route or adjacent thereto: Now, therefore, be it hereby

Resolved, That we, your memorialists, do recommend that $500,000 be appropriated, or so much thereof as may be necessary, to construct said highway or wagon road, as aforesaid.

The secretary of state is hereby instructed to forward copies of this memorial to the Senate and House of Representatives of the United States, and copies of the same to our Senators and Representatives in Congress.

This joint memorial passed the senate on the 24th day of January, 1919.

C. C. MOORE,
President of the Senate.

This joint memorial passed the house of representatives on the 30th day of January, 1919.

M. A. KIGER,
Speaker of the House of Representatives.

I hereby certify that the within joint memorial 3 originated in the senate during the fifteenth session of the Legislature of the State of Idaho.

PAUL DAVIS,
Secretary of the Senate.

(Indorsed: Received and filed, Feb. 4, 1919. Robert O. Jones, secretary of state.)

INDUSTRIAL CONDITIONS IN PORTO RICO.

Mr. SAULSBURY, from the Committee on Pacific Islands and Porto Rico, to which was referred Senate joint resolution (S. J. Res. 211) authorizing the appointment and sending of a commission to Porto Rico to study its industrial and economic conditions, and for other purposes, reported with amendments and submitted a report (No. 701) thereon.

FEDERAL COMMISSION ON RECONSTRUCTION.

Mr. OVERMAN. From the Committee on the Judiciary I report back without recommendation the bill (S. 4968) to provide for the creation and establishment of a Federal commission on reconstruction, and for other purposes, and I submit a report (No. 700) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

CONGRESSIONAL COMMITTEES ON RECONSTRUCTION.

Mr. OVERMAN. I also report from the Committee on the Judiciary, without recommendation, Senate concurrent resolution 25, submitted by the Senator from Iowa [Mr. CUMMINS] on November 21, 1918, to provide for the appointment of certain joint congressional committees on reconstruction, and I submit a report (No. 699) thereon.

Mr. CUMMINS. Mr. President, I desire to give notice that on next Saturday morning I shall endeavor to bring before the Senate for its consideration the resolution just reported from the Committee on the Judiciary by its chairman, the Senator from North Carolina [Mr. OVERMAN]. I give this notice for the convenience of Members of the Senate.

The VICE PRESIDENT. The resolution will be placed on the calendar.

THE COMMITTEE ON PUBLIC HEALTH AND NATIONAL QUARANTINE.

Mr. THOMPSON. From the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, Senate resolution 443, submitted by the Senator from Louisiana [Mr. RANSDELL] on the 8th instant, and I call the attention of that Senator to the resolution.

Mr. RANSDELL. I ask unanimous consent for the present consideration of the resolution.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Public Health and National Quarantine, or any subcommittee thereof, be, and hereby is, authorized, during the Sixty-fifth Congress, to send for persons, books, and papers; to administer oaths; and to employ a stenographer, at a cost not exceeding $1 per printed page, to report such hearings as may be had in connection with any subject which may be pending before said committee, the expenses thereof to be paid out of the contingent fund of the Senate, and that the committee, or any subcommittee thereof, may sit during the sessions or recess of the Senate.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCUMBER:

A bill (S. 5563) authorizing the Secretary of War to donate to the city of Hankinson, in the State of North Dakota, captured German cannon, cannon balls, or shells, and gun carriages, condemned United States cannon, cannon balls, or shells, and gun carriages; to the Committee on Military Affairs.

By Mr. KENYON:
A bill (S. 5564) granting a pension to Nancy Herrald (with accompanying papers); to the Committee on Pensions.
By Mr. HOLLIS:
A bill (S. 5565) granting a pension to Mary E. Gray (with accompanying papers); to the Committee on Pensions.
By Mr. ROBINSON:
A bill (S. 5566) for the relief of the claimants of certain unsurveyed lands in Mississippi County, Ark.; to the Committee on Public Lands.
By Mr. SMOOT:
A joint resolution (S. J. Res. 218) changing the name of the Panama Canal to the "Roosevelt Canal"; to the Committee on Interoceanic Canals.
By Mr. GORE:
A joint resolution (S. J. Res. 220) empowering and requiring the Secretary of Agriculture to ascertain the cost of producing cereals, cotton, live stock, and other staple farm and food products, and for other purposes; to the Committee on Agriculture and Forestry.
By Mr. POMERENE:
A joint resolution (S. J. Res. 221) authorizing the Secretary of the Navy to adjust and settle certain claims and making appropriation therefor; to the Committee on Naval Affairs.

EXTENSION OF INCOME-TAX PAYMENTS.

Mr. NEW. I introduce a joint resolution and ask for its immediate consideration:
The joint resolution (S. J. Res. 219) to extend the time for filing income-tax returns to April 15, 1919, was read twice by its title.
The VICE PRESIDENT. The joint resolution will be referred to the Committee on Finance.
Mr. NEW. It is very evident, as seen, I can not obtain unanimous consent for the immediate consideration of the joint resolution; but I shall call it up to-morrow for consideration.
The VICE PRESIDENT. It has to go to the Committee on Finance. It is a joint resolution.

RIVER AND HARBOR APPROPRIATIONS.

Mr. WEEKS submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SHEPPARD submitted an amendment proposing to increase the appropriation for cooperative agricultural extension work, etc., from $1,500,000 to $4,573,680, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.
Mr. OVERMAN submitted an amendment relative to the repeal of appropriation and authorization, housing for war needs, etc., intended to be proposed by him to the third deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

AMERICAN TROOPS IN RUSSIA.

Mr. JOHNSON of California. I submit the resolution which I send to the desk, and I desire that it may be read.
The resolution (S. Res. 444) was read, as follows:

Resolved, That in the opinion of the Senate, United States soldiers should be withdrawn from Russia as soon as practicable.

Mr. JOHNSON of California. I understand that under subdivision 5 of Rule IV, the resolution lies over for one day, but I give notice that I shall call it up at the earliest possible moment.
The VICE PRESIDENT. The resolution will go over and be printed.

FREIGHT RATES ON FERTILIZER MATERIAL.

Mr. GORE. I submit a resolution, which I send to the desk, and I ask unanimous consent for its immediate consideration.
The VICE PRESIDENT. The resolution will be read.
The resolution (S. Res. 445) was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Interstate Commerce Commission be, and is hereby, directed to furnish the Senate the following information in regard to the proposed consolidated freight classification No. 1.
(1) The freight rate as proposed under said classification on cotton-meal seed cake and hulls and other fertilizer materials, including nitrate of soda, acid phosphate, potash, etc., in less than carload lots, as compared with existing freight rates on such articles and materials;
(2) The proposed rates under such classification on said articles and materials in less than carload lots, as compared with the proposed rates in less than carload lots on commercial fertilizers; and
(3) The freight rates under the proposed classification on such articles and materials in less than carload lots, as compared with the rates proposed on such articles as automobiles and furniture, in like lots.

AGENTS OF DEPARTMENT OF JUSTICE IN MICHIGAN.

Mr. TOWNSEND. I submit a resolution and ask unanimous consent for its immediate consideration.
The Secretary read the resolution (S. Res. 446), as follows:

Whereas it is known that a large number, to wit, more than 25 men have been in the State of Michigan for a great portion of the time since August, 1918, representing themselves to be agents of the United States Department of Justice, and many are there now; and
Whereas said men are accused of indulging in unlawful and unwarranted practices: Therefore be it

Resolved, That the Attorney General be, and he is hereby, directed to inform the Senate whether he has sent any special agents into Michigan; and if he has, how many have been sent, together with their names; how many are there now; the purpose for which they were sent and are now retained there; and what instructions, if any, were given these men by him.

Mr. ASHURST. Let the resolution go to the Committee on Privileges and Elections.
Mr. TOWNSEND. I do not wish the resolution to go to the Committee on Privileges and Elections. If I can not get unanimous consent to have it considered at this time, I desire that it go over.
Mr. ASHURST. I desire to have the resolution go to the Committee on Privileges and Elections before it is considered by the Senate.
Mr. TOWNSEND. It is merely a request for information, with which I think the committee has nothing to do.
Mr. KING. Will the Senator from Michigan yield to me for a moment?
Mr. TOWNSEND. Certainly.
Mr. KING. The Senator who is chairman of the Committee on Privileges and Elections does not seem to be in the Chamber.
Mr. TOWNSEND. I do not think the Senator from Ohio [Mr. POMERENE] will have any objection to the resolution. I am perfectly willing, if any Senator objects, that it shall go over a day for consideration.
Mr. KING. Under the circumstances, I think it should go over.
Mr. TOWNSEND. Very well.
The VICE PRESIDENT. The resolution goes over until to-morrow.

MEMORIAL ADDRESS BY SENATOR LODGE IN HONOR OF THEODORE ROOSEVELT (S. DOC. NO. 384).

Mr. SMOOT submitted the following resolution (S. Res. 447), which was read, considered by unanimous consent, and agreed to:

Resolved, That the manuscript entitled "Address of Senator HENRY CABOT LODGE, in honor of Theodore Roosevelt before the Congress of the United States, Sunday, February 9, 1919," be printed as a Senate document, and that 10,000 additional copies be printed for the use of the Senate document room.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. SHAFROTH. Mr. President, there is on the desk a concurrent resolution (S. Con. Res. 30) which authorizes the signature of JAMES D. PHELAN, a Senator from the State of California, to be attached to the conference report upon the oil and gas land leasing bill. I ask unanimous consent that the resolution may go over without prejudice until to-morrow morning.
Mr. SMOOT. I did not hear the request of the Senator.
Mr. SHAFROTH. I simply requested that the resolution to which I referred may go over until to-morrow morning without prejudice.
Mr. SMOOT. The resolution has not as yet been presented to the Senate.
The VICE PRESIDENT. It has been read, and went over under the rules on objection.
Mr. SHAFROTH. It was presented to the Senate, was objected to, and was ordered to lie on the table.
Mr. SMOOT. Very well, then.
The VICE PRESIDENT. The resolution will go over until to-morrow without prejudice.

AMENDMENT OF THE RULES.

Mr. BORAH. Mr. President, I desire to give notice that on Tuesday, the 11th of February, 1919, or as soon thereafter as possible, I shall move to suspend that provision of paragraph 3, of Senate rule 16, prohibiting any amendment proposing general legislation to any general appropriation bill, for the purpose of offering the following amendment to the river and harbor bill (H. R. 13462), now pending, by adding a new section to the bill, as follows:

SEC. ——. To resume and prosecute work on projects and units thereof under the reclamation act stopped during the war, and to begin and prosecute existing projects and units thereof which are practically ready for prosecution, to be immediately available and to be expended under the terms and conditions of the reclamation act, except that in the matter of employment a preference shall be given to discharged soldiers, sailors, and marines, $50,000,000.

DELEGATE TO MARMORA CONFERENCE.

Mr. SHERMAN. Mr. President, I present an article from the New York Sun of issue of February 8, 1919, relating to George D. Herron, named as one of the two delegates to the conference at Princes Island, Sea of Marmora, to meet the Bolshevist representatives, if any representatives shall be sent. I do not ask that the article may be read; but, in view of the remarks I submitted here on the conditions attending women under the Bolshevist government and certain decrees of the Soviet council on their treatment under that government and the maintenance and care of the offspring as wards in common of the state, I ask that this article be incorporated in the RECORD, without reading, but that it be printed in full. I think it very material.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FREE LOVER TO BE UNITED STATES ENVOY—GEORGE HERRON NAMED AS ONE OF TWO DELEGATES TO MARMORA CONFERENCE—WILLIAM A. WHITE IS OTHER—EXPELLED EDUCATOR AND AFFINITY TRIED TO FOUND MARRIAGELESS COLONY.

PARIS, *February 7.*

William Allen White, of Emporia, Kans., and Prof. George Davis Herron have been appointed the American delegates to the Marmora conference with the Russian factions.

—

George D. Herron, socialist, writer, lecturer, expelled pastor, and free-love advocate, first loomed large on the American horizon when he persuaded his wife to divorce him and immediately thereafter announced that he and Miss Carrie Rand were living together.

This was the climax of one of the most sensational stories that had startled the country in years, for Herron and his affinity contemplated a sequel in a "free-love colony" in Metuchen, N. J., where all with the same beliefs—and money—could come for rest, love, and joy.

METUCHEN CITIZENRY OBJECTED.

The couple had bought several hundred acres of the lands around Metuchen and intended splitting it up into farms for the soul mates, but certain hardware of the solid citizens persuaded them to abandon their love-promotion scheme. In later years, though, the couple returned to the Jersey town and were cordially received.

Stories of the day were to the effect that Miss Rand had bought and paid for her affinity with $50,000, which she settled upon Mrs. Herron to get a divorce from her husband. The wife admitted having been paid.

The mother of Miss Rand, Mrs. E. D. Rand, widow of a lumberman who had grown wealthy, saw possibilities of a new Messiah in Herron, whom she endowed with a chair in Iowa College. She is said to have paid $60,000 for it. He was made professor of applied Christianity, and proceeded to apply his version of it until the college expelled him years later.

He was expelled by the Congregational Church of Iowa because of his free-love views blooming in his sermons, much to the consternation of the farmers who hadn't even heard of Utah. Their wives objected, too.

EXPELLED AFTER DESERTING FAMILY.

Herron held on at the college, however, for some time. Finally, when he deserted his wife and two children to go and live in the same house with the Rands, this was more than the good professors could stand, so they expelled him, too.

The divorce followed, and the Rands and Herron came on to New York, where they plighted their announcement late in May, 1901, in 50 West Forty-fifth Street. The ceremony consisted in repeating the phrase, "We intend to live together as man and wife." Then some one sang "The Land of Heart's Desire," and with it the idea of the love colony was formed.

Finding a timetable handy, the name "Metuchen" being novel and odd and likely to be remembered when all else was forgot by the strolling lovers of love colony, the Herron-Rand combination settled upon it for their Eden. But the citizens would not have it so. Like another famous garden, it was "to let" shortly after the couple arrived and let the neighbors nibble of the apple that they had bitten voraciously. The dream was over.

In the same year Herron was hissed and rebuked by an audience at Harvard when he told its members, all Harvard students, that the university was a parasitic institution. He added that Theodore Roosevelt, who was then Vice President, was a "bully and an enemy of the people." The latter remark also applied to Rudyard Kipling, he said. Harvard never invited him any more to address it.

Herron incurred the anger of the ministry by saying: "It is not Jesus that we ought to follow, but the highest truths of our own souls." After this observation many men, among them Mayor Gaynor, refused to attend dinners at which Herron was present.

AFFINITY DIES IN ITALY.

Under the constant criticism Herron's health failed. He and his affinity went to Florence, Italy, where they lived for several years, returned to this country, and again went to Florence, where Miss Rand died January 15, 1914.

While Herron was in Florence trying to recuperate Mrs. Rand founded the Rand School of Social Science, and hoped that he would return to conduct it. The future of the school was made secure with a fund of $200,000, and it is now running in East Fifteenth Street. Herron was generally considered by his college associates as being "daft or worse," according to a symposium of opinions gathered at the time of his free love affair announcement.

Recently Herron was involved in an alleged "peace scheme" in Switzerland, when Chancellor von Hertling is supposed to have sent Prof. Quiddie to Herron to effect peace between Germany and the United States. Herron was styled in German newspapers a personal friend of President Wilson. His peace formula didn't please the Germans, because, they said, it advocated "killing the Germans first and then make peace with them." Throughout Europe, according to dispatches from The Hague, the peace scheme was a farcical play among unauthorized parties.

William Allen White is proprietor and editor of the Emporia (Kans.) Gazette and is well known as a newspaper man and writer throughout the United States. He is a former member of the Progressive Party national committee and was chairman of the Progressive publicity committee.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on January 25 approved and signed the following acts:

S. 3299. An act authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army; and

S. 4924. An act to amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries.

DISPOSITION OF SEIZED LIQUORS.

Mr. KING. From the Committee on the Judiciary I report back favorably with an amendment the bill (H. R. 10851) to provide a method for disposing of intoxicating liquors now or hereafter in the possession of United States court officials, and I submit a report thereon.

Mr. OVERMAN. Mr. President, the Attorney General is very anxious to have this bill passed. I do not believe there will be any objection to it, because it only authorizes the disposal of liquor that has been seized. I therefore ask unanimous consent for the immediate consideration of the bill.

Mr. PENROSE. Let the bill be read, Mr. President.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill and the amendment, which was to add—

Or to order the same sold for such purposes, the proceeds to be covered into the Treasury of the United States to the credit of miscellaneous receipts.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. PITTMAN. I object.

Mr. HITCHCOCK. Mr. President——

The VICE PRESIDENT. There is an objection. The bill goes to the calendar. Is there any further morning business? [A pause.] The morning business is closed.

WOMAN SUFFRAGE.

Mr. JONES of New Mexico. I ask unanimous consent that the Senate proceed to the consideration of House joint resolution 200.

The VICE PRESIDENT. Is there any objection?

There being no objection, the Senate resumed the consideration of the joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States extending the right of suffrage to women, which was read as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

Mr. POLLOCK obtained the floor.

Mr. WILLIAMS. Mr. President, I want to move an amendment, in order that it may be pending, to insert the word "white" just before the word "citizens."

The VICE PRESIDENT. Under the state of the rules the joint resolution is not subject to amendment save by unanimous consent, it having passed to the third reading.

Mr. WILLIAMS. It is utterly useless to ask unanimous consent, so I shall not take up the time of the Senate.

The VICE PRESIDENT. The joint resolution has passed to the third reading. The sole question is, Shall the joint resolution pass?

Mr. POLLOCK. Mr. President and gentlemen of the Senate, when the representatives of the people are called upon to decide a momentous issue upon which their constituents are greatly divided, and to grant or refuse a right to which it is claimed the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to their course. Let this then be my excuse and apology for consuming a little of the time of this greatest of all deliberative bodies in presenting to the Senate of the United States, and through it to the people of the whole Nation, my reasons for the vote which I shall cast on the pending resolution to submit to the various States the justice and the advisability of so amending the Constitution of the United States as to extend to the women of America the right or privilege of suffrage on the same condition as that right or privilege is extended to men.

The Members of this body have been referred to as Senators of certain States, but no student of our Constitution could for a moment claim that any Senator is a Senator of a particular

State. On the contrary, he is a Senator from a certain State of the United States of America. As a Senator coming from South Carolina, one of the original thirteen colonies that voluntarily entered into the Union and helped frame the Constitution of our common country and became one of the thirteen original States; coming from the State of John C. Calhoun, the leading exponent of State rights; coming from the State that first exercised the right to secede from the Union, I want to say that we of South Carolina are happy and rejoiced that we were not permitted to remain out of the Union, and we are to-day as true and as loyal as any part of this great country of ours. We honor its flag, we glory in its history, we rejoice in its wonderful power and resources, and we are proud to be a part of the best country upon which God's sun shines. We have long since ceased to regret that in the Providence of God we were not permitted to set up a separate government of our own. We had the right to secede under the Constitution. My father, my kindred, and my countrymen fought for that right, but the Constitution of the United States was amended at Appomattox when Lee tendered his sword to Grant, and when, with the sword, it was written into the Constitution the immortal words of Lincoln on the field of Gettysburg:

> It is rather for us to be here dedicated to the great task remaining before us, that the Nation shall, under God, have a new birth of freedom, and that government of the people, by the people, and for the people shall not perish from the earth.

From that day forward the greatest of all State rights was destroyed, the States in their separate sovereignty ceased to exist; and now we have a nation the wonder and the admiration of the world instead of forty-eight separate and independent petty States; and in this day of world upheaval when the foundations of civilization and of human liberty have been shaken, when the last great struggle between barbarism and civilization, between slavery and freedom, has been fought out on a scale heretofore undreamed of, thank God that America, the young giant of the West, my country and your country, is one and inseparable, so that America could in part at least fulfill her mission on earth to destroy autocracy and set up democracy, to banish human slavery and set up human liberty, to take away special privilege and establish equal rights to all, to break the power of the strong oppressor and give the opportunity of self-government to the weak, and I must believe that in God's appointed time all these things will come to pass, and that it is for us to hasten its coming.

In approaching a discussion of this resolution it seems to me that two considerations must of necessity enter—the one of principle and the other of expediency. Principles are eternal, expedients are temporary. A principle is right to-day, to-morrow, and forever. An expedient may appeal to us to-day and be obnoxious to us to-morrow.

We should enter upon the consideration of this resolution from the standpoint of principle, because it is now sought to incorporate the pending resolution in the permanent statement of principles that constitute the organic law of our country. I hold, with Thomas Jefferson, that all men "are endowed by their Creator with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed. That whenever any form of government becomes destructive of these ends it is the right of the people to alter or abolish it." I hold, sir, that man is not more than the equal of woman. I hold, sir, that woman has the same right to life, liberty, and the pursuit of happiness as man. I hold, sir, that this Government was instituted to secure these rights as much for woman as for man. I hold, sir, that our present form of Government has been and is destructive of these ends in that it has denied to woman the liberty to which she is entitled, the right to have a voice in her government; the right to participate in the selection of her officials; the right to counsel in the enactment of the laws under which she and her children shall live, upon which her life, her liberty, and her happiness depend. I hold, sir, with the Revolutionary fathers that taxation without representation is tyranny, and that to-day our country, our Government, controlled, directed, and administered by the manhood of America is tyrannically treating the best women of the world by exacting taxes from them without their express consent.

What could give to any citizen of a country a right to vote except a stake in that country? Who could have a greater stake in a country than a wife, a mother, a mistress of a home? I say to you that the family rather than the individual is the proper unit of government. I say to you that a combined family has a greater stake or interest in our country than any individual can have. I say to you that on that account a family should have a greater voice in the affairs of the Nation than any individual—that a man with his wife and daughter should have greater power than any single man, and yet, under our system of government, of voting, the bachelor's vote counts as much as the family's, and this can only be remedied by giving to woman her just right—the right to vote and thus participate in her Government. I say further that there are thousands—yes, hundreds of thousands—of women in this land who have been forced to go out into the world to make a livelihood for themselves and those who are dear to them; they are living by their own labor, and they have as much right to vote as any man. There are more than 400,000 women public-school teachers in America—about 80 per cent of all teachers in the common schools—and they are molding the opinions of the oncoming generation who will administer our Government, and yet they themselves are denied the privilege of participating in their Government.

Whence came the right of man to vote? Was it given under the Constitution of the United States? Search that wonderfully compact instrument from beginning to end, and nowhere will you find that the right to vote and hold office was ever granted to man to the exclusion of woman.

Under the XIV Amendment to the Constitution it is provided:

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

Article II, section 5, of the Constitution, prescribed the qualifications for President, and nowhere does sex enter into it, but merely citizenship, age, and residence. The same is true as to Representatives in Congress as laid down in Article I, section 2, and the same is true as to Senators as laid down in Article I, section 3. The word "person" is used, and under the XIV Amendment all persons, whether male or female, are included in the term citizen. Therefore, since the adoption of the XIV Amendment to the Constitution of the United States, denying to the States the right to abridge the privileges or immunities of the citizens of the United States, and denying the States the right to deprive any person of liberty or the equal protection of the law, I respectfully submit that as a matter of constitutional law we have no right to say to woman "Thou shalt not vote."

Who gave man the right to vote? It will be answered that the States conferred that privilege. And who controlled the States? The manhood of the States, and the men assumed a power, a privilege that every impulse of human nature, every dictate of conscience, every high and noble and worthy sentiment should have required that they should have shared with woman. They won the right to exercise full citizenship only with the aid, the comfort, the sympathy, and the patient endurance of hardship of the women—they won this by force of arms with the assistance of woman—and then when they had won the victory of American independence and freedom and liberty they withheld from woman, without whom they could not have won, her fair share of that freedom and liberty. She is a citizen without its privileges, a taxpayer without a voice, a partner without her profit, and all this because she can not bear arms and fight wars for her own independence and freedom and liberty, just as man could not do without her comfort and assistance.

For more than 140 years in America we have had freedom and liberty for half our people, and we have had patient and uncomplaining slavery for the other half. For nearly a century and a half we have had democracy for one-half of our people and tyranny for the other, and I say, sir, to-day that this Nation can not and will not endure forever one half free and the other half serf. The hosts of democracy are marching on, they are toppling over kings and thrones and setting up governments of the people; they are destroying special privileges and setting up equal rights; they are annihilating brute force and they are establishing justice; they are doing these things in foreign lands, and they will soon accomplish them here so that our country will not only be known as the land of the free and the home of the brave, but it will also be known as the land of truth, of justice, and of righteousness the world over.

This is no new proposition before the American people. For 40 years and more the women of America have been carrying on the unequal struggle, but they have been slowly gaining ground, so slowly, in fact, that perhaps men might have become discouraged; so gradually that if they had been engaged in a less honest cause they themselves might have abandoned it; but with the devotion and constancy of womankind, in the face of defeat after defeat, having nothing but the justice of their cause to hearten them, they have made the fight, they have kept the faith, they have endured hardship and heart burns even to the point where they brought censure and ridicule on them-

selves in order that they might keep the flame burning, in order that the conscience of man might be touched to hear their plea and do them justice. And now a brighter day is dawning. God grant that it may be my good fortune, in the brief time that I shall be a Member of this body, to aid in bringing about the adoption of this resolution whereby the political shackles shall be broken from the hands of the women of America, and whereby they shall be permitted to step out in the full bright light of American citizenship.

No sound reason has ever been advanced why woman should not have this privilege accorded to her, nor can any sound reason be advanced. She is a human being just as is man, she is subject to the laws of the land just as is man, she is required to contribute to the maintenance of the Government just as is man, she is interested in good government just as is man, she responds to the call of her country just as does man, she bears and rears the whole citizenship of the country, she loves her country and sacrifices for it even more than does man. That she should have this privilege is right, therefore it can not be wrong. To exercise that privilege is honorable, therefore it can not be dishonorable; and the manhood of America has already indorsed woman's right to vote from one end of America to the other. A number of the States of the Union have accorded the right; the Republican national convention has indorsed the principle; the Democratic national convention has indorsed the principle; a two-thirds majority in the National House of Representatives has voted its approval; a large majority—nearly two-thirds—of the Senate of the United States has voted its approval; the people of America, through their representatives in the two great political conventions, have spoken for the principle and have declared the claim of the women is just; the people, through their representatives in the Congress of the United States, have tried to accord this privilege to them; the President of the United States, speaking as only Woodrow Wilson can for the democracies of the world, has appealed to this body to do this simple act of justice to the mothers, the wives, and the daughters of this land just as Britain has done.

They had earned this consideration at the hands of the manhood of America before this awful war, and who will say that the women of this land have not doubly earned all that they ask, all that they desire, all that could be bestowed upon them by their magnificent spirit of patriotism since we have been engaged in this war for world freedom? They have, without a murmur, given up their husbands, their sons, their sweethearts, and placed them on the altar of their country; they have sacrificed their own home life that the homes of all might be safe; they have gone into the hospitals and ministered, as only a woman can, to the sick, the wounded, and the dying; they have laid aside their personal comforts and pleasures and have joined the great Red Cross army that the men over yonder might suffer less; they have taken up man's work in order that men might be free to fight for liberty and civilization; they are working in the offices, the factories, the mercantile establishments, and on the farms that industry may not die and the world suffer therefrom; aye, they have done all things that befit a woman, a good citizen, and if any doubt should have existed heretofore as to woman's right to vote it does seem to me that she has by her conduct in America during the past two years dispelled that doubt.

When nurses were needed she has volunteered, when laborers were needed she has responded, she has aided in the great campaigns for floating the Government's bond issues, she has subscribed liberally from her own funds, and by her enthusiasm and charm has caused the men to do their duty. When men have become discouraged she has heartened them, when men have lagged behind she has encouraged them.

America has done and is doing with woman's help what she never would have done without it.

The argument that this is a matter for action by the States, and that to pass this resolution is a violation of State rights, is not a reason but an excuse on the part of many for opposing this resolution, and a very poor excuse at that.

When a respectable portion of the American people ask that the question of amending the Constitution of the United States be submitted to the States for their approval or disapproval, it is a denial of State rights to refuse to let the States through their legislatures act. There is but one right that each separate State has under the Constitution which can not be taken away from it without its consent, and that is to have equal representation in the Senate, but the Constitution may be amended in all other particulars when three-fourths of the States so decree. And surely no one will say that the right of any one State should be greater than the right expressly conferred upon three-fourths of the States acting jointly through their several legislatures to amend the Constitution in other respects. The right of three-fourths of the States to amend the Constitution is one of the highest rights of all State rights, and when this resolution shall have passed this body by the necessary two-thirds vote, as I feel sure that it will, then the right—the States' right—to adopt or reject the proposed amendment will be conferred upon the States rather than withheld from them. I do not hesitate to say, sir, that to refuse to pass this resolution under the circumstances is to refuse to give to three-fourths of the States a right which they have under the Constitution, and that under the pretext that we would be giving to three-fourths of the States the power to take away from a single State a power or right which it does not possess under the Constitution.

No one State has the right to say what the qualifications for voting shall be when three-fourths of the States express themselves otherwise, and no State has the right to say to three-fourths of the States that they shall not amend the Constitution other than as to equal representation in this body. John C. Calhoun, of South Carolina, possibly the greatest exponent of the doctrine of State rights in America, the patron political saint of South Carolinians and one of the greatest statesmen that our country has ever produced, in his masterly reply to Webster in 1833, speaking of the rights of the States under the Constitution, said:

> In this compact they have stipulated, among other things, that it may be amended by three-fourths of the States—that is, they have conceded to each other by compact the right to add new powers or to subtract old by the consent of that proportion of the States without requiring, as otherwise would have been the case, the consent of all—a modification no more inconsistent with their sovereignty than any other contained in the document.

And so, Mr. President, occupying for the time being the same seat so well and ably filled by Mr. Calhoun, I find that in disagreeing with those who take the position that to amend the Constitution in this way is to despoil the doctrine of State rights I am but following the lead of the greatest of State rights statesmen.

The original Constitution is silent as to the powers delegated to the United States or prohibited by it to the States—the question of the right to vote was not delegated, it is true, to the United States, nor was it prohibited by the Constitution to the States, and it was provided in the tenth amendment as follows:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved in the States, respectively, or to the people." This amendment was adopted by the votes of 11 of the then 14 States, and South Carolina was the fourth State, January 19, 1790, to adopt this amendment. Had it not been for the passage of this amendment, it might be now debatable whether the power to prescribe the qualifications for voting was in the United States or in the several States, because, as you will note in Article I, section 2, it is provided that the qualification for suffrage for Members of Congress shall be the same as that provided in the different States for the most numerous branch of the legislature of that State, and the seventeenth amendment is practically a repetition of that provision in the Constitution in so far as the qualification for suffrage for the United States Senate is concerned. Had it not been for the passage of this amendment, it might be now debatable whether the power to prescribe the qualifications for voting was in the United States or in the several States, because the power was neither delegated to the United States nor expressly retained by the several States; but since the adoption of the tenth amendment any doubt that may have existed has been removed—the power is in the several States—and the Federal Government can only take away or limit this right by amending the Constitution of the United States; and by the adoption of the fifteenth amendment the power to limit the right of the several States to abridge the right of suffrage has been expressly recognized and upheld by the Supreme Court of the United States.

The right on the part of three-fourths of the States to amend is therefore stronger than the right of any one State to prevent the amendment, and while I do not believe, as a matter of policy, that the fifteenth amendment should have ever been placed in our Constitution, and while I would go as far as any man to repeal that amendment, we must all admit that the power to adopt the amendment was not an abridgment of State rights.

It is argued that we should not submit this proposed amendment to the various States on account of the race question in the South. Do Senators realize that when two-thirds of this body, representing two-thirds of the States in this Union, shall have passed this resolution, as pass it we will, that this resolution must then be adopted by the legislatures of not a majority, not two-thirds, but three-fourths of all the States of the Union?

Do they realize that the legislatures of 13 States out of the 48 States can prevent its adoption, that it will require favorable action on the part of the legislatures of 36 States before this resolution can become a part of the organic law of the land? Will any Senator say that there is more wisdom, more fairness, and more justice in any 33 Members of this body than there is in the representatives of 36 of the States of this Union?

Are we living up to our professions of democracy, of faith in our people, when we refuse to permit them to decide these questions themselves? Are we sincere, and can we make the world believe that we are sincere, when we say that we entered this great war from purely altruistic motives, in order that the peoples of the earth may govern themselves, not only in selecting their officials, enacting their statutory laws, construing and executing their own laws, but making and changing their constitutions upon which all these things depend, and still deny to our own people the right to settle this question that involves the liberty and freedom of one-half of our citizenship? Sir, I say here to-day that I have confidence in the white people of America—blood is thicker than water. Efforts may be made by certain politicians to force upon us the rule of the ignorant, the vicious, and the inferior; some men who do not appreciate the burden of the white man in the South may undertake to turn over to the negro the control of our affairs in the South, but I have confidence in the white manhood of the North; I believe in the white womanhood of the North; I have faith in the white civilization of the whole United States.

We may have to fight the same political battles that we fought in reconstruction days in the South, but it will be white people against negro people. The black man could not control the white man, and the negro man and the negro woman combined can not any the more control the white man and the white woman combined, but to quote the words of a distinguished citizen and statesman of the South, "Never, sir, will a single State of this Union, North or South, be delivered again to the control of an ignorant and inferior race. We wrested our government from negro supremacy when the Federal drum beat rolled closer to the ballot box and Federal bayonets hedged it deeper about than will ever again be permitted in this free Government. But, sir, though the cannon of this Republic thundered in every voting district in the South, we still should find, in the mercy of God, the means and the courage to prevent its reestablishment." And here to-day, speaking in behalf of the womanhood of America, speaking as a representative of a section that has been much misunderstood, and naturally so, I swear anew my allegiance to my own people, my own blood, my own race, and while you of the North, the East, and the West, who are not set about with our own peculiar problem, can not pass this resolution without assistance from the South, I pledge you that in my capacity as a Senator of the United States I know no section, I see only my whole country, and I covenant with you, and you covenant with me, that you will do under this amendment as you have done under the fifteenth amendment—you will not undertake to place in control over us a race of people that you would never allow to govern you. The white men have outvoted the negro men, and that under trying conditions, and, God helping us, from this day forward the white men and the white women will outvote the negro men and the negro women.

Mr. President, in the short time that I have been a Member of this body the three greatest social questions that ever have engaged the attention of a people have been before the American people. It has been my good fortune to witness the ratification of the last amendment to the Constitution whereby liquor was driven out of America. It has been my privilege, sir, speaking my own sentiments, and as God is my judge, believing I speak the sentiments of the people of America, to speak for the peace of America and for the peace of the world.

So to-day another opportunity is presented to me which I gladly grasp. That is, not only to raise my voice in behalf of human liberty and freedom for the women of America, but it shall be my privilege to cast a vote for that which I know to be right and which therefore can not be wrong.

Mr. President, when this joint resolution was last before the Senate of the United States it needed but two votes to pass it. Since that time it has been my fortune to come here. It is now my privilege, my pleasure, to present to the womanhood of America one-half of all the votes that were needed when the joint resolution was here before. I do not know what changes there may have been, but I do know that if all those who voted for the joint resolution when it was here before shall vote for it again to-day, when that vote is supplemented by my vote the women of American can need but one vote to-day. So the responsibility is placed squarely up to every Senator in this body who may vote "nay." You can grant or you can deny justice to the women of America. Each man has the whole responsibility resting upon him. Dare you deny that right? You who hesitate, you who believe in it, you who want to follow your President, you who want to follow your legislatures, you who want to follow the American people, you who hear the call of justice, will you dare assume all the responsibility, because if the joint resolution fails to pass to-day each and every man who votes "nay" will thereby take upon his own shoulders the whole responsibility for the failure of the measure.

Sir, I come from the South. I come from a State that has a majority of negro population. Some men have said that they do not want to force anything on the South. I tell you, speaking for the new South, speaking for the real South, speaking for the American South, we want this privilege. We feel that the women are entitled to it, and we know that we can handle any race question that comes up in this enlightened age. We know there is no danger from it. You need not withhold your vote because you think that some of us down there do not want it.

Let me call this further to the attention of the Senate. The Republicans are committed to the principle. The Democrats are committed to the principle. The two great political conventions have put it in their platforms. It is just a question now of the method by which you will get it.

Let me tell you that no man will be nominated for the Presidency by either party who is not an advocate of woman suffrage. Let me tell you that neither convention of either party would dare fail to place in its platform when it meets in convention next year a plank calling for the passage of this joint resolution. Everybody will be for it when the next conventions meet. You will be bound to vote for it then whether you will or no.

Let me tell you, you may defeat it to-day, but you only postpone it. You may postpone it for a few months, it may be possibly for a year, but this Congress, as it is gradually dying, has the opportunity to make itself immortal. If you do not pass this joint resolution the incoming Congress will pass it. You can not prevent the passage of the joint resolution. You can not prevent giving women the right to vote. They are going to have it. It is just a question whether you will do it to-day or whether you will do it a little later.

I beg Senators, when only one vote is needed, not to turn deaf ears to 50,000,000 of people. It is too late now for any man belonging to either party to doubt the wisdom of women voting. We are all committed to it. It is coming; it is here. I believe, Mr. President, that the joint resolution is going to pass to-day, and this Senate will go down in history forever more on account of that than on account of any other one thing that it may have done during its time.

Mr. CALDER. Mr. President, I shall vote for the joint resolution because I believe in it, and because I know that if it is adopted and the women of the entire country are given the vote they will use it intelligently. I did not rise in my place to discuss that subject particularly this morning, but just to occupy the time of the Senate for a few moments on a matter which deals with it relatively.

Mr. President, the other day the Secretary of War presented to the ranking officers of the Army in this country distinguished-service decorations. The newspapers heralded the fact, and properly so, for I think it can fairly be said that no group of men in this country rendered more valuable service in our war with Germany than did these very officers.

We have all read the published accounts of the fact that many of our officers and men abroad have been cited for bravery in action, but I have failed to observe where the women of America who enlisted in the Army and rendered patriotic service as nurses back of the very front lines have received any unusual consideration at the hands of our Government. This fact prompted me to address a communication to the Secretary of War the other day, of which the following is a copy:

JANUARY 29, 1919.

Hon. NEWTON D. BAKER,
The Secretary of War, War Department,
Washington, D. C.

MY DEAR SECRETARY BAKER: I observe that the War Department is awarding to a number of officers and enlisted men, both in France and in this country, medals of honor for meritorious services performed during the war, all of which, in my judgment, were well earned; but it occurs to me that there are many women who served with the Army in France in our hospitals who are equally entitled to consideration for services rendered, and if medals of honor can be awarded to these women under the law, I trust that they will not be overlooked.

If, however, you can not do this, I will be pleased if you will prepare and send to me a bill that will cover the situation. This country,

has reason to be proud of its women, particularly those who have made such great sacrifices to take care of the men who have been wounded in battle.

Yours, very truly, ——— ———.

This letter was published in many of the New York newspapers, and as a result I have received a number of responses, among them the following, which I am much pleased to bring to the attention of the Senate as an evidence of the sympathy existing between the boys who fought overseas and the girls who took care of them when they were sick and wounded:

Mr. President, I now desire to read the following letter:

UNITED STATES EMBARKATION HOSPITAL No. 3,
New York City, January 30, 1919.

Senator CALDER,
Washington, D. C.

DEAR SIR: To-night I read with interest your letter to Secretary Baker regarding medals to be issued to women war workers. Nothing would please the overseas boys more than to see our overseas and home girls receive the service medals so well earned. I know the home girls have done wonderful work in supplying our overseas Army with all the comforts possible. Here in New York they are treating us royal, but, Senator, it brings tears to my eyes when I think of the hardship the girls endured on the other side—the long hours they worked, the conditions they worked under, and the miserable accommodations they had. God bless them, Senator; you have got to be there to fully appreciate what the girls have done for us. I for one will never pass up the big drum again, and I will always honor the Salvation Army. I have seen the Red Cross hospital raided by the Huns and several nurses who gave all—much more than I. I hope the people as a whole will honor all women war workers, as they most surely deserve it.

It is true we left many of our boys over there, but is it not true that we left some of our girls over there as well?

This is one subject Congress can and will agree upon, and I know our President will be more than pleased to award the medals.

How I wished that I commanded words to express my appreciation of all war workers.

Thanking you for your interest taken on behalf of our girls—you know, Senator, we overseas boys call all lady war workers our girls, and we love to think of them as such—and that the honor that is their due will soon be theirs, I am,

Yours, very truly,

Pvt. GUSTAVUS A. BETTS.

Hospital. 1084914.

I am afraid, Mr. President, that in the hurry and rush of war we have failed to pay the tribute due these wonderful women who were willing to make every sacrifice for their country. Thousands of our best women have been with our Army from the beginning of the war, at times under most difficult circumstances, and some have been under fire repeatedly. I have in mind one Miss McDonald, a nurse, who went over with a unit from the Presbyterian Hospital, of New York City. Miss McDonald was wounded at Ypres, losing an eye, and was treated for several months but returned to service again. I am informed that she received a British decoration, but, so far as I can learn, she has not yet been cited by her own Government. This should not continue a day longer. These splendid women ought not, under any circumstances, to be overlooked. They did more than they were asked to do, not only in France but here in this country as well.

No war was ever won by any nation without the united support of its women, and it is true, indeed, the American women have rendered every service in their power for their country. I call this matter to the attention of the members of the Military and Naval Committees especially, and hope, if legislation is required to properly honor these women, that such measures as may be necessary be immediately brought to the attention of the Senate.

Mr. FRELINGHUYSEN. Mr. President, when the joint resolution was pending before the Senate last fall I offered the following amendment to it:

On page 1, line 11, after the word "sex," insert the following: "but no male person who is not a citizen of the United States shall exercise the right of suffrage at an election for Senators and Representatives in Congress or for electors for President and Vice President of the United States, and no female person who is not such a citizen otherwise than by marriage, or who, having acquired citizenship by marriage, has not complied with such requirements and conditions as may be prescribed by the Congress, shall exercise such right.

At that time, in speaking upon the amendment, I said:

"I am in favor of a constitutional amendment properly drawn which will permit the worthy women of this country who are citizens, either by birth or through the regular and orderly processes of naturalization, to have the right of suffrage; but I want that amendment so drawn that it will protect the worthy women, who should vote, against the unworthy, who should not vote, and I want it so drawn that Congress can hereafter pass laws properly protecting this enlarged and increased electorate. I conceive it to be our duty under our oath as Senators to pass an amendment that will do this.

* * * * * * *

"Generally, married women are regarded as citizens of the country of which their husbands are citizens. This principle is recognized by the laws of the United States, section 1994 of the Revised Statutes providing that—

"Any woman who is now or may hereafter be married to a citizen of the United States and who might herself be lawfully naturalized shall be deemed a citizen."

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from New Jersey yield to the Senator from Colorado?

Mr. FRELINGHUYSEN. I yield.

Mr. SHAFROTH. Does not the Senator recognize the fact that this is a House joint resolution, and that if any amendment, no matter what it might be, should be offered to it and passed by the Senate it would send the resolution back to the other House for concurrence, and, therefore, it would be impossible to pass the measure during this session of Congress?

Mr. FRELINGHUYSEN. That may be a prophecy of the Senator from Colorado, but I am not aware that the ordinary processes of legislation should be stopped by reason of such a prophecy. I want to point out to the Senate, and to make it emphatic, that either we should amend this joint resolution or we should immediately address ourselves to amending our immigration laws before the proposed amendment to the Constitution is ratified in the event it shall pass the two Houses of Congress. I hope, therefore, the Senator from Colorado will allow me to continue, inasmuch as I wish to be placed on record in regard to this resolution——

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Jersey decline to yield?

Mr. SHAFROTH. I trust the Senator will bear with me for just a moment.

The PRESIDING OFFICER. Does the Senator from New Jersey yield further to the Senator from Colorado?

Mr. FRELINGHUYSEN. I yield further to the Senator.

Mr. SHAFROTH. The Senator from New Jersey may not have been in the Chamber when the Vice President announced that no amendment whatever would be in order to the joint resolution, because in the parliamentary status of the joint resolution it has been read a third time, which is the final action that can be taken before the passage.

Mr. FRELINGHUYSEN. I was in the Chamber when the Vice President announced that ruling; I am aware of it; but I know of no ruling which will deprive me of speaking on the joint resolution, which I am doing at the present time.

The PRESIDING OFFICER. The Senator from New Jersey will proceed.

Mr. FRELINGHUYSEN. In my remarks on the occasion referred to I continued:

"It is of fundamental importance that in considering this provision of law the fact shall not be overlooked that Congress, in adopting it, was proceeding in pursuance of authority conferred upon the Congress by Article I, section 8, paragraph 4 of the Constitution—the authority 'to establish an uniform rule of naturalization.' Therefore, the marriage of a foreign woman to an American citizen is, in its effect upon the status of the woman, a process of naturalization, and it must be borne in mind that the woman who acquires citizenship in this manner is, by virtue of the language of section 1994 itself, as fully naturalized as though she had gone through the court processes of naturalization required in the cases of males and in the cases of unmarried females, and as completely a citizen of the United States as though she had been born here. The Constitution 'contemplates two sources of citizenship, and two only—birth and naturalization'—said the Supreme Court in the leading case on citizenship, entitled United States *v.* Wong Kim Ark (169 U. S., 649, 702).

"The procurement of United States citizenship by a foreign woman through marriage to a citizen is not, of course, surrounded with any of the safeguards that are, and have been for many years, placed around the procurement of citizenship through the regular court processes provided by law. Some of those safeguards are the following:

"A male alien desiring to become a citizen of the United States must make a declaration that he is not an anarchist, a polygamist, or a believer in the practice of polygamy, and that it is his intention in good faith to become a citizen of the United States and permanently to reside therein. Not less than two years and not more than seven years after he has made his declaration of intention he must again petition the court and take an oath that he is not 'a disbeliever in or opposed to organized government, or a member of or affiliated with any organization or body of persons teaching disbelief in organized government,' and so on. Then he is examined by the United States examiners, and if the court so directs he becomes a citizen, but under the Revised Statutes a foreign woman who has attained her citizenship by marriage to an American citizen is not held to conform to that process of law.

* * * * * * *

"Is it not essential that we should write in the Constitution a provision which will enable Congress to pass legislation that will restrict the menace arising from this condition? I do not think the amendment as drawn does this, and I believe that Congress should take the precaution to lay the foundation for protecting the country in this regard. After consultation with the legal advisers of the Immigration and Naturalization Bureaus I am firmly of the opinion that if the amendment should be adopted as drawn it will not be possible thereafter for Congress to remedy the situation described by me by passing legislation. In other words, the constitutional amendment, unless it shall be changed in some such manner as that I suggest, will prevent the passing of any legislation to place any restriction with regard to the exercise of the franchise upon foreign women who have become citizens by marriage.

"This citizenship-by-marriage provision was enacted by the Federal Congress when women could not vote and at a time when Congress had no thought of giving them the vote, its object being to protect property and dower rights and to care for many legal and international questions. To accomplish these purposes Congress conferred the benefit of such citizenship upon such women. Now women are asking for the additional benefit of the right of suffrage—too long denied them—but a changed situation is created, which Congress should carefully consider before passing a constitutional amendment. The view has been expressed by some lawyers that Congress could afford protection to the elective franchise under this constitutional amendment by hereafter passing statutes naturalizing foreign women married to citizens and worthy of the privilege of voting. Possibly a statute could be passed that hereafter would protect the electorate and compel married women who have become citizens by marriage to be naturalized in a court proceeding before they vote, but I do not believe it."

Mr. President, I ask unanimous consent to include in the RECORD at this point the entire address I delivered on that occasion.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the CONGRESSIONAL RECORD of Sept. 30, 1918.]

"Mr. FRELINGHUYSEN. Mr. President, a few days ago I proposed an amendment to the pending joint resolution. While I realize that the Senate is fatigued, I shall be forced to be away to-morrow if I can arrange a proper pair, and I would like to speak briefly upon my amendment. I ask that the Secretary may read the amendment.

"The PRESIDING OFFICER. It will be read.

"The SECRETARY. At the end of the joint resolution add the following:

"but no male person who is not a citizen of the United States shall exercise the right of suffrage at an election for Senators and Representatives in Congress or for electors for President and Vice President of the United States, and no female person who is not such a citizen otherwise than by marriage, or who, having acquired citizenship by marriage, has not complied with such requirements and conditions as may be prescribed by the Congress, shall exercise such right.

"Mr. FRELINGHUYSEN. Mr. President, the avowed and the obvious object of the resolution now pending before the Senate is to place women who are citizens of the United States upon an equality with men who are such citizens in the matter of the exercise of the right to vote; to confer suffrage upon female citizens of this country throughout the length and breadth thereof. My object in proposing an amendment to that resolution is to make it possible, in what seems to me the best way open to us, for the resolution actually to accomplish that obvious purpose and to avoid what seems to me to be the very serious danger that, in the very act of conferring the right to vote upon women and of abolishing the inequalities in that regard which have heretofore existed, we shall perpetuate and increase evils already existing and create new ones that will prove a constant and increasing source of embarrassment to us in the future administration of governmental affairs.

"At the outset I desire to make it perfectly plain that I am not opposed to the adoption of the woman-suffrage amendment—on the contrary, I am distinctly in favor of its adoption—but my attention has been attracted to the situation which I shall now endeavor to explain to the best of my ability, and I have felt that this situation is so serious that I should be derelict in the performance of my duty as a Member of this body should I fail or neglect to call its dangers to the notice of each and every Member of the Senate.

"With this by way of preface, I shall proceed to state the purposes of and reasons for the additions to the proposed constitutional amendment which I have offered in the form of an amendment to the resolution. My first object is this: To place in the Constitution itself a provision which will safeguard the country against the exercise of the right of franchise in Federal matters by aliens residing or sojourning within our midst. And it has seemed to me that not only is this of such great importance as to justify efforts toward the accomplishment of the reform at any and all times, but the pendency before the Senate of the resolution under discussion affords an opportunity for its accomplishment in an appropriate and efficient manner that ought not by any means to be overlooked.

"Under the constitutions of seven States of this Union aliens now exercise the right of franchise in connection with every elective office candidates for which are ordinarily voted for in the other States, to wit, Indiana, Missouri, Kansas, Arkansas, Nebraska, South Dakota, and Texas. Recognizing the menace to the safety of government of such a policy as this, a number of States have recently amended their constitutions so as to allow only native-born persons and persons who are fully naturalized under the regular legal process to vote therein, to wit, Alabama, Minnesota, Michigan, Wisconsin, and others that I can not recollect.

"To show the abuses which arise under such a policy, which is contrary to the very spirit of the Federal naturalization laws, attention might be directed to the fact that the following methods have recently been applied in a certain Western State where the declarations of intention made by aliens in the course of a year would hardly approximate two dozen and the declarations made within 30 days preceding and including election day—made under the influence of vote manufacturers—have approximated a thousand or more in several of the courts exercising naturalization jurisdiction in the State: The ambitious candidate has his henchmen line up all the foreigners in the district whom he can enlist. He makes his drive through the industrial plants, foregathers with the aliens in their club organizations, extols the virtues of his candidate—and this applies regardless of party—and by various inducements and blandishments prevails upon the foreigners to assemble at convenient places and in the day and night time the accommodating clerk of the court supplies the necessary blank forms and accepts the statutory fees coming from an appropriate source. Up to and including election day this business continues. All day long, in the presence of Government officials, the stream of aliens has been seen to enter the room where the clerk of the court is located and to leave that room with statements from the clerk showing that the aliens have declared their intention to become citizens of the United States, and, in the light of the provision of the State constitution, showing also by implication that such aliens have become clothed by the mere act of declaring an intention to become citizens with such character, intelligence, and understanding of our institutions that they are entitled to exercise the franchise in the same way and with the same effect as a person born in our midst.

"Under the resolution pending before the Senate, unless the part of my amendment directed to this situation, or some similar amendment, should be adopted, the evils and abuses to which I am calling attention will not only be perpetuated but will, perhaps, be practically doubled; for if and when the amendment proposed in the resolution is ratified by the requisite number of States, each and every foreign woman now living in the seven States I have mentioned and each and every one who shall take up residence there later who has attained the statutory age will be able to declare her intention, if she is unmarried, and by that simple act will be clothed with the right to vote alongside of the man.

"With this situation existing, any unmarried woman coming from the most anarchistic section of Russia, from the fastnesses of Bolshevikism, from the I. W. W. ranks, or from any other source inimical to our interests or even believing in the utter destruction of our Government—any unmarried woman, no matter what her character may be, might be induced in the States mentioned to declare her intention to become a citizen, whereupon she could proceed to stamp the impress of her views and of her character, through the exercise of her right to vote, upon the laws of this country. This is an illustration none too extreme; but even if it should be regarded as extreme, the answer is that we must think through to the very depths of the possibility of an evil if we are correctly to measure the extent of such evil.

"Is it desirable or wise to lay a foundation in a constitutional amendment for the perpetuation of such a situation as this, especially when it may be so easily guarded against? I think not, and because of that view I have inserted in my proposed amendment the provision—

"But no male person who is not a citizen of the United States shall exercise the right of suffrage at an election for Senators and Representatives in Congress or for electors for President and Vice President of the United States.

"And have, in addition, so worded the remainder of my proposed amendment, the direct purpose of which is to meet an-

other situation, to the description of which I am about to proceed, that the same result will be accomplished with regard to females.

"The second object which I have in view is this: To insure that, in conferring the right to vote upon women who are citizens, we do not create a legal situation in which foreign women might, through the operation of the almost universally recognized principle that a married woman's citizenship follows that of her husband, qualify to exercise the franchise in Federal elections, although wholly unfitted by character, education, residence within the country, and knowledge of and regard for its institutions, or otherwise, to have a voice in public affairs. My second object, in other words, is so to change the wording of the resolution before us that it shall be made actually to confer upon women rights equal to those enjoyed in this regard by men, and not greater than those enjoyed by men.

"Mr. CALDER. Mr. President——

"The PRESIDING OFFICER (Mr. KIRBY in the chair). Does the Senator from New Jersey yield to the Senator from New York?

"Mr. FRELINGHUYSEN. If the Senator rises to ask me a question, I would be very glad to answer it after I conclude. I know the Senate wants to adjourn, and I hope the Senator will not interrupt me now.

"Mr. CALDER. Very well.

"Mr. FRELINGHUYSEN. As I have already remarked, the object of the pending resolution is to place women on the same footing as men so far as the right of franchise is concerned. I am in favor of a constitutional amendment properly drawn which will permit the worthy women of this country who are citizens, either by birth or through the regular and orderly processes of naturalization, to have the right of suffrage; but I want that amendment so drawn that it will protect the worthy women, who should vote, against the unworthy, who should not vote, and I want it so drawn that Congress can hereafter pass laws properly protecting this enlarged and increased electorate. I conceive it to be our duty, under our oath as Senators, to pass an amendment that will do this.

"I do not know who prepared the pending constitutional amendment, but I believe it has been drawn without proper consideration or study of the Constitution and conditions that exist under our naturalization statutes, the careless disregard of them, the abuses that have crept into the making of citizens, and the apparent indifference of some authorities to the grave menace to the institutions of popular government that thus arise.

"In giving to this subject that careful study which its gravity demands, my attention has been attracted to two circumstances in particular. The passage of a resolution of this kind is closely related to the precarious situation in regard to aliens which has been brought about by the war and our participation in it. Congress has been forced to pass drastic laws at the eleventh hour to protect this country against sedition, treason, and deep-seated disloyalty, arising from the fact that so many foreigners reside amongst us and that Germany has carried on a surreptitious propaganda here ever since the war and evidently, from latter-day developments, even for many years before the war. It is not necessary for me to recite the many outrages, bombings, dynamitings, murders, committed by the disloyal foreigners residing here. The consideration of this amendment conferring upon female citizens the right to vote necessarily brings up at this critical time the grave question of our immigration and naturalization laws and policies, especially in their relation to and effect upon women of alien birth already here or who may hereafter come.

"The other particular circumstance was not fully appreciated by me, in its relation to the constitutional amendment as drawn, until I conferred with officials of the Bureau of Immigration and learned its extent and seriousness. It arises from the abuses that exist in connection with the traffic in women for immoral purposes. While our immigration laws have been framed with the object of protecting society against this traffic, nevertheless many women become citizens of the United States through pro forma marriages contracted simply for the purpose of giving the poor, unfortunate women a status of citizenship under our laws and preventing them from being deported. The pimp, the procurer, these vice scavengers of humanity, products of the swill barrel of foreign lands, carry on their immoral, unspeakable practices almost within the shadow of Ellis Island, the women being brought in from Europe, from the Orient, and from the Latin countries, and, except in the cases of Chinese and Japanese, a pro forma marriage contract can be entered into and these women become citizens of the United States and can not be deported unless the Government can show—under the most recent amendment to section 19 of the immigration act—that the marriage was contracted after the woman became liable to deportation under the law; and heretofore the enforcement of the act has been seriously impeded through the fact that a foreign woman, no matter what her character, can secure citizenship simply by going through with a marriage ceremony, the other party to which is an American citizen.

"The foregoing are the two respects in which, it seems to me, the importance of the second part of my proposed amendment is made especially apparent at this time. I desire now to proceed to a more detailed discussion of the matter in its legal as well as its practical aspects.

"Generally, married women are regarded as citizens of the country of which their husbands are citizens. This principle is recognized by the laws of the United States, section 1994 of the Revised Statutes providing that—

"Any woman who is now or may hereafter be married to a citizen of the United States and who might herself be lawfully naturalized shall be deemed a citizen.

"It is of fundamental importance that in considering this provision of law the fact shall not be overlooked that Congress, in adopting it, was proceeding in pursuance of authority conferred upon the Congress by Article I, section 8, paragraph 4, of the Constitution—the authority 'to establish an uniform rule of naturalization.' Therefore the marriage of a foreign woman to an American citizen is, in its effect upon the status of the woman, a process of naturalization, and it must be borne in mind that the woman who acquires citizenship in this manner is, by virtue of the language of section 1994 itself, as fully naturalized as though she had gone through the court processes of naturalization required in the cases of males and in the cases of unmarried females, and as completely a citizen of the United States as though she had been born here. The Constitution 'contemplates two sources of citizenship, and two only—birth and naturalization,' said the Supreme Court in the leading case on citizenship, entitled United States *v.* Wong Kim Ark (169 U. S., 649, 702).

"The procurement of United States citizenship by a foreign woman through marriage to a citizen is not, of course, surrounded with any of the safeguards that are, and have been for many years, placed round the procurement of citizenship through the regular court processes provided by law. Some of those safeguards are the following:

"A male alien desiring to become a citizen of the United States must make a declaration that he is not an anarchist, a polygamist, or a believer in the practice of polygamy, and that it is his intention in good faith to become a citizen of the United States and permanently to reside therein. Not less than two years and not more than seven years after he has made his declaration of intention he must again petition the court and take an oath that he is not "a disbeliever in or opposed to organized government, or a member of or affiliated with any organization or body of persons teaching disbelief in organized government,' and so on. Then he is examined by the United States examiners; and if the court so directs, he becomes a citizen, but under the Revised Statutes a foreign woman who has attained her citizenship by marriage to an American citizen is not held to conform to that process of law.

"What is the object of the resolution? It is to give men and women the same rights under the Constitution, to place them upon an equality in regard to the elective franchise. Does it do that? Will it attain its object?

"Under the Federal statute already quoted an alien woman who marries a man who is a citizen of the United States by birth or naturalization becomes a citizen, and under this resolution, as drawn, she would be entitled to vote; but a male alien or a female alien not married must be naturalized in a regular court proceeding under our naturalization laws before he or she becomes a citizen qualified under this proposed resolution, as drawn, to vote. Is that equal rights?

"A male alien—a German, for instance—marries an American woman, but he does not thereby become a citizen, and under this constitutional amendment he could not vote by reason of that marriage relation. But a female alien—a German woman, for instance—marries an American citizen, perhaps a German who has been naturalized. She thereby, ipso facto, becames a citizen, and under this constitutional amendment could vote. Is that equal rights? Certainly not. It is conferring upon married women rights not conferred upon unmarried women or upon any man—rights which ought not to be conferred upon either women or men in any such haphazard, unregulated fashion.

"Again, the foreign man or unmarried foreign woman must reside here continuously for at least five years before the boon of citizenship will be conferred; but the foreign woman may by marrying a citizen become invested with all the rights and privileges of citizenship immediately upon landing upon our shores, including, if the constitutional amendment as proposed should be adopted, the right to vote. The foreign man or unmarried woman seeking in good faith, through the regularly

ordained channels, to become a citizen of this country must be of 'good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.' But in the case of the foreign woman who marries a citizen no such standards are enforced; the marriage, ipso facto, confers citizenship, even though she is of bad character and even though she knows nothing and cares less about the principles of the Constitution. She does not have to be of good character, because the Supreme Court long ago held, in the case entitled Kelley against Owen, Seventh Wallace, 496, that the qualifying phrase, 'and who might herself be lawfully naturalized,' found in section 1994 of the Revised Statutes, means no more than that she must be of the general class—races—for which naturalization is authorized. Under this situation will the rights conferred be equal? Obviously not. Upon this fact too great emphasis can not be placed: If this resolution passes in its present form, foreign women married to citizens will become voters without any of the safeguards of naturalization through court processes.

"Mr. President, how many foreign women are there in the United States?

"The census of 1910 recorded 13,500,000 persons of foreign birth in our population. During the years 1911 to 1914, 3,000,000 more were added, according to the estimate of the Immigration Bureau. This is net—makes allowance for those who returned to their native lands. From 1915 to 1918 it is estimated immigration has been about 300,000 a year, making in these years of the war 1,200,000 immigrants added to our population. The total number of foreign-born persons here would, therefore, seem to be about 18,000,000.

"Mr. President, there are in the United States to-day 5,821,757 women of foreign birth. They are mostly in the large industrial States. I shall not read the statistics relative to them now. Suffice it to say that New York State has 1,296,849; Massachusetts, 526,922; Pennsylvania, 586,085; but that number has been increased by reason of the fact that the figures that I have read are from the census of 1910, and since that time immigration has increased by over 3,000,000. Therefore it is safe to assume that there are nearly 7,000,000 women of foreign birth in this country. I ask to have the letter which I hold in my hand from the Department of Labor giving these statistics inserted in the RECORD.

"The PRESIDING OFFICER. Without objection, it is so ordered.

"The letter referred to is as follows:

"DEPARTMENT OF LABOR,
"OFFICE OF THE SECRETARY,
"*Washington, September 24, 1918.*

"MY DEAR SENATOR: I beg to acknowledge receipt of your letter of the 23d instant requesting certain data regarding alien women in the United States, and will reply to your inquiries seriatim.

"1. Table 15, page 259, volume 1, of the Census Report of 1910, gives the number of foreign-birth white women in the United States as 5,821,757, divided as follows:

New England:	
Maine	52,165
Vermont	21,939
Massachusetts	526,922
Rhode Island	87,442
Connecticut	151,691
Middle Atlantic:	
New York	1,296,849
New Jersey	301,652
Pennsylvania	586,085
East North Central:	
Ohio	251,104
Indiana	62,139
Illinois	528,965
Michigan	261,867
Wisconsin	222,130
West North Central:	
Minnesota	222,529
Iowa	116,055
Missouri	97,040
North Dakota	63,528
South Dakota	40,932
Nebraska	74,284
Kansas	54,096
South Atlantic:	
Delaware	7,496
Maryland	49,857
District of Columbia	11,434
Virginia	9,900
West Virginia	15,773
North Carolina	2,197
South Carolina	2,335
Georgia	5,554
Florida	13,137
East South Central:	
Kentucky	18,442
Tennessee	7,312
Alabama	7,130
Mississippi	3,431
West South Central:	
Arkansas	6,302
Louisiana	22,139
Oklahoma	14,414
Texas	103,162
Mountain:	
Montana	27,084
Idaho	12,345
Wyoming	7,003
Colorado	48,777
New Mexico	7,822
Arizona	16,238
Utah	27,447
Nevada	4,172
Pacific:	
Washington	80,476
Oregon	33,241
California	191,833

"2 and 3. Section 1994 of the Revised Statutes provides as follows:

"'Any woman who is now or may hereafter be married to a citizen of the United States and who might herself be lawfully naturalized shall be deemed a citizen.'

"Section 4 of the act approved March 2, 1907 (34 Stat. L., pt. 1, p. 1228), which is merely declaratory of section 1994, Revised Statutes, provides as follows:

"'That any foreign woman who acquires American citizenship by marriage to an American shall be assumed to retain the same after the termination of the marital relation if she continues to reside in the United States, unless she makes formal renunciation thereof before a court having jurisdiction to naturalize aliens, or if she resides abroad she may retain her citizenship by registering as such before a United States consul within one year after the termination of such marital relation.'

"4. The fourteenth amendment to the Constitution defines those who shall be deemed citizens by virtue of their birth. Section 8 of Article I of the Constitution gives Congress power 'to establish an uniform rule of naturalization. * * *.' The various provisions of law under this authority will be found in the Revised Statutes.

"Yours, very truly,

"JOHN W. ABERCROMBIE,
"*Acting Secretary.*

"Hon. J. S. FRELINGHUYSEN,
"*United States Senate, Washington, D. C.*

"Mr. FRELINGHUYSEN. Mr. President, it will be seen from the foregoing that we already have here a very large number of foreign-born women. Of course, many of these are illiterate, many have had no educational advantages. Another fact that should not be overlooked is this: The tendency to enter into marital relations is marked among these immigrant races. Of course, we know little or nothing about their loyalty and the real allegiance of these women and less about their character; many of them may be anarchists, nihilists, polygamists, yet these women may, simply through the performance of a marriage ceremony, become citizens of the United States.

"Is it not essential that we should write in the Constitution a provision which will enable Congress to pass legislation that will restrict the menace arising from this condition? I do not think the amendment as drawn does this, and I believe that Congress should take the precaution to lay the foundation for protecting the country in this regard. After consultation with the legal advisers of the Immigration and Naturalization Bureaus I am firmly of the opinion that if the amendment should be adopted as drawn it will not be possible thereafter for Congress to remedy the situation described by me by passing legislation. In other words, the constitutional amendment, unless it shall be changed in some such manner as that I suggest, will prevent the passing of any legislation to place any restriction with regard to the exercise of the franchise upon foreign women who have become citizens by marriage.

"This citizenship-by-marriage provision was enacted by the Federal Congress when women could not vote and at a time when Congress had no thought of giving them the vote, its object being to protect property and dower rights and to care for many legal and international questions. To accomplish these purposes Congress conferred the benefit of such citizenship upon such women. Now women are asking for the additional benefit of the right of suffrage—too long denied them—but a changed situation is created, which Cngress should carefully consider before passing a constitutional amendment. The view has been expressed by some lawyers that Congress could afford protection to the elective franchise under this constitutional amendment by hereafter passing statutes naturalizing foreign women married to citizens and worthy of the privilege of voting. Possibly a statute could be passed that hereafter would protect the electorate and compel married women who have become citizens by marriage to be naturalized in a court proceeding before they vote, but I do not believe it.

"To hold that it can is tantamount to holding that the Congress can by statute compel a woman who has already been naturalized by marriage and who has by that process of naturalization become as full a citizen as though born here, to go through another process of naturalization—the court process—before she will be allowed to vote, notwithstanding a provision in the Constitution prohibiting the United States or the several States from denying or abridging on account of sex the right of a citizen to vote. No law will or can be passed hereafter in that regard that will protect the electorate against the unworthy or unqualified women who are given this right under this con-

stitutional amendment unless you lay the foundation in the amendment itself by the use of words that will confer upon Congress the power to do so.

"Perhaps it might be thought that the second section of the article of the amendment proposed in the resolution, providing that the Congress shall have power by appropriate legislation to enforce the provisions of the article, would lay a sufficient foundation for subsequent legislation dealing with the subject I am discussing. But I think that, obviously, such is not the case. The purpose of the second section of this proposed article of amendment is exactly the same as the purpose of section 2 of Article XIII, section 5 of Article XIV, and section 2 of Article XV of the Constitution. Its purpose is to indicate which of the three branches into which our Government is divided is to be charged under the Constitution with the enforcement of the particular article; and it confers a power to enforce—that is, carry out—not a power to modify, regulate, abbreviate, or extend. If it conferred a power of the latter character it would, moreover, be absolutely inconsistent with the first section of the proposed article of amendment.

"I contend that under this amendment providing that the right to vote shall not be abridged or denied on account of sex, the right being conferred when this constitutional amendment is ratified by the States, such right having been created through marriage—which marriage relation is possible because of sex—the moment you attempt to compel these women to go through any additional requirements before they exercise the franchise you will be doing the very thing the amendment prohibits, because you will be abridging the right of a female citizen to vote. Any such statute, if passed, would be unconstitutional. Of course, I do not contend that Congress can not at any time, under the authority conferred upon it by the Constitution to pass uniform naturalization laws, either amend or repeal section 1994 of the Revised Statutes. The power of Congress in this regard is no doubt plenary. This fact might naturally lead some to ask the question, 'Why attempt to cover this point in a constitutional amendment? Why not leave it to Congress to repeal the statute lying at the foundation of the difficulty?' But to such a question there are two sufficient answers.

"In the first place, section 1994, although a statute and therefore open to repeal or revision, is simply declaratory of a principle of law that is almost universally recognized and runs infinitely into important legal questions of both a local and an international nature. It is not likely, therefore, that Congress will ever go so far in amending and extending the naturalization laws as to abandon this principle. And just so long as citizenship can be acquired by women through the performance of a marriage ceremony will there exist the inequalities and evils to which attention has been called.

"In the second place, by such a constitutional provision as that proposed by me, the past as well as the future can be cared for. There are, of course, now in the United States a great many women, formerly foreigners, who have acquired citizenship through marriage. It may be seriously doubted that Congress could legally divest these women of the citizenship already acquired in that manner. The Supreme Court has said, in the Wong Kim Ark decision, already mentioned, that 'the power of naturalization vested in Congress by the Constitution is a power to confer citizenship, not a power to take it away.' But wholly aside from this legal doubt, it would hardly be fair and just to pass a law changing the status of these women from that of citizenship to that of alienage—certainly it would not be just or fair in many of their cases. On the other hand, no unfairness or injustice—and nothing in any sense illegal—is involved in so qualifying the conference of a constitutional right to vote as to make it possible for Congress hereafter to enact legislation requiring those whose citizenship arises merely from marriage to meet, in every substantial respect, before they will be allowed to exercise the right of suffrage, the conditions that males and unmarried females are required to meet before citizenship is conferred upon them.

"Accordingly the purpose I have in mind in inserting in my proposed amendment the provision that 'no female person who is not such a citizen otherwise than by marriage, or who, having acquired citizenship by marriage, has not complied with such requirements and conditions as may be prescribed by Congress, shall exercise such right' is to pave the way for the passage through Congress, in the event that the constitutional amendment should be adopted, of a law which would compel foreign women who acquire citizenship in the instantaneous and unregulated manner of going through a marriage ceremony to meet conditions and requirements similar to those now governing the conference of citizenship through court processes before they would be permitted to stand alongside men and women born here and men and women born abroad and naturalized here in the regular safeguarded manner and cast votes having the same effect in determining the course of government as the votes cast by the native-born and regularly naturalized citizens.

"I repeat, Mr. President, I am in favor of adopting a constitutional amendment which will bring about equality between men and women citizens in the matter of the vote; but I am also in favor of so wording such amendment that we will not perpetuate and increase already existing evils and create new inequalities that could not hereafter be rectified otherwise than by the slow and uncertain method of adopting still another constitutional amendment.

"I ask to append to my remarks, without reading, a statement showing citizenship qualifications for voting in woman-suffrage States.

"The PRESIDING OFFICER. Without objection, permission is granted.

"The statement referred to is as follows:

"CITIZENSHIP QUALIFICATIONS FOR VOTING IN WOMAN-SUFFRAGE STATES.

"FULL SUFFRAGE.

"Arizona: Citizens only. (Const., VII–2.)
"California: Citizens only. Naturalized citizens must have been admitted to citizenship 90 days prior to the election. (Const., II–1.)
"Colorado: Citizens only. (Const., VII–1.) 'The same qualifications as to * * * citizenship * * * required by law to entitle male persons to vote shall be required to entitle female persons to vote.' (Courtright's Stat., 1911, sec. 2147.)
"Idaho: Citizens only. (Const., VI–2.)
"Kansas: Citizens and persons who have declared their intention to become citizens. (Const., V–1.) An amendment has been submitted to be voted on at the 1918 election limiting the right to vote to citizens of the United States. (Laws, 1917, c. 353.)
"Montana: Citizens only. (Const., IX–2.)
"Nevada: Citizens only. (Const., II–1.)
"New York: Citizens only. Must have been a citizen for 90 days. A citizen by marriage must have been an inhabitant of the United States for 5 years. (Const. amend., Laws, 1917, p. 2784.)
"Oregon (a senate joint memorial [Laws, 1917, p. 975] has been submitted to Congress requesting 'that equal qualifications be required of and equal privileges granted to each individual voter, irrespective of sex or the marriage relation in the States adopting woman suffrage'): Citizens only. (Const., II–2.)
"Utah: Citizens only. (Const., IV–5.)
"Washington: Citizens only. (Const., VI–1.)
"Wyoming: Citizens only. (Const., VI–5.)

"LIMITED SUFFRAGE.

"Illinois: Citizens only. (Const., VII–1; Laws, 1913, p. 333.)
"Michigan: Citizens only. (Const., III–1; Laws, 1917, No. 191.)
"Nebraska: Citizens and persons who have declared their intention to become citizens at least 30 days prior to election. (Const., VII–1; Laws, 1917, c. 30.)
"North Dakota: Citizens only. (Const., V–121; Laws, 1917, c. 254.)
"Rhode Island: Citizens only. (Const. amend., VII; Laws, 1917, c. 1507.)"

Mr. FRELINGHUYSEN. Mr. President, I know that there has been a ruling by the Vice President that no amendment can be offered to the joint resolution, but I had heretofore prepared an amendment, after the word "sex," on line 11, to add the following:

Provided, That no married woman shall be entitled to vote who would not be so entitled if she were a single woman.

Unless we can pass an amendment to our immigration laws to enable us to correct the evil to which I have referred, this proposed constitutional amendment will enfranchise thousands—yes, millions—of alien women who have never taken the oath of allegiance which the male alien is compelled to take, and who have never been compelled to undergo the searching investigation by United States officials, who examine every male applicant for citizenship. We will, therefore, if the proposed constitutional amendment is adopted unamended, enfranchise, through the provision of the Revised Statutes to which I have referred, millions of women without throwing this protection around the electorate. It is a mooted question whether an amendment can be made to the immigration laws, and therefore I feel that here and now is the place for us to write into the fundamental law of the land a prohibition against a condition that no patriotic American citizen wants to see.

Mr. President, I ask unanimous consent to offer the amendment to which I have referred.

Mr. SHAFROTH. I object to unanimous consent.

Mr. JONES of New Mexico. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Mexico desire to be heard before the Chair rules?

Mr. JONES of New Mexico. Mr. President, the Senator from New Jersey [Mr. FRELINGHUYSEN] having read the proposed amendment, I presume it is not necessary to have it read again at the desk.

This amendment was presented to the Senate last September, and on that occasion I stated at some length the reasons why I felt compelled to oppose any amendment to the joint resolution. Did I not feel the same way now I should be inclined to waive the parliamentary point of order and permit the Senate to con-

sider the amendment, but it is quite obvious that the vote on the joint resolution itself would be greatly jeopardized if we were to amend it in any particular.

As has been stated by the Senator from Colorado [Mr. SHAFROTH], if an amendment were made to the pending joint resolution, it would require it to be again passed upon by the House. The time of this session of Congress is very short, and we feel that the joint resolution itself would be jeopardized by attaching any amendment to it.

As stated on the former occasion, the proposed constitutional amendment in its present form is the same as that which has been presented to the Congress for many years in the past. In a sense it has become sanctified by age, and I know that it would lead to the opposition of the great masses of the women of this country who have been so faithfully and so persistently advocating the passage of this proposed constitutional amendment in its present form.

If it were not for these considerations, Mr. President, I should not raise the point of order; but, under the circumstances, I feel compelled to do so. Therefore I raise the point of order that the amendment can not be considered at this time.

The PRESIDING OFFICER. The Chair rules that the joint resolution having been ordered to a third reading and having been read the third time, the amendment is not in order. The only question is, Shall the joint resolution pass?

Mr. GAY. Mr. President, the question of woman suffrage has been discussed before this honorable body from every angle. Every Senator has his convictions and doubtless has well fixed in his mind just how he intends to vote when the roll is called; but, Mr. President, having only recently become a Member of the Senate, I desire to avail myself of the opportunity presented to briefly set forth my position on this great question.

I favor giving women the right to vote. As a member of the Louisiana Legislature I voted to submit the question to the people of Louisiana in the form of an amendment to the constitution of the State of Louisiana.

Following the legislative session of 1918 the senatorial campaign was waged for the seat made vacant by the death of Senator Broussard. The question of woman suffrage was not a vital issue in that campaign; but, as a candidate, I announced in public print and from the stump my intention to vote for the amendment to the constitution of Louisiana giving the women of my State the right to vote. I worked for its adoption and voted for it on November 5 last; but, Mr. President, during the campaign I told my people everywhere that should I be elected to the Senate I would vote against the Susan B. Anthony amendment. I consider that statement as binding.

At an extra session of the General Assembly of the State of Louisiana held in August, 1918, a joint resolution was adopted memorializing the Congress of the United States to reject the pending amendment to the Federal Constitution, which joint resolution reads as follows:

Now, therefore, be it

Resolved by the house of representatives of the people of Louisiana (the senate concurring), That the Congress of the United States be, and it is hereby, memorialized to reject the so-called Susan B. Anthony amendment to the Federal Constitution requiring each State to grant suffrage to the female sex without choice or limitation, and authorizing Federal power to enforce the amendment, the said Congress of the United States to declare by this action that the democracy of each separate American State is safe against the force and power of a combination of other American States; and be it further

Resolved, That we call upon our sister States of the Union to likewise declare for State integrity and the safety of American democracy and vigorously oppose Federal interference or control with State franchise; be it further

Resolved, That a copy of this resolution be forwarded to each House of Congress in the United States.

Mr. President, this, briefly, represents my point of view, and I heartily concur in the principles here set forth.

It is impossible for us who have the racial question to deal with to close our eyes and treat with indifference a problem which has been a boil upon the body politic for more than a generation, and which, happily for the welfare of both races, has been resting quiet for 15 or 20 years by the enactment of just laws in every State of the South.

Under these laws the South is prosperous. Crime has been reduced, and justice is meted alike to both races.

The passage of this amendment would again open an old sore, revive questions pregnant with dangerous consequences to the South, and would in time extend the power of Federal control to male suffrage and cause a most serious situation.

I have no patience with that little band of women, the militant suffragists, who seek notoriety and bring reproach upon the cause which so many noble women have espoused.

There is no denying the fact, Mr. President, that woman is entitled to the same authority in all questions governmental as man. She has risen even higher than ever before in the estimation of mankind through the wonderful sacrifices and patriotism which she has shown in this war, from which we have just victoriously emerged. She should have the same right and expression by the ballot that men to-day exercise, but let that right be given promptly by each sovereign State of our Union.

The eminent jurist from Louisiana, my distinguished predecessor, Senator Guion, stated on the floor of the Senate:

My objection to the amendment now pending in the Senate is that under our form of government the right to give or withhold the privilege of suffrage rests with the States and is not given to the General Government.

Suffrage is a matter of local or domestic concern, to be dealt with by each State, acting in its sovereign capacity in the exercise of the power reserved to the States under the Federal Constitution, and as may best subserve and accord with existing local conditions and without interference by the Federal Government.

Holding these views, Mr. President, and having pledged myself to my people, I will now fulfill that obligation and will record my vote against the pending amendment.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Henderson	Moses	Smith, Ga.
Baird	Hitchcock	Myers	Smith, Mich.
Bankhead	Hollis	Nelson	Smith, S. C.
Beckham	Johnson, Cal.	New	Smoot
Borah	Johnson, S. D.	Norris	Spencer
Brandegee	Jones, N. Mex.	Nugent	Sterling
Calder	Jones, Wash.	Overman	Sutherland
Colt	Kellogg	Page	Swanson
Culberson	Kendrick	Penrose	Thomas
Cummins	Kenyon	Pittman	Thompson
Curtis	King	Poindexter	Townsend
Dillingham	Kirby	Pollock	Trammell
Fernald	La Follette	Pomerene	Underwood
Fletcher	Lenroot	Ransdell	Vardaman
France	Lewis	Robinson	Wadsworth
Frelinghuysen	Lodge	Saulsbury	Walsh
Gay	McCumber	Shafroth	Warren
Gerry	McKellar	Sheppard	Watson
Gronna	McLean	Sherman	Weeks
Harding	McNary	Simmons	Williams
Hardwick	Martin, Va.	Smith, Ariz.	Wolcott

The PRESIDING OFFICER. The roll discloses the presence of 84 Senators. There is a quorum present. The question is, Shall the joint resolution pass?

Mr. SHAFROTH, Mr. SHEPPARD, and Mr. HOLLIS called for the yeas and nays, and they were ordered.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. HOLLIS (when Mr. CHAMBERLAIN'S name was called). On this question the Senator from Oregon [Mr. CHAMBERLAIN] and the Senator from Kentucky [Mr. MARTIN] are paired with the Senator from Missouri [Mr. REED]. If the Senator from Kentucky were present, he would vote "yea"; if the Senator from Oregon were present, he would vote "yea"; and if the Senator from Missouri were present, he would vote "nay."

Mr. FRELINGHUYSEN (when his name was called). I have a general pair with the junior Senator from Montana [Mr. WALSH]. I am released from my obligation on this question, and therefore I vote "yea."

Mr. HOLLIS (when Mr. GOFF'S name was called). On this question the Senator from West Virginia [Mr. GOFF] and the Senator from Oklahoma [Mr. OWEN] are paired with the Senator from Tennessee [Mr. SHIELDS]. If the Senator from West Virginia were present, he would vote "yea"; if the Senator from Oklahoma were present, he would vote "yea"; and if the Senator from Tennessee were present, he would vote "nay."

Mr. HOLLIS (when his name was called). On this question the Senator from Utah [Mr. KING] and I are paired with the Senator from Pennsylvania [Mr. KNOX]. If at liberty to vote, the Senator from Utah and I would vote "yea" and the Senator from Pennsylvania would vote "nay."

Mr. KENDRICK (when his name was called). I have a general pair with the senior Senator from New Mexico [Mr. FALL]; but I understand that he is in favor of the passage of this joint resolution and otherwise paired, and therefore I am at liberty to vote. I vote "yea."

Mr. KING (when his name was called). The Senator from New Hampshire [Mr. HOLLIS] and I have a pair with the Senator from Pennsylvania [Mr. KNOX]. Owing to the absence of the Senator from Pennsylvania I withhold my vote.

Mr. HOLLIS (when Mr. PHELAN'S name was called). On this question the Senator from California [Mr. PHELAN] and the Senator from New Mexico [Mr. FALL] are paired with the Senator from Maryland [Mr. SMITH]. If at liberty to vote, the

Senator from California would vote "yea," the Senator from New Mexico would vote "yea," and the Senator from Maryland would vote "nay."

Mr. SPENCER (when Mr. REED's name was called). I desire to announce that the senior Senator from Missouri [Mr. REED] is detained from the floor by sickness.

Mr. SAULSBURY (when the name of Mr. SMITH of Maryland was called). The senior Senator from Maryland [Mr. SMITH] is confined to his home by illness and unable to be present.

Mr. SMITH of Michigan (when his name was called). I have a general pair with the senior Senator from Missouri [Mr. REED], but in view of the announcement made by the Senator from New Hampshire [Mr. HOLLIS], I feel at liberty to vote. I vote "yea."

Mr. MCNARY. My colleague, the senior Senator from Oregon [Mr. CHAMBERLAIN], is detained on important public business.

The roll call resulted—yeas 55, nays 29, as follows:

YEAS—55.

Ashurst	Johnson, Cal.	Myers	Smith, Ariz.
Calder	Johnson, S. Dak.	Nelson	Smith, Mich.
Colt	Jones, N. Mex.	New	Smoot
Culberson	Jones, Wash.	Norris	Spencer
Cummins	Kellogg	Nugent	Sterling
Curtis	Kendrick	Page	Sutherland
Fernald	Kenyon	Pittman	Thomas
France	Kirby	Poindexter	Thompson
Frelinghuysen	La Follette	Pollock	Townsend
Gerry	Lenroot	Ransdell	Vardaman
Gore	Lewis	Robinson	Walsh
Gronna	McCumber	Shafroth	Warren
Harding	McKellar	Sheppard	Watson
Henderson	McNary	Sherman	

NAYS—29.

Baird	Hale	Penrose	Underwood
Bankhead	Hardwick	Pomerene	Wadsworth
Beckham	Hitchcock	Saulsbury	Weeks
Borah	Lodge	Simmons	Williams
Brandegee	McLean	Smith, Ga.	Wolcott
Dillingham	Martin, Va.	Smith, S. C.	
Fletcher	Moses	Swanson	
Gay	Overman	Trammell	

NOT VOTING—12.

Chamberlain	Hollis	Martin, Ky.	Reed
Fall	King	Owen	Shields
Goff	Knox	Phelan	Smith, Md.

The VICE PRESIDENT. The yeas are 55, the nays 29. The joint resolution, not having received the votes of two-thirds of the Senators voting, is rejected.

The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is House bill 15140.

THE CENSUS—CONFERENCE REPORT.

Mr. FRANCE. Mr. President, I desire to avail myself of this opportunity to make a brief announcement.

On the 15th day of January the Senate adopted an amendment to the census bill, upon which amendment I submitted some preliminary remarks, not having had an opportunity to fully discuss the amendment. The amendment was adopted in the Senate and rejected by the conference committee. I desire to give notice that when the conference report is presented I shall discuss it at some length. However, as I am compelled to be absent some of the time from the floor of the Senate in committee work I shall appreciate it very much if the chairman in charge of the conference report will send for me if the same shall be brought up during my temporary absence from this body.

THE REVENUE—CONFERENCE REPORT.

Mr. SIMMONS. Mr. President, I present, on behalf of the conferees on the part of the Senate, the conference report on the disagreeing votes of the two Houses upon the House bill 12863, known as the revenue bill. I wish to state, in connection with filing the report, that upon the request of some conferees on the part of the Senate and other Senators I shall not ask for the consideration of the report at this time, but tomorrow morning as soon as the morning business is disposed of I shall ask the Senate to proceed to the consideration of the conference report.

SECOND DEFICIENCY APPROPRIATION.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. MARTIN of Virginia. I ask that the formal reading of the bill be dispensed with and that it be read for amendment, the committee amendments to be first considered.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "District of Columbia," on page 2, after line 18, to strike out:

PUBLIC SCHOOLS.

For payment of necessary expenses connected with the organization and conducting of community forums and civic centers in school buildings, including equipment, fixtures, and supplies for lighting and equipping the buildings, payment of janitor service, secretaries, teachers, organizers, and clerks, including the purchase of one motor vehicle for use of the central office for strictly official business not exceeding $1,200, and maintenance of same, and employees of the day schools may also be employees of the community forums and civic centers, $12,000.

Mr. JONES of Washington. I wish to say to the Senator having charge of the bill that I had some doubts as to the advisability of striking out this provision when the matter was in the committee, but I had so little information about it that I permitted the bill to be reported with this amendment. I thought at that time this deficiency had probably been incurred largely because of the abnormal conditions in the District of Columbia while the war was going on.

Mr. MARTIN of Virginia. It is not a deficiency at all. They still have $6,000 of the $15,000 that was appropriated, which will certainly carry them until the next deficiency bill comes along; and if it is necessary to make any further appropriation, no harm can result by its going over until that time. I myself confess I felt some doubt about it, but I am informed there is not a present deficiency, that there is $6,000 of unexpended money to the credit of this service, and another deficiency bill will be along very soon. I was very anxious to get this bill through, because it will save the Treasury $15,000,000,000.

Mr. JONES of Washington. I am very glad to hear that statement from the chairman of the committee. While I am not in favor of bureaus or divisions or departments of the Government creating deficiencies regardless of the amount of money that Congress may appropriate, I did think that this work is of such importance, especially under the conditions existing now, that we would hardly be justified in being too strict with this organization. Ordinarily I would not be in favor of this or any other organization for which we have appropriated money that we thought was necessary to carry on the work going on just because its appropriation ran out and proceed as if it had unlimited money to carry on its activities.

As I said, I thought there was some justification even for this organization creating a deficiency at this time, but as the chairman says there is not in fact a deficiency, and they have $6,000 already on hand, and as we know there will be a general deficiency before the end of the month or by the first part of next month, I can not see that the work will be particularly interfered with or cramped. Therefore on that statement of the chairman I shall not oppose the adoption of the amendment.

Mr. KENYON. I should like to ask the Senator from Washington if striking out this appropriation is going to interfere with carrying on the work.

Mr. JONES of Washington. I understand from the chairman that it will not, that there is in fact the sum of $6,000 still available of the appropriation we made to carry on the work, and that this is really no deficiency at all.

Mr. KENYON. What I want to get at is whether the work can still go on.

Mr. MARTIN of Virginia. I have no doubt about that. There is no reason in the world why it should not go on. There is $6,000 on hand, and another deficiency bill will be coming along right behind, and the regular bill will not be very far behind that.

Mr. WEEKS. May I ask a question of the Senator in charge of the bill? The next item relates to the fire department. I notice in that item the heading "permanent improvements." Why do permanent improvements which seem to be original appear in this deficiency bill?

Mr. MARTIN of Virginia. I understand that that appropriation became necessary because of the change from horse-drawn vehicles to motor vehicles.

Mr. WEEKS. It seems to me an appropriation of this kind should appear in the District of Columbia appropriation bill.

Mr. MARTIN of Virginia. It is a deficiency.

Mr. WEEKS. Has the money been spent?

Mr. MARTIN of Virginia. It is certified to as an actual deficiency. That is the reason why it is not in the District of Columbia appropriation bill.

Mr. WEEKS. Why call them "permanent improvements"?

Mr. MARTIN of Virginia. Because the improvement is permanent, but the appropriation was not. That resulted in a deficiency.

Mr. SMOOT. Mr. President, the chairman, in answer to the question asked by the Senator from Iowa [Mr. KENYON], stated that he desired this bill to be hastened to passage as quickly as possible as it will save the Treasury of the United States $15,000,000,000. That impression has gone out to the people generally throughout the country. In letters that I receive complaining of the passage of the revenue bill raising $6,000,000,000, the writers state their objection owing to the fact that as long as the Treasury has $15,000,000,000 in cash on hand, and more than that, there is no necessity for raising this amount of money.

It ought to be distinctly understood that the money is not in the Treasury of the United States at all for these purposes. There has been a part of it appropriated in the regular way that the departments of the Government can spend unless it is repealed. There is another part, and a major part of it, that are authorizations, where the appropriations have not actually been made, and of course that could not be expended by the Government until an appropriation had been made. What it means is simply that there is no repeal of legislation that has been placed upon an appropriation bill authorizing the expenditure, and there are also direct appropriations amounting to $15,400,000,000.

The VICE PRESIDENT. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, under the head of "Employees' Compensation Commission," on page 4, line 16, after the word "exceed," to strike out "$9,000" and insert "$5,000," so as to make the clause read:

Not to exceed $5,000 of the appropriation of $25,000 for carrying on the work of the commission in France, contained in the deficiency appropriation act, approved July 8, 1918, may be expended in the District of Columbia for the purposes named in the act: *Provided*, That no per diem in lieu of subsistence shall be allowed in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," subhead "Office of Auditor for War Department," on page 6, after line 14, to strike out:

The bureaus and offices of the Navy Department now housed in the Navy Department Annex on New York Avenue shall be removed therefrom to the Navy Office Building in Potomac Park as soon as possible and the space vacated thereby in the Navy Annex shall be occupied by the office of the Auditor for the War Department: *Provided*, That rent for the said building for the remainder of the fiscal year 1919 shall be paid by the Marine Corps.

Mr. KING. I should like to ask the chairman of the committee whether there are any restrictions in any law as to the compensation that may be paid to those who are employed under this authorization?

Mr. MARTIN of Virginia. There is a restriction in the proviso on page 5, beginning at line 15.

Mr. KING. I think the Senator is in error. If he will pardon me, that relates to the Treasury Department and the general supplies of that department, whereas the item to which I have invited the Senator's attention——

Mr. MARTIN of Virginia. It applies to the entire appropriation.

Mr. KING. If the Senator will pardon me, I invite his attention to page 6, line 14. It seems to me that there is no limitation provided and the provision to which the Senator refers does not apply.

Mr. UNDERWOOD. I will state to the Senator from Utah my understanding of the item. It grows out of war conditions, where it was necessary to have a very much larger force than usual for the auditors, and especially for the Auditor for the War Department. It is apparent to anyone that these clerks are not permanent, and therefore no permanent status is taken. It is necessary, not knowing the exact condition, to give a lump-sum appropriation.

Mr. KING. Was there anything before the committee which indicated the maximum that would be paid to any employee under the appropriation?

Mr. UNDERWOOD. Not that I know of. The auditor's office of the War Department function under the civil-service requirements, and the assumption is that the clerks will be appointed on the same basis.

Mr. KING. The Senator will keep in mind the fact that in some of the departments, where lump-sum appropriations are made and no restrictions upon the amount of compensation has been provided in the various bills, those having charge of the expenditures have gone into other departments and paid increased compensation and thus drained departments of the Government.

Mr. UNDERWOOD. That is undoubtedly true, but I do not think that applies to the old departments of the Government. The auditor's office of the War Department is one of the old organizations.

Mr. KING. I will say to the Senator, if he will pardon me, he is mistaken in that because the complaint was made to me by officials in some of the old departments of the Government. Complaint has been made in that way of the Treasury Department, that many of their competent clerks and employees have been taken away by some of the new bureaus, agents, and instrumentalities created during the war.

Mr. UNDERWOOD. That is true, but the Senator misunderstood me. I thought he meant that the old organization where they had to get additional clerks for war purposes maintained the old basis of salaries, and this is one of the old organizations and not a new one.

Mr. WEEKS. Mr. President, may I ask the Senator from Virginia a question about the item? Is the Navy Department Building on New York Avenue a Government building?

Mr. UNDERWOOD. I will state to the Senator that the building belongs to private persons. It was rented by the Navy Department for an annex, and now the Navy Department has informed the committee that it can move that portion of its clerical force from that building down to the new building, which belongs to the Government on B and Seventeenth Streets. The purpose was to transfer it to another department. The reason why the committee struck out the paragraph was because in the last part of the bill we propose an amendment appointing a commission to take care of the distribution of space in all public buildings, and we did not want to limit the hands of the commission, if that amendment is agreed to, by an enactment of law in reference to this particular building.

Mr. WEEKS. Is it in this building that the headquarters of the Marine Corps are now located?

Mr. UNDERWOOD. Yes; that is, it is the building on New York Avenue right opposite the Emergency Hospital.

Mr. WEEKS. I assume it is under a lease for a year?

Mr. UNDERWOOD. I think it is under a lease, but I think that lease is subject to cancellation by the Government.

Mr. WEEKS. The reason why I ask the question is because I think in every case where it is possible a leased building should be given up and the new building which we have constructed should be occupied.

Mr. UNDERWOOD. That is the policy pursued in this bill.

Mr. WEEKS. Therefore the fact that it was stricken out of the bill attracted my attention.

Mr. SHAFROTH. I should like to ask the Senator from Alabama whether the Government would not have to pay rent for this building in the meantime after it is determined that it is no longer of use to the Government.

Mr. UNDERWOOD. I am not sure, but my understanding is that the terms of the contract under which the building is leased can be canceled at the option of the Government. I want the Senator to understand that that is not a positive reply but that is my understanding after making some inquiry.

Mr. SHAFROTH. In view of the fact that Congress strikes this provision out of the bill, will the Government feel justified in canceling the lease for the building?

Mr. UNDERWOOD. If the provision in the last part of the bill providing for a commission to allocate space in the various buildings is passed and the commission determines not to occupy this building, it will have to cancel the lease.

Mr. SHAFROTH. Yes; but how long will it be before that commission will meet?

Mr. UNDERWOOD. I do not know about that.

Mr. SHAFROTH. Is the commission to be composed of Senators and Representatives?

Mr. UNDERWOOD. Yes; it is to be composed of Senators and Representatives.

Mr. SHAFROTH. Then, it is likely we shall have to pay six months' rent on the building.

Mr. SMOOT. Mr. President, I wish to call the Senator's attention to the fact that if the House provision should remain in the bill, the building would not be vacated, for it is provided that—

The space vacated thereby in the Navy Annex shall be occupied by the office of the Auditor for the War Department.

The committee felt that there was plenty of office room in the District of Columbia for every department of the Government. It is true that the annex to the Winder Building—and that is what this is—is leased by the Government of the United States.

Mr. SHAFROTH. Mr. President, in view of the explanation of the Senator from Utah, it seems to me that the amendment is a proper one.

Mr. SMOOT. Mr. President, there is no doubt about it. Not only that, but I think the Government of the United States has

the right to cancel a lease which was not made within the session of Congress when payment was begun under it; in other words, that one session of Congress can not bind another to make an appropriation for a lease which was authorized by a previous Congress. I have not looked up the law, but I know from personal experience that the Government has taken that position and has so acted in the past. In the nineties, long before I was in public life, I erected a building in my home city for the Government of the United States, to be used as a courthouse. The plans were drawn by the department, the rooms were located and arranged according to those plans; the vaults were put into the middle of the building, and they ran through every story of the building.

No one would ever have constructed a building such as I then erected without a lease running for at least 10 years. The lease was made for 10 years, but that building was occupied but a few months over a year. Statehood came for our Territory; the Government had no further use for the building; it moved out; and when I asked the officials to live up to their contract they simply said: "The contract is void after the close of the Congress which was in session at the time the building was occupied." I desire to say to the Senator that in order to utilize the building for other purposes it was necessary to change the construction so as to make it almost a new building. In fact, I lost over half the cost of the building through the action of the Department of Justice.

Mr. SHAFROTH. I can readily see that that was a great hardship, but I presume that these Government leases all contain a clause providing that upon certain notice—and that notice ought to be of reasonable length, probably six months or a year—the Government shall have the right to cancel the lease of any building.

Mr. SMOOT. I have no doubt even though this language was used in the House, should the office of the Auditor of the War Department be moved into the building the Government could cancel the lease. I think the amendment offered by the committee is absolutely right and just, for I do not want to see the Government of the United States pay a dollar of rent from now on if it is possible to use the buildings which we have, and those buildings cover acres and acres of ground. So far as I am concerned, no further rents shall be paid by the Government of the United States if we have the space to house the different departments, bureaus, and divisions of our Government.

The VICE PRESIDENT. The question is on the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Contingent Expenses," on page 7, after line 2, to strike out:

For purchase of boxes, book rests, chairs, etc., including the same objects specified under this head in the legislative, executive, and judicial appropriation act for the fiscal year 1919, $23,000.

The amendment was agreed to.

The next amendment was, under the head of "War Department," subhead "Temporary Employees," on page 7, line 23, after the word "demand," to strike out "$4,000,000" and insert "$5,000,000," so as to read:

For the temporary employment of such additional force of clerks and other employees as in the judgment of the Secretary of War may be proper and necessary to the prompt, efficient, and accurate dispatch of official business in the War Department and its bureaus, to be allotted by the Secretary of War to such bureaus and offices as the exigencies of the existing situation may demand, $5,000,000.

Mr. KENYON. Mr. President, I wish we might have some explanation about this little increase of a million dollars.

Mr. KING. I am going to move to cut it down to three million.

Mr. KENYON. Perhaps it is trivial to inquire about the way we are spending Government money, but I understood we were trying to get rid of some of these clerks. The House allowed $4,000,000 for this item of clerk hire, and it seems to be a rather large increase to raise it to $5,000,000. What is the reason for that?

Mr. UNDERWOOD. In the legislative bill, which is now pending in the Senate, the committee has cut down the number of these clerks; that is, they have refused to make an allowance for next year as to the number of additional clerks. Of course, this item applies to this year up to the 1st of July. There were a great many clerks there, and it was stated to the committee by Gen. Lord, who is acting as the financial agent of the War Department, that he must have $6,000,000 instead of $4,000,000, but after considering the question the committee reduced the amount of the request for an increase by Gen. Lord to $5,000,000; in other words, we gave them a million dollars more than the House did on his statement that he would otherwise fall short.

Mr. KENYON. Was Gen. Lord before the House committee, I will ask the Senator from Alabama?

Mr. UNDERWOOD. I think he was.

Mr. KENYON. And all of his evidence was given to the House committee, and they allowed only $4,000,000?

Mr. UNDERWOOD. They allowed $4,000,000; but after the Senate committee heard Gen. Lord and received a letter from Secretary Baker on this subject, which, if the Senator from Iowa desires me to do so, I shall send to the Secretary's desk and have read, we took this action.

Mr. KENYON. I should be very glad to have the Senator have the letter read at the desk.

The VICE PRESIDENT. The Secretary will read, as requested.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, January 31, 1919.

Hon. THOMAS S. MARTIN,
Chairman Committee on Appropriations,
United States Senate.

MY DEAR SENATOR MARTIN: I feel very strongly that the department will need all of the $6,000,000 which has been estimated for as necessary for the pay of additional temporary employees till June 30, if the limited-service men who have been on duty in the various bureaus are discharged from the service, which in a large number of cases will require the appointment of civilians to replace them.

The estimates submitted to me by the bureaus aggregate nearly $9,000,000, or, to be exact, $8,785,082.85. In my desire to cooperate to the utmost with Congress in securing the reduction of this temporary force now that the great emergency which had called it into existence had in large measure diminished, I made an arbitrary cut of about 32 per cent, reducing it to $6,000,000, which was the amount submitted. I am now inclined to think that if the reduction made is adhered to it will prove more costly to the Government in the end. In the desire to hasten as rapidly as possible the restoration to normal conditions, I perhaps gave too little consideration to the fact that the $9,000,000 estimated for by the bureaus contemplated the necessity of replacing limited-service men on duty in various bureaus. The total number of such men on duty at the time of the signing of the armistice was 5,811. January 1 it had been reduced to 2,823, and the discharge of limited-service men is proceeding steadily under the plan of military demobilization.

The pay roll for additional employees for December was, in round numbers, $1,602,000, and the average number of employees on the roll during that month was 16,111. The net reduction of this force from November 11 to December 31 was 1,506 employees. I am inclosing a table showing that on the basis of a deficiency appropriation of $6,000,000, it would be necessary to separate from the service 6,611 employees by June 30, or at the average rate of over 1,100 a month from January 1. If the reduction should be continued at the same rate, the force would be reduced by November 30, 1919, to 4,000 people, making a reduction of 13,500 in a year's time from the signing of the armistice. It seems to me that, all things considered, such a reduction as this contemplates is the maximum that it would be wise to make at this time, and I feel this all the more strongly because it is clear that the discharge of the limited-service men will necessitate a large number of new appointments, which I did not have immediately in mind at the time I made the arbitrary reduction from $9,000,000 to $6,000,000 in the estimates that were submitted to me by the chiefs of bureaus.

Very truly, yours,

NEWTON D. BAKER,
Secretary of War.

Statement showing the proposed rate of expenditure for additional employees for the balance of this fiscal year based upon a deficiency appropriation of $6,000,000.

Month.	Estimated pay roll.	Average number employees (estimated).	Estimated decrease.	
			Pay roll.	Number employees.
December[1]	$1,602,000	16,111	.....	.....
January[2]	1,450,000	14,500	$152,000	1,611
February[2]	1,300,000	13,000	150,000	1,500
March[2]	1,200,000	12,000	100,000	1,000
April[2]	1,100,000	11,000	100,000	1,000
May[2]	1,000,000	10,000	100,000	1,000
June[2]	950,000	9,500	50,000	500
	8,602,000	.....	652,000	6,611
Deduct:				
December roll paid	$1,602,000			
January 15 roll paid	741,000			
Balance of appropriation (approximate)	304,000			
	2,647,000			
	5,955,000			

[1] Actual. [2] Estimated.

The additional force on November 11, 1918, was in round number 17,500. To get down to 9,500 by June 30 will be a reduction of 46 per cent in seven and two-third months or at the rate of about 1,050 a month.

Mr. UNDERWOOD. I will say to the Senator from Iowa that in his testimony before the committee, on page 13, Gen. Lord made this statement:

As I stated, I called a meeting yesterday of the representatives of the bureaus as to this deficiency, as to this $4,000,000 for the balance of this year, and went over with them very carefully their needs, and

went into the items of the particular need that made it necessary that they should have any particular number of additional employees; and the total of their estimate called for 14,252 additional employees between now and June 30.

And then he inserted the table.

Mr. KING. Will the Senator from Alabama permit an interruption?

Mr. UNDERWOOD. Yes.

Mr. KING. Are the 14,000 clerks, which the Senator just mentioned, in addition to the 12,000 or 14,000 or 16,000 which the department now has?

Mr. UNDERWOOD. No; I do not so understand. But it means that the department had about 15,000 clerks before, and the Secretary now thinks between this time and the end of the fiscal year he will need 14,252. He has lost a number of clerks who were working for the War Department on soldier's pay. Of course there is a very great difference between a typewriter working for $30 a month as a soldier and a typewriter working for $100 or $125 a month as a civilian.

I think I am in accord with the view expressed by the Senator from Iowa [Mr. KENYON] that the number of clerks employed in the departments should be largely cut down; I think the good service of the Government requires that; I think that they have too many clerks; that what we need is more efficiency and fewer clerks; but with the large number of telegrams that are pouring into the War Department about the men in Europe, the large amount of correspondence that is coming there now about the American Expeditionary Forces, I think we should be safer if we allowed this additional million dollars as an actual deficit than we would be to strike it out of the bill. Therefore I want to ask the Senator from Iowa at least to allow the additional million dollars to remain in the bill, so as to allow the matter to go to conference. If in conference we find, after discussing the matter with the other House, that we can get along without it, of course, the Senate conferees will agree that it go out; but if we strike it out now we shall have a hard and fast rule to hold them down to $4,000,000. This is a deficit; it is not something that can be taken care of in the future. We may make a mistake in an appropriation contained in an annual appropriation bill and later in the year, if we have not provided sufficient money, we may make it up as a deficit; but this is a deficiency; and, if we do not give the money, these clerks will have to be discharged.

Mr. KENYON. Is it not true that they are calling for a large number of additional clerks between now and June 30, according to the testimony of Gen. Lord?

Mr. UNDERWOOD. I think they desire additional clerks.

Mr. KENYON. How could there be a deficiency if these are to be used as additional clerks?

Mr. UNDERWOOD. It is a deficiency incurred in running the department. I think the deficiency is caused to some extent by the discharge from the service of enlisted men who were serving in the clerical force there. It is due also to the fact that Gen. Harris, The Adjutant General of the Army, is calling for, I think, 6,000 clerks to take care of the congested condition of the mail in his office. I do not think it is necessary for us to bring in proof that there is a congested condition in that office.

Mr. KENYON. Mr. President, I think there is a congestion of clerks, and I think they would do more efficient work if there were fewer of them.

Mr. UNDERWOOD. I am in accord with the Senator, and in the legislative, executive, and judicial appropriation bill we refused to authorize many items of this kind. In that bill, however, we can afford to do so, for, if we make a mistake, we can take care of it in the future; but I think it would be unwise to strike out the additional million dollars provided for in this item.

Mr. SMOOT. Mr. President, I will say to the Senator from Iowa that I was unfavorably impressed with the proposition of granting more than $4,000,000 until I made a thorough examination of the situation in the War Department. There have been 1,046 enlisted men on duty in the various offices of the War Department who have left that department since November 11. There was a total number of 4,917 at the date of the signing of the armistice, while on January 31 of this year that number has been decreased, as I have it, by 1,046. The reason for this appropriation, however, is not found in that decrease of 1,046 enlisted men who were there employed. The estimate made by the Secretary of the Treasury for $6,000,000 shows that it was to pay for the original demands of the War Department for 14,250 employees for five and one-half months at an average of $1,200 a year, making a total expenditure of $7,838,600. That was, as has been stated, cut down to $6,000,000 in the estimates. Then the House cut that sum to $4,000,000, but the showing made by Gen. Lord was such that the committee thought the safest way was to increase the appropriation by $1,000,000, in view of the work that has been imposed upon the War Department since the signing of the armistice, involving the closing of accounts in France, the transfers there being made, and particularly the work in The Adjutant General's office, which has immensely increased. In fact, Gen. Harris made the statement that unless they had 6,000 additional employees it would be almost next to impossible for the Bureau of War Risk Insurance to arrange for the settlements due the injured soldiers and the allotments to the families of soldiers, the delay in connection with which all of us have so bitterly complained of in the past. It was for that reason that I thought perhaps it would be better to give this million dollar increase.

Mr. JONES of Washington. Mr. President, I will say to the Senator from Iowa that when this matter came up before the subcommittee having charge of this bill I think it was the unanimous feeling of the committee that this item should not be increased beyond the amount contained in the bill as it came to us from the House. Gen. Lord and Gen. Harris came before the committee and insisted upon making a showing as to the necessity for it; and they showed so clearly the overwhelming necessity for it, that we added $1,000,000. In my judgment, assuming their statements to be correct—and we have no reason to think they are not—it would have been wisdom on the part of the committee to have given them the $6,000,000 asked for, because they showed clearly that, in their judgment, at any rate, from their knowledge of the conditions in their offices, they would need $6,000,000 between now and the 1st of July in order to do what is actually necessary to be done in connection with the demobilization of the Army and to discharge the work that has been imposed upon the department since the armistice.

Mr. KING. Mr. President, will the Senator from Washington yield to me for a moment?

Mr. JONES of Washington. In just a moment. We all know of the complaints that come to us from the country with reference to delays and the failure to hear from the boys, the failure to get information regarding them, and all that sort of thing, and we know of the requests for discharge, and of the letters inquiring why discharges are not made more rapidly. Gen. Lord and Gen. Harris both stated that, unless they got this money, the work in their department would be absolutely demoralized; that it would be so congested that that of itself would cause additional delay and make additional expense. So the committee felt that it was absolutely necessary to make this increase, and, as I have stated, in my judgment, the showing warranted a larger increase than we made.

Now I yield to the Senator from Utah.

Mr. KING. Mr. President, I have recently been at the War Department, indeed, I have been there very frequently during the past two or three months, and I have been there a number of times during the past few weeks. According to my observation, many of the clerks are doing but very, very little, and many who are there employed now could be dispensed with. I recall going into one office a few days ago, where I saw seven stenographers who told me they had only had two letters during the entire day.

Mr. JONES of Washington. What branch of the War Department was that?

Mr. KING. That was in the munitions building. My observation is that there is a lack of system, a lack of economy in the clerical work of the War Department. I think that it is wrong to give this amount. If I had my way I would cut it down to $4,000,000. I think that if we told Secretary Baker and his aids that $4,000,000 is all they could have the work would be done.

A lady who is at the head of one branch and has some 20 or 30 clerks under her immediate supervision told me that it was difficult to get work out of those who were under her, and that the same condition existed elsewhere in the department. When I asked her why she did not discharge them or recommend for discharge those who are incompetent, inefficient, and inept, or who refused or failed to do their duty, she stated, in substance, that it was a very difficult thing to get anyone discharged, and her intimation was that it would not be approved by those who are her superiors.

From my observation, I make bold to charge that there is gross inefficiency in the War Department. I refer now to the handling of the work by the clerks in the War Department. I will not at this time pretend to state who is at fault, but I think some of the chiefs of divisions and bureaus are censurable for inefficiency and for the waste that is going on in the War Department. I not only hope that the committee amendment will be disagreed to, but, if the opportunity is afforded, I shall move to make this appropriation not more than $4,000,000. I have no doubt in the world that, if the clerks will do their duty and if the higher officials in the department will also do their duty, the work can be done for $4,000,000.

I think it is about time that some of these various departments were taught that they may not create divisions and employ, without limit, any number of clerks that their fancy or caprice impels them to employ and then call upon Congress to make appropriations to pay them. There ought to be some economy in the administration of the affairs of the Government in these various departments. I ask the Senator now if, notwithstanding the pressure of business that is alleged, any of the departments have asked their employees to work eight hours a day?

Mr. JONES of Washington. I do not know as to that.

Mr. KING. Is it not a fact that they have not done so, although the law specifically requires that they shall do so when there is a pressure of business?

Mr. JONES of Washington. As I understand, the law authorizes the heads of the departments to require the clerks to work overtime if necessary, but I do not know that any orders have been issued of that nature. I do know, however, that I have been informed by some of the heads of some of the bureaus in the Quartermaster General's Office—I do not know what the conditions are in other branches of the War Department—that they have asked their clerks to work overtime and that the clerks have done so, and have done so cheerfully.

Mr. KING. That is the only branch of the public service here, to my knowledge, where such a policy has been pursued.

Mr. JONES of Washington. That may be true. I have no doubt that there is much basis for the suggestions and the criticism the Senator makes. I do not know that, however, from personal knowledge or personal observation. I do know that I have been brought in contact with some of the officials of the Quartermaster General's Office and, in my judgment, that office is being handled just about as efficiently as it is possible to do it under the circumstances; that is, I am satisfied that the head of that branch or division of the War Department is doing everything in his power to do his work efficiently. I know that he does not want to stay in the Army; I know that he does not want to stay in the position that he is in, and that he is staying there simply as a patriotic duty. He may not be efficient; I do not know; I believe that he is, and I believe that he is handling the work about as well as any man could handle it.

I think I appreciate the difficulties that the head of a department or the head of a great organization in the War Department must face in trying to get effective service out of his subordinates. Of course, that depends very largely upon the ability and the executive capacity of the heads of the bureaus, their relationship with their employees, and the feeling that exists between them and their employees. One man will get splendid service out of a corps of a hundred men and women under him while another man would probably not get half the work out of the same force. I have been in some branches of the Quartermaster General's office and, so far as my observation could go, good work was being done and everybody seemed to be busy. Just what they were accomplishing, of course, I can not say; and the committee, my recollection is, had no information as to the needs of any branch of the War Department except the Quartermaster General's office and The Adjutant General's office. Unless we are absolutely and wholly to discredit these men, we must give them this money or run the risk of disorganizing the service.

Mr. KENYON. Mr. President——

Mr. JONES of Washington. I yield to the Senator from Iowa.

Mr. KENYON. May I ask the Senator whether this information came before the House committee, and if so, how does it happen that they made the amount $4,000,000?

Mr. JONES of Washington. I do not know.

Mr. KENYON. According to the letter of the Secretary of War the amount must be $6,000,000 to save the force from being demoralized.

Mr. JONES of Washington. I do not think the Secretary knows very much about that. He just gets his information from the other officials; but I want the Senator to bear this in mind: I think it would have been better for us to have made it $6,000,000, and I do not believe that the letter of the Secretary was laid before the subcommittee. I do not remember ever hearing of that letter before; but the Secretary states that the recommendations to him amounted to about $9,000,000, and he simply cut that amount, arbitrarily, 33 per cent. In other words, he had absolutely no reason whatever for cutting it down unless he distrusted the capacity and the ability of those who submitted the estimate to him to submit a proper estimate. If these are the right kind of men, who know what they are doing, we ought to have the right to think that their estimate of $9,000,000 is more nearly what will actually be necessary for them to do the work that they have to do than $6,000,000. This $6,000,000 was simply arrived at, in an arbitrary sort of way, by cutting off 33 per cent.

Mr. KENYON. Mr. President, is not that so about every request that comes to us?

Mr. JONES of Washington. I think very likely it is.

Mr. KENYON. An arbitrary sum is fixed, and we are told that if they do not get it things are going to be demoralized; and so we go ahead and vote whatever they ask.

Mr. JONES of Washington. Well, no; I do not know of any item that has been before the Appropriations Committee for which the necessity was so clearly shown as this item, unless we are not to place any reliance whatever on these men who come down before us. Gen. Lord and Gen. Harris were there. Gen. Lord, who made the principal statement before the committee, impressed me as a patriotic man. He impressed me as a man who is trying to get the very best possible service out of the force in his department, and he impressed me as a man who knows something about the work he has to do. I may be mistaken about it, but that is the way it impressed me.

It may be that the clerks under him are not doing the work that they ought to do. I do not know about that; but that is a matter of administration that will have to be cared for in an administrative way. We can not make clerks do more work by simply cutting down appropriations. If they are not doing the work they ought to do, they ought to be dismissed and clerks put in who will do it; and if the bureau chiefs are not looking after their clerical help as they ought to do it, then they ought to be gotten rid of. When the head of a department that has to do with the discharging of these men and sending them to their homes as quickly as possible comes in here and says that unless this money is appropriated the work can not be done, I think we ought to discharge our responsibility and provide the money, and then place the responsibility of failure where it really belongs.

Mr. MOSES. Mr. President——

Mr. JONES of Washington. I yield to the Senator.

Mr. MOSES. I should like to ask the Senator if either of these generals appearing before the committee specified the bureaus or divisions in their department in which the work is in arrears, where these clerks are needed, and where demoralization will result if they are not provided?

Mr. JONES of Washington. Practically in all their lines of work. The Quartermaster General's office has a certain line of work in connection with demobilization and in connection with the Army. I do not know the exact scope of it, but I took it that it applied to their work generally, to each of these two divisions or departments, or whatever they may be called.

Mr. MOSES. In other words, this is another one of those cases in which Congress is told, "If I do not receive this ungrudgingly, I shall not know how to deal with other more important matters," and then no information is given us as to what those other more important matters are?

Mr. JONES of Washington. No, Mr. President; that is not correct. That is correct in the case of some of the requests that come from some of the executive branches of the Government, but it is not correct with reference to this particular item or request of the Quartermaster General's office. Gen. Lord did not refuse to answer a single question of the committee. He came there and was ready to give us all the information that we asked for. He explained just as fully as the committee saw fit to allow him to go into the matter. If we had seen fit to ask him with reference to the particular bureaus or particular bureau chiefs, or the duties of a particular bureau or a particular bureau chief, I have not any doubt in the world but that he would have gone into it fully. There was no attempt at concealment on his part at all.

Mr. MOSES. If, in my absence, the Senator has given the information which I am about to ask for, I will not ask him to repeat it; but did the committee elicit from either of these generals—Gen. Lord or Gen. Harris—the number of clerks now employed in their branches of the department, and how many more could be employed for the additional $1,000,000?

Mr. JONES of Washington. My recollection is that they stated about the number of employees they have, although I am not sure; but Gen. Lord did state, according to my recollection, that they would need from 13,000 to 14,000 more clerks between now and the 1st of July to do the work that they felt they would have to do in order to anything like keep up with the demands in connection with the demobilization of the troops. I think about six or seven thousand of those would be required for The Adjutant General's Office, and the remainder for the Quartermaster General's office. I think that is the statement he made. Those would be the employees, not for the $1,000,000 but for the $6,000,000 that they asked for. The House gave them $4,000,000, and we gave an additional $1,000,000, making it $5,000,000 to take care of these employees.

Mr. MOSES. Mr. President, I am not competent to speak for Gen. Lord, but so far as Gen. Harris's office is concerned I have not noticed any very considerable delay in replying to communications which I have sent there. On the contrary, I think the replies from The Adjutant General's Office have been more prompt and more satisfactory than from any other of the offices in the War Department with which I have had occasion to do business; and in view of the information which I have growing out of my own experience in conducting business with The Adjutant General's Office, I can not see how additional money could advance that work very much. When one can make inquiry about an individual in an Army as large as ours and receive a detailed reply in three or four days, as I have most frequently in addressing inquiries there, I should think that was nearly the acme of expedition in sending out and giving information.

Mr. JONES of Washington. I want to say to the Senator that it used to be so that when we sent a letter to The Adjutant General's Office one day we got a reply the next day. That was almost uniformly true.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. JONES of Washington. Yes; certainly.

Mr. SMOOT. I can tell the Senator now the number of employees that there were in the department on November 1, 1918, and the estimated number that will be required during the balance of the fiscal year.

On November 1, 1918, there were employed in the War Department 17,156. It is estimated that there will be employed an average, during the fiscal year 1920, of 10,140 additional employees over and above the number that were originally employed in the War Department before the declaration of war; and now it is estimated that they will require for the balance of this fiscal year, up to June 30, 1919, 14,586.

Mr. MOSES. Mr. President, may I draw from the encyclopedic knowledge of the Senator from Utah whether this augmented number of employees will be required after the 30th day of June, and if so, how long?

Mr. SMOOT. Mr. President, if the Senator desires, I can give the number that will be required after June 30 in every office, as I have it here; but it would take too long a time. I wish to say, however, that for the fiscal year ending June 30, 1920, it is estimated that over 15,000 employees will be required in the War Department; and in that connection, Mr. President, if the legislation is passed that has been asked for by the introduction of bills in the House and in the Senate—and I will admit that I introduced, at the request of the adjutant general of my State, a similar bill, not knowing what it was going to cost the Government of the United States when I introduced it—if that legislation passes, requiring the Government of the United States to compile information as to the complete record of every soldier who was in the war, whether serving in this country or in France, and send that information to the adjutant general of every State, it will take over 1,000 additional employees to do it.

Mr. MOSES. Mr. President, if the Senator from Utah has, in compact tabulated form, the information of which he speaks, showing the number of employees who will be required in all of the different bureaus after the close of the present fiscal year, will he be good enough to put it in the RECORD in connection with his remarks? He need not bother to read it.

Mr. SMOOT. I will ask, then, that there may be printed in connection with what I have stated, if the Senate has no objection, this tabulated statement, showing the total additional number of employees January 31, 1919, the total enlisted men employed January 31, 1919, the grand total employed, and then the estimated number for the balance of the year.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Statement showing number of additional employees and enlisted men on hand in the various offices of the War Department January 31, 1919, and number of additional employees required for balance of year (5½ months).

	Total additional employed Jan. 31, 1919.	Total enlisted men employed Jan. 31, 1919.	Total.	Estimated number for balance of year.
Secretary of War	474	.....	474	[1] 255
Adjutant General's Office	3,892	251	4,143	6,000
Judge Advocate General	89	40	129	119
Inspector General	39	3	42	39
Signal Corps	273	98	371	200
Quartermaster General	2,900	378	3,278	[1] 2,392
Surgeon General	1,219	37	1,256	859
Ordnance Department	4,628	73	4,701	[1] 3,355

[1] Average.

Statement showing number of additional employees, etc.—Continued.

	Total additional employed Jan. 31, 1919.	Total enlisted men employed Jan. 31, 1919.	Total.	Estimated number for balance of year.
Engineer Department	211	35	246	211
Bureau of Insular Affairs	13	.....	13	13
Militia Bureau	11	.....	11	11
Chemical Warfare	118	10	128	92
Coast Artillery	38	3	41	33
General Staff	401	67	468	388
Tank Corps	6	1	7	10
Motor Transport Corps	268	50	318	268
War Credits Board	6	.....	6	6
Total	14,586	1,046	15,632	14,252

14,252 employees for 5½ months, at $1,200 per year, $7,838,600.

Mr. JONES of Washington. Mr. President, just a word, and I am through.

I do not know how it is with other Senators, but I know that my work has more than trebled since the armistice was signed. The requests coming from parents with reference to their boys, repeated over and over again, and requests from boys to get out, have more than trebled since the armistice came on. Now, if my work has trebled and the work of other Senators has trebled in that way, I can very easily see how the work of the War Department must have been very greatly increased; and it will continue until we reach the peak and begin to go down on the other side of getting these boys out of the Army.

Mr. President, if there is any increase as to the necessity of which I have been satisfied upon the showing made by the men who were responsible for the work that must be done, it is the increase that we have made here; and the only fear I have is that we have not given them an ample increase to discharge the burdens that will be placed upon them.

Mr. WEEKS. Mr. President, I wish to add a word to what has been said relating to this paragraph. I am not confident that it is necessary to add a million dollars to it. I have not given that matter careful consideration, and I do not know that it can be done at this time; and yet I want to say that in my judgment, if there were a proper redistribution of employees from one bureau to another in the War Department, it would not be necessary to add anything to the appropriation.

There were 1,500 employees in the casualty office at the end of the war. On the 27th of November the Chief of Staff announced, as the result of a cablegram from Gen. Pershing, that there were 264,000 casualties in the Army. Naturally, there have been a few from disease since that time; but there have been practically 240,000 casualties now reported to the public, and I presume by the end of February or some time in March that number will have been covered. Then, there will be 1,500 employees who can not be required for that particular service, and I want to suggest to Senators that unless Congress cuts off these employees they will be continued in the positions which they hold as long as there is a possible excuse to keep them there.

I was informed not long ago that in looking around for quarters in the District of Columbia at the beginning of the war, when there was great demand for additional accommodations, somebody found, out in the southwest section of the city, a considerable number of men and women employed in compiling and sorting records of the War of 1812, 108 years before. That is simply indicative of what we will have from this very much greater war unless Congress is assured that men and women are discharged when their services are not absolutely essential to the Government. I do not think we can depend upon the heads of bureaus to take that step in all cases. I think it must be taken by cutting off the appropriations.

Mr. KING. Mr. President, will the Senator yield?

Mr. WEEKS. Certainly.

Mr. KING. I saw the other day a report purporting to emanate from the Government, in which it was stated that there had only been a reduction of 3,000 employees in all of the departments since the armistice from the peak which had been reached during the progress of the war; in other words, that there were only 3,000 less now than there were when the highest number of employees were in the various departments of the Government; and in some of the departments they have increased the number.

Mr. WEEKS. What the Senator from Washington [Mr. JONES] has stated is undoubtedly true in the cases of many Senators; and yet that condition must be getting better every day as men are discharged from the service. The correspondence which the Senators and Representatives and the department are having will gradually decrease; and there should be

some means of compelling a gradual decrease, at the same rate, of the number of employees who may not be needed.

Mr. KING. I should like to ask the Senator having this bill in charge, referring to the department to which the Senator from Massachusetts has just referred, the casualty department, in which it was stated that there were 1,500 clerks employed, whether this bill makes provision for compensation for them in any way; whether there is any deficiency claimed with respect to that department?

Mr. UNDERWOOD. There was no testimony before the committee with reference to those particular clerks; and of course any clerks that are on the rolls are being paid out of sums that were appropriated in the past. This additional appropriation has nothing to do with that proposition.

Mr. KING. Does the Senator know whether there is any provision in any appropriation bill or in any other enactment requiring these various heads of departments to dismiss and discharge their employees when they cease to have sufficient work for them to do?

Mr. UNDERWOOD. I will say to my friend from Utah that if we ever get this bill through, we will do more to clear up the situation he is talking about than any bill that has ever been before Congress, because, while the first two pages of this bill take care of deficiencies, the last pages of the bill cover back into the Treasury cash that has already been appropriated for the Army to the amount of $6,856,835,124.70, and to the Navy $334,361,866.98, making a total of cash covered back into the Treasury, in the Army and Navy Departments, of $7,191,196,991.98. The bill also cancels the following contractual obligations that are now outstanding: For the Army, $8,190,629,294.70; for the Navy, $31,000,000; making a total of contractual obligations that are being canceled by this bill of $8,221,029,294.70; or a total cancellation of cash that is covered back into the Treasury and contract obligations that are canceled of $15,412,266,286.38.

I know of no more effective way of limiting abuse in the expenditure of money than to put it back in the Treasury, and this bill is accomplishing more along that line than any piece of legislation that ever passed the Congress of the United States; so that the question of the smaller items that we are discussing now is insignificant in comparison with what will be accomplished if we are enabled to pass the bill.

Mr. KING. Mr. President, will the Senator yield?

Mr. UNDERWOOD. I will.

Mr. KING. Of course the figures to which the Senator has just called attention were based upon appropriations made and contracts authorized, but which appropriations have not been contracted for or expended, and which the War Department, or the various other departments to which the credits were given, would not proceed to expend, or contract to expend, even though this bill were not enacted into law.

Mr. UNDERWOOD. The presumption, of course, is as the Senator says, but we are turning this money back into the Treasury so that there will be no presumption about it.

Mr. SMOOT. Not back into the Treasury. We have not got the money.

Mr. UNDERWOOD. Well, we are canceling the cash obligations.

The VICE PRESIDENT. The question is on the amendment of the committee.

Mr. JONES of Washington. Mr. President, some Senators were called out, and they asked, if this matter came to a vote before they got back, to have a quorum called. I promised them I would do it, so I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Johnson, Cal.	Myers	Smith, Ga.
Baird	Jones, N. Mex.	Nugent	Smoot
Bankhead	Jones, Wash.	Overman	Spencer
Colt	Kellogg	Page	Sterling
Cummins	King	Penrose	Sutherland
Curtis	Kirby	Poindexter	Thomas
Dillingham	La Follette	Pollock	Trammell
Fletcher	Lenroot	Pomerene	Underwood
Frelinghuysen	Lewis	Ransdell	Wadsworth
Gay	Lodge	Robinson	Walsh
Gerry	McCumber	Saulsbury	Warren
Hale	McKellar	Shafroth	Weeks
Hardwick	Martin, Va.	Sheppard	Wolcott
Henderson	Moses	Smith, Ariz.	

Mr. CURTIS. I desire to announce the absence of the Senator from Indiana [Mr. NEW] on official business. This announcement may stand for the day.

The VICE PRESIDENT. Fifty-five Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was continued.

The next amendment was, on page 8, line 9, after the word "each," to strike out the following proviso:

Provided, That no part of any appropriation herein shall be used unless all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions appropriated for herein, if they have received an honorable discharge and are qualified to perform the duties of the position.

Mr. UNDERWOOD. I wish to call the attention of the Senate to the fact that this provision in relation to the reemployment of soldiers was stricken out because it was a mere limitation on the appropriation in this bill, and has been put by the House as a limitation on the appropriations in other bills. In the legislative bill instead of leaving it as a limitation on the appropration, we changed it so that it would be a matter of general law and would not have to be carried on every bill. We thought at the time the legislative bill was reported that it would go through first, and therefore this should be stricken out; but in order that there may be no mistake about it, if there is no objection, I will move to amend it so that it will conform to what was the recommendation of the committee in reference to the legislative bill and make it the existing law for all bills. I move to amend by striking out of the bill the words reported to be stricken out by the committee and add a period after the word "each" in line 9, page 8, and then to insert the following language as a separate paragraph:

That all former Government employees who have been drafted or enlisted in the military service of the United States in the war with Germany shall be reinstated on application to their former positions, if they have received an honorable discharge and are qualified to perform the duties of the position.

That is what the House passed, except that the House passed it as a limitation on an appropriation. We recommend it as a permanent piece of legislation.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the head of "Navy Department," subhead "Contingent expenses," on page 10, line 6, after the words "Navy Department," to strike out "$2,570.84" and insert "2,614.84," so as to make the clause read:

For rental of additional quarters for the Navy Department, $2,614.84.

The amendment was agreed to.

The reading of the bill was continued to line 21 on page 15.

Mr. LODGE. I wish to ask the chairman of the committee a question in regard to these items. I have seen it stated that under this bill we save $15,000,000,000. I see very large appropriations here. How is that saving effected?

Mr. MARTIN of Virginia. They are appropriations made heretofore by law which are revoked.

Mr. LODGE. It revokes the other appropriations?

Mr. MARTIN of Virginia. These are additional appropriations. These are deficiencies, and in the bill later on there is a repeal.

Mr. LODGE. I had not looked at that part of the bill. I wanted to know where those appropriations have been revoked.

Mr. MARTIN of Virginia. We shall come to it in a very little while.

Mr. UNDERWOOD. If the Senator from Massachusetts will turn to page 20, line 6, he will see where the repealing clause commences in reference to these appropriations.

Mr. LODGE. I will wait until we get to that page, and then I will ask the Senator about it.

Mr. SMOOT. I wish to ask the chairman if these large amounts on page 15 are all deficiencies.

Mr. MARTIN of Virginia. They are actual deficiencies. They have been actually incurred and estimated and certified as such.

Mr. SMOOT. They apply to different departments of the Navy from those where more than was necessary was appropriated.

Mr. MARTIN of Virginia. That is true.

Mr. SMOOT. Those where more than was necessary was appropriated are repealed, and these departments have fallen short of what they actually had to have?

Mr. MARTIN of Virginia. That is the case.

The reading of the bill was resumed and continued to page 19, on line 7. The last paragraph read being as follows:

To pay the widow of Jacob E. Meeker, late a Representative from the State of Missouri, $7,500.

Mr. ROBINSON. I offer an amendment and call the attention of the chairman of the committee to it. I move to strike out lines 6 and 7, on page 19, and to insert:

To pay to the legal guardian of Dolan Meeker, Naomi Meeker, Miriam Meeker, and Louise Meeker, minor children of Jacob E. Meeker, late a Representative from the State of Missouri, $7,500.

I think the chairman of the committee is familiar with the exceptional circumstances in this case, and I will ask the chairman if he feels that he is in a position to accept the amendment and let it go to conference.

Mr. MARTIN of Virginia. I hesitate very much to make a change about a matter that belongs peculiarly to the House. Under the comity between the two Houses each is expected to control its own expenditures. This is for the family of a deceased Member of the House, and it seems to me that the House membership ought to be in a better position and better entitled to determine the disposition of the fund than the Senate could be.

Mr. ROBINSON. I understand the Senator declines to accept the amendment. Am I correct?

Mr. MARTIN of Virginia. I would rather not. I am entirely without information on the subject.

Mr. ROBINSON. Mr. President, I am perfectly well aware of the custom which prevails in Congress of paying the widows of deceased Members of Congress $7,500. It is general legislation, and it is, of course, based upon the assumption of dependency. I stated that the facts in this case are exceptional. Under the facts which, I think, are known to practically every Member of the Senate I believe these minor children should have the benefit of this provision and that this appropriation should not go to the widow. The facts, as I understand them——

Mr. SPENCER. Will the Senator yield?

Mr. ROBINSON. I yield to the Senator from Missouri.

Mr. SPENCER. Does the Senator from Arkansas know that Mr. Meeker at his death left $30,000 of insurance, $10,000 of which was used to pay his debts and $20,000 for the minor children, the widow securing none of the insurance?

Mr. ROBINSON. Yes.

Mr. SPENCER. The only provision for the widow, if it is allowed to stand, being this provision which the House has inserted.

Mr. ROBINSON. Yes. I was just about to state that some time prior to his death Mr. Meeker was divorced from a former wife and left the four children whom I have named in the amendment, the youngest being 5 years of age. He did carry, as I am informed by a letter from the former widow, policies of insurance for the benefit of his minor children. His estate was badly involved. Seven hours before his death, in anticipation of his death and for the express purpose of depriving his legal heirs—those who otherwise would have been his legal heirs—of this provision he married his former clerk.

Those are the circumstances, extremely exceptional, which I believe make it the duty of Congress to see that this money goes to those who were in fact dependent upon Jacob E. Meeker and to whom he owed an obligation.

I do not know that there is anything further I can state concerning the matter. My information is that when the allowance which, under the statutes of Missouri, goes to his widow has been paid, when her dower interest in his personal property has been paid to her, there will be very little left except the insurance to provide for the minor children. The mere fact that he made some inadequate provision for the support of the children does not, in my judgment, justify Congress in setting the precedent which would be set in this case if this amendment is not adopted.

The matter was not called to the attention of the House of Representatives. Twenty-five Members of the House have solicited me to offer this amendment, and I do it in the firm conviction that the Senate has a duty in this matter.

Mr. McKELLAR. Has the Senator any information as to whether this is a statutory allowance or is it just a custom of the two Houses that has grown up?

Mr. ROBINSON. There is no statute. It is a pure gratuity which the Congress has customarily granted to the dependents of a dead Member, and if it has any justification in reason or in principle it is the obligation of Congress to pay it to those who were dependent upon the deceased Member.

Mr. McKELLAR. Are the children minor children, and how many are there?

Mr. ROBINSON. They are minor children and they are four in number. I can give the ages as represented to me: Dolan, 17 years; Naomi, 17 years; Miriam, 9; and Louise, 5.

Mr. McKELLAR. How long had he been divorced?

Mr. ROBINSON. I can not state. That is all I desire to submit upon the subject.

Mr. SPENCER. Mr. President, I hold no brief for Mrs. Meeker in this case. I did not know the matter was coming up, but I do know the facts in the case. Mr. Meeker was my friend, and the Representative in Congress from the city where I live.

The Senator from Arkansas [Mr. ROBINSON] is misinformed as to the facts. It is true that seven hours before Mr. Meeker died he married a lady who had been employed in his office, but it is not true that the marriage was for the purpose of giving any estate away from the children, because the marriage had been arranged and a home had been arranged and furnished in Washington weeks before. The marriage had been arranged for November, which was four or five weeks after the Representative died.

Mr. McKELLAR. Whatever the purpose or whether there was any such purpose, would not the ordinary and natural effect of the marriage just before his death take this $7,500 away from the minor children?

Mr. SPENCER. The reason that would appeal to my mind would be the fact that long before his death a house had been secured and furnished for their occupancy upon their marriage, which was to have occurred late in November had not death intervened. That had all been arranged, the marriage was fixed, and then when Mr. Meeker suddenly without warning was taken ill and the doctors said he was upon the eve of death he called in the judge of one of the circuit courts to perform the marriage ceremony.

Mr. ROBINSON. Will the Senator yield for a question?

Mr. SPENCER. Yes.

Mr. ROBINSON. I understand the Senator to say that as a matter of fact the date for the marriage had been set at a time which was actually subsequent to the time of the death of the Congressman who, in anticipation of death and knowing that he was probably to die, arranged to consummate the marriage earlier?

Mr. SPENCER. The Senator is quite right. A house has been furnished and everything that the Senator and myself would be expected to do previous to marriage has been arranged between these two. There was nothing unusual in it. The only unusual circumstance in connection with the matter was that death intervened, and on the eve of death the man himself sought to have the marriage ceremony performed sooner than it would otherwise have been performed.

Mr. ROBINSON. What was the object of that?

Mr. SPENCER. I presume it was to get married.

Mr. ROBINSON. The Senator makes a jest of a very solemn matter. The Senator has said that the man knew he was within a few hours of his death, and I think the Senator can not seriously say that he expected this lady to perform the obligation and the relationship of a wife to him in fact.

Mr. SPENCER. If I may answer the Senator, the thing that appealed to me and appeals to me now is that every ordinary provision for marriage had been made before his sickness, which to my mind absolutely controverts any idea of marriage upon the deathbed merely for the purpose of taking away from the children the money which otherwise might have been expected to go to them.

Mr. KING. Mr. President——

Mr. SPENCER. I yield to the Senator from Utah.

Mr. KING. What provision did he make for his little children?

Mr. SPENCER. The Senator from Utah evidently was out of the Chamber when I answered that question previously. Mr. Meeker left $30,000 of insurance. Ten thousand dollars of the insurance was used to pay his debts. Every dollar of the remaining $20,000 went to the children and not one dollar to the widow. It is but fair that the record should show that long before his death Mr. Meeker, in taking up the question of this insurance, suggested that the insurance policies be transferred to the woman whom he was about to marry, and upon her solicitation the insurance was allowed to remain where it was at the hour of his death—payable entirely to his children. Outside of that insurance money I am informed there is a piece of land heavily encumbered, but, as my information goes, of substantially no value. So the only thing the man left was his insurance and this possible contingent gratuity which might come from Congress and which is now in question.

Mr. LENROOT. Mr. President, will the Senator yield?

Mr. SPENCER. I yield.

Mr. LENROOT. Do I understand from the Senator that it was the desire of Mr. Meeker to deprive his children of this insurance and it was on the protest of the lady who afterwards became his wife that that desire was not carried out?

Mr. SPENCER. The information as it comes to me is that the insurance, all payable to his children, ought in fairness to have had some division in connection with it, the same provision that would have been made by law if it had not been insurance but had been property otherwise. I understand it was Mr. Meeker's intention not to cut out the children, but to proportion the amount between the children and his wife, because a part of the insurance money which went to pay his debt was to pay an allowance which the court had made to his former wife, and that of course was paid in full.

Mr. SHAFROTH. Mr. President, I wish to suggest to the Senator from Missouri [Mr. SPENCER] whether it would not be an equitable distribution of this $7,500 to give one half of it to the widow and the other half to the children. That is the way in which it would be distributed if the person had died in my State without any will. In view of the fact that at present there is no law which controls it, and inasmuch as it is subject to our discretion as to what shall be done with it, I believe it would be fair to give to the wife one half and to the children the other half.

Mr. MARTIN of Virginia. Mr. President, I really know nothing in the world about the moral obligation which Mr. Meeker owed to his wife and to his children. We have had no opportunity or occasion to investigate those obligations. All we know is that if there is anything about which the two Houses of Congress are jealous it is the right of each House to control its expenditures for its own Members. Mr. Meeker was a Member of the House, and the House has made such disposition of this matter as it saw fit. It seems the children already have $20,000, and all the widow can possibly get is this gratuity from Congress. Mr. Meeker saw fit to make this lady his wife, and she is now his widow. He was a Member of Congress, and he no doubt knew the custom of Congress in this respect. At any rate, the responsibility is on the House of Representatives. The House of Representatives has given this money to the widow, and if that is not done by the Senate it will be a violation of the comity that for many years has existed between the two Houses and will no doubt lead to acrimonious controversy when the conference committee meets. I hope the Senate will observe the long-established rule and permit the House to dispose of this matter as it sees fit.

Mr. ROBINSON. The logic of the statement of the Senator from Missouri is not forceful. This is the first exception, the first controversy, that has ever arisen concerning the subject. I say that every consideration of justice, every consideration of honor and recognition of the obligations that ordinarily control men in public life, make it your duty and my duty, when we are voting away public money for the benefit of dependents of a deceased Congressman, to vote it to those who were dependent upon him.

The VICE PRESIDENT. The question is on the amendment proposed by the Senator from Arkansas. [Putting the question.] The Chair is unable to decide.

Mr. ROBINSON. I call for a division.

The question being put, on a division, the amendment was agreed to.

Mr. SPENCER. Mr. President, if it is necessary, I want to give notice that the matter will be again brought up in the Senate.

The VICE PRESIDENT. The Senator from Missouri reserves the amendment for a separate vote in the Senate.

The reading of the bill was resumed and continued to the end of line 15, on page 20, the last clause read being as follows:

REPEAL OF APPROPRIATIONS AND AUTHORIZATIONS, MILITARY ESTABLISHMENT.

SEC. 2. That the following unexpended balances or portions of unexpended balances or combined or unexpended balances or combined portions of unexpended balances of appropriations for the support of the Military Establishment contained in appropriation acts or for fiscal years enumerated in this section shall be carried to the surplus fund and be covered into the Treasury immediately upon the approval of this act, namely.

Mr. LODGE. Mr. President, may I ask a question of the chairman of the Committee on Appropriations?

Mr. MARTIN of Virginia. Certainly.

Mr. LODGE. I understand that the items that now follow in the bill are the amounts covered back into the Treasury?

Mr. MARTIN of Virginia. That is correct.

The reading of the bill was resumed and concluded.

Mr. SMOOT. Mr. President, I have been asked by a number of Senators to make a brief statement showing when the appropriations named in the pending bill are repealed and, taking into consideration the amount of the appropriations that were made for the fiscal year ending June 30, 1919, what the balance of appropriations would be. Briefly stated, it is as follows:

The total appropriations for the fiscal year ending June 30, 1919, amounted to $36,119,536,082.75. The pending bill repeals items to the amount of $15,400,186,239.38, leaving a net total of appropriations for the fiscal year ending June 30, 1919, after deducting this $15,400,186,239.38, as provided for in this bill, of $20,719,349,843.37. In the pending deficiency bill there is appropriated $295,244,329.45, making the total appropriations, less the amount of $15,400,186,239.38, $21,014,594,172.82. That, Mr. President, is the total of the appropriations for the fiscal year ending June 30, 1918, as they now stand. That, I will say, includes not only the direct appropriations, which are called "cash appropriations," but it also includes the appropriations which are authorized.

Mr. President, it is estimated that the expenditures of the Government for the fiscal year ending June 30, 1919, will be $18,000,000,000. Upon that estimate will be based the amount of the next liberty loan; in other words, $18,000,000,000 is supposed to be all that can be expended by the United States Government during the present fiscal year. So, Mr. President, there is no danger whatever in the deduction of these amounts from the amount that was appropriated for the year, for it will be noticed that, with all the repeals, there still remains appropriated $21,014,594,172.82, or $3,000,000,000 more than the actual estimates for the expenses of the Government for this year.

I will frankly admit that, when I first read over the bill and noticed the repeals, I thought perhaps in some particulars we were going too far; but I am now quite convinced that we could have gone $3,000,000,000 further, and never in any way have interfered with the successful carrying on of the finances of our Government.

At the request of a number of Senators I have put these figures in concise form, so that anyone who desires to refer to them may do so without hunting for and figuring out the totals in the different appropriation bills.

The VICE PRESIDENT. The bill is still before the Senate as in Committee of the Whole, and open to further amendment.

The bill was reported to the Senate as amended.

The VICE PRESIDENT. The Senator from Missouri [Mr. SPENCER] has reserved an amendment for a separate vote in the Senate. The question is on concurring in the other amendments made as in Committee of the Whole. [A pause.] They are concurred in, without objection. The question now is on concurring in the amendment reserved by the Senator from Missouri.

Mr. SPENCER. Mr. President, is the amendment which was adopted as in Committee of the Whole, on which I reserved a separate vote, now before the Senate for consideration?

The VICE PRESIDENT. The question is whether the amendment shall be concurred in.

Mr. SPENCER. Mr. President, there are several Senators now present who were not here when the question was decided as in Committee of the Whole. Very briefly I have this to say——

Mr. SMOOT. I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, N. Mex.	New	Spencer
Calder	Jones, Wash.	Overman	Sutherland
Cummins	Kellogg	Page	Swanson
Curtis	King	Pomerene	Thomas
Fletcher	La Follette	Ransdell	Trammell
Frelinghuysen	Lenroot	Robinson	Underwood
Gay	Lewis	Saulsbury	Vardaman
Hale	Lodge	Shafroth	Wadsworth
Hardwick	McCumber	Sheppard	Warren
Henderson	McKellar	Sherman	Watson
Hitchcock	McNary	Simmons	Wolcott
Johnson, Cal.	Martin, Va.	Smith, Ariz.	
Johnson, S. Dak.	Moses	Smoot	

The VICE PRESIDENT. Fifty Senators have answered to their names. There is a quorum present. The question is on concurring in the amendment, made as in Committee of the Whole, found on page 19 of the bill.

Mr. SPENCER. Mr. President, on page 19 the House of Representatives made an allowance of $7,500 to the widow of Jacob E. Meeker. The Senate, in Committee of the Whole, changed the allowance from the widow and made it payable to the four children of Mr. Meeker by a former marriage.

The facts in the case are precisely these: Mr. Meeker was serving his third term in the House. He was divorced from his wife, who had borne him four children. His divorced wife and the four children are still living. Alimony, substantial in character, was awarded in that divorce proceeding and was paid.

Some months before Mr. Meeker's death—just how long I do not know—he had planned to marry a lady who was in his employ. The house in Washington was selected, the furniture was bought; and when, suddenly, sickness of serious character laid Mr. Meeker low and the doctors told him that death was near, in the full possession of his faculties he summoned Judge Garesche, of the circuit bench, whom I well know and with whom I have talked about this matter—and that conversation is largely the reason of what I am saying here to-day—who assured me that Mr. Meeker was in the full possession of his faculties and remained so for some hours afterwards; and

upon those facts he was married upon his deathbed to this woman, and he died seven hours afterwards.

Mr. Meeker's estate consisted substantially of $33,000 of life insurance. And I ask particular attention to these figures, Mr. President, for in my judgment the crux of the whole matter lies here. Three thousand dollars of that total of $33,000 of life insurance went to his former wife, besides $8,000 of additions, making $11,000 to his former wife; $20,000 went to the four children. His present wife did not receive one dollar of it. The remaining $10,000 was used to pay the debts of the estate, and his present wife did not receive one dollar of it. As I am informed, in addition to the life insurance, all that he had was an equity in a farm, heavily encumbered, of which equity four-fifths would belong to his children and one-fifth would belong to the present wife. So that we have this result: If this gratuity—for there is no law for it—of $7,500 which the House has voted to the widow of this man is denied her, she goes out as the widow of the man without a single dollar, and the money which, by custom at least, has always gone to the widow, so far as I know, irrespective of the calendar arrangement of the marriage, is given entirely to the children.

I think that is unfair. I think that the woman, right or wrong, whom Mr. Meeker chose for his wife, and married, is entitled to the allowance which always has gone to the wife of the man upon his death.

Mr. ROBINSON. Mr. President, inasmuch as a number of Senators have entered the Chamber since this amendment was agreed to in Committee of the Whole, the amendment being reserved for a separate vote in the Senate, I feel it appropriate to state the grounds which, in my judgment, justified me in offering this amendment, and which I think make it our duty to concur in it.

This case is exceptional. It is perhaps the first instance in which a controversy has arisen in the Congress as to the payment of a gratuity to the dependents of a dead Congressman. There is no statute authorizing such payments. It is the custom to make these appropriations, and I think it has been the universal custom to make the appropriation to the widow. There is no wide divergence or difference as to the facts as stated by myself and the Senator from Missouri, as I understand him to state the facts.

Mr. Meeker and his former wife were divorced. By that marriage he had four minor children, the oldest being 17 and the youngest 5. Seven hours before his death, for the purpose of giving her the benefit of this gratuity, he married a lady who had been formerly a clerk in his office.

My position can be stated in a moment.

In voting public money to dependents of deceased Members of Congress it is the duty of Congress to make it available for those who were in fact dependent upon the deceased Congressmen. The undisputed facts are that the lady who is his widow did not occupy the relationship of wife to him; she was not dependent upon him; she earned her own living when she worked in his office, and she earns her own living now when she works in the office of another Congressman; but these children, who are flesh of his flesh and blood of his blood, are entitled to whatever gratuity Congress may see fit to bestow upon his dependents.

Mr. LODGE. Mr. President, I only desire to say a single word about the practice of the two Houses.

It is an unwritten but very rigid rule that neither House should interfere with the appropriations made by the other exclusively for its own purposes. I have known one or two cases on a deficiency bill where an appropriation had been omitted by the House, and they would come in at the last moment, at the close of a session, and ask us to put it in; and that was done officially by the proper representatives of the committee. I think, Mr. President, it would be a very unfortunate thing to undertake to amend a provision of the House for one of its own Members on what is obviously a disputed question.

I am not going to discuss the merits of the matter, though I must say I think the case presented by the Senator from Missouri [Mr. SPENCER] is quite unanswerable; but that is neither here nor there. My sole point is that we ought not to take such a step as this, and I agree entirely with the Senator from Virginia on that point.

The VICE PRESIDENT. The question is, Shall the amendment made as in Committee of the Whole be concurred in? [Putting the question.] By the sound the noes seem to have it.

Mr. ROBINSON. I call for a division.

On a division the amendment was nonconcurred in.

Mr. SHAFROTH. Mr. President, is an amendment to this paragraph in order now?

The VICE PRESIDENT. Any amendment is in order.

Mr. SHAFROTH. I move to strike out "$7,500," at the end of line 7, page 19, and to insert in lieu thereof "$3,750" and the words "and to his children $3,750."

Mr. SMOOT. Will the Senator state that amendment again?

Mr. SHAFROTH. The amendment would give the widow $3,750 and his children $3,750.

Mr. President, if Mr. Meeker had died and this had been a part of his estate, in my State that would have been the exact division to which the persons who are next of kin would be entitled. In other words, in my State the widow gets one-half and the children get one-half. Inasmuch as this is a gratuity we have a right to apportion it in any way we deem proper.

As I understand, the matter was not the subject of discussion in the House. The question which has been raised by the Senator from Arkansas [Mr. ROBINSON] was not presented in any manner; and if this amendment prevails the conferees can examine into the matter more closely. But as we are making this appropriation for the purpose of giving to those who are dependent upon this man $7,500, we can make no mistake, it seems to me, in giving to the widow one-half and to the children one-half. That is the way it would have gone to them, in the absence of any will, in my State.

Mr. TOWNSEND. Mr. President, I should like to ask the Senator a question. Can the Senator tell me whether Congress ever has divided up these gratuities or whether they have always been granted to the widow?

Mr. SHAFROTH. I do not know. I have not looked into that question. My impression is that Congress has made a change in some of the beneficiaries. What I mean by that is, if my recollection serve me right, they have in some instances given the gratuity to the executor or to the administrator; but I do not think there has been any action to change the beneficiary from the widow to any other person.

Mr. TOWNSEND. The cases the Senator has in mind were cases where there was no widow, and the gratuity went to the estate, were they not?

Mr. SHAFROTH. No; I think in another instance the children were made the beneficiaries when there was no widow.

Mr. TOWNSEND. I do not doubt that. What I was asking was, Does the Senator know of any case where there was a widow where the allowance was not made to her?

Mr. SHAFROTH. I will say to the Senator that I have just heard of this matter within the last hour, and I have not looked up the matter at all. I do not know the precedents, nor do I pretend to, except from general remembrance of some things that occurred in past Congresses.

Mr. UNDERWOOD. Mr. President, if the Senator will yield, I will say that my experience on these bills has been that wherever there was a widow the fund has always gone to the widow, and where there was not a widow it has gone to the children, but never to anyone else aside from those who were dependents.

Mr. LODGE. Mr. President, if I may ask the Senator a question, because his experience on appropriation bills is greater than mine, the question of dependency never arises at all, as I understand. The allowance is given to the widow or children whether they are dependent or not. They may have independent property.

Mr. UNDERWOOD. Absolutely. Congress has never looked into the question of how much independent estate was left. It is a gratuity that has gone to the widow through all time, and when it subsequently turned out that there was no widow it went to the children, and that is all there is to it. To make any change in this respect would be an entire change of precedent.

Mr. LODGE. Mr. President, it seems to me the method proposed by the Senator from Colorado [Mr. SHAFROTH] is open to the same objection that I have made before. I think we ought to observe the usual relation of comity between the two Houses in a matter of this sort. Where the House has provided in its own way with reference to one of its own Members, I think we should be very slow to intervene in any way.

Mr. KING. Mr. President, will the Senator yield?

Mr. SHAFROTH. If the Senator will allow me, the Senator from Arkansas [Mr. ROBINSON], in presenting this matter in Committee of the Whole, stated that he had been requested by a large number of Representatives to change this very item so as to give all of the gratuity to the children. By adopting this amendment the matter will be in conference, and the conferees can examine further as to what is the will of the House; but if the House provisions is concurred in there will be no opportunity to do so.

Mr. LODGE. Mr. President, on that theory we should be obliged to make an amendment whenever a small minority of the House, or any handful of Members, came over here and asked us to make the change. This bill is the work of the majority of the House and of the majority of the committee that had it in charge. Unless we receive something from the Committee on Appropriations or from the House representing the majority of the House, I do not think we can undertake to meet all the objections that any small group of Members may desire to bring over.

Mr. ROBINSON. Mr. President, in stating the case a while ago, I think I said that this was the first instance in which a question had arisen in Congress as to the beneficiary in the granting of a gratuity to the heirs of deceased Members of Congress. My attention has since been called to the case of an Iowa Congressman, in which, at the instance of the Senator from Iowa [Mr. KENYON], an amendment was adopted providing for a division of the fund so as to authorize paying a portion of it to the father of the deceased Congressman instead of paying all of it to the widow.

With respect to the point raised by the Senator from Massachusetts [Mr. LODGE] and by others that the adoption of an amendment changing the name of the beneficiary in a provision of this character originating in the House of Representatives would disturb the comity existing between the two Houses I desire to say that, to my way of thinking, that suggestion is totally without force. In the first place, the granting of a gratuity is not a matter of right. It occurs under a custom that has prevailed for a long time. In the next place, when Congress votes away public money it ought to vote it to somebody who is entitled to it; and if Congress sets the precedent which is implied in this case, in my judgment it will be acting unwisely.

The question was not raised in the House of Representatives. Whether or not it was discussed in the committee I do not know. Of course, under the rules it could not be officially known; but I do know that a number of Members of Congress—none of them, however, from Missouri—have discussed the question with me, and my information is that if the House had the opportunity it would not be averse to paying this fund to the real dependents of the deceased Congressman.

Mr. HITCHCOCK. Mr. President, do I understand the Senator to say that this matter was not an issue in the House in any way?

Mr. ROBINSON. There never was any question raised about it. The committee reported the provision as it is now in the bill, and there was no amendment offered in the House, and no discussion.

Mr. HITCHCOCK. It was just a perfunctory proceeding?

Mr. ROBINSON. Just a perfunctory proceeding.

Mr. SPENCER. Mr. President, will the Senator yield?

Mr ROBINSON. Certainly.

Mr. SPENCER. Is the Senator aware that in the House there was voluminous correspondence about this very matter with the city of St. Louis and Judge Garesche to determine the mental condition of Mr. Meeker, and that there was a considerable inquiry in regard to the matter?

Mr. ROBINSON. I assume if the question was raised in the committee the committee made some investigation of it, although I do not know about that. I stated that the proceedings of the committee could not be officially known under the rules of the House of Representatives, but that no point was made upon the matter in the House of Representatives; that it went through in a mere perfunctory way.

As to the sanity or insanity of Mr. Meeker I do not raise any question. I made the statement myself that for the purpose of giving this lady the benefit of this provision, which would otherwise have gone to his children, in the presence of death, seven hours before it came, he married her, and upon that statement of fact, undisputed, I say that the decent thing for Congress to do is to pay the gratuity to the children.

Mr. McKELLAR. I wish to ask the Senator from Missouri a question. Did the Senator say there was some suggestion in the House in reference to Mr. Meeker's sanity at the time?

Mr. SPENCER. None with regard to his sanity, but the very fact that he died within seven hours after the marriage ceremony led to the query as to what was his real mental condition at the time, and therefore they wrote to Judge Garesche, who performed the ceremony, and whose reply was so satisfactory as to the clear mental condition of Mr. Meeker, both at the time of his marriage and for some hours subsequent to it, that it all vanished out of sight.

Mr. McKELLAR. But that question was raised?

Mr. KENYON. I wish to ask the Senator from Arkansas a question. He referred to an Iowa case. I have just entered the Chamber, and I do not know to what case he alluded.

Mr. ROBINSON. I am not sure myself, although the Senator from Iowa will recall the case in which a portion of the gratuity was paid to the father of the deceased Congressman on the motion of the Senator from Iowa.

Mr. KENYON. That was the case of Congressman Pepper. He left no widow, and the father was very much dependent upon him. I was told at that time that it was contrary to the usual custom, but it was so voted.

Mr. ROBINSON. There was a division of the gratuity.

Mr. KENYON. It all went to the father. There was no widow. Of course, I have always taken the position myself that we have no right to do this at all. I do not know what right we have to make a present of a year's salary to the widow.

Mr. UNDERWOOD. Mr. President, I think it would be a mistake for the Senate to interfere with matters that concern the House and concern the House alone. We have always insisted on the part of the Senate in reference to our clerical pay, our contingent fund, our action here where money was expended for the benefit of the Senate, that only the Senate was responsible, and the House has taken the same position.

Two years ago, at the request of a number of Members who came over here, the Senate attempted to make, and did make, a vital change in reference to the clerical pay of the secretaries of Members of the House. Of course, when it went to the House and went to conference, the House conferees informed the Senate conferees that they could take their bill back; that they knew how to run their own business and proposed to do it; and the result is the conference committees on the part of the Senate of these appropriation bills have never heard the end of it yet.

Mr. KING. Will the Senator yield?

Mr. UNDERWOOD. I will.

Mr. KING. Does the Senator think it is a fair comparison to which he has just referred with the situation which is now confronting us?

Mr. UNDERWOOD. I think it is a fair comparison.

Mr. KING. I make this suggestion to the Senator: Suppose the question should arise in the House of increasing the compensation of Congressmen to $10,000 each per annum, would not that be a part of the business of the Senate?

Mr. UNDERWOOD. But that is a change of existing law. I am talking about what is purely a gratuity on the part of Congress. The Senate never attempts to define the gratuity for a Member of the House nor the House for the Senate.

Mr. WOLCOTT. Does not the Senator think there is this distinction between the two cases, that the matter of clerks' pay is a subject matter to be dealt with as having to do with the machinery of legislation in the House, the process of legislative business, whereas this is merely a matter of appropriating money to a widow, and has nothing at all to do with legislation?

Mr. UNDERWOOD. I will say to my friend this is a very much more dangerous proposition than for the Senate to interfere with the mere appropriation of money. This is purely a matter of sentiment based on nothing in the world but sentiment, that the family of a deceased Member shall be taken care of by the Congress.

Mr. ROBINSON. Will the Senator yield for a question?

Mr. UNDERWOOD. Certainly.

Mr. ROBINSON. Why does the Senator assume that the House of Representatives would resent the Senate making a change in the beneficiary if the Senate thinks that that change should be made?

Mr. UNDERWOOD. I will tell the Senator why. I am informed since the Senator first brought this matter up—I did not have the information then—that the House committee went into this entire proposition and decided what they thought it was proper for the House to do, and the House accepted it; and I have no doubt the House, although it was not brought out on the floor of the House, understood the facts in the case, or many Members did, when the question was voted on.

Mr. ROBINSON. Now, let me call the Senator's attention to the case cited a while ago, and in this connection I want to get that case in the RECORD right,—the case discussed between the Senator from Iowa [Mr. KENYON] and myself. In the case of deceased Congressman Pepper the House of Representatives refused, or failed at least, to make any provision whatever for the relatives of the Congressman, and this body wrote a provision in the bill, notwithstanding the oversight or failure or refusal of the House to make any provision, and that did not bring on any revolution either in Congress or anywhere else.

I must say to the Senator from Alabama, in view of the fact that the adoption of an amendment merely places the provision in conference, it seems to me absurd to say that the Senate is under the obligation to make an appropriation of $7,500 in a case of this sort to a beneficiary that the Senate does not believe is entitled to it.

Mr. UNDERWOOD. Now, there is where the serious proposition comes in, one where I think the Senate is going to face a serious issue with the House. Mr. Meeker represented a district in Missouri for a number of years. He had a constituency which honored him with a large majority for a number of years. He had many friends in the House of Representatives. I had the honor to serve with him myself. He was a capable, sincere, and earnest public servant.

Mr. McKELLAR. Mr. President——

Mr. UNDERWOOD. Just wait a minute, if the Senator will allow me. He died in a most heroic way. I do not know of any man under the dome of this Capitol who sacrificed himself more devotedly to public duty. The influenza was marching through this country carrying a swath of death with it greater than that from which our troops suffered in Europe. A camp near St. Louis had thousands of young soldiers down and dying by the hour, without nurses and without help. Volunteers were asked to come to the rescue, and this Congressman, valuing the cause of his country, went to the aid of these young soldiers and offered himself as a nurse. There he contracted the influenza that turned into pneumonia and caused his death. He was engaged to be married; the date was set; and under these circumstances on his dying bed he married the woman he was engaged to. When you fail to follow the vote of the House of Representatives and the precedent of the Congress and refuse to vote this money to the woman he left as his lawful widow, you put a blot forever on that woman's name and you strike at the man, the one man under the dome of this Capitol who gave his life to the young soldiers of this country and died a hero's death. I yield to the Senator from Tennessee.

Mr. McKELLAR. Does the Senator think that any real true friend of Mr. Meeker would take umbrage because the Senate saw to it that his helpless minor children were given this gratuity? I think it is not entirely the widow who ought to be considered in this matter. I think the children have just as strong a right as the wife to our consideration.

Mr. UNDERWOOD. I will say that I myself was a friend of Mr. Meeker, though we did not sit on the same side of the Chamber.

Mr. McKELLAR. I was also. I liked him very much, and I indorse all the Senator has said about him.

Mr. UNDERWOOD. He was my friend. I believe he knew what he wanted to do in this matter and, as far as I am concerned, I am willing to stand by him.

Mr. SHAFROTH. Mr. President, what we have to do with it is simply to give the House, after the matter is brought to their attention, a fair opportunity to reconsider this question. It can be done by the adoption of this amendment. It can not be done if the amendment is not adopted.

If the House wants to insist upon it the conferees on the part of the Senate will unquestionably yield to the House, and under the rule which the Senator from Massachusetts has announced it probably ought to do so; but it seems to me, in view of what has occurred here this afternoon, and the fact that these minor children ought to be taken into consideration, a division of this money ought to be made, unless there is strong objection made by the House to it after a consideration of the entire matter.

The VICE PRESIDENT. The question is on the amendment of the Senator from Colorado [Mr. SHAFROTH].

On a division the amendment was rejected.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MARTIN of Virginia. I move that the Senate request a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. MARTIN of Virginia, Mr. UNDERWOOD, and Mr. WARREN conferees on the part of the Senate.

RIVER AND HARBOR APPROPRIATIONS.

Mr. FLETCHER. I move that the Senate proceed to the consideration of the bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

Mr. FLETCHER. It is rather too late to go on with the bill this afternoon. I am going to ask, however, that the Senate shall take a recess until 12 o'clock to-morrow.

Mr. SHAFROTH. I hope the Senator will not do that, because there are some matters pending here—particularly the resolution in reference to a conference report—that should be considered. If the Senator will promise to yield, so that those matters can be taken up the same as if we had regular morning business, I will have no objection.

Mr. JONES of Washington. I would suggest that the Senator may not be able to yield for morning business without displacing his bill.

EXECUTIVE SESSION.

Mr. HITCHCOCK. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

OMAHA TRIBE OF INDIANS.

Mr. JOHNSON of South Dakota. From the Committee on Indian Affairs I report back favorably, with amendments, the bill (S. 3992) to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians, and I submit a report (No. 702) thereon.

This is a very urgent matter and is recommended by the Committee on Indian Affairs. Therefore I ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendments were, on page 2, line 1, after the word "Barada," to insert "Phil Frost, Charles Frost, Leonard Frost, Frank Frost, Mary Frost, Sarah McCreary, Benjamin Peters, Emiel Peters, Frank Sailors, Edgar Sailors, Garlie Sailors, Bryan Sailors, and Edward Turpain"; and in line 10, after the word "Indians," to insert "*Provided, however*, That the enrollment of any of the persons named in this bill shall not be permitted to disturb or affect any allotment which has been made heretofore to the Omaha Tribe of Indians, or to any of them, nor to share in the distribution of any money now in the Treasury to the credit of such Omaha Tribe of Indians"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, directed to investigate the claims of Thomas Barada, Mitchell Barada, Waring Barada, Maggie E. Rockwell, Mart Peters Sailer, Celestine Barada Kuhn, Margaret Kuhn, Josephine Kuhn, N. Edward Kuhn, John A. Kuhn, George F. Kuhn, Mary Kuhn, Stella Kuhn James, Barbara Kuhn James, Ethel Kuhn Ruthledge, Frank A. Peters, Jacob Peters, Frank E. Peters, Ernest C. Peters, Ruth Barada Sandage, Josephine Peters Mitchell, Pine Barada Beck, Toy Barada, Blade Barada, Nellie Barada Mott, Mary Barada Martin, Mrs. Era Barada Phillip, Mrs. Ada Barada Barber, Miss Alice Barada, William Barada, Walter V. Peters, and Job Barada, Phil Frost, Charles Frost, Leonard Frost, Frank Frost, Mary Frost, Sarah McCreary, Benjamin Peters, Emiel Peters, Frank Sailors, Edgar Sailors, Garlie Sailors, Bryan Sailors, and Edward Turpain to enrollment and membership in the Omaha Tribe of Indians; and if such investigation shows the persons named, or any of them, to possess Omaha Indian blood from a common Omaha Indian ancestor, the Secretary of the Interior is hereby authorized and directed to enroll the persons named, or so many of them as possess Omaha Indian blood from a common Omaha Indian ancestor, with the Omaha Tribe of Indians and to accord to such persons so enrolled all the rights and privileges of any enrolled member of the Omaha Tribe of Indians: *Provided, however*, That the enrollment of any of the persons named in this bill shall not be permitted to disturb or affect any allotment which has been made heretofore to the Omaha Tribe of Indians, or to any of them, nor to share in the distribution of any money now in the Treasury to the credit of such Omaha Tribe of Indians.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FEDERAL BUILDINGS AT SANTA FE, N. MEX.

Mr. JONES of New Mexico. I ask unanimous consent for the present consideration of the bill (S. 5516) to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes."

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That so much of the act of Congress approved March 4, 1913 (37 Stat., p. 875), as authorized the erection of a building for the accommodation of the post office and United States courts at Santa Fe, N. Mex., be, and the same is hereby, amended so as to require that said building shall be for the accommodation of the post office and other governmental offices, exclusive of the United States courts.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT.

Mr. MARTIN of Virginia. I move that the Senate adjourn until to-morrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 11, 1919, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 10, 1919.

COLLECTORS OF CUSTOMS.

John W. Troy, of Juneau, Alaska, to be collector of customs for customs collection district No. 31, with headquarters at Juneau, Alaska, to fill an existing vacancy.

Malcolm A. Franklin, of Columbus, Miss., to be collector of customs for customs collection district No. 32, with headquarters at Honolulu, Hawaii. (Reappointment.)

REGISTERS OF LAND OFFICES.

Joseph T. Carruth, of Idaho, to be register of the land office at Blackfoot, Idaho, his present term expiring January 24, 1919. (Reappointment.)

Dallas C. Weyand, of Colorado, to be register of land office at Glenwood Springs, Colo., his present term expiring January 19, 1919. (Reappointment.)

Edward J. Hoefnagels, of Colorado, to be register of the land moneys at Lamar, Colo., his present term expiring January 12, 1919. (Reappointment.)

Nathaniel Campbell, of Oregon, to be register of the land office at Portland, Oreg., his present term expiring January 21, 1919. (Reappointment.)

Alonzo L. Beavers, of Colorado, to be register of the land office at Lamar, Colo., his present term expiring January 12, 1919. (Reappointment.)

RECEIVER OF PUBLIC MONEYS.

Robert J. McGrath, of Colorado, to be receiver of public moneys at Lamar, Colo., his present term expiring January 12, 1919. (Reappointment.)

PROMOTIONS IN THE COAST GUARD.

The following-named third lieutenants to be second lieutenants in the Coast Guard from the 7th day of June, 1918:

Earl G. Rose,
Edward H. Smith, and
Henry Coyle.

Third Lieut. Rae B. Hall to be second lieutenant in the Coast Guard from the 21st day of July, 1918.

PROVISIONAL APPOINTMENT, BY PROMOTION, IN THE ARMY.

INFANTRY.

Second Lieut. Herbert Coleman Smith to be first lieutenant with rank from October 30, 1917.

PROMOTIONS IN THE PORTO RICO REGIMENT OF INFANTRY.

First Lieut. Urbino Nadal, Porto Rico Regiment of Infantry, to be captain with rank from November 1, 1918.

Second Lieut. Luis F. Cianchini, Porto Rico Regiment of Infantry, to be first lieutenant with rank from November 1, 1918.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Capt. Edwin A. Anderson, an additional number in grade, to be a rear admiral in the Navy from the 28th day of November, 1918.

Capt. Charles W. Dyson, an additional number in grade, to be a rear admiral in the Navy from the 16th day of December, 1918.

Commander Douglas E. Dismukes to be a captain in the Navy from the 1st day of July, 1918.

The following-named commanders to be captains in the Navy from the 15th day of August, 1918:

Edward H. Campbell and
Martin E. Trench.

Lieut. Commander Henry C. Dinger to be a commander in the Navy from the 26th day of May, 1918.

The following-named lieutenant commanders to be commanders in the Navy from the 1st day of July, 1918:

James H. Comfort,
William V. Tomb,
George B. Landenberger, and
William Norris.

Lieut. Commander Harold E. Cook to be a commander in the Navy from the 23d day of July, 1918.

Lieut. Aubrey W. Fitch to be a lieutenant commander in the Navy from the 20th day of March, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy from the 1st day of July, 1918:

Robert V. Lowe,
John B. Rhodes,
Robert A. Theobald,
Guy E. Baker,
William F. Newton,
Frank N. Eklund, and
Willis W. Bradley, jr.

The following-named lieutenants to be lieutenant commanders in the Navy from the 23d day of July, 1918:

Earle F. Johnson and
Henry K. Hewitt.

Lieut. (Junior Grade) Howard B. Berry to be a lieutenant in the Navy from the 7th day of March, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 8th day of June, 1918:

Virgil C. Griffin, jr.,
Ernest G. Small,
Andrew C. Bennett,
William D. Taylor,
Robert R. Thompson,
Albert B. Sanborn,
Donald W. Hamilton,
George W. La Mountain,
De Witt C. Ramsey,
John H. Holt, jr.,
Marc W. Larimer,
Mahlon S. Tisdale,
Davis De Treville,
Nelson W. Hibbs,
Wentworth H. Osgood,
John H. Falge,
Hugh C. Frazer,
Baylis F. Poe, and
Ingram C. Sowell.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July, 1918:

Francis E. M. Whiting,
Stanley G. Womble,
Charles A. Lockwood, jr.,
Charles S. Alden, and
Hubert V. La Bombard.

Lieut. (Junior Grade) Leonard N. Linsley to be a lieutenant in the Navy from the 30th day of July, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 5th day of June, 1918:

Arthur D. Struble,
Vincent H. Godfrey,
Donald MacL. Dalton,
Frank D. Wagner,
Armit C. Thomas,
John B. Kneip,
Marshall B. Arnold,
Irving R. Chambers,
Lloyd V. H. Armstrong,
Hubert E. Paddock,
Theodore E. Chandler,
Allan R. Wurtele,
Ryland D. Tisdale,
James P. Brown,
Edward Breed,
David McL. Collins, and
James M. Lewis.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 30th day of July, 1918:

William D. Sullivan and
Richard S. Bulger.

Medical Inspector Charles E. Riggs to be a medical director in the Navy with the rank of captain from the 15th day of October, 1917.

Medical Inspector Frank L. Pleadwell to be a medical director in the Navy with the rank of captain from the 8th day of January, 1918.

Surg. Benjamin H. Dorsey to be a medical inspector in the Navy with the rank of commander from the 1st day of February, 1918.

Surg. Lewis H. Wheeler to be a medical inspector in the Navy with the rank of commander from the 1st day of July, 1918.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 1st day of July, 1918:

George C. Thomas,
Alfred L. Clifton,
George F. Cottle,
George B. Whitmore,

Glenmore F. Clark,
Joseph R. Phelps,
Chandler W. Smith,
William L. Mann, jr.,
John G. Ziegler, and
George A. Riker.

Dental Surg. Clark E. Morrow to be an assistant dental surgeon in the Navy with the rank of lieutenant (junior grade) from the 3d day of July, 1917.

Dental Surg. Louis B. Lippman to be an assistant dental surgeon in the Navy with the rank of lieutenant (junior grade) from the 30th day of July, 1917.

Dental Surg. Hyman Mann to be an assistant dental surgeon in the Navy with the rank of lieutenant (junior grade) from the 16th day of October, 1917.

Dental Surg. Frank A. Zastrow to be an assistant dental surgeon in the Navy with the rank of lieutenant (junior grade) from the 9th day of February, 1918.

Paymaster Eugene C. Tobey to be a pay inspector in the Navy with the rank of commander from the 1st day of July, 1917.

Ensign Perry R. Taylor to be an assistant naval constructor in the Navy with the rank of lieutenant (junior grade) from the 23d day of September, 1918.

Civil engineer Leonard M. Cox, an additional number in grade, to be a civil engineer in the Navy with the rank of commander from the 29th day of August, 1916.

The following-named machinists to be chief machinists in the Navy from the 17th day of January, 1918:

Allen I. Seaman and
John Gallagher.

Pay Clerk Alexander C. Kozlowski to be a chief pay clerk in the Navy from the 9th day of June, 1917.

Pay Clerk Benjamin H. White to be a chief pay clerk in the Navy from the 15th day of January, 1918.

Pay Clerk Walter E. Morton to be a chief pay clerk in the Navy from the 7th day of May, 1918.

Pay Clerk William J. Smith to be a chief pay clerk in the Navy from the 1st day of July, 1918.

Pay Clerk Floyd J. Farber to be a chief pay clerk in the Navy from the 14th day of August, 1918.

Pay Clerk Edison H. Gale to be a chief pay clerk in the Navy from the 27th day of August, 1918.

Pay Clerk Herman W. Johnson to be a chief pay clerk in the Navy from the 10th day of September, 1918.

Pay Clerk Percy J. Hutchison to be a chief pay clerk in the Navy from the 11th day of September, 1918.

Pay Clerk Maurice T. Scanlan to be a chief pay clerk in the Navy from the 12th day of September, 1918.

Pay Clerk Marcus E. West to be a chief pay clerk in the Navy from the 13th day of September, 1918.

Pay Clerk John B. Daniels to be a chief pay clerk in the Navy from the 20th day of September, 1918.

Pay Clerk Michael J. Dambacher to be a chief pay clerk in the Navy from the 25th day of September, 1918.

Lieut. (Junior Grade) Ernest C. Keenan, retired, to be a lieutenant on the retired list of the Navy from the 1st day of July, 1918.

Lieut. (Junior Grade) Harry C. Ridgely, retired, to be a lieutenant on the retired list of the Navy from the 4th day of December, 1918.

Passed Asst. Surg. Judson L. Taylor, retired, to be a surgeon with the rank of lieutenant commander on the retired list of the Navy from the 1st day of July, 1918.

The following-named assistant surgeons on the retired list of the Navy to be passed assistant surgeons with the rank of lieutenant on the retired list of the Navy from the 1st day of July, 1918:

Rice K. McClanahan,
Henry La Motte,
George M. Olson, and
Arthur C. Stanley.

Asst. Paymaster Jacob D. Doyle, retired, to be a paymaster with the rank of lieutenant commander on the retired list of the Navy from the 1st day of July, 1918.

The following-named boatswains on the retired list to be chief boatswain on the retired list of the Navy from the 1st day of July, 1918:

Hjalmar E. Olsen,
Charles Wouters,
Lee R. Boland, and
William Johnson.

The following-named gunners on the retired list to be chief gunners on the retired list of the Navy from the 1st day of July, 1918:

Henry J. Tresselt,
Frank A. McGregor,
Vista R. Thompson,
Peter Hanley,
Humboldt J. Palmer, and
Theodore C. Wester.

The following-named machinists on the retired list to be chief machinists on the retired list of the Navy from the 1st day of July, 1918:

James L. Baart,
August Anschuetz,
Herbert E. Kershaw,
Joseph J. Duffy,
Charles W. Jackson,
George M. Heinen,
John McPhee,
William P. Little,
Martin Casey,
William C. Dronberger.
William J. Powell,
Edwin J. Cutherell,
James Wilson,
Peter J. Hanlon,
William E. B. Grant,
Daniel J. McCarthy, and
Thomas F. Hobby.

Machinist Harlan B. Heath, retired, to be a chief machinist on the retired list of the Navy from the 21st day of July, 1918.

The following-named carpenters on the retired list to be chief carpenters on the retired list of the Navy from the 1st day of July, 1918:

Benjamin D. Pender, and
Joel D. Griffin.

Sailmaker Herman Hansen, retired, to be a chief sailmaker on the retired list of the Navy from the 1st day of July, 1918.

Pharmacist William H. Huntington, retired, to be a chief pharmacist on the retired list of the Navy from the 1st day of July, 1918.

Pharmacist Isaac N. Hurd, retired, to be a chief pharmacist on the retired list of the Navy from the 14th day of September, 1918.

Lieut. (Junior Grade) Edward Crouch to be a lieutenant in the Navy, for temporary service, from the 1st day of July, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 15th day of August, 1918:

Daniel J. Sullivan,
Edwin W. Hill, and
Claude S. Padgett.

Lieut. (Junior Grade) Edward J. Carr to be a lieutenant in the Navy, for temporary service, from the 29th day of September, 1918, to correct the date from which he takes rank as previously confirmed.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 5th day of November, 1918:

Thomas F. Morris and
Walter B. Buchanan.

The following-named ensigns to be lieutenants (junior grade) in the Navy, for temporary service, from the 21st day of September, 1918:

Roy Childs,
Hardy M. James,
Patrick J. Sullivan,
William Crofut,
George H. Toepfer,
Luther C. Crow,
William Kasburg, and
Leo Kampman.

The following-named warrant officers to be ensigns in the Navy, for temporary service, from the 15th day of December, 1918:

Frank McGlothien,
Wallace Hanna,
John C. Redman,
Frederick W. K. Mielke,
Ewell K. Jett,
Edward J. McCarthy,
Leslie W. Beattie,
Henry T. Hausten,
William McDade,
Robert H. Barnes,
Frank R. Wills,
Joseph R. Laing,
Charles D. Connor,
Roy M. Dyer,
William Province,

Joshua W. M. Simmons, and
Clyde H. MacDonald.

The following-named enlisted men to be ensigns in the Navy, for temporary service, from the 15th day of December, 1918:
Bradford M. Melvin,
Eugene Bastian,
Marshall M. Angleton,
Victor A. Leonard,
Harold S. Vigab,
Frank Gawrych,
James A. Duryea,
Richard Tainter,
Ned P. Baugh,
William J. Clark,
George P. Hall,
Herman H. Roloff, and
Rudolph P. Bielka.

The following-named ensigns of the United States Naval Reserve Force to be ensigns in the Navy, for temporary service, from the 15th day of December, 1918:
Linwood L. Curtis,
Otmar L. Olsen, and
Robert W. Ralston.

Ensign Arthur Bernstein of the United States Naval Reserve Force to be an ensign in the Navy, for temporary service, from the 8th day of September, 1918.

Paymaster Elijah H. Cope to be a pay inspector in the Navy, with the rank of commander, for temporary service, from the 10th day of October, 1918, to correct the date from which he takes rank as previously confirmed.

Acting Pay Clerk Samuel L. Bates to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of September, 1918, to correct the date from which he takes rank as previously confirmed.

Asst. Paymaster James Wilson of the United States Naval Reserve Force to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 15th day of November, 1918.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of December, 1918:
Claude C. Hanan,
Charles E. Leavitt,
Harrison W. McGrath,
Harry C. Mechtoldt,
Henry J. Taylor,
Charles W. Fox,
William S. Cooper,
Archie B. McKay,
Josephus M. Lieber,
George J. Schoonover,
Otto E. Matheny, and
Everett W. Brown.

The following-named assistant paymasters of the United States Naval Reserve Force to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 15th day of December, 1918:
Forrest F. Fulton, and
John W. Mears.

The following-named officers to be assistant naval constructors in the Navy with the rank of lieutenant (junior grade), for temporary service, from the 15th day of October, 1918:
Herman R. Newby,
Lott C. Newton, and
Goldsboro Sessions.

Carpenter Emerson W. Amos to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of December, 1918.

Lieut. (Junior Grade) William N. Eichorn, of the United States Naval Reserve Force, to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 15th day of December, 1918.

The following-named lieutenants (junior grade), on the retired list, to be lieutenants on the retired list of the Navy, for temporary service, from the 21st day of September, 1918:
Alvah M. Smith,
Charles C. Beach,
Jesse E. Jones,
John Westfall,
Charles G. Wheeler,
William G. A. Schwerin,
Henry Feehan,
John L. Kelley,
Herbert J. Wiseman,
Edgar A. Robie,
Arthur Rogier,
Edmund H. Klamt,
William C. Staufer,
Norman McIntire,
Daniel R. Shackford, and
James Munro.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 10, 1919.

ASSISTANT SECRETARY OF THE TREASURY.

Jouett Shouse to be Assistant Secretary of the Treasury.

SOLICITOR OF INTERNAL REVENUE.

D. M. Kelleher to be solicitor of internal revenue.

SECRETARY OF EMBASSY OR LEGATION.

Clarence B. Hewes to be a secretary of embassy or legation of class 4.

UNITED STATES DISTRICT ATTORNEY.

John F. A. Merrill to be United States attorney, district of Maine.

REJECTION.

Executive nomination rejected by the Senate February 10, 1919.

POSTMASTER.

MINNESOTA.

Charles J. Hohenstein, Gibbon.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 10, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who hast made us and the laws which environ us, open Thou our understanding that we may perceive and obey them.

Thus, as individuals and as a Nation, expand our intellectual, moral, and spiritual life; that Thy kingdom may come and Thy will be done in us, as in Heaven; through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday, February 8, and the Journal of the proceedings of Sunday, February 9, 1919, were read and approved.

EXTENSION OF REMARKS.

Mr. REED. Mr. Speaker, I desire to ask unanimous consent to extend my remarks in the RECORD by inserting an address delivered by my colleague, Mr. WILLIAM R. WOOD of Indiana, on the late Theodore Roosevelt, in my home city yesterday.

The SPEAKER. The gentleman from West Virginia asks unanimous consent to extend his remarks by printing a speech made by Mr. WOOD of Indiana on the life, character, and public services of Mr. Roosevelt. Is there objection? [After a pause.] The Chair hears none.

PROHIBITION AMENDMENT.

The SPEAKER laid before the House communications from the following States, giving notification of the ratification of the prohibition amendment, for filing in the archives of the House:

Michigan, West Virginia, Iowa, Tennessee, New Mexico, California, Wisconsin, Minnesota, North Carolina, Wyoming, Idaho, Illinois, and Missouri.

THE NAVY.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill. The question is on agreeing to the motion.

Mr. WALSH. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 35, noes 3.

Mr. WALSH. Mr. Speaker, that is entirely too small a number to consider the vast increases in this naval program. I make the point of no quorum.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] makes the point of no quorum. The Doorkeeper will

close the doors, the Sergeant at Arms will notify the absentees. Those in favor of the House resolving itself into the Committee of the Whole House on the state of the Union will, as their names are called, answer "yea," and those opposed will answer "nay," and the Clerk will call the roll.

The question was taken; and there were—yeas 268, nays 0, answered "present" 1, not voting 160, as follows:

YEAS—268.

Alexander	Ellsworth	Knutson	Randall
Almon	Elston	Kraus	Rankin
Anderson	Essen	La Follette	Rayburn
Ashbrook	Evans	LaGuardia	Reavis
Aswell	Farr	Lampert	Reed
Austin	Ferris	Langley	Robinson
Ayres	Fess	Larsen	Rogers
Baer	Fordney	Lea, Cal.	Romjue
Bankhead	Foss	Lee, Ga.	Rose
Barkley	Foster	Lehlbach	Rouse
Barnhart	Freeman	Lesher	Rubey
Beakes	Gallagher	Lever	Rucker
Beshlin	Gallivan	Linthicum	Sanders, Ind.
Black	Gard	Little	Saunders, Va.
Bland, Va.	Garner	Littlepage	Schall
Blanton	Garrett, Tenn.	Lobeck	Scott, Iowa
Bowers	Garrett, Tex.	London	Scott, Mich.
Brand	Gillett	Lonergan	Sells
Brodbeck	Glynn	Longworth	Shackleford
Browne	Godwin, N. C.	McAndrews	Sherwood
Browning	Good	McArthur	Shouse
Buchanan	Gray, Ala.	McClintic	Sinnott
Burnett	Green, Iowa	McCormick	Sisson
Burroughs	Gregg	McFadden	Slemp
Butler	Griffin	McKeown	Sloan
Byrnes, S. C.	Hadley	McLaughlin, Mich.	Small
Caldwell	Hamilton, Mich.	McLemore	Smith, Idaho
Campbell, Kans.	Hamlin	Magee	Smith, Mich.
Candler, Miss.	Hardy	Maher	Snell
Carter, Okla.	Harrison, Miss.	Mann	Stafford
Cary	Hastings	Mansfield	Steagall
Chandler, Okla.	Haugen	Mapes	Steele
Church	Hawley	Martin	Steenerson
Clark, Pa.	Hayden	Mason	Stephens, Miss.
Classon	Heflin	Mays	Sterling
Claypool	Hersey	Merritt	Stiness
Collier	Hicks	Miller, Minn.	Sumners
Connally, Tex.	Hilliard	Miller, Wash.	Sweet
Connelly, Kans.	Holland	Mondell	Switzer
Cooper, Ohio	Hollingsworth	Moon	Tague
Cooper, W. Va.	Hood	Moore, Pa.	Temple
Cooper, Wis.	Houston	Morgan	Thomas
Crago	Howard	Mott	Thompson
Cramton	Huddleston	Neely	Tillman
Crisp	Hull, Tenn.	Nelson, A. P.	Timberlake
Crosser	Humphreys	Nelson, J. M.	Vare
Currie, Mich.	Hutchinson	Nicholls, S. C.	Vestal
Dale	Igoe	Nolan	Vinson
Dallinger	Ireland	Oliver, Ala.	Volstead
Darrow	Jacoway	Oliver, N. Y.	Walsh
Davey	James	Osborne	Wason
Decker	Johnson, Wash.	Overmyer	Watkins
Denton	Jones	Overstreet	Watson, Va.
Dickinson	Kearns	Padgett	Weaver
Dies	Keating	Parker, N. J.	Webb
Dill	Kehoe	Peters	Welling
Dillon	Kelley, Mich.	Phelan	Welty
Dixon	Kelly, Pa.	Polk	Whaley
Dominick	Kennedy, Iowa	Pou	White, Me.
Doolittle	Kennedy, R. I.	Powers	Wilson, La.
Doughton	Kettner	Purnell	Wilson, Tex.
Dowell	Key, Ohio	Quin	Wingo
Drane	Kiess, Pa.	Ragsdale	Wood, Ind.
Dunn	Kincheloe	Rainey, H. T.	Wright
Dyer	King	Rainey, J. W.	Young, N. Dak.
Eagan	Kinkaid	Raker	Young, Tex.
Elliott	Kitchin	Ramseyer	Zihlman

ANSWERED "PRESENT"—1.

Emerson

NOT VOTING—160.

Anthony	Dent	Graham, Pa.	Moores, Ind.
Bacharach	Dewalt	Gray, N. J.	Montague
Bell	Donovan	Greene, Mass.	Morin
Benson	Dooling	Greene, Vt.	Mudd
Birch	Doremus	Griest	Nichols, Mich.
Blackmon	Drukker	Hamill	Norton
Bland, Ind.	Dupré	Hamilton, N. Y.	Oldfield
Booher	Eagle	Harrison, Va.	Olney
Borland	Edmonds	Haskell	O'Shaunessy
Britten	Esch	Hayes	Paige
Brumbaugh	Estopinal	Heaton	Park
Byrns, Tenn.	Fairchild, B. L.	Heintz	Parker, N. Y.
Campbell, Pa.	Fairchild, G. W.	Helm	Platt
Cannon	Fairfield	Helvering	Porter
Cantrill	Fields	Hensley	Pratt
Caraway	Fisher	Hull, Iowa	Price
Carew	Flood	Husted	Ramsey
Carlin	Flynn	Johnson, Ky.	Riordan
Carter, Mass.	Focht	Johnson, S. Dak.	Roberts
Chandler, N. Y.	Francis	Juul	Rodenberg
Clark, Fla.	Frear	Kahn	Rowe
Cleary	French	Kreider	Rowland
Coady	Fuller, Ill.	Lazaro	Russell
Copley	Fuller, Mass.	Lufkin	Sabath
Costello	Gandy	Lundeen	Sanders, La.
Cox	Garland	Lunn	Sanders, N. Y.
Curry, Cal.	Goodall	McCulloch	Sanford
Davis	Goodwin, Ark.	McKenzie	Scully
Delaney	Gordon	McKinley	Sears
Dempsey	Gould	McLaughlin, Pa.	Shallenberger
Denison	Graham, Ill.	Madden	Sherley
Siegel	Stevenson	Towner	Watson, Pa.
Sims	Strong	Treadway	Wheeler
Slayden	Sullivan	Van Dyke	White, Ohio
Smith, C. B.	Swift	Venable	Williams
Smith, T. F.	Taylor, Ark.	Voigt	Wilson, Ill.
Snook	Taylor, Colo.	Waldow	Winslow
Snyder	Templeton	Walker	Wise
Stedman	Tilson	Walton	Woods, Iowa
Stephens, Nebr.	Tinkham	Ward	Woodyard

So the motion was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. RUSSELL with Mr. STRONG.

Mr. CAREW with Mr. GOODALL.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. BOOHER with Mr. TREADWAY.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. BENSON with Mr. BLAND of Indiana.

Mr. SCULLY with Mr. WINSLOW.

Mr. HAMILL with Mr. COPLEY.

Mr. BLACKMON with Mr. CURRY of California.

Mr. BYRNS of Tennessee with Mr. CANNON.

Mr CANTRILL with Mr. DAVIS.

Mr. BELL with Mr. BACHARACH.

Mr. CARAWAY with Mr. DEMPSEY.

Mr. CARLIN with Mr. EDMONDS.

Mr. CLARK of Florida with Mr. WILLIAMS.

Mr. CLEARY with Mr. FREAR.

Mr. COADY with Mr. FRENCH.

Mr. DENT with Mr. KAHN.

Mr. DEWALT with Mr. FULLER of Illinois.

Mr. DONOVAN with Mr. FULLER of Massachusetts.

Mr. DOOLING with Mr. GARLAND.

Mr. DOREMUS with Mr. GOULD.

Mr. DUPRÉ with Mr. GRAHAM of Illinois.

Mr. EAGLE with Mr. GRAHAM of Pennsylvania.

Mr. SIMS with Mr. ESCH.

Mr. GOODWIN of Arkansas with Mr. GREENE of Massachusetts.

Mr. HARRISON of Virginia with Mr. GREENE of Vermont.

Mr. HELM with Mr. GRIEST.

Mr. HELVERING with Mr. HASKELL.

Mr. LAZARO with Mr. HUSTED.

Mr. LUNN with Mr. JOHNSON of South Dakota.

Mr. OLDFIELD with Mr. KREIDER.

Mr. O'SHAUNESSY with Mr. LUFKIN.

Mr. PRICE with Mr. MCKENZIE.

Mr. RIORDAN with Mr. WILSON of Illinois.

Mr. SABATH with Mr. MUDD.

Mr. SEARS with Mr. PAIGE.

Mr. CHARLES B. SMITH with Mr. PARKER of New York.

Mr. THOMAS F. SMITH with Mr. ROWE.

Mr. SNOOK with Mr. SANDERS of New York.

Mr. STEDMAN with Mr. SANFORD.

Mr. SULLIVAN with Mr. SIEGEL.

Mr. TAYLOR of Arkansas with Mr. SNYDER.

Mr. TAYLOR of Colorado with Mr. TINKHAM.

Mr. VENABLE with Mr. TOWNER.

Mr. VAN DYKE with Mr. WARD.

Mr. WALTON with Mr. WATSON of Pennsylvania.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors. The gentleman from Tennessee [Mr. GARRETT] will take the chair.

Thereupon the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15539) making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Page 51: "Increase of the Navy."

Mr. JOHNSON of Washington. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of Washington. These paragraphs on page 51, under the heading "Increase of the Navy," are numerous. Will they be considered paragraph by paragraph?

The CHAIRMAN. They will be considered paragraph by paragraph. That is always the rule on an appropriation bill.

Mr. MASON rose.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise.

Mr. MASON. I rise to ask permission to proceed for five minutes out of order in order to place in the RECORD a copy of a——

The CHAIRMAN. The Chair can not recognize the gentleman at this moment for that purpose. The Clerk will read.

Mr. PADGETT. Mr. Chairman, before proceeding I ask unanimous consent to return to pages 17 and 18 for the purpose of offering some amendments to correct the language.

There is legislation in the bill authorizing transfers from the Naval Reserves into the regular Navy and also providing for extensions. When the bill was before the Committee of the Whole for consideration and these paragraphs were reached I stated to the committee that the effect was that where a person was given authority, as provided here, to extend for one year or two or three or four years, he would have to serve out the four years in order to be entitled to receive the benefit of the four months' continuous service provided under existing law. Where a person under existing law enlists or serves a four-year period and gets an honorable discharge, he may within four months reenlist and get the benefit of the four months' pay. That is existing law, and has been for years.

Now, when this matter was before the Committee on Naval Affairs in the hearings we inquired very carefully into this, and we were informed that that was the interpretation and was the purpose of the legislation, and the committee reported it with that understanding, and so stated to the House. But since then—since the adjournment the other day—I have taken the matter up with the officers in the Bureau of Navigation, and they tell me that they think under this language they would be entitled to four months if we extend it for one year, and if we extend it for two years he would be entitled to it, or if we extend it for three years he would be entitled to it, or he would be entitled to it if we extend it four years.

That was not the purpose of the committee, and I think it was not the purpose of the Committee of the Whole when we passed upon it. I then stated otherwise. So I wanted to offer amendments to make it clear that men would get the benefit by the extending of the law, which now is that they shall serve four years, so as to add what they have already served to what they might serve in the regular Navy, and make it four years before they would get the benefit.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to return to pages 17 and 18 for the purpose of offering an amendment. Is there objection?

Mr. MANN. Reserving the right to object, the gentleman made a statement which doubtless he understood himself and which members of the Naval Committee understood, but I confess I do not understand. Let us have the amendment. Let us know what it is.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to offer amendments and have them read for the purpose of information. The Clerk will read the first one.

The Clerk read as follows:

Mr. PADGETT offers the following amendment: Page 18, line 4, strike out "(other than a dishonorable discharge)" and, at the end of line 8, change the period to a colon and add: "*Provided*, That said enlisted man is otherwise entitled to an honorable discharge."

Mr. PADGETT. That is upon a different question, Mr. Chairman; but the language there, as it was accepted and submitted, reads "other than a dishonorable discharge." There are bad-conduct discharges.

The CHAIRMAN. Is there objection?

Mr. WALSH. I reserve the right to object. We should have this thing explained.

Mr. PADGETT. I will explain it. We considered that it reached all of those, but we understand that there is a dishonorable discharge and a bad-conduct discharge. Under this language, as it is in the bill, a person would get an honorable discharge if he was not given a dishonorable discharge, and his record might be such that he would have a bad-conduct discharge or an ordinary discharge. This is to make it the same as on lines 14 and 15 of page 18—the proviso—that he shall have an honorable discharge if his conduct otherwise entitles him to an honorable discharge.

Mr. MANN. Mr. Chairman, will the gentleman yield for a question?

Mr. PADGETT. Yes, sir.

Mr. MANN. It was stated here on the floor recently several times that the Navy, in granting discharges to men who had enlisted for a term of four years, did not grant honorable discharges but only a discharge.

Mr. PADGETT. An ordinary discharge.

Mr. MANN. I do not know what an "ordinary discharge" is, but it is not an honorable discharge.

Mr. PADGETT. That is correct.

Mr. MANN. This provision as it stands would allow transportation to those men. But the way the gentleman amends it, it would not?

Mr. PADGETT. No. They would get an honorable discharge if, not having served out the full term of their enlistment——

Mr. MANN. Let us get at the practical facts. That is what I want to know. Of course the gentleman is able to talk in naval language, which I do not fully appreciate. Here is the case of a man who enlisted for a term of four years, supposing he was enlisting for the term of the war. The Navy now in granting him a discharge, it is stated, does not grant him an honorable discharge. I believe this bill is designed in one place to correct that, but not in this paragraph.

Mr. PARKER of New Jersey. Yes. It says he shall have an honorable discharge.

Mr. MANN. Oh, the gentleman is mistaken. He may prescribe an honorable discharge if the man is otherwise entitled to an honorable discharge.

But under the existing law they say that he is not entitled to an honorable discharge. Now, the language of the bill as it stands will grant him an honorable discharge and grant him transportation if he does not receive a dishonorable discharge; but under the language of the amendment which the gentleman suggests he would get then just what he gets now, a discharge, without saying whether it is honorable or dishonorable, because under the existing law they say he is not entitled to an honorable discharge.

Mr. PADGETT. No; the effect of this amendment is that a man could, if he should, be given a bad-conduct discharge—not a dishonorable discharge, but a bad-conduct discharge. He would not be entitled to an honorable discharge, but under the bill as it is written he does not get a dishonorable discharge, therefore he is compelled to have an honorable discharge. This would allow them to give him a bad-conduct discharge if his record justifies it.

Mr. MANN. I understand that part of it, but that does not answer my inquiry. What I want to know is whether a man who supposed that he was enlisting for the term of the war, but who made an actual enlistment for four years, will get an honorable discharge and get his transportation under this amendment?

Mr. PADGETT. That is the way I understand it. In view of what the gentleman says, perhaps it might be plainer if it read "(other than a dishonorable or bad-conduct discharge)," just leaving the parentheses.

Mr. MANN. That is all right.

Mr. PADGETT. That is what is intended. I will ask unanimous consent to withdraw that amendment, and, in line 4, after the word "dishonorable," insert the words "or bad conduct."

Mr. LITTLE. As I understand it, the amendment has not been offered yet.

The CHAIRMAN. The amendment has not been offered. The question is whether there is objection to returning to this paragraph of the bill.

Mr. LITTLE. Reserving the right to object——

The CHAIRMAN. The Chair will first state the question. The question is, Is there objection to the committee returning to page 18 for the purpose of offering an amendment?

Mr. LITTLE. Reserving the right to object, are we to understand that the boys who prefer to be discharged and to go home and go to work or go to school, instead of hanging around doing nothing, have been refused honorable discharges?

Mr. PADGETT. Under the existing law it is understood that a man is entitled to an honorable discharge only when he fully complies with his contract.

Mr. LITTLE. The gentleman may understand that, but I do not. Who is responsible for that understanding—each individual officer who is discharging the men, or somebody at headquarters?

Mr. PADGETT. That has been the interpretation all along, before the war and during the war. The Secretary has recommended that the law be amended so that all of them discharged since November 11, the date of the signing of the armistice, shall have an honorable discharge.

Mr. WINGO. Why does not the gentleman offer that as an amendment in this connection? There has been a great deal of confusion and complaint throughout the country about it. Why does not the gentleman provide that a man who enlisted for the war and who has been discharged since November 11 shall be entitled to an honorable discharge?

Mr. LITTLE. I do not know of any rule of law, and I never heard of any before, under which anybody could be refused an honorable discharge simply because he was discharged before his term of service had expired.

Mr. PADGETT. That has been the ruling and is the ruling, and we are trying to correct it, so that these men shall have an honorable discharge if they are discharged before the termination of the four years or before the termination of the war; that is, if discharged since November 11.

Mr. LITTLE. I have known hundreds of instances in which men have received honorable discharges in that way.

Mr. PADGETT. They have not been granting them, and in order to provide that they shall grant them we offer this amendment.

Mr. LITTLE. If the gentleman will permit me, I have known of hundreds of instances in which men have received honorable discharge before the term of service expired, where there was some good showing made. That has been the case in the Army, and I am profoundly astonished that the Navy has enforced a different rule. It is not the law.

Mr. PADGETT. They have been doing it, and I am trying to correct it.

Mr. GREEN of Iowa. If this amendment which the gentleman proposes prevails, will it enable a man to get his full travel allowance?

Mr. PADGETT. Yes.

Mr. GREEN of Iowa. I have received complaints that the men who were discharged in the manner the gentleman has described were not getting their full travel allowance.

Mr. PADGETT. That is the principal object of it—to give them an honorable discharge and their travel pay.

Mr. WINGO. Will the gentleman yield right there?

Mr. PADGETT. Yes.

Mr. WINGO. While the gentleman says the object is not only to provide travel pay for those men who enlisted for the war and who are discharged upon their application, without waiting for the department to discharge them, but also to give them an honorable discharge, the language does not provide it.

Mr. PADGETT. Yes; it says they shall have an honorable discharge and shall be furnished with transportation. That is provided in lines 6 and 7, on page 18.

Mr. WINGO. Does the gentleman think that language will give them an honorable discharge?

Mr. PADGETT. Yes; I know it will.

Mr. WINGO. I understood the gentleman's explanation to be that the language would not do that.

Mr. PADGETT. No; I said the existing law would not, and this amendment is simply to provide that those who receive bad-conduct discharges will be excluded, as well as those who receive dishonorable discharges. A man with a bad-conduct discharge ought not to receive this consideration.

Mr. WINGO. Certainly. I agree with the gentleman.

Mr. DYER. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The gentleman from Missouri demands the regular order, which is, Is there objection?

Mr. WALSH. I object for the present.

Mr. WINGO. Unless we can get information about this, we are compelled to object.

Mr. PADGETT. I am trying to give the gentleman all the information he desires.

Mr. WINGO. I am not criticizing the gentleman from Tennessee. He is always courteous and patient in the conduct of his bills.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent to return to page 17 to offer the following amendment.

Mr. WALSH. I think we ought to wait until we dispose of the bill.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to return to page 17 to offer the amendment which the Clerk will report.

Mr. WALSH. I object for the present. I am not objecting to the amendment, but I think we ought to wait until we dispose of the bill.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. SAUNDERS of Virginia having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed with amendments the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. BANKHEAD, Mr. SWANSON, Mr. HARDWICK, Mr. TOWNSEND, and Mr. WEEKS as the conferees on the part of the Senate.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Increase of the Navy, construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore and herein authorized, to be available until expended, $107,000,000.

Mr. JOHNSON of Washington. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Page 51, line 11, strike out $105,000,000 and insert in lieu thereof $50,000,000.

Mr. JOHNSON of Washington. Mr. Chairman, the amendment, if adopted, will open a way to cut down a little bit the money appropriated in the bill. I should like to say that I have had the advantage of seeing the mysterious telegram from the President of the United States to the Secretary of the Navy in regard to this naval bill and the building program it authorizes.

Mr. PADGETT. Will the gentleman yield for a statement?

Mr. JOHNSON of Washington. Yes; certainly.

Mr. PADGETT. This appropriation is for the ships heretofore authorized.

Mr. JOHNSON of Washington. Which can not be built in the time covered by this bill.

Mr. PADGETT. But this amount is needed to carry on the work on the ships authorized during the year 1919–20.

Mr. JOHNSON of Washington. I am inclined to doubt that the full amounts proposed can be used within the time. At any rate, I offer the amendment. Mr. Chairman and gentlemen, I have seen the telegram sent by the President of the United States, and I have also seen the telegram sent to the President by the Secretary of the Navy. I think those Members who have asked to see the President's telegram should ask to see the Secretary's telegram. To understand one, it is necessary to see the other. The other day, when the chairman of the Naval Committee and the gentleman from Pennsylvania [Mr. MOORE] were talking the matter over, the chairman asked the gentleman from Pennsylvania to take 10 steps forward and see the telegram personally. I said that I thought if one saw it we all ought to see it. I was invited to see it and did see it, and in my opinion the telegram of the Secretary of the Navy to the President in Paris was a polite invitation to the President to help this doubtful bill across the Congress. That is what I think the Secretary was cabling about, and his words were nicely put. The President's reply, as has been indicated by the chairman, without giving the exact words, was just such a reply as the Secretary of the Navy expected in order to influence Congress.

Unfortunately, in my opinion, the reply of the President is couched in such words that it would not be proper to give it general publicity, although I suppose the interpretation has been printed and well understood. I have introduced this amendment for the purpose of calling attention, whether this is the exact place to bring down the appropriations or not, that this House of Representatives labored all day Saturday on the conference report on a bill to raise $6,000,000,000 at once, and next following resumed consideration of a naval bill appropriating more than enough for all the ships we can build in four or five years, and authorizing a further tremendous program.

We do this when we know that the great nations of the world for 20 years will be low in their exchequers and unable to build naval vessels any faster than we can. Now is the time to get busy with the pruning knife.

Mr. LITTLE. Will the gentleman yield?

Mr. JOHNSON of Washington. Yes.

Mr. LITTLE. Are we to understand that the telegram from the President was simply in response to a suggestive invitation from the Secretary of the Navy?

Mr. JOHNSON of Washington. I have intimated that.

Mr. EMERSON. Mr. Chairman, I rise in opposition to the amendment. Mr. Chairman and gentlemen of the House, I had nothing to do with the President going abroad. I think he made a political mistake in going, but the fact is he is there. He represents this country at the peace table in France, and while there is no reason to vote for this large increase other than the telegram and his request I am opposed to embarrassing the President while he is in France. [Applause.]

If we are going to punish him, wait until he returns to America. He is there, perhaps unfortunately. I had nothing to do, as I said, with his going, but I shall do nothing to embarrass him while he sits at the peace table.

Now, we do not know what nation we may get into war with next. Some years ago England and Germany were fighting against France. To-day England and France are fighting against Germany. Wolves hunt in packs, and we do not know what the next alignment may be. I believe not only in military

preparedness, but in social preparedness and in industrial preparedness and in educational preparedness. I believe that now is the time for us not to do anything that will hamper the acts of the President while there. He will be punished sufficiently when he returns to this country. The body at the other end of the Capitol is going to force an extra session for no other purpose than to punish him.

There is but one justification for any Member of this House to vote for this large appropriation for the Navy, and that is the request of the President. I confess I can see no reason why we should have this enormous increase; perhaps it is because I am unable to see all things that I should see.

The President has asked for this large amount. I must call your attention to the fact that the President is now in France sitting at the peace table; whether rightfully or wrongfully, he is there representing this country. He is our President, representing the United States of America at an international conference, and it is our duty not to embarrass him while he is there. Whether he was justified or not in going history alone can answer. I had nothing to do with his going; do not think he should have gone; think a very large majority of the people feel as I do about this matter; think he should have remained in this country and taken charge of reconstruction here. I feel he made a political mistake in going; think he will find that he is playing statecraft with some crafty and wise old statesmen; think he will find England and France will dominate at the peace table.

But in spite of all these opinions he is there as the representative of my country, and far be it from any purpose of mine to do anything to embarrass him in this hour.

When you come to think of it, he is our only representative there, for we never hear of the others.

I promised my constituency in all my campaigns that in all international matters I would stand by the President of the United States, and that is what I am going to do now.

I shall vote for this increase because I am informed it may embarrass him, and if he has wrongfully advised this Congress we can hold him responsible and the people of this country will hold him responsible. It is the plain duty of Congress to uphold the hands of the President while he is officially abroad, and if we have any criticizing to do let us reserve that until he returns.

I remember very well that my good father and mother never punished me in the public streets or in the presence of the company at the table, but reserved that for the more quiet and convenient place, when they spoke to me kindly but firmly. I feel that they did right. So if we have spanking to do, let us reserve that for a more opportune time and place. Wait until he returns. I am informed that the body at the other end of the Capitol is going to force an extra session of Congress so that they may do this very thing.

If the President has made a blunder, he will have to answer for it, and the people of this country will hold him strictly to account for what he does while in France.

But let us not humiliate him while he is there.

I believe he has made a personal, political, and national mistake by going, but I wish him well and hope he returns to this country covered with glory, and as a result of his labors these United States of America may take their place among the most powerful and influential nations of the earth.

And besides, we do not know what country we may have to fight next. Wolves hunt in packs, and we do not know what the next alliance may be.

One hundred years ago England and the German States were fighting side by side against France; now England and France are fighting side by side against Germany.

Washington said, "In time of peace prepare for war." We are inclined to construe preparedness to mean cannons, guns and soldiers, battleships and sailors, but that is not necessarily what Washington meant. We should have industrial preparedness, educational preparedness, military preparedness, not necessarily in terms of guns and cannons and battleships.

We should have preparedness by training our young men physically for war, if it becomes necessary; educate them in order to make them good citizens; educate them to have respect for the flag and the Constitution and the laws of the land.

If we did this, we would always be prepared for enemies abroad, for we would have none at home.

Under our laws the people rule, make the laws, elect their officials, so we do not need a Bolsheviki by force.

We can have a revolution peaceably at the ballot box at least every four years and the people can elect whomsoever they choose President, Senators, or Congressmen. They elect their State and local officials, and if our citizens are educated we need have no fear of internal discord.

If we want respect from other nations, we first must have confidence in and respect for ourselves.

I want to see the time when an American citizen walking the streets of London, Paris, Berlin, Vienna, Petrograd, or any of the streets of any of the cities or towns of any country on the face of this earth it will be said, "Beware, there walks an American citizen; behind him stands the protection of the Stars and Stripes backed up by over a hundred million free people."

Mr. WOOD of Indiana. Mr. Chairman, I am in favor of a big Navy, and always have been. I am in favor of a Navy large enough to meet the needs of this Government in its relations with all the other Governments on the face of the earth. I think, however, that that Navy should be built upon an intelligent basis and that any program adopted now should be intelligently formed so that it may be intelligently carried out. Who is there among us who knows the needs of the United States Navy now with reference to an increase in ships and armanent? Who is there upon the face of the earth who knows what the possibilities of the future are to be? It strikes me that we are getting the cart before the horse; that our naval program ought to be made to fit the peace program and that any program that we formulate at this time is just as apt to be a misfit and more apt to be a misfit than it is to be a fit. If we are to enter upon a species of internationalism proposed by some gentlemen, we will need one kind of a Navy. If we are to become the guardians of the peace of Europe, we will need quite a different character of Navy. If there is to be a complete disarmament, then we will not need nearly the Navy that we otherwise might need. We do not know what is going to be done over there. The gentleman from Ohio [Mr. EMERSON] said that the President of the United States is now at the peace table. The trouble is that he has never gotten to the peace table. If we were given a treaty of peace, so that we would know what the relation of the United States is to be with reference to the belligerent nations, who are entitled to have this peace treaty executed at the earliest possible moment, then with some degree of intelligence we might formulate this program.

While it has been said here that this new program does not anticipate the appropriation of money to carry it out at this time; that it is to be left to the future; that we can repeal it if the necessity arises, then I ask why go to all this trouble? The program that is inserted in this bill to-day for the building of so many ships or the authorization for the building of so many ships may not be the character of program that we want after we know what the peace treaty is. We may need an entirely different character of ship, either more in number or fewer in number, and thus these necessities may require entirely different designs, so that it strikes me that the treaty of peace should be formulated and completed first, and then our naval program made to fit it.

Mr. LANGLEY. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. LANGLEY. The gentleman is making exactly the argument, as I recall it, that the President himself did prior to the time we went into the war, when he contended we could not foresee what type of ship we might need, and that therefore he was against preparedness then being asked.

Mr. WOOD of Indiana. That is but another demonstration of the fact that our President very often changes his mind. The thing that the people of the United States are interested in now and the thing that all of these belligerent nations are interested in now is the completion of a peace treaty. It strikes me that the greatest service the President of the United States can render his people and can render the people of these other belligerent nations is to get down to brass tacks at the peace table and do the work that this congress is assembled over there to do. We may have different ideas about this league of nations. There are very many different ideas about it.

Mr. HARDY. Mr. Chairman, will the gentleman yield?

Mr. WOOD of Indiana. The people who are interested in this peace treaty are not the only ones interested in this proposed league of nations, and these eggs should not be scrambled together. It will be a splendid thing when the President comes home. Then the real peace commissioners may be heard from occasionally, and they then will have an opportunity at least to commence the work for which they were called together. Every day that the making of a treaty of peace is delayed but adds to the difficulties of agreeing upon the terms of a treaty and adds to the constantly increasing troubles in the business world, which are already growing alarming in the United States.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. LITTLE. Mr. Chairman, I move to strike out the first word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the first word.

Mr. PADGETT rose.

The CHAIRMAN. The gentleman from Tennessee.

Mr. PADGETT. Mr. Chairman, I hope the amendment will not prevail——

Mr. LITTLE. Mr. Chairman, I thought I had the floor.

The CHAIRMAN. Under the practice the chairman of the committee would be entitled to preference.

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. Is the chairman of the Naval Committee entitled to the floor after the Chairman of the Committee of the Whole has recognized some one else?

Mr. PADGETT. If some one else has been recognized, I yield.

The CHAIRMAN. The gentleman from Kansas has moved to strike out the first word, and to be entirely frank about the matter the Chair supposed that the gentleman from Tennessee had risen to make a request.

Mr. PADGETT. I shall make one directly.

The CHAIRMAN. The gentleman from Kansas is recognized.

Mr. LITTLE. I would yield any time to the chairman in charge of the bill, but I want to know what I am doing. I do not know why the floor should be taken away from me in that way.

Mr. DYER. Mr. Chairman, a parliamentary inquiry.

Mr. LITTLE. Mr. Chairman, have I the floor?

The CHAIRMAN The gentleman from Missouri can not take the gentleman from Kansas off his feet by a parliamentary inquiry.

Mr. LITTLE. Unless there is somebody else who wants to take the floor away from me, I will proceed, but I want only a few minutes.

Mr. Chairman, the gentleman from Washington [Mr. JOHNSON] has developed the most important feature of this debate, one that is conclusive on the strongest argument that has been adduced. It now develops that this telegram from the President, which has received great consideration and which should, was in response to a suggestion or an invitation from the Secretary of the Navy. In other words, the Secretary needed help, and, as lawyers say, he asked a leading question and he got an answer according to his suggestion. If the President of the United States, surrounded by great responsibilities, should go to the extent of sending a telegram or suggestion to this House, and I had a chance to see it, I should read it very carefully, and I should consider it carefully. I should depend upon my judgment, because the people who send me here expect me to do that, but I should be very careful before acting. Now, there is nothing to it at all. Mr. Daniels wanted a little help, and he worded a telegram in a manner that brought an answer that would help him, and that is all there is to it. It seems to me that all of this hullabaloo has been about a matter of no real bearing on the subject. I think it is very kind of the President to give him a little boost, and it would be a very unkind President who would not back him up a little.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. LITTLE. Yes.

Mr. KNUTSON. Has the gentleman any information as to what has caused the Secretary of the Navy to become so bloodthirsty of late?

Mr. LITTLE. I have not. Perhaps the fact that the Navy got through this war not much hurt encouraged him.

Mr. RAMSEYER. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. RAMSEYER. Do I understand the gentleman has seen this telegram of the Secretary of the Navy to the President?

Mr. LITTLE. No; I have not; but my friend from Washington [Mr. JOHNSON], in whom I have great confidence, has related the facts, I think, sufficiently to make it absolutely certain that we do not have to give so much consideration on that point to that program.

Mr. RAMSEYER. The gentleman does not belong to this clique that is in possession of that secret information?

Mr. LITTLE. No; I only know what the gentleman from Washington said, and I have great confidence in him.

Mr. RAMSEYER. Does the gentleman know how many men are in the confidence of the chairman of the Committee on Naval Affairs and who have gotten to see this cablegram?

Mr. LITTLE. No; I do not.

Mr. PADGETT. Mr. Chairman, I have stated to the House several times the substance of the Secretary's telegram, and also that of the President. I did not give the exact words and shall not, for reasons that any gentleman can recognize are entirely proper. The Secretary submitted to the President a statement of the conditions and the opinion prevailing here; that in regard to the league of nations and disarmament question some were thinking we should postpone, others that on account of the delay of the building program and the war condition we should delay the building of big ships, and asked the President whether anything had happened over there to change his recommendation. That is the substance of it—that there was a division in the House on the matter. Now, the President in substance has stated that he still insists and desires the three-year building program carried out, that he has not changed his mind, and requests the Congress to carry out that program.

Mr. JOHNSON of Washington. Now, quite aside from what was said in Secretary Daniels's cablegram and what the reply of the President was, is it not a fact that the three-year building program is badly delayed, in reference to big ships, owing to the necessity of building smaller vessels?

Mr. PADGETT. Certainly; and that is one thing the Secretary stated to the President in his telegram.

Mr. JOHNSON of Washington. So that in ordering these big appropriations now we are simply crowding the horses to no purpose.

Mr. PADGETT. No; we are not crowding them to no purpose.

Mr. TOWNER. Will the gentleman yield to me?

Mr. PADGETT. I do.

Mr. TOWNER. I want to call attention to what I think perhaps is a misunderstanding. As I understand it, these appropriations on pages 51 and 52 are for the purpose of carrying out the existing three-year program. They have nothing whatever to do with the contemplated new three-year program.

Mr. PADGETT. The gentleman is slightly in error. There are $5,000,000 that were included in this appropriation for the new program suggested herein——

Mr. TOWNER. That is a very small part——

Mr. BUTLER. That was not the understanding; that word "herein" is to be stricken out.

Mr. PADGETT. The department first recommended $137,000,000. Then it was reduced to $105,000,000, and that was for the authorization heretofore made. In the discussion with the committee it was understood and was represented by Admiral Taylor that he might be able to use about $5,000,000 on the new program during this coming fiscal year.

Mr. JOHNSON of Washington. That is the way of getting us committed to a brand-new program.

Mr. PADGETT. No. Now, then, we just left the amount at $105,000,000 that had been estimated for the present program, but it was understood that he might be able to use between February and June 30, if the program continued, not exceeding $5,000,000 out of the odds and ends of the program heretofore authorized; but the sum and substance of it is for the 1916 program.

Mr. TOWNER. Now, that is just exactly what I want the committee to understand and what I wanted to understand myself. I think the committee, if I can understand the sentiment of those who are here and who speak about the matter in private conversation—the sentiment of those with whom I have talked is overwhelmingly in favor of supporting the gentleman's committee with reference to every dollar that might be needed to carry out the 1916 program, but they are equally opposed to any part of the appropriation for carrying out or for the adoption of the three-year program that is proposed in subsequent provisions of the bill.

Mr. PADGETT. They need the $105,000,000; they asked for $137,000,000——

Mr. TOWNER. I understand that.

Mr. PADGETT. For the 1916 program.

Mr. TOWNER. I have understood all the time, I will say to the gentleman, that the appropriations on pages 51 and 52, which I want to support if they are limited to the 1916 program, were in fact limited to that program; and now I understand the gentleman to say that that is true with the exception of $5,000,000.

Mr. PADGETT. I said it is true they might be able to use that much out of it between February and July. Mr. Chairman, I ask for a vote.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to withdraw my amendment, which provides for the reduction of $50,000,000, and I move to make the figures "$100,000,000," striking off the "$5,000,000."

The CHAIRMAN. The gentleman from Washington asks unanimous consent to withdraw the amendment which he pro-

posed and offer another amendment. Is there objection to the withdrawal of the amendment? [After a pause.] The Chair hears none.

Mr. KELLEY of Michigan. Mr. Chairman——

The CHAIRMAN. The gentleman from Washington [Mr. JOHNSON] offers a further amendment. Which one does the gentleman wish read?

Mr. JOHNSON of Washington. The new amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Amendment by Mr. JOHNSON of Washington: Page 51, line 11, strike out "$105,000,000" and insert "$100,000,000."

Mr. KELLEY of Michigan. Mr. Chairman——

Mr. JOHNSON of Washington. I yield the floor to the gentleman.

Mr. KELLEY of Michigan. Mr. Chairman, with reference to this item of $105,000,000 for construction and machinery for the increase of the Navy, I desire to say that it was my understanding that this entire sum was to be used for the construction of ships heretofore authorized; that we consented to leave the words "and herein" in this paragraph in line 10 just for the sake of regularity, because that is the way this item is always drawn. But the $5,000,000 which was originally proposed for new construction was eliminated from the bill. We consented to $105,000,000 for this item, but there is no amount included for new authorizations, and if the chairman of the committee insists that that interpretation be placed upon it I shall move to strike out the words "and herein" in line 10, page 51.

Mr. JOHNSON of Washington. In order to keep the camel from getting his nose under the tent.

Mr. KELLEY of Michigan. I do not think the amount carried under this item should be reduced.

Mr. BUTLER. Let me ask my colleague a question. If for no reason it is to be used in this program, why can not we reduce it $5,000,000? The gentleman is entirely right. Why not be consistent?

This item was once $109,000,000. It was said we could do without $4,000,000. Consequently—and the gentleman from Michigan [Mr. KELLEY] will bear me out—we reduced the item to $105,000,000, some state $104,000,000, the understanding being that no part of it was to be used on what is known as the presidential program.

Mr. KELLEY of Michigan. If there is any question, I will say to my friend from Pennsylvania [Mr. BUTLER], of the construction of this paragraph, it can all be cleared up by striking out the words "and herein"; but I do not think the item of $105,000,000 should be reduced if we intend to go on with one year's construction under the old 1916 program.

Mr. LONGWORTH. Will the gentleman yield there?

Mr. KELLEY of Michigan. I will.

Mr. LONGWORTH. I agree entirely with the gentleman, and I would very much prefer to vote first on his amendment. The trouble with the amendment offered by the gentleman from Washington would be that, even if we reduced this amount to $100,000,000, you would not be sure that this $5,000,000 would not be expended out of that amount unless you struck out the words "and herein." I think that is the essential thing, and I think that amendment ought to be voted on first.

Mr. McCORMICK. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Michigan [Mr. KELLEY] yield to the gentleman from Illinois [Mr. MCCORMICK]?

Mr. JOHNSON of Washington. Mr. Chairman, I withdraw that amendment.

Mr. McCORMICK. Is it not the intention of the gentleman from Michigan to give this House an opportunity to vote for a Navy and not for a threat?

Mr. KELLEY of Michigan. I will say that the intention of the committee was that we were willing to authorize this new program recommended by the President, but that all construction be held up, pending such time as might reasonably be required to work out a reduction of armament in conference, and that no expense should be incurred in connection therewith during the time that the President and his commissioners might reasonably require to work out a reduction of armament. I think the policy of the committee was wise. I do not believe the words "and herein" should remain in this paragraph if the chairman insists that any money is provided in this section for the new construction. So I move that these two words be stricken out.

The CHAIRMAN. Did the Chair understand the gentleman from Washington [Mr. JOHNSON] to withdraw the last amendment?

Mr. JOHNSON of Washington. I have not yet withdrawn it, and I should only like to withdraw it temporarily; but I see no reason why we could not have the reduction and then take care of the "and herein."

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. MANN. Mr. Chairman, I do not think it important whether the amendment of the gentleman from Washington be agreed to or not if we leave the amount at $100,000,000 instead of $105,000,000. I had my bill marked to offer an amendment to strike out the words "and herein" when the gentleman from Michigan gave notice that he would offer that amendment. That is the essential feature of the proposition. We might possibly reduce the amount to $100,000,000, but it probably will not make any great difference, because $105,000,000 and more still will have to be appropriated sooner or later for the vessels heretofore authorized, and it is likely that the $105,000,000 will be extended during the next fiscal year and it will be available until expended. But the important thing is that under the language of the bill we allow $105,000,000, or any part of it, within the discretion of the Secretary of the Navy, to be used for the new ships if he did not make a contract for it, because the only limitation in the bill is that he shall not make a contract prior to a certain date. He might go ahead and order these ships made in the navy yards or elsewhere, and the authority in the bill is to spend any portion that he pleases. I have lived long enough to know that these tacit understandings, which even the Committee on Naval Affairs did not know about, do not amount to that much when it comes to spending the money. Let us declare here what we appropriate the money for.

Mr. SMITH of Michigan. Surely.

Mr. MANN. If we are in favor of letting the Secretary of the Navy have this large sum of money to spend on vessels not heretofore authorized, leave in the words "and herein." If we are in favor of making an appropriation here for the purpose of building the vessels already authorized, adopt the motion of the gentleman from Michigan [Mr. KELLEY], to strike out "and herein" and leave that as a matter for future development. [Applause.]

Mr. JOHNSON of Washington. Now, Mr. Chairman, I ask unanimous consent to withdraw my amendment.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to withdraw his amendment. Is there objection?

Mr. PADGETT. Mr. Speaker, to simplify the matter, I suggest that we agree to striking out the words "and herein."

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Michigan [Mr. KELLEY] offers an amendment, which the Clerk will report.

Mr. KELLEY of Michigan. Strike out the words "and herein," on page 51, line 10.

The Clerk read as follows:

Amendment offered by Mr. KELLEY of Michigan: Page 51, line 10, strike out the words "and herein."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Increase of the Navy, torpedo boats: On account of submarine torpedo boats heretofore authorized, to be available until expended, $17,000,000.

Mr. STAFFORD. Mr. Chairman, I reserve a point of order.

The CHAIRMAN. The gentleman from Wisconsin reserves a point of order.

Mr. STAFFORD. Mr. Chairman, I wish to inquire of the chairman of the committee as to whether the committee considered the policy of curtailing the building of submarines, in view of the contemplated action by the peace council in making that character of warfare illegal?

Mr. PADGETT. Yes, sir; and under the provision down here we repeal the mandatory provision of the last act, directing the Secretary to commence the construction of all ships heretofore authorized in the 1916 program. That would leave out the construction of 12 destroyers. As I am informed, they do not wish to build those 12 destroyers. A great many of these others, however, are so far completed that they should go ahead and complete them. But there are 12 that have not yet been begun, and they do not wish to construct them.

Mr. STAFFORD. Has substantial construction yet begun on submarines as enumerated in lines 20 to 25, inclusive, on page 52?

Mr. PADGETT. Yes, sir.

Mr. STAFFORD. Has the construction of all of those been begun—substantial construction?

Mr. PADGETT. I do not know the extent of all of them.

Mr. STAFFORD. Then I go back to my original question and inquire whether the committee has considered the abandonment of the policy of construction of submarines, in view of the prospective action of the peace council to make that character of attack unlawful?

Mr. PADGETT. No, sir; because I do not think, and I do not think the committee thinks, so far as I am advised, that any condition is going to develop where the United States will not use submarines on our coast defense, covering thousands of miles.

Mr. OLIVER of Alabama. I would state to the gentleman that one reason for inserting later a provision repealing the law that we passed at the last session, requiring the Secretary to let all of these vessels authorized in the 1916 program before July 1, was this, that Admiral Taylor stated to the committee he desired this done in order that he might not be required to build 12 destroyers and 9 fleet submarines authorized by the August, 1916, bill, and the appropriation here asked includes nothing for 9 submarines and 12 destroyers.

Mr. PADGETT. That is of the fleet submarine type?

Mr. OLIVER of Alabama. Yes; and the same applies to a submarine tender and a torpedo-destroyer tender. It is the purpose of the department not to ask for appropriations for these, but to request repeal of the law requiring the contracts to be let before July 1.

Mr. KELLEY of Michigan. Mr. Chairman, will the gentleman allow me to ask him a question?

Mr. OLIVER of Alabama. Yes.

Mr. KELLEY of Michigan. I want to call the attention of the gentleman from Wisconsin [Mr. STAFFORD] to the hearings, page 875, in which it appears that about 100 submarines are now in process of construction, and range between about 30 per cent completed and 97 per cent completed. It is my understanding that the amount carried in this item is for the completion of those, and not for those that are not yet begun.

Mr. OLIVER of Alabama. That is unquestionably correct.

Mr. STAFFORD. Do we understand that all the submarines designated by number on page 52, on lines 20 to 25, have been undertaken and are in actual construction, and that the construction is substantially advanced?

Mr. BUTLER. If the gentleman will yield, I will say I understood the Secretary of the Navy to say that he did not contemplate the construction of any further submarines at this time. Consequently this appropriation is to be used to finish the many submarines that are now under construction, but the others will not be begun.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield for a question?

Mr. STAFFORD. I yield.

Mr. KNUTSON. The press of yesterday contained the information that the allied Governments are going to enter into an agreement to do away with submarines and prohibit the use of submarines in future wars.

Mr. STAFFORD. We have just received information from the members of the committee that the appropriations carried in this section are not for the purpose of providing for building submarines that have not already been launched, but for completing those that have been undertaken and are about 30 per cent or more completed.

Mr. Chairman, I withdraw the reservation of the point of order.

Mr. OSBORNE. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from California moves to strike out the last word.

Mr. OSBORNE. Mr. Chairman, in common with all Members of the House, I have been giving this subject some consideration, and it will take me about 10 or 12 minutes to develop my ideas. I think I can express them in discussing two amendments, and I would ask that when my statements appear in the RECORD they shall be put together without being divided.

The CHAIRMAN. What is the gentleman's request?

Mr. OSBORNE. My request is that when my remarks are finished—I am going to speak again—they can be put together.

The CHAIRMAN. The gentleman can withhold his remarks if he desires.

Mr. OSBORNE. Mr. Chairman, I will ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. OSBORNE. Mr. Chairman, I have long been in favor of a strong Navy for America. I have never seen the time when I felt that our Navy was as powerful as it ought to be. Capt. Mahan's great work on "Sea Power" awakened our people and the world to the importance of naval strength to national security and influence upon world affairs. The lessons taught in that most interesting book have been marvelously emphasized by the present world war.

The United States should always be guarded by a great, powerful, modern Navy. We are not a military people in the sense that we care to maintain a large standing army. We make a very good showing when we are forced into war, but it is not to our liking, and in the protracted periods of peace we are likely in the future, as in the past, to neglect military preparation and training. I hope for some form of universal military training for our young men; it will be good for them as citizens physically and morally, but whether we get it remains to be seen.

Whether we have an army or not, and especially if we do not, a powerful navy is our first and strongest line of defense. We are constructing an immense merchant marine, to be taken care of and made safe on the seven seas. I have noticed that those countries that carry the cargoes of the world have strong navies, whose great warships appear periodically in the various ports of the world on friendly visits to foreign nations.

We have a vast coast line to guard in troublous times on the Atlantic, the Gulf of Mexico, and the Pacific Ocean. This is a vast responsibility, and heretofore it has been only partly performed. For many years the people of the Pacific coast of America have earnestly called for some portion of the Navy to be ordered to the Pacific to guard against or forestall possible, though happily not probable, dangers. It is a rule of naval tactics, however, that naval power, and especially if limited, should be concentrated. I presume that is a sound rule. Therefore our fleet is and always has been concentrated in the Atlantic. The entire naval strength of the Pacific Fleet, so called, is not equal in efficiency to a single battleship. This has been the condition for several years—always, in fact. There is absolutely no navy or naval defense worthy the name on the Pacific Ocean. This includes the vast shore line from Bering Sea, omitting the Dominion, to the Mexican border at Tia Juana, the Hawaiian Islands, and the Philippines. There are no sufficient dry docks on the Pacific coast for warships of the first class.

A naval commission appointed by direction of Congress, known as the Helm Commission, has reported to the Secretary of the Navy a well-considered plan for the naval defense of the Pacific coast. This plan contemplates the building of a dry dock of sufficient capacity to accommodate any warship of the United States Navy somewhere near San Francisco. It embraces lighter naval works in Puget Sound, the Columbia River, Los Angeles Harbor, and San Diego. This is the first comprehensive plan of defense that has ever been formulated so far as I have learned, and the present war has made it impossible to proceed further than its submission to the Secretary of the Navy.

It is difficult for some to realize that way out there on the Pacific we have a continental coast line nearly as lengthy as that of the Atlantic, and including Alaska and the islands, many hundred miles longer. But it is there. And that coast is inhabited by people who have no superiors anywhere in intelligence, in refinement, and in loyalty to our country. They are entitled to consideration in the way of naval force on the Pacific.

Mr. LITTLE. Will the gentleman yield for a question?

Mr. OSBORNE. Yes.

Mr. LITTLE. Would not a few mines scattered along the coast in time of war and a few submarines make it quite impossible for any battleship or fleet of battleships to injure any city there?

Mr. OSBORNE. I do not think so.

Mr. STAFFORD. Will the gentleman yield?

Mr. OSBORNE. Yes.

Mr. STAFFORD. I wish to ask the gentleman as to the statement he has made about dry docks on the Pacific coast. Do I understand him to say that there is no dry dock on the Pacific coast that will accommodate our largest battleships?

Mr. OSBORNE. There is not a dry dock on the Pacific coast that will do so.

Mr. STAFFORD. I was given to understand that the enlargement of the dry dock on Puget Sound, at the Bremerton yard, was intended to accommodate our largest battleships.

Mr. PADGETT. If the gentleman will yield a moment, the Navy entered into a contract with the Union Iron Works in San Francisco, and they are building a dock to be 1,100 feet long, I think, with over 40 feet of water on the sills. Then

there is one at Balboa that is to be 1,100 or 1,200 feet long, and then there is one about 700 feet long at Puget Sound.

Mr. LITTLE. Did not mines and submarines protect the coast of Germany during the recent war?

Mr. OSBORNE. I will ask gentlemen to refrain from further questions, and that the time which has been occupied by the questions which have been asked shall not be counted against me.

The CHAIRMAN. Is there objection to extending the gentleman's time as indicated?

There was no objection.

Mr. OSBORNE. I am not anticipating trouble from any particular source. I do not care whether Great Britain has more or less vessels than we have. I am not one of those who fear that we shall ever have war with our neighbor and friend, Japan. That great and progressive country, however, faces our Pacific coast on the opposite side of the Pacific Ocean, with a vastly greater and more powerful fleet than we sustain on the Pacific. I do not believe that it would be thought unfriendly or suspicious that we should maintain a fleet on the Pacific equal to that of our friends the Japanese.

Regarding the organization of a league of nations and an agreement as to disarmament, there will be a league of nations in the sense that the present parties to the peace conference form such a league and prescribe the rules for peace. I hope that it will go far in making future wars as nearly impossible as human foresight may permit. I expressed myself many times during the war before this House to the effect that the war we were waging was "a war against all wars." I believe that if the war had been extended a little longer, until the German armies had been actually surrounded and had surrendered unconditionally, this purpose of preventing future wars would have been better served. However, it may come out all right, and we hope that it will. But I am doubtful as to the nearness of the millennium, and that human nature, greed, and selfishness in nations or in individuals have all been changed by the signing of the armistice. I believe that the path of prudence will be best trod with caution and preparedness, and that the advice of one who has gone, "to speak softly and carry a big stick," is still worthy of following.

As to the manner in which the President has sought to convey his approval of this bill, whatever we may think of its propriety or consistency, it does not seem to me to have much bearing on the merits of the bill itself. I have repeatedly said on this floor that, in my humble judgment, the President made a great mistake when, at the beginning of the war, he failed to constitute a coalition Cabinet, and thus bring the entire country into confidential relations with the Executive. With the same deference, I feel sure the President was in error when he failed to take the coordinate treaty-making power, the Senate, into his confidence as to what he desired to accomplish at the peace conference before he went to Europe and thus assure himself that those objects had their sympathy, as in the end they must have. But whether he has made errors or not, or whether he should have gone to Paris or not, he is there, and, along with the glory, he is having a whole lot of trouble. During the war we in Congress did whatever the President asked of us, always hoping that it was the best that could be done and believing it was our patriotic duty not to quibble about it. I do not feel that the war is altogether over. The peace settlement is fully as important in its results as the fighting. Possibly the President's urgency as to the passage of this bill may have some relation to the peace negotiations which he regards as very important and which might be frustrated by more publicity. If such be the case, it shows that facts and common sense, in the last analysis, have a great advantage over the loftiest and most eloquent abstract declarations, even those which declare for "open covenants, openly arrived at."

In any event, the question under consideration here is not the conduct of the President or the wisdom or unwisdom of his attendance at the peace conference. He is our representative there, and in every way that we conscientiously can we should assist and back him in his extremely difficult work. Every Member must decide for himself, upon his own conscience, what that assistance may require. For myself, I should have supported this bill to sustain and strengthen the American Navy had the President said nothing about it, or given no intimation of his wishes. Now that he has done so, I shall not vote against it for that reason, but, on the contrary, I give it my hearty support and vote, and incidentally hope that it may be of some slight help to him in sustaining American interests in the congress of peace at Paris. [Applause.]

Mr. TOWNER. Mr. Chairman, I rise to oppose the pro forma amendment offered by the gentleman, but I desire to say that I do not oppose in any regard the statements which he has made. I am in entire accordance with them. I want to see the Pacific Fleet and the Pacific coast so strengthened that American security will be adequate and ample. I want to call the attention of the committee, however, very briefly to the situation.

As I understand it, we have now eliminated all of the items on pages 51 and 52 that might by any possibility apply to any new program which is proposed on pages 53 and 54.

I hope that there will be no opposition to the full carrying out of every single item in the program of 1916. I hope that we will put in operation all of the items of that program, and if more money is required for its completion I hope it will be granted. I am in favor of every increase asked on page 52, because after reading the evidence before the committee and talking with the members of the committee I am quite sure that in order to carry out the program of 1916 these increases will be required.

Gentlemen, there is not any question but that we will have our hands full in carrying out this program. It will require all the facilities that we now have and some that we do not now have, but which are preparing, in order to carry out this program of 1916, and according to the testimony before the committee it can not be completed until 1921. It is true that officers of the Navy say, "But we can increase the facilities in order to build additional vessels other than those that are required to carry out the 1916 program." That is very true, but to increase the facilities means the addition of hundreds of millions of dollars to our expenses. When you talk about increasing the facilities, it is not a very slight thing. The evidence before the committee showed that in order to increase the facilities in one navy yard for the purpose of building two battle cruisers it would require $17,000,000 merely to increase the facilities for building those vessels. So, gentlemen, I am not in favor of entering upon any such extension of the program until we know "where we are at," to use the expression of the gentleman from Texas. We on this side stand for a strong Navy and do not want to be placed in any attitude of opposition to it. We are building a strong Navy. The program of 1916, if carried out by 1921, will give this Nation incomparably the strongest Navy in the world—stronger than any three others—except that of Great Britain alone. So we are entirely justified in giving to the committee and in giving to the Secretary of the Navy every one of these items on pages 51 and 52; and then, being ready and able and willing, I hope to see that this additional program, which is nothing but a threat, will not be carried out until we know whether it is better for the country to adopt it or not.

Mr. LONGWORTH. Will the gentleman yield?

Mr. TOWNER. I will.

Mr. LONGWORTH. Even if it should be advisable to make any of the increases provided for in the new program, the gentleman, of course, notes that none of the construction is authorized until February 1, 1920, and there will be plenty of time even if this provision is beaten in this bill.

Mr. TOWNER. Certainly there will; and a motion will be made to strike out this program.

Mr. RAMSEYER. Will the gentleman yield?

Mr. TOWNER. Yes.

Mr. RAMSEYER. The money appropriated in this bill is carried at the bottom of page 52. Pages 53 and 54 do not appropriate any money. In other words, the new program which the gentleman is speaking about and which the President adopts does not cost anything now.

Mr. TOWNER. No; we have all we can do to carry out the program until 1921, I will say to the gentleman.

Mr. MASON. Mr. Chairman, I rise in support of the amendment. I think I can take less than five minutes by asking permission to insert in the RECORD the copy of an order published at headquarters Coast Defense, Potomac, Fort Washington, Md.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD by printing the matter referred to. Is there objection?

Mr. SHOUSE. I object.

The CHAIRMAN. The gentleman from Kansas objects.

Mr. MASON. Mr. Chairman, I stated the other day that I saw a bulletin posted at a camp notifying soldiers that they would be punished by court-martial if they applied to anybody outside of the camp for assistance in matters of discharge. In the time I have I want to call attention to this one which was posted at Fort Washington, within a very few minutes ride of this Capital.

Mr. SHOUSE. Mr. Chairman, I make the point of order that the gentleman is out of order.

The CHAIRMAN. The gentleman from Kansas makes the point of order that the gentleman from Illinois is not address-

ing himself to the amendment, and the amendment is to strike out the last word. The point of order is well taken.

Mr. MASON. Mr. Chairman, I suggest the lack of a quorum.

The CHAIRMAN. The gentleman from Illinois makes the point of no quorum. The Chair will count. [After counting.] One hundred and five Members present, a quorum, and the gentleman from Illinois will proceed.

Mr. MASON. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. The gentleman from Illinois moves that the committee do now rise.

The question was taken; and on a division (demanded by Mr. MASON) there were 3 ayes and 40 noes.

So the motion was lost.

Mr. MASON. Mr. Chairman, I suggest the absence of a quorum.

Mr. FOSTER. Mr. Chairman, I raise the point of order that the Chair has just counted a quorum.

The CHAIRMAN. The gentleman from Illinois makes the point of order that the point of the gentleman from Illinois is dilatory, that the Chair has just counted a quorum. The Chair sustains the point of order and the gentleman from Illinois will proceed in order.

Mr. MASON. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MASON. Does the RECORD show who it was that objected to my request to print in the RECORD the order of the commanding officer threatening court-martial to all boys who asked for outside assistance?

The CHAIRMAN. That is not a parliamentary inquiry.

Mr. SHOUSE. Mr. Chairman, I want to say that I objected, and I want the RECORD to show it.

Mr. MASON. Does the record show the gentleman's name?

The CHAIRMAN. That is not a parliamentary inquiry. The gentleman will proceed.

Mr. MASON. I have nothing further to offer, Mr. Chairman.

The Clerk read as follows:

Increase of the Navy, armor and armament: Toward the armor and armament for vessels heretofore and herein authorized, to be available until expended, $32,000,000.

Mr. PADGETT. Mr. Chairman, the committee having stricken out the words in line 10, the words "and herein" should be stricken out of this paragraph.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 51, line 17, strike out the words "and herein."

Mr. STAFFORD. I wish to inquire of the chairman of the committee for what purpose the $32,000,000 is to be used, whether any is to be used in the construction of an armor-plate plant that we authorized several years ago?

Mr. PADGETT. No; it is for armament to go on the big ships and destroyers. No armor plate goes on the destroyers, but armament does.

Mr. STAFFORD. Where is this armor plate to be manufactured, in private establishments or Government plants?

Mr. PADGETT. The Government plant is not yet prepared to manufacture armor plate. This will be done by contract. The armament is manufactured, some of it, in Government navy yards.

Mr. STAFFORD. Do the hearings disclose the price that the Government is paying private establishments for armor plate for battleships and large cruisers?

Mr. PADGETT. I do not think we went into that.

Mr. STAFFORD. Are the private manufacturers increasing the price for armor plate over what they charged before the Government authorized the establishment of an armor-plate factory?

Mr. KELLEY of Michigan. We have not bought any armor plate lately, because we have not been constructing battleships. The ships we have been constructing during the last year have been destroyers and small craft.

Mr. STAFFORD. Before we got into the war there were battleships that had to be completed and for which armor plate was necessary, and we had to purchase it by contract.

Mr. PADGETT. There was a big increase just prior to the war in the price of armor. It went up very substantially, and for that reason the Government authorized the construction of an armor-plate plant.

Mr. STAFFORD. Oh, Mr. Chairman, it was not for that reason. The price had not gone up at the time the Government authorized the establishment of a Government-owned armor-plate plant. The gentleman from Michigan [Mr. KELLEY] well knows that he led the fight against the demand of the Secretary of the Navy for the establishment of an armor-plate plant, and that the price had not then gone up. That was not the reason for the Government going into the manufacture of armor plate.

Mr. BROWNING. Mr. Chairman, as far as I know I can say to the gentleman that there has been no increase in the price of armor plate on the battleships that are now being completed. If there is I never heard of it.

Mr. BUTLER. Neither did I.

Mr. CURRIE of Michigan. Mr. Chairman, I not only favor the pending amendment, but I favor striking from this bill every other reference to the so-called additional naval construction program. In discussing that proposition I do not think it is necessary to go into the question of the adequacy of the Navy in any manner whatsoever. This proposition goes solely to the question of the propriety now of authorizing an extravagant additional program under which no battleships can be contracted for prior to 1920, a program which can not be completed short of seven years.

The great nations of the world are staggering under a debt that will take a century of peace and prosperity to remove. Our own Nation is bonded to an extent which will require $1,000,000,000 annually for interest alone. Soldiers' insurance and other war liabilities are accumulating daily. At a time like this Congress should at least insist upon good and sufficient reason being shown before authorizing additional fighting ships costing approximately half a billion dollars.

Has anyone advanced a good reason for this additional authorization now? I have listened in vain to hear a single word that would warrant this action. You propose to authorize the President of the United States to undertake, prior to July 1, 1922, the construction of the greatest naval program ever suggested in the history of the world. You propose such a scheme when your docks and yards are overcrowded with construction work on battleships ordered by the last Congress. Some of those ships already authorized have not been contracted for, and can not be completed in less than three years.

When half the world was on fire and our own security threatened, the Secretary of the Navy could not then see reason for preparation upon a scale like this. Now, when Germany has been humbled in defeat, crushed, and her navy surrendered to us and our allies, and the peace conference in session, we have the spectacle of our President preaching disarmament to the world and sending a mysterious message back to his own country asking us to authorize him to launch the greatest naval program in the world's history.

No wonder we are beginning to hear that British statesmen doubt his sincerity and ours as well. Is it any wonder that George Bernhard, in the Vossische Zeitung, quotes Secretary Daniels on his naval plan as indicating hostility between England and America? Whom are we getting ready to fight? When Germany had its great navy which threatened the peace of the world the most enthusiastic Navy advocates in this country never asked more than that the United States should have a Navy second only to that of Great Britain. Now it would seem that our President and our Secretary of the Navy are not content unless we have a Navy greater than the English Navy.

Let us apply good "horse sense" to this situation. Why do we need to place such a burden upon the people of this country and provide now for such a navy? Is there some likelihood of our engaging in war with England? I, for one, am absolutely unwilling to believe that such a situation is within the realm of possibility. If conditions have come to pass where such a thing is possible, God pity us and the future. If these English-speaking nations were obliged to engage in such a struggle, testing supremacy, both might fall the victims of anarchistic forces now busy throughout the world.

Why do I speak of England? Because we now have a Navy second only to that of Great Britain, and equal in strength to the combined navies of Japan, France, and Italy. Common sense tells me that there can be no reason for this extravagant program, unless those in authority would prepare us to possibly test strength with the British Navy. If this is not the purpose, then the proposal will go down in the annals of diplomatic history as one of the meanest, crudest bluffs ever recorded. [Applause.] I am satisfied that that is just what it is.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CURRIE of Michigan. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CURRIE of Michigan. In the same manner that the contents of the President's mysterious cablegram has leaked out over the world, so the information of where this bluff originated at a Cabinet meeting has leaked out. I have heard upon suffi-

cient authority to satisfy my mind that this idea did not originate with the President, nor with his Secretary of the Navy. It came from the fertile brain of another member of the Cabinet who is accredited with having suggested to the President of the United States the famous appeal to his "fellow countrymen" that the President issued just preceding the November election. Was the President sincere then? Is he sincere now?

I recall, during the debate on this bill, while the gentleman from Virginia [Mr. SAUNDERS] was speaking, that he was interrogated by the gentleman from Illinois [Mr. BRITTEN], a member of the Committee on Naval Affairs, who propounded this question:

Does the gentleman recall the secret treaty entered into between Great Britain and Japan, that gave to Japan the islands in the Pacific, some of them surrounding our great naval base, in the last three years?

Can any other inference be drawn from the query than that England might be more friendly to Japan than to the United States? If that were true—but it is not—then it is not only England's Navy that we should prepare to engage but we must have a Navy greater than the combined navies of England and Japan.

My friends, if this is not a bluff, is it not possible then that those who advise this extravagant program at such an inopportune time are the unconscious victims of German propaganda? So subtle is the German influence that during the early years of the war neither the President of the United States nor the Secretary of the Navy was able to distinguish between the wrong of Germany and the right of the allies. To-day Germany's master stroke would be to divide the allies at the peace table. She could accomplish nothing greater than to stir enmity between England and America. If we are to take such a course as is proposed here, we follow in the footsteps of Germany and proclaim our belief that "might makes right," and that brutal force is yet destined to rule the world.

If I remember history correctly, about 12 years ago Germany, all ready with its powerful army, launched forth a great naval program which threatened in time even the supremacy of the British Navy. France and England recognized this menace to their future peace. France requested Germany to agree upon a limitation as to military forces. Germany spurned the suggestion. England appealed for a limitation in naval armament by proclaiming to the world that she proposed that year to diminish by half her naval construction program. Germany's answer was to increase threefold her program for construction of battleships. England again to-day makes this suggestion for limitation in naval armament, and will the United States at a time like this, with the peace conference in session, answer by doubling her naval program?

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CURRIE of Michigan. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CURRIE of Michigan. We have acquired the habit during the war to make every appropriation that those in executive authority demanded or requested. Now we are beginning to learn of waste, extravagance, and incompetency on every hand; but in spite of it all, while the war was on, handicapped because information was denied us, it was impossible for us to have done differently.

When those in authority asked for six hundred and forty millions for aviation purposes we were admonished in a mysterious manner not to ask questions, but to blindly vote the money, and we did it, and we added millions more for this purpose. We did it with a patriotic spirit, believing that American dollars should be spent lavishly if they would save American lives.

Now we learn that, with a billion dollars spent, not one combat plane from this country reached the front, at least before the very closing days of the war. The time has come when we should ask questions and insist upon information.

When the President appeared before us early in December bidding us farewell, among other things he told us that he had taken over the cables, so that we would be in close communication with abroad.

A few days ago we received a brief cablegram from the President, which we were all proud to have the permission to read, but, of course, giving no information, requesting Congress to vote $100,000,000. We sought information in vain, but at last concluded that, even without information, as the closing act of the great war we should resolve all doubts in favor of the request, and we added another burden of one hundred millions upon the people of this country.

When the President learned that Congress did not yet appreciate the transition from war to peace conditions, and that he could get us to appropriate one hundred millions without his giving any detailed information, he seems to have concluded that he can send another cablegram, which the ordinary Member of Congress is not even permitted to see or read, and get us to authorize him to enter upon a naval-construction program which would cost the people a billion dollars before it could be completed.

Now, to summarize briefly, it is proposed, in addition to the program already authorized, and which can not possibly be completed within three years, to authorize the President of the United States, prior to July 1, 1922, to burden the people of this Nation with a further program, 10 first-class battleships, 10 cruisers, and in addition to ask the Secretary of the Navy to tell Congress next December what additional ships he needs to "complete and round out the Navy of the United States."

None of these additional ships can be contracted for prior to February 1, 1920, so even if developments at the peace conference should indicate the desirability of our preparing to defeat the British Navy or the combined navies of the world, the naval-construction program of the United States will not be expedited one single moment by any action which the present Congress may take.

There is not a Member on the floors of Congress who does not realize that the outcome and decision of the peace conference now in session will be by far the greatest single factor in determining what our future naval program should be. In fact, the Committee on Naval Affairs expressly admits this by the provision at page 54 of this bill. I quote as follows:

If at any time before the construction authorized by this act shall have been contracted for there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals, may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

The peace conference may fail to provide a tribunal making possible the disarmament of nations, and we may disagree as to the application of the conclusions reached by that conference, but there is not a man in Congress who does not realize, and know, that the conclusions reached by the peace conference will at least afford us the best possible information upon which to base our future naval policy.

The CHAIRMAN. The time of the gentleman from Michigan has again expired.

Mr. CURRIE of Michigan. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. Is there objection?

Mr. PADGETT. Mr. Chairman, I ask unanimous consent that debate upon this paragraph and all amendments thereto close at the end of three minutes, the gentleman to have those three minutes.

The CHAIRMAN. Is there objection?

Mr. LANGLEY. Mr. Chairman, reserving the right to object, I desire to have some time.

Mr. PADGETT. Oh, there are lots of other paragraphs.

Mr. LANGLEY. Very well.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate upon this paragraph and all amendments thereto shall close in three minutes. Is there objection?

There was no objection.

Mr. CURRIE of Michigan. Our Constitution charges Congress with the responsibility of providing for the Navy, and at a time like this, when there is no emergency, I, for one, shall refuse to sublet that authority to anyone, not even to the President of the United States.

When I realize that not one day's time can be gained by action now, I will refuse by my vote in this Congress to sanction the policy that may unnecessarily burden the people of this country with obligations running into countless millions. Nothing, in my judgment, would be so conducive in assuring the English and our other allies of our sincerity and our good faith as to have the American Congress refuse to put itself in a position of offering what might be construed as a hostile challenge to a friendly ally.

The American people do not expect the present Congress, in advance of decision by the peace conference now sitting, to decide our future naval policy. If we act now, we do so without any information. If we wait until the next session of Congress, our Navy will not have been handicapped in the least, not one single day will have been lost; but we will then be able

to act intelligently in the light of developments and the result of the peace conference. The sponsors of this program ask us to act now in the darkness preceding the dawn. For one, I shall not do so. I hope this provision will be stricken from the bill. [Applause.]

By unanimous consent, Mr. CURRIE of Michigan was given leave to revise and extend his remarks in the RECORD.

The Clerk read as follows:

Total increase of the Navy heretofore and herein authorized, $179,000,000.

Mr. BUTLER. Mr. Chairman, will the gentleman not offer to strike out those words "and herein"?

Mr. PADGETT. Mr. Chairman, I make the same amendment in reference to that, to strike out the words "and herein" in line 22.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Padgett: Page 51, line 22, after the word "heretofore" strike out the words "and herein."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

Mr. DOWELL. Mr. Chairman, I rise to inquire of the Committee on Naval Affairs just what portion of the 1916 three-year naval program has been carried out. And also would like to know how long it will take for the department to complete the 1916 program.

The gentleman from New York [Mr. HICKS], I believe, has the statistics with reference to exactly what portion of this program has been completed and how far the department has gone in carrying this out, and I ask if he will be kind enough to state to the committee the exact condition with reference to this program.

Mr. HICKS. Mr. Chairman, in reply to the inquiry made by the gentleman from Iowa, if he will yield, let me say that, according to the report of Admiral Taylor, the 1916 three-year program, calling for 10 battleships, 6 battle cruisers, and 10 scout cruisers, was, on the 1st day of February, and there has been very little change since then, as follows: None of those 10 battleships have been completed; 6 are zero done. They are being designed, and, while contracts have been let, no construction has been undertaken; four are from 5 to 40 per cent completed on the ways. The six cruisers are not being built. They are being designed, and some contracts for material have been let, but no keel has been laid. The 10 scout cruisers are from zero to 25 per cent finished. According to Admiral Taylor, of the 1916 program the first battleship could be completed in 18 months, and the last of that program, which would be the battle cruiser, the most complicated in design and the most difficult to build, would not be finished until five years from date. The total amount expended on the 1916 three-year program on December 1 was, roughly, $113,000,000. The amount necessary to complete the program from beginning to end is, roughly, estimated at $815,000,000. We have appropriated, including the amount expended of $113,000,000, about $240,000,000, leaving appropriations necessary to carry the program to completion $575,000,000, roughly. On February 1 we had 85 submarines in service, 73 building, and 9 authorized. On that same date we had 112 destroyers in service, 212 building, and 12 authorized. Does that answer the gentleman's inquiry?

Mr. DOWELL. I believe it is the judgment of the Members present that we should at present continue to carry out the 1916 program and vote whatever appropriations are necessary to carry it out. The treaty of peace, however, is just now being formulated, and after the treaty of peace has been completed and signed, it would seem to me, we should then proceed to formulate and present a naval program dependent upon the conditions of the treaty of peace. The people of the country will then be able to know exactly the character of navy they want and need and will be able to correctly formulate a future policy.

Mr. Chairman, I ask leave to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. DEMPSEY rose.

Mr. BUTLER. Mr. Chairman, inasmuch as the gentleman from New York has made the request that he may hereafter have some time to discuss the program and announced that he would like to have 10 minutes, may I ask him whether it would be satisfactory to him if I can take his name from the list?

Mr. DEMPSEY. Yes.

Mr. BUTLER. I ask unanimous consent that the gentleman may proceed for 10 minutes at this time.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the gentleman from New York may proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DEMPSEY. Mr. Chairman and gentlemen, this bill, whether we wish it or not, has a significance much broader than its title indicates. It is not simply a bill to provide for increases in the Navy, but it has become an international bill by reason of the use of the cables. Now, to see whether or not it is wise that we should respond to and obey this cable message, let us look at the situation. We find first that it is totally unnecessary for us to prepare against Germany, because the German Navy is extinct. So the preparation must be as against our own allies, and as to the question of preparation against our allies let us see the state of feeling which existed at the close of the war and the change of feeling to which we are tending in the last few days. Starting with the feeling at the end of the war, the whole allied world gazed to the United States as coming to its rescue at a time when they were in dire extremity, and they were prepared to look upon us with feelings of the utmost friendship. We had millions of boys about to return to the pursuits of peace. We were building ships. We had to the south of us the great South American trade and territory. Looking back to 50 years ago we all believed that those boys, with the great experience of this war, with broadened vision, increased and ripened experience, would come back and man those ships and go to South America and conquer that trade. We believed we would have our vessels floating upon every sea and under every breeze, and we believed, go where they would, they would go to a welcoming people, who would say that the Nation from which these vessels come are the people who came to us when we were in straits, who loaned us money when we could not have borrowed it in the ordinary way and upon credit, they were the people who lined the battle line when it was thin and trembling and in distress, and so we were ready to conquer the commercial world and trade supremacy through the good will of the world that we had helped win the allied victory. What do we find now? We find that we announced at the end of the war that we had nothing to ask, that we asked no indemnities, we wanted no aggrandizement of territory, and yet we find that we have gone abroad and we have alienated those who up to this time were our allies. We find that from distant Australia there comes a cry that we should not interfere with their security by opposing their acquisition of the islands nearest to them.

We find we are in conflict with England to the extent that we want to issue this threat. We find that France is doubtful whether it is going to be isolated and made to stand alone in the future against the German threat. We find in the press of France and of England, instead of there being the acclaim for America which has prevailed to the present time, there is doubt and question; there is unfriendliness; there is something in the future that looms up like a cloud on the horizon. And we are asked now to authorize this increased naval program to carry out such a line of policy as has already alienated the feelings and affection and the attitude of those who up to this moment have been our allies.

Now, let us take the league of nations for a moment; let us take those who favor it and those who oppose it. Can you have any greater indictment of the feasibility and practicability of the league of nations than to say that you shall start it with a threat and accompany that threat by an appropriation of vast amounts to build up a great navy? Why, this league is one to enforce peace. This league is one to make wars impossible. Yet we are to make the basis, we are to make the foundation upon which we are to build this beatific, this peaceful league, armament and naval supremacy and preparation for instant war, and, above all that, the threat of war, the threat of war against those who to-day and through the weary days of the war have been our friends and our allies.

So, speaking entirely aside from the title of the bill, taking the broader purpose which this bill has assumed and in which it stands not alone before this Nation, but before the world, can we afford to begin an era of peace, can we afford to begin the millenium, so far as we are concerned, first, by a threat and, second, by an appropriation intended to enforce that threat? I say not. And then I say, so far as this program is concerned, we can well afford to leave to those who come after us what shall be done after February 1, 1920, because no contract is to be let until February 1, 1920. Are not our successors to be men of as great vision as we are, as patriotic and devoted to the public interest as we, and will not they have the advantage of seeing the situation as it then exists and provide, in the light of what has developed to that time, for the needs of that day? So, both from the standpoint of keeping the good wishes and the kindly thought of the world, keeping the world in harmony and unison with us, keeping the trade of the world,

in order to conquer the trade of the world, as we can conquer it—from that standpoint and from the standpoint of waiting to be in possession of all the facts, as we will be when the time comes, I am against this future authorization at this time. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

The provision in the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes," approved July 1, 1918, under the increase of the Navy, which reads as follows: "but not later than June 30, 1919," is hereby repealed.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. What is the point of order?

Mr. MANN. That it is a repeal of law; that it changes existing law.

Mr. PADGETT. May I ask the gentleman to reserve that a moment?

Mr. MANN. I think we ought to get along with this bill. It is late in the day.

The CHAIRMAN. What does the gentleman from Tennessee [Mr. PADGETT] say to the point of order?

Mr. PADGETT. It is subject to a point of order. But it is very necessary to have that, in order to go ahead and facilitate the preparation.

Mr. MANN. I think there will be time enough after this Congress.

The CHAIRMAN. The gentleman from Illinois makes the point of order, the gentleman from Tennessee admits the point of order, and the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Battle cruisers numbered 1, 2, 3, 4, and 5 from $19,800,000 to $23,000,000.

Mr. MOORE of Pennsylvania. Mr. Chairman, I move to strike out the last word. As I understand it, all the vessels for which appropriation is made in these paragraphs have been authorized by preceding law.

Mr. PADGETT. This does not make appropriation. This simply authorizes the increase of the limitation of cost. All were authorized heretofore in the 1916 program.

Mr. MOORE of Pennsylvania. Can the gentleman tell offhand how much is to be appropriated, the sum total for all these vessels provided for on page 52?

Mr. PADGETT. I can not separate those. These are only a part of the 1916 program. It has been estimated and has been stated a number of times here that we have appropriated, I think, about $240,000,000 all told, and there is something like $400,000,000 yet to be appropriated to complete the 1916 program.

Mr. MOORE of Pennsylvania. Upward of 30 vessels are appropriated for on this page?

Mr. PADGETT. Yes. There were 56 vessels——

Mr. MOORE of Pennsylvania. Fifty-six altogether?

Mr. PADGETT (continuing). In the 1916 program.

Mr. MOORE of Pennsylvania. That includes battleships, battle cruisers, scout cruisers, gunboats, ammunition ships, submarines, and so forth. May I ask the gentleman if he has information as to the capacity of the shipyards of the United States to go on with this program now?

Mr. PADGETT. I understand that for all of this that is mentioned here they have capacity and they are expecting to proceed with it.

Mr. MOORE of Pennsylvania. In the navy yards as well as in private shipyards?

Mr. PADGETT. Yes, sir; both.

Mr. MOORE of Pennsylvania. Have contracts been prepared for this work?

Mr. PADGETT. Contracts have been prepared for all of it, I believe, except two of the battleships, and those are under negotiation.

Mr. MOORE of Pennsylvania. How about the shipyards and navy yards with respect to future work over and above that provided for here?

Mr. PADGETT. It was stated by Admiral Taylor they would be able to take care of the laying down or beginning the construction of two battleships and two of the scout cruisers in the new program during the latter part of the fiscal year 1920. That is, in about April or May they can begin the construction of the two battleships.

Mr. BROWNING. They said that they could lay down the battleships, but the United States would have to pay for the ways.

Mr. PADGETT. I did not so understand.

Mr. BROWNING. Oh, yes.

Mr. MOORE of Pennsylvania. The point I am trying to get at is are we prepared for the construction of so many ships of one kind and another in the shipyards and navy yards of the United States?

Mr. PADGETT. At this time; yes. They said they would have opportunity to take on these dimensions in April or May of 1920.

Mr. MOORE of Pennsylvania. That is very important in connection with the discussion that will probably ensue after these paragraphs are passed?

Mr. PADGETT. Yes.

Mr. MOORE of Pennsylvania. That any additional ships that we may be called upon to construct for defense or for the purposes of the Navy generally could not be commenced, considering the capacity of the shipyards of the United States and of the navy yards, until April or May, 1920?

Mr. PADGETT. That is about the time.

Mr. KELLEY of Michigan. My recollection of what he said is that there would be a capacity for two battleships over and above what has been authorized.

Mr. MOORE of Pennsylvania. Can the gentleman tell how extensive is the program following that which we are just reading—the program that is proposed to run along until 1920?

Mr. KELLEY of Michigan. I do not quite get what the gentleman means.

Mr. MOORE of Pennsylvania. The shipyards, according to the statement of the gentleman, and the navy yards, if they are all brought into service, will have all the work they can possibly do to complete the 1916 program.

Mr. PADGETT. Here is the language that Admiral Taylor used in an unpublished hearing. We had an informal hearing before the committee:

If necessary, could lay down this battleship of new program in a few months.
One thousand-foot ways now available at Puget Sound.
Could extend the ways at New York ship for battleship.
Could provide additional ships in private yards if necessary. Also one in Norfolk yard.

"New York ship" refers to the yard at Camden.

He stated that he could provide additional ships in the Norfolk yard, but to provide those additional ones referred to here would require additional ways.

Mr. BUTLER. And the expenditure of a lot of money.

Mr. PADGETT. He said he could lay down two of them in the early part of next year.

Mr. BUTLER. After they finished this next battleship they could begin.

Mr. PADGETT. When it goes off the ways it goes into the water.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. I ask unanimous consent to proceed for two minutes more.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. MOORE of Pennsylvania. On page 54, lines 13, 14, and 15, there is this provision:

And no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

Now, the question arises with some of us—it has arisen with me: Why, if we are building to capacity now; why, if we provide for all the ships which our workmen and our shipyards are capable of producing, should we make provision in this bill for other vessels or for vessels already authorized and say that "No contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920"?

I ask that question because this seems to involve the President's message to the committee, that something should be done covering the period between now and 1920. If we have provided for all the vessels that can be constructed, taking into account the capacity of all the yards we have in the United States and all the labor we can employ, why should we now, in 1919, say that we will provide for something or other but shall not make any contract for it until February 1, 1920?

Mr. PADGETT. The three-year program is the carrying out of a policy which Congress established in 1916. The provision was for the laying down during the first year of two battleships and two of the scout cruisers, and they were prepared to do that during the fiscal year. They can begin the construction and lay down those during the fiscal year.

The time—February 1, 1920—was fixed by the committee as a reasonable time in which to await the development of the establishment of a league of nations, or a society of nations,

or a program for disarmament, coupled with the power that the President could suspend this construction if such an arrangement was made.

Mr. MOORE of Pennsylvania. May I ask how the date February 1, 1920, happened to have been hit upon by the committee? Why not December 1, 1920, following November, 1920?

Mr. PADGETT. There were times mentioned, January 1 and February 1, and it was agreed in the committee as February 1, because it will allow from now until then and allow two months after the assembling of the next Congress.

Mr. MOORE of Pennsylvania. Would it be embarrassing to the committee if December 1, 1920, had been fixed?

Mr. PADGETT. It would allow additional time.

Mr. MOORE of Pennsylvania. February 1 might be at the very inception of a campaign.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired. Without objection, the pro forma amendment will be withdrawn. The Clerk will read.

The Clerk read as follows:

Gunboat *No. 21*, from $1,032,000 to $1,100,000.

Mr. HOWARD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Georgia moves to strike out the last word.

Mr. HOWARD. I do so just to ask the gentleman from Tennessee a question. The gentleman may have given to the House the information desired prior to this, and if he has done so I will not trouble him to answer it. But I want to find out, if I can, why this increase in the contract price of these vessels, ranging between two and three million dollars each. What is the reason for that?

Mr. PADGETT. It is on account of the increased cost of labor and material. We have gone into it very fully.

Mr. HOWARD. As I understood the gentleman from New York [Mr. HICKS] awhile ago, in response to some question asked by the gentleman from Wisconsin [Mr. STAFFORD], he stated the percentages of completion at which many of these vessels had arrived.

Mr. PADGETT. Yes.

Mr. HOWARD. Also there is another complication involved in it. It is the complication of lack of ways on the Pacific coast and in New York.

Mr. PADGETT. This is for the vessels themselves.

Mr. HOWARD. I understand. Do you attribute it to the cost of materials or the increased cost of labor?

Mr. PADGETT. Both.

Mr. HOWARD. And have you made any allowance for a normal condition in this country that will be bound to follow this declaration of peace?

Mr. PADGETT. When war was declared it was impossible in the disturbed conditions then existing to secure any lump-sum contracts. All of them were upon the cost-plus-a-profit basis, and the cost of labor has gone up about 100 per cent. The cost of material has gone up from 100 to 150 per cent, and the Government under these contracts pays the cost of labor and the cost of material. If it goes down in the future, the Government would get the benefit of whatever reduction there was. But this is estimated upon the present basis of the cost of labor and material.

Mr. HOWARD. The question I intended to impress upon the gentleman is this: Will the Government of the United States get any advantage of any decrease in any cost of material, or even any decrease in the cost of labor, if we authorize you now to increase the cost of these superdreadnaughts $3,000,000 if labor or materials should decrease in value?

Mr. PADGETT. The Government would get the benefit of it.

Mr. HOWARD. To what extent—the extent of the decrease?

Mr. PADGETT. Yes.

Mr. HOWARD. Is that in the contract?

Mr. PADGETT. Yes. The Government has a contract providing that it pays the cost of the labor and the cost of material. If the price of material goes down, the Navy pays only its cost; if the labor goes down, the Government pays only the cost of the labor.

Mr. HOWARD. Is it one of the cost-plus contracts?

Mr. PADGETT. Yes; all of them are.

Mr. HOWARD. What percentage on the gross cost of it?

Mr. PADGETT. I could not tell you as to each one, but the Navy Department made a contract providing that the profit was not to exceed a certain total amount. They did not have just an unlimited cost plus. The profit was a certain per cent, but not to exceed so much in the aggregate.

Mr. HOWARD. Was it graduated along the same line as the now famous Council of National Defense contracts, the war contracts, providing that they should get so much percentage on the first $1,000,000 and decreasing as it went up?

Mr. PADGETT. Yes; and with a limit on the total. When the profit reached, say, $200,000 or $250,000, then there was no further profit.

Mr. HOWARD. Will the gentleman be generous enough to answer just one more question?

Mr. PADGETT. Yes.

Mr. HOWARD. As chairman of the committee, has the gentleman any objection to extending the limitation of time within which these contracts must be let from February 1, 1920, to June 30, 1920, which is the end of that fiscal year?

Mr. PADGETT. We can discuss that when we come to it, but I think that would be ill-advised.

The CHAIRMAN. Without objection, the pro forma amendment will be withdraw and the Clerk will read.

The Clerk read as follows:

Gunboat *No. 21* from $1,032,000 to $1,100,000.

Mr. WALSH. Mr. Chairman, I move to strike out the last word, simply to ask the chairman of the committee if it is the policy of the department to include what is known as the gunboats in our naval fleet at this time?

Mr. PADGETT. This is a gunboat that is almost completed. It is not intended to begin the construction of the second one, *No. 22*, and it was for that purpose as to one of the ships that we inserted the provision that went out awhile ago upon a point of order. This gunboat is very largely completed.

Mr. WALSH. I thought it was agreed among naval experts that this type of craft had become obsolete.

Mr. PADGETT. No. This type of gunboat is a valuable ship, and *No. 21* is 90 per cent completed.

Mr. WALSH. What is it valuable for?

Mr. PADGETT. It is very valuable. It is used in all shallow waters. It is used on the Asiatic coast, up the rivers, and in South America, and in the West Indies.

Mr. WALSH. Have we 20 other gunboats?

Mr. PADGETT. There have been 20 others that up to that time had been built or authorized. Whether they are all in commission or not I do not know.

Mr. WALSH. Does the gentleman know how many others there are in the fleet?

Mr. PADGETT. I have not the list here with me. The Navy list would show that. Heretofore we have been very short on gunboats, and the department has been recommending them year after year since I have been on the committee, but the committee heretofore have been emphasizing the large ship construction, depending upon securing the smaller vessels when they should be actually needed.

Mr. BUTLER. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. BUTLER. How many gunboats will we have in the service when we complete the 60 Eagle boats, known as the Ford boats? They are rated as gunboats. How many will we have in all?

Mr. WALSH. The Eagle boat is not a gunboat.

Mr. BUTLER. We will use them for harbor work and river work.

Mr. WALSH. Where the water is thick enough so that it will not permeate the apertures in the hulls of the Eagle boats, probably they will float, but as I understand it they are not called gunboats, and are not even feeble imitations of gunboats. I was asking how many gunboats we would have in our naval fleet.

Mr. PADGETT. There are 30 gunboats that have been authorized up to the present time, as I understand it. Number 30 is the one numbered 22 that I mentioned awhile ago that has not been begun, and we do not contemplate beginning it.

Mr. WALSH. Can the gentleman state why that is?

Mr. PADGETT. Because they thought that in view of the addition of small craft during the war they did not need it. The other one, *No. 21*, is 90 per cent completed.

Mr. WALSH. If they do not need it, why should we spend $68,000 additional to complete *No. 21*?

Mr. PADGETT. Because we have already spent over $1,000,000 on it in getting it 90 per cent completed.

Mr. WALSH. Then they are going to need this *No. 21*?

Mr. PADGETT. If it was an original proposition I do not think they would build it; but having spent over $1,000,000 on it and having it 90 per cent completed there is nothing to do except to go ahead and complete it.

Mr. WALSH. May I ask the gentleman, further, if that is the theory upon which these increases are asked in these various other items—that we have got them 90 per cent completed?

Mr. PADGETT. Some of them are not as much as 90 per cent completed, but where we have spent a million or two upon

a boat we can not scrap it. We have got to complete it and use it.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. DENISON. Mr. Chairman, I rise to oppose the pro forma amendment. I want to ask the gentleman from Tennessee how these Ford boats are classified and what they call them.

Mr. PADGETT. They named them "Eagle boats." They were built for war purposes. They were intended to be used as submarine chasers. There were 112 contracted for altogether, but when the hostilities ceased they canceled the order for 52. Sixty of them had progressed so far that it was stated to the committee that it was economy and good business for the Government to complete them rather than attempt to scrap them. When completed they can use them for such purposes as may be available, or Congress can order them sold. They had reached such a stage that it was good business judgment and economy to complete them.

Mr. DENISON. How long are they and what do they cost?

Mr. PADGETT. I can not tell the cost. The contract was made—one of those cost-plus contracts. It was estimated by the Ford Co. that they could be constructed for $275,000 each, but Admiral Taylor stated that he thought that was an underestimate, and if they could be completed around $400,000 each, that would not be an unreasonable cost for a boat of that character.

Mr. BUTLER. It will take $24,000,000 to complete them and cost $100,000 each year to keep them up—man them with 80 men.

Mr. DENISON. Can the gentleman inform us where they could be disposed of?

Mr. PADGETT. I think they could be disposed of to some of these countries, but we are not ready to dispose of them yet.

Mr. HAMILTON of Michigan. Mr. Chairman, I rise for information. I would like to ask the gentleman who on earth, or on the waters of the earth, would want one of these boats?

Mr. PADGETT. I am told that they are a very good boat. Admiral Taylor has gone into it, and he says that it is a good boat.

Mr. HAMILTON of Michigan. For what purpose?

Mr. PADGETT. For war purposes; they were calling for them and demanding them.

Mr. HAMILTON of Michigan. But the war is over.

Mr. PADGETT. I know it; but before the war was over they had begun the construction of 60, and so far completed them that it was thought economy to finish them up.

Mr. HAMILTON of Michigan. What can they do with them now the war is over?

Mr. PADGETT. They will be used in harbor work to supplant gunboats as far as they can in the shoal waters and in river service, in the Asiatic service, South America, and the West Indies.

Mr. HAMILTON of Michigan. What will they do with them?

Mr. PADGETT. Do the work where you would not want to send a big cruiser or a battleship.

Mr. STAFFORD. They can be used as pleasure yachts; they are suitable for that purpose.

Mr. PADGETT. I do not think so.

Mr. HAMILTON of Michigan. Well, Mr. Chairman, I am afraid I do not know any more about it than I did before, but I concede that the gentleman from Tennessee has done his best. [Laughter.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Ammunition ship *No. 1* from $2,820,000 to $3,250,000.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire of the gentleman from Tennessee in this connection why the Government increased to such an inordinate extent the appropriation for ammunition for the Navy, carrying, as it does, a threefold increase over the bill in war time?

Mr. PADGETT. The amount carried in the last bill was supplemented by further appropriations. This increase is on account of the large number of ships, the big ships, that they propose to go ahead in the construction of now, that were held up during the war. This is for the ships of the 1916 building program.

Mr. STAFFORD. If it will not violate any naval secret, will the gentleman inform the House as to the condition of the supply of ammunition at the present time?

Mr. PADGETT. The admiral stated it in a general way that we were fairly well off for powder, that we had a good big amount of powder, and yet, when you take into consideration the number of ships on the building program that are to be built and that would be authorized, taking the ships into consideration, there were three types of projectiles that we have not a sufficient number of—the large projectiles, and also in the smaller there is a shortage.

Mr. STAFFORD. Was not the policy some years ago for the department to lay by a large reserve of powder in case of emergency?

Mr. PADGETT. They started on that policy, but before they got it completed the war came on.

Mr. STAFFORD. Has the Navy had occasion to use much of this ammunition during the war?

Mr. PADGETT. No; other than they have used it all the time, or a good deal of it, for target practice.

Mr. STAFFORD. I thought the gentleman intimated that the Navy had been engaged in some conflict where they had used a large amount of ammunition.

Mr. PADGETT. No; but when you take into account this large number of ships there is a great amount needed.

Mr. HUMPHREYS. Mr. Chairman, I would like to ask the gentleman a question. How long does this powder last; does it deteriorate in time?

Mr. PADGETT. Years ago it did deteriorate very rapidly, but in later years, with improved processes of manufacture, they have lengthened the life of it very much, and they state now that 15 years or more is the life of the powder. A large amount of powder is required each year for target practice and the development in training purposes. They use the oldest powder each time, and the new powder is added to the supply. In using powder now they take it from the oldest, so that the new powder is added to the reserve.

Mr. HUMPHREYS. Then it means that 15 years after powder is made it still can be used effectively in battle?

Mr. PADGETT. Yes; it may begin to deteriorate, but the powder is not wasted. They then put it into the mill and rework it at a cost of about 10 per cent of its original cost.

Mr. HUMPHREYS. And that restores its power and vitality?

Mr. PADGETT. Yes; it puts it back right into its power again.

Mr. DENISON. Mr. Chairman, will the gentleman from Tennessee give us a little information about those large naval guns that we had on our western battle front, and what has or will become of them?

Mr. PADGETT. They are still over there. They were sent over by the Navy, and they were placed under the command of Gen. Pershing. He sent some of them into the Argonne Forest front, near Verdun, and two of them, I think, were sent down below there into the St. Mihiel sector, and we saw three of them. They had moved out two of them just a few days before we were at St. Nazarre, and they did wonderful work. The committee had a hearing upon that from Admiral Plunkett, who was in charge of that operation under the Navy. If the gentleman will refer to his statement he will find it very interesting. They did very satisfactory work. They were taken right up and some of them were used in the sector there above Nancy, up to the north of Verdun, right in view of Metz. While they did not shell the forts of Metz, because that was not regarded as the proper military thing to do, they shelled the railroads and approaches leading into Metz and created great confusion and disturbance, breaking up lines of communication and their means of getting in and out of Metz.

Mr. DENISON. Were they operated by men from the Army or the Navy?

Mr. PADGETT. From the Navy.

Mr. DENISON. Will they be serviceable for naval purposes after this?

Mr. PADGETT. Oh, yes. They were naval guns taken over there, and they were placed on a car built for that purpose. The car ran along the railroad track and the gun operated on that as its base, just as if in a ship. They could fire over 30 miles.

The Clerk read as follows:

Submarines (R) Nos. 21, 22, 23, 24, 25, 26, 27 from $700,000 to $840,000.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. I undertook to get the attention of the Chair in order to discuss line 17, which provides money for the completion of a gunboat, not likely to be needed, as a part of the defenses.

Mr. PADGETT. That gunboat *No. 21* is 90 per cent completed.

Mr. JOHNSON of Washington. Yes; that is it.

Mr. PADGETT. *No. 22* has not been started, and they do not want to begin it.

Mr. JOHNSON of Washington. All right. I desire to call attention to the fact that there are many merchant ships on the coast of the United States in all stages of completion, and that one arm of the Government, the United States Shipping Corporation, followed in authority by the Shipping Board, proposes

to abandon a number of them upon the ground that the war emergency does not exist; that we can cut down the number of these ships and pay damages for contracts let, and let the ships go. I am wondering what the people of the country will think of that when it is proposed in this bill to complete more or less obsolete ships for naval purposes, gunboats, Eagle boats, and the like of that, because they are partially done.

Mr. PADGETT. This gunboat was ordered as of 1916, and is of the latest type, and it is a valuable and useful ship, of its type.

Mr. JOHNSON of Washington. Of its type, of course; but at the same time we are trying to increase this appropriation and are in danger of hooking on another great program, so that future Congresses will find themselves in the same predicament as this Congress when it is asked to go on with the work.

Mr. PADGETT. We do not authorize or report any authorization for gunboats.

Mr. JOHNSON of Washington. They have got to be paid for just the same, as we quickly find out, and at increased figures.

Mr. PADGETT. No; just simply the battleships and the scout cruisers.

Mr. JOHNSON of Washington. That is to say, the authorization proposed is for new battleships and new cruisers—20 of them in all. The gentleman from Georgia [Mr. HOWARD] spoke about the cost of labor on these ships now building, and it was stated these increases are necessary largely because of the cost of labor. Can the chairman say how the labor scale in the navy yards runs with the wage scale established by the Government in the merchant shipyards, where we have now a number of strikes on the part of employees who are receiving Government authorized wages?

Mr. PADGETT. The navy yard had a scale of wages adopted and recommended by the labor boards that were established. The last one of them was known as the Macey Board.

Mr. JOHNSON of Washington. That is the same labor scale, then——

Mr. PADGETT. Yes; that fixed the labor for the Shipping Board, for the Army, and for the Navy. It increased wonderfully in amount and wonderfully in frequency.

Mr. JOHNSON of Washington. How does the gentleman account for the fact that the shipbuilders working for the shipping corporation in the construction of merchant ships at the Macey scale of wages strike and those in the yard of the Government working on warships do not strike?

Mr. PADGETT. I do not know why men will strike in private concerns and not strike against the Government, unless it is the governmental influence.

Mr. JOHNSON of Washington. Perhaps the fact that the Government selects its navy yard workmen through the civil service, which requires them to be American citizens, has something to do with it. In that connection I would call attention to some of the mistakes in some legislation that we have passed. It seems that out in Seattle the immigration commissioner of the United States for all of that country is also the labor mediator, and he was until recently in charge of the United States Labor Employment Bureau. It strikes me that these positions, or any two of them, are inharmonious and should be in separate hands. In the Northwest the citizens have been trying for a long time to have a lot of revolutionary agitators—foreigners—deported, but for some reason it has not been done. Many of these foreigners, who have not even taken out their first papers, have been taken into the unions and have swamped certain unions. When the time comes for their deportation by the United States immigration commissioner, the step is made hard for that official and is likely to embarrass him in his capacity as Federal labor mediator. I have a telegram here that says there are not less than 500 aliens in Seattle, many of them labor agitators and leaders, who can be deported under the laws we have already on our statutes.

Mr. MOORE of Pennsylvania. Can the gentleman tell from what fund this gentleman who holds these three positions is paid?

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of Washington. May I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none.

Mr. MOORE of Pennsylvania. From what fund is he paid?

Mr. JOHNSON of Washington. I assume all of these positions are run by the Department of Labor. The Department of Labor has in it these and other bureaus, and we have made a great appropriation also for Federal employment agencies, and I suppose that is carried from the Department of Labor.

Mr. MOORE of Pennsylvania. And they are asking no additional appropriation now.

Mr. JOHNSON of Washington. I do not criticize the bureau or the United States official, but I call attention to the fact that the work of several should not be handled by one agent. I believe that has to do with a lot of our present trouble on Puget Sound. There are 500 unnaturalized Russians and Finns out there, who ought to be started out just as soon as possible. Send them back where the kind of liberty they want can be had.

Mr. LANGLEY. Does the gentleman think the duties of this official to whom he refers are incompatible and conflict with each other?

Mr. PADGETT. Outside of that, the city has a very good reputation.

Mr. JOHNSON of Washington. A splendid reputation and a great shipbuilding reputation and a war shipbuilding reputation. Mr. Chairman, I yield back any time I may have remaining and ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington? [After a pause.] The Chair hears none.

Mr. GORDON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by inserting a decision of the Supreme Court of the United States, reported in Two hundred and sixteenth United States Supreme Court reports, page 499.

The CHAIRMAN. Is there objection?

Mr. WALSH. Mr. Chairman, reserving the right to object, the gentleman ought to continue his statement as to what it is.

Mr. GORDON. It is in support of the proposition that executive officers are not authorized to settle claims for unliquidated damages. It is in support of that legal proposition.

The CHAIRMAN. Is there objection?

Mr. GARD. Mr. Chairman, I do not see that that is pertinent to the subject under inquiry.

Mr. GORDON. It is just as pertinent as the preceding remarks. I will say to the gentleman, I have been engaged in committee——

The CHAIRMAN. Is there objection?

Mr. GARD. I object.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. RANDALL having taken the chair as Speaker pro tempore, a message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had, on January 25, 1919, approved and signed bills and joint resolution of the following titles:

S. 3299. An act authorizing the President to reappoint Maj. Chalmers G. Hall, retired, to the active list of the Army;

S. 4924. An act to amend section 336 of the Revised Statutes of the United States relating to the annual report on the statistics of commerce and navigation of the United States with foreign countries; and

H. J. Res. 372. Joint resolution to amend Senate joint resolution No. 78, approved October 5, 1917, entitled "Joint resolution to suspend requirements of the annual assessment work on mining claims during the years 1917 and 1918."

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Submarines (S) No. 1, 2, and 3 from $1,200,000 to $1,500,000.

Mr. KEARNS. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I want to ask the chairman of the committee a question. In line 20 I see the letter "R" is in brackets. Does that describe the type of submarines?

Mr. PADGETT. That describes its class or type, and the letter "S" describes another type.

Mr. KEARNS. I see for three submarines you have increased the amount $300,000.

Mr. PADGETT. Yes, sir.

Mr. KEARNS. And in lines 24 and 25 you have 37 U-boats of the same type as in line 22, where the increase is only $450,000. What is the explanation?

Mr. PADGETT. The first three were begun earlier, and there was a great deal of material bought at a cheaper price than these later ones that came in of the same type.

Mr. KEARNS. If you had material bought when it was cheap, what is the reason now for the increase?

Mr. PADGETT. We did not begin all of them at the same time.

Mr. KEARNS. There is 1, 2, and 3; are those——

Mr. PADGETT. They are the same class, but they are a little bit different from the others. I think these others are a little later in type; a little larger or different in construction.

Mr. KEARNS. Here is the question I want to ask the chairman: Why is the increase for 3 boats $300,000 and the increase for 37 boats only $450,000?

Mr. PADGETT. That is what I stated—those first three are near completion and the larger part of work was done when the labor cost and material cost was not so great.

Mr. KEARNS. That is just the reason why the increase ought not to be so great. You have increased here $300,000 for 3 boats and for 37 boats, which are not as nearly completed, you only increase those $450,000.

Mr. PADGETT. We increase the first ones $300,000 and increase the others $450,000.

Mr. KEARNS. But in the first class there are only 3 boats and in the next class there are 37, and the first class, containing 3 boats, are almost completed?

Mr. PADGETT. Those 37 are not as far advanced as the 3 and they were made later and the latter price is higher than the earlier price.

Mr. KEARNS. Would not one think that is just the reason why increase for the 37 boats ought to be greater, or the discrepancy greater, than that set out?

Mr. PADGETT. From 4 to 41 the increase is $450,000 each, and in the others the increase is only from $1,200,000 to $1,500,000, or $300,000 each.

Mr. KEARNS. Oh, no; you have not gotten that right.

Mr. PADGETT. Submarines Nos. 1, 2, and 3——

Mr. KEARNS. You have got an increase there of $300,000 for those three boats that you say were contracted for when the price of materials was cheap. And you have got an increase of $300,000 for them.

Mr. PADGETT. For each one of them.

Mr. KEARNS. The whole thing.

Mr. PADGETT. It is for each one.

Mr. KEARNS. Your bill does not say so.

Mr. PADGETT. That is the limit of cost. It says:

The limit of cost of vessels heretofore authorized and herein below enumerated are as follows.

The limit of cost on the first 3 was fixed at $1,200,000. Now, then, on the 4 to 41 the limit of cost was fixed at $1,300,000. They could not complete them for that. And this is simply an authorization increasing the limit of cost. It is not an appropriation. It is just simply the limit of cost on each boat from $1,200,000 to $1,500,000 for the 3 and $1,300,000 for the others to $1,750,000 each. It is just the limit of cost. It is not an appropriation, and it is only an authorization to proceed with that cost.

The Clerk read as follows:

Submarines (8) from No. 4 to No. 41, both inclusive, from $1,300,000 to $1,750,000.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent to return to the bottom of page 51 to offer as an amendment the provision which was stricken out on a point of order. I will ask the gentleman if he will consent to it?

Mr. MANN. So far as I am concerned, I am willing.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to return to the bottom of page 51 for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment.

The Clerk read as follows:

After line 23, page 51, insert the following:
"The provision in the act entitled 'An act making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes,' approved July 1, 1918, under the increase in the Navy, which reads as follows: 'but not later than June 30, 1919,' is hereby repealed."

The CHAIRMAN. Is there objection?

Mr. WALSH. Reserving the right to object, what is the idea of restoring that? It is really legislation.

Mr. PADGETT. The act of July 1, 1918, that was passed the 1st of July, had a mandatory provision directing the Secretary of the Navy to begin the construction of all the ships authorized in the 1916 program before June 30, 1919. This repeals that mandatory provision. There are 12 destroyers which we do not wish to build. Unless that is repealed the Secretary is urged to begin the construction of them. The nine fleet submarines they do not wish to build at this time, for the reason that we are constructing three others that are now nearing completion, and they want to get them completed and tested and carried out before they build these nine. If they had to observe this mandatory direction in the act of July 1 last they will have to begin them on the same plans and designs of the three that they are now building; but they want to wait and get the benefit of the experiments and the testing and trial of these boats before they begin those nine.

Then, there are destroyer tenders Nos. 3 and 4 that they do not want to begin the construction of, and they do not think they want to build them at all. They do not think they need them. The submarine tender No. 3 they have not begun the construction of. They do not want to begin it; they do not think they will need it, and they do not want to build it. But under this provision they are compelled to begin construction before the 30th of June.

Then they do not want to begin the construction of transport No. 2, and they do not want to begin the construction of repair ship No. 1. They do not think they will need it. During the war they converted other ships into repair ships that are serving the purpose very well and very satisfactorily, and they think they can dispense with that.

Mr. WALSH. Will the gentleman yield?

Mr. PADGETT. Yes, sir.

Mr. WALSH. Is there any difficulty in the disinclination on the part of the experts to begin the construction of these ships based upon the fact that they are not large enough, and that consequently they are going to quit building these small fry and seek to get authorization for 10 first-class battleships and 10 scout cruisers—something that is worthy of their efforts?

Mr. PADGETT. No, sir. Take the submarines, for instance. I suppose that is what you refer to?

Mr. WALSH. I am referring to the ships you have been enumerating and which the experts do not want to begin.

Mr. PADGETT. As to the 12 destroyers, we have about 330 destroyers besides these 12. They say they think they have enough for the present, and they do not want to build any more of that type. If any others are to be built they would be of a type as the result of future investigation and consideration. The nine fleet submarines I explained about. They are about between 1,100 and 1,200 tons displacement.

Mr. WALSH. Still further reserving the right to object, I suppose the members of the Committee of the Whole are justified in assuming that the message from the Chief Executive expressing the desirability of this bill being passed by the House is predicated upon the fact that this repeal was in the bill, among other things, are they not?

Mr. PADGETT. There is no relation between the two, sir.

Mr. WALSH. I was just wondering whether the President knew that in place of or in addition to authorizing him to construct a vast number of other larger ships he also knew we were going to repeal provisions made for several smaller ships and stop construction on them?

Mr. PADGETT. It only repeals that part of it directing it to be begun at this time. It still leaves it open to be begun hereafter; but, as I stated, they do not want to build any more destroyers of that type. They do not want to build these nine submarines until they have completed the three that are nearing completion, until they have tested them and tried them out, to see whether or not it would be that type or whether they would come to Congress for authorization of a different type.

Mr. WALSH. Will the gentleman state, if this repeal is enacted into law, how long will they wait before they decide whether to build these other submarines, and whom they are going to practice on to find out how they work?

Mr. PADGETT. They would test out the three that are being constructed, and then they would have to come to Congress for an appropriation to build the additional ones, if they proceeded to build them, or if they were a different type they would submit the matter to Congress.

Mr. WALSH. Well, Mr. Chairman, we might just as well overlook this one of the many absurdities in this legislation, and I will not object.

Mr. HENSLEY. Mr. Chairman, I would like to ask the chairman if there has been any loss incurred by reason of the authorization of the building of these nine fleet submarines.

Mr. PADGETT. I understand not.

Mr. HENSLEY. None whatever?

Mr. PADGETT. That is as I understand.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Now, Mr. Chairman, we have reached the question of the new program, and I would like to see if we can not——

Mr. MANN. Mr. Chairman, I would like to have the first paragraph read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerated below.

Mr. MANN. Mr. Chairman, I make a point of order against the paragraph.

The CHAIRMAN. The gentleman from Illinois makes a point of order against the paragraph.

Mr. PADGETT. What is the point of order?

Mr. MANN. Mr. Chairman, this is legislation, not an appropriation. It does not purport to be an appropriation. It purports to be an authorization. An authorization is a change of existing law. Rule XXI, paragraph 2, which the Chairman will have before him, provides:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

Of course, that paragraph of the rules does not apply to the paragraph under consideration, because the paragraph in the bill to which I made a point of order is not an appropriation. That paragraph in the rules has been construed many times, and the construction given to that paragraph probably led the gentleman from Tennessee [Mr. PADGETT] to think that an item of authorization in the naval appropriation bill is in order, whereas the rulings are quite the reverse.

The Chairman of the Committee of the Whole many years ago held—and his ruling has been followed ever since—that an appropriation for a new Navy vessel of a type already in existence was an appropriation in continuation of public works and objects already in progress. The ruling was that the building up of a Navy was a public work and object in progress, and that an item of appropriation for a new ship was in order, provided there was already in the Navy a ship of that type. But it was frequently held that even an appropriation for a new ship in the naval bill—a new ship of a different type from that already in the Navy—was not in order.

However, this is not an appropriation and does not purport to be an appropriation. It appropriates no money. It merely authorizes the construction of certain ships, and the second sentence of the same rule, paragraph 2 of Rule XXI, provides:

Nor shall any provision in any such bill or amendment thereto changing existing law be in order, except such as being germane to the subject matter of the bill shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill.

The exception is not claimed to be covered by anything in this bill. There is no pretense that this is a reduction of any of the expenditures of the classes named in the rule, so that the provision in the rule which says "Nor shall any provision in any such bill or amendment thereto changing existing law be in order" is an absolute provision as to this paragraph. What is the paragraph?

For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake, prior to July 1, 1922, the construction of the vessels enumerated below

Under the existing law the President is not authorized to provide for the construction of these vessels. The existing law gives him no such authority, and it is proposed here to change the existing law by giving him that authority. So that the provision in the bill is purely one of legislation changing existing law, contrary to the provisions of the rule of the House, and hence it is subject to a point of order.

The CHAIRMAN. The Chair's recollection is that the original ruling was made by Mr. Chairman McCreary, of Kentucky. The Chair has before him volume 4 of Hinds' Precedents, section 3723, page 486, and if the gentleman will permit, the Chair will read:

On February 26, 1887, the House was in Committee of the Whole House on the state of the Union considering the naval appropriation bill, when Mr. Joseph D. Sayers, of Texas, offered an amendment authorizing the construction of "two swift double-bottomed steel cruisers" and making an appropriation therefor.

Mr. William S. Holman, of Indiana, made the point of order that there was no law authorizing the appropriation.

After debate the Chairman cited the rule and exception, and said:

That is to say, if the work be a public work, or if the object is a public object, and it is already in progress, then there need not be any previous legislation authorizing it.

What the Chair wants to ask the gentleman from Illinois is this: Has he before him the exact law that was passed at that time?

Mr. MANN. I have not, Mr. Chairman——

The CHAIRMAN. Is there anything additional?

Mr. MANN. I have not; but my recollection is—and it has been ruled upon many times since—that that was an appropriation for the construction of vessels theretofore not specifically authorized by law, and the point of order was that it was an appropriation not authorized by law; and the ruling was, in substance—and it has been followed many times since—that an appropriation may be carried in the naval bill providing for the construction of new naval vessels not theretofore specifically authorized by law as a public work in progress, the recent rulings, which extend back many years, specifically holding that such an appropriation was only in order if a vessel of the same type was already in use in the Navy.

The CHAIRMAN. The question of the type——

Mr. MANN. That is not involved here.

The CHAIRMAN. Is not involved here. Does the Chair understand it to be the contention of the gentleman from Illinois that unless an appropriation is carried along with the authorization it is subject to the point of order?

Mr. MANN. My contention is, and that has been held by the various Chairmen at different times, that you can make an appropriation for a new naval vessel, but that is all you can do. The appropriation is, hence, an authorization for the President or the Secretary of the Navy to proceed with the construction of the vessel. The appropriation itself is the authorization. But that does not provide for a change of existing law by making an appropriation. Here, for instance, where no limit of cost is fixed, we can appropriate money for building an addition to the Capitol Building if we choose to, and it is not subject to a point of order. The appropriation is not subject to a point of order because it would be held that that is an appropriation for a public work already in progress. But we could not authorize, even in the appropriation, over a point of order, specific directions as to how that work should be carried on; nor could we in the appropriation bill make an authorization merely for an addition to the Capitol over the point of order. That arises as to all public buildings. We have frequently provided for that. We did it in the case of the insane asylum out here at St. Elizabeths. We appropriated money for the purchase of additional ground adjoining the ground already there, it being held by the Chairman that that was a continuation of a public work already in existence. That is an appropriation. There is no appropriation involved here. It is merely a change of existing law.

The CHAIRMAN. If the Chair may repeat it, the language as contained in the precedent is——

Mr. MANN. The Chair will note that the point of order made was that it was an appropriation not authorized by law. That was the point of order against that item.

The CHAIRMAN. There was coupled with the language that which is in quotation, "two swift double-bottomed steel cruisers," and making an appropriation therefor.

Mr. MANN. Yes; that was the language.

The CHAIRMAN. Of course, the quotation ends with the word "cruisers."

Mr. MANN. That was a mere appropriation.

The CHAIRMAN. No; that was an authorization and an appropriation.

Mr. MANN. Of course, an appropriation for a specific object is itself an authorization for the expenditure of the money. Any appropriation, anywhere carried, is in itself an authorization for the expenditure of the money.

The CHAIRMAN. Yes; but the question which is in the mind of the Chair, under the rulings—and they are very numerous—is whether the appropriation must be coupled with the authorization in order to make it in order under the precedents?

Mr. MANN. Mr. Chairman, there never has been a ruling of the Chair on the naval bill which has held, if my memory serves me right, and I think it does, that even as to these battleships we could give directions as to the character of the battleship, the radius of the battleship, or anything of that kind, because that is an authorization and subject to the point of order. We can make an appropriation for the battleship, and then it is within the discretion of the Secretary of the Navy under existing law as to the expenditure of the money, the method, and form of its expenditure; but when we attempt to direct his jurisdiction, that is a change of existing law. We have the authority to make the appropriation, but not to give directions, without legislation. Of course, the Committee on Naval Affairs can bring before the House a bill at any time giving specific directions about any of these things; but the authority of an appropriation bill is to make an appropriation. The Committee on Appropriations, in bringing in the sundry civil appropriation bill, for instance, or the fortifications appropriation bill, which will soon be before the House, has no authority to give directions to the executive officers about how the money shall be expended. They may add a limitation that it may not be expended in a certain way. All they can do under the rules, over a point of order, is to make the appropriation in the hands of existing authorities available to be disposed of under existing law.

The CHAIRMAN. The Chair recognizes the fact that this is an extremely important parliamentary question. The Chair

will be glad to hear from any gentleman opposed to the point of order.

Mr. PADGETT. Mr. Chairman, I am not familiar with parliamentary law and do not claim to be, but I have always understood that the rulings were that it was in order on the naval appropriation bill to authorize a continuance of the construction of the ships of the Navy.

The CHAIRMAN. Without making an appropriation therefor?

Mr. PADGETT. I think so, because the first year that I was upon the Naval Committee we authorized, without any appropriation at all, and it was only after I had been upon the committee for a number of years that we changed the policy and began to carry an appropriation at the time of the authorization. In those days, on account of the fact that they were not ready with their plans and their specifications, we made the authorization one year and voted the initial appropriation the succeeding year. That was the practice for a number of years and was the practice at the time of this decision.

Mr. BUTLER. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. BUTLER. We always provided for the plans the first year.

Mr. STAFFORD. Will the gentleman yield?

Mr. PADGETT. It has always been there, and the argument of the gentleman that you can make an appropriation for battleships, but that the House can not authorize battleships, is a logic that I confess I am unable to follow.

Mr. MANN. I made no such argument as that. The House can authorize battleships, but the question is whether it can do it in this way or not.

Mr. PADGETT. This provision here is merely an authorization to build battleships and scout cruisers. The wording of it is nothing else. The substance of it is nothing else except authorization to build 10 battleships and 10 scout cruisers, and the committee prescribes the type, and that is contained in the citation which the Chairman made there. It said "two swift double-bottomed steel cruisers." It does purport to indicate and to direct and to prescribe the characteristics of the ship, and if it was in order to prescribe it to a limited extent, it is in order to prescribe it in a more enlarged sense.

The CHAIRMAN. Here is what is troubling the mind of the Chair at the present moment: Whether you can make an authorization without expressly carrying with it an appropriation to carry out that authorization. In the case in which Mr. Chairman McCreery ruled an authorization was made and there was carried with it an appropriation. The Chair does not now recall any other rulings that have been made when any case was presented in which the authorization was not accompanied at the time by an appropriation.

Mr. PADGETT. As I stated, we did that for years. I do not know whether a point of order was made against it, or whether it was ever passed upon, but it seems to me that Congress can authorize an enlargement of its naval building program in a naval appropriation bill.

The CHAIRMAN. The Chair thinks that under the precedents, if the authorization carries an appropriation, there would be no question about it. The precedents are that way, whatever might be the Chair's individual opinion; but where it is an authorization without an appropriation, then it raises a pretty serious question in the mind of the Chair.

Mr. CRISP. Mr. Chairman, I thrust myself into this discussion reluctantly, because I know the Chairman to be an expert parliamentarian and that he has the precedents before him, has given this matter careful consideration, and I have not, because I have just entered the Hall.

The CHAIRMAN. The Chair will say that the point of order came as a surprise to him, and therefore he has not given it his consideration.

Mr. CRISP. I am familiar with decisions, and so is the Chairman, to the effect that it is in order on the naval appropriation bill to appropriate for the construction of new vessels on the ground that it is in continuation of a public object already in existence. It is not necessary for me to cite the Chair to those decisions. They can be found under section 823 of the manual.

The point of order is against certain provisions in the bill which provides a new building program. It provides for the construction of a number of vessels. I understand the point of order of the distinguished gentleman from Illinois to be that the provisions in the bill do not carry any appropriation for the construction of any of these vessels, but simply authorizes their construction. If I am correct in stating the contention, it seems to me that the point is not well founded, because the greater always includes the lesser, and if it is in order to legislate on an appropriation bill by making an appropriation for the construction of vessels for the Navy, it seems to me clearly that it would be in order to also legislate by making an authorization for the construction of vessels.

The latter part of the bill giving the building program is clearly a limitation. The limitation simply provides that this program shall not be put in operation upon the happening of certain contingencies, and I am of the opinion under the precedents that the provision in the bill is in order on the ground that it is providing for the continuation of a public work already authorized, to wit, the Navy of the United States.

Mr. MANN. Mr. Chairman, the gentleman from Georgia is a distinguished parliamentarian, and I think I would take his judgment if he would examine that matter. I would take his judgment if he was the parliamentarian in the chair, but we are controlled by the rules of the House. The rules of the House provide that no appropriation shall be in order unless in continuation of appropriation for such public works and objects as are already in progress. That is what lets in the appropriation for new naval vessels; but the ruling is confined solely to the Navy. It does not let in new lighthouse vessels or new revenue-cutter vessels, because it is a specific work confined to the Navy.

Now, the language of the rule refers only to an appropriation in continuation of a public work. My friend from Georgia says that the greater includes the lesser. While the rule provides that you can make an appropriation, and there you stop, you can not change the law and make an authorization, because making an authorization for a new naval vessel is a change of existing law.

Mr. CRISP. Will the gentleman yield?

Mr. MANN. Yes.

Mr. CRISP. I want to present this thought, and ask the gentleman's opinion. The crux of the whole matter is in the legislation——

Mr. MANN. Certainly.

Mr. CRISP. Obnoxious to the rule, not in order on an appropriation bill unless it comes within the excepted clause.

Mr. MANN. There is no legislation that comes within this excepted clause except making an appropriation. Of course there are a number of excepted clauses, but they are not applicable here.

Mr. CRISP. We are dealing solely with this appropriation. It seemed to me that here was legislation, an exception to the rule in order on an appropriation bill, not confined to an appropriation bill, for the continuation of a public object.

Mr. MANN. I know; but the rule does not say that you let in legislation in continuation of a public work. The rule says you let in an appropriation in continuation of a public work, and the next sentence says, "Nor shall any provision in any such bill or amendment thereto changing existing law be in order except," and so forth. That is a specific prohibition of legislation changing existing law. It says "an appropriation in continuation of a public work."

The gentleman from Georgia [Mr. CRISP], who evidently has hastily looked at this without stopping to examine the rule, seems to be of the opinion that the authority to make the appropriation would include the authority to make the legislation. Very likely that would be true if it was not for the rule of the House. The rule of the House, in express language, prohibits the legislation. It authorizes an appropriation, and it is in order now, if this goes out on a point of order, for the gentleman from Tennessee to offer an amendment to appropriate the money necessary for the construction of these naval ships as a continuation of a public work already in progress. But, after all, we are supposed to fairly well live up to the rules of the House. There has been no precedent which held that an authorization in a naval bill for the construction of new vessels as a mere authorization was not subject to the point of order; there have been repeated holdings that the items were subject to the point of order. It is true that the mere making of an appropriation itself is an authorization to expend it. It is not a change of existing law, except to the extent that it makes the appropriation; but the rule expressly providing under the construction of prior chairmen that you can make an appropriation for a new naval vessel as a continuation of a public work already in progress, but that you can not change existing law by a provision in the bill or by an amendment, this item is clearly subject to the point of order.

Mr. PADGETT. Is not this language the same as has been used in all of them, to authorize the President to do this? Have we not used it time out of mind?

Mr. MANN. Mr. Chairman, I can recall, without specifically being able to locate the place, where the whole item in a naval bill of this sort went out on a point of order, and then was

succeeded by an appropriation which was in order. It is true that as a rule no point of order was made on the increase in the Navy, because there are limitations which everyone desires to have in there if the appropriation is made. That does not affect the right of a Member to enforce the rules of the House. No one can tell what will follow this provision in the bill—

The construction of vessels enumerated below.

One can offer anything under that in the way of an amendment if that language stays in the bill. The Committee on Naval Affairs can not determine what the House or the Committee of the Whole will do, and if that provision stays in the bill they may amend it to include anything which would be germane to a naval appropriation bill.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. Suppose the Committee on Military Affairs should bring in something like this, authorizing the President before a certain time to erect 10 fortifications, to cost $200,000 each, at any place he designated, or suppose the Public Buildings and Grounds Committee should bring in a provision authorizing him to erect 10 post offices at a certain time, at $20,000 each, wherever he should direct, would those be permissible?

The CHAIRMAN. While that is a parliamentary inquiry in a way, that is not before the committee now, and the Chair does not think the gentleman should expect the Chair to answer that question. That which is now engaging the attention of the Chair is a point of order made by the gentleman from Illinois. The gentleman has put this in the form of a question?

Mr. LITTLE. Yes.

The CHAIRMAN. The Chair will be glad to hear any argument that the gentleman desires to submit.

Mr. LITTLE. I thought perhaps the Chair, with his familiarity with the subject, might be able to put his finger on a decision of that kind, which I can not, but I want to say this: It must be very clear that unless the Public Buildings and Grounds Committee can do that, unless the Committee on Military Affairs can do that, this is certainly new legislation and has no place here.

Mr. GREEN of Iowa. Mr. Chairman, it is with much hesitation, after this question has been discussed by such distinguished parliamentarians as the gentleman from Illinois [Mr. MANN] and the gentleman from Georgia [Mr. CRISP] that I venture to add a word, and I shall speak very briefly, indeed. It is important to consider this question at its beginning. It is a familiar rule that an appropriation not authorized is subject to a point of order in an appropriation bill. It is equally familiar that a mere authorization in an appropriation bill is subject to a point of order. I do not, therefore, regard it as at all important whether the appropriation and the authorization are joined. To my mind the paragraph would be equally subject to the point of order in either case, because the rule refers to authorizations previously made and not authorizations made in the bill. Here we have this program authorized for the first time. The Naval Committee is practically estopped from saying this is not the first authorization that has ever been made for the purpose of justifying the appropriations. One of two things is certain—either it was authorized before or it is authorized for the first time now. But I assume the Naval Committee will not claim any prior authorization.

If it had been authorized before, it would be admissible to make simply an appropriation. Without that authorization the paragraph is not in order at all and might just as well go out. But the Naval Committee evidently did not take that view of the case. They considered that they must make an authorization here and now, and consequently they have authorized this program for the first time. It has never before been authorized, and, in my judgment, it is subject to the point of order.

I wish to call the attention of the Chair that the ruling made by Chairman McCreary is said by Mr. Hinds to be very exceptional, and in a footnote to his citation of the decision he says in effect that if carried to its logical conclusion it would do away with the salutary provisions of Rule XXI. Other Chairmen in ruling later have invariably declined to broaden the decision of McCreary.

Mr. TOWNER. Mr. Chairman, I just want to add a word. The Chair is exactly right in saying that the pivotal point here is whether or not the decisions the Chair has cited holding that an authorization is justified, when coupled with an appropriation, are sufficient to carry an authorization alone. I hardly see how there can be much question in the mind of the Chair for this reason: The language of the rule applies to appropriations. An authorization and an appropriation at the same time are no greater, as the gentleman from Illinois [Mr. MANN] has well said, than the appropriation alone. In other words, as the gentleman from Georgia [Mr. CRISP] well said, the lesser is swallowed up in the greater. An appropriation which includes an authorization is, therefore, within the rule, and if an authorization is made at the same time as an appropriation it is within the rule; but the Chair must find some authority for holding that the rule which says that an appropriation of this character is justified would include an authorization alone, and that, I think, the Chairman can not find.

I want to call attention just in that connection to this fact: It must be clear to the Chair that this is a change of existing law. We already have adopted as a part of our statutory law a certain naval program which this changes. We adopt a new and distinct law; it is a change, therefore, in existing law, and a serious and fundamental change.

Mr. WINGO. Will the gentleman yield for a question?

Mr. TOWNER. If the gentleman will just pardon me for a moment I will. I want to call attention to the language in connection with the provision on page 54, which, it seems to me, must be considered in connection with this proposed adoption of a program, because it is a limitation of the program and therefore interprets the program. You certainly could not find a point of order which would not lie to this provision. Just let me call your attention to it.

If at any time before the construction authorized by this act shall have been contracted for, there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

Could the Chair find that this was not new legislation? Could the Chair for a moment doubt that that provision would be subject to the point of order when taken in connection—and it must be taken in connection—with the provision we have under consideration, which is the adoption of a new program different from existing law? How can the Chair hold or for a moment entertain the idea that this does not change existing law? I now yield to the gentleman from Arkansas.

Mr. WINGO. Let me submit this to the gentleman: If the gentleman contends there is a limit under existing law to the construction of the Navy, then the contention of the gentleman from Illinois that an appropriation would be in order would fall. The basis upon which the Chairmen have heretofore held that an appropriation in the specific instance of two double-bottom steel cruisers upon which the question was raised in 1887, if the gentleman's contention is correct that there is a limit, then the reason for that ruling falls, because that decision was bottomed upon the specific statement of the Chair that there was no limitation of existing law on the construction of the Navy, but that the Navy as a whole must be considered as a continuing project; and for that reason an appropriation added to that construction by adding two double-bottomed steel cruisers was a continuation of the present existing progressive work, so if the contention that the three-year program specifically put a limitation upon the construction of the United States Navy is correct then you could not have an appropriation.

Mr. TOWNER. There is this which the gentleman does not take into consideration. The principle on which that decision was made with regard to the steel cruisers was that it was an appropriation and therefore within the rules.

Mr. WINGO. If the gentleman will permit me to read the statement upon which the Chair predicated——

Mr. TOWNER. I can not take the time to go into that more particularly.

Mr. WINGO. Very well; I will.

Mr. TOWNER. The language as stated here is very clear. In the case referred to it was not only an authorization but an appropriation, and as I tried to explain when an appropriation and authorization is made at the same time it is clear that it is an appropriation and comes under the provisions of the rule. That is not the case in this instance.

Mr. SAUNDERS of Virginia. Mr. Chairman, I am not prepared to say whether as contended an appropriation, would include an authorization, upon the principle of the greater including the less. The language of the rule says that an appropriation shall not be in order in a general appropriation bill unless in continuation of an appropriation for such public works and objects as are already in progress. The rulings that have been made allowing appropriations for additional ships in a naval bill carry the implication that the authorization has already been made for a continuing work, and the new ships appropriated for, are therefore really under an existing authoriza-

tion. But it is not necessary in this connection, it seems to me, to determine the question of authorization.

Mr. Chairman, there is another very material question to be considered and that is whether the whole matter on page 51 of the bill, and part of page 52, is not really one paragraph. The language from line 1 on page 51 down to line 16, page 52, is evidently one proposition, and should be considered as such.

The point of order should be considered as applying to the entire paragraph, and if there is any part of it that is not in order, of course under the rule, with which you are as familiar as anyone, the whole of the paragraph is out of order. If you look to the different sentences you will note that with reference to each one of these appropriations there is found this language at the conclusion of the sentence:

To be begun as soon as practicable, subject to the limitations herein.

As I have said this proposition is a concrete whole, and to be considered as such. It has been suggested, and I do not know whether that suggestion was intended to apply to the whole, or some part of the paragraph, that the language on page 52 is a limitation. I submit that this language can not possibly be a limitation, for the following reason.

A limitation is a negative inhibition upon the application of money. There are various illustrations of limitations:

A limitation must apply solely to the money of the appropriation under consideration, and may not be made applicable to money appropriated in other acts.

A limitation may not be applied directly to the official functions of executive officers, but may restrict executive discretion so far as this may be done by a simple negative on the use of the appropriation. (House Manual, p. 368.)

There are many familiar illustrations on that line. Then, again, on page 369 of the rules we find these decisions:

The fact that a provision would constitute legislation for only a year does not make it a limitation in order under the rule.

Nor may a proposition to construe a law be admitted.

A limitation may withhold money from part of a designated purpose while appropriating for the remainder of it.

The language of the bill on the second page which is made a part of the propositions on the preceding page, remits the uses of the money to the discretion of an executive official. If an appropriation is made, it is not permitted to say that it shall be applied, or not applied, in his discretion by the executive officer, and undertake to denominate that authority in the officer, a limitation, yet that is precisely what is done here.

If you will look at page 52, you will find the following language:

If at any time before the construction authorized by this act shall have been contracted for there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishment of said tribunal or tribunals may be suspended when so ordered by the President of the United States.

Now, that language remits to the determination of the executive officer the interpretation of some complicated arrangements, hereafter to be made, and if in his discretion, he construes those undertakings to carry a certain meaning, then the money which is hereby appropriated is not to be expended.

The CHAIRMAN. The Chair understands the gentleman to insist that the point of order made by the gentleman from Illinois [Mr. MANN] on the first paragraph, at the top of page 53, can not be considered except in connection with any point of order that might be made to the paragraph?

Mr. SAUNDERS of Virginia. How can it be restricted to the following lines?

For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerate below.

Standing alone this authorizes nothing.

At the end of these words is a colon, and then follow the items, each one referring to the limitation. I take it that it must be fairly considered that there is one concrete, comprehensive proposition presented in the language found on the page and a half to which I have referred.

The CHAIRMAN. And even if that point of order was sustained—I mean, when that paragraph is reached—of course, technically the Chair can not look ahead, even when that paragraph is reached, and if the point of order is made and it should be sustained, it would still leave some legislation here which would be entirely intelligent?

Mr. SAUNDERS of Virginia. Certainly. But what I am suggesting in this connection is that the selected words are not in the usual sense a paragraph, because all of this matter is related and lead together into one whole. If you look on page 51, line 9, you will see the language:

To be begun as soon as practicable, subject to the limitations herein.

It is not a positive direction to proceed, but a limited direction. The sentence has no independent meaning and to understand it, you must look to the conclusion of the paragraph. Therefore I maintain that this page and a half of matter is really a paragraph presenting a single, distinct proposition.

The CHAIRMAN. The Chair will rule. This point of order came, the Chair will be frank to state, unexpectedly to the Chair, and he regrets that he has not had more opportunity to give closer study of it than he has had. The gentleman from Illinois [Mr. MANN] makes the point of order upon the first paragraph at the top of page 53, which reads:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to undertake, prior to July 1, 1922, the construction of the vessels enumerated below.

The point of order, as the Chair understands, is generally that that constitutes legislation upon an appropriation bill, which is not in order under the general rules of the House. Of course, all gentlemen are familiar in a general way with what has been the procedure upon naval appropriation bills with reference to the increases provided. The Chair stated in the beginning of the discussion that his recollection was that the first ruling was one made by Mr. Chairman James B. McCreary, of Kentucky, and, in so far as time has permitted for a hasty examination, the Chair was correct in his recollection.

Now, the Chair reads from the CONGRESSIONAL RECORD, Forty-ninth Congress, second session:

On February 26, 1887, the naval appropriation bill being under consideration, the Clerk read as follows:

"INCREASE OF THE NAVY.

"For expenditure toward the construction and completion (exclusive of armament) of the five double-turreted monitors, the four vessels authorized by the act of March 3, 1885, and the vessels authorized by the act of August 3, 1886. $2,500,000."

Mr. SAYERS. I move, after line 875, to insert the following:

The Clerk read as follows:

"For the construction of two swift double-bottomed steel cruisers, each of about 4,300 tons displacement, of the type of the *Newark*, except boilers and machinery, four of about 1,700 tons displacement of the type of gunboat *No. 1*, each, and one swift torpedo boat, said vessels to cost altogether, exclusive of armament, not more than $4,950,000, the sum of $2,470,000 is hereby appropriated."

To that Mr. Holman, of Indiana, made the point of order. It was argued by Mr. Herbert, of Alabama, and by other gentlemen, and at the conclusion of the argument Mr. Chairman McCreary ruled as follows, after citing the rule, which was the same then as it is now—that is, "no appropriation shall be reported on," and so on:

That is to say, if the work be a public work, or if the object is a public object and it is already in progress, then there need not be any previous legislation authorizing it.

The Chair thinks that means to authorize an appropriation. However, I proceed:

The Chair believes that the construction of a navy is a public object or public work, and the language of the bill which we have been considering and the appropriation made at the last session show that the construction of the Navy is in progress. It may be said also that the proposed amendment providing money for the construction of vessels does not change existing law and is not prohibited by law.

It is very agreeable to the present occupant of the chair to be able to refer to a precedent bearing upon the point of order now raised. In the Forty-sixth Congress (Mr. Carlisle in the chair) it was decided "that appropriations for public works and objects" already in progress could be included in general appropriation bills or could be inserted as amendments, and that the word "objects" meant something in addition to the word "works," and must be held to include the public departments of the Government and the civil, military, and naval establishments recognized by law and supported by the Government.

The Government has undertaken to maintain, and is annually maintaining, a naval establishment, and under the rule appropriations may be made for it in a general appropriation bill, and such has always been the practice until last session, when appropriations for the construction of ships for the Navy and armaments for them were made in a separate bill. Before the last session such appropriations were made in the naval appropriation bill under the rule exactly as it now is.

There is no law prescribing the number of ships that shall constitute the Navy or the number of guns they shall carry. Those matters depend entirely on the amount of money appropriated for those purposes, just as the number of clerks and other employees in the departments depend upon the appropriations made. * * * This decision allows an important amendment to be offered, but it gives to the Committee of the Whole the right to pass upon this interesting question and an opportunity to say whether it is in favor of increasing the Navy or not.

Bear in mind that that decision apparently is predicated absolutely upon "appropriations." There is another decision. I read:

On May 17, 1902, the naval appropriation bill being under consideration in Committee of the Whole House on the state of the Union, Mr. OSCAR W. UNDERWOOD, of Alabama, raised the question of order that the following paragraph involved a change of law:

That the appointment of 500 additional cadets at the Naval Academy, Annapolis, Md., under such detailed rules and regulations as the Secretary of the Navy shall prescribe, is hereby authorized, such appointments to be made as follows:

The debate proceeded, so that the matter did not come to a decision until May 19, 1902, two days later. It was then further debated, and the Chairman, Mr. James S. Sherman, of New York, held:

The Chair does think that it is the duty of the Chairman to decide points of order as they appear and to disregard entirely his individual hopes and desires in reference to the subject matter under consideration. And the present occupant of the chair has always been so guided in deciding points of order. On more than one occasion he has been obliged to rule against his inclinations and desires. The Chair also thinks it is the duty of Members of the committee and the House to sustain the Chair when they believe he is right. The Chair thinks there have been occasions when that has not been followed.

The ruling in reference to the construction of a battleship is one which the present occupant of the chair has heretofore followed, although he did not originally make it, and is frank to say that, although he has great respect and regard for the gentleman who did make it, he doubts, if he had been in the chair when the question arose, if he would have made it. He has never been in sympathy with it. But that was a provision to increase the number of battleships when the number was not specifically defined by statute.

Likewise, so far as the Chair has been able to ascertain from a hurried reading and inspection of the statutes, there was no specific provision as to the number of seamen. Both of these questions, then, were decided upon the broader ground, whether or not it was increasing the general Naval Establishment.

In the case now presented there is a statute, section 1513, which reads:

"There shall be allowed at said academy 1 cadet midshipman for every Member and Delegate of the House of Representatives, 1 for the District of Columbia, and 10 appointed annually at large."

There is a specific, general statutory provision as to the number of cadets at the Naval Academy. The amendment to which the gentleman from Alabama has raised the point of order changes the number of cadets and changes existing law, which is clearly and unequivocally against the provision of the rule, section 2 of Rule XXI, which provides: "Nor shall any provision changing existing law be in order on any general appropriation bill." The Chair therefore sustains the point of order.

There is a reason for the rule which prevents legislation upon appropriation bills, else that rule would not have been continued through all these long years. The reason is obvious. By attaching legislation to appropriation bills necessary and vital to the existence of the Government—I mean appropriations necessary and vital to the existence of the Government—gentlemen may be compelled to vote against their deliberate judgment. That is to say, they may be compelled to vote for legislation to which they are opposed or else let the Government starve. Therefore the present occupant of the chair feels that from the parliamentary standpoint it would be unwise to broaden the rule beyond the point to which it has already been broadened. In the case which was ruled upon by Mr. Chairman McCreary the authorization and appropriation went hand in hand. That which was proposed in the amendment offered by Mr. Sayers was a proposition to make the ships provided for in that amendment an immediate and tangible part of the Naval Establishment, being appropriated for in that particular bill, and hence it was held to be a continuing public work.

The proposition involved in this bill, to which the gentleman from Illinois [Mr. MANN] has made his point of order, is to authorize a program for the future, not connected with any immediate program and not making any appropriations therefor. It seems to the Chair that that is making an extension of the rule that ought not to be made, and the Chair therefore sustains the point of order. [Applause.]

Mr. PADGETT. Mr. Chairman, I offer an amendment in lieu of the paragraph stricken out on the point of order.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

In lieu of the paragraph stricken out insert the following:

"For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake, prior to July 1, 1922, the construction of 10 first-class battleships, carrying as heavy armor and as powerful armament as any vessel of their class, to have the highest practicable speed and greatest desirable radius of action; two of these at a cost, exclusive of armor and armament, not to exceed $21,000,000 each, to be begun as soon as practicable, and 10 scout cruisers, carrying suitable protection and armament suited to their size and type, to have the highest practicable speed and greatest desirable radius of action; two to cost, exclusive of armor and armament, not to exceed $8,000,000 each, to be begun as soon as practicable, subject to the limitations herein; and the sum of $5,000,000 is hereby appropriated toward the construction thereof."

Mr. MANN. I make a point of order against that.

Mr. SAUNDERS of Virginia. I make the point of order against that. It has been covered by the principles just announced by the Chair.

Mr. PADGETT. I do not think so. I think it complies with the principles announced by the Chair. It makes an appropriation and continues the type of ship we have.

The CHAIRMAN. The Chair thinks that falls within the ruling just made.

Mr. PADGETT. In what respect?

The CHAIRMAN. It provides for further construction.

Mr. PADGETT. This has always been held in order.

The CHAIRMAN. It provides for construction that is not carried in any other part of the bill.

Mr. PADGETT. The new construction on the naval bill has always been something that was not authorized theretofore, and the amendment held in order by Mr. McCreary was for ships not authorized. It has always been held in order to include new ships.

Mr. MANN. Mr. Chairman, the gentleman from Tennessee is confused a little, I think, by the fact that the point of order has not been made heretofore upon a good many paragraphs in naval bills.

Mr. PADGETT. But points of order have been made and ruled on a number of times.

Mr. MANN. Yes; and wherever they have been made and ruled on, on a proposition like this, the point of order has been sustained. I think there is no exception to that. Now, the gentleman proposes to try to evade the ruling of the Chair by adding an appropriation of $5,000,000, but the provision of the amendment is legislation just as much now as it was before. It is to authorize the President to construct these ships. The gentleman can offer an amendment appropriating $5,000,000 for the construction of these ships, and it will not be subject to a point of order. He can offer an amendment appropriating $250,000,000 for the construction of these ships and it will not be subject to the point of order. But he does not want to do that. He does not want to make the appropriation, which is in order. He wants to make the authorization, which is a change of law and is not in order.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to say just a word in connection with the point of order. I think the gentleman from Tennessee [Mr. PADGETT] failed to catch the basic principle running through the ruling just made by the Chair, which was that where there was an existing authorization, and with respect to that the House chose to make appropriations for ships that could be regarded as a part of a continuing program, such appropriations would be in order. But this is a case in which there is an additional, supplementary authorization having reference to the future, and merely by offering an appropriation in connection with the appropriation the gentleman from Tennessee seems to think that he can overcome the ruling against a new authorization. The fact that the authorization is coupled with an appropriation, does not render the former any the less an authorization. If rules forbid you to begin with an authorization, and then follow the same with an appropriation, that difficulty can not be overcome by coupling the authorization and the appropriation in one paragraph. The real difficulty is in the authorization, which is new legislation. There would be no difficulty, if the amendment proposed a simple appropriation, but the gentleman has tied up an authorization with an appropriation.

The CHAIRMAN. The Chair thinks it would be inconsistent with the prior ruling—which ruling may have been wrong—if he did not now sustain the point of order. The Chair sustains the point of order.

The Clerk read as follows:

Ten first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; two of these at a cost, exclusive of armor and armament, not to exceed $21,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. PADGETT. Mr. Chairman, I offer an amendment in lieu of the matter stricken out.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Before line 11, on page 53, insert:

"Toward the construction of 10 first-class battleships carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action, $2,000,000."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

Mr. MADDEN. Mr. Chairman, I desire to be heard on that.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. PADGETT] desire recognition?

Mr. PADGETT. I will ask for recognition later.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. Mr. Chairman, this paragraph provides for the construction of 10 battleships, 2 of which are to cost $21,000,000 each. There is no indication what the other 8 are to cost, and we propose now to appropriate $2,000,000 toward a construction program involving the expenditure of

$210,000,000. Does anyone believe that the gentleman from Tennessee is in earnest; that he is sincere; that he believes that we should enter upon a program involving the expenditure of $210,000,000 with an appropriation of only $2,000,000? It looks as if the gentleman was seeming to throw sand in the gasoline, to hoodwink the public, to pretend to increase the Navy when there is no such attempt being made. Let us be on the square with the people and take them into our confidence, and let them understand what we mean, and tell them whether we are for an increase of the Navy or whether we are not; tell them whether the proposition that we have before us is intended to influence action at another place; tell them whether we need more battleships to care for the interests of America, and if we do, let us appropriate the money to build the ships.

It looks to me as if the amendment offered by the gentleman from Tennessee was intended to deceive the public. This Congress, above all things, should not undertake to do that at this period of American history. There is no need for the construction of additional battleships. The committee has said so in its report. They did not propose to build any battleships until 1922, and now, when the House under the rule has decided that the proposal brought in by the committee was not in order, the gentleman seeks to befog the issue further by pretending to increase the size of the Navy while it only offers to appropriate $2,000,000 to carry out the $210,000,000 program. I hope the amendment offered by the gentleman from Tennessee will not prevail.

Mr. CALDWELL. Mr. Chairman, it always fills me with a great deal of pleasure to hear the war horses of the Republican side of the House ask us to take the American public into our confidence. If the Republicans, who so recently went through a bitter campaign, had taken the American people into their confidence, the American people would have looked for the kind of tactics that have been adopted here to-day. Every man on that side of the House knows that the Republican Party has for more than a generation fought and clamored for an increase of the American Navy, and every man on that side of the House——

Mr. DENISON. Mr. Chairman, I make the point of order that the gentleman is not speaking to the amendment.

Mr. CALDWELL. I am answering the gentleman.

The CHAIRMAN. The gentleman from New York will proceed in order.

Mr. CALDWELL. I know it is rather disquieting to the gentleman from Illinois, with his warm Republican proclivities, to have anyone tell the American people how they feel about this.

Mr. MOORE of Pennsylvania. Will the gentleman from New York yield?

Mr. CALDWELL. Yes.

Mr. MOORE of Pennsylvania. I want to say that it is very embarrassing to this side of the House to have the gentleman from New York reflect on the Republican Party the way he is doing. Every Republican feels chastened by what the gentleman says. [Laughter.]

Mr. CALDWELL. Under those circumstances, Mr. Chairman, I will say nothing more. [Laughter.]

Mr. PARKER of New Jersey. Mr. Chairman, the gentleman from Virginia has rightly stated that none of this so-called appropriation should be considered without considering the paragraph on page 54, which has been read. That paragraph says, practically, that this sum is appropriated for an increase of the Navy unless England agrees to reduce her Navy, and it can not be read in any other way. It says that if, before the construction has been contracted for, there has been established a tribunal to secure peaceful determination of international disputes which shall render unnecessary the maintenance of competitive armament, then the construction of these vessels may be suspended. This means nothing else than that we tell our friends, the allies, whose navy has been our protection during this war, which has aided in protecting our soldiers as they went abroad, and our people at home and at sea—it says that unless our allies agree to go into a league, which, I believe, the United States has no power to do and which, at any rate, would be a matter of treaty with which this House has nothing to do—that unless this be done, we will build ships. If this appropriation had been made in a different form, I should have supported it. If it had said that we will build these ships if England is unable to build them and that we will help her out, I might stand for it; but to say to our allies that we will build ships unless she agrees to reduce her armament is in itself a threat in which the Congress of the United States should not join, and I therefore shall support any motion to strike out that sort of an appropriation. If we had the means and it was an appropriation to build any amount of naval vessels, I would favor it. We may not be able to build them or feel ourselves able to do so absolutely, but in its present form I will never insult our allies by voting for any such appropriation. [Applause.]

Mr. KEATING. Mr. Chairman, I am not a jingo, and I am sure my colleagues would acquit me of the charge of being a militarist. I have no desire to involve my country in a war with Great Britain or France or Italy or Japan. And yet, Mr. Chairman, from what little reading I have done of the history of the world I know there is no such thing as permanent friendships between nations.

France furnished us with the power that enabled us to win the Revolution, and yet within a few years we were at swords' points with the land of Lafayette. We are an English-speaking people, and yet Great Britain has threatened our interests oftener and more seriously than all the other nations of the earth combined. That is merely a matter of history with which every Member of the House is familiar.

I have not had the honor of being permitted to read the President's telegram to the Secretary of the Navy. I am not in the President's confidence, but, Mr. Chairman, I have some well-defined views concerning the attitude that I believe my country should take at this time.

I believe that this war will have been fought in vain unless we secure an agreement between the great powers that have won the war, looking to military and naval disarmament. [Applause.] I believe that our representatives at the Paris conference should say to the representatives of the allies there assembled that the American people do not desire to enter into a race with the nations of the earth to see which one can construct the most powerful navy, but that the American people are determined that never again shall it be said by friend or foe that America's interest and honor must be defended by the navy of another nation. [Applause.]

Mr. Chairman, I am prepared to vote for the proposition that the United States will enter into an understanding with our friends on the other side, either through a league of nations or in some other way, by which the armaments of the earth may be reduced, and I am prepared now to frankly and fairly say to our friends that unless some such agreement can be made the United States proposes to build a Navy which will be so strong in every particular that no nation on the face of God's earth can with safety invade the waters of the Western Hemisphere with hostile intent. [Applause.]

I do not know, as I said before, what was in the President's mind when he sent the telegram to Secretary Daniels, but I hope that there was something of that kind in his mind.

The statesmen of Europe are taking care of the interests of their own people. We have in Paris to-day a delegation from Great Britain safeguarding British interests. We have a delegation from France safeguarding French interests. We have a delegation from America, and I believe that delegation is safeguarding American interests.

That delegation is headed by the President of the United States—not the Democratic President of the United States, not the Republican President of the United States. To-day Woodrow Wilson represents all of the people of the United States; and without meaning to question any man's patriotism, I firmly believe that posterity will view with surprise the spectacle of American statesmen heckling and seeking to embarrass the President of the United States, who has carried democracy's message to Europe. [Applause.]

I believe that in all the essentials which he has laid down in Paris, Mr. Wilson speaks for 90 per cent of the American citizens. I believe that he speaks for Republicans as well as for Democrats. I believe that the people of this country, without regard to party, want Mr. Wilson to bring about a state of affairs which will enable us to do away with militarism for all time; and I believe that the American people want us, as their representatives here, to strengthen his hands. I hope that on both sides of the aisle we will get votes for this amendment and thus notify the world that we have wholeheartedly responded to the appeal that the President has sent to this country asking us to sustain him in the negotiations which he is carrying on on the other side. [Applause.]

Mr. MILLER of Minnesota. Mr. Chairman, I move to amend the amendment by striking out the figures "$2,000,000" and inserting in lieu thereof the figures "$210,000,000."

The CHAIRMAN. The gentleman from Minnesota offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Strike out the figures "$2,000,000" in the Padgett amendment and insert "$210,000,000."

Mr. MILLER of Minnesota. Mr. Chairman, I am surprised that a few gentlemen exhibit smiles upon their countenances as this amendment is read from the Clerk's desk. I want to say

to you that I have offered it in all seriousness. I am not bluffing. I mean business. I remember years ago, when the gentleman from Alabama, Mr. Hobson, and myself were the only two Members of the House who voted for six battleships, the only two who voted for five battleships, and for four, and on down. We used to get a few more for three and a majority usually voted for two. We have not been carrying the program of two battleships per year for the last eight years. We have fallen materially behind in that program. If we build the 10 battleships here authorized, we would just about make up for the deficiencies in these last eight years. We will just about have the Navy that we would have had had we kept to the two-battleship program throughout that time. As a strong believer, therefore, in a big Navy, I believe in making this appropriation outright, and to build the 10 battleships.

If some one suggests that perhaps in the near future an agreement at the peace table may result in disarmament, let me answer that by the statement that that agreement will certainly come early enough so that this appropriation can be repealed if necessary before a dollar of it is expended. We are doing one of two things, either we are bluffing or we mean business. It seems to me that it is not compatible with the dignity of the Congress or the American people to bluff. If, however, it is the consensus of opinion in the hearts of mankind, as reflected at the peace table in Paris, that the nations of the world should disarm, and that sentiment receives my cordial approval, then we can stop our program, but let us say now to the world that the American people to-day mean business, that we are going to build this Navy and have started to do it, and will carry the program out unless the other nations of the world agree with us to disarm.

There is no nation in this world to-day that needs a great navy like the United States, and I have in mind the great need of the British Empire and the great need of Japan. No other nation in the world has so great a coast line. No other nation in the world has thousands of miles on both the Atlantic and the Pacific, and even touching equatorial waters. Everybody conversant with the military condition of the United States knows that with the present Navy we can not defend the Panama Canal. The one problem that remains unsolved by our military authorities up to this very hour is, with our Military and Naval Establishments how to defend the Panama Canal, and this even though the attack be from a secondary power. If we have not learned a lesson during the past four years, then we never can learn. I have no faith that general disarmament will occur. I do not believe it will take place, and I doubt that there is a Member of this House who really believes it will come now, although it undoubtedly will some day. While we are in the condition that the world now finds itself in, let us go about building a United States Navy just as Theodore Roosevelt said it should be built 20 years ago. Let us build it so that it will be a great arm for America's defense the world over. Our interests extend into the Pacific to a great distance, they extend into equatorial waters, and they extend into the Arctic area to Alaska.

If we are to reap anything like our proper share of the world's commerce our ships will sail the seven seas of the world. If they are to receive the protection which is their due and which they must have we must have a great Navy. I confess to you that $2,000,000 does not mean business. Two million dollars is playing with a great, great principle. Let us make an appropriation adequate and commensurate with the purpose of building these 10 great battleships. I believe they will be needed in America's defense, and if perchance disarmament is agreed upon within the next six months or a year, then we can withdraw the appropriation; but until the nations of the world do that, let us keep our faces set forward and build these ships, and build them fast. We know not the hour when an adversary will appear. We know not who that adversary will be. It behooves us to be prepared for any adversary, and this requires sea power, covering both the Atlantic and Pacific. I believe the needs of our country require a large naval construction program and that every earnest and thoughtful American can support it.

Mr. DYER. Mr. Chairman, I desire to speak in opposition to the amendment of the gentleman from Minnesota. The gentleman says that he offers his amendment in good faith, in sincerity and not as a bluff, yet the gentleman says that if arrangements are effected by the peace conference providing for a less armament than we would need otherwise, that we can then repeal this provision that he would introduce. Gentlemen, the peace conference is in session now. We will know within a reasonable time what they accomplish in regard to these great matters, and to pass this now, in view of what has come before this House, would, in my judgment, be considered by all the delegates at the peace conference as a pure, gigantic bluff, and nothing more. The whole trouble with this proposition of offering an increase in the Navy provided by this amendment and as provided in the portion of the bill that was declared out of order has been due to the fact that the Committee on Naval Affairs have come into this House advocating this proposition not with facts and figures that justify it, not with the arguments that ought to appeal to the Members of Congress in appropriating or authorizing large appropriations of money, but they have come in here and said they are doing it for one reason, and that was because the President at the peace table had cabled here to the Secretary of the Navy, in effect, that he would be greatly embarrassed in his negotiations if we did not pass this portion of the bill. Now, Mr. Chairman, we ought not to legislate in that fashion. We ought to provide money to start the building of these battleships. We ought to authorize it if it is to the best interest of the country, regardless of any other thing. We ought not to vote here like a mere lot of puppets because the President says it will aid him in the negotiations at the peace table.

It may not mean anything else or it may mean that he wants to use it as a weapon, but I do not believe that we ought to resort to that kind of legislation. This proposition has been presented and, upon a point of order made by the distinguished gentleman from Illinois, the able Chairman of the Committee of the Whole House on the state of the Union said it was not in order upon this bill. Now, the gentleman from Tennessee, the chairman of the Committee on Naval Affairs, no doubt angry at the fact it has gone out, is now trying to embarrass all of us in putting it in here in piecemeal in a slipshod fashion. I am opposed to the amendment of the gentleman from Minnesota because I do not believe it was offered in sincerity, and I am opposed to the amendment of the gentleman from Tennessee because I do not believe that that has been offered in sincerity.

Mr. CALDWELL. Will the gentleman yield?

Mr. DYER. I will.

Mr. CALDWELL. Would the gentleman vote for a rule making the provision which was ruled out on the point of order in order so as to give the House an opportunity to vote upon this question?

Mr. DYER. I am perfectly willing myself; yes, ready and willing, to go on record now on this proposition, and if I had the opportunity I would vote against it, because, in my judgment, it has not been brought into this House with sincerity and honesty of purpose. I believe it has been offered in here for one purpose only, and that was because the President cabled in answer to the Secretary of the Navy that he would need it. No facts or figures were presented here showing the necessity of it, and while I followed the President during the war and voted for a lot of things I did not think we ought to vote for, yet I did it because he was the Commander in Chief of the Army and Navy, and I wanted to follow him as such, but now that the war is over I propose, as best I can, to use my own judgment and not be dictated to by the executive departments of the Government saying we must or should follow him without facts or figures.

Mr. LANGLEY. Mr. Chairman, I do not feel so much concerned about seeing this bill defeated, now that the distinguished chairman of the Committee of the Whole has sustained the point of order made by the gentleman from Illinois [Mr. MANN], provided, of course, that the provisions which were just knocked out of the bill will be kept out. I pause here to say that I desire to congratulate the distinguished gentleman from Tennessee, the present occupant of the Chair, upon the clearness and soundness of his ruling. It does him great credit, in view of the difficulties with which he was confronted, not only in a parliamentary sense, but otherwise.

I am against the amendment proposed by the gentleman from Tennessee, the chairman of the committee [Mr. PADGETT], and it follows, of course, that I am also against the amendment offered by the gentleman from Minnesota [Mr. MILLER], although I apprehend that his amendment will not be taken seriously.

Now, with regard to that famous cablegram from the President, I have not been taken into the confidence of the chairman of the committee and have been groping around as best I could to find out just what it all means and how it originated. My first understanding was that the President volunteered to cable Congress that they must approve this huge naval program that is proposed by the committee. After a good many of us had expressed our indignation on that assumption, lo, and behold, the gentleman from Washington [Mr. JOHNSON] announced to the House to-day that it originated with the Secretary of the Navy, who asked the President to send the cable that he did send. A little later in the session to-day the distinguished gentleman from Michigan [Mr. CURRIE], who made

such an admirable speech against the bill, announced, much to my surprise, that he had direct information, which thoroughly satisfied him, that the movement did not even originate with the Secretary of the Navy, but that it had its origin in the fertile brain of some other member of the President's Cabinet. I expect before we get through with the consideration of the bill to hear most anything else regarding it.

There have been so many witnesses introduced on the question that it brings to my mind a story. There was a young lawyer in a small town who made a specialty of personal-injury cases. He won two or three cases and got a snug contingent fee in each, and he concluded that he would go after a larger clientage than he could get in the small town where he lived, so he moved down to the "blue grass" and opened up a rather pretentious office in the city of Lexington. After he had been there a month or so a friend of his met him on the street and asked him how he was getting along. "Well," he said, "business is not as good down here as I expected to find it. I am going to try it a little while longer, and if business does not pick up pretty soon I'll be d—— if I don't intend to take my witnesses and move to Chicago." [Laughter and applause.] The only difference between this lawyer's witnesses and those that have been introduced on this cablegram question is that he had his witnesses thoroughly trained, while there is a marked lack of consistency between my colleagues who have been witnesses on this very important question. [Applause.]

Gentlemen, I don't want my attitude on this bill to be misunderstood. I would vote for a large Navy now if we needed it and had the money to pay for it, but I do not think we need it bad enough, as I have said before, to put all this additional burden upon the people. The gentleman from Minnesota [Mr. MILLER] began his remarks by saying that he was not bluffing at all; that he meant business in offering his amendment to strike out $2,000,000 and insert $221,000,000, and yet a moment or two later he made the statement that if we find out later on that the peace conference is going to agree to disarmament, or reduction of armament, then we can repeal the law providing for this big naval program, which is, in effect, a confession by him that his proposition is a bluff after all; and, of course, the representatives of the other Governments at the peace table will unquestionably construe it that way in view of what he said.

I can not for the life of me see the necessity or the good sense of enacting this legislation now and alarming the taxpayers of the country still more, when we can just as well enact it when it is entirely manifest that the necessity for it exists. Mr. Chairman, I can not understand why the administration is preaching disarmament in Europe and insisting upon an increase of armament in the United States. [Applause.] It is a species of acrobatic diplomacy that passeth my comprehension. [Laughter.] Neither do I see any necessity for all of this secrecy and concealment from Congress, the body that must appropriate the money; what the real purpose behind it all is.

What has become of the open diplomacy that formed a part of the sacred 14 points?

Surely it can not be possible that the President intended this to mean that he would play an open hand with foreign countries and hide the cards from his own country. I remember we were told that there was some hidden reason why we should repeal the Panama Canal tolls act, for which repeal I am glad to say I did not vote, and that we would be enlightened a little later on; and yet we know as much now as we did then and no more, which is nothing. Now, they tell us that there is a secret reason for this big naval program, and the inference is left that it will all be made plain to us after a while. Judging the future by the past, I doubt it. At any rate, I am not going to take any chances by voting for this program until I know absolutely we have got to have it. I think we ought to give a little more consideration to the harrassed and overburdened taxpayers of the country. If you are bound to make some more appropriations, then let us put the money into public buildings [laughter], which are so much needed and in the construction of which employment could be given to much of the idle labor of the country. If you feel bound to appropriate a few more hundred million dollars, let us put it into good roads. [Applause.]

Let us do something more for our soldier boys than is provided in the revenue bill which passed the House Saturday. Let us scatter the money over the country so that it will get into the hands of the masses, where it is really needed, instead of putting huge sums into vessels which, according to what the President said before we got into this war, will probably become obsolete types before they are ready for use. Let us stop creating so many additional places for these gold-braided gentlemen which the expenditure of all this money for naval construction would create and use it so it will do the common people some good. Let us stop the expenditure of so much money in creating engines of war, after the war is over, and devote whatever funds we can spare to the development and aid of peaceful pursuits and help to get the country back on a normal peace basis.

Mr. FERRIS. Will the gentleman yield?

Mr. LANGLEY. No; not now; wait until I finish on this point, and then I will yield, if I have the time left.

Let me repeat that we ought to consider the people's side of this question a little more than some of you seem inclined to do. We ought to be as generous toward them, at least, as was the Jew waiter toward the hen who, when his customer refused to take a fried egg after he had ordered it because the waiter charged him 10 cents for it, which he said was too much. In characteristic fasion the Jew waiter replied, "But, my dear sir, you must be reasonable and look at the other side of it. You must remember that an egg represents a whole day's work for a hen." [Laughter.]

Mr. Chairman, a billion dollars—and some of you gentlemen are proposing to expend a good many of them—represents a great many days, yes, a great many years' work for a great many people in this country. Mr. Chairman, I will not vote for any such bill now. Of course, I am in favor of carrying out what has already been provided for and I am in favor of carrying it out in a manner which will make it as easy as possible on the taxpayers, but that is as far as I intend to go until it is made perfectly clear to me that the honor and preservation of our country demand more. That is the way I feel about it and the way I am going to vote, and if anybody does not like my attitude, it does not matter to me. While I have the opportunity I want to add, that if a rule is brought in to make in order the provision which the chair's decision ruled out of order, I am against that, too. [Applause.]

Mr. SAUNDERS of Virginia. Mr. Chairman, I do not wish the members of the committee to conclude that because I have a large volume in my hand, I intend to use it on any extensive scale.

Mr. BUTLER. Will the gentleman excuse me if I ask the chairman of the committee one question before he begins his argument?

Mr. SAUNDERS of Virginia. Certainly.

Mr. BUTLER. May I ask the gentleman from Tennessee whether he proposes to press the vote on this amendment which he has offered?

Mr. PADGETT. Not to-night.

Mr. BUTLER. Some other night?

Mr. PADGETT. Not to-night.

Mr. BUTLER. I am much obliged to the gentleman from Virginia [Mr. SAUNDERS] for yielding to me.

Mr. SAUNDERS of Virginia. Mr. Chairman, I wish to put into the RECORD of to-day certain extracts from the naval hearings of 1915 that will abundantly sustain one or two statements which I made in the course of my oral argument a few days ago.

I stated on last Thursday that the Secretary of the Navy, and the admirals, who have heretofore testified before the Committee on Naval Affairs, had stated in the most positive fashion that this country in the determination of our naval program, had no reason to be concerned about the size of England's fleet.

In the naval hearings of 1915, Secretary Daniels testified as follows:

As Admiral Fletcher said yesterday, I do not think that there is any occasion for us to have as large a Navy as England, because, to cite one reason alone, we are so many miles away from any enemy. (See hearings 1915 testimony Secretary Daniels.)

Again in the same hearing in response to a question by Mr. BUTLER, Secretary Daniels stated:

I have clear views as to the Navy. I do not think we ought to try to have a Navy bigger than that of England, but I think we ought to have a powerful Navy.

In this connection I will state that our present Navy is a powerful one, decisively the second navy in the world, without the addition of a single ship.

Further the Secretary said:

I think the war in Europe is going to exhaust the resources of the countries engaged in it, and I think there is less likelihood of our country in the future having any trouble with those nations. We are not going to have in times of peace, what would be called a perfect war defense. So large a force would be contrary to American policies.

Again Secretary Daniels said in response to a question by Mr. GRAY:

I do not think it is necessary for us to keep up with England, but to have a regular, steady strength in our Navy.

If that was a sound statement of policy three years ago, I would like to know whether to-day we confront any more likely enemies, or greater dangers than at that time? I would like to know whether if the Secretary of the Navy was correct in

thinking three years ago that there was no occasion for this country to have a Navy as large as that of England, and that after the war there would be less danger than formerly of a collision with the countries of Europe, whether the elimination of Germany increases our danger, enhances the likelihood of war with some European country, and renders necessary the construction of a Navy as large as that of Great Britain? Will some one answer these questions?

Secretary Daniels states that we ought to have a powerful Navy. I agree that we ought to have a powerful Navy. But what is a powerful Navy? In the same testimony from which I have been quoting, Secretary Daniels referring to our Navy said:

We are ahead of all the nations now, except England. Perhaps Germany is slightly ahead of us.

A little later Secretary Daniels stated:

We have a powerful Navy, but it should be kept powerful.

If this statement was true in 1915, by how much the more is it true now? Many ships large, and small have been built in the intervening years. Moreover we adopted the program of 1916, which has been referred to as the greatest building program in all the history of naval construction. I am fully justified therefore in saying that we have a powerful Navy, an immensely powerful Navy at this time. This being so, do world conditions, and particularly the situation confronting us, justify colossal additions to our building program, in the name of national security? The yearly maintenance cost of the standing Army proposed of a strength of 500,000 men will be about $800,000,000. The yearly maintenance cost of a Navy greater than that of Great Britain will be not less than $800,000,000, and more likely to be nearer $1,000,000,000. These are great sums to be laid upou the taxpayers, unless some imperious urgency requires their imposition. Whence are these prodigious amounts to be derived?

Even Capt. Hobson, who was a protagonist of a great navy always excluded England as a factor in the determination of our naval policy. In the hearings of 1915, at a time when Capt. Hobson was a member of the Naval Committee, I find this statement by him:

My suggestion is that we always have Canada here as a hostage: second England has no great standing army behind her fleet, and a fleet that has no great standing army behind it can not be a real menace to the life of a nation. England has none, and ours has none. I put England out of the category of military nations.

Mr. GRAY asked Admiral Fletcher this question:

Are any of our naval experts advocating that we increase our Navy to make it equal to that of England?

Admiral FLETCHER. No; and I do not think that anybody has advocated that.

All of this was in 1915, and, as I have stated, we have added very greatly to our fighting ships since that time. The Secretary of the Navy, Mr. Daniels, has absolutely reversed his attitude of 1915, and without assigning any reason for his change of attitude, or for his present attitude, he now insists that this country should build, and maintain a navy greater than that of Great Britain. His new attitude I will proceed to give from his testimony in the recent hearings on the pending naval bill:

Mr. KELLEY. What we really did three years ago was to establish a new policy, which you probably did not state in full at the time, but which you now have in mind, namely, that we should pass from third place to first place substantially as fast as shipbuilding facilities could do it.

Secretary DANIELS. As fast as it could be built. It is utterly indefensible that we should have any navy at all, unless we have a navy at least equal to any other navy in the world, if old conditions continue.

Mr. KELLEY. And yet you recommend to this committee on the eve of the consummation of your hopes (of naval disarmament) a program looking to the greatest navy in the world?

Secretary DANIELS. Yes.

Mr. KELLEY. That is to say, Mr. Secretary, you want the most powerful navy in the world?

Secretary DANIELS. Absolutely, unless there is an international agreement such as we hope to get; because if you have a navy at all you want one powerful enough to defend the country against any power.

I stated a few days ago that we now possess the second navy in the world, and that our present dreadnaught strength was equal to that of France, Japan, and Italy. The first statement I will establish by Secretary Daniels; the second was established by the Scientific American and has not been denied. In the same hearings already cited we find the following:

Mr. KELLEY. We are easily the second naval power to-day, are we not, with Germany wiped out?

Secretary DANIELS. Yes.

Now, Mr. Chairman, these citations amply support the statements that I made, in my speech of a few days ago, that an absolutely new policy is being promulgated, one that treats Great Britain, our ally in the present war, and our peaceful neighbor since the War of 1812, over a century ago, as our next likely adversary in Europe, now that Germany has been overthrown. Surely it is a remarkable contention, that although three years ago, when Germany was at the height of her power, England was disregarded in the determination of our naval policy, the overthrow of Germany has apparently increased our dangers on the high seas, and so far from affording an argument for the reduction of our naval construction, really supplies a new reason for the multiplication of our national burdens.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. KNUTSON. Does not the gentleman think that if we embark on this ambitious plan it will cause competition among the nations to speed up their own navies?

Mr. SAUNDERS of Virginia. I believe that there could not be a more inauspicious time than the present to start upon a policy of competitive naval construction. Every other nation in the world is weary of war, and yearning for relief. Nowhere, save in this country, do we note the construction of new navies in progress. The nations are turning away from war, and the preparations for war. No new ships are being laid, or ordered under any new program, either in Great Britain, France, Italy or any other country. [Applause.]

Mr. FARR. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. FARR. The Japanese have voted the largest credit in the history of Japan for shipbuilding.

Mr. SAUNDERS of Virginia. Battleships?

Mr. FARR. Battleships.

Mr. SAUNDERS of Virginia. I have not heard of anything of the sort. It is not in your hearings.

Mr. FARR. I got that from naval circles in Washington.

Mr. SAUNDERS of Virginia. Well, the naval circles in Washington, ought to have made that statement to the Naval Committee, when it was preparing the pending bill. These myserious and unsupported intimations of suggested activity by Japan do not excite me and ought not to excite anyone. But even if they were true, Japan will have to go a long way to overtake our present strength. We can take an extended naval holiday, then begin building, and easily keep ahead of Japan, or for that matter of any other country in the world save England.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS of Virginia. I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. OLIVER of Alabama. The gentleman did not vote for the August, 1916, bill, did he?

Mr. SAUNDERS of Virginia. No; I did not.

Mr. OLIVER of Alabama. The gentleman did not vote for the bill passed in July, 1918?

Mr. SAUNDERS of Virginia. I think not, though I am not certain that I have in mind what that bill was.

Mr. OLIVER of Alabama. Is the gentleman in favor of the appropriations carried in this bill for the upkeep and maintenance of the Navy?

Mr. SAUNDERS of Virginia. Yes. I am willing to go that far, if the supplemental program is stricken out.

Mr. OLIVER of Alabama. And the only part of the bill as reported that the gentleman is opposed to is the new construction program?

Mr. SAUNDERS of Virginia. Yes.

I desire to call the attention of the committee to some further extracts from the recent testimony of Secretary Daniels showing the real extent of the naval policy involved in our action, should we adopt the supplementary program. I gathered from the report of the committee that the pending bill contained the substance of what Secretary Daniels styles the second three-year program. Such is not the case. The bill provides for only 10 first-class battleships, and 10 scout cruisers, all new construction. This is by no means all of the supplementary program.

I asked the chairman of the committee a few days ago this question: "Should we vote the supplemental program of big ships in the bill, will there be hereafter an additional number of small ships necessary to be constructed as the complement of the big ships, in order to make what the naval people call a well-rounded Navy?"

The chairman indicated that we had a disproportionate number of small ships at this time, and that the naval experts differed among themselves as to whether many more of those

smaller ships would be required to round out the new construction. Looking to the testimony of the Secretary of the Navy I find that the full program of the Secretary, and that is what will be ultimately carried out, should we adopt the program of the bill, calls for 10 dreadnaughts, 6 battle cruisers, 10 scout cruisers, and a complement of 130 other ships of various types to give us a well rounded Navy. The program in the bill is merely the head of the camel in the tent. The goal is a navy greater than Great Britain's, whatever may be the building activities of that country in the future. I wish some one speaking for the committee would give the country an approximate idea, first of the cost of construction, in billions, of a navy greater than that of England, second, when that navy is finally secured, the cost of its annual maintenance. At present though we are far short of our goal, the totals for the Naval Establishment for the years 1919 and 1920 are as follows: For the years 1919, $1,685,379,553; for the year 1920, $746,457,440.33.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. KNUTSON. How can we dovetail this naval program in with our desire for disarmament?

Mr. SAUNDERS of Virginia. I discussed that proposition a few days ago. It can not be done. It occurs to me that in no way could the United States inject a more alarming feature into the present situation abroad, or give greater offense to the nations, than by ordering a vast program of naval construction at this time. We are in less danger from any quarter than any other nation in the world, and therefore in a better position to wait on the outcome of the peace conference, and the action taken there, and then establish an appropriate policy. We can match building against building with any other country, or countries, should that course become necessary. For the present we can be quiescent without risk, and by a policy of repose steady the other nations.

Mr. EMERSON. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. EMERSON. Supposing that the President has said that it is necessary for his negotiations in Paris that we must pass this bill, what does the gentleman think about that?

Mr. SAUNDERS of Virginia. I will ask the gentleman a question, before giving him an answer. Is the determination of our naval policy, in the judgment of the gentleman from Ohio, an executive, or a legislative function?

Mr. EMERSON. It is both.

Mr. SAUNDERS of Virginia. Not at all. How can that be? We determine this policy. The legislative body should be ready and willing to receive suggestions from the Executive, from the Secretary, from the naval heads, from the experts, and from any other quarter. But when the legislative body has received these suggestions, whose duty is it thereafter under the Constitution to establish a naval policy? Will the gentleman answer that question?

Mr. EMERSON. Both. The President is there, sitting at the peace table, representing this country.

Mr. SAUNDERS of Virginia. Suppose he is. He is negotiating a treaty, not exercising legislative functions.

Mr. EMERSON. Are we to embarrass him and humiliate him?

Mr. SAUNDERS of Virginia. No. Not at all. That is the reason I do not wish to agree to the supplementary program. To vote this program at this time would be to project the most embarrassing element that could be devised, into the peace conference now sitting in Paris. [Applause.] This action on our part would be in hopeless and inescapable conflict with the declarations that have been made on our behalf that the President, speaking for this country, is seeking to replace the jealous, and selfish contentions of the Old World with the ideals of peace and justice. It is a little incongruous for the President to be the spokesman of the idealists in Paris, and for the United States in effect to flourish a great horse pistol at home by tumultuously ordering a vast program of unnecessary naval construction. [Applause.]

Permit me to read you what the Secretary of the Navy had to say heretofore with respect to the appropriate determination of a naval policy. I read:

> Mr. DANIELS. I think, in the first place, the policy of national defense is not determined by the Secretaries: It is determined by the Congress, and it is a very good thing for Congress to have the varying and fluctuating views, so that they may have all the light it can get, and then for it to fix the policy.

Well if it is an aid to this body to have varying, and fluctuating views, we have been abundantly supplied in this respect during the last five years, by the Secretary of the Navy and the naval experts, as shown by the extracts which I have read from their testimony. In full possession of a generous supply of "varying and fluctuating views," this body is assuredly well equipped to reach a wise conclusion, that is if wisdom comes that way. Further on this same line that it is the function and duty of Congress to establish a naval policy, Secretary Daniels makes this statement:

> You want recommendations from the executive department, and we have given them to you. You must then determine whether you will take them up, or improve them, or otherwise.

I agree fully with these declarations of Secretary Daniels. It is our duty to establish a naval policy, after we have secured the facts, and received the suggestions of our advisers. Once in the possession of the facts, it is our solemn duty to the American people to determine under our oaths whether at this time when our country is palpably and absolutely safe, we shall take an unnecessary step, and establish a program that may be fairly treated as a threat and a menace to the rest of the world. Bear in mind that this program is not inspired by the urgency of war, and does not provide for present construction. It belongs well to the future. We are doing what no other nation is doing. Apparently we repudiate the suggestion that the overthrow of Germany has in any wise made the world a safer and a better place for the peace-loving nations of the earth. Does our safety require this step? Let Secretary Daniels answer. Two years ago the Secretary declared that we had a fleet which was sufficient to defend either the Atlantic, or the Pacific coast. Since then we have adopted the program of 1916, and in addition have materially strengthened our fighting fleet by new construction. We have not only affirmatively strengthened ourselves, by our own activities, but our position has been made materially more secure by the overthrow of the one nation that was a menace to the rights and the liberties of the world. I repeat the statement heretofore made, that we have not merely crippled, weakened, or impaired the naval power of Germany, we have absolutely eliminated that Empire from present contemplation. If that be true, this is the time to reduce, not increase the burdens of the public. [Applause.] That, at least, Mr. Chairman, is the conclusion that I draw from a survey of present world conditions.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and Mr. SAUNDERS of Virginia having taken the chair as Speaker pro tempore, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the naval appropriation bill, H. R. 15539, had come to no resolution thereon.

ARMY APPROPRIATIONS.

Mr. DENT, from the Committee on Military Affairs, reported the bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report (No. 1048), ordered to be printed.

Mr. MANN. Mr. Speaker, I reserve all points of order on the bill.

POST OFFICE APPROPRIATIONS.

Mr. MOON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Post Office appropriation bill (H. R. 13308), and to disagree to all the Senate amendments and agree to the conference asked for by the Senate.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read the title of the bill (H. R. 13308) making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1920, and for other purposes.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to disagree to the amendments of the Senate and to agree to the conference asked for by the Senate. Is there objection?

Mr. BARKLEY. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Tennessee whether it will be possible, if necessary in order to maintain the amount appropriated in the House bill for motor-truck routes, that before the conferees agree to the Senate amendment reducing that amount he will bring it back to the House for consideration by the House.

Mr. MOON. Mr. Speaker, I hope the gentleman will not put the conferees in that sort of a position. It may be best to do that, or it may not be best. I will say this about every provision in the bill, that if there is any desire on the part of the House to vote upon any of the questions in the bill, the conference committee, of course, desire to carry out the wishes of the House; but we ought to have a full and free conference with the Senate, and I think it is not advisable to commit ourselves on any

one proposition in this bill. There are seventy-odd amendments, and it would put the House conferees at a very great disadvantage not to have a full and free conference on all of the questions in the bill, or to be committed to any particular action on any one amendment of the Senate. I think it is the part of wisdom to let the bill go to conference and have a full and free conference, and I want to assure the House that if it manifests a desire to vote upon any question the conferees certainly will have no desire to foreclose the vote on any amendment to the bill.

Mr. DYER. Does that apply to the aero mail increased appropriation also?

Mr. MOON. Oh, yes; it applies to everything. The House has the right to control the bill. The conferees are the servants of the House. We are willing to bring anything here that you want to vote upon, but we do not want to be pledged in advance as to any of these questions, because that would cripple the conferees in conference, and in getting the measure through, as far as possible, as desired by the House.

Mr. BARKLEY. Mr. Speaker, reserving the right to object—and I shall not object—I want to take advantage of this opportunity to express the hope to the gentleman from Tennessee and his fellow conferees that they will insist to the very last point possible on retaining the provision in the bill for motor-truck service, which was included in the bill when it passed the House. I hope that when it comes back it will retain that provision.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

The SPEAKER pro tempore. The Chair will announce the conferees.

Mr. MANN. Mr. Speaker, in order not to create a precedent, I think the present occupant of the chair ought to ask that by unanimous consent he may name the conferees. I do not think a Member temporarily occupying the chair as Speaker pro tempore is authorized under the rules to name the conferees without the consent of the House.

The SPEAKER pro tempore. Without objection, the present occupant of the chair will name the conferees.

There was no objection.

The SPEAKER pro tempore announced as conferees on the part of the House Mr. MOON, Mr. BELL, Mr. ROUSE, Mr. STEENERSON, and Mr. MADDEN.

LEAVE TO EXTEND REMARKS.

Mr. GORDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a decision of the Supreme Court, and also certain correspondence which I have had with my constituents on matters pending before the House.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD by printing an opinion of the Supreme Court and certain correspondence that he has had with his constituents. Is there objection?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to speak for three minutes to place in the RECORD a copy of an order published in Fort Washington in regard to the punishment that will be given the soldier who asks for political or civilian influence.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent to proceed for three minutes for the purpose indicated. Is there objection? [After a pause.] The Chair hears none.

Mr. MASON. Mr. Speaker, I stated the other day that in certain camps and cantonments they had posted notices that any soldier who applies for any assistance in the matter of his discharge will be court-martialed and punished. I now print as a part of my remarks, to save time, the copy of the order posted on the bulletin board at the headquarters of the coast defense of the Potomac, Fort Washington, Md., which states in substance:

First. Orders of the War Department direct that no person in the military service shall seek directly or indirectly to secure action affecting his military status by political or civilian influences.

Second. The discharge of soldiers under existing orders and instructions is being carried out by the commanding officer as impartially as possible and with due interest to the welfare of each soldier concerned. The commanding officer, and no doubt unit commanders, are receiving applications from civilian and political sources that are a source of annoyance to those who receive letters besides wasting valuable time.

Third. Every soldier of this command is forbidden to write any person whosoever outside of the military service asking directly or indirectly for assistance affecting the soldier's status. Every case where there is reasonable ground for believing that the soldier has disobeyed these orders and instructions he will be brought to trial by court-martial for disobedience of orders.

Mr. DYER. Will the gentleman yield?

Mr. MASON. I have only three minutes.

Mr. DYER. Does the gentleman understand that by "political influence" is meant the efforts of Members of Congress to have the case of the soldier considered?

Mr. MASON. Some of us think we are politicians and some of us think we are statesmen. I have ranked myself as a politician because Speaker Reed once said that a statesman is a dead politician. [Laughter.]

I called attention to this the other day and I offer it again as a reason for the passage of a resolution I have introduced. This whole act of demobilization is being dillydallied with. We have had two colleagues come from France in the last 10 days or 2 weeks, one telling of the dreadful condition of our boys there and the fact that they are not comfortable and not sheltered.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MASON. Mr. Speaker, I ask unanimous consent for two minutes more.

The SPEAKER pro tempore. The gentleman asks that his time be extended two minutes. Is there objection?

Mr. GARD. I have no objection to the gentleman incorporating that which he desires in the RECORD, but this has already been gone over many times, and I object.

Mr. MASON. Mr. Speaker, what was the objection to my proceeding?

The SPEAKER pro tempore. The gentleman from Ohio objected to the two additional minutes.

Mr. MANN. Mr. Speaker, I move that my colleague be allowed to address the House for five minutes.

The SPEAKER pro tempore. The gentleman from Illinois moves that his colleague [Mr. MASON] be allowed to speak for five minutes.

Mr. LOBECK. I move to amend by making it 10 minutes.

Mr. MASON. I can finish in five minutes and perhaps in three.

Mr. LOBECK. I withdraw my amendment.

Mr. GARD. Mr. Speaker, I make the point of order that the motion of the gentleman from Illinois is not in order.

Mr. MANN. It is in order; there is nothing else before the House.

The SPEAKER pro tempore. The Chair is not sure that it is in order, but he will put the question.

The question was taken, and the motion was agreed to.

Mr. MASON. Mr. Speaker, in the five minutes you have been kind enough to give me I am calling attention to the resolution I offered, which I have submitted to the Committee on Rules and which I hope the committee will report. The resolution simply appoints a nonpartisan committee of four Democrats and four Republicans—and I think you gentlemen on the other side ought to be willing to agree to it, for it is your last chance to get an even show on committees—to take evidence to assist the military arm of the Government in giving our boys their rights. As a matter of fact the officers, as a general rule, are fine men, but there is another fact that there is a certain class of them that want to maintain their units in order to maintain their own commissions. One of our colleagues who came back from France—and I am not using his name, for I do not see him present—said that on the vessel he came back on there was room for a thousand more soldiers; that there were staterooms in which there were three berths and only occupied by one person.

Mr. Speaker, there ought to be some way to arrange this matter. There is no disposition to find fault. The only thing to do is to help, and if you can have a committee here in Washington with power to do that, we will reach the point where we can say to the little man with big shoulder straps, "Give these boys a chance to be heard." Under this rule, if a man wrote to his father and told him that he had to have two affidavits, he would be subject to court-martial and to punishment. If he wrote to his own mother and told her that under the rules of the War Department he had to have two affidavits showing why he was needed at home, he would violate the rule laid down here and would be subject to court-martial. The question is whether you are willing to have this committee, whether you are willing to speed taking these boys home. If they are needed, keep them; but if you intend to demobilize them, give them a chance. I say to you that some of them are being abused, and if you will give the committee, while I can not call these boys here and use their names now and have them court-martialed, I shall call them before the committee which will protect them. One Iowa Congressman told me of a case where a boy had made application because his brother had broken his leg and he wanted to

go home and help his father with his spring farming, and the officer called this boy the vilest name ever applied to a human being. He called him a coward, and said that he was trying to avoid his duty.

Mr. RAKER. Mr. Speaker, does the gentleman know of any specific case where a soldier now in a cantonment has been placed on trial, at court-martial, because he wrote to his father or mother for these affidavits or because his case has been presented to friends or to the Representative of his district, and the commander of the cantonment had been asked to give the boy's case consideration?

Mr. MASON. I will say to the gentleman that three of my colleagues have told me of cases where they took up the case on the suggestion of the father and mother, where the boys were court-martialed.

Mr. RAKER. For this?

Mr. MASON. For the offense of asking for outside influence in presenting matters in respect to their discharge. I have another case of my own, where I simply wrote a recommendation certifying to the man's good name, to his officer, and the boy was threatened with court-martial; and it was all returned to me with an indication that I should keep off the grass. I told the Secretary of War that being a Member of Congress ought not to deprive me of my citizenship, nor should it estop me from suggesting in a respectful way anything that I could suggest for the good of the service.

Mr. Speaker, at the proper time, under the strict rules applying here in this deliberative body, I am going to ask for the discharge of the Committee on Rules, so that I may have a vote upon this question. I want to know who are willing to let these boys have some civil place to which to appeal for defense. The man who copied this for me would be court-martialed to-morrow if they knew that he had copied it; and yet he did it at my request. Here is an order printed which says to every man who dares, in time of peace, to write to anyone is subject to court-martial, and it is accompanied with an insulting remark that it is an annoyance to these distinguished officers to get letters from politicians and civilians and it is a waste of time. They have to read them to see whether it is a politician who writes them, and take some time to deposit them in the wastebasket. [Applause.]

VOTE ON REVENUE BILL—PERSONAL EXPLANATION.

Mr. WATSON of Virginia. Mr. Speaker, I ask unanimous consent to proceed for half a minute.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. WATSON of Virginia. Mr. Speaker, on Saturday evening, understanding there would be no record vote upon the adoption of the conference report upon the revenue bill, I absented myself from the Capitol on other business. I desire simply to state that had I been present I would have voted in favor of the adoption of the conference report.

HOUR OF MEETING TO-MORROW.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. Is there objection?

Mr. MADDEN. Mr. Speaker, I object.

CHANGE OF REFERENCE.

Mr. CALDWELL of New York. Mr. Speaker, I ask unanimous consent that reference with the bill (H. R. 15742) to regulate the collection and expenditure of money, other than by the Government of the United States or by its authority, for the use and benefit of the armed forces of the United States and of its allies, and especially of France, Great Britain, Italy, Belgium, Serbia, Greece, and Montenegro, or for any auxiliary organizations of said Governments maintained and operated for the use and benefit of such armed forces, be changed from the Committee on the Judiciary to the Committee on Military Affairs, where it properly belongs. A similar bill in the Senate has been referred to the Committee on Military Affairs.

Mr. WALSH. Mr. Speaker, I object. This is no time to do that.

RELEASE OF CONSCIENTIOUS OBJECTORS.

Mr. SLOAN. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SLOAN. Mr. Speaker, recently there were discharged from the Leavenworth Penitentiary several hundred so-called conscientious objectors, who refused to either fight or work. The manner of their discharge has become a matter of considerable interest out there. The Legislature of Nebraska has passed some emphatic resolutions, which I desire to present here and made a part of the RECORD. I may at a later date have something to say concerning these resolutions, but just now, as the Secretary of War is called upon for an explanation, and it may be given, I shall at this time withhold further comment. I desire to print these resolutions as a part of my remarks.

The SPEAKER pro tempore. The gentleman from Nebraska [Mr. SLOAN] asks unanimous consent that he may print certain indicated resolutions as a part of his remarks. Is there objection?

Mr. GARD. Mr. Speaker, reserving the right to object, will the gentleman indicate what the resolutions are?

Mr. SLOAN. The Legislature of Nebraska has seen fit to condemn the action of the Secretary of War in releasing several hundred men in a great body from the Leavenworth Penitentiary. They say these inmates refused to either fight or work during the whole period of the war. It is alleged that they were paid in full for the time they were imprisoned, given a new suit of clothes, a sum of money, $10 or $25 in cash, honorably discharged, and sent home.

Mr. LITTLE. Honorably discharged?

Mr. SLOAN. Yes. This has given rise to indignation on the part of the people out in our country.

Mr. GARD. This has already been expressed in the State of Nebraska in the newspapers, has it not?

Mr. SLOAN. Oh, yes; but I am inclined to think it is of such general nation-wide interest that it ought to go into the RECORD. If I can not get it in the RECORD upon this request, I think I will try to impose myself on the House for time to read and comment thereon. I do not like to do that.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska? [After a pause.] The Chair hears none.

The resolutions referred to are as follows:

UNITED STATES OF AMERICA,
STATE OF NEBRASKA.

I, Darius M. Amsberry, secretary of state of the State of Nebraska, do hereby certify that the resolutions hereunto attached and herewith pertaining are a true, correct, complete, and verified copy of the resolutions adopted by the senate, Legislature of Nebraska, thirty-seventh session, February 5, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln this 7th day of February, in the year of our Lord 1919 and of the independence of the United States the one hundred and forty-third, and of this State the fifty-second.

[SEAL.] DARIUS M. AMSBERRY,
Secretary of State.

—

LINCOLN, NEBR., *February 5, 1919.*

Hon. D. M. AMSBERRY,
Secretary of State, Lincoln, Nebr.

DEAR SIR: The following resolution was adopted by the State senate under this date and is hereby transmitted to you:

[Legislature of Nebraska, thirty-seventh session. Senate file No. —. A resolution introduced by Senators Reed and Hall, Johnson, Hammond, Neal, and Cronin.]

"Whereas press reports state that several hundred men who were drafted for service in the war and refused to bear arms or work or obey orders of their superior officers, or in any manner assist in the defense of their country, or support thereof, are to be given, and are being given, honorable discharge from the Army, fitted out with a complete outfit of civilian clothing and paid the full wages, and in some instances $15 to $25 more than that which they would have received had they been loyal to their country and served in the trenches and borne the hardships incident thereto; and

"Whereas there are several hundred thousand loyal American soldiers still in France who have willingly offered their lives in defense of their country and who are anxious to be discharged and return to private life, loyal and unselfish men who will some day return to find their positions filled by the unpatriotic slackers and conscientious objectors wearing the clothing furnished them by the Government and with no provision made for rewarding and honoring those who have saved the country and who by their glorious achievements have preserved to posterity the honor of the Nation: Now, therefore be it

"Resolved by the Senate of the State of Nebraska, That we earnestly protest against the action of Secretary of War Baker in rewarding the slacker and the traitor, which we stamp as a direct insult to the brave soldiers who so valiently went forth to defend democracy and freedom against the awful blight of Kaiserism at the sacrifice of their lives, and to the Red Cross nurses who risked their lives to administer to the wounded and bleeding upon the battle fields of Europe, and every other worker who participated in the support of the war, and we call upon the Congress of the United States to condemn the said action of Secretary Baker, as it is not consistent with the principles of true Americanism, and we further call upon Congress to honor and reward the loyal and faithful men of our Army and Navy in a manner befitting their glorious deeds; be it further

"Resolved, That a certified copy of this resolution be sent by the secretary of state to Secretary of War Baker and to the Members of Congress and the Senators from this State."

I, Clyde H. Barnard, secretary of the Senate of Nebraska, hereby certify that the above and foregoing is a true, complete, and verified copy of resolution adopted by the senate February 5, 1919.

CLYDE H. BARNARD,
Secretary of the Senate.

UNITED STATES OF AMERICA,
STATE OF NEBRASKA.

I, Darius M. Amsberry, secretary of state of the State of Nebraska, do hereby certify that the resolutions hereunto attached and herewith pertaining are a true, correct, complete, and verified copy of the resolutions adopted by the House of Representatives, Legislature of Nebraska, thirty-seventh session, February 5, 1919.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln, this 7th day of February, in the year of our Lord 1919, and of the independence of the United States the one hundred and forty-third, and of this State the fifty-second.

[SEAL.]

Secretary of State.

HOUSE OF REPRESENTATIVES,
OFFICE OF CHIEF CLERK,
Lincoln, Nebr., February 6, 1919.

[Legislature of Nebraska, thirty-seventh session. A resolution, introduced by Representatives Miller, Mears, Sandquist, Foster, Gerhart, Fries, Birdsall, and Purdy.]

Whereas press reports state that several hundred men, known as conscientious objectors, who were drafted for service in the war and refused to bear arms or work or obey orders of their superior officers, or in any manner assist in the defense of their country or support thereof, are to be given and are being given honorable discharge from the disciplinary barracks, fitted out with a complete outfit of civilian clothing, and paid the full wage, and, in some instances, $15 to $25 more than that which they would have received had they been loyal to their country and served in the trenches and borne the hardships incident thereto; and

Whereas there are several hundred thousand loyal American soldiers still in France who have willingly offered their lives in defense of their country and who are anxious to be discharged and return to private life—loyal and unselfish men, who will some day return to find their positions filled by the unpatriotic slackers and conscientious objectors wearing the clothing furnished them by the Government—and with no provision made for rewarding and honoring those who have saved the country and who, by their glorious achievements, have preserved to posterity the honor of the Nation: Now, therefore, be it

Resolved by the House of Representatives of the State of Nebraska, That we earnestly protest against the action of Secretary of War Baker in rewarding the slacker and the traitor, which we stamp as a direct insult to the brave soldiers who so valiantly went forth to defend democracy and freedom against the awful blight of Kaiserism at the sacrifice of their lives, and to the Red Cross nurses who risked their lives to administer to the wounded and bleeding upon the battle fields of Europe, and every other worker who participated in the support of the war; and we call upon the Congress of the United States to condemn the said action of Secretary Baker, as it is not consistent with the principles of true Americanism; and we further call upon Congress to honor and reward the loyal and faithful men of our Army and Navy in a manner befitting their glorious deeds; be it further

Resolved, That a certified copy of this resolution be sent by the secretary of State to Secretary of War Baker and to the Members of the Congress and the Senators from this State.

D. S. DALBEY, *Speaker.*
WILL F. HITCHCOCK,
Chief Clerk of the House.
DARIUS M. AMSBERRY,
Secretary of State.

Mr. MAPES. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent to speak for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. PADGETT. Mr. Speaker, will the gentleman withhold for a moment? I wish to renew my request for unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

Mr. KITCHIN. Mr. Speaker, I want to give notice that as soon as the gentleman from Michigan gets through I am going to move to adjourn.

Mr. MANN. I would like to ask the gentleman if the naval bill gets through before time to adjourn to-morrow what is to be taken up then?

Mr. KITCHIN. The military appropriation bill, which is reported.

Mr. MAPES. Mr. Speaker, it so happens that a large number of the American troops who are in Russia came from the State of Michigan and a large part of them from the congressional district which I have the honor to represent. As expressive of the sentiment of the people of my district as to their continuance in Russia I desire to have read in my time a letter from the mayor of the city of Grand Rapids giving a resolution which was adopted at a mass meeting of the citizens of that city.

The SPEAKER pro tempore. Without objection, the Clerk will read in the gentleman's time.

The Clerk read as follows:

CITY OF GRAND RAPIDS, MICH.,
February 6, 1919.

Hon. CARL E. MAPES, M. C.,
Washington, D. C.

MY DEAR CONGRESSMAN: At a meeting of the citizens of this city held Wednesday evening, February 5, the following resolution was adopted:

"Whereas the United States Government is now maintaining an armed force in northern Russia, among whom are a number of soldiers from this city and vicinity; and

"Whereas it appears that the force there maintained is wholly inadequate to cope with the forces sent against them, and there is grave danger that their maintenance as at present will result in many if not all of the soldiers being overcome by the forces opposed to them; and

"Whereas it appears that their maintenance in northern Russia at this time is not necessary for the safety and welfare of the country, or necessary as a military measure: Therefore

"*Resolved,* That we, the citizens of the city of Grand Rapids, most earnestly protest against the retention of our boys in Russia; and further

"*Resolved,* That the Secretary of War be, and he hereby is, requested to withdraw said force at as early a date as practicable, to the end that their lives may not needlessly be sacrificed in maintaining an unnecessary military venture; and be it further

"*Resolved,* That a copy of these resolutions be transmitted to the Secretary of War, to the Congressman from this district, and to the Members of the Senate from this State, and ask the Congressman and Senators to cable the President to this effect."

Respectfully,

CHRISTIAN GALLMEYER, *Mayor.*

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 44 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 11, 1919, at 11 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Smithsonian Institution submitting a supplemental estimate of appropriations to enable the institution to heat and equip for exhibition purposes the metal structure erected by the War Department in the Smithsonian Grounds, fiscal year 1920 (H. Doc. No. 1780); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Acting Secretary of State submitting a supplemental estimate of appropriation required by the Pan American Union for printing and binding, fiscal year 1919 (H. Doc. No. 1781); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Secretary of the Interior submitting a substitute estimate of appropriation required by the Interior Department for administration of the National Park Service in lieu of estimate heretofore submitted (H. Doc. No. 1782); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Assistant Secretary of Labor submitting a supplemental estimate of appropriation required by the Department of Labor for increased cost of envelopes, fiscal year 1919 (H. Doc. No. 1783); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Acting Secretary of the Treasury, transmitting copy of communication from the Postmaster General submitting supplemental estimate of appropriation required by the Post Office Department and Postal Service (H. Doc. No. 1784); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. JOHNSON of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (H. R. 15608) to incorporate the War Mothers of America, reported the same without amendment, accompanied by a report (No. 1047), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. COOPER of West Virginia: A bill (H. R. 15815) donating a captured German cannon or field gun and carriage to the town of Bramwell, W. Va., for decorative purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 15816) donating a captured German cannon or field gun and carriage to the town of Mullens, W. Va.; to the Committee on Military Affairs.

By Mr. BESHLIN: A bill (H. R. 15817) authorizing the Secretary of War to donate to the town of Greenville, Pa., four

German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CLARK of Missouri: A bill (H. R. 15818) authorizing the Secretary of War to donate to the town of Elsberry, Mo., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WICKERSHAM: A bill (H. R. 15819) to amend an act entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, and for other purposes; to the Committee on the Territories.

By Mr. PARKER of New York: A bill (H. R. 15820) authorizing the Secretary of War to donate a captured German cannon or fieldpiece to the village of Schuylerville, N. Y.; to the Committee on Military Affairs.

By Mr. CRAMTON: A bill (H. R. 15821) authorizing the Secretary of War to donate to the town of Imlay City, Mich., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15822) authorizing the Secretary of War to donate to the county of Lapeer, Mich., two German cannons or fieldpieces to mark the Victory Highway; to the Committee on Military Affairs.

By Mr. RUBEY: A bill (H. R. 15823) authorizing the Secretary of War to donate to the city of Mountain Grove, Mo., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15824) authorizing the Secretary of War to donate to the State Federal soldiers' home at St. James, Mo., two German cannons or fieldpieces; to the Committee on Military Affairs.

Also, a bill (H. R. 15825) authorizing the Secretary of War to donate to the city of Houston, Mo., two German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 15826) providing for the conveyance to the State of Montana of Fort William Henry Harrison Military Reservation for educational and other purposes; to the Committee on Military Affairs.

By Mr. DENTON: A bill (H. R. 15827) authorizing the Secretary of War to donate to the city of Lincoln City, Ind., one German cannon or fieldpiece, to be placed in Nancy Hanks Park; to the Committee on Military Affairs.

By Mr. DALE: A bill (H. R. 15828) donating two captured German cannons or field guns and carriages to the city of Montpelier, in the State of Vermont, for decoration purposes on the grounds of the State capitol; to the Committee on Military Affairs.

Also, a bill (H. R. 15829) donating a captured German cannon or field gun and carriage to the town of Greensboro, Vt., for decorative purposes; to the Committee on Military Affairs.

By Mr. GEORGE W. FAIRCHILD: A bill (H. R. 15830) authorizing the Secretary of War to donate to the city of Cooperstown, N. Y., one German cannon or fieldpiece, to be placed in the city park; to the Committee on Military Affairs.

By Mr. DOWELL: A bill (H. R. 15831) donating a captured German cannon or field gun and carriage to the city of Redfield, county of Dallas, State of Iowa; to the Committee on Military Affairs.

By Mr. CONNALLY of Texas: A bill (H. R. 15832) for the purchase of a site for the erection of a post-office building at Hamilton, Tex.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15833) for the purchase of a site for the erection of a post-office building at Gatesville, Tex.; to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: A bill (H. R. 15834) to extend the time for the construction of a bridge across the Red Lake River, in Pennington County, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. DENT: A bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920; to the Committee of the Whole House on the state of the Union.

By Mr. SIMS: A bill (H. R. 15836) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 15837) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. GOULD: Resolution (H. Res. 563) directing the Secretary of War to furnish the House of Representatives with certain information concerning prisoners confined at Fort Leavenworth, also the discharge of conscientious war objectors; to the Committee on Military Affairs.

Also, resolution (H. Res. 564) directing the Secretary of War to furnish the House of Representatives with certain information regarding the confinement of military prisoners; to the Committee on Military Affairs.

Also, resolution (H. Res. 565) directing the Secretary of War to furnish the House of Representatives with certain information regarding court-martial cases since April 6, 1917; to the Committee on Military Affairs.

By Mr. PADGETT: Resolution (H. Res. 566) making in order certain new legislation in House bill 15539, notwithstanding the rules of the House; to the Committee on Rules.

By Mr. TAGUE: Resolution (H. Res. 567) for the appointment of a committee to investigate the administration of wires now under the control of the Postmaster General; to the Committee on Rules.

By Mr. EMERSON: Joint resolution (H. J. Res. 409) to give a war trophy to Bedford, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 410) to give a war trophy to Thompson, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 411) to give a war trophy to Middlefield, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 412) to give a war trophy to Painesville, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 413) to give a war trophy to East Cleveland, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 414) to give a war trophy to Willoughby, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 415) to give a war trophy to Madison, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 416) to give a war trophy to Burton, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 417) to give a war trophy to Wickliffe, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 418) to give a war trophy to Chagrin Falls, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 419) to give a war trophy to Lakewood, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 420) to give a war trophy to Perry, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 421) to give a war trophy to Chardon, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 422) to give a war trophy to Mentor, Ohio; to the Committee on Military Affairs.

Also, joint resolution (H. J. Res. 423) authorizing the Secretary of War and the Secretary of the Navy to procure a metal button to be given each soldier, sailor, and marine who served in the world war; to the Committee on Military Affairs.

By Mr. WICKERSHAM: Joint resolution (H. J. Res. 424) to amend an act entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," approved March 12, 1914, and for other purposes; to the Committee on the Territories.

By Mr. CLARK of Missouri: Memorial from the Legislature of the State of Montana, urging Congress to pass an act ceding to the State of Montana certain lands; to the Committee on the Public Lands.

Also, memorial from the Legislature of the State of Oregon, urging Congress to pass such laws as will permit the American shipbuilders to build ships for foreign nations; to the Committee on the Merchant Marine and Fisheries.

Also, memorial from the Legislature of the State of Wisconsin, urging the Congress of the United States to enact legislation to allow soldiers, sailors, and marines who served in the war against Germany and her allies six months' pay after discharge; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Montana, favoring woman suffrage; to the Committee on Woman Suffrage.

By Mr. CAMPBELL of Kansas: Memorial from the Legislature of Kansas, favoring a duty of 2 cents per pound on zinc ore imported into the United States; to the Committee on Ways and Means.

By Mr. DAVIS: Memorial from the Legislature of the State of Minnesota, urging Congress to provide means for purchasing and moving of the wheat still remaining in the hands of the farmers; to the Committee on Agriculture.

By Mr. ESCH: Memorial from the Legislature of the State of Wisconsin, favoring six months' pay for discharged soldiers, sailors, and marines; to the Committee on Military Affairs.

Also, memorial from the Legislature of the State of Wisconsin, favoring the early discharge of farmers from the military and

naval service of the United States; to the Committee on Military Affairs.

By Mr. FRENCH: Memorial from the Legislature of the State of Idaho, urging Congress to appropriate $500,000 for building highway to the Elk City mining region; to the Committee on the Post Office and Post Roads.

By Mr. McARTHUR: Memorial from the Legislature of the State of Oregon, urging Congress to enact such legislation as will permit the American shipbuilders to build ships for foreign nations; to the Committee on the Merchant Marine and Fisheries.

By Mr. A. P. NELSON: Memorial of the Legislature of the State of Wisconsin, favoring an early discharge from the Army and the Navy all men who were engaged in agriculture at the time they entered the service; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Wisconsin, favoring six months' pay for soldiers, sailors, and marines upon discharge from the service; to the Committee on Military Affairs.

By Mr. STEENERSON: Memorial from the Legislature of the State of Minnesota, urging Congress for an early and favorable action upon Senate bill 4922 and House bill 12880, for the relief and rehabilitation of industrial workers in the prosecution of the war with Germany; to the Committee on Education.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BESHLIN: A bill (H. R. 15838) granting a pension to Verna Hanmore; to the Committee on Invalid Pensions.

By Mr. FIELDS: A bill (H. R. 15839) granting an increase of pension to James L. Buckler; to the Committee on Pensions.

Also, a bill (H. R. 15840) granting an increase of pension to Joseph McClure; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 15841) granting a pension to Mrs. J. Franklin Bell; to the Committee on Invalid Pensions.

By Mr. LaGUARDIA: A bill (H. R. 15842) for the relief of Thomas J. O'Mara; to the Committee on Claims.

By Mr. LUNN: A bill (H. R. 15843) granting a pension to Jane H. Larkin; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. COOPER of West Virginia: Petition by citizens of Williamson, Ceredo, and Kenova, W. Va., urging the retention for a time by the Government of the wire systems of the country; to the Committee on Interstate and Foreign Commerce.

By Mr. COPLEY: Petition of Will County, Ill., Teachers' Institute, requesting the President and the Congress of the United States to recognize the newly proclaimed government of Armenia; to the Committee on Foreign Affairs.

By Mr. CRAGO: Petition of citizens of Uniontown, Pa., favoring the repeal of the postal zone system; to the Committee on Ways and Means.

By Mr. DALLINGER: Petition of Federal Employment Service, inaugurated by Federal Government, favoring the continuance of the present system of Federal employment service; to the Committee on Military Affairs.

By Mr. DOOLING: Petition of Merchants' Association of New York, relative to discontinuance of operation by the Government of railroads, telephones, and telegraphs; to the Committee on Interstate and Foreign Commerce.

By Mr. EMERSON: Petition of United Mine Workers of America, representing 50,000 mine workers in Ohio, asking for equal division of work to prevent closing of mines; to the Committee on Mines and Mining.

Also, petition of Brotherhood of Carpenters and Joiners' Union, against a State constabulary; to the Committee on Labor.

By Mr. ESCH: Memorial of Merchants' Association of New York, relative to the discontinuance of operation by the Government of railroads, telephones, and telegraphs; to the Committee on Interstate and Foreign Commerce.

Also, petition of Northern Hemlock & Hardwood Manufacturers' Association, relating to readjustment of labor, employment of returning soldiers, and building of roads in cut-over lands of Wisconsin and Michigan, thereby opening them for settlement; to the Committee on Roads.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, against locating returned soldiers and other citizens in segregated and supervised groups upon Government-owned lands; to the Committee on the Public Lands.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, relating to securing farms for returning soldiers and civilian employees of the Government in cut-over lands of Wisconsin and Michigan; to the Committee on the Public Lands.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, recommending the immediate return of telegraph and telephone lines to their owners; to the Committee on Interstate and Foreign Commerce.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, recommending that appropriations should be continued for work of forest products laboratory at Madison, Wis.; to the Committee on Appropriations.

Also, petition of Northern Hemlock and Hardwood Manufacturers' Association, relating to return of railroads to their owners after Congress shall have enacted such revised, regulatory measures as will insure adequate service to the public and fair returns to owners of these properties; to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER of Illinois: Petition of sundry citizens of Illinois, for the repeal of the postal zone law; to the Committee on Ways and Means.

By Mr. GREENE of Vermont: Petition of sundry citizens of St. Albans, Vt., for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLINGSWORTH: Petition of Cincinnati Planer Co., favoring bill to establish national trade schools, and requiring War Department to loan certain machine tools not in use for Government purposes to trade and technical schools; to the Committee on Military Affairs.

Also, petition of the Chamber of Commerce of Steubenville, Ohio, favoring the return by the Government of the telephone companies to private management and control at the earliest practicable date, the Government to make good any loss or injury sustained by governmental management and control; to the Committee on Interstate and Foreign Commerce.

By Mr. HUTCHINSON: Resolution adopted by the supreme board of directors of the Knights of Columbus, urging that President Wilson be asked to use his great influence at the peace conference to the end that the people of Ireland be permitted to determine for themselves the form of government under which they wish to live; to the Committee on Foreign Affairs.

By Mr. KINKAID: Petition of citizens of the sixth congressional district of Nebraska against the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of Eliza Barfoot and 86 others, of the sixth congressional district of Nebraska, protesting against the postal zone rate amendment; to the Committee on Ways and Means.

By Mr. LINTHICUM: Petition of Baltimore Chamber of Commerce, relating to price of wheat and asking that farmers shall receive their promised price, based on the difference between Government guaranty and world's price in open markets, and that on leaving the farmers' hands the wheat should be dealt in without restriction as in prewar times; to the Committee on Agriculture.

Also, petition of E. Oliver Grimes, jr., counsel relief department, Western Maryland Railway Co., relating to pensions and superannuation allowances affecting civil-service pensions; to the Committee on Pensions.

Also, petition of board of governors' meeting, Kewanis Club, Baltimore, Md., favoring the continued Government control and operation of wire systems until Congress shall have determined upon a proper and safe procedure; to the Committee on Interstate and Foreign Commerce.

By Mr. OSBORNE: Memorial of Rotary Club of Los Angeles, Cal., urging the termination of public control of railroads within 21 months after the signing of a peace treaty; to the Committee on Interstate and Foreign Commerce.

Also, memorial of Founders' and Employers' Association, of Los Angeles, Cal., urging prompt return of the railroads of the United States to their private owners; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDALL: Petition of Society of Civil Engineers, Mechanical Engineers, Chemical Society, Electrical Engineers, Mining Engineers and Architects, and Engineers and Architects Association of Southern California, favoring $100,000,000 appropriation for use in land reclamation and providing immediate work and subsequent homes for returning soldiers; to the Committee on Appropriations.

By Mr. STEENERSON: Memorial of H. M. Bracken, M. D., State board of health, St. Paul, Minn., urging early and favorable action upon House bill 14185, known as the rural sanitation and health bill; to the Committee on Agriculture.

By Mr. STINESS: Petition of Hon. Howard B. Gorham, president of the Providence, R. I., school committee, and Isaac O.

Winslow, superintendent of public schools of Providence, R. I., favoring the passage of House bill 15625, to provide for further educational facilities by requiring the War Department to loan certain machine tools not in use to trade and technical schools; to the Committee on Military Affairs.

By Mr. TAGUE: Petition of the Merchants' Association of New York, relative to discontinuance of operation by the Government of railroads, telephones, and telegraph; to the Committee on Interstate and Foreign Commerce.

Also, petition of Robert Emmett Branch, Friends of Irish Freedom, asking for self-determination for Ireland; to the Committee on Foreign Affairs.

By Mr. TILSON: Petition of Liberty Bell Council, No. 3, Junior Order United American Mechanics of New Haven, Conn., to pass bill to prohibit immigration; to the Committee on Immigration and Naturalization.

By Mr. WATSON from Pennsylvania: Petition of Board of Trade of Newton, Pa., favoring the Federal control of wire systems for the present; to the Committee on Interstate and Foreign Commerce.

Also, petition of Board of Trade of Quakertown, Pa., favoring the Federal control of wire systems for the present; to the Committee on Interstate and Foreign Commerce.

SENATE.

TUESDAY, *February 11, 1919.*

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, Thou hast charted the paths of peace and prosperity in Thy holy word. Thou dost deign to touch the lives of those whom Thou dost call into places of leadership with Thy holy spirit, that they may discern the path, that they may achieve the divine purpose, that they may follow the divine will. We pray that grace may be given to us this day in this high and holy office, that we may discharge the duties that are upon us with the favor and with the wisdom which God alone can give. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

SENATOR FROM OKLAHOMA.

Mr. GORE. I present the credentials of my colleague, Hon. ROBERT L. OWEN, chosen by the qualified electors of the State of Oklahoma a Senator for the term of six years beginning on the 4th day of March, 1919, which I ask to have read and placed on the files.

The credentials were read and ordered to be filed, as follows:

OFFICE OF THE SECRETARY OF STATE OF
THE STATE OF OKLAHOMA,
Oklahoma City, Okla.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November, 1918, ROBERT L. OWEN was duly chosen by the qualified electors of the State of Oklahoma a Senator from said State to represent said State in the Senate of the United States for the term of six years beginning on the 4th day of March, 1919.

Witness, his excellency, our governor, J. B. A. Robertson, and our seal hereto affixed at Oklahoma City, this the 4th day of February, A. D. 1919.

J. B. A. ROBERTSON, *Governor.*

By the governor:
[SEAL.]
JOE S. MORRIS,
Secretary of State.

ABROGATION OF TREATIES.

The VICE PRESIDENT. The Chair lays before the Senate a communication from the Assistant Secretary of State in response to a Senate resolution, which will lie on the table and be printed in the RECORD.

The communication is as follows:

DEPARTMENT OF STATE,
Washington, February 8, 1919.

The Hon. JAMES M. BAKER,
Secretary of the Senate of the United States.

SIR: I have the honor to acknowledge the receipt of the following resolution adopted by the Senate of the United States December 5, 1918:

"*Resolved*, That the Secretary of State be, and he is hereby, directed to furnish the Senate the following information:

"1. What countries, if any, have notified the United States of their intention to abrogate any treaties with the United States; and what treaties are to be abrogated and the reasons therefor if any are given.

"2. The countries with which the United States has treaties which prevent us from giving preference to Americans or American ships in the carrying of imports or exports, and what is necessary to be done to abrogate such treaties, and what, if any, steps our Government has taken to secure the abrogation of the same.

"Attest:

"JAMES M. BAKER, *Secretary.*"

I also have the honor to acknowledge the receipt of the following resolution adopted by the Senate February 3, 1919:

"*Resolved*, That the Secretary of State be, and he is hereby, directed to furnish the information called for by the Senate resolution of December 5, 1918, or inform the Senate why it can not be furnished.

"Attest:

"JAMES M. BAKER, *Secretary.*"

In reply I beg leave to advise you, for the information of the Senate, that a compilation of the data called for in the resolution of December 5, 1918, is being prepared. The work of preparation involves a considerable amount of research, but the data will be furnished at the earliest practicable moment.

I have the honor to be, sir,
Your obedient servant,

WILLIAM PHILLIPS,
Assistant Secretary.

For the Acting Secretary of State.

RENTAL OF BUILDINGS IN THE DISTRICT (H. DOC. NO. 1785).

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, a report relative to the rents received from properties located on sites of proposed public buildings purchased by the United States Government in the city of Washington, which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds and ordered to be printed.

WHEAT GUARANTY.

Mr. GORE. Mr. President, I desire to present a memorial adopted on the 20th day of January by the Legislature of Oklahoma in respect to the guaranteed price of wheat for the year 1919. I will ask the indulgence of the Senate to submit a few observations upon this subject.

The memorial requests early action by Congress to make good the guaranteed price of wheat for the harvest of 1919. I am in perfect sympathy with the purpose and object of this memorial. Anxiety has been felt and doubts have been expressed in certain quarters as to the disposition of the Government with respect to the carrying out of its guarantee. There is no foundation in fact for such anxiety or for such doubt.

On September 2, 1918, the President of the United States issued a proclamation guaranteeing the price of wheat for the season and harvest of 1919, a guaranteed price of $2.26 a bushel for the basic grades in the city of Chicago. This proclamation was issued in pursuance of law. It was issued in pursuance of section 14 of the so-called food-control act.

This proclamation creates a valid and binding obligation upon the Government of the United States, an obligation which is as sacred and which will be held as inviolate as the obligation of the thrift stamps or the liberty bonds. This covenant will be kept both in letter and in spirit. The Government of the United States will keep faith with the American farmer to the uttermost farthing. This is not an open question. Upon this point, at least, all minds have met.

But, Mr. President, the amount which may be required to carry out this guaranty, while it in no wise affects either the character or the sanctity of the obligation, yet is a question of vital concern to the people of the United States. It is not possible at this time to ascertain the amount which will be required to redeem this obligation. The amount is contingent upon factors both present and future which are not certain at this time and which can not be made certain at this time. The amount depends primarily upon the world's harvest of wheat for the season of 1919. In the second place, it depends upon the exportable surplus carried over from the harvest of 1918 in other wheat-producing countries.

In the third place, it depends upon the purchasing power of the peoples of Europe. Their purchasing power has, of course, been materially reduced. The amount of wheat which they can purchase at our hands will not be limited so much by their needs as by their capacity to buy and pay for the required supplies. It is still true, however, that bread is the staff of life. It satisfies the elemental need, the need that is first to be supplied, and the need that is last to be denied. Others can estimate as well as I to what extent their purchasing power has been impaired.

As to the wheat harvest for 1919, considering the world at large, I may say that in ordinary times the world's production and consumption of wheat aggregates about 3,700,000,000 bushels. The United States and Russia each produce about one-fifth of this entire amount, the United States sometimes producing as much as one-fourth.

I have no means of ascertaining the acreage sown to winter wheat in other wheat-producing countries. I have no means of ascertaining the acreage which will be sown in other countries to spring wheat. It is reasonable to assume, however, that the acreage will be above rather than below the average. I say this because various countries have like ourselves held out guaranties for the coming harvest. In several countries this guaranty has been most generous. It will be interesting to state a few of

them. The guaranteed price in Australia is 95 cents for the coming harvest. Its remoteness from the world's markets accounts for this small guaranty. The guaranty in Roumania is $1.61. The guaranty in Great Britain is $1.64. This, I may say, is a minimum price. It is not a fixed or an absolute price. The farmers, as I understand it, will receive whatever price above the guaranty that the market will justify.

Mr. KING. Will the Senator yield?

Mr. GORE. Yes, sir.

Mr. KING. Without expressing any opinion, I should like to ask the Senator if, in his opinion, by reason of the vast amount of wheat that will be produced and the large amount which is now on hand, the world's price of wheat will not be considerably under $1 per bushel for the coming year or for this year?

Mr. GORE. I do not think so.

Mr. McCUMBER. Mr. President, we can not hear the Senators on this side. I hope they will speak so that they can be heard.

Mr. KING. I inquired of the Senator from Oklahoma if it was not his opinion, in view of the accumulations of wheat and in view of the large production the year 1919 will realize, that the price of wheat in the world's market will be less than $1 per bushel for this year?

Mr. GORE. I do not think so, and I will state my reason for it in a moment, as soon as I have completed this enumeration.

When interrupted I was enumerating the guaranteed price for wheat in various countries. The guaranteed price in Brazil for the present year is $2.16 per bushel; in Switzerland it is $3.18; in Holland it is $3.30; in France it is $3.84; in Norway it is $4.09; in Italy it is $4.44 for hard wheat and $3.96 for soft wheat. It is reasonable to assume that these generous prices will tempt a considerable acreage in the several countries mentioned.

So far as the acreage in the United States is concerned we have more material for an estimate. The winter wheat sown for the current season is 49,000,000 acres. The winter wheat sown last year was 42,000,000 acres. This is an increase of 16 per cent. It is reasonable to assume that there will be as large an increase, possibly a larger increase, in the spring wheat acreage, but with an equal increase our total acreage for both spring and winter wheat would rise to 75,000,000 acres. This is 11,000,000 acres more than the spring and winter wheat acreage for the last season. With the same average yield per acre for the current year as for last year we would produce some 1,114,000,000 bushels. It is not usual for two large crops to come in succession. Of course the weather is a proverb of uncertainty. Nobody can tell at this time what the yield will be for the current year.

Mr. McCUMBER. I wish to inquire of the Senator what was the average yield per acre of the crop of 1918.

Mr. GORE. I should say it was about 14 bushels per acre. The total yield was 917,000,000 bushels and the total acreage was 64,000,000 acres.

Mr. McCUMBER. That would be a bushel per acre more than the average yield. So the Senator I think could safely cut out at least one bushel per acre as the probable yield of 1919.

Mr. GORE. It would be exceptional if two abundant harvests came in succession. The law of averages and probabilities is against it. Of course there is nothing definite in that prediction.

Now, Mr. President, I come to the question propounded by the Senator from Utah [Mr. KING]. It has been blazoned abroad that there was an enormous exportable surplus in various wheat-producing countries of the earth. This surplus has been stated by high authorities as aggregating between 700,000,000 and 800,000,000 bushels. I believe this estimate is above the mark. I believe it is an exaggerated estimate. It is, so far as my investigations have gone.

This estimate to which I have just referred credits India with a present exportable surplus of 150,000,000 bushels. To ascertain the facts, I cabled the United States consul general in Calcutta early in the month of January, inquiring as to the available surplus for exports and as to the prospects of the coming crop. On January 11 I received a cablegram from the United States consul general advising me that there was no available surplus of wheat in India at this time, and advising me, further, that India is this day importing wheat from Australia for domestic consumption. This surplus of 150,000,000 bushels therefore vanishes into thin air and reveals in India a present demand for a portion of the available surplus in Australia.

The estimate to which I have referred credits Australia with an available surplus of 200,000,000 bushels. I also cabled the United States consul general in Australia, and under date of January 9 I received a cablegram advising me that the available surplus in Australia was only 120,000,000 bushels, as against a reported 200,000,000 bushels. This amount, I may say in passing, has been seriously damaged by lack of storage facilities, by exposure to the weather, and by the ravages of rodents. The present crop now being harvested in Australia is far below the average, according to this cablegram. It is only 68,000,000 bushels, which is about 50 per cent of the largest crop which Australia has shown herself capable of producing.

Argentina has also been credited with a vast exportable surplus. I am also in receipt of a cablegram from the consul general in Argentina, under date of January 9, which sets down the available surplus of wheat in that country as being only 44,000,000 bushels, as against an estimated surplus of 175,000,000 to 200,000,000. The report, however, indicates that a good crop is now being harvested in that country.

Canada has also been credited with a large surplus of wheat; but the United States consul general in Canada wires me, under date of January 9, that the available surplus of wheat in Canada is only 75,000,000 bushels.

The available surplus of wheat, therefore, in Australia, Argentina, and Canada aggregates 240,000,000 instead of, as suggested in some quarters, more than 700,000,000 bushels.

Mr. President, this greatly relieves the pressure and greatly relieves the draft likely to come upon the people and on the Treasury of the United States with respect to the wheat guaranty for the current harvest.

I may say, Mr. President, that this estimate, noised abroad, of 700,000,000 or 800,000,000 bushels of wheat available in foreign countries has had a depressing effect upon the price of corn, rye, barley, and oats in the United States. I do not say that such was the intention of this report, but it has undoubtedly been the effect of the report. It has occasioned a serious loss to the farmers of the United States.

But, Mr. President, whatever may be the amount of this indemnity, the question arises as to who shall bear this loss. We have our choice between these alternatives. I may say in the first instance that the Government can pay the farmer the guaranteed price and can then sell the wheat and the wheat products to the consumers of this country on the basis of the guaranteed price. This would devolve the loss upon the consumers of this country. On the other hand, the Government can pay the guaranteed price to the farmer and can then sell wheat to the millers and see to it that flour is sold to the consumers of the country not on the basis of the guaranteed price, but on the basis of the world price for wheat—the price for wheat prevailing in the markets of the world.

Mr. GRONNA. Mr. President——

The VICE PRESIDENT. Does the Senator from Oklahoma yield to the Senator from North Dakota?

Mr. GORE. I yield.

Mr. GRONNA. Is it not also true that, with the exception of the countries named by the Senator from Oklahoma, other countries, such as Italy, France, the Netherlands, and all the Scandinavian countries fixed a much higher price for wheat than the price fixed in the United States?

Mr. GORE. Yes; I have recited those guaranties. I may also say that so far as I have been able to ascertain the world production last year, the year 1918, was far below the average production for ordinary times and was far below the world's requirements; but I have not been able to obtain complete reports from all countries. Therefore an accurate analysis or comparison can not be made.

Mr. President, I have suggested two plans with respect to the payment of the indemnity. My own judgment is that the Government ought to assume the difference between the guaranteed price and the world price; it ought to assume this difference as a charge against the Treasury of the United States; it ought to devolve this loss upon the taxpayers of this country and not upon the consumers of this country. It is a disagreeable dilemma in which we find ourselves. We must take the choice of one or the other of the horns. I am taking the choice of the one which I think will entail the least economic loss upon the people of this country. If the Government absorbs the loss as a charge against the Treasury, it will not throw wages and prices and costs in this country out of alignment in comparison with other industrial and commercial countries.

But, Mr. President, if the people of this country are compelled to purchase flour and wheat products upon the basis of the guaranteed price this artificially high price for bread must be registered in an artificially high rate of wages. If the rate of wages be artificially high in this country that must register itself in artificially high cost of production. If the cost of production in this country is made artificially high by the Government

that will send our products into the markets of the world loaded with this artificially high cost of production. That load would be serious enough in our domestic market, but it might be unbearable in foreign markets. It might be impossible for our goods, shotted with this high cost of production, to meet the competition of goods from other countries in the various markets of the world. That would result either in the loss or the curtailment of those markets; and, in addition to that, the surplus might be thrown back upon the domestic market, thus reacting unfavorably upon wages, prices, and prosperity here at home.

Not only that, but if the people of this country are required to purchase the by-products of wheat and to buy feedstuffs at an artificially high price, that fact must reflect itself in an artificially high cost of producing live stock, of producing dairy products, and of producing poultry and poultry products. It will reflect itself in an artificially high cost of living upon the tables of our people.

Mr. President, that would bring about a state of unstable economic equilibrium which Congress should not assume the responsibility of creating. That can be averted by permitting consumers to buy bread upon the basis of the world's price, and requiring the taxpayers of the country to assume and to absorb the difference. This plan, I understand, is that adopted in foreign countries resorting to this scheme of guaranteeing the price of wheat.

Mr. President, another reason why the consumer should not be penalized by a high price for his bread is the fact that the consumer is not responsible for this situation. This situation was not of his seeking. The Government, acting in its organized capacity, fixed a price upon wheat. It acted not for the consumers, but for the taxpayers of this country. It held a commission to speak for and to bind the taxpayers.

I need not remind the Senate that I was opposed to this whole scheme of price fixing. On March 21, last, I said here in the Senate: "In my judgment such an effort is foreordained to fail. Perhaps the oldest blunder known to the sons of men is the attempt at price fixing. The history of the effort is one dreary tale of uniform and unvarying failure, of disappointment, and ofttimes of disaster. Whenever the attempt is made to regulate prices the effort must inevitably work more or less mischief."

Mr. President, I regarded the scheme as uneconomic; I regarded the scheme as inevitably unjust. Human wisdom and foresight are not equal to the task. If the Government should fix the price of wheat at the point where the law of supply and demand would fix it, then you would have your labor for your pains, and the whole process would be vain and unavailing. If the Government should fix the price of wheat lower than the law of supply and demand would fix it, that would be both an injury and an injustice to the producer. If the Government should fix the price at a point higher than the law of supply and demand would fix it, that would be an injury and an injustice to the consumer.

The fixing of the price upon wheat for the harvest of 1917—and it was fixed not for the purpose of stimulating production, for the price was fixed in August, and the crop had been harvested in June, July, and August—occasioned a loss to the American farmers aggregating $400,000,000. The fixing of the price upon wheat in 1918 occasioned a loss to the farmers of this country of hardly less than $400,000,000. For the two years the direct loss to the farmers of the United States due to the action of this Government approximated $800,000,000.

I resisted the plan largely because I feared that the loss would ultimately fall upon the farmer and would be borne by the farmer. He was unorganized, and, therefore, largely defenseless; but it seems that even-handed justice, it seems that some guardian angel has come to the rescue of the farmer in connection with this scheme. The farmers will receive for the current harvest, perhaps, several hundred million dollars more than they would otherwise have received but for the fixing of the price. I take it that the farmers will come out just about even. Of course, there will be farmers enjoying the benefits of this guaranty for the current year who did not produce wheat in the two preceding years. There were farmers who produced wheat during 1917 and 1918 who, perhaps, will not produce wheat during the current year. There will be some discrepancy; but, taking it by and large as a class, the account will just about be equalized. The farmers will come out just about even. I thought when this price-fixing scheme was launched, and I think now, that it would be better to permit the farmer to receive the market price for his wheat and require the consumer to pay the market price for the wheat. This would have added less than $15 to the bread budget of the average American family—about two or three days' wages. That system would have been self-liquidating. The account would have been squared when the purchase was made. The party that ate the bread would have paid the bill. There would have been no aftermath of trouble, no reaping of whirlwinds.

So, Mr. President, I think that $1,250,000,000 is a larger amount than will be required to meet this obligation. We must be prepared, however, and we must prepare to carry a loss of several hundred million dollars. An ample appropriation should be made. If the money is not needed, it will not be used. If it is needed, it ought to be available in whatever amount may be found necessary. I hope I may be pardoned for saying that if this $1,250,000,000 estimated by the Department of Agriculture serves to protect us against like economic nostrums in the future, if this $1,250,000,000 serves to teach the engineer, the fireman, and the conductor as they crawl out from under the wreckage that they who display a red signal as a warning of danger may be friends rather than enemies, then, sir, this one and a quarter billion will have been well, if not wisely, expended.

Mr. KING. Mr. President, will the Senator yield for a question before he leaves this point?

Mr. GORE. Yes, sir.

Mr. KING. I have received several letters in the past two weeks from a number of sections of the United States in which it was stated that a great many persons were plowing up alfalfa and beet and other lands that had never produced wheat and upon which there had been no contemplation of planting wheat until after the armistice, with a view of growing wheat and getting the $2.26 per bushel for it, and that this guaranty was inducing the production of a large amount of wheat which otherwise would not have been produced. I have been urged to suggest some amendment to any bill that might be offered that would protect the Government against those who have gone into the wheat business merely for the purpose of securing this guaranty. Does the Senator think that any legislation could be drawn which, while just and fair, would meet the situation to which those who have written me call attention?

Mr. GORE. Mr. President, I have not heard of a concrete instance such as the Senator describes, but I anticipated that the principles of human nature would result in just such consequences. It shows the difficulty of trying to administer a natural law by human agencies. I heard it suggested that no one should receive this guaranty who plants wheat for the current season who did not plant wheat for the last season, referring particularly to the spring sowing, and that no one should be entitled to the benefit of this guaranty who sowed a larger spring acreage than he sowed for the harvest of 1918; but, Mr. President, my own judgment is that we are now reaping what we have sown, a considerable acreage of (economic) wild oats. I think that Uncle Sam has simply got to exhibit as much nerve and endurance as the Spartan boy when he permitted the fox to gnaw at his vitals without wincing. I think that we have got to go through with it.

I wish to say in this connection that the guaranteed price of wheat in the United States never did have any relation to the securing of an ample wheat supply for the people of the United States nor for the armies and military forces of the United States. There never has been a year in our history that we did not produce all the wheat required for domestic consumption; there has never been a year in our history that we did not produce more wheat in the United States than was required for the people of the United States and for the military forces of the United States; there was never any doubt in anybody's mind that the supply of wheat in the United States would not equal all our domestic requirements of whatever description. Whatever the real reason was, it was not the guaranty of an ample supply of wheat for domestic consumption.

Mr. President, there is only one other question which I will raise and will not attempt to settle. Who should administer this loss? We have two choices in this connection. The Government can purchase the wheat of the farmer, paying him, of course, the full price in cash at all times, and can license the millers and all dealers, placing under governmental license and control all the prices and profits from the producer to the consumer, a plan patterned somewhat upon the existing system. On the other hand, the Government can purchase wheat, paying the guaranteed price, and can then sell the wheat to the trade—to the millers or to the dealers—on the basis of the world price, and allow the processes and the profits to go forward as nearly as may be under ordinary circumstances.

My own desire is to speed a return to normal conditions as rapidly as possible. I am not certain, however, that we can make this return overnight. We can not have both a market that is open and a market that is not open. With a guaranteed maximum so far as the trade is concerned, as this will be, for

the present year, and with a guaranteed minimum corresponding with the world price so far as the consumers are concerned, the trade would be limited on both hands. I am not certain that it could operate within these limitations. Indeed, I fear that it might entail upon them criticisms for which they are in nowise responsible, as they did not have the power to control the situation.

There are so many legislative facts, there are so many artificial factors in this situation that the world market can not be entirely free. A number of countries have fixed the price of wheat, and will undoubtedly administer the marketing of this wheat in order to hedge against loss as far as practicable. While I do not believe that the consumer should be penalized by paying a higher price for bread than other peoples pay, on the other hand I do not believe that the consumer should be subsidized by being enabled to purchase his bread at a lower price than the world's market would warrant.

Mr. President, I keep alluding to the world's market. I may say that in a strict sense there will not be a world's market upon wheat for the harvest of 1919. Too many countries are controlling the marketing of wheat. The wheat from Argentina and Canada, however, will move with more or less freedom in the markets of the world. It will be an indication as to the ratio between the world's supply and the world's demand.

There is another standard that would enable the Government of the United States to approximate justice. There is a pretty well-defined historic ratio between the price of wheat in this country and the price of corn, rye, barley, and oats. For instance, during a number of years corn averaged a little less than 62 per cent of the price of wheat. The Government could consider the supply both of corn and of wheat, and could approximate a just price. At any rate, there will be factors which will enable the Government to arrive at a reasonably just standard.

Mr. President, it has been suggested—it has been suggested in a bill which has been prepared in a certain quarter—that the Grain Corporation should not only be allowed to control the wheat harvest and the wheat market for 1919 but that the Grain Corporation should be allowed to control corn, rye, barley, oats, rice, beans, peas, potatoes, apples, butter, milk, cheese, chickens, and eggs; that the Grain Corporation should be allowed to control and administer the marketing of every food and every feed which can be eaten by man or bird or beast.

Mr. President, I am unqualifiedly opposed to extending the range of this artificial administration. It may be a matter of inevitable necessity to permit the control of the wheat harvest for the current year, but I would not extend this control into domains where it does not now prevail. I believe that we have got to come down toward the sea level, and we ought to come down on the lock-and-dam system, and not rush down with the violence of the cataract. I for one am not willing to precipitate universal confusion merely for the sake of trying our hand in bringing order out of this confusion which we have precipitated and which we have confounded.

There are three tasks devolving upon us to-day: First, to keep faith with the American farmer in the payment of the guaranty; second, to keep faith with the consumer and see that he purchases bread upon a parity with the other peoples of the earth; and third, to keep faith with the taxpayers of this country and to keep their inevitable loss down to an irreducible minimum.

Mr. President, I wish to have printed in the RECORD this memorial and several tables in connection with my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

EXHIBIT 1.

Mr. GORE. Mr. President, the remarks of the Senator from Colorado have suggested one observation that I wish to make. I need not say to the Senate that I do not believe in any scheme of price fixing. In my judgment, such an effort is foreordained to fail. Perhaps the oldest blunder known to the sons of men is the attempt at price fixing. The history of the effort is one dreary tale of uniform and unvarying failure, of disappointment, and ofttimes of disaster.

Whenever the attempt is made to regulate prices the effort must inevitably work more or less mischief. I have offered the pending amendment in order to bring about a situation where we will work less rather than more mischief. I seek to minimize the mischief which must come; I seek to keep the mischief down to the irreducible minimum. That is the object of the proposed amendment.

We have been told on every hand that food is the key to the situation, and that wheat is the pivotal food grain. Mr. Hoover assured us that there was a psychology about a wheaten loaf that was indispensable. There is no sufficient substitute for wheat; we have been appealed to to produce wheat in abundance on the assurance that wheat might win the war.

There is but one excuse or plea which renders the attempt at price fixing even rational. If there be some article like wheat which is of preeminent and of indispensable necessity, then fix a price upon that one article higher than the law of supply and demand would award. That will stimulate its production, and that will do all that human foresight can do to meet a crisis and to avert the possibility of disaster. Even that attempt will be attended with more or less mischief, because it throws other relations out of their proper proportion; but we ought like men to make up our minds to take those consequences whenever the necessity is overpowering.

Mr. President, what have we done? We have fixed a price on wheat. We have fixed a price on wheat, which may be needed to win this war, at a lower point than the law of supply and demand would award. Now, you can not encourage production by reducing prices. You can increase and stimulate production by increasing prices, but the reduction of prices must inevitably discourage production. Ought we to discourage the production of a grain which may be indispensable to our success in this war and to the guaranty of our destiny?

Mr. President, the fixing of a price on an article of indispensable necessity at a lower point than the law of supply and demand would award, with the hope of stimulating its production, is a transaction which, as a perfected specimen of human folly, has absolutely no competitor.

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EXHIBIT 2.

[Remarks on the food-control act July, 1917. Interruption by Senator GORE during remarks by Senator LODGE.]

THE LAMP OF EXPERIENCE VS. MUDDLING THROUGH.

Mr. GORE. I wish to say that not long since I received a letter from a friend requesting me to send him a relic of some sort or other, and I sent him a copy of the Constitution of the United States. [Laughter.] What I wish to do, however, is to give a few instances that illustrate and reenforce the point which the Senator is making with respect to economic laws.

The food minister of Great Britain issued an order fixing the price of dairy products. The dairymen were not satisfied with the price; they butchered their milch cows. There was a distinct national, social, and economic loss that could not be repaired within two or three years. Great Britain issued an order instituting a three-course dinner. They kept account of the results, and it was found that the increased consumption of meat and bread under the three-course dinner order more than offset the economy. The people cut out the side dishes and limited themselves to the more substantial foods. That order was revoked. Great Britain instituted one meatless day a week. They kept account of the results, and it was found that the increased consumption of bread on the meatless day more than offset the diminished consumption of meat. They revoked that order. Those orders were issued with the best possible intention, and, it must be admitted, with as much wisdom as man can concentrate upon the most serious concerns of either private or national life.

Germany fixed a price of 8 cents a quart on milk. The dairymen found that they could feed the milk to their pigs and receive a higher price for milk in the form of pork than by selling the milk outright. Germany fixed a price on wheat, rye, barley, and oats, based on their relative value for human food. It so happens that the relative value of those four cereals for human food does not correspond with their relative value as stock feed. The result was that the farmers fed their wheat and their rye to the live stock and sold the oats and the barley. Those efforts were made by the Government which has attained the highest degree of efficiency of any Government in all the times of time.

The Swiss Government determined what would be a reasonable price of meats sold in the butcher shops. They called the butchers together to ascertain what would be their view of the price proposed to be fixed. The butchers in a patriotic spirit, answered, "Of course, if the Government fixes those prices on meats, we will sell at the prices fixed by the Government—if we sell," but they declared that they would not undertake to carry on their business at those prices.

I hope the Senator from Massachusetts will pardon this interruption, but it demonstrates the futility of any effort to repeal economic laws. In my own judgment, we might as well say, "Be it enacted that the law of gravitation is hereby repealed," as to undertake to enact a law repealing the law of supply and demand or any other fundamental law of economics. I mention these instances, all of which were born of the greatest possible human wisdom, and I merely suggest as a moral that we ought to profit by experience. We have no other lamp so infallible as that

We ought not to set at naught the whole experience of the whole human race.

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EXHIBIT 3.

Memorial to the Congress of the United States.

Whereas the President of the United States issued a proclamation during the month of August, 1918, urging the farmers of the United States, as a war measure, to plant and cultivate an increased acreage of wheat, and fixing the price of such wheat crop for the year 1919 at a minimum of $2.20 per bushel; and

Whereas the President of the United States set apart the sum of $5,000,000 to be loaned to the farmers in the drought-stricken parts of the country for the purpose of buying seed wheat, and for the purpose of enabling such farmers to fully comply with the proclamation of the President; and

Whereas the cost of seed wheat has greatly increased and the expense of planting and cultivating the same has increased materially, and the farmers in general and especially those in the western part of Oklahoma have nobly responded to the call of the President by reason of such proclamation, and by planting an increased acreage of wheat under the belief that the price heretofore mentioned would be maintained and such guaranty would insure them not less than $2.20 as a minimum per bushel; and

Whereas there is some feeling of doubt among the farmers as to whether such price will be maintained, and especially is this true since the war has closed, and without an act of the Congress of the United States through appropriate legislation carrying into effect the proclamation of the President; and

Whereas the wheat growers of the country would suffer serious and permanent loss if the provisions of the President's proclamation are not made effective through proper legislation: Therefore be it

Resolved by the House of Representatives of the State of Oklahoma, That the Congress of the United States be and it is hereby earnestly and urgently memorialized and petitioned to immediately take steps to carry into effect by adequate legislation the provisions of the President's proclamation heretofore referred to and to make secure for the farmers of the country a guaranty of a minimum price of $2.20 per bushel of the wheat grown in 1919: Be it further

Resolved, That the chief clerk of the house of representatives be instructed to mail or cause to be mailed copies of this memorial to the Members of Congress from the State of Oklahoma and to the Department of Agriculture at Washington, D. C.

Passed this the 20th day of January, 1919.

(Signed) TOM C. WALDREP,
Speaker of the House of Representatives.

EXHIBIT 4.

In order to determine the probable effect of price upon production it is necessary to take into consideration the element of rate of yield per acre. The price element and the yield is combined in the following showing of the value of production per acre for the prewar and the postwar periods:

Value of production per acre.

	Oats.		Wheat.		Corn.	
	1909-13	1914-16	1909-13	1914-16	1909-13	1914-16
United States	$11.35	$14.15	$12.52	$17.14	$14.66	$18.18

Again, taking corn as the standard of measurement, it appears that the percentage of value of production per acre of oats and wheat compares with corn as follows:

	1909-13	1914-16
Oats	77	78
Wheat	85	94

As in the similar calculation, based upon farm price alone, it appears that there was no disturbance of normal relationship between the prewar and the postwar period sufficient to materially affect the relative production of each crop.

Making the comparison, however, between the prewar period and December 1, 1917, a different situation is presented:

Value of production per acre.

	1909-13	1917
Oats	$11.35	$24.35
Wheat	12.52	28.53
Corn	14.66	33.87

Again taking corn as the standard of measurement, the percentage of value per acre of production for oats and wheat compares with corn as follows:

	1909-13	1917
Oats	77	72
Wheat	85	84

EXHIBIT 5.

Production of wheat.

	1910	Average prewar (1911-12-13).
	Bushels.	*Bushels.*
Canada	149,990,000	228,933,000
United States	635,121,000	704,995,000
Argentina	131,010,000	166,521,000
Chile	19,682,000	21,499,000
Uruguay	7,750,000	6,742,000
Austria-Hungary	242,018,000	247,141,000
Belgium	12,449,000	15,778,000
Bulgaria	42,247,000	44,350,000
Denmark	4,547,000	5,401,000
Finland	125,000	128,000
France	257,667,000	324,137,000
Germany	141,884,000	160,237,000
Greece	7,000,000	7,000,000
Italy	133,403,000	190,849,000
Netherlands	4,441,000	5,426,000
Norway	294,000	308,000
Portugal	9,120,000	9,266,000
Roumania	110,761,000	88,628,000
Russia	699,413,000	729,537,000
Spain	137,448,000	123,560,000
Sweden	7,450,000	8,336,000
Switzerland	2,756,000	3,416,000
Turkey (Europe)	20,000,000	53,000,000
Turkey (Asia)	35,000,000	
United Kingdom	58,322,000	61,297,000
India	359,654,000	369,612,000
Japan	24,687,000	26,305,000
Persia	16,000,000	16,000,000
Asiatic Russia	76,282,000	
Australia	35,000,000	88,961,000
New Zealand	9,008,000	7,123,000
Algeria		23,298,000
Tunis		6,150,000
Serbia		14,062,000
China		
Brazil		

EXHIBIT 6.

Wheat exports of all countries in world exporting more than 1,000,000 bushels.

[Net average export for the three-year prewar period, 1911-1913. Mr. Lane, Division of Statistics, United States Food Administration.]

	Bushels.
Russia	118,000,000
Canada	117,000,000
United States	114,000,000
Argentina	107,000,000
India	58,000,000
Roumania	54,000,000
Australia	52,000,000
Bulgaria	12,000,000
Algeria	5,000,000
Serbia	4,000,000
Chile	2,000,000

Turkey had no exports, but imported 10,000,000 bushels.

EXHIBIT 7.

FIXING GUARANTEED PRICES FOR 1919 WHEAT CROP.

(Sept. 2, 1918.)

Whereas under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, 1917, it is provided among other things as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August eleventh, nineteen hundred and sixteen. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment, and differences in price for the several standard grades in the principal primary markets of the United States adopting number one northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon, the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding eighteen months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty."

Now, therefore, I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States shall have the benefits of the guarantee provided for in said section; and, in order to make effective the guarantee by Congress for the crop of nineteen hundred and nineteen and to assure such producers a reasonable profit, I do hereby determine and fix, and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalents at the respective principal primary markets, as follows, to wit:

New York, New York, two dollars and thirty-nine and a half cents ($2.39½) per bushel.

Philadelphia, Pennsylvania, two dollars and thirty-nine cents ($2.39) per bushel.

Baltimore, Maryland, two dollars and thirty-eight and three-quarter cents ($2.38¾) per bushel.

Newport News, Virginia, two dollars and thirty-eight and three-quarter cents ($2.38¾) per bushel.

Duluth, Minnesota, two dollars and twenty-two and one-half cents ($2.22½) per bushel.

Minneapolis, Minnesota, two dollars and twenty-one and one-half cents ($2.21½) per bushel.

Chicago, Illinois, two dollars and twenty-six cents ($2.26) per bushel.

St. Louis, Missouri, two dollars and twenty-four cents ($2.24) per bushel.

Kansas City, Missouri, two dollars and eighteen cents ($2.18) per bushel.

Omaha, Nebraska, two dollars and eighteen cents ($2.18) per bushel.

New Orleans, Louisiana, two dollars and twenty-eight cents ($2.28) per bushel.

Galveston, Texas, two dollars and twenty-eight cents ($2.28) per bushel.

Tacoma, Washington, two dollars and twenty cents ($2.20) per bushel.

Seattle, Washington, two dollars and twenty cents ($2.20) per bushel.

Portland, Oregon, two dollars and twenty cents ($2.20) per bushel.

Astoria, Oregon, two dollars and twenty cents ($2.20) per bushel.

San Francisco, California, two dollars and twenty cents ($2.20) per bushel.

Los Angeles, California, two dollars and twenty cents ($2.20) per bushel.

Salt Lake City, Utah, $2 per bushel.

Great Falls, Mont., $2 per bushel.

Pocatello, Idaho, $2 per bushel.

Spokane, Wash., $2 per bushel.

and that the guaranteed price for the other grades established under the United States grain standards act approved August 11, 1916, based on said price for No. 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit; the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern

spring wheat or its equivalent at the principal interior markets as the basis.

For the purposes of such guaranty only, I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit: No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 durum, No. 1 hard white. The guaranteed prices at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain standards act approved August 11, 1916, shall be based on the above guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned, to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1919 and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States, or other person as may be hereafter designated, at any one of the above-mentioned cities, which are hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States. * * *

Mr. JOHNSON of California. I call for the regular order.

The VICE PRESIDENT. The presentation of petitions and memorials is in order.

Mr. McCUMBER. I present a concurrent resolution of the Legislature of the State of North Dakota upon the same subject that the Senator from Oklahoma has been discussing, and I ask that it be read.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read as follows:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify, that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of February.

[SEAL.] THOMAS HALL,
Secretary of State.

Resolution.

Concurrent resolution relating to the fixing of the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago.

Whereas the President of the United States, by his proclamation of September 2, 1918, fixed the price for all wheat grown in the United States during the year 1919 that is delivered prior to June 1, 1920, at $2.26 at Chicago; and

Whereas upon the faith of said proclamation the farmers of North Dakota and generally throughout the Northwest have gone to an enormous expense in the increase of acreage for wheat and for the purchase of horses, machinery, and other equipment for an increased wheat production and have incurred great obligations on that account; and

Whereas it appears that up to this time no agency of the United States has been created and charged with the duty of making effective the guaranteed price under the President's proclamation; and

Whereas the farmers of North Dakota as well as all other wheat-raising districts of the United States have acted in good faith upon the said proclamation of the President, and in case Congress fails to make the said proclamation of the President effective, such failure will cause an enormous financial loss to the farmers of the State of North Dakota and other wheat-raising districts of the United States as well as a great disappointment, and will tend to lessen the confidence of the people in the Federal Government: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring), That we earnestly urge Congress to pass such measure as will make the said proclamation of the President effective; be it further

Resolved, That the secretary of state be instructed to send a copy of these resolutions to each of our Senators and Representatives in Congress and to the chairman of the Committee on Agriculture in both Houses of Congress.

Mr. McCUMBER. I ask that the memorial be referred to the Committee on Agriculture and Forestry, of which the Senator from Oklahoma [Mr. GORE] is the chairman. I want to give him notice that at some time in the near future I shall present the other side of this proposition. I do not think it is necessary for the Government to raise one billion seven hundred million or two hundred and fifty million dollars, but that we can easily handle the matter under the present system with an expense not exceeding $300,000,000; and I wish to state that while we have just passed a bill appropriating $400,000,000—or that which will be equivalent to $400,000,000, because there is $200,000,000 to come from the States—to keep up the price of labor, and necessarily with the price of labor the price of everything else that the farmer must purchase, we are not extending any favor to him, we are not placing the price of his products above that of any of the other commodities in this country by maintaining the price of $2.26 a bushel for wheat. As we are bound to have the higher cost of labor throughout the United States during 1919, we ought to maintain the higher price of the thing that the farmer must sell, in order that he may purchase the things that are produced by that labor; and that is all the farmer is contending for. Let the Government take its hands off the farmers' products and off labor wages at the same time and let the law of supply and demand take care of themselves and he will be satisfied; but the Government is not following that course——

Mr. GORE. Mr. President——

Mr. THOMAS. I call for the regular order.

Mr. McCUMBER. And therefore we ought not to assume that we are conferring a favor upon the farmer by maintaining the price of his product to meet other prices which we maintain.

The VICE PRESIDENT. The regular order is called for.

Mr. McCUMBER. Senators have listened to the other side of this proposition for three-quarters of an hour. I think they can take one minute outside of the regular order, in order to look at the farmers' side of the question.

Mr. GORE. Mr. President——

AGRICULTURAL EXTENSION WORK.

Mr. McCUMBER. I present the resolution, which I send to the desk, from the State of North Dakota and ask that it be read as a legislative resolution.

Mr. THOMAS. Mr. President, I thought the Senator from North Dakota had finished when I interposed.

Mr. McCUMBER. I have concluded.

Mr. THOMAS. I did not intend to interfere with the Senator's remarks at all.

Mr. GORE. Mr. President——

The VICE PRESIDENT. The Secretary will read the memorial presented by the Senator from North Dakota.

The Secretary read as follows:

Whereas it has been brought to the knowledge of the House of Representatives of the Sixteenth Legislative Assembly of the State of North Dakota:

That it is proposed in the Congress of the United States to reduce the appropriation now available or to become available for agricultural-extension work in the various States in the Union to the extent of 50 per cent: Therefore be it

Resolved, That the house of representatives does hereby protest against any reduction in the funds now by law available or to become available for such purposes:

As any such reduction would seriously hamper and embarrass the carrying on of agricultural-extension work and work through county agents now planned and arranged for by the various agricultural States and their several counties: Be it further

Resolved, That a copy of this resolution be engrossed and mailed to each of our Senators and Representatives in Washington.

L. L. STARR, *Speaker.*
GEO. A. COTTEN, Jr.,
Chief Clerk.

Mr. GORE. Mr. President——

The VICE PRESIDENT. The Senator from Oklahoma.

Mr. GORE. I should like to say just one word in respect to what the Senator from North Dakota has said.

The VICE PRESIDENT. There has been a call for the regular order.

PETITIONS AND MEMORIALS.

Mr. SPENCER. I present a memorial from citizens of Missouri, protesting against the so-called luxury tax. I ask that the body of the memorial be printed in the RECORD; and in the case of the signatures, aggregating many thousands, I ask that they be filed.

There being no objection, the petition was ordered to be printed in the RECORD, as follows:

To our Senators and Representatives in Congress assembled:

We, the undersigned citizens and consumers of St. Louis, do respectfully protest against the so-called luxury taxes in the revenue bill now pending, and earnestly urge that they be eliminated altogether from said bill.

We make this protest upon the ground that any such tax is unnecessary, unwise, unjust, and a species of class legislation. This tax is impracticable of administration, will become a nuisance to the dealer, and a grievous burden to the consuming public.

Mr. STERLING. I present a resolution passed by the Rotary Club of the city of Mitchell, S. Dak., relative to changing the name of the Panama Canal to the Roosevelt Canal. I ask that it may be printed in the RECORD and referred to the Committee on Interoceanic Canals.

There being no objection, the resolution was referred to the Committee on Interoceanic Canals and ordered to be printed in the RECORD, as follows:

Resolution to change the name of the Panama Canal to the Roosevelt Canal.

Whereas the sturdiest and most valiant exponent of Americanism the age has produced has gone from us and his mighty soul, ever militant and unafraid, no longer remains to champion the battles of liberty and justice, and equality of opportunity, and every American feels his passing as a personal loss; and

Whereas his greatest material achievement was the crystallizing of the dream of years into reality in making possible the construction of the canal across the Isthmus of Panama: Now, therefore, be it

Resolved by the Rotary Club of Mitchell, S. Dak., That Congress be petitioned officially to designate that American-made waterway "The Roosevelt Canal," so that the same shall stand in name, as well as in historical fact, an enduring monument to his greatness, a constant reminder that the canal is, like the great President who started it, unqualifiedly American; and be it further

Resolved, That a copy of these resolutions be sent to the following: Our Representatives and Senators in Congress, our representatives in the South Dakota State Legislature, with the petition that a memorial to Congress in support of the foregoing be prepared and forwarded by our State legislature.

Adopted at the regular weekly meeting January 30, 1919.

MITCHELL ROTARY CLUB,
By F. J. HERRICK, *President*.

Attest:

WM. R. RONALD, *Secretary*.

Mr. GRONNA. I present a concurrent resolution adopted by the Legislative Assembly of the State of North Dakota, relating to the improvement of good roads. I ask that it be printed in the RECORD without reading.

There being no objection, the concurrent resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

DEPARTMENT OF STATE,
STATE OF NORTH DAKOTA.

To all to whom these presents shall come:

I, Thomas Hall, secretary of state for the State of North Dakota, do hereby set forth and certify, that the following is the full text and the whole thereof of a certain concurrent resolution adopted by the Sixteenth Legislative Assembly of the State of North Dakota.

Dated at the capitol in Bismarck, N. Dak., this 3d day of February, 1919.

[SEAL.]

THOMAS HALL,
Secretary of State.

Resolution.

Concurrent resolution relating to the value and importance of an adequate system of highways.

Whereas the value and importance of an adequate system of highways throughout the Nation and among the various States and their minor governmental units are no less important in the present reconstruction era than in the successful prosecution of a war; and

Whereas North Dakota as one of the most important food-producing States of the Union is in great need of improved highways intelligently conceived and constructed and properly maintained; and

Whereas the present Federal aid law and the State highway law have made it possible for the State to initiate a program of progressive and systematic road improvement within the State; and

Whereas a bill, namely, Senate bill No. 5088, as introduced in Congress by United States Senator BANKHEAD, eliminates the post route requirement on Federal aid projects, which requirement is contrary to the intent and spirit of the Federal aid law and has hampered the work of the State highway commission in securing such aid to the State, and provides further for increased Federal aid to the extent of $200,000,000 in addition to $75,000,000 already specified in the present law, and whereby the allotment of Federal aid to North Dakota will be increased from approximately $1,142,000 to $4,000,000 or more; and

Whereas said Senate bill No. 5088 is about to be given immediate consideration in connection with the Post Office appropriation bill: Therefore be it

Resolved by the Senate of the State of North Dakota (the House of Representatives concurring therein), That we, the members of the Sixteenth Legislative Assembly of the State of North Dakota, respectfully petition our Senators and Representatives of North Dakota in Congress to support Senate bill No. 5088 which is a proposed amendment to improve the present Federal aid law and grant increased aid to the States in the construction of State highways and endeavor to secure its passage; and

Whereas there has been proposed at a conference of certain western States held in Salt Lake City on January 3, 1919, a further amendment to the Federal aid law, whereby the larger and relatively less rich States of the West may receive Federal aid on Federal aid projects to an extent greater than 50 per cent of the cost of such projects: Therefore be it further

Resolved, That our Senators and Representatives in Congress be hereby respectfully requested also to support and endeavor to secure the passage of such an amendment; and be it further

Resolved, That the secretary of state be instructed to send a copy of these resolutions to our Senators and Representatives in Congress and that, because of the urgency of the matter, the committee on highways be instructed to send to each of our Senators in Congress a night letter or message respectfully soliciting their support of the aforesaid amendments or measures.

Mr. THOMPSON presented a petition of sundry citizens of Pittsburg, Kans., praying for the proposed extension of Federal control of railroads, which was referred to the Committee on Interstate Commerce.

Mr. HALE presented a petition of sundry citizens of Augusta, Me., praying for the establishment of a league of nations, which was referred to the Committee on Foreign Relations.

Mr. SHEPPARD presented the petition of Hon. Lee Beaty, of Lockhart, Tex., praying for the construction of military roads as a measure of preparedness, which was referred to the Committee on Military Affairs.

Mr. SHERMAN presented a petition of sundry employees of the Rock Island Arsenal, Rock Island, Ill., praying that the Government manufacture their own equipment to be used for military, naval, marine, etc., purposes, instead of letting out large contracts to private concerns and corporations, which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEES.

Mr. ROBINSON, from the Committee on Claims, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1765. An act to reimburse certain fire insurance companies the amounts paid by them for property destroyed by fire in suppressing the bubonic plague in the Territory of Hawaii in the years 1899 and 1900 (Rept. No. 705);

S. 2902. An act for the relief of the owner of the steamer *Mayflower* and for the relief of passengers on board said steamer (Rept. No. 704);

S. 3123. An act for the relief of the owners of the schooner *Henry O. Barrett* (Rept. No. 703); and

H. R. 2012. An act for the relief of Mrs. W. E. Crawford (Rept. No. 706).

Mr. NEW, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 4263. An act for the relief of Capt. Frederick B. Shaw (Rept. No. 708); and

S. 4864. An act to carry into effect the finding of the Court of Claims in the claim of Elizabeth B. Eddy (Rept. No. 707).

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent the second time, and referred as follows:

By Mr. SMOOT:

A bill (S. 5567) for the purchase of a post-office site at Mount Pleasant, Utah;

A bill (S. 5568) for the purchase of a post-office site at Tremonton, Utah;

A bill (S. 5569) for the purchase of a site and the erection of a public building at St. George, Utah; and

A bill (S. 5570) for the purchase of a post-office site at Cedar City, Utah; to the Committee on Public Buildings and Grounds.

By Mr. HALE:

A bill (S. 5571) granting a pension to Jeannette A. Harrington (with accompanying papers); to the Committee on Pensions.

By Mr. HARDWICK:

A bill (S. 5572) to prohibit immigration for a period of four years, and for other purposes; to the Committee on Immigration.

By Mr. POINDEXTER:

A bill (S. 5573) providing a method for the retirement of men in the military service of the United States; to the Committee on Military Affairs.

A bill (S. 5574) granting an increase of pension to William H. Merritt (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5575) for the relief of the H. W. Davis Co., of St. Augustine, Fla.; and

A bill (S. 5576) for the relief of the Estes Shoe Co., of St. Augustine, Fla.; to the Committee on Claims.

By Mr. SHEPPARD:

A bill (S. 5577) donating captured cannon and cannon balls to the cities of Mission, Mount Vernon, and Tulia, all in Texas; and

A bill (S. 5578) relating to the pay of retired enlisted men serving as field clerks; to the Committee on Military Affairs.

RIVER AND HARBOR APPROPRIATIONS.

Mr. MOSES submitted an amendment intended to be proposed by him to the river and harbor appropriation bill, which was ordered to lie on the table and be printed.

Mr. RANSDELL submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were ordered to lie on the table and be printed.

Mr. SHEPPARD submitted two amendments intended to be proposed by him to the river and harbor appropriation bill, which were ordered to lie on the table and be printed.

AMENDMENTS TO AGRICULTURAL APPROPRIATION BILL.

Mr. SHEPPARD submitted an amendment relative to the limitation in the agricultural appropriation bill as to the cost of farm buildings, etc., intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

Mr. RANSDELL submitted an amendment proposing to increase the appropriation for the investigation and improvement of fruits and the methods of fruit growing, harvesting, etc., from $83,200 to $88,200, intended to be proposed by him to the Agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

LONGEVITY PAY OF ARMY OFFICERS.

Mr. SMITH of Georgia. From the Committee on the Judiciary I report back favorably with an amendment the bill (S.

83) to confer jurisdiction on the Court of Claims, the passage of which the committee recommends. I call the attention of the junior Senator from Alabama [Mr. UNDERWOOD] to the bill, it being a bill which was introduced by him, and with which he is very familiar.

Mr. UNDERWOOD. Mr. President, I ask unanimous consent for immediate action on this bill. It was passed by the last Congress. The question involved is the longevity pay of certain officers of the United States Army. All but a few of them have been paid. The reason why those few were not paid was because they filed their claims with the auditor, and were turned down; subsequently the Supreme Court held that the claims were good; but they now hold that these particular claims, having been turned down, can not be reinstated in the Court of Claims.

This is merely a bill to put a few men on the same basis with several hundred others who have already been paid. The Senate has already passed on the matter once, and I ask unanimous consent that the bill may be taken up and passed at this time.

Mr. SMITH of Georgia. I will say that the bill was before the Judiciary Committee at the last Congress, and was reported favorably and was passed by the Senate, I think.

Mr. UNDERWOOD. Yes; it was.

Mr. SMITH of Georgia. And it is again reported favorably, without a dissenting vote. The Supreme Court of the United States has held that these officers are entitled to the money.

The VICE PRESIDENT. Is there any objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause down to and including line 15, on page 2, and to insert:

That the Court of Claims shall certify to the proper accounting officers of the Treasury the findings of fact heretofore made for claimants in claims of officers of the United States Army for longevity pay under the decisions of the Supreme Court of the United States, in United States v. Morton (vol. 112, U. S. Repts., p. 1) and United States v. Watson (vol. 130, U. S. Repts., p. 80) and of the Court of Claims in Stewart v. United States (vol. 34, Ct. Cls. Repts, p. 553).

And that the accounting officers of the Treasury shall proceed to settle the claims so certified and all other claims for longevity pay and allowances on account of services of officers in the Regular Army arising under section 15 of an act approved July 5, 1838, entitled "An act to increase the present Military Establishment of the United States, and for other purposes," and subsequent acts affecting longevity pay and allowances, in accordance with the decisions of the Supreme Court of the United States, in all cases in which heretofore, namely, between 1890 and 1908, such claims were disallowed by any accounting officer of the Treasury, and no decision of a comptroller heretofore made against a claimant under said section 15 shall prevent a settlement under the terms of this act of any such disallowed claim. Every such claim shall be payable to the claimant or to his widow or to his legal representative: *Provided*, That no claim hereunder shall be allowed if made by any person who is an assignee of such claim, nor to a legal representative without proof of the existence of blood relations to whom the fund would be distributed: *Provided further*, That it shall be unlawful for any agent or attorney, firm of attorneys, or any person engaged heretofore or hereafter in preparing, presenting, or prosecuting any claim under this act to charge or receive more than 20 per cent of any amount appropriated in satisfaction of the claim.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read, "A bill to confer jurisdiction on the Court of Claims to certify certain findings of fact, and for other purposes."

AMERICAN TROOPS IN RUSSIA.

Mr. SHEPPARD. I call up the conference report on the bill (H. R. 11984) to provide for the Fourteenth and subsequent decennial censuses.

Mr. JOHNSON of California. Will the Senator yield for just an instant?

Mr. SHEPPARD. I yield to the Senator.

Mr. JOHNSON of California. There is a resolution, introduced by me yesterday, respecting Russia. It was to come up to-day. I have been asked by some Members to postpone the resolution for one day in order that they might consult concerning it. I therefore ask unanimous consent that without prejudice it may go over until to-morrow.

The VICE PRESIDENT. Is there objection?

Mr. KING. I hope that will be granted.

The VICE PRESIDENT. The Chair hears no objection, and the resolution goes over.

Mr. JOHNSON of California. Let me add that if to-morrow we shall be in recess it shall come up in the first morning hour.

Mr. KING. That course will be agreeable.

The VICE PRESIDENT. The Chair would so construe it. The question is on the motion of the Senator from Texas to take up the conference report.

Mr. LEWIS. The morning business has not closed?

The VICE PRESIDENT. As the Chair has announced a great many times, after 1 o'clock a motion can be made to proceed to the consideration of a measure, and the Chair understands that that is what the Senator from Texas is doing.

Mr. LEWIS. Then I ask the Senator to allow me to introduce a resolution.

Mr. SHEPPARD. It seems that there is quite an amount of morning business pressing for consideration, and I will withdraw the motion for the present.

WORK IN SHIPYARDS AT SEATTLE, WASH.

Mr. POINDEXTER. I ask unanimous consent for the consideration of the following resolution:

The resolution (S. Res. 448) was read, considered by unanimous consent, and agreed to as follows:

Resolved, That the United States Shipping Board is requested to inform the Senate whether or not workmen who are willing to work in shipyards at Seattle, Wash., having Government contracts are allowed to do so, or given the opportunity to do so; whether such workmen belong to a labor union or not; and if those who belong to a labor union or those who do not belong to a labor union and who are willing to work at the wages established by the so-called Macy award are not allowed to work in said yards upon said Government contracts, the Shipping Board is requested to inform the Senate why and upon what grounds they are not allowed to so work, and by whom they are prevented from so doing.

PROTECTION OF LIFE AND PROPERTY OF AMERICANS IN MEXICO.

Mr. LEWIS. I send a resolution to the desk and ask to have it read and then referred to the Committee on Foreign Relations.

The resolution (S. Res. 449) was read and referred to the Committee on Foreign Relations, as follows:

Whereas American citizens residing in the United States, particularly of the State of Illinois, make complaint in writing, charging that the Government in Mexico, under the administration known as Carranza, has permitted the property of citizens of the United States to be destroyed or confiscated under the guise of a constitutional provision devised and adopted long years after the Americans had legally obtained and fully paid for their property; and

Whereas the complaining Americans assert that the said Government agents of the Carranza administration have conspired to permit, and have allowed, the innocent laborers upon the American operations to be driven off or assaulted, and in designated instances murdered; and

Whereas it is complained that such conduct continues, all under the purpose to confiscate and appropriate the property of Americans under an alleged constitutional privilege: Now, therefore, be it

Resolved, That the Committee of the Senate on Foreign Relations ascertain through the Department of State and such other sources as it deems advisable the truth of the said charges; and if true, to recommend to the Senate such course as would be appropriate for the United States Government to take that will make secure in Mexico under the present Government the lives and property of Americans.

GOVERNMENT OF POLAND.

Mr. KING. I submit a resolution to be read and referred to the Committee on Foreign Relations.

The resolution (S. Res. 450) was read and referred to the Committee on Foreign Relations, as follows:

Whereas the people of Poland have recovered their ancient national liberties and rights, and have erected for themselves a free national Republic for the maintenance of public order, the preservation of private liberties and rights, and to incorporate the culture, traditions, and liberties of Poland in a stable and permanent Government; and

Whereas the Chief Executive of the United States has, by the Secretary of State, recognized the new republican Government of Poland and has sent his felicitations to Ignace Jan Paderewski, premier and minister of foreign affairs, in the new Government of Poland: Now, therefore, be it

Resolved, That the Senate extend its congratulations to the new republican Government of Poland upon its admission into the society of free nations, and express welcome and good will to the people of Poland upon the achievement of their national independence.

COMMANDEERED SHIPS.

Mr. SHERMAN. I submit a concurrent resolution, which I desire to have read and referred to the Committee on Commerce.

The concurrent resolution (S. Con. Res. 31) was read and referred to the Committee on Commerce, as follows:

Whereas the Government on the declaration of war commandeered the merchant ships of private owners in the United States and thereby canceled all pending contracts with shippers; and

Whereas the resumption of private business requiring the use of the facilities furnished by such shippers is dependent upon obtaining rates that will permit such business to be conducted without loss, and such resumption will give employment in many lines; and

Whereas the Shipping Board and Emergency Fleet Corporation having authority in such matters have not returned such private ships so commandeered to their owners so that contracts may be resumed or entered into between the private owners of such ships and various industrial enterprises: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Shipping Board and the Emergency Fleet Corporation be, and are hereby, directed to report to Congress why such private ships should not now be returned to their respective owners to be used in the various industrial undertakings of the country.

DEPORTATION OF ANARCHISTS.

Mr. JONES of Washington. I present petitions which I have received from the minutemen division of the American Protective League, of Seattle, Wash. These petitions are signed by over 1,800 citizens of the State of Washington. They urge the deportation of those aliens who have taken out their first papers looking toward naturalization, but who, when the war came on, in order to escape military service renounced this declaration. They particularly call attention to the fact that of 205 persons who renounced their citizenship 54, or nearly 27 per cent, had I. W. W. cards in their pockets.

Mr. President, there is a very strong sentiment in our State for the deportation of those people who acted as these persons did. They do not consider them as desirable citizens there from any standpoint.

Mr. KING. Will the Senator permit an interruption apropos of what he is stating?

Mr. JONES of Washington. Yes, sir.

Mr. KING. I have taken up the matter with the Department of Labor, and I can assure the Senator that as soon as shipping can be provided and arrangements made some of these alien anarchists and Bolshevists who are seeking the destruction of our Government will be deported.

Mr. PENROSE. May I make an inquiry for my own information? I should like to inquire how these anarchists are to be sent back to the country whence they came. Will those countries be willing to take them? I make the inquiry for my own information. It occurred to me that we might ship them over there and the foreign country might refuse to let them get off the vessel.

Mr. KING. I confess I have not given attention to the modus operandi by which that would be effectuated, but the law which we passed in October of last year provides that the Department of Labor shall deport certain classes of people, and I am sure the Department of Labor is going to act up to the letter and the spirit of that act.

Mr. PENROSE. I can see how the anarchists might spend their lives going from one shore to the other.

Mr. KING. He is a man without a country, anyway.

Mr. PENROSE. Can the Senator from Washington inform me?

Mr. JONES of Washington. I am glad to have the statement of the Senator from Utah. I will say to the Senator from Pennsylvania that I introduced a bill a short time ago providing for the deportation of these various individuals. The Department of State seems to take a different attitude from the Department of Labor. They wrote me a letter expressing the earnest hope that this measure would not be pressed, stating that some protests had come to it from one Government, whose citizens were in this class. It seems that that Government does not want these citizens returned to its shores, and so it protested against our taking any action of that kind. I think we could find a way of getting the people out of this country, anyhow; I do not care where they go, so they get out of here.

Mr. PENROSE. Where would they go?

Mr. JONES of Washington. We would take them and land them on somebody else's shores.

Mr. PENROSE. Send them up to the North Pole?

Mr. JONES of Washington. That would be a good place. I would not worry anything about that. What I want to do and what our people want to do is to get this class of persons out of our country.

Mr. PENROSE. I think the proposition a very meritorious one, but it simply occurred to me as a matter of curiosity how this as a practical problem was going to be solved. There still seems to be some doubt about it.

Mr. JONES of Washington. I have not any doubt but what we can put them on board ship and start them away from our shores and not let them come back.

Mr. PENROSE. There is no doubt about that; but where shall they be sent?

Mr. JONES of Washington. I am not worrying as to where the ship will land or where these people will land after they get away from our shores so that they can not come back. That will not worry me a particle.

I ask that the petition be printed in the RECORD without the names.

There being no objection, the petition was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

Petition for legislation to deport certain aliens.

To the Congress of the United States:

GENTLEMEN: We, the undersigned, citizens of the State of Washington, petition your honorable body that you enact legislation during the present session which will make possible the deportation from the United States of those who renounced their citizenship in order to escape the obligation of military service and who signed affidavits that they would voluntarily return to the lands from whence they came.

We deem that persons who think so lightly of the privileges of American citizenship that they are unwilling to fight for them when called to the colors are not desirable as residents of the United States, and that the act of renouncing their citizenship in order to escape military service is sufficient proof of their undesirability.

In further proof of the undesirability of these persons as a class, we submit the fact that of 205 persons who renounced their citizenship before the draft boards of Seattle to escape military service, 54, or nearly 27 per cent, were shown to be members of the I. W. W. by a check of the membership list of that organization in the hands of the police.

We therefore petition for the passage of whatever legislation is necessary to provide for the deportation of those who refuse to live up to their promise to leave the United States.

OIL AND GAS LANDS—CONFERENCE REPORT.

Mr. SHAFROTH. I desire to call up Senate concurrent resolution No. 30, which authorizes Hon. KEY PITTMAN, as one of the managers at the conference on Senate bill 2812, to affix the name of JAMES D. PHELAN as one of the Senate managers to the conference report on the bill (S. 2812) entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain," under oral authority and by telegram requesting such action.

I desire to present a telegram from Hon. JAMES D. PHELAN which is addressed to Hon. KEY PITTMAN, United States Senate, Washington, D. C., and is as follows:

SAN FRANCISCO, CAL., *February 10, 1919.*

Hon. KEY PITTMAN,
United States Senate, Washington, D. C.:

Have read mineral leasing bill and conference report, and I hereby authorize you to sign my name to the bill as reported by the conference committee.

JAMES D. PHELAN.

The VICE PRESIDENT. Is there objection to the consideration of the concurrent resolution?

The concurrent resolution was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That Hon. KEY PITTMAN, as one of the Senate managers, is hereby authorized to affix the name of JAMES D. PHELAN, as one of the Senate managers, to the conference report on bill (S. 2812) entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain," under oral authority and by telegram requesting such action.

OMAHA TRIBE OF INDIANS.

Mr. NORRIS. I understand that last night the Senate passed the bill (S. 3992) to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians. I have just had called to my attention by a member of the tribe a claim that was passed, without consideration by the committee, where there was an application to be heard on the part of the Indians before the passage of the bill. Personally I do not know anything about it. I was unable to find any member of the committee in the Chamber, and, as I have to leave the Chamber for committee work, I should like to enter a formal motion to reconsider the vote by which the bill was passed last night. It may be that it will be adjusted properly when I am able to see members of the committee who know about the bill.

The VICE PRESIDENT. The motion to reconsider will be entered.

Mr. NORRIS. I move that the House be requested to return the bill to the Senate.

The motion was agreed to.

AGENTS OF DEPARTMENT OF JUSTICE IN MICHIGAN.

Mr. TOWNSEND. I ask that Senate resolution 446, submitted yesterday by me, be laid before the Senate.

The VICE PRESIDENT. Without objection, the Chair lays the resolution before the Senate.

Mr. TOWNSEND. I desire to amend the resolution by inserting before the word "Michigan" the words "in connection with the senatorial primary and election held in that State in August and November, 1918."

The resolution as amended was agreed to, as follows:

Whereas it is known that a large number, to wit, more than 25 men, have been in the State of Michigan for a great portion of the time since August, 1918, representing themselves to be agents of the United States Department of Justice, and many are there now; and

Whereas said men are accused of indulging in unlawful and unwarranted practices: Therefore be it

Resolved, That the Attorney General be, and he is hereby, directed to inform the Senate whether he has sent any special agents into Michigan in connection with the senatorial primary and election held in that State in August and November, 1918, and, if he has, how many have been sent, together with their names, how many are there now, the purpose for which they were sent and are now retained there, and what instructions, if any, were given these men by him.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House disagrees to the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON managers at the conference on the part of the House.

The message also announced that the House agrees to the concurrent resolution of the Senate authorizing Hon. KEY PITTMAN, as one of the Senate managers, to affix the name of JAMES D. PHELAN as one of the Senate managers to the conference report on the bill (S. 2812) to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain, under oral authority and by telegram requesting such action.

THE REVENUE—CONFERENCE REPORT.

Mr. SIMMONS. I move that the Senate proceed to the consideration of the conference report on the bill (H. R. 12863) to provide revenue, and for other purposes.

The motion was agreed to.

Mr. SMOOT. A number of Senators desired to be here at the time the report was taken up, and I therefore suggest the absence of a quorum.

The VICE PRESIDENT. The Chair will first lay before the Senate the conference report on the revenue bill. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Hitchcock	Myers	Simmons
Beckham	Hollis	Nelson	Smith, Ariz.
Borah	Johnson, Cal.	New	Smith, Ga.
Calder	Johnson, S. Dak.	Norris	Smith, S. C.
Colt	Jones, N. Mex.	Nugent	Smoot
Culberson	Jones, Wash.	Page	Spencer
Curtis	King	Penrose	Sterling
Fletcher	Kirby	Pittman	Sutherland
France	Lenroot	Poindexter	Swanson
Frelinghuysen	Lewis	Pollock	Thompson
Gay	Lodge	Pomerene	Trammell
Gore	McCumber	Ransdell	Underwood
Gronna	McKellar	Saulsbury	Walsh
Harding	McLean	Shafroth	Warren
Hardwick	Martin, Va.	Sheppard	Watson
Henderson	Moses	Sherman	Weeks

Mr. SAULSBURY. I desire to announce that the senior Senator from Maryland [Mr. SMITH] and the senior Senator from Mississippi [Mr. WILLIAMS] are detained by illness.

Mr. McKELLAR. I desire to announce the absence of my colleague, the senior Senator from Tennessee [Mr. SHIELDS], on account of illness.

Mr. POMERENE. I desire to announce the absence of the junior Senator from Delaware [Mr. WOLCOTT] and the junior Senator from North Carolina [Mr. OVERMAN] on official business.

The PRESIDING OFFICER (Mr. KING in the chair). Sixty-four Senators have answered to their names. A quorum is present.

Mr. SIMMONS. Mr. President, I ask unanimous consent that the reading of the report of the committee of conference may be dispensed with.

Mr. FRANCE. Mr. President, I object to that. I think the report ought to be read.

The PRESIDING OFFICER. Objection is made. The Secretary will read the report of the committee of conference.

The Secretary read as follows:

"The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12863) to provide revenue, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

"That the Senate recede from its amendments numbered 1, 5, 10"—

And sundry other amendments.

Mr. PENROSE. Mr. President, the Secretary has been directed to read this report, and I ask that it be read. I want the report read.

The PRESIDING OFFICER. The Secretary will proceed to read the report as requested.

The Secretary resumed the reading of the report, as follows:

"That the Senate recede from its amendments numbered 1, 5, 10, 35, 37, 38, 50, 54, 55, 58, 59, 112, 120, 121, 122, 123, 127, 131, 140, 186, 187, 189, 208, 211, 218, 222, 223, 235, 272, 273, 274, 275, 276, 329, 330, 332, 333, 352, 362, 377, 378, 379, 381, 394, 405, 407, 410, 444, 445, 488, 490, 491, 493, 498, 499, 500, 509, 516, 518, 519, 539, 540, 541, 553, 559, 587, 588, and 594.

"That the House recede from its disagreement to the amendments of the Senate numbered 4, 7, 8, 9, 12, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 29, 30, 31, 32, 33, 34, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 56, 57, 60, 61, 62, 64, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 78, 79, 82, 83, 84, 85, 87, 88, 89, 90, 91, 93, 97, 98, 99, 100, 101, 102, 103, 104, 106, 107, 108, 109, 110, 111, 113, 114, 115, 116, 117, 119, 124, 126, 128, 130, 132, 133, 134, 136, 137, 138, 139, 141, 142, 143, 145, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 162, 163, 164, 165, 166, 167, 168, 170, 172, 173, 174, 175, 176, 177, 178, 179, 181, 182, 183, 184, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 209, 210, 212, 213, 217, 219, 224, 225, 226, 227, 228, 229, 230, 237, 238, 239, 240, 241, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 255, 256, 258, 260, 262, 264, 265, 266, 267, 268, 269, 271, 278, 279, 280, 281, 283, 284, 286, 287, 288, 290, 291, 293, 294, 295, 296, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 326, 327, 328, 331, 334, 335, 336, 337, 338, 339, 340, 342, 343, 344, 346, 347, 348, 349, 350, 351, 353, 354, 355, 356, 358, 359, 360, 361, 363, 364, 365, 366, 370, 371, 372, 373, 374, 380, 382, 383, 384, 385, 386, 388, 389, 390, 392, 396, 398, 400, 401, 402, 403, 406, 408, 409, 411, 412, 413, 415, 416, 419, 422, 423, 427, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 447, 448, 449, 450, 451, 452, 453, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 468, 470, 471, 472, 473, 475, 476, 477, 478, 479, 481, 482, 483, 486, 487, 489, 494, 496, 497, 501, 502, 503, 504, 505, 506, 507, 508, 510, 511, 512, 513, 514, 515, 517, 520, 521, 522, 524, 525, 527, 528, 529, 530, 531, 532, 533, 534, 536, 537, 538, 543, 545, 546, 547, 549, 551, 552, 554, 555, 556, 557, 558, 560, 562, 563, 564, 565, 566, 567, 568, 570, 571, 572, 573, 574, 575, 576, 577, 579, 580, 582, 583, 584, 585, 586, 589, 590, 591, 592, and 593; and agree to the same."

Mr. PENROSE. Mr. President, the recital of these numbers will impress the Senate, if attention is called to it, with the very large number of amendments adopted by the Senate from which the House receded from its disagreement; and it bears out the thought that the greater part of very many of the excellent provisions in the measure inserted by the Senate have been retained in the pending bill. I only desire to call attention to that phase of it as shown by a comparison of the two paragraphs, the first containing the amendments from which the Senate receded and the second those from which the House receded.

The Secretary resumed the reading of the conference report, and read as follows:

"Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: On page 1, line 5, of the bill strike out the comma after the word 'partnerships'; and the Senate agree to the same.

"Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a comma and the following: 'as well as individuals'; and the Senate agree to the same.

"Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: 'The term "Government contract" means (a) a contract made with the United States, or with any department, bureau, officer, commission, board, or agency, under the United States and acting in its behalf, or with any agency controlled by any of the above if the contract is for the benefit of the United States, or (b) a subcontract made with a contractor performing such a contract if the products or services to be furnished under the subcontract are for the benefit of the United States. The term "Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive" when applied to a contract of the kind referred to in clause (a) of this paragraph, includes all such contracts which, although entered into during such period, were originally not enforceable, but which have been or may become enforceable by reason of subsequent validation in pursuance of law' and a semicolon; and the Senate agree to the same.

"Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'The term "personal service corporation" means a corporation

whose income is to be ascribed primarily to the activities of the principal owners or stockholders who are themselves regularly engaged in the active conduct of the affairs of the corporation and in which capital (whether invested or borrowed) is not a material income-producing factor; but does not include any foreign corporation, nor any corporation 50 per cent or more of whose gross income consists either (1) of gains, profits, or income derived from trading as a principal, or (2) of gains, profits, commissions, or other income derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive,' and a semicolon; and the Senate agree to the same.

"Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'The term "paid," for the purposes of the deductions and credits under this title, means "paid or accrued" or "paid or incurred," and the terms "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under section 212.'

"And the Senate agree to the same.

"Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'DIVIDENDS.

"'SEC. 201. (a) That the term "dividend" when used in this title (except in paragraph (10) of subdivision (a) of section 234) means (1) any distribution made by a corporation, other than a personal-service corporation, to its shareholders or members, whether in cash or in other property or in stock of the corporation, out of its earnings or profits accumulated since February 28, 1913, or (2) any such distribution made by a personal-service corporation out of its earnings or profits accumulated since February 28, 1913, and prior to January 1, 1918.

"'(b) Any distribution shall be deemed to have been made from earnings or profits unless all earnings and profits have first been distributed. Any distribution made in the year 1918 or any year thereafter shall be deemed to have been made from earnings or profits accumulated since February 28, 1913, or, in the case of a personal-service corporation, from the most recently accumulated earnings or profits; but any earnings or profits accumulated prior to March 1, 1913, may be distributed in stock dividends or otherwise, exempt from the tax, after the earnings and profits accumulated since February 28, 1913, have been distributed.

"'(c) A dividend paid in stock of the corporation shall be considered income to the amount of the earnings or profits distributed. Amounts distributed in the liquidation of a corporation shall be treated as payments in exchange for stock or shares, and any gain or profit realized thereby shall be taxed to the distributee as other gains or profits.

"'(d) If any stock dividend (1) is received by a taxpayer between January 1 and November 1, 1918, both dates inclusive, or (2) is during such period bona fide authorized or declared, and entered on the books of the corporation, and is received by a taxpayer after November 1, 1918, and before the expiration of 30 days after the passage of this act, then such dividend shall, in the manner provided in section 206, be taxed to the recipient at the rates prescribed by law for the years in which the corporation accumulated the earnings or profits from which such dividend was paid, but the dividend shall be deemed to have been paid from the most recently accumulated earnings or profits.

"'(e) Any distribution made during the first 60 days of any taxable year shall be deemed to have been made from earnings or profits accumulated during preceding taxable years; but any distribution made during the remainder of the taxable year shall be deemed to have been made from earnings or profits accumulated between the close of the preceding taxable year and the date of distribution, to the extent of such earnings or profits, and if the books of the corporation do not show the amount of such earnings or profits, the earnings or profits for the accounting period within which the distribution was made shall be deemed to have been accumulated ratably during such period.'

"And the Senate agree to the same.

"Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(b) When property is exchanged for other property, the property received in exchange shall for the purpose of determining gain or loss be treated as the equivalent of cash to the amount of its fair market value, if any; but when in connection with the reorganization, merger, or consolidation of a corporation a person receives in place of stock or securities owned by him new stock or securities of no greater aggregate par or face value, no gain or loss shall be deemed to occur from the exchange, and the new stock or securities received shall be treated as taking the place of the stock, securities, or property exchanged.

"'When in the case of any such reorganization, merger or consolidation the aggregate par or face value of the new stock or securities received is in excess of the aggregate par or face value of the stock or securities exchanged, a like amount in par or face value of the new stock or securities received shall be treated as taking the place of the stock or securities exchanged, and the amount of the excess in par or face value shall be treated as a gain to the extent that the fair market value of the new stock or securities is greater than the cost (or if acquired prior to March 1, 1913, the fair market value as of that date) of the stock or securities exchanged.'

"And the Senate agree to the same."

Mr. THOMAS. Mr. President, I desire to have the RECORD note the fact that the Senator who moved the reading of this long and cumbrous report, and the Senator who also insisted that the reading include the figures, have both of them deserted the Chamber; also that there are now four Republicans and three Democrats, exclusive of the occupant of the chair, present to listen to this wasteful and filibustering procedure.

Mr. SMOOT. Mr. President, in justice to the Senator who asked that the report be read, I will state that I understand he has gone to lunch. Of course, the Senator from Colorado knows that it is lunch time, and I suppose almost all the Senators are there.

Mr. THOMAS. Yes; and I know also that the only possible effect of going through this procedure, which can not be stopped, is to consume very valuable time. If this bill is to be beaten—and I personally do not care whether it is or not—I think it should be beaten by direct offensive attack, rather than by undermining.

The Secretary resumed the reading of the report, and read as follows:

"Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'NET LOSSES.

"'SEC. 204. (a) That as used in this section the term "net loss" refers only to net loss resulting from either (1) the operation of any business regularly carried on by the taxpayer, or (2) the bona fide sale by the taxpayer of plant, buildings, machinery, equipment, or other facilities, constructed, installed, or acquired by the taxpayer on or after April 6, 1917, for the production of articles contributing to the prosecution of the present war; and when so resulting means the excess of the deductions allowed by law (excluding in the case of corporations amounts allowed as a deduction under paragraph (6) of subdivision (a) of section 234) over the sum of the gross income plus any interest received free from taxation both under this title and under Title III.

"'(b) If for any taxable year beginning after October 31, 1918, and ending prior to January 1, 1920, it appears upon the production of evidence satisfactory to the commissioner that any taxpayer has sustained a net loss, the amount of such net loss shall under regulations prescribed by the commissioner with the approval of the Secretary be deducted from the net income of the taxpayer for the preceding taxable year; and the taxes imposed by this title and by Title III for such preceding taxable year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. If such net loss is in excess of the net income for such preceding taxable year, the amount of such excess shall under regulations prescribed by the commissioner with the approval of the Secretary be allowed as a deduction in computing the net income for the succeeding taxable year.

"'(c) The benefit of this section shall be allowed to the members of a partnership and the beneficiaries of an estate or trust under regulations prescribed by the commissioner with the approval of the Secretary.'

"And the Senate agree to the same.

"Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'FISCAL YEAR WITH DIFFERENT RATES.

"'SEC. 205. (a) That if a taxpayer makes return for a fiscal year beginning in 1917 and ending in 1918, his tax under this title for the first taxable year shall be the sum of: (1) the same proportion of a tax for the entire period computed under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period: *Provided*, That in the case of a personal service corporation the amount to be paid shall be only that specified in clause (1).

"'Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title I of the revenue act of 1916 as amended by the revenue act of 1917, and by Title I of the revenue act of 1917, shall be credited towards the payment of the tax imposed for such fiscal year by this act, and if the amount so paid exceeds the amount of such tax imposed by this act, or, in the case of a personal service corporation, the amount specified in clause (1), the excess shall be credited or refunded in accordance with the provisions of section 252.

"'(b) If a taxpayer makes a return for a fiscal year beginning in 1918 and ending in 1919, the tax under this title for such fiscal year shall be the sum of: (1) the same proportion of a tax for the entire period computed under this title at the rates specified for the calendar year 1918 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates specified for the calendar year 1919 which the portion of such period falling within the calendar year 1919 is of the entire period.

"'(c) If a fiscal year of a partnership begins in 1917 and ends in 1918 or begins in 1918 and ends in 1919, then notwithstanding the provisions of subdivision (b) of section 218, (1) the rates for the calendar year during which such fiscal year begins shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year, and (2) the rates for the calendar year during which such fiscal year ends shall apply to an amount of each partner's share of such partnership net income (determined under the law applicable to such calendar year) equal to the proportion which the part of such fiscal year falling within such calendar year bears to the full fiscal year: *Provided*, That in the case of a personal service corporation with respect to a fiscal year beginning in 1917 and ending in 1918, the amount specified in clause (1) shall not be subject to normal tax.'

"And the Senate agree to the same.

"Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'PARTS OF INCOME SUBJECT TO RATES FOR DIFFERENT YEARS.

"'SEC. 206. That whenever parts of a taxpayer's income are subject to rates for different calendar years, the part subject to the rates for the most recent calendar year shall be placed in the lower brackets of the rate schedule provided in this title, the part subject to the rates for the next preceding calendar year shall be placed in the next higher brackets of the rate schedule applicable to that year, and so on until the entire net income has been accounted for. In determining the income, any deductions, exemptions, or credits of a kind not plainly and properly chargeable against the income taxable at rates for a preceding year shall first be applied against the income subject to rates for the most recent calendar year; but any balance thereof shall be applied against the income subject to the rates of the next preceding year or years until fully allowed.'

"And the Senate agree to the same."

The PRESIDING OFFICER (Mr. NUGENT in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 13462) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. KENYON. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Jones, N. Mex.	Nugent	Sterling
Beckham	Kellogg	Overman	Sutherland
Colt	Kenyon	Page	Swanson
Culberson	King	Penrose	Thomas
Curtis	La Follette	Poindexter	Thompson
Fletcher	Lenroot	Pollock	Townsend
France	Lewis	Pomerene	Trammell
Gay	McCumber	Sheppard	Vardaman
Gerry	McKellar	Sherman	Wadsworth
Hale	McNary	Simmons	Warren
Harding	Martin, Va.	Smith, Ariz.	Weeks
Hardwick	Nelson	Smith, S. C.	Wolcott
Henderson	New	Smoot	
Johnson, S. Dak.	Norris	Spencer	

The PRESIDING OFFICER. Fifty-four Senators having answered to their names, there is a quorum present.

Mr. SIMMONS. I wish to ask the Senator from Florida [Mr. FLETCHER] if he will not agree to temporarily lay aside the river and harbor bill that we may consider the conference report on the revenue bill?

Mr. FLETCHER. I realize the importance of action upon the conference report. Can the Senator give me any idea as to how long it would possibly take?

Mr. SIMMONS. I had very much hoped that we would get through with it this afternoon, but I can not give any assurance of that. I think we will get through with it to-morrow, if not to-day.

Mr. THOMAS. Let us hold a night session.

Mr. SIMMONS. I would be in favor of holding a night session if necessary.

Mr. PENROSE. I would not favor that. I think the conference report on the revenue bill ought to be proceeded with with decorum and formality. It is a very important measure.

Mr. SIMMONS. I do not think by holding a night session we would dispense with any decorum or any formality.

Mr. PENROSE. It seems to be rather a steam-roller proceeding.

Mr. SIMMONS. It is not a steam-roller proceeding.

Mr. THOMAS. Mr. President, we have 18 working days, including to-day, in which to transact the business that is now upon the calendar. It will take four or five hours to read this report, and it is read to empty seats. If that is going to be done, I think we can hold a night session and stay here all night, if necessary, in order that we may transact some of the business now on the calendar, or at least make an effort to do it.

Mr. PENROSE. I suggest that we take up the question of a night session when the time arrives to take it up.

Mr. SIMMONS. I suggest that the Senator is wise in that regard; but I say if this report is unduly delayed I shall undoubtedly, not to-night, but to-morrow night, if it goes over to-morrow, ask for a night session.

Mr. FLETCHER. Mr. President——

The PRESIDING OFFICER (Mr. MCKELLAR in the chair). Does the Senator from North Carolina yield to the Senator from Florida?

Mr. SIMMONS. I yield.

Mr. FLETCHER. Under the circumstances I feel disposed to lay the unfinished business aside temporarily with the understanding that it shall not lose its place and that it will be resumed immediately after action on the conference report on the revenue bill. If it is apparent that there is an unnecessary delay in disposing of the conference report, I shall ask the Senate to take up the unfinished business. I think I have that right when I ask to have it temporarily laid aside.

Mr. PENROSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Pennsylvania?

Mr. SIMMONS. I yield.

Mr. PENROSE. I do not think the chairman of the Finance Committee will impute any intention or effort to delay this conference report to the minority. Every effort has been made to expedite its passage, and we intend now, as far as I know, to expedite its passage, but it certainly ought to be proceeded with with deliberation and not——

Mr. SIMMONS. There is no purpose to proceed with the conference report except in the usual way. I have not imputed any purpose to the other side of the Chamber to delay the matter, and I do not know of any such purpose.

Mr. PENROSE. If the Senator will permit me, I wish to say that I thought the reading of the numbers of the amendments had considerable significance. Comparing the amendments on which the Senate conferees receded with those on which the House conferees receded, it showed a very striking preponderance of Senate amendments accepted and agreed to, and I think it is fraught with instructions to the Senate to be impressed with that fact, because those amendment are for the

relief of the taxpayers and the correction of inequalities, and are the chief merit of the bill, in my opinion.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. SIMMONS. I yield.

Mr. THOMAS. The instruction was very edifying to six Senators, three on this side of the Chamber and three upon the other, and as soon as the Senator from Pennsylvania called attention to its educational effect he also retired from the Chamber.

Mr. PENROSE. I labored for a month over those amendments. I did not require that instruction. If Senators do not choose to listen, the opportunity is afforded to the occupants of the press gallery to be impressed with the full significance of the reading, and they can spread broadcast throughout the country the impression they have derived.

Mr. FLETCHER. I ask that the unfinished business be temporarily laid aside, to be resumed immediately on the completion of the conference report.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered. The Secretary will resume the reading of the conference report.

The Secretary resumed the reading of the report, and read as follows:

"Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following inclosed in parentheses: 'including in the case of the President of the United States, the judges of the Supreme and inferior courts of the United States, and all other officers and employees, whether elected or appointed, of the United States, Alaska, Hawaii, or any political subdivision thereof, or the District of Columbia, the compensation received as such'; and the Senate agree to the same.

"Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'possessions; or (d) bonds issued by the War Finance Corporation: *Provided*, That every person owning any of the obligations, securities, or bonds enumerated in clauses (a), (b), (c), and (d) shall, in the return required by this title, submit a statement showing the number and amount of such obligations, securities, and bonds owned by him and the income received therefrom, in such form and with such information as the commissioner may require'; and the Senate agree to the same.

"Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'or (e) in the case of a nonresident alien individual, by the authority of any foreign country (except income, war-profits and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon property or business' and a semicolon; and on page 17, line 5, of the bill, after the matter inserted by Senate amendment numbered 81, insert a comma and the following: 'and clause (e) of paragraph (3)' and a comma; and the Senate agree to the same.

"Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment, and restore the matter stricken out by said amendment, and on page 14, line 19, of the bill, after 'business,' insert a comma and the following: 'including a reasonable allowance for obsolescence'; and the Senate agree to the same.

"Amendment numbered 77: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: On page 20, line 3, of the Senate engrossed amendments, strike out '12 months' and insert '30 days'; and the Senate agree to the same.

"Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows:

"'(12) (a) At the time of filing return for the taxable year 1918 a taxpayer may file a claim in abatement based on the fact that he has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for such taxable year, or from the actual payment after the close of such taxable year of rebates in pursuance of contracts entered into during such year upon sales made during such year. In such case payment of the amount of the tax covered by such claim shall not be required until the claim is decided, but the taxpayer shall accompany his claim with a bond in double the amount of the tax covered by the claim, with sureties satisfactory to the commissioner, conditioned for the payment of any part of such tax found to be due, with interest. If any part of such claim is disallowed then the remainder of the tax due shall on notice and demand by the collector be paid by the taxpayer with interest at the rate of 1 per cent per month from the time the tax would have been due had no such claim been filed. If it is shown to the satisfaction of the commissioner that such substantial loss has been sustained, then in computing the tax imposed by this title the amount of such loss shall be deducted from the net income. (b) If no such claim is filed, but it is shown to the satisfaction of the commissioner that during the taxable year 1919 the taxpayer has sustained a substantial loss of the character above described then the amount of such loss shall be deducted from the net income for the taxable year 1918 and the tax imposed by this title for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.'

"And the Senate agree to the same.

"Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: '(10), (12)'; and the Senate agree to the same.

"Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: 'and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress'; and the Senate agree to the same.

"Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(e) Personal service corporations shall not be subject to taxation under this title, but the individual stockholders thereof shall be taxed in the same manner as the members of partnerships. All the provisions of this title relating to partnerships and the members thereof shall so far as practicable apply to personal service corporations and the stockholders thereof: *Provided*, That for the purpose of this subdivision amounts distributed by a personal service corporation during its taxable year shall be accounted for by the distributees; and any portion of the net income remaining undistributed at the close of its taxable year shall be accounted for by the stockholders of such corporation at the close of its taxable year in proportion to their respective shares.'

"And the Senate agree to the same.

"Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: '212, except that there shall also be allowed as a deduction (in lieu of the deduction authorized by paragraph (11) of subdivision (a) of section 214) any part of the gross income which, pursuant to the terms of the will or deed creating the trust, is during the taxable year paid to or permanently set aside for the United States, any State, Territory, or any political subdivision thereof, or the District of Columbia, or any corporation organized and operated exclusively for religious, charitable, scientific, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual'; and the Senate agree to the same.

"Amendment numbered 95:"——

Mr. THOMAS. Mr. President, I desire to raise a point of order. The reading by the Secretary seems to interfere very seriously with the conversation going on between the very few who still remain in the Chamber.

The PRESIDING OFFICER. The Chair will have to overrule the point of order, but he supposes that that is the fact.

Mr. THOMAS. Possibly I may have mistaken the conversation in the galleries for conversation on the floor. I suggest that

the Chair indulge in the usual highly perfunctory but utterly useless admonition to the occupants of the galleries.

Mr. SMITH of Georgia. No one is giving any attention to the reading of the report, and I ask unanimous consent to dispense with the further reading.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent to dispense with the further reading of the report.

Mr. LODGE. I think the report ought to be read, Mr. President.

The PRESIDING OFFICER. Objection is raised. The report will be read.

Mr. SMITH of Georgia. I will not suggest the absence of a quorum that anyone will hear, because I am sure no one is going to hear it.

The Secretary resumed and concluded the reading of the report, as follows:

"Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: On page 23, line 10, of the Senate engrossed amendments after 'administration' insert 'or settlement'; and the Senate agree to the same.

"Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: On page 23, line 14, of the Senate engrossed amendments strike out 'or' and insert 'of'; and the Senate agree to the same.

"Amendment numbered 105: That the House recede from its disagreement to the amendment of the Senate numbered 105, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'distributed, such corporation shall not be subject to the tax imposed by section 230, but the stockholders or members thereof shall be subject to taxation under this title in the same manner as provided in subdivision (e) of section 218 in the case of stockholders of a personal-service corporation, except that the tax imposed by Title III shall be deducted from the net income of the corporation before the computation of the proportionate share of each stockholder or member'; and the Senate agree to the same.

"Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'CREDIT FOR TAXES.

"'SEC. 222. (a) That the tax imposed under Part II of this title shall be credited with:

"'(1) In the case of a citizen of the United States, the amount of any income, war-profits and excess-profits taxes paid during the taxable year to any foreign country, upon income derived from sources therein, or to any possession of the United States; and

"'(2) In the case of a resident of the United States, the amount of any such taxes paid during the taxable year to any possession of the United States; and

"'(3) In the case of an alien resident of the United States who is a citizen or subject of a foreign country, the amount of any such taxes paid during the taxable year to such country, upon income derived from sources therein, if such country, in imposing such taxes, allows a similar credit to citizens of the United States residing in such country; and

"'(4) In the case of any such individual who is a member of a partnership or a beneficiary of an estate or trust, his proportionate share of such taxes of the partnership or the estate or trust paid during the taxable year to a foreign country or to any possession of the United States, as the case may be.

"'(b) If accrued taxes when paid differ from the amounts claimed as credits by the taxpayer, or if any tax paid is refunded in whole or in part, the taxpayer shall notify the commissioner who shall redetermine the amount of the tax due under Part II of this title for the year or years affected, and the amount of tax due upon such redetermination, if any, shall be paid by the taxpayer upon notice and demand by the collector, or the amount of tax overpaid, if any, shall be credited or refunded to the taxpayer in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the commissioner as a condition precedent to the allowance of this credit may require the taxpayer to give a bond with sureties satisfactory to and to be approved by the commissioner in such penal sum as the commissioner may require, conditioned for the payment by the taxpayer of any amount of tax found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the commissioner may require.

"'(c) These credits shall be allowed only if the taxpayer furnishes evidence satisfactory to the commissioner showing the amount of income derived from sources within such foreign country or such possession of the United States, and all other information necessary for the computation of such credits.'

"And the Senate agree to the same.

"Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: 'Except in the case of taxpayers who are abroad, no such extension shall be for more than six months'; and the Senate agree to the same.

"Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(1) for the calendar year 1918, 12 per cent of the amount of the net income in excess of the credits provided in section 236; and

"'(2) For each calendar year thereafter, 10 per cent of such excess amount.

"'(b) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," five-sixths of the tax imposed by paragraph (1) of subdivision (a) and four-fifths of the tax imposed by paragraph (2) of subdivision (a) shall be treated as levied by an act in amendment of Title I of the revenue act of 1917.'

"And the Senate agree to the same.

"Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a comma and the following: 'except that:

"'(1) In the case of life insurance companies there shall not be included in gross income such portion of any actual premium received from any individual policyholder as is paid back or credited to or treated as an abatement of premium of such policyholder within the taxable year.

"'(2) Mutual marine insurance companies shall include in gross income the gross premiums collected and received by them less amounts paid for reinsurance'; and the Senate agree to the same.

"Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: '238; or (e) in the case of a foreign corporation, by the authority of any foreign country (except income, war-profits, and excess-profits taxes, and taxes assessed against local benefits of a kind tending to increase the value of the property assessed), upon the property or business'; and on page 40 of the bill, lines 22 and 23, strike out 'paragraphs (2) and (3)' and insert 'paragraph (2) and in clauses (a), (b), and (c) of paragraph (3)'; and the Senate agree to the same.

"Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: 'and amounts received as dividends from a personal service corporation out of earnings or profits upon which income tax has been imposed by act of Congress'; and the Senate agree to the same.

"Amendment numbered 147: That the House recede from its disagreement to the amendment of the Senate numbered 147, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment, and on page 37, line 24, of the bill, after 'business' insert a comma and the following: 'including a reasonable allowance for obsolescence'; and the Senate agree to the same.

"Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: On page 33, line 9, of the Senate engrossed amendments strike out '12 months' and insert '30 days'; and the Senate agree to the same.

"Amendment numbered 160: That the House recede from its disagreement to the amendment of the Senate numbered 160, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following:

"'(10) In the case of insurance companies, in addition to the above: (a) The net addition required by law to be made within

the taxable year to reserve funds (including in the case of assessment insurance companies the actual deposit of sums with State or Territorial officers pursuant to law as additions to guarantee or reserve funds); and (b) the sums other than dividends paid within the taxable year on policy and annuity contracts;

"'(11) In the case of corporations issuing policies covering life, health, and accident insurance combined in one policy issued on the weekly premium payment plan continuing for life and not subject to cancellation, in addition to the above, such portion of the net addition (not required by law) made within the taxable year to reserve funds as the commissioner finds to be required for the protection of the holders of such policies only;

"'(12) In the case of mutual marine insurance companies there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive, amounts repaid to policyholders on account of premiums previously paid by them, and interest paid upon such amounts between the ascertainment and the repayment thereof;

"'(13) In the case of mutual insurance companies (other than mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, there shall be allowed, in addition to the deductions allowed in paragraphs (1) to (10), inclusive (unless otherwise allowed under such paragraphs) the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses, and reinsurance reserves, and a semicolon; and the Senate agree to the same.

"Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows:

"'(14) (a) At the time of filing return for the taxable year 1918 a taxpayer may file a claim in abatement based on the fact that he has sustained a substantial loss (whether or not actually realized by sale or other disposition) resulting from any material reduction (not due to temporary fluctuation) of the value of the inventory for such taxable year, or from the actual payment after the close of such taxable year of rebates in pursuance of contracts entered into during such year upon sales made during such year. In such case payment of the amount of the tax covered by such claim shall not be required until the claim is decided, but the taxpayer shall accompany his claim with a bond in double the amount of the tax covered by the claim, with sureties satisfactory to the commissioner, conditioned for the payment of any part of such tax found to be due, with interest. If any part of such claim is disallowed, then the remainder of the tax due shall on notice and demand by the collector be paid by the taxpayer with interest at the rate of 1 per cent per month from the time the tax would have been due had no such claim been filed. If it is shown to the satisfaction of the commissioner that such substantial loss has been sustained, then in computing the taxes imposed by this title and by Title III the amount of such loss shall be deducted from the net income. (b) If no such claim is filed, but it is shown to the satisfaction of the commissioner that during the taxable year 1919 the taxpayer has sustained a substantial loss of the character above described, then the amount of such loss shall be deducted from the net income for the taxable year 1918, and the taxes imposed by this title and by Title III for such year shall be redetermined accordingly. Any amount found to be due to the taxpayer upon the basis of such redetermination shall be credited or refunded to the taxpayer in accordance with the provisions of section 252.'

"And the Senate agree to the same.

"Amendment numbered 169: That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'in computing the tax as provided in subdivision (a) of section 205, the tax computed for the entire period under Title II of the revenue act of 1917 shall be credited against the net income computed for the entire period under Title I of the revenue act of 1916 as amended by the revenue act of 1917 and under Title I of the revenue act of 1917, and the tax computed for the entire period under Title III of this act at the rates prescribed for the calendar year 1918 shall be credited against the net income computed for the entire period under this title; and'; and the Senate agree to the same.

"Amendment numbered 171: That the House recede from its disagreement to the amendment of the Senate numbered 171, and agree to the same with an amendment as follows: In lieu of the figure '8' inserted by said amendment insert the figures '10'; and the Senate agree to the same.

"Amendment numbered 180: That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(c) If a domestic corporation makes a return for a fiscal year beginning in 1917 and ending in 1918, only that proportion of this credit shall be allowed which the part of such period within the calendar year 1918 bears to the entire period.'

"And on page 42 of the bill, after line 20, insert the following new paragraph:

"'If accrued taxes when paid differ from the amounts claimed as credits by the corporation, or if any tax paid is refunded in whole or in part, the corporation shall at once notify the commissioner who shall redetermine the amount of the taxes due under this title and under Title III for the year or years affected, and the amount of taxes due upon such redetermination, if any, shall be paid by the corporation upon notice and demand by the collector, or the amount of taxes overpaid, if any, shall be credited or refunded to the corporation in accordance with the provisions of section 252. In the case of such a tax accrued but not paid, the commissioner as a condition precedent to the allowance of this credit may require the corporation to give a bond with sureties satisfactory to and to be approved by him in such penal sum as he may require, conditioned for the payment by the taxpayer of any amount of taxes found due upon any such redetermination; and the bond herein prescribed shall contain such further conditions as the commissioner may require.'

"And on page 42 of the bill, line 21, at the beginning of the line, insert the letter 'b' in parentheses.

"And the Senate agree to the same.

"Amendment numbered 185: That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'CONSOLIDATED RETURNS.

"'SEC. 240. (a) That corporations which are affiliated within the meaning of this section shall, under regulations to be prescribed by the commissioner with the approval of the Secretary, make a consolidated return of net income and invested capital for the purposes of this title and Title III, and the taxes thereunder shall be computed and determined upon the basis of such return: *Provided*, That there shall be taken out of such consolidated net income and invested capital, the net income and invested capital of any such affiliated corporation organized after August 1, 1914, and not successor to a then existing business, 50 per cent or more of whose gross income consists of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive. In such case the corporation so taken out shall be separately assessed on the basis of its own invested capital and net income and the remainder of such affiliated group shall be assessed on the basis of the remaining consolidated invested capital and net income.

"'In any case in which a tax is assessed upon the basis of a consolidated return, the total tax shall be computed in the first instance as a unit and shall then be assessed upon the respective affiliated corporations in such proportions as may be agreed upon among them, or, in the absence of any such agreement, then on the basis of the net income properly assignable to each. There shall be allowed in computing the income tax only one specific credit of $2,000 (as provided in sec. 236); in computing the war-profits credit (as provided in sec. 311) only one specific exemption of $3,000; and in computing the excess-profits credit (as provided in sec. 312) only one specific exemption of $3,000.

"'(b) For the purpose of this section two or more domestic corporations shall be deemed to be affiliated (1) if one corporation owns directly or controls through closely affiliated interests or by a nominee or nominees substantially all the stock of the other or others, or (2) if substantially all the stock of two or more corporations is owned or controlled by the same interests.

"'(c) For the purposes of section 238 a domestic corporation which owns a majority of the voting stock of a foreign corporation shall be deemed to have paid the same proportion of any income, war-profits and excess-profits taxes paid (but not including taxes accrued) by such foreign corporation during the taxable year to any foreign country or to any possession of the United States upon income derived from sources without the United States, which the amount of any dividends (not deductible under sec. 234) received by such domestic corporation for such foreign corporation during the taxable year

bears to the total taxable income of such foreign corporation upon or with respect to which such taxes were paid: *Provided*, That in no such case shall the amount of the credit for such taxes exceed the amount of such dividends (not deductible under sec. 234) received by such domestic corporation during the taxable year.'

"And the Senate agree to the same.

"Amendment numbered 188: That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 250. (a) That except as otherwise provided in this section and sections 221 and 237 the tax shall be paid in four installments, each consisting of one-fourth of the total amount of the tax. The first installment shall be paid at the time fixed by law for filing the return, and the second installment shall be paid on the 15th day of the third month, the third installment on the fifteenth day of the sixth month, and the fourth installment on the fifteenth day of the ninth month, after the time fixed by law for filing the return. Where an extension of time for filing a return is granted the time for payment of the first installment shall be postponed until the date of the expiration of the period of the extension, but the time for payment of the other intallments shall not be postponed unless the commissioner so provides in granting the extension. In any case in which the time for the payment of any installment is at the request of the taxpayer thus postponed, there shall be added as part of such installment interest thereon at the rate of one-half of 1 per cent per month from the time it would have been due if no extension had been granted, until paid. If any installment is not paid when due, the whole amount of the tax unpaid shall become due and payable upon notice and demand by the collector.'

"And the Senate agree to the same.

"Amendment numbered 214: That the House recede from its disagreement to the amendment of the Senate numbered 214, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: 'imposing an income tax'; and the Senate agree to the same.

"Amendment numbered 215: That the House recede from its disagreement to the amendment of the Senate numbered 215, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"'*Provided further*, That all bona fide stockholders of record owning 1 per cent or more of the outstanding stock of any corporation shall, upon making request of the commissioner, be allowed to examine the annual income returns of such corporation and of its subsidiaries. Any stockholder who pursuant to the provisions of this section is allowed to examine the return of any corporation, and who makes known in any manner whatever not provided by law the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any such return, shall be guilty of a misdemeanor and be punished by a fine not exceeding $1,000, or by imprisonment not exceeding one year, or both.'

"And the Senate agree to the same.

"Amendment numbered 216: That the House recede from its disagreement to the amendment of the Senate numbered 216, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'in such manner as he may determine, in the office of the collector in each internal revenue district and in such other places as he may determine, lists'; and the Senate agree to the same.

"Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'CITIZENS OF UNITED STATES POSSESSIONS.

"'SEC. 260. That any individual who is a citizen of any possession of the United States (but not otherwise a citizen of the United States) and who is not a resident of the United States, shall be subject to taxation under this title only as to income derived from sources within the United States, and in such case the tax shall be computed and paid in the same manner and subject to the same conditions as in the case of other persons who are taxable only as to income derived from such sources.'

"And the Senate agree to the same.

"Amendment numbered 221: That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'PORTO RICO AND PHILIPPINE ISLANDS.

"'SEC. 261. That in Porto Rico and the Philippine Islands the income tax shall be levied, assessed, collected, and paid in accordance with the provisions of the revenue act of 1916 as amended.

"'Returns shall be made and taxes shall be paid under Title I of such act in Porto Rico or the Philippine Islands, as the case may be, by (1) every individual who is a citizen or resident of Porto Rico or the Philippine Islands or derives income from sources therein, and (2) every corporation created or organized in Porto Rico or the Philippine Islands or deriving income from sources therein. An individual who is neither a citizen nor a resident of Porto Rico or the Philippine Islands but derives income from sources therein, shall be taxed in Porto Rico or the Philippine Islands as a nonresident alien individual, and a corporation created or organized outside of Porto Rico or the Philippine Islands and deriving income from sources therein shall be taxed in Porto Rico or the Philippine Islands as a foreign corporation. For the purposes of section 216 and of paragraph (6) of subdivision (a) of section 234 a tax imposed in Porto Rico or the Philippine Islands upon the net income of a corporation shall not be deemed to be a tax under this title.

"'The Porto Rican or Philippine Legislature shall have power by due enactment to amend, alter, modify, or repeal the income tax laws in force in Porto Rico or the Philippine Islands, respectively.'

"And the Senate agree to the same.

"Amendment numbered 231: That the House recede from its disagreement to the amendment of the Senate numbered 231, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'equal to the sum of the following:

"'FIRST BRACKET.

"'30 per cent of the amount of the net income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital;

"'SECOND BRACKET.

"'65 per cent of the amount of the net income in excess of 20 per cent of the invested capital;

"'THIRD BRACKET.

"'The sum, if any, by which 80 per cent of the amount of the net income in excess of the war-profits credit (determined under section 311) exceeds the amount of the tax computed under the first and second brackets.

"'(b) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation (except corporations taxable under subdivision (c) of this section) a tax equal to the sum of the following:

"'FIRST BRACKET.

"'20 per cent of the amount of the next income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital;

"'SECOND BRACKET.

"'40 per cent of the amount of the net income in excess of 20 per cent of the invested capital.

"'(c) For the taxable year 1919 and each taxable year thereafter there shall be levied, collected, and paid upon the net income of every corporation which derives in such year a net income of more than $10,000 from any Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive, a tax equal to the sum of the following:

"'(1) Such a portion of a tax computed at the rates specified in subdivision (a) as the part of the net income attributable to such Government contract or contracts bears to the entire net income. In computing such tax the excess-profits credit and the war-profits credit applicable to the taxable year shall be used;

"'(2) Such a portion of a tax computed at the rates specified in subdivision (b) as the part of the net income not attributable to such Government contract or contracts bears to the entire net income.

"'For the purpose of determining the part of the net income attributable to such Government contract or contracts, the proper apportionment and allocation of the deductions with respect to gross income derived from such Government contract or contracts and from other sources, respectively, shall be determined under rules and regulations prescribed by the commissioner with the approval of the Secretary.

"'(d) In any case where the full amount of the excess-profits credit is not allowed under the first bracket of subdivision (a) or (b), by reason of the fact that such credit is in excess of 20 per cent of the invested capital, the part not so allowed shall be deducted from the amount in the second bracket.

"'(c) For the purposes of the act approved March 21, 1918, entitled "An act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," the tax imposed by this title shall be treated as levied by an act in amendment of Title II of the revenue act of 1917.'

"And the Senate agree to the same.

"Amendment numbered 232: That the House recede from its disagreement to the amendment of the Senate numbered 232, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'the tax imposed by subdivision (a) of section 301 shall in no case be more than 30 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 80 per cent of the amount of the net income in excess of $20,000; the tax imposed by subdivision (b) of section 301 shall in no case be more than 20 per cent of the amount of the net income in excess of $3,000 and not in excess of $20,000, plus 40 per cent of the amount of the net income in excess of $20,000; and the above limitations shall apply to the taxes computed under subdivisions (a) and (b) of section 301, respectively, when used in subdivision (c) of that section. Nothing in this section shall be construed in such manner as to increase the tax imposed by section 301'; and the Senate agree to the same.

"Amendment numbered 233: That the House recede from its disagreement to the amendment of the Senate numbered 233, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 303. That if part of the net income of a corporation is derived (1) from a trade or business (or a branch of a trade or business) in which the employment of capital is necessary, and (2) a part (constituting not less than 30 per cent of its total net income) is derived from a separate trade or business (or a distinctly separate branch of the trade or business) which if constituting the sole trade or business would bring it within the class of "personal service corporations," then (under regulations prescribed by the commissioner with the approval of the Secretary) the tax upon the first part of such net income shall be separately computed (allowing in such computation only the same proportionate part of the credits authorized in sections 311 and 312), and the tax upon the second part shall be the same percentage thereof as the tax so computed upon the first part is of such first part: *Provided*, That the tax upon such second part shall in no case be less than 20 per cent thereof, unless the tax upon the entire net income, if computed without benefit of this section, would constitute less than 20 per cent of such entire net income, in which event the tax shall be determined upon the entire net income, without reference to this section, as other taxes are determined under this title. The total tax computed under this section shall be subject to the limitations provided in section 302.'

"And the Senate agree to the same.

"Amendment numbered 234: That the House recede from its disagreement to the amendment of the Senate numbered 234, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'Any corporation whose net income for the taxable year is less than $3,000 shall be exempt from taxation under this title'; and the Senate agree to the same.

"Amendment numbered 236: That the House recede from its disagreement to the amendment of the Senate numbered 236, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(c) In the case of any corporation engaged in the mining of gold, the portion of the net income derived from the mining of gold shall be exempt from the tax imposed by this title, and the tax on the remaining portion of the net income shall be the proportion of a tax computed without the benefit of this subdivision which such remaining portion of the net income bears to the entire net income.'

"And the Senate agree to the same.

"Amendment numbered 242: That the House recede from its disagreement to the amendment of the Senate numbered 242, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(c) If the corporation was not in existence during the whole of at least one calendar year during the prewar period, then, except as provided in subdivision (d), the war-profits credit shall be the sum of:

"'(1) A specific exemption of $3,000; and

"'(2) An amount equal to the same percentage of the invested capital of the taxpayer for the taxable year as the average percentage of net income to invested capital, for the prewar period, of corporations engaged in a trade or business of the same general class as that conducted by the taxpayer; but such amount shall in no case be less than 10 per cent of the invested capital of the taxpayer for the taxable year. Such average percentage shall be determined by the commissioner on the basis of data contained in returns made under Title II of the revenue act of 1917, and the average known as the median shall be used. If such average percentage has not been determined and published at least 30 days prior to the time when the return of the taxpayer is due, then for purposes of such return 10 per cent shall be used in lieu thereof; but such average percentage when determined shall be used for the purposes of section 250 in determining the correct amount of the tax.

"'(d) The war-profits credit shall be determined in the manner provided in subdivision (b) instead of in the manner provided in subdivision (c), in the case of any corporation which was not in existence during the whole of at least one calendar year during the prewar period, if (1) a majority of its stock at any time during the taxable year is owned or controlled, directly or indirectly, by a corporation which was in existence during the whole of at least one calendar year during the prewar period, or if (2) 50 per cent or more of its gross income (as computed under section 233 for income tax purposes) consists of gains, profits, commissions, or other income, derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.'

"And the Senate agree to the same.

"Amendment numbered 243: That the House recede from its disagreement to the amendment of the Senate numbered 243, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert 'e' in parentheses; and the Senate agree to the same.

"Amendment numbered 254: That the House recede from its disagreement to the amendment of the Senate numbered 254, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'therefor, unless the actual cash value of such tangible property at the time paid in is shown to the satisfaction of the commissioner to have been clearly and substantially in excess of such par value, in which case such excess shall be treated as paid-in surplus: *Provided*, That the commissioner shall keep a record of all cases in which tangible property is included in invested capital at a value in excess of the stock or shares issued therefor, containing the name and address of each taxpayer, the business in which engaged, the amount of invested capital and net income shown by the return, the value of the tangible property at the time paid in, the par value of the stock or shares specifically issued therefor, and the amount included under this paragraph as paid-in surplus. The commissioner shall furnish a copy of such record and other detailed information with respect to such cases when required by resolution of either House of Congress, without regard to the restrictions contained in section 257'; and the Senate agree to the same.

"Amendment numbered 257: That the House recede from its disagreement to the amendment of the Senate numbered 257, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '25'; and the Senate agree to the same.

"Amendment numbered 259: That the House recede from its disagreement to the amendment of the Senate numbered 259, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '25'; and on page 62, line 14, of the bill, after the word 'lowest,' insert a colon and the following: '*Provided*, That in no case shall the total amount included under paragraphs (4) and (5) exceed in the aggregate 25 per cent of the par value of the total stock or shares of the corporation outstanding at the beginning of the taxable year'; and the Senate agree to the same.

"Amendment numbered 261: That the House recede from its disagreement to the amendment of the Senate numbered 261, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'a percentage thereof equal to the percentage which the amount of inadmissible assets is of the amount of admissible and inadmissible assets held during the taxable year'; and the Senate agree to the same.

"Amendment numbered 263: That the House recede from its disagreement to the amendment of the Senate numbered 263, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'That in the following cases the tax shall be determined as provided in section 328:

"'(a) Where the commissioner is unable to determine the invested capital as provided in section 326;

"'(b) In the case of a foreign corporation;

"'(c) Where a mixed aggregate of tangible property and intangible property has been paid in for stock or for stock and

bonds and the commissioner is unable satisfactorily to determine the respective values of the several classes of property at the time of payment, or to distinguish the classes of property paid in for stock and for bonds, respectively;

"'(d) Where upon application by the corporation the commissioner finds and so declares of record that the tax if determined without benefit of this section would, owing to abnormal conditions affecting the capital or income of the corporation, work upon the corporation an exceptional hardship evidenced by gross disproportion between the tax computed without benefit of this section and the tax computed by reference to the representative corporations specified in section 328. This subdivision shall not apply to any case (1) in which the tax (computed without benefit of this section) is high merely because the corporation earned within the taxable year a high rate of profit upon a normal invested capital, nor (2) in which 50 per cent or more of the gross income of the corporation for the taxable year (compared under section 233 of Title II) consists of gains, profits, commissions, or other income, derived on a cost-plus basis from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

"'SEC. 328. (a) In the cases specified in section 327 the tax shall be the amount which bears the same ratio to the net income of the taxpayer (in excess of the specific exemption of $3,000) for the taxable year, as the average tax of representative corporations engaged in a like or similar trade or business, bears to their average net income (in excess of the specific exemption of $3,000) for such year. In the case of a foreign corporation the tax shall be computed without deducting the specific exemption of $3,000 either for the taxpayer or the representative corporations.

"'In computing the tax under this section.'

"And on page 65 of the bill, after line 16, insert the following:

"'In cases in which the tax is to be computed under this section, if the tax as computed without the benefit of this section is less than 50 per cent of the net income of the taxpayer, the installments shall in the first instance be computed upon the basis of such tax; but if the tax so computed is 50 per cent or more of the net income, the installments shall be in the first instance be computed upon the basis of a tax equal to 50 per cent of the net income. In any case, the actual ratio when ascertained shall be used in determining the correct amount of the tax. If the correct amount of the tax when determined exceeds 50 per cent of the net income, any excess of the correct installments over the amounts actually paid shall on notice and demand be paid together with interest at the rate of one-half of 1 per cent per month on such excess from the time the installment was due.'

"And the Senate agree to the same.

"Amendment numbered 270: That the House recede from its disagreement to the amendment of the Senate numbered 270, and agree to the same with an amendment as follows: On page 65 of the bill, lines 22 and 23, strike out 'section' and insert 'subdivision'; and the Senate agree to the same.

"Amendment numbered 277: That the House recede from its disagreement to the amendment of the Senate numbered 277, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'If such predecessor trade or business was carried on by a partnership or individual the net income for the prewar period shall, under regulations prescribed by the commissioner with the approval of the Secretary, be ascertained and returned as nearly as may be upon the same basis and in the same manner as provided for corporations in Title II, including a reasonable deduction for salary or compensation to each partner or the individual for personal services actually rendered.

"'In the case of the organization as a corporation before July 1, 1919, of any trade or business in which capital is a material income-producing factor and which was previously owned by a partnership or individual, the net income of such trade or business from January 1, 1918, to the date of such reorganization may at the option of the individual or partnership be taxed as the net income of a corporation is taxed under Titles II and III; in which event the net income and invested capital of such trade or business shall be computed as if such corporation had been in existence on and after January 1, 1918, and the undistributed profits or earnings of such trade or business shall not be subject to the surtax imposed in section 211, but amounts distributed on or after January 1, 1918, from the earnings of such trade or business shall be taxed to the recipients as dividends, and all the provisions of Titles II and III relating to corporations shall, so far as practicable, apply to such trade or business: *Provided*, That this paragraph shall not apply to any trade or business the net income of which for the taxable year 1918 was less than 20 per cent of its invested capital for such year: *Provided further*, That any taxpayer who takes advantage of this paragraph shall pay the tax imposed by section 1000 of this act and by the first subdivision of section 407 of the revenue act of 1916, as if such taxpayer had been a corporation on and after January 1, 1918, with a capital stock having no par value.

"'If any asset of the trade or business in existence both during the taxable year and any prewar year is included in the invested capital for the taxable year but is not included in the invested capital for such prewar year, or is valued on a different basis in computing the invested capital for the taxable year and such prewar year, respectively, then under rules and regulations to be prescribed by the commissioner with the approval of the Secretary such readjustments shall be made as are necessary to place the computation of the invested capital for such prewar year on the basis employed in determining the invested capital for the taxable year.'

"And the Senate agree to the same.

"Amendment numbered 282: That the House recede from its disagreement to the amendment of the Senate numbered 282, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert a colon and the following:

"'*Provided*, That if such previous owner was not a corporation, then the value of any asset so transferred or received shall be taken at its cost of acquisition (at the date when acquired by such previous owner) with proper allowance for depreciation, impairment, betterment or development, but no addition to the original cost shall be made for any charge or expenditure deducted as expense or otherwise on or after March 1, 1913, in computing the net income of such previous owner for purposes of taxation.'

"And the Senate agree to the same.

"Amendment numbered 285: That the House recede from its disagreement to the amendment of the Senate numbered 285, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(1) The same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period, and (2) the same proportion of a tax for the entire period computed under this title at the rates specified in subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period. Any amount heretofore or hereafter paid on account of the tax imposed for such fiscal year by Title II of the revenue act of 1917 shall be credited toward the payment of the tax imposed for such fiscal year by this title, and if the amount so paid exceeds the amount of the tax imposed by this title, the excess shall be credited or refunded to the corporation in accordance with the provisions of section 252.

"'(b) If a corporation makes return for a fiscal year beginning in 1918 and ending in 1919, the tax for such fiscal year under this title shall be the sum of: (1) the same proportion of a tax for the entire period computed under subdivision (a) of section 301 which the portion of such period falling within the calendar year 1918 is of the entire period, and (2) the same proportion of a tax for the entire period computed under subdivision (b) or (c) of section 301 which the portion of such period falling within the calendar year 1919 is of the entire period.

"'(c) If a partnership or a personal service corporation makes return for a fiscal year beginning in 1917 and ending in 1918, it shall pay the same proportion of a tax for the entire period computed under Title II of the revenue act of 1917 which the portion of such period falling within the calendar year 1917 is of the entire period.

"'Any tax paid by a partnership or personal service corporation for any period beginning on or after January 1, 1918, shall be immediately refunded to the partnership or corporation as a tax erroneously or illegally collected.'

"And on page 67, line 5 of the bill, after 'corporation' insert the following inclosed in parentheses: 'other than a personal service corporation'; and the Senate agree to the same.

"Amendment numbered 289: That the House recede from its disagreement to the amendment of the Senate numbered 289, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'TITLE IV.—ESTATE TAX.

"'SEC. 400. That when used in this title—

"'The term "executor" means the executor or administrator of the decedent, or, if there is no executor or administrator, any person who takes possession of any property of the decedent; and

"'The term "collector" means the collector of internal revenue of the district in which was the domicile of the decedent at the time of his death, or, if there was no such domicile in the United States, then the collector of the district in which is situated the part of the gross estate of the decedent in the United States, or if such part of the gross estate is situated in more than one district, then the collector of internal revenue of such district as may be designated by the commissioner.

"'SEC. 401. That (in lieu of the tax imposed by Title II of the revenue act of 1916, as amended, and in lieu of the tax imposed by Title IX of the revenue act of 1917) a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this act, whether a resident or nonresident of the United States:

"'1 per cent of the amount of the net estate not in excess of $50,000;

"'2 per cent of the amount by which the net estate exceeds $50,000 and does not exceed $150,000;

"'3 per cent of the amount by which the net estate exceeds $150,000 and does not exceed $250,000;

"'4 per cent of the amount by which the net estate exceeds $250,000 and does not exceed $450,000;

"'6 per cent of the amount by which the net estate exceeds $450,000 and does not exceed $750,000;

"'8 per cent of the amount by which the net estate exceeds $750,000 and does not exceed $1,000,000;

"'10 per cent of the amount by which the net estate exceeds $1,000,000 and does not exceed $1,500,000;

"'12 per cent of the amount by which the net estate exceeds $1,500,000 and does not exceed $2,000,000;

"'14 per cent of the amount by which the net estate exceeds $2,000,000 and does not exceed $3,000,000;

"'16 per cent of the amount by which the net estate exceeds $3,000,000 and does not exceed $4,000,000;

"'18 per cent of the amount by which the net estate exceeds $4,000,000 and does not exceed $5,000,000;

"'20 per cent of the amount by which the net estate exceeds $5,000,000 and does not exceed $8,000,000;

"'22 per cent of the amount by which the net estate exceeds $8,000,000 and does not exceed $10,000,000; and

"'25 per cent of the amount by which the net estate exceeds $10,000,000.

"'The taxes imposed by this title or by Title II of the revenue act of 1916 (as amended by the act entitled "An act to provide increased revenue to defray the expenses of the increased appropriations for the Army and Navy and the extensions of fortifications, and for other purposes," approved March 3, 1917) or by Title IX of the revenue act of 1917, shall not apply to the transfer of the net estate of any decedent who has died or may die while serving in the military or naval forces of the United States in the present war or from injuries received or disease contracted while in such service, and any such tax collected upon such transfer shall be refunded to the executor.

"'SEC. 402. That the value of the gross estate of the decedent shall be determined by including the value at the time of his death of all property, real or personal, tangible or intangible, wherever situated—

"'(a) To the extent of the interest therein of the decedent at the time of his death which after his death is subject to the payment of the charges against his estate and the expenses of its administration and is subject to distribution as part of his estate;

"'(b) To the extent of any interest therein of the surviving spouse, existing at the time of the decedent's death as dower, courtesy, or by virtue of a statute creating an estate in lieu of dower or courtesy;

"'(c) To the extent of any interest therein of which the decedent has at any time made a transfer, or with respect to which he has at any time created a trust, in contemplation of or intended to take effect in possession or enjoyment at or after his death (whether such transfer or trust is made or created before or after the passage of this act), except in case of a bona fide sale for a fair consideration in money or money's worth. Any transfer of a material part of his property in the nature of a final disposition or distribution thereof, made by the decedent within two years prior to his death without such a consideration, shall, unless shown to the contrary, be deemed to have been made in contemplation of death within the meaning of this title;

"'(d) To the extent of the interest therein held jointly or as tenants in the entirety by the decedent and any other person, or deposited in banks or other institutions in their joint names and payable to either or the survivor, except such part thereof as may be shown to have originally belonged to such other person and never to have belonged to the decedent;

"'(e) To the extent of any property passing under a general power of appointment exercised by the decedent (1) by will, or (2) by deed executed in contemplation of, or intended to take effect in possession or enjoyment at or after, his death, except in case of a bona fide sale for a fair consideration in money or money's worth; and

"'(f) To the extent of the amount receivable by the executor as insurance under policies taken out by the decedent upon his own life; and to the extent of the excess over $40,000 of the amount receivable by all other beneficiaries as insurance under policies taken out by the decedent upon his own life.

"'SEC. 403. That for the purpose of the tax the value of the net estate shall be determined—

"'(a) In the case of a resident, by deducting from the value of the gross estate—

"'(1) Such amounts for funeral expenses, administration expenses, claims against the estate, unpaid mortgages, losses incurred during the settlement of the estate arising from fires, storms, shipwreck, or other casualty, or from theft, when such losses are not compensated for by insurance or otherwise, and such amounts reasonably required and actually expended for the support during the settlement of the estate of those dependent upon the decedent, as are allowed by the laws of the jurisdiction, whether within or without the United States, under which the estate is being administered, but not including any income taxes upon income received after the death of the decedent, or any estate, succession, legacy, or inheritance taxes;

"'(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in the decedent's gross estate;

"'(3) The amount of all bequests, legacies, devises, or gifts, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes. This deduction shall be made in case of the estates of all decedents who have died since December 31, 1917; and

"'(4) An exemption of $50,000;

"'(b) In the case of a nonresident, by deducting from the value of that part of his gross estate which at the time of his death is situated in the United States—

"'(1) That proportion of the deductions specified in paragraph (1) of subdivision (a) of this section which the value of such part bears to the value of his entire gross estate, wherever situated, but in no case shall the amount so deducted exceed 10 per cent of the value of that part of his gross estate which at the time of his death is situated in the United States;

"'(2) An amount equal to the value at the time of the decedent's death of any property, real, personal, or mixed, which can be identified as having been received by the decedent as a share in the estate of any person who died within five years prior to the death of the decedent, or which can be identified as having been acquired by the decedent in exchange for property so received, if an estate tax under the revenue act of 1917 or under this act was collected from such estate, and if such property is included in that part of the decedent's gross estate which at the time of his death is situated in the United States; and

"'(3) The amount of all bequests, legacies, devises, or gifts, to or for the use of the United States, any State, Territory, any political subdivision thereof, or the District of Columbia, for exclusively public purposes, or to or for the use of any domestic corporation organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, including the encouragement of art and the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private stockholder or individual, or to a trustee or trustees exclusively for such religious, charitable, scientific, literary, or educational purposes within the United

States. This deduction shall be made in case of the estates of all decedents who have died since December 31, 1917; and

"'No deduction shall be allowed in the case of a nonresident unless the executor includes in the return required to be filed under section 404 the value at the time of his death of that part of the gross estate of the nonresident not situated in the United States.

"'For the purpose of this title stock in a domestic corporation owned and held by a nonresident decedent, and the amount receivable as insurance upon the life of a nonresident decedent where the insurer is a domestic corporation, shall be deemed property within the United States, and any property of which the decedent has made a transfer or with respect to which he has created a trust, within the meaning of subdivision (c) of section 402, shall be deemed to be situated in the United States, if so situated either at the time of the transfer or the creation of the trust, or at the time of the decedent's death.

"'In the case of any estate in respect to which the tax under existing law has been paid, if necessary to allow the benefit of the deduction under paragraph (3) of subdivision (a) or (b) the tax shall be redetermined and any excess of tax paid shall be refunded to the executor.

"'SEC. 404. That the executor, within 60 days after qualifying as such, or after coming into possession of any property of the decedent, whichever event first occurs, shall give written notice thereof to the collector. The executor shall also, at such times and in such manner as may be required by regulations made pursuant to law, file with the collector a return under oath in duplicate, setting forth (a) the value of the gross estate of the decedent at the time of his death, or, in case of a nonresident, of that part of his gross estate situated in the United States; (b) the deductions allowed under section 403; (c) the value of the net estate of the decedent as defined in section 403; and (d) the tax paid or payable thereon; or such part of such information as may at the time be ascertainable and such supplemental data as may be necessary to establish the correct tax.

"'Return shall be made in all cases where the gross estate at the death of the decedent exceeds $50,000, and in the case of the estate of every nonresident any part of whose gross estate is situated in the United States. If the executor is unable to make a complete return as to any part of the gross estate of the decedent, he shall include in his return a description of such part and the name of every person holding a legal or beneficial interest therein, and upon notice from the collector such person shall in like manner make a return as to such part of the gross estate. The commissioner shall make all assessments of the tax under the authority of existing administrative special and general provisions of law relating to the assessment and collection of taxes.

"'SEC. 405. That if no administration is granted upon the estate of a decedent, or if no return is filed as provided in section 404, or if a return contains a false or incorrect statement of a material fact, the collector or deputy collector shall make a return and the commissioner shall assess the tax thereon.

"'SEC. 406. That the tax shall be due one year after the decedent's death; but in any case where the commissioner finds that payment of the tax within one year after the decedent's death would impose undue hardship upon the estate, he may grant an extension of time for the payment of the tax for a period not to exceed three years from the due date. If the tax is not paid within one year and 180 days after the decedent's death, interest at the rate of 6 per cent per annum from the expiration of one year after the decedent's death shall be added as part of the tax.

"'SEC. 407. That the executor shall pay the tax to the collector or deputy collector. If the amount of the tax can not be determined, the payment of a sum of money sufficient, in the opinion of the collector, to discharge the tax shall be deemed payment in full of the tax, except as in this section otherwise provided. If the amount so paid exceeds the amount of the tax as finally determined, the commissioner shall refund such excess to the executor. If the amount of the tax as finally determined exceeds the amount so paid, the collector shall notify the executor of the amount of such excess and demand payment thereof. If such excess part of the tax is not paid within 30 days after such notification, interest shall be added thereto at the rate of 10 per cent per annum from the expiration of such 30 days' period until paid, and the amount of such excess shall be a lien upon the entire gross estate, except such part thereof as may have been sold to a bona fide purchaser for a fair consideration in money or money's worth.

"'The collector shall grant to the person paying the tax duplicate receipts, either of which shall be sufficient evidence of such payment, and shall entitle the executor to be credited and allowed the amount thereof by any court having jurisdiction to audit or settle his accounts.

"'SEC. 408. That if the tax herein imposed is not paid within 180 days after it is due, the collector shall, unless there is reasonable cause for further delay, proceed to collect the tax under the provisions of general law, or commence appropriate proceedings in any court of the United States, in the name of the United States, to subject the property of the decedent to be sold under the judgment or decree of the court. From the proceeds of such sale the amount of the tax, together with the costs and expenses of every description to be allowed by the court, shall be first paid, and the balance shall be deposited according to the order of the court, to be paid under its direction to the person entitled thereto.

"'If the tax or any part thereof is paid by, or collected out of that part of the estate passing to or in the possession of, any person other than the executor in his capacity as such, such person shall be entitled to reimbursement out of any part of the estate still undisturbed or by a just and equitable contribution by the persons whose interest in the estate of the decedent would have been reduced if the tax had been paid before the distribution of the estate or whose interest is subject to equal or prior liability for the payment of taxes, debts, or other charges against the estate, it being the purpose and intent of this title that so far as is practicable and unless otherwise directed by the will of the decedent the tax shall be paid out of the estate before its distribution. If any part of the gross estate consists of proceeds of policies of insurance upon the life of the decedent receivable by a beneficiary other than the executor, the executor shall be entitled to recover from such beneficiary such portion of the total tax paid as the proceeds, in excess of $40,000, of such policies bear to the net estate. If there is more than one such beneficiary the executor shall be entitled to recover from such beneficiaries in the same ratio.

"'SEC. 409. That unless the tax is sooner paid in full, it shall be a lien for 10 years upon the gross estate of the decedent, except that such part of the gross estate as is used for the payment of charges against the estate and expenses of its administration, allowed by any court having jurisdiction thereof, shall be divested of such lien. If the commissioner is satisfied that the tax liability of an estate has been fully discharged or provided for, he may, under regulations prescribed by him with the approval of the Secretary, issue his certificate releasing any or all property of such estate from the lien herein imposed.

"'If (a) the decedent makes a transfer of, or creates a trust with respect to, any property in contemplation of or intended to take effect in possession or enjoyment at or after his death (except in the case of a bona fide sale for a fair consideration in money or money's worth) or (b) if insurance passes under a contract executed by the decedent in favor of a specific beneficiary, and if in either case the tax in respect thereto is not paid when due, then the transferee, trustee, or beneficiary shall be personally liable for such tax, and such property, to the extent of the decedent's interest therein at the time of such transfer, or to the extent of such beneficiary's interest under such contract of insurance, shall be subject to a like lien equal to the amount of such tax. Any part of such property sold by such transferee or trustee to a bona fide purchaser for a fair consideration in money or money's worth shall be divested of the lien and a like lien shall then attach to all the property of such transferee or trustee, except any part sold to a bona fide purchaser for a fair consideration in money or money's worth.

"'SEC. 410. That whoever knowingly makes any false statement in any notice or return required to be filed under this title shall be liable to a penalty of not exceeding $5,000, or imprisonment not exceeding one year, or both.

"'Whoever fails to comply with any duty imposed upon him by section 404, or, having in his possession or control any record, file, or paper, containing or supposed to contain any information concerning the estate of the decedent, or, having in his possession or control any property comprised in the gross estate of the decedent, fails to exhibit the same upon request to the commissioner or any collector or law officer of the United States, or his duly authorized deputy or agent, who desires to examine the same in the performance of his duties under this title, shall be liable to a penalty of not exceeding $500, to be recovered, with costs of suit, in a civil action in the name of the United States.'

"And the Senate agree to the same.

"Amendment numbered 292: That the House recede from its disagreement to the amendment of the Senate numbered 292, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"'*Provided*, That where such water transportation lines are in competition between American ports with foreign water trans-

portation lines from adjacent foreign ports, the tax imposed under this subdivision on amounts paid for water transportation between American ports shall not exceed the amount of the transportation tax to which such foreign water transporation lines are subjected by their government corresponding to this tax.'

"And the Senate agree to the same.

"Amendment numbered 297: That the House recede from its disagreement to the amendment of the Senate numbered 297, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and restore the matter stricken out by said amendment, and at the end thereof insert the following new paragraph:

"'The tax shall, without assessment by the commissioner or notice from the collector, be due and payable to the collector at the time so fixed for filing the return. If the tax is not paid when due, there shall be added as part of the tax a penalty of 5 per cent, together with interest at the rate of 1 per cent for each full month, from the time when the tax became due.'

"And on page 85, line 19 of the bill, strike out 'November 1, 1918,' and insert 'April 1, 1919'; and on page 86, line 16 of the bill, insert after 'policy' a colon and the following:

"'*And provided further*, That on all policies covering life, health, and accident insurance combined in one policy, by which a life is insured not in excess of $500, issued on the industrial or weekly or monthly payment plan of insurance, the tax shall be 40 per cent of the amount of the first weekly premium or 20 per cent of the amount of the first monthly premium, as the case may be.'

"And the Senate agree to the same.

"Amendment numbered 312: That the House recede from its disagreement to the amendment of the Senate numbered 312, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'of $3.20 (if intended for sale for beverage purposes or for use in the manufacture or production of any article used or intended for use as a beverage) on each proof gallon, and a proportionate tax at a like rate on all fractional parts of such proof gallon'; and the Senate agree to the same.

"Amendment numbered 325: That the House recede from its disagreement to the amendment of the Senate numbered 325, and agree to the same with an amendment as follows: On page 92, line 9, of the Senate engrossed amendments strike out 'of fermentation'; and the Senate agree to the same.

"Amendment numbered 341: That the House recede from its disagreement to the amendment of the Senate numbered 341, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '$6'; and the Senate agree to the same.

"Amendment numbered 345: That the House recede from its disagreement to the amendment of the Senate numbered 345, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '$3'; and the Senate agree to the same.

"Amendment numbered 357: That the House recede from its disagreement to the amendment of the Senate numbered 357, and agree to the same with an amendment as follows: On page 95, line 14, of the Senate engrossed amendments strike out 'of' and insert 'entitled "An act to provide revenue; equalize duties and encourage the industries of the United States, and for other purposes," approved'; and the Senate agree to the same.

"Amendment numbered 367: That the House recede from its disagreement to the amendment of the Senate numbered 367, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1½ cents'; and the Senate agree to the same.

"Amendment numbered 368: That the House recede from its disagreement to the amendment of the Senate numbered 368, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a comma and the following: 'societies for the prevention of cruelty to children or animals, or exclusively to the benefit of organizations conducted for the sole purpose of maintaining symphony orchestras and receiving substantial support from voluntary contributions, none of the profits of which are distributed to members of such organizations'; and the Senate agree to the same.

"Amendment numbered 369: That the House recede from its disagreement to the amendment of the Senate numbered 369, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert 'April 1, 1919' and a comma; and the Senate agree to the same.

"Amendment numbered 375: That the House recede from its disagreement to the amendment of the Senate numbered 375 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'Automobile trucks and automobile wagons, (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof)' and a comma, and on page 127, line 7, of the bill, strike out the figure '5' and insert the figure '3'; and the Senate agree to the same.

"Amendment numbered 376: That the House recede from its disagreement to the amendment of the Senate numbered 376, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: 'Other automobiles and motorcycles (including tires, inner tubes, parts, and accessories therefor, sold on or in connection therewith or with the sale thereof), except tractors, 5 per cent' and a semicolon; and the Senate agree to the same.

"Amendment numbered 387: That the House recede from its disagreement to the amendment of the Senate numbered 387, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '5' in parentheses; and the Senate agree to the same.

"Amendment numbered 391: That the House recede from its disagreement to the amendment of the Senate numbered 391, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '6' in parentheses; and the Senate agree to the same.

"Amendment numbered 393: That the House recede from its disagreement to the amendment of the Senate numbered 393, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '7' in parentheses; and the Senate agree to the same.

"Amendment numbered 395: That the House recede from its disagreement to the amendment of the Senate numbered 395, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '8' in parentheses; and the Senate agree to the same.

"Amendment numbered 397: That the House recede from its disagreement to the amendment of the Senate numbered 397, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figure '9' in parentheses; and the Senate agree to the same.

"Amendment numbered 399: That the House recede from its disagreement to the amendment of the Senate numbered 399, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures '10' in parentheses; and the Senate agree to the same.

"Amendment numbered 404: That the House recede from its disagreement to the amendment of the Senate numbered 404, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: '(11) Hunting and bowie knives, 10 per cent' and a semicolon; and the Senate agree to the same.

"Amendment numbered 414: That the House recede from its disagreement to the amendment of the Senate numbered 414, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '15' in parentheses; and the Senate agree to the same.

"Amendment numbered 417: That the House recede from its disagreement to the amendment of the Senate numbered 417, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '16' in parentheses; and the Senate agree to the same.

"Amendment numbered 418: That the House recede from its disagreement to the amendment of the Senate numbered 418, and agree to the same with an amendment as follows: On page 129, line 13, of the bill, strike out the words 'weighing or'; and on page 129, line 14, of the bill, after the word 'cent' insert a comma and the following: 'and automatic slot-device weighing machines, 10 per cent'; and the Senate agree to the same.

"Amendment numbered 420: That the House recede from its disagreement to the amendment of the Senate numbered 420, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '17' in parentheses; and the Senate agree to the same.

"Amendment numbered 421: That the House recede from its disagreement to the amendment of the Senate numbered 421, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '18' in parentheses; and the Senate agree to the same.

"Amendment numbered 424: That the House recede from its disagreement to the amendment of the Senate numbered 424, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '(19) Articles made of fur on the hide or pelt, or of which any such fur is the component material of chief value, 10 per cent' and a semicolon; and the Senate agree to the same.

"Amendment numbered 425: That the House recede from its disagreement to the amendment of the Senate numbered 425, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '20' in parentheses; and the Senate agree to the same.

"Amendment numbered 426: That the House recede from its disagreement to the amendment of the Senate numbered 426, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'not designed for trade, fishing, or national defense'; and the Senate agree to the same.

"Amendment numbered 428: That the House recede from its disagreement to the amendment of the Senate numbered 428, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '21' in parentheses; and the Senate agree to the same.

"Amendment numbered 446: That the House recede from its disagreement to the amendment of the Senate numbered 446, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'This section shall not apply to the sale of any such article to an educational institution or public art museum'; and the Senate agree to the same.

"Amendment numbered 454: That the House recede from its disagreement to the amendment of the Senate numbered 454, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'by or for a dealer or his estate'; and the Senate agree to the same.

"Amendment numbered 467: That the House recede from its disagreement to the amendment of the Senate numbered 467, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'or (2) to any article made of fur on the hide or pelt, or of which any such fur is the component material of chief value' and a comma; and the Senate agree to the same.

"Amendment numbered 469: That the House recede from its disagreement to the amendment of the Senate numbered 469, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '(17) or (18)'; and the Senate agree to the same.

"Amendment numbered 474: That the House recede from its disagreement to the amendment of the Senate numbered 474, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'by or for a dealer or his estate'; and the Senate agree to the same.

"Amendment numbered 480: That the House recede from its disagreement to the amendment of the Senate numbered 480, and agree to the same with an amendment as follows: On page 180 of the bill, after line 2, insert the following:

"'(6) This section shall not apply to any tax imposed by section 906.'

"And the Senate agree to the same.

"Amendment numbered 484: That the House recede from its disagreement to the amendment of the Senate numbered 484, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: 'by or for a dealer or his estate'; and the Senate agree to the same.

"Amendment numbered 485: That the House recede from its disagreement to the amendment of the Senate numbered 485, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a colon and the following:

"'*Provided*, That the provisions of this section shall not apply to the sale of vaccines and bacterines which are not advertised to the general lay public, nor to the sale by a physician in personal attendance upon a patient of medicinal preparations not so advertised.'

"And the Senate agree to the same.

"Amendment numbered 492: That the House recede from its disagreement to the amendment of the Senate numbered 492, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert a period and the following: 'The taxes imposed by this section shall apply to mutual insurance companies, and in the case of every such domestic company the tax shall be equivalent to $1 for each $1,000 of the excess over $5,000 of the sum of its surplus or contingent reserves maintained for the general use of the business and any reserves the net additions to which are included in net income under the provisions of Title II, as of the close of the preceding accounting period used by such company for purposes of making its income-tax return: *Provided*, That in the case of a foreign mutual insurance company the tax shall be equivalent to $1 for each $1,000 of the same proportion of the sum of such surplus and reserves, which the reserve fund upon business transacted within the United States is of the total reserve upon all business transacted, as of the close of the preceding accounting period used by such company for purposes of making its income-tax return; and the Senate agree to the same.

"Amendment numbered 495: That the House recede from its disagreement to the amendment of the Senate numbered 495, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the figures '$50'; and the Senate agree to the same.

"Amendment numbered 523: That the House recede from its disagreement to the amendment of the Senate numbered 523, and agree to the same with an amendment as follows: On page 129 of the bill, at the end of line 14, and before the semicolon inserted by the Senate amendment numbered 419, insert the following: 'in the case of a vending machine, and 10 per cent of its fair market value in the case of a weighing machine'; and the Senate agree to the same.

"Amendment numbered 526: That the House recede from its disagreement to the amendment of the Senate numbered 526, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert 'or before July 1 of each year'; and the Senate agree to the same.

"Amendment numbered 535: That the House recede from its disagreement to the amendment of the Senate numbered 535, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 1007. That section 6 of such act of December 17, 1914, is hereby amended to read as follows:

"'"SEC. 6. That the provisions of this act shall not be construed to apply to the manufacture, sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than two grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than one grain of codeine, or any salt or derivative of any of them in one fluid ounce, or, if a solid or semisolid preparation, in one avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute for them: *Provided*, That such remedies and preparations are manufactured, sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this act: *Provided further*, That any manufacturer, producer, compounder, or vender (including dispensing physicians) of the preparations and remedies mentioned in this section shall keep a record of all sales, exchanges, or gifts of such preparations and remedies in such manner as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall direct. Such record shall be preserved for a period of two years in such a way as to be readily accessible to inspection by any officer, agent, or employee of the Treasury Department duly authorized for that purpose, and the State, Territorial, District, municipal, and insular officers named in section 5 of this act, and every such person so possessing or disposing of such preparations and remedies shall register as required in section 1 of this act and, if he is not paying a tax under this act, he shall pay a special tax of $1 for each year, or fractional part thereof, in which he is engaged in such occupation, to the collector of internal revenue of the district in which he carries on such occupation as provided in this act. The provisions of this act as amended shall not apply to decocainized coca leaves or preparations made therefrom, or to other preparations of coca leaves which do not contain cocaine."'

"And the Senate agree to the same.

"Amendment numbered 542: That the House recede from its disagreement to the amendment of the Senate numbered 542, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert a colon and the following:

"'*Provided*, That where a premium is charged for the issuance, execution, renewal, or continuance of such bond the tax shall be 1 cent on each dollar or fractional part thereof of the premium charged: *Provided further*, That policies of reinsurance shall be exempt from the tax imposed by this subdivision.'

"And the Senate agree to the same.

"Amendment numbered 544: That the House recede from its disagreement to the amendment of the Senate numbered 544, and agree to the same with an amendment as follows: On page 118, line 1, of the Senate engrossed amendments strike out '5' and insert '3'; and on page 85, line 24 of the bill, before the comma insert the following inclosed in parentheses: 'except

those taxable under subdivision 15 of Schedule A of Title XI'; and the Senate agree to the same.

"Amendment numbered 548: That the House recede from its disagreement to the amendment of the Senate numbered 548, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert 'furniture' and a comma; and the Senate agree to the same.

"Amendment numbered 550: That the House recede from its disagreement to the amendment of the Senate numbered 550, and agree to the same with an amendment as follows: Omit the matter inserted by said amendment and on page 173, after line 9 of the bill, insert the following:

"'(d) (1) There is hereby created a board to be known as the "Advisory Tax Board," hereinafter called the board, and to be composed of not to exceed six members to be appointed by the commissioner with the approval of the Secretary. The board shall cease to exist at the expiration of two years after the passage of this act, or at such earlier time as the commissioner with the approval of the Secretary may designate.'

"'Vacancies in the membership of the board shall be filled in the same manner as an original appointment. Any member shall be subject to removal by the commissioner with the approval of the Secretary. The commissioner with the approval of the Secretary shall designate the chairman of the board. Each member shall receive an annual salary of $9,000, payable monthly, together with actual necessary expenses when absent from the District of Columbia on official business.

"'(2) The commissioner may, and on the request of any taxpayer directly interested shall, submit to the board any question relating to the interpretation or administration of the income, war-profits, or excess-profits tax laws, and the board shall report its findings and recommendations to the commissioner.

"'(3) The board shall have its office in the Bureau of Internal Revenue in the District of Columbia. The expenses and salaries of members of the board shall be audited, allowed, and paid out of appropriations for collecting internal revenue, in the same manner as expenses and salaries of employees of the Bureau of Internal Revenue are audited, allowed, and paid.

"'(4) The board shall have the power to summon witnesses, take testimony, administer oaths, and to require any person to produce books, papers, documents, or other data relating to any matter under investigation by the board. Any member of the board may sign subpœnas and members and employees of the Bureau of Internal Revenue designated to assist the board, when authorized by the board, may administer oaths, examine witnesses, take testimony and receive evidence.'

"And the Senate agree to the same.

"Amendment numbered 561: That the House recede from its disagreement to the amendment of the Senate numbered 561, and agree to the same with an amendment as follows: On page 128, line 17, and again on page 129, line 7, of the Senate engrossed amendments, strike out the word 'Titles' and insert the word 'Title'; and the Senate agree to the same.

"Amendment numbered 569: That the House recede from its disagreement to the amendment of the Senate numbered 569, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'(c) That the pragraph of section 3689 of the Revised Statutes, as amended, reading as follows: "Refunding taxes illegally collected (internal revenue): To refund and pay back duties erroneously or illegally assessed or collected under the internal-revenue laws," is repealed from and after June 30, 1920; and the Secretary of the Treasury shall submit for the fiscal year 1921, and annually thereafter, an estimate of appropriations to refund and pay back duties or taxes erroneously or illegally assessed or collected under the internal-revenue laws, and to pay judgments, including interest and costs, rendered for taxes or penalties erroneously or illegally assessed or collected under the internal-revenue laws.'

"And the Senate agree to the same.

"Amendment numbered 578: That the House recede from its disagreement to the amendment of the Senate numbered 578, and agree to the same with an amendment as follows: On page 132, line 11, of the Senate engrossed amendments, after the word 'States,' insert the following: 'at the instance of the United States'; and the Senate agree to the same.

"Amendment numbered 581: That the House recede from its disagreement to the amendment of the Senate numbered 581, and agree to the same with an amendment as follows: On page 133, line 7, of the Senate engrossed amendments, strike out the parenthesis, and also in line 8 of said page strike out the parenthesis; and the Senate agree to the same.

"Amendment numbered 595: That the House recede from its disagreement to the amendment of the Senate numbered 595, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1402'; and the Senate agree to the same.

"Amendment numbered 596: That the House recede from its disagreement to the amendment of the Senate numbered 596, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1403'; and the Senate agree to the same.

"Amendment numbered 597: That the House recede from its disagreement to the amendment of the Senate numbered 597, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1404'; and the Senate agree to the same.

"Amendment numbered 598: That the House recede from its disagreement to the amendment of the Senate numbered 598, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1405'; and the Senate agree to the same.

"Amendment numbered 599: That the House recede from its disagreement to the amendment of the Senate numbered 599, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 1406. That all persons serving in the military or naval forces of the United States during the present war who have, since April 6, 1917, resigned or been discharged under honorable conditions (or, in the case of reservists, been placed on inactive duty), or who at any time hereafter (but not later than the termination of the current enlistment or term of service) in the case of the enlisted personnel and female nurses, or within one year after the termination of the present war in the case of officers, may resign or be discharged under honorable conditions (or, in the case of reservists, be placed on inactive duty), shall be paid, in addition to all other amounts due them in pursuance of law, $60 each.'

"'This amount shall not be paid (1) to any person who though appointed or inducted into the military or naval forces on or prior to November 11, 1918, had not reported for duty at his station on or prior to such date; or (2) to any person who has already received one month's pay under the provisions of section 9 of the act entitled "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917; or (3) to any person who is entitled to retired pay; or (4) to the heirs or legal representatives of any person entitled to any payment under this section who has died or may die before receiving such payment. In the case of any person who subsequent to separation from the service as above specified has been appointed or inducted into the military or naval forces of the United States and has been or is again separated from the service as above specified, only one payment of $60 shall be made.

"'The above amount, in the case of separation from the service on or prior to the passage of this act, shall be paid as soon as practicable after the passage of this act, and in the case of separation from the service after the passage of this act shall be paid at the time of such separation.

"'The amounts herein provided for shall be paid out of the appropriations for "pay of the Army" and "pay of the Navy," respectively, by such disbursing officers as may be designated by the Secretary of War and the Secretary of the Navy.

"'The Secretary of War and the Secretary of the Navy respectively shall make all regulations necessary for the enforcement of the provisions of this section.'

"And the Senate agree to the same.

"Amendment numbered 600: That the House recede from its disagreement to the amendment of the Senate numbered 600, and agree to the same with an amendment as follows: Strike out the section number '1408' in the matter inserted by said amendment and insert in lieu thereof the number '1407'; and the Senate agree to the same.

"Amendment numbered 601: That the House recede from its disagreement to the amendment of the Senate numbered 601, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"'SEC. 1408. That every person who on or after April 6, 1917, has entered into any contract, undertaking, or agreement, with the United States, or with any department, bureau, officer, commission, board, or agency under the United States or acting in its behalf, or with any other person having contract relations with the United States, for the performance of any work or the supplying of any materials or property for the use of or for the account of the United States, shall, within 30 days after a request of the commissioner therefor, file with the commissioner a true and correct copy of every such contract, undertaking, or agreement.

"'Whoever fails to comply with such request of the commissioner shall be guilty of a misdemeanor and shall be punished

by a fine of not more than $1,000 or by imprisonment for not more than one year, or both.

"'The commissioner shall (when not violative of the technical military or naval secrets of the Government) have access to all information and data relating to any such contract, undertaking, or agreement in the possession, control, or custody of any department, bureau, board, agency, officer, or commissioner of the United States, and may call upon any such department, bureau, board, agency, officer, or commissioner for a full statement and description of any allowance for amortization, obsolescence, depreciation, or loss, or of any valuation, appraisal, adjustment, or final settlement, made in pursuance of any such contract, undertaking, or agreement.'

"And the Senate agree to the same.

"Amendment numbered 602: That the House recede from its disagreement to the amendment of the Senate numbered 602, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert '1409'; and the Senate agree to the same.

"F. M. SIMMONS,
"JOHN SHARP WILLIAMS,
"HOKE SMITH,
"BOIES PENROSE,
"H. C. LODGE,
"*Managers on the part of the Senate.*

"CLAUDE KITCHIN,
"HENRY T. RAINEY,
"LINCOLN DIXON,
"JOSEPH W. FORDNEY,
"J. HAMPTON MOORE,
"*Managers on the part of the House.*"

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. LODGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Johnson, S. Dak.	Moses	Smith, Mich.
Bankhead	Jones, N. Mex.	Myers	Smith, S. C.
Borah	Jones, Wash.	New	Smoot
Calder	Kellogg	Nugent	Spencer
Chamberlain	Kendrick	Page	Sutherland
Colt	Kenyon	Penrose	Swanson
Culberson	King	Poindexter	Thomas
Fletcher	Kirby	Pollock	Townsend
France	La Follette	Pomerene	Underwood
Gay	Lewis	Ransdell	Wadsworth
Gerry	Lodge	Robinson	Warren
Gore	McCumber	Saulsbury	Weeks
Harding	McKellar	Shafroth	
Henderson	McNary	Sheppard	
Johnson, Cal.	Martin, Va.	Simmons	

Mr. GERRY. I wish to announce that the Senator from North Carolina [Mr. OVERMAN], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Delaware [Mr. WOLCOTT] are detained on official business.

Mr. FRANCE. I desire to announce the absence of the Senator from Florida [Mr. TRAMMELL], the Senator from Georgia [Mr. HARDWICK], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Wisconsin [Mr. LENROOT] on official business of the Senate.

The PRESIDING OFFICER. Fifty-seven Senators have answered to their names. A quorum is present. The question is on agreeing to the conference report. [Putting the question.] The ayes have it, and the report is agreed to.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. The Senator from Utah.

Mr. SIMMONS. Mr. President, I was on my feet with a view to addressing the Senate. I do not think the conference report can be agreed to in that way. I think it is necessary that we should have consideration of it.

The PRESIDING OFFICER. The Chair merely desired to expedite business. The Chair did not know that the Senator from North Carolina desired to address the Senate. Without objection, the vote whereby the report was agreed to will be reconsidered, and the Senator from North Carolina will be recognized.

Mr. SIMMONS. I desire that that be done.

The PRESIDING OFFICER. It has already been done. The Senator from North Carolina will proceed.

Mr. SIMMONS. Mr. President, the Senate added over 600 amendments to the revenue bill as it passed the other House. Of those amendments the Senate conferees receded from only 68. The House receded from its disagreement to 417 of the Senate amendments without change and from its disagreement to 117 of the Senate amendments with amendments. In order to bring the two Houses together upon these 602 amendments, it is obvious that a vast amount of work was required. That the conferees were able to accomplish this result in a little over two weeks show that their work was constant and diligent; but even with the greatest diligence, Mr. President, it would have been impossible to accomplish this result within so short a time had not every member of the conference been alive to the fact that the exigencies of the situation required the utmost speed.

I desire to say to the Senators who do me the honor to hear the brief statement I am going to make, that I am advised by the Commissioner of Internal Revenue and the Secretary of the Treasury that Government obligations amounting to more than $800,000,000 will mature and will have to be paid by the 15th day of March next, and that the money which it is expected to realize from the first installment under this bill has been pledged for the payment of those maturing obligations.

The Commissioner of Internal Revenue further advises me that, relying upon the assurances that were given to him by the conferees that this bill could be passed at this session, and passed within a short time, he has abandoned all purpose of arranging to collect taxes except under this bill, and that if for any reason this bill should fail or be delayed so long as to make it impossible for him to collect the taxes this year under it the Treasury Department and the Government would be placed in a most embarrassing position.

Mr. President, the statement I shall make will be of a general character. I do not purpose to discuss the details of the conference committee action and report. I do desire, however, to state very briefly the general purport and effect of the action of the conferees with reference to the more important matters adjusted by them.

Early in the year 1918 the Secretary of the Treasury recommended to Congress the enactment of a new revenue law, framed to raise $8,000,000,000 by taxation, to help meet the expenditures of the fiscal year 1918, estimated at that time at $24,000,000,000. In response to this request the Ways and Means Committee of the House prepared, and the House passed, the pending bill, providing for an $8,000,000,000 tax levy. When the armistice came on November 11, 1918, the bill was still before the Finance Committee of the Senate, to which it had been referred.

There was no purpose upon the part of that committee up to that time to reduce the amount of the levy below the House estimate of $8,000,000,000. Within a few days, however, after the signing of the armistice the Secretary of the Treasury, in a communication to myself as chairman of the Finance Committee, advised that the estimated expenditures would, because of the practical termination of the war, be reduced to $18,000,000,000, and at the same time he recommended a reduction of the taxes to be imposed for the fiscal year 1918–19 from $8,000,000,000 to $6,000,000,000 and for the fiscal year 1920 from $6,000,000,000 to $4,000,000,000. Senators will recall that the President, in his message to Congress delivered a short time after the armistice, joined the Secretary of the Treasury in these recommendations.

While many of the amendments made by the Senate were made with a view of improving the general structure of the bill, the major part of them were made with a view to accomplishing the reduction recommended by the Secretary of the Treasury and the President. To accomplish this $2,000,000,000 reduction for 1919 the Senate made sweeping reductions in the House rates for that year and still greater reductions for the fiscal year 1920 and subsequent years. It revised those rates from the beginning to the end of the bill, cutting them materially in most cases.

But the changes made by the Senate were not confined to the lowering of rates; the Senate adopted many amendments that were of an ameliorative character, providing relief in cases of hardship and inequality and giving additional deductions and credits, as well as other remedial provisions, made expedient because of changed economic and industrial conditions resulting from the sudden termination of the war. No inconsiderable portion, Mr. President, of the reductions made by the Senate in the amount of revenue expected from the income and excess or war profits will be accomplished through these so-called relief amendments.

The Senate did not change the individual normal income-tax rate for the taxable year 1918. It did, however, change the surtax rates, reducing those rates as to small and moderate incomes and increasing them somewhat as to larger incomes, especially those in excess of $200,000. The result of these changes is a reduction in estimated revenue receipts from this source of about $50,000,000. The House conferees agreed to these changes. The Senate reduced the individual normal income-tax rate for the taxable year 1919 and subsequent years from 6 and 12 per cent to 4 and 8 per cent, and the House agreed to these changes. These were the only changes made

by the Senate in the individual income-tax rates as provided in the House bill, and to all of those changes the House conferees agreed.

The House bill imposed a flat rate of 12 per cent upon the income of corporations, and provided, in effect, for an additional 6 per cent against such part of corporate incomes as were not distributed. The Senate eliminated this 6 per cent differential tax and made the flat corporation income tax for the taxable year 1918 12 per cent. To that change the House, through its conferees, very reluctantly agreed.

The only other change made by the Senate in the House corporation income-tax rates was that with reference to the rates for the taxable year 1919, fiscal year 1920. The Senate had fixed those rates at 8 per cent. The House conferees insisted that this was too low; they insisted that because of the fact that they had yielded to the Senate with reference to the 6 per cent differential tax, thereby permitting corporations to retain a part of their earnings without being subjected to the surtax to which individuals were liable, those rates ought to be raised at least for the fiscal year 1920.

Mr. SMOOT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. In just a minute. The Senate consented to the increase in its rates for 1920 from 8 to 10 per cent.

Mr. SMOOT. I was going to ask the Senator, under the rules of the Senate or the House, how it was possible to increase that rate from 8 to 10 per cent. The House had passed no legislation whatever imposing a tax for the taxable year 1919. The Senate passed a provision imposing a normal tax of 8 per cent, and the conferees bring in a tax of 10 per cent.

Mr. SIMMONS. Mr. President, I do not think there is any difficulty concerning the power of the conferees to do that. The House bill imposed a tax of 12 per cent for the year 1918 and 12 per cent for every taxable year thereafter; and the conferees simply reduced the 12 per cent, that being the highest rate, to 10 per cent for one of those subsequent years, and made that rate applicable to all other subsequent years. That is to say, under the House bill, if it had not been amended by the Senate, the rate for the fiscal year 1920 and every subsequent year would have been 12 per cent, and under the rule we could change the rate so as not to exceed that limit. At least, I will say to the Senator, that was the view of the conferees.

Mr. SMOOT. I will say to the Senator that perhaps that could be construed in that way, although the bill itself imposed the tax on the year 1918—that is, the taxable year 1918, the fiscal year 1919—and I do not think there is anything in the bill itself which says that the tax shall be at that rate hereafter.

Mr. SIMMONS. The tax fixed in the House bill is 12 per cent for the taxable year 1918 and each year thereafter. That is the language, I think; but if it were not the language my conclusion would still be correct. The rate of 12 per cent would continue until the law was repealed or amended.

Mr. SMOOT. The Senator is quite right in that last statement. I was wondering myself upon what theory they did change the rate fixed by the Senate, as the Senate acted specifically on that year, virtually repealing the law as it stood.

Mr. SIMMONS. No; not repealing it; amending it.

Mr. SMOOT. Well, it is the same thing, because the tax law for 1918 is virtually repealed by the legislation that we passed. In other words, the law as it was passed by the Senate provided that the taxes imposed under the bill for 1918 should apply only to that year, and then the Senate passed legislation for the year 1919. The House not having acted upon it, I wondered how it was that they could be increased. I simply brought up the subject at this time in order to get the Senator's ideas as to why it was done.

Mr. SIMMONS. I have stated to the Senate and to the Senator the views of the conferees with respect to this matter, and in those views I heartily concur. I believe that the Senator upon further reflection will also agree that that change was within the province of the committee.

As I have stated, the Senate adopted a series of amendments applicable to incomes and profit taxes commonly designated as relief amendments which will result in a reduction of the taxes in the cases to which these amendments are applicable, and will materially diminish the revenue from these sources. It is estimated that the reduction in revenue resulting from these amendments will amount to approximately half a billion dollars.

The more important of these amendments are those relating to amortization and depletion, first, with reference to industrial plants and vessels; second, with reference to oil and gas wells, mineral deposits, and timber where profits are realized through depletion of the capital; and, third, those amendments relating to shrinkage in inventories and net losses.

Mr. CALDER. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from New York?

Mr. SIMMONS. I yield.

Mr. CALDER. I have in mind the case of a shipyard on the west coast. The owner of this yard had several shipyards on the east coast. At the request of the Government, through the Shipping Board or the Navy Department, he very largely extended his shipping plant on the west coast, investing practically all the profits from his eastern yards in his western yard so as to extend his plant to do Government work. Under circumstances of that kind can he ask the Government to consider his profit invested in his plants, which to-day are not worth much more than 25 per cent of what they cost him, because they cost him war prices, and in the cancellation of the contract by the Shipping Board his yard is not worth what it was before?

Mr. SIMMONS. I can answer the Senator generally by saying that if by reason of the investment of his profits in an extension of his yards he has constructed a plant which was necessary in time of war to meet the demands which were made upon him at that time for production, but which after the termination of the war has depreciated in value because not needed; in that case, under the amortization provision he will be allowed to amortize to the full extent of the depreciation in value. Of course, if there is salvage he would be allowed to amortize only down to the salvage value.

Mr. CALDER. Less the salvage?

Mr. SIMMONS. Less the salvage; but the amortization allowance is based upon the total cost value of the property amortized, and that is made in these amendments specifically applicable to plant and machinery constructed or installed for the production of articles contributing to the prosecution of the war.

Mr. CALDER. I am glad to have the Senator's expression of opinion on the subject, because I was not sure that the shipbuilding plants were included in the terms of the bill, and I wanted to be certain that that was the Senator's view.

Mr. SIMMONS. Yes; the bill is explicit with reference to that character of property. On account of the amortization provision contained in the bill, contractors for war material are going to find very great relief, because I realize, and the Senate must realize, that in very many instances to meet the emergency of war contractors were required not only to construct new plants but to install machinery that will be of very little value to them after the war has ceased.

I wish to call the Senator's attention, further, and I wish to call the attention of the country, to the fact that there are some war contractors who have been attacking the bill who have been importuning Senators to use their influence to defeat the bill, so that the tax against them might be levied under the present law, which imposes lower rates of taxes. They would find, if they should accomplish their purpose and defeat this bill, that when the taxes were levied under the present law they would not get the benefit of this amortization privilege, and that might mean in many instances higher taxes under the present law than under the proposed new law.

Mr. CALDER. I think the Senator is correct.

Mr. SIMMONS. There is nothing in the present law that gives any such deduction or allowance.

Mr. CALDER. I know there is not; but I understand there is a ruling or decision of the Treasury Department that has helped out the situation somewhat. I am quite sure that but for that ruling a great many concerns would have gone bankrupt.

Mr. SIMMONS. I think there was a ruling that helped them to some extent, but the ruling did not and could not help them to the extent this bill does, for this bill helps them to the extent of the full original cost, if the loss is total.

Mr. CALDER. I am sure that is very fair. Does the Senator think the Treasury Department is justified under the previous law in amortizing the loss of a shipbuilding plant where a profit on the investment has been made?

Mr. SIMMONS. I doubt it very seriously. I think it would be quite a departure from the terms of the law.

Mr. SMOOT. In further answer, I will say to the Senator that in most cases there was an absolute contract between the Government and the owners of the plant. Of course, the Government has to give weight to that.

Mr. CALDER. I have in mind several cases where men were led to believe there would perhaps be a certain figure of profit. The Government has come in subsequently and rather taken the ground that they could not under the law, despite the fact that

they had fitted out these shipyards, allow any such procedure. That I very much regret.

Mr. SIMMONS. There can be no doubt that under the bill their power will be ample and plenary, so far as plant and facilities acquired on or after April 6, 1917, are concerned.

Mr. SMOOT. It is very sweeping in its provisions.

Mr. SIMMONS. It is very sweeping, as the Senator from Utah very justly observes.

There is another amendment of this character which, of course, will very considerably reduce the amount of revenue to be collected under the bill, but which, I think, under the conditions which now exist, industrial and economic, will be of the greatest possible relief to the taxpayer and is but a fair measure of justice. I refer to the amendment or amendments relating to shrinkage in inventories and net losses. These provisions were retained by the conferees with some amendments. In fact, Mr. President, the amendment which the conferees made to the inventory provision I regard as most vital. It will very greatly strengthen it, in my opinion, and I refer to it this afternoon, because I think the business people of the country who have not read the bill, but have relied upon the newspapers for their information with reference to this and other important provisions, have not yet come to realize the great relief it will afford under the present conditions. Market values are falling and this decline will undoubtedly proceed at a constantly accelerating rate. Under such circumstances the allowance for falling inventories, as amended by the conferees, will afford the greatest relief from the heavy taxes which the bill imposes.

In general terms, where during the year 1919, by reason of a decline in values, the inventories upon which the incomes for the year 1918 were based have shrunk so as to make it apparent that the tax which would be paid in 1919, based upon these high inventories, would be based upon values that no longer exist, values that have disappeared, which will never be realized, the bill permits a reduction to the extent of the decline in the inventory values and provides that the tax for the preceding year shall be redetermined and paid upon the new basis of value, instead of upon the original inventory basis.

I do not think it is possible to estimate with any degree of accuracy what will be the loss in revenue as the result of this amendment. It is a broad, sweeping amendment, but it does nothing more than common justice to the taxpayers. It says to the taxpayer that where your profits turn out to be, by reason of shrinkage in inventory values mere paper profits, you shall be allowed to pay your tax upon the basis of the actual inventory value at the time you make your return for 1918, and if the losses have not been discovered at the time you make those returns and they are discovered any time during the year 1919 then the commissioner may make the allowance and the taxpayer may get the benefit of the shrinkage.

Let me illustrate with the case of the cotton manufacturers. They have laid in great stocks of raw cotton, the larger part of which was purchased at 30 cents or more than 30 cents a pound. The inventories for the year 1918 would have to be based upon those values. That cotton is to-day worth probably not much over two-thirds of the amount for which it was purchased. If they are required to pay their taxes without any rebate upon the basis of the cost of this raw material still in hand, it is easy to see that they would have to pay tax upon a value charged against them, but which will not, as a matter of fact, ever be realized.

I wish to call attention to this fact, Mr. President, and I do it because, while the bill was in conference, I received many telegrams from the people of my State protesting in one way or another against this tax, and asking that the rates be reduced so as to yield $4,000,000,000 rather than $6,000,000,000. Of course, they were told that could not be done; that the conference committee had no power to take such action even if it had the desire. They then said defeat the bill so that we may be taxed under the present law. Of course, everybody would rather be taxed upon the basis of $4,000,000,000 than upon the basis of $6,000,000,000.

I wish, in connection with these protests, to emphasize the fact that if this bill should fail the manufacturers of this country, producers, and tradesmen, who have purchased great stocks of material at high prices, would pay large taxes, based upon inflated inventory values; and if the taxes should be levied under the present law there would be no such relief as this particular amendment affords. The amendment allows a rebate to the full amount of the shrinkage. I think in very many cases they will find that the relief which will come to them through the amortization provision of the bill, through the obsolescence provision of the bill, through the net-losses provision of the bill, and through the inventory provisions of the bill will more than offset the difference between the new rate and the rate at which they would pay taxes under the present law.

Coming now to the excess-profits and war-profits taxes, I may say in general that the House accepted the rates adopted by the Senate with but few modifications. The House conferees accepted the excess-profits rates adopted by the Senate for the taxable year 1918, with an amendment increasing the second bracket from 60 per cent to 65 per cent, and they accepted the Senate rates for 1919 and thereafter with no material change except that relating to income derived from war contracts, to which I shall refer hereafter.

It will be seen from this statement that the House accepted nearly all of the Senate amendments with respect to individual income taxes, corporate income taxes, and profits taxes, so far as rates of taxation are involved. Ordinarily the Senate could not have expected the House to have acquiesced in practically all of these amendments, with a few minor modifications; but the House conferees recognized the fact that after the bill left the House the situation changed, and that most of these reductions were made by the Senate to accomplish the recommended reduction from eight to six billion dollars in the amount of revenue to be raised under the bill.

There was one important change made by the conferees in the profits tax for the taxable year 1919 and subsequent years. While agreeing to the Senate rate of 20 and 40 per cent, the conferees of the House insisted upon an amendment in which the conferees of the Senate very heartily concurred. In fact, the Finance Committee had discussed, before the bill was reported to the Senate, the wisdom of making an amendment of that character. I had announced myself in favor of it, and declared a purpose to introduce it upon the floor of the Senate, but inadvertently I failed to do it. The conferees of the House insisted upon, and the Senate conferees heartily concurred in, an amendment to the 1919 rate providing that where the net income of any corporation derived from any contract or contracts with the Government exceeded $10,000, that part of its income accruing from such contracts should be taxed under the 1918 rates.

Mr. KELLOGG. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Minnesota?

Mr. SIMMONS. I yield to the Senator.

Mr. KELLOGG. Do I understand that in 1920 the war-profits tax against contracts with the Government is 80 per cent, and not against other business operations?

Mr. SIMMONS. I do not know whether the Senator understood me or not. I state that a war-profits tax was imposed upon corporation derived from Government contracts. It is not an income tax.

Mr. KELLOGG. No; I understand that. There is a war-profits tax this year of 80 per cent, for 1918?

Mr. SIMMONS. Yes.

Mr. KELLOGG. Now, I am speaking of next year, 1919.

Mr. SMOOT. The taxable year.

Mr. KELLOGG. The taxable year of 1919. Is the war-profits tax of 80 per cent against war contracts alone?

Mr. SIMMONS. Yes.

Mr. KELLOGG. Let me see if I understand that. Here is a shipbuilding concern, or any concern, manufacturing for the Government. Although it may make not more profit——

Mr. SIMMONS. Did I say "war contracts"? I mean by that term Government contracts made between April 6, 1917, and November 11, 1918.

Mr. KELLOGG. Well, suppose a shipbuilding concern, or any other manufacturing concern, was willing to work for the Government at the same rate, or even at a less rate, of profit than it would work for a private concern. The concern which is patriotic enough to do Government work is penalized next year with an 80 per cent tax, while other manufacturing concerns, right beside it, pay no tax at all.

Mr. SIMMONS. The Senator is mistaken about others right beside it paying no tax. The others would pay the excess-profits tax, which is 20 and 40 per cent; and the corporation to which the Senator refers, if it were making profits outside of those made on its contracts with the Government, would only pay at those rates, 20 and 40 per cent. The Senator knows what we were driving at. The President, in his message to Congress, stated that, while he favored the reduction of the taxes for 1920 to $4,000,000,000 and favored a reduction in the profit rates, a high war tax against war profits ought to be continued.

Mr. KELLOGG. Quite so.

Mr. SIMMONS. The Secretary of the Treasury, in his recommendation asking that the war-profits tax be abolished after 1918, suggested that there ought to be provision by which the 80

per cent rate would be continued for profits realized after 1918 from Government contracts made during the war; and the purpose which the conference committee had in view was to see to it that a Government contract heretofore made, and based upon the prices that had heretofore obtained, should pay the same tax upon its war profits when those war profits were made in 1919 as it is required under the law to pay when those profits were made in 1918.

Mr. KELLOGG. I am quite aware of that, and I would not object to everyone who makes a war profit from contracts with private individuals or with the Government being required in 1919 to pay a good, heavy rate of tax; but the war-profits tax this year—1918—makes no discrimination between those working for the Government and those working for private individuals; and while I have no doubt some contractors may have made very large profits from the Government, I think you will find that those manufacturers and contractors who were not doing business with the Government made more money than those who were doing business with the Government.

Mr. SIMMONS. Will the Senator pardon me for calling his attention to the fact that the contracts referred to in this amendment are only such contracts with the Government as were made between April 6, 1917, the day when we went into the war, and November 11, 1918, when we went out of the war. The presumption is that these contracts were based upon the high costs and the high rate of profits that obtained during the war.

Mr. KELLOGG. Quite so.

Mr. SIMMONS. They go over; they are executed in the next year. There is no change in the contract. The basis is the same. The contractor may be able to make a larger profit in 1919 because of falling markets, falling cost of labor, falling cost of material than he made in 1918; and to let that contract escape the higher tax that the bill imposed upon all other contracts made upon the same basis, it seems to me, would be quite a discrimination.

Mr. KELLOGG. I agree with the Senator; but why should not a contract made by a shipbuilding or a manufacturing company with a private concern, made in the same time, to run the same length of time, making the same big profits, be taxed in the same way? That is why I can not understand the provision.

For instance, let me explain. One contract is made with the Government for building ships, and it runs from July, 1918, to July, 1919. If it is made with the Government, the manufacturer must pay 80 per cent this year of 1919. If it is made with a private concern, although the profit is greater, and it is a war contract, he pays no taxes at all under the war-profits tax in 1919. That is the point.

Mr. SIMMONS. Yes; I see the point the Senator makes.

Mr. KELLOGG. During the war we made no discrimination between those manufacturing for the Government and those manufacturing for private concerns, and I do not see why we should make any discrimination during 1919.

Mr. SIMMONS. Mr. President, I think everybody in this country recognizes the fact that even while the war was going on there was quite a difference between the profits that were derived from Government contracts and those derived from private contracts. They were upon a different basis while the war was in progress. It is a matter of common knowledge that in the case of Government contracts, because of the fact that the situation required speed, because time was the essence of the thing, and because every consideration of expense had to be sacrificed to acceleration in delivery, the contractors with the Government demanded a profit which they did not get and could not have obtained from private sources. That was spoken of during the war as one of the chief elements that entered into and formed the basis of a large part of the consideration which the Government agreed to pay on these contracts.

Mr. SMOOT. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Utah?

Mr. SIMMONS. I do.

Mr. SMOOT. I will say to the Senator that perhaps that was so in some cases; but I know of many, many cases where the private contractor was selling at a higher rate than that at which the Government was purchasing the same class of goods, and in some cases, I will say to the Senator, I know of concerns that were selling goods to the Government and also making the same goods for private parties, and the price at which they were sold to the private purchaser was higher than the price at which they were sold to the Government.

Mr. SIMMONS. Doubtless some cases of that kind may be found; but the Senator knows that when they were constructing these great cantonments, when it was of the utmost importance that they should be ready to receive in the quickest possible time the soldiers who were coming from every part of the country, advertisements went out offering the highest prices for labor and for material in order that speed might be accomplished. The Senator knows that that was so with reference to shipbuilding. He knows that that was so with reference to the manufacture of munitions of war. If the Government could not get them quickly, they would be of no use to the Government. Speed was of the very essence of the thing, and prices calculated to obtain labor and material in the quickest possible way were demanded by the contractors and paid by the Government, and this was true of all of these contracts, of those that were not executed as well as those that were executed before the armistice.

Mr. SMOOT. I agree with all that the Senator has said. I know that the prices advanced beyond all reason; but what I can not understand, Mr. President, is this: While those prices to the Government were advancing, so they were advancing to the individual contractor. He had to pay those prices, and in some instances even more than the Government paid, and the persons that sold those goods to the private contractor or to the Government made those outrageous profits; and it seems to me that we ought to catch those profits, whether they were made by an individual contractor or whether they were made by a contractor with the Government. That is the only thing that I can not understand about this proposed amendment. I will say to the Senator that it is a new subject matter. It was never discussed, and it has been put in here since the bill passed the Senate. It is a new thing entirely, and when I read it I wondered why it was in here.

Mr. SIMMONS. It is an amendment to the Senate amendment. The conferees accepted the Senate amendment with an amendment.

Mr. SMOOT. But I mean they changed the Senate amendment by amending it, and put in provisions that were not passed upon by the Senate at all. It is entirely new.

Mr. SIMMONS. I know it is new in the Senate, but it is permissible under the rules.

Mr. SMOOT. I do not want the Senator to get the idea that I am going to make a point of order on those things. I simply wished to bring it out here in the discussion. If I wanted to be captious over the matter, of course I could simply say that there is new matter put in here contrary to the rules of the Senate; but I am not going to do it, and I do not want any other Senator to do it.

Mr. SIMMONS. I am very glad to hear the Senator say so. I do not think his objection would be tenable, but I am very glad to know that the Senator does not propose to be hypercritical.

Mr. SMOOT. I think it would be tenable. Of course, that is a difference of opinion; but, be that as it may, if I knew it would be sustained I would never raise it, I want to say to the Senator, either on this item or on any other item that is in the bill. That is not the question. The only thing that I desire to emphasize is that I believe, just as the Senator from Minnesota [Mr. KELLOGG] believes, that wherever these unconscionable profits were made, whether by a contractor doing private work or by a contractor doing Government work, there is no difference in principle, because the people ultimately have to pay them.

That is the only position that I take in this matter. I am not going to ask the Senator to strike it out. I simply think it is an unfair proposition, and I do not think it can be defended, if you are intending to do exact justice between all citizens of our country.

Mr. SIMMONS. Mr. President, I have said all that I desire to say with respect to that. I am sorry that my colleague upon the committee, the Senator from Utah, disagrees with me.

Mr. President, in addition to the relief amendments placed in the income-tax title, but affecting profits taxes as well as income taxes, amendments relating to amortization and obsolescence, shrinkage in inventories, and so forth, the Senate added a general relief clause investing more or less discretion in the Commissioner of Internal Revenue and the advisory tax board for relief in cases clearly establishing injustice, inequality, or discrimination. The House conferees accepted these provisions of the Senate.

The relief provisions as contained in the Senate amendments were specific in their terms. They specified the special conditions and circumstances under which the commissioner might give relief. The conferees on the part of the House, while not specially objecting to that method of relief, insisted that it was very much better to give authority in more comprehensive terms and without such detail of specification and particularization. After careful discussion and consideration it was agreed to rewrite the Senate relief provision and give the necessary power

to the commissioner in general terms. The general opinion of the conferees and of the department, and I concur in that opinion, is that the amendment as redrafted broadens rather than restrains the powers of the commissioner in the matter of relief against injustice, inequality, and discrimination.

Such a provision, Mr. President, is of the greatest importance in a bill to take effect under conditions such as now exist in this country. There is no such power invested in the commissioner under the present law, but cases arose under the present law in which a strict application of the rigid and inflexible definition of invested capital would have worked such intolerable hardship and oppression that the commissioner was compelled to cast about and find, if possible, authority by which he might partially, at least, relieve against such hardship. Of course the commissioner could not give full relief. Of course there might be some question about his authority to give even partial relief in many cases.

While some relief could be accorded measurably though not fully meeting the requirements of the particular cases under the conditions existing during the application of the present law, it is perfectly apparent that under the changed conditions which exist now, in the chaotic situations in which the business interests of the country have been thrown, the measure of relief which can be afforded under the provisions of the present law would prove utterly and miserably inadequate.

Therefore, Mr. President, in the interest of common justice, having laid down a hard and fast—practically an inflexible—rule to measure invested capital, a rule adopted probably because we could not find anything better, it was thought expedient and necessary under these conditions to invest the Commissioner of Internal Revenue with broad powers and discretion in certain conditions and circumstances to grant such relief as justice and common fairness would dictate should be given. We accordingly framed the general provision to which I have referred, and the House conferees accepted it with a slight amendment.

That is another one of the provisions which, I think, the business interests of the country have not yet come fully to realize. They may know that there is some provision here by which the commissioner can help them in case of difficulties of the kind I have described, but I do not think they have yet come to realize the breadth of the discretion which is lodged in the commissioner in this amendment and what it may be worth to them under the conditions which now confront us.

I know this bill imposes high taxes. It is necessary to impose high taxes, higher than we have been paying heretofore. But, Mr. President, while the rates are higher, while the taxes will be higher, I believe that when you take into consideration the relief provisions of the bill as compared with the relief provisions of the present law it will be found that this bill will bear with but little greater weight upon the great business interests of the country than the present law, especially on that part of the business interests that have to pay, in addition to income taxes, excess-profits or war-profits taxes.

It is estimated that the reductions in rates made by the Senate amendments and retained in conference, and the reductions resulting from the ameliorative and relief amendments made by the Senate and retained in conference, will probably reduce the revenues from the House estimates approximately $900,000,000 for the taxable year 1918.

Mr. President, your conferees, very much to their regret, were forced by the attitude of the House to yield the plan which the Senate had devised for taxing insurance companies. The Senate had stricken out altogether the House provisions with reference to insurance and had written in a new scheme upon an entirely new basis. The House conferees while not objecting to the scheme in toto objected to a part of it which was absolutely essential to the whole, and as we thought essential to the justice of the scheme. They were willing to accept the rate adopted by the Senate, but they were not willing to allow the deductions provided in the Senate scheme.

Your conferees did not think that its scheme would be equitable or satisfactory if the deductions were eliminated, and, after much controversy and much discussion, reflection, and investigation—for we did investigate a good deal to see if we could not reach a basis of compromise—finding ourselves unable to come to any satisfactory adjustment with reference to the Senate scheme, the Senate receded, and the effect of that was to restore with slight amendments the House provisions of the bill.

There was also, Mr. President, sharp disagreement in conference between the two Houses with reference to inheritance taxes. The present law is the basis of the House scheme; in fact, it is the House scheme, with lower rates; that is to say, the House rates are very much higher than are the rates of the present law. Its basis is an estate tax; that is to say, the taxes are levied against the entire estate of the decedent after the authorized deductions have been made.

The Senate scheme was based upon an entirely different principle. It did not tax the total estate of the decedent, but it taxed the amount going to each one of the beneficiaries of the estate, giving each one of those beneficiaries a deduction, and, of course, splitting up the amount and dividing it between the beneficiaries, and taxing it as so divided. Even at the same rates as those in the House bill, the yield of the tax would have been less, because the rates of the House bill, like the rates of the present law and like the rates recommended in the conference report, are graduated according to the size of the entire estate, while the rates of the inheritance tax were adjusted to the size of the several distributive shares. The Senate conferees, finding it impossible to get the House conferees to agree to their plan of an inheritance tax, accepted the House plan of an estate tax, with material reduction in the rates applicable to small and moderate sized estates.

The House rates were, I believe, nearly double the rates of the present law. The Senate rates were, in effect, very much lower. The rates that we finally agreed upon in conference are very much less than are the rates of the present law for estates of less than $750,000. They are not so very much higher than the rates in the Senate amendment. So it may be said, speaking broadly, that while the Senate yielded to the House as to the method of imposing this tax the House yielded to the Senate as to the rates of the tax.

Mr. President, I pass over the tobacco schedule, because there were no changes of importance made in conference from the Senate amendments. The Senate reduced the House rates on cigars, cigarettes, and tobacco. The House conferees accepted practically all of these reduced Senate rates. A slight increase was made in the tax on cigarettes. The conference raised that rate from $2.90 to $3 a thousand. There was also one change in the rate with reference to cigars selling for more than 5 cents and for less than 8 cents from $5.40 to $6 a thousand. Otherwise the House accepted the Senate rates.

The same thing, Mr. President, is true with the Senate rates on admissions and dues. The House had doubled existing rates and the Senate amendment cut the House rates in two, and restored the rates of the present law. The House conferees accepted all of these reductions made by the Senate. The only exception, I believe, is the tax on cabarets. That was raised a little bit above the Senate amendment, halfway, I think, between the Senate rate and the House rate, to be accurate.

The House practically accepted all of the Senate excise rates. There was a slight change in the automobile tax and the tax on vending machines.

The House accepted, with slight exceptions, all of the rates of the Senate with reference to special taxes, the exception being chiefly the rates on ship brokers and customhouse brokers.

The conferees changed the Senate's basis of calculating the capital-stock tax from the net-assets basis to market-value basis as provided in the present law. With those unimportant exceptions all of the Senate's reduced rates were agreed to.

The same is true of the stamp taxes. The only material change made by the conferees in the stamp section of the bill affecting rates was that on foreign insurance, which was reduced from the Senate rate of 5 per cent to 3 per cent.

Mr. President, the Senate made a very striking amendment to the House bill in its amendment permitting a corporation whose principal income is derived from the personal activities of the principal stockholders to be taxed as a partnership instead of as a corporation. The fundamental reason for that change is found in the fact that the excess-profits taxes and the war-profits taxes for 1918 would be extremely oppressive—I might use a harsher term than that—would be almost destructive if they were imposed without allowing a reasonable exemption or deduction.

This exemption or deduction is based very largely upon the invested capital. With a deduction which for excess-profits tax can not be less than 8 per cent of the invested capital, and for war-profits tax can not be less than 10 per cent of the invested capital—with this allowance entirely exempt from taxation—a capitalistic corporation is by the very letter of the law guaranteed a reasonable profit, however high the tax may be upon that part of their profits in excess of this allowance, so that no concern whose business is based upon capital, whose profits are the returns of capital, can be bankrupted or can be deprived of what in the business world is regarded as a fair return upon the capital invested in the business. But where the income is not derived from capital, but is derived from the

personal exertions of the principal owners of the corporation, there can be no exemption based upon invested capital. If these excess-profits and war-profits taxes were imposed, therefore, upon a corporation that had no capital or very little capital, they would constitute a flat tax upon the entire earnings, without any deductions except for the actual expenses incurred in the conduct of the business. That would be a great hardship. We sought in the present law to remedy that by imposing a flat 8 per cent tax in such cases. That was an unsatisfactory solution. The House sought in this bill to solve the problem by imposing a flat tax of 20 per cent upon the net income in lieu of the profits tax. That was not a satisfactory solution. But when we permit such concerns to be taxed as a partnership we exempt them under the present law from excess-profits taxes and from war-profits taxes, and put them upon a parity with the individual and the partnership paying taxes only upon their income.

The Senate made that amendment, and I think it was one of the wisest amendments made to the bill. The House conferees accepted that amendment, but after reflection the House conferees and the Senate conferees concluded that there was a class of profits made largely by corporations with no capital invested, but which rely only on their personal services, that would escape just taxation under the Senate amendment. So, by mutual consent, we added a provision to the bill exempting from this privilege accorded personal-service corporations corporations 50 per cent or more of whose gross incomes consists of—

Gains, profits, commissions, or other income derived from a Government contract or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive.

We also provided that this provision should not include corporations "50 per cent or more of whose gross income consists of gains, profits, or income derived from trading as a principal."

Another Senate amendment with which the conference had trouble, but which was finally accepted by the House conferees, was the amendment providing for the consolidated return. That is one of the good provisions of the bill. I should have been exceedingly sorry to have seen it stricken from the bill, and yet the House conferees seemed to be very much opposed to it. After long discussion we finally compromised that matter by retaining the Senate's consolidation scheme with a provision taking out of it any corporation "organized after August 1, 1914, and not successor to a then existing business 50 per cent or more of whose gross income consists of gains, profits, commissions, or other income derived from Government contracts or contracts made between April 6, 1917, and November 11, 1918, both dates inclusive." In case the corporation is taken out of the consolidation for this reason, that particular corporation is assessed separately, while the other affiliated corporations are assessed on the consolidated basis.

Mr. President, there is another amendment which occupied the time of the conference to some extent, but was finally happily adjusted. That was in connection with the controversy over the so-called King amendment. I think the conferees on the part of both Houses felt that the amendment as originally adopted was too broad. Senators will remember that that amendment was offered during the last stages of the consideration of the bill in the Senate, and it was understood, I think, and so expressed upon the floor of the Senate at the time, that the amendment would require some consideration by the conferees. While we rewrote the amendment, I think that what we have included in the bill will accomplish the main purpose which the author of the amendment, the Senator from Utah, had in mind. It was prepared, after consultation with the Commissioner of Internal Revenue and with the experts of the department, with a view to authorizing the commissioner to call for and to secure from the contractor and from the Government department concerned such information with respect to the contract as the commissioner deems necessary in order to enable him properly to adjust and assess the taxes.

Mr. WADSWORTH. Mr. President, would not the commissioner have the right to do that now?

Mr. SIMMONS. I presume he would, but it was thought best to make it clear that he had the powers which he said he should have. In asking the commissioner's advice, we said to him, "We want to give you with respect to these matters all the power you think you need." I will state to the Senate, as frankness requires, that this amendment was practically prepared under his direction and I think it gives him all the powers which he needs to get the information that is thought necessary to adjust and assess the taxes properly.

Mr. President, there were two Senate amendments from which the Senate conferees receded. One of those amendments was that relating to campaign contributions, presented in the Senate by the distinguished Senator from Colorado [Mr. THOMAS]. From the very first reading of the bill in conference that amendment became the subject of much discussion and controversy. A rather ugly state of mind was developed on the part of some members of the conference with respect to it. The House conferees sharply disagreed about it, three of them being very pronounced in their opposition. It was finally taken back to the House for instructions, and the House did instruct its conferees to yield if the retroactive provision of the amendment were eliminated. The House conferees did yield; they stated that, of course, they had to carry out their instructions; but it was very evident that in yielding that did not end the matter so far as they were concerned. There were some strong expressions on the matter by a majority of the House conferees. On the part of the Senate conferees, while, of course, they were bound by the action of the Senate, some of them stated that, if the provision were amended as proposed by the House conferees, they would not support it. I do not wish to go into a discussion of the situation that developed, but the situation which did develop satisfied me that, if this amendment were retained in the bill, it would lead to long and bitter discussion in both Houses, and that in this Chamber it would probably result in dangerous delay or in the ultimate defeat of the bill. Under these circumstances the House conferees went back to their body and asked for instructions, and upon the initiative of certain prominent Senators a poll was taken on both sides of this Chamber as to the present feeling of Senators with respect to this amendment, particularly in connection with conditions disclosed with respect to it in conference.

Mr. THOMAS. Mr. President——

The PRESIDING OFFICER (Mr. KING in the chair). Does the Senator from North Carolina yield to the Senator from Colorado?

Mr. SIMMONS. I yield.

Mr. THOMAS. Can the Senator inform me who took that poll, and when?

Mr. SIMMONS. As long as the Senator puts the direct question to me, I think that I owe it to him and owe it to the Senate to say that, in view of the representations made to me by the Senators to whom I have referred as to the present feeling of the Senate, I asked the Senator from Virginia [Mr. SWANSON] to make a poll of the Democratic Senators, a poll having already been made and communicated to me of the Republican Senators. Another poll of Democratic Senators other than that made by the Senator from Virginia was taken to verify that poll as to certain Senators whose answer to the first poll was somewhat indefinite and to extend it to certain Senators who were not present at the time the first poll was taken. This supplementary poll was taken by an official of the Senate at my instance.

Mr. THOMAS. Mr. President, I wish to say that it is the first I ever heard of any such poll, and I am the author of the amendment.

Mr. SIMMONS. I am speaking now about the Democratic side of the Chamber.

Mr. THOMAS. I happen to be on that side of the Chamber.

Mr. SIMMONS. A similar poll, I am advised, was taken on the other side of the Chamber. I do not know who took it, but the result of the poll was brought to the attention of the conferees. Considering all these circumstances, therefore—the situation which developed in the committee, which to my mind meant delay, and long delay, and possibly the ultimate defeat of this measure if this provision were retained in the bill, added to the fact that these polls reflected a changed sentiment on the part of many Senators with reference to the amendment—the Senate conferees felt that it was their duty to recede, and they did.

Mr. JOHNSON of South Dakota. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from South Dakota?

Mr. SIMMONS. I do.

Mr. JOHNSON of South Dakota. I wish to say, as one Member on this side, that I was asked in that poll how I felt about the amendment, and I said that I favored it.

Mr. SIMMONS. The other amendment from which the Senate conferees receded was that with reference to the zone system. It is well understood that ever since the zone system was first proposed as a provision of a revenue bill both sides of the Senate have been opposed to it. The Senate struck it out of the present law. It was restored in conference, under pressure amounting almost to coercion.

We had two votes in the Senate upon this question while the present bill was under consideration; and those votes, both the vote in Committee of the Whole and the vote in the open Senate, disclosed the fact that a very decisive majority of the Senate was opposed to the zone system; but from the very beginning it was well known that the House has been just as much in

favor of this system as we have been opposed to it. Every vote that they have taken there has sustained it. Their conferees have uniformly insisted, with great persistence, upon its retention, and when the Senate adopted the amendment under discussion repealing that system I think it was well understood by Senators that the Senate conferees would be confronted by a persistent and obstinate opposition from the House conferees.

We were not mistaken about that. From the very outset we were notified that that particular Senate amendment had to go out of the bill. This matter was discussed all through our conference sittings. It kept bobbing up every day. It would not down, and always there was the same note, that whatever else happened there could be no agreement unless this Senate amendment was eliminated. Your conferees urged that it be taken back to the House, as the campaign-contribution amendment was taken back, but that was very politely declined; and, although every member of the Senate conferees regretted it, we finally felt that it was necessary to yield on this amendment.

Mr. WADSWORTH. Mr. President, will the Senator say whether any proposal was made for modifying the terms of what might be called the zone system?

Mr. SIMMONS. I think not. The Senator means, by the House?

Mr. WADSWORTH. By the House or by the Senate.

Mr. SIMMONS. No; I do not think there was any discussion of a compromise. I do not think the temper of the opposition encouraged any.

Mr. WADSWORTH. It was just a question of "take it or leave it"?

Mr. SIMMONS. Yes.

Mr. WADSWORTH. And will the Senator say whether or not the Finance Committee, or, within his knowledge, the House Ways and Means Committee, have investigated the effect of the zone system, as it has thus far been operating, on postal rates and on the distribution of magazines, weeklies, and daily newspapers?

Mr. SIMMONS. I can not tell the Senator about that. There was not much detailed discussion of this amendment, because the character of the opposition precluded such discussion. I myself have no information about it, and there was none disclosed by the conferees upon the part of the House. They based their opposition upon the ground that the repeal of this system would be in the interest of a flagrant subsidy that had for years prior to its enactment been given to certain publications.

Mr. WADSWORTH. The situation, to my mind, is a very distressing one. I think the whole system is a violation of wise public policy, and I was wondering whether the Finance Committee of the Senate, in the course of its consideration of the bill, had secured any reports from the Post Office Department or elsewhere as to the actual effect of the zone system as it has now been operating for about a year.

Mr. SIMMONS. I will state to the Senator that we did not. The Senator from Utah [Mr. SMOOT], who has always been very active and very much interested in this matter, may have secured some facts along that line, but they were not presented to the committee.

Mr. WADSWORTH. May I be prompted by the Senator from North Carolina as to when the zone system took effect?

Mr. SIMMONS. Under the present law?

Mr. SMOOT. July 1, 1918.

Mr. WADSWORTH. Then I am mistaken.

Mr. SIMMONS. It did not take effect for some time after the passage of the law, July 1, 1918, as stated by the Senator from Utah.

Mr. WADSWORTH. I am mistaken, then, in saying that it has been in effect for a year; but, at any rate, there has been no report from anybody of an official character, so far as the Senator knows?

Mr. SIMMONS. Not before the Finance Committee, because that committee was so pronouncedly and fundamentally against the zone system that it did not require any detailed information with reference to its operation in order to induce action.

Mr. POMERENE and Mr. SMOOT addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Carolina yield; and if so, to whom?

Mr. SIMMONS. I yield to the Senator from Ohio. I think he addressed the Chair first.

Mr. POMERENE. If it is any consolation to the chairman of the committee, I desire to say that so far as I am concerned, if the only choice to be had was between the zone system and a reduction of the rates below what they are, I want to compliment the conferees on their good judgment in receding.

Mr. SMOOT. Mr. President, I was going to ask the Senator if it is not a fact that before any meeting of the conference was held the statement was made in the public press that the amendment of the Senate would go out or the bill never would become a law?

Mr. SIMMONS. I believe that statement was made in the press, but I do not know that it was made as coming directly from any particular person.

Mr. SMOOT. I will say to the Senator that I saw it in the press, and saw it credited to one particular person who was a member of the conference.

Mr. PENROSE. Mr. President, if the Senator will permit me, I think, regardless of what was said, that there was a very strong impression created that there would be no bill unless the Senate conferees receded. I do not charge that to any individual conferee, but that impression was indelibly impressed on my mind.

Mr. SIMMONS. And on the mind of each member of the committee.

Mr. PENROSE. Yes.

Mr. SIMMONS. Mr. President, there are some other matters which I should like to discuss in connection with this bill, but I have detained the Senate so long that I will defer them until the provisions of the report to which they refer is reached in the regular course of the discussion.

Mr. THOMAS obtained the floor.

Mr. PENROSE. Mr. President, I did not know whether or not the Senator from North Carolina was going to move an adjournment now.

Mr. SIMMONS. No; I will say very frankly that I should like very much to have a night session.

Mr. PENROSE. Oh, the Senator can pass his bill to-morrow, in all probability.

Mr. SIMMONS. We might pass it in a pretty short time to-night. As the Senator knows, we passed it a little while ago without any discussion at all. The Senator was out of the Chamber at the time.

Mr. PENROSE. I know that the Senator has made a speech two or three times longer than I had any idea he would make. It has been very interesting and illuminating——

Mr. SIMMONS. I thank the Senator for that statement.

Mr. PENROSE. But I think we had better proceed in an orderly way.

Mr. THOMAS. Mr. President, I shall not detain the Senate very long. I regret very much that this report comes at the end of a long session, and that it affects a bill the passage of which seems to be very essential to the national welfare.

One of the great evils of our legislation consists in the fact that the most important measures which we are called upon to enact are finally submitted to our ultimate judgment during the closing days of the Congress considering them. Hence they are rushed through without that consideration which they deserve, and in some cases much evil is apt to result from the hasty manner in which we dispose of great and important questions. There are two features of this bill, however, to which I wish to advert for a moment, and then, as far as I am concerned, I shall not obstruct its passage.

I wish to refer, first, to the reinsertion in this bill of the income tax against the salaries of the President of the United States and of the Federal judges, both of which, as I construe the Constitution under which we act, are protected from this and from all other methods of diminishing them during the occupancy of the incumbents. I have read the Constitution and comments upon it in vain if these provisions can be ignored, disregarded, and violated by indirection; and, so believing, I am not able, with that provision reinserted in the bill, to give it the sanction of my vote. I gave at length last September the reasons why, in my judgment, these items should be eliminated from the bill. They were eliminated by the Senate Committee on Finance, and were reintroduced at the conference.

I refer now to the amendment whose adoption I succeeded in securing on the 23d day of September by a vote of 34 yeas to 28 nays. I tried to get favorable consideration of that amendment in the committee without success. The Senate thought better of it than the committee did, and adopted it by a very decided majority. I do not think I speak too harshly when I say that I never thought the amendment had any chance whatever with the Senate conference committee. Every member of it voted against the amendment; and while it was loyally supported literally, it was not supported otherwise.

I knew, Mr. President, that the amendment was having a hard time, not only because the Senate members of the conference committee had voted against it here and also in the committee, but because it offered a real method of preventing the collection of huge sums of money for campaign purposes and their expenditure at public elections. We have much legislation upon the statute books upon that subject, and thus far it has amounted to nothing. There are more ways of driving a coach and four

through a statute, whether State or national, that is designed to prevent the corrupt use of money in elections, than any other statutes of which I have knowledge. It occurred to me and to some others that if a heavy tax could be placed upon such contributions over and above a certain sum, and also excepting those which under the statutes candidates may make, it would prove to be an effectual stop, certainly a great diminution, in the evil against which it was aimed, and the existence of which no man has ever, so far as I know, denied.

The amendment had not been in the committee long before I was informed that it was not at all popular. It was not long after that before I was informed that it was more popular with the House committee than with the Senate committee; and about that time I was informed that the chairman of the Republican national committee had come to Washington, and was also quietly active in opposition to this amendment. I heard about that time that the Democratic leader of the Senate was also engaged in working against the adoption of that amendment. It now seems that the junior Senator from Virginia [Mr. SWANSON], certainly without my knowledge, for he never said anything to me about it, for the purpose of aiding the committee in the effort to beat this measure, took a poll of this side of the Senate, while somebody else, I presume equally opposed, polled the other side.

Mr. SWANSON. Mr. President, I hope the Senator will permit me to interrupt him.

Mr. THOMAS. I am simply stating what the Senator from North Carolina [Mr. SIMMONS] stated upon the floor.

Mr. SWANSON. I do not know what the statement of the Senator from North Carolina was. I did not hear it. My connection with the matter I will state to the Senator.

Mr. THOMAS. I certainly will yield the floor to the Senator for that purpose.

Mr. SWANSON. My connection with the matter was this: The Senator from North Carolina [Mr. SIMMONS] came to me and asked me to ascertain what the sentiments of the Democrats were regarding this amendment, and asked me to poll them, so as to guide him as far as possible in that conference, stating that he was having difficulty with it.

As to such Senators as were here who did not vote, or who had voted against the amendment, I made a memorandum in writing, which he has, without trying to control any Senator or suggesting any course of action to him. I told him frankly what the Senator wanted. The Senator from North Carolina has that memorandum, if he has kept it, in which that information was put down, so that any man interested in the matter could say whether he desired the Senate to recede or whether he was indifferent about it. The Senator from North Carolina was given that memorandum, with that information opposite each man's name, for his own guidance, and I understand that what he did not ascertain somebody else continued to ascertain for him.

Mr. PENROSE. Mr. President, will the Senator from Colorado permit an inquiry?

Mr. THOMAS. Certainly.

Mr. PENROSE. I should like to ask him whether he does not realize that the objections of the House conferees to his amendment were largely based on the fact that it was retroactive?

Mr. THOMAS. I am aware of that.

Mr. PENROSE. And the Senate conferees were unwilling to destroy or mar the symmetry of his amendment by permitting any alteration in it. The two Houses were deadlocked upon the question.

Mr. THOMAS. Oh, I have no doubt, Mr. President, that the high regard which the Senator from Pennsylvania had for the symmetry of my amendment was the moving cause of his opposition to it.

Mr. PENROSE. I did not say "the substance"; I said "the symmetry," Mr. President.

Mr. THOMAS. I said "the symmetry" also.

Mr. PENROSE. I know the Senator did.

Mr. THOMAS. Indeed, the Senator's love of symmetry is so notorious that it sometimes operates to prevent the exercise of his better judgment.

Mr. President, the House considered this amendment on the floor and by a large majority proposed an amendment striking out the retroactive nature of it and making it entirely prospective. As far as I was able to inform the committee—and I never went near them upon this subject; I was not invited, and did not deem it appropriate to go unless I was invited—I suggested to the two Democratic members of the committee, I believe the only two who attended the conference, the chairman and the Senator from Georgia [Mr. SMITH], that I would be more than content to see this amendment remain in the bill by striking out its retroactive feature. When the opportunity was given for that purpose after the House had acted, the devotion of the Senator from Pennsylvania to the symmetry of the amendment and the consequent impossibility upon his part of permitting it to be in any way mutilated seems to have found unanimous support from all the other members of the committee, with the result that, by joint Republican and Democratic action, this amendment, which I believe would go far to purify elections in America, has been slaughtered. It has disappeared from the bill; and those of us who want to see it enacted, who believe that it is a good amendment, can only obtain further action upon it by nonconcurring in this report, sending it back to the committee, and thus taking upon ourselves the responsibility of defeating the bill.

That, Mr. President, I do not want to do; but I want to take this occasion to let the country know how that amendment was defeated, and I believe that those in America who want to put a stop to the unlimited use of money in national elections will see to it, when this amendment comes up again—as it will come up in future Congresses—that both parties, instead of combining to defeat it, will be equally anxious to combine in making it a part of the laws of the United States.

Mr. KENYON. Mr. President, may I ask the Senator a question before he sits down?

Mr. THOMAS. Yes.

Mr. KENYON. I did not quite understand. Were the House conferees willing to agree to this amendment with the retroactive feature out?

Mr. THOMAS. The House conferees were opposed to the amendment as it stood. It was then taken to the floor of the House, and the statement was made by one of the members of the conference that it was a Senate bluff and introduced by a man having a grievance, or words to that effect. I think the Member from Missouri [Mr. RUCKER] proposed a substitute for or amendment to the Senate amendment which struck out the retroactive feature and made it prospective only. The House thus instructed their committee to report and stand for that sort of an amendment, but the Senate committee declined to concur. That is the history of it as I read it from the RECORD.

Mr. President, in connection with the other amendment to which I referred, placing an income tax upon the salary of the Chief Magistrate of the Nation and the members of the judiciary, I ask permission to place in the RECORD without reading a letter upon that subject bearing date the 16th day of February, 1863, written by the then Chief Justice of the United States, the Hon. Roger B. Taney, to the then Secretary of the Treasury, the Hon. Salmon P. Chase.

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). Without objection, it is so ordered.

The matter referred to is as follows:

SUPREME COURT OF THE UNITED STATES,
Washington, D. C., October 3, 1918.

Hon. CHARLES S. THOMAS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: As requested by you to-day, I inclose herewith a copy from the records of this court of the letter written by Chief Justice Taney to the Secretary of the Treasury in February, 1863.

Very truly, yours,

JAMES D. MAHER,
Clerk of the Supreme Court of the United States.

SUPREME COURT OF THE UNITED STATES,
Tuesday, March 10, 1863.

Order of court.

Ordered, upon the request of the Chief Justice, that the following letter from him to the Secretary of the Treasury be entered on the records of the court:

WASHINGTON, *February 16, 1863.*

Hon. S. P. CHASE,
Secretary of the Treasury.

SIR: I find that the act of Congress of the last session imposing a tax of 3 per cent on the salaries of all officers in the employment of the United States has been construed in your department to embrace judicial officers, and the amount of the tax has been deducted from the salaries of the judges.

The first section of the third article of the Constitution provides that "the judicial power of the United States shall be vested in one Supreme Court and such inferior courts as Congress may from time to time ordain and establish. The judges of both the Supreme and inferior courts shall hold their offices during good behavior, and shall at stated times receive for their services a compensation which shall not be diminished during their continuance in office."

The act in question, as you interpret it, diminishes the compensation of every judge 3 per cent, and if it can be diminished to that extent by the name of a tax, it may in the same way be reduced from time to time at the pleasure of the legislature.

The judiciary is one of the three great departments of the Government created and established by the Constitution. Its duties and powers are specifically set forth and are of a character that requires it to be perfectly independent of the two other departments, and in order to place it beyond the reach and above even the suspicion of any such influence the power to reduce their compensation is expressly withheld from Congress and excepted from their powers of legislation.

Language could not be more plain than that used in the Constitution. It is, moreover, one of its most important and essential provisions. For the articles which limit the powers of the legislative and executive branches of the Government and those which provide safeguards for the protection of the citizen in his person and property would be of little value without a judiciary to uphold and maintain them which was free from every influence, direct or indirect, that might by possibility in times of political excitement warp their judgments.

Upon these grounds I regard an act of Congress retaining in the Treasury a portion of the compensation of the judges as unconstitutional and void; and I should not have troubled you with this letter if there was any mode by which the question could be decided in a judicial proceeding. But all of the judges of the courts of the United States have an interest in the question and could not, therefore, with propriety undertake to hear and decide it.

I am, however, not willing to leave it to be inferred from my silence that I admit the right of the legislature to diminish in this or any other mode the compensation of the judges when once fixed by law, and my silence would naturally—perhaps necessarily—be looked upon as acquiescence on my part in the power claimed and exercised under this act of Congress, and would be regarded as a precedent, establishing the principle that the legislature may at its pleasure regulate the salaries of the judges of the courts of the United States and may reduce their compensation whenever Congress may think proper.

Having been honored with the highest judicial station under the Constitution, I feel it to be more especially my duty to uphold and maintain the constitutional rights of that department of the Government, and not by any act or word of mine leave it to be supposed that I acquiesce in a measure that displaces it from the independent position assigned to it by the statesmen who framed the Constitution; and in order to guard against any such inference I present to you this respectful but firm and decided remonstrance against the authority you have exercised under this act of Congress, and request you to place this protest upon the public files of your office as the evidence that I have done everything in my power to preserve and maintain the judicial department in the position and rank in the Government which the Constitution has assigned to it.

I am, sir, very respectfully, yours,

R. B. TANEY.

Mr. SAULSBURY. Mr. President, before the Senator takes his seat I should like to ask him if he does not think that the amendment proposed by him, to which he has referred, regarding the tax on campaign contributions, could have been supported in the Senate, from his knowledge of the feeling of the majority who would probably vote on it?

Mr. THOMAS. Why, Mr. President, I had no doubt of it. I do not believe that a single man who voted for it was liable to change. I will read their names:

Senators ASHURST, BECKHAM, BORAH, CHAMBERLAIN, CUMMINS, GRONNA, HENDERSON, HITCHCOCK, JOHNSON of California, JOHNSON of South Dakota, JONES of New Mexico, KENDRICK, KENYON, KIRBY, LA FOLLETTE, LENROOT, LEWIS, MCKELLAR, MCNARY, MYERS, NELSON, NORRIS, NUGENT, OVERMAN, PHELAN, POLLOCK, POMERENE, SAULSBURY, SHAFROTH, SHEPPARD, THOMAS, TRAMMELL, VARDAMAN, and WILLIAMS.

There were 34 not voting. How they would have voted upon the amendment of course I do not know. It may be that if any considerable number of them had been in attendance, or should be in attendance should the matter again come up for consideration, they would vote against it. I do not know.

Mr. POMERENE. How many were there against it?

Mr. THOMAS. There were 28 against it. The vote stood 34 to 28, with 34 not voting.

Mr. POMERENE. What was the date of the vote?

Mr. THOMAS. The 23d of December.

Mr. SAULSBURY. I only inquired because I was a good deal impressed by the plan which the Senator had, so far as I know, originated, to put a stop to enormous campaign contributions, which we know have become not uncommon in this country; and I do not think any person who supported that amendment had any particular desire to have it retroactive, unless it might be that men who had made those contributions might contribute toward a fund which might be used by the Department of Justice in finding out what the result of those contributions was at the last election.

Personally I should have been very glad to have that amendment go through as it was originally; but, looking to the future, I think it would have been very much better to have it go through with the retroactive clause struck out.

I sincerely hope that the Senator from Colorado, who will have an opportunity, will insist on every occasion—possibly even to the extent of going as far as the advocates of some of these sacred measures which have been pinned on every bill which came into the Senate from time to time until they have finally gone through, although they have made many bills look like a clothesline on Monday morning—I sincerely hope that he will insist upon putting this amendment on until it attracts the attention of the country sufficiently to be adopted and to be insisted upon.

Mr. THOMAS. Of course, the Senator knows that an amendment of this kind must appear, if at all, upon a revenue bill originating in the House. This retroactive feature, I should perhaps say, is due to the fact that it was introduced before the committee last September. This bill levies taxes for the year 1918, and it was not retroactive at the time it was introduced except in so far as that part of the year which had passed was concerned, and it was not amended here because I wanted to introduce it precisely as it was introduced there. That accounts for the fact that when it was ultimately adopted in the Senate, the elections were over and it would have had a retroactive effect. I was quite willing to have it so. I was not insistent upon its being so. I will endeavor to the best of my ability if opportunity hereafter offers, as I think it will, if I live, to incorporate it in the first revenue measure that comes before the Senate for consideration.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. SMOOT. I ask the Senator from North Corolina if he will consent to take a recess.

Mr. SIMMONS. I would like very much to go on longer and then take a recess until 11 o'clock to-morrow.

Mr. PENROSE. I do not think anyone wants to go on at this late hour. Neither do I think it is fair to ask anyone to go on now when no one is here. I was going to suggest that the Senate adjourn or take a recess.

Mr. SIMMONS. As the Senator knows, I have not been in the Chamber very much of late, but I was under the impression that the Senate has been sitting until about half past 5.

Mr. PENROSE. Until 5 or a little after.

Mr. SIMMONS. Would the Senator from Utah have any objection to proceeding now?

Mr. SMOOT. I do not want to begin at five minutes past 5. I know most Senators are away, and, in fact, I never want to talk to the Senate unless I have something to say.

Mr. PENROSE. There is not a quorum here.

Mr. SIMMONS. Then I move that the Senate proceed to the consideration of executive business.

Mr. THOMAS. Before that motion is made, will the Senator move that when we recess we shall recess until 11 o'clock?

Mr. SIMMONS. Very well, I move that when the Senate takes a recess it shall recess until 11 o'clock to-morrow morning.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. SIMMONS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until 11 o'clock to-morrow morning.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, February 12, 1919, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 11, 1919.*

The House met at 11 o'clock a. m.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we pray that amid the conflicting reports which come to us from the peace council over the sea that we may possess our souls in patience, praying for light to guide the men who are confronted with gigantic problems, that they may be able to adjust all differences, and form a peace league which shall insure unity, right, and justice for all mankind. In the name of the world's Great Exemplar. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3992. An act to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians; and

S. 5516. An act to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes."

The message also announced that the Senate had passed with amendments the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending

June 30, 1919, and prior fiscal years, and for other purposes, had requested a conference with the House of Representatives on the bill and amendments, and had appointed Mr. MARTIN of Virginia, Mr. UNDERWOOD, and Mr. WARREN as the conferees on the part of the Senate.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 5516. An act to amend an act approved March 4, 1913, entitled "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes"; to the Committee on Public Buildings and Grounds.

DEFICIENCIES.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the second deficiency bill, disagree to the Senate amendments, and agree to the conference asked for by the Senate.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

H. R. 15140. An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The SPEAKER. The gentleman from Kentucky [Mr. SHERLEY] asks to take from the Speaker's table the bill just reported, disagree to the Senate amendments, and agree to the conference asked by the Senate. Is there objection? [After a pause.] The Chair hears none.

The SPEAKER announced the following conferees: Mr. SHERLEY, Mr. EAGAN, and Mr. CANNON.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 3992) entitled "An act to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians.

The message also announced that the Senate had passed the following concurrent resolution, in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 30.

Resolved by the Senate (the House of Representatives concurring), That Hon. KEY PITTMAN, as one of the Senate managers, is hereby authorized to affix the name of JAMES D. PHELAN as one of the Senate managers to the conference report on bill (S. 2812) entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain" under oral authority and by telegram requesting such action.

REFUSAL OF LICENSES BY WAR TRADE BOARD.

Mr. FULLER of Illinois. Mr. Speaker, I move to discharge the Committee on Interstate and Foreign Commerce from further consideration of House resolution 531, and consider the same in the House now.

The SPEAKER. Does the gentleman claim privilege?

Mr. FULLER of Illinois. It is a privileged resolution.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 531.

Resolved, That the President, if not incompatible with the public interest, be requested to communicate to the House what, if any, reasons exist for the War Trade Board to refuse license to American manufacturers to export manufactured goods to citizens of neutral countries with which we are not and have not been at war; and what, if any, reasons exist for the refusal of the War Trade Board to permit American manufacturers to communicate with their customers in such countries in regard to future business.

Mr. GARNER. Mr. Speaker, I make the point of order it is not privileged.

The SPEAKER. Why?

Mr. GARNER. It asks for reasons. It does not ask for facts. You can not make a resolution that asks for reasons privileged under the rule.

Mr. FULLER of Illinois. It calls for facts.

Mr. GARNER. It calls for reasons, if I understood the reading of it.

Mr. FULLER of Illinois. Well, they would be facts.

The SPEAKER. It reads:

Resolved, That the President, if not incompatible with the public interest, be requested to communicate to the House what, if any, reasons exist for the War Trade Board to refuse license to American manufacturers to export manufactured goods to citizens of neutral countries with which we are not and have not been at war; and what, if any, reasons exist for the refusal of the said War Trade Board to permit American manufacturers to communicate with their customers in such countries in regard to future business.

Mr. FULLER of Illinois. Mr. Speaker, if it makes any difference, I move to strike out the word "reasons" and ask them to report what facts, if any, exist.

Mr. FOSTER. Mr. Speaker, I object to that.

The SPEAKER. What is it the gentleman from Illinois wishes?

Mr. FOSTER. I make a point of order that it can not be done under that resolution. It has to be introduced and go to the committee.

Mr. GARNER. Mr. Speaker, the resolution is not in order. All the Speaker has to do is to refer to the precedents. There are scores of them to the effect that you can ask for facts but can not ask for reasons.

Mr. FULLER of Illinois. Mr. Speaker, if I may be heard on the point of order——

The SPEAKER. Well, briefly.

Mr. FULLER of Illinois. I think it makes no difference whether it says "reasons" or "facts." It is facts that it calls for. What I desire to know and what the House ought to know is whether or not we have an autocratic board here in the city that prevents American manufacturers from doing business. I have in mind two or three particular cases from my district where they have not only refused to permit the export of sewing machines to Spain and to Mexico, but where they have absolutely refused to permit any communication with men in those countries in regard to that business.

Mr. GARRETT of Tennessee. Mr. Speaker, I make the point of order that the gentleman is not addressing himself to the point of order.

The SPEAKER. The Chair thinks the point of order is well taken.

Mr. FOSTER. The point of order made by the gentleman from Tennessee is certainly well taken.

The SPEAKER. The Chair was just cogitating on that proposition as to whether reasons and facts are practically the same.

Mr. GARRETT of Tennessee. Mr. Speaker, a resolution of inquiry which asks for facts is clearly in order, but a resolution which calls upon the President or any department to give reasons for an action has always been held not to be in order. There can not be any possible doubt about that.

Mr. GARNER. Let me give an illustration to the Chair. The fact is that I go to the Office Building, but the reason I go over there is a different proposition entirely. I go to the Office Building, but can not give any reason why I do. I think the difference is too apparent to ask whether reasons are facts. The rule, as I understand it, that makes a thing privileged is relative to calling for facts as to what the President did. The reason for these things is a different matter entirely.

Mr. FULLER of Illinois. The reasons must depend upon the facts.

The SPEAKER. The Chair knows; but you can ask for the facts.

Mr. FULLER of Illinois. The resolution does that.

The SPEAKER. The Chair thinks the point of order is well taken. The gentleman could remodel his resolution very easily.

Mr. FULLER of Illinois. Then, Mr. Speaker, may I offer to amend the resolution and state the facts instead of the reasons?

Mr. GARRETT of Tennessee. The point of order has been sustained. The gentleman will have to introduce another resolution and refer it to the committee.

LEAVE TO ADDRESS THE HOUSE.

Mr. MANN. Mr. Speaker, I ask unanimous consent that, to-morrow, after the reading of Lincoln's Gettysburg Address, my colleague Mr. FULLER be permitted to address the House on the subject of Lincoln for 15 minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent that to-morrow, after the reading of Lincoln's Gettysburg Address, his colleague Mr. FULLER be permitted to address the House on the subject of Lincoln for not exceeding 15 minutes. The Chair himself has been intending for the last 10 years to make an address on Lincoln and hopes to do it some time.

Mr. MANN. Why not do it?

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

CALENDAR WEDNESDAY—HOUR OF MEETING TO-MORROW.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that the business in order to-morrow, Calendar Wednesday, be dispensed with, and that when the House adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that Calendar Wednesday business in order

to-morrow be dispensed with, and that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

There was no objection.

REPRINT OF HEARINGS.

Mr. CAMPBELL of Pennsylvania. Mr. Speaker, I ask unanimous consent that a reprint be ordered of the hearing on the bill H. R. 13392, held on January 13, and that a print be made of the subsequent hearing on February 6 on H. J. Res. 382, on the Coast Guard Service.

The SPEAKER. The gentleman from Pennsylvania asks that a reprint be made of hearings on January 13 and February 6 on the bill H. R. 13392 and H. J. Res. 382. Is there objection?

Mr. MANN. Reserving the right to object, Mr. Speaker, the gentleman asks unanimous consent for a reprint of a hearing. If it has not yet been printed it would be printed as a House document?

Mr. CAMPBELL of Pennsylvania. Yes; and a subsequent hearing was held, and it is desired that they both be printed together.

Mr. MANN. That is not a House document.

Mr. CAMPBELL of Pennsylvania. Yes; it is a hearing.

Mr. MANN. It is a committee print.

Mr. CAMPBELL of Pennsylvania. I was informed that unanimous consent had to be obtained to get a reprint with a subsequent hearing.

Mr. GARNER. What is the hearing on?

Mr. CAMPBELL of Pennsylvania. On the bill H. R. 13392, concerning the transfer of the Coast Guard to the Navy, and House joint resolution 382.

Mr. GARNER. Is the object in getting this reprint to send out copies to members of the Coast Guard? What is the object you have in view? Enough copies no doubt are printed to supply Members of the House. I can not understand why you want a reprint, unless it is to send out the reprints promiscuously.

Mr. CAMPBELL of Pennsylvania. Another hearing was had, and a print of it is desired.

Mr. GARNER. The committee has authority to print it.

Mr. CAMPBELL of Pennsylvania. I understand they have.

Mr. GARNER. Then go ahead and print it. You do not have to get unanimous consent here.

Mr. CAMPBELL of Pennsylvania. I was informed you did have to.

Mr. GARNER. You are mistaken. If they could have the first hearing printed they could have the second.

Mr. CAMPBELL of Pennsylvania. They wanted a reprint of the first, so as to have both hearings printed together.

Mr. MANN. If it is reprinted by order of the House it would be a House document, and that is not usual.

Mr. CAMPBELL of Pennsylvania. There was a demand for the reprint of the first hearing, together with a print of the second hearing, for the information of those interested in the legislation.

The SPEAKER. Is there objection?

Mr. MANN. I object. I think the committee has authority to print.

INCREASE OF THE NAVY.

Mr. POU. Mr. Speaker, by direction of the Committee on Rules, I present a privileged report.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. FESS. Mr. Speaker, I ask unanimous consent to print in the RECORD an address I made at Pittsburgh on the spread of bolshevism.

The SPEAKER. The gentleman will have to get his friend to withdraw his demand for a quorum. Nothing can be done in the absence of a quorum.

Mr. STAFFORD. I will withhold making the point.

The SPEAKER. What is the gentleman's request?

Mr. FESS. To print in the RECORD an address of mine at Pittsburgh on the spread of bolshevism.

The SPEAKER. The gentleman from Ohio asks unanimous consent to print in the RECORD an address delivered by him on the spread of bolshevism. Is there objection?

Mr. GARD. Reserving the right to object, where was the address made?

Mr. FESS. Before the chamber of commerce at Pittsburgh.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. LANGLEY, by unanimous consent, was granted leave of absence for one week on account of sickness in the family.

THE RAILROADS.

Mr. FAIRFIELD. Mr. Speaker——

Mr. STAFFORD. Mr. Speaker, I withdraw the point of order that there is no quorum present.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. FAIRFIELD. I desire to present a petition from constituents of mine, asking that the Government take over the railroads. They ask that it be put in the RECORD.

Mr. FOSTER. They can not do that, Mr. Speaker. I object.

The SPEAKER. The gentleman from Illinois objects.

INCREASE OF THE NAVY.

Mr. POU. Mr. Speaker, I submit a privileged resolution from the Committee on Rules.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 566.

Resolved, That after the adoption of this rule it shall be in order in the consideration of H. R. 15539, a bill making appropriations for the naval service for the fiscal year ending June 30, 1920, and for other purposes to consider new legislation in said bill, notwithstanding the general rules of the House, as follows:

"For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerated below:

"Ten first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; two of these at a cost, exclusive of armor and armament, not to exceed $21,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

"Ten scout cruisers, carrying suitable protection and armament suited to their size and type, to have the highest practicable speed and greatest desirable radius of action; two to cost, exclusive of armor and armament, not to exceed $8,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

"And for the purpose of further increasing the Naval Establishment of the United States in accordance with the latest improvements in the construction of ships, and in the armor and armament therefor, the Secretary of the Navy is hereby directed to submit to Congress on the first Monday in December next, general description of such additional vessels as may be needed to complete and round out the Navy of the United States. Types and numbers shall be recommended after full consideration and analysis of recent war experience, and particular attention shall be given to aeroplane carriers and any other new types developed during the war or shown to be necessary by the aforesaid war experience.

If at any time before the construction authorized by this act shall have been contracted for, there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments then, and in that case, such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals, may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

Mr. STAFFORD. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Wisconsin makes the point of order that there is no quorum present. Evidently there is not.

Mr. POU. Mr. Speaker, I move a call of the House.

The SPEAKER. The gentleman from North Carolina moves a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

Anthony	Francis	Mondell	Siegel
Birch	Gould	Moon	Smith, C. B.
Bland, Ind.	Graham, Ill.	Moores, Ind.	Smith, T. F.
Booher	Gray, N. J.	Nichols, Mich.	Snyder
Borland	Hamill	Nolan	Steenerson
Britten	Hamilton, N. Y.	Norton	Stephens, Miss.
Brumbaugh	Harrison, Miss.	O'Shaunessy	Sterling
Carew	Haskell	Park	Stevenson
Chandler, N. Y.	Heaton	Platt	Strong
Church	Heintz	Porter	Sullivan
Cooper, Ohio	Helm	Pratt	Swift
Costello	Helvering	Price	Taylor, Ark.
Cox	Husted	Rainey, H. T.	Templeton
Davey	Ireland	Rayburn	Tilson
Delaney	Johnson, Ky.	Reavis	Tinkham
Dill	Johnson, S. Dak.	Roberts	Treadway
Dooling	Kahn	Rodenberg	Venable
Drukker	Key, Ohio	Rouse	Waldow
Eagan	Kreider	Rowe	Walker
Eagle	Linthicum	Russell	Walsh
Estopinal	Lundeen	Sabath	Watson, Pa.
Fairchild, G. W.	McKinley	Sanford	White, Ohio
Fisher	McLaughlin, Pa.	Scully	Wood, Ind.
Flood	Madden	Sears	Woods, Iowa
Flynn	Miller, Minn.	Sherley	

The SPEAKER. On this roll call 330 Members have answered to their names, a quorum.

Mr. POU. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will unlock the doors.

LEAVE OF ABSENCE.

Mr. MILLER of Washington, by unanimous consent, was granted leave of absence, on February 12, on account of delivering a Lincoln Day address.

EXTENSION OF REMARKS.

Mr. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks by printing an article by my colleague [Mr. CARTER of Massachusetts] embodying the results of his observations on his recent trip to Europe.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to insert in the RECORD an article written by his colleague [Mr. CARTER of Massachusetts] on his trip to Europe. Is there objection?

There was no objection.

INCREASE OF THE NAVY.

Mr. POU. Mr. Speaker, I ask unanimous consent that the debate on the resolution reported from the Committee on Rules be two hours, one hour to be controlled by myself, and one hour by the gentleman from Kansas [Mr. CAMPBELL], at the end of which time the previous question shall be considered as ordered.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that debate on this rule be limited to two hours, one hour to be controlled by himself and one by the gentleman from Kansas [Mr. CAMPBELL], and that at the end of that time the previous question shall be considered as ordered. Is there objection?

Mr. CAMPBELL of Kansas. Mr. Speaker, reserving the right to object—and I shall not object—I have had requests from both sides of the House for much more than an hour's time. Members say they want to discuss this rule and the matters that it involves and to have the matter disposed of on the question of adopting the rule making the proposition in order. Could the gentleman extend the time? I know the tentative agreement was for an hour on a side.

Mr. POU. I would prefer not to extend the time. The gentleman knows that under the five-minute rule there will be opportunity for debate. I think the chairman of the Committee on Naval Affairs [Mr. PADGETT], so far as he could be, has been very generous already.

Mr. CAMPBELL of Kansas. But there is an impression in some parts of the House and a hope in other parts of the House that there will be no five-minute debate upon this matter; that its consideration will be denied by the defeat of the rule.

Mr. POU. If the rule is to be defeated, it seems to me that an hour on a side ought to be sufficient.

Mr. BURNETT. Has any time been agreed upon for general debate in the Committee of the Whole?

Mr. POU. There will be no general debate. The rule simply makes in order that part of the bill which on yesterday was held not to be in order.

Mr. BURNETT. I understood from the chairman of the Committee on Naval Affairs that perhaps there would be time devoted to a general discussion of the proposition.

Mr. POU. I think, perhaps, if the rule is adopted the chairman of the Committee on Naval Affairs will be generous in any agreement as to time.

Mr. BURNETT. I wanted to know whether there would be an opportunity for general debate.

Mr. POU. Mr. Speaker, I ask unanimous consent that the debate on the rule be limited to two hours, one hour to be controlled by myself and one hour by the gentleman from Kansas [Mr. CAMPBELL], and that at the end of that time the previous question be considered as ordered.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the debate on this rule be limited to two hours, one hour to be controlled by himself and one hour by the gentleman from Kansas, and that at the end of that time the previous question shall be considered as ordered. Is there objection?

There was no objection.

The SPEAKER. The gentleman from North Carolina [Mr. POU] is recognized for one hour.

Mr. POU. This resolution makes in order that part of the naval bill which was ruled out on a point of order on yesterday. Of course, those who were present yesterday are familiar with what took place. What is known as the greater Navy program was ruled out on a point of order. The Committee on Rules felt that the House should be given an opportunity to vote upon legislation of such vast importance. The rule simply makes this legislation in order. The question of the naval program is in a way raised by the rule itself.

Now, Mr. Speaker, this situation is presented: This war was brought to an end sooner than most men expected by the acceptance of the formula laid down by the President of the United States. His program, consisting of 14 proposals or conditions, was agreed to by Great Britain, France, Germany, Italy, and some of the smaller States. No criticism can rob the President of that triumph. No good man would wish to rob him of the credit. I well remember the comments on that message wherein his 14 points were announced to the world. The almost universal comment in this Chamber was that the President was demanding too much; that Germany would never agree to the things he demanded. But a thing almost without parallel happened. The great nations of the earth accepted that program of the President, and adopted it without change, as the basis for a peace which it is hoped will be built up for all time to come. The President prior to the trip to Europe had asked for the enactment of the program contained in this bill.

After he arrived in Europe and engaged in negotiations there, which all the world hopes will result in a permanent peace, he reaffirmed the request that he made in his message, which was, in effect, that the United States ought to maintain an unconquerable Navy. Now, my own judgment—if it is worth anything, and certainly I know that it is not worth much—is that there are just two kinds of navy that this Nation ought to maintain; either an unconquerable navy—and I have always supported that since I came into this Chamber in the Fifty-seventh Congress—or if not an unconquerable navy, then a navy just large enough to do the police duty necessary to take care of our coast lines. What sense is there in having a navy just big enough to be defeated?

An admiral in the Navy, known and respected throughout the world, now dead, told me once that one battleship having guns with a range of 12 miles was more than the equal of five battleships having a range of 10 miles. For one I hope and pray that the day will come when a big navy is not necessary to our safety as a nation, but so long as men kill each other in war I want my country to have a navy big enough to win. That I believe to be practical common sense. God in heaven knows I hate war. Oh, Mr. Speaker, I have reason to hate war, but I believe a great navy is the best and most economical insurance against war.

Has it come to the point where this great Nation of ours, rich and powerful, to-day the premier nation of the world, must depend upon the navy of any other country for protection or support? I was astonished, I felt humiliated as an American citizen, when I heard the suggestion actually made on this floor that gentlemen would vote for this program if they were assured that the navy of Great Britain was not big enough to do the job. My God! Where is the Americanism in such a suggestion as that. For one I am proud to stand here and support this program. I want a navy big enough to conquer any other single navy in the world if the time ever comes when we must fight.

Mr. LONGWORTH. Will the gentleman yield?

Mr. POU. I will.

Mr. LONGWORTH. If the program the gentleman advocates is wise, and I, like him, have always been a big Navy man, why not begin now instead of waiting until February 1, 1920?

Mr. POU. It would please me better to begin it now. Now, Mr. Speaker, in conclusion, every man who loves peace should hold up the hands of the man now in Europe who is trying to build up a perpetual world peace. The only place in the world that I know of where President Wilson is constantly criticized is in America, mostly here in this Chamber. He is putting forth his best endeavors that the aspirations of mankind for everlasting peace shall not fail. Reaffirming the request made in his message, he has told us that this legislation will be helpful to him in the great task that he has undertaken. Gentlemen who criticize this man for this trip do themselves great injustice. History is going to give the President a place, a place of which every American may justly be proud.

What is the result of this war? Seven million men killed, 14,000,000 men wounded. The debt of France equals half of her total wealth; that of England equals 37 per cent of her total wealth; and ours will probably be $50,000,000,000. My God, we do not want a repetition of such a tragedy as this ever again! [Applause.] It has struck at the hearts of thousands of homes in America. The tragedy of it all is greater than words can express. Instead of criticizing the President, instead of making his task harder, it seems to me the hour has come when every man should rise above party and stand by him and support him in his great effort to satisfy the aspirations of all civilized mankind for an everlasting peace on earth. [Applause.]

No man ever went forth on a nobler mission. No man ever accomplished so much in so short a time. Having written the conditions upon which peace is based, he is criticized because he goes to take part in the council of the very powers which accepted his program. Those who criticize him for going to Europe would almost certainly have criticized him if he had remained in America.

Mr. CAMPBELL of Kansas. Mr. Speaker, on the 11th of November last the terms of an armistice were accepted by Germany that thrilled the hearts of the entire part of the world that was in opposition to the German Empire in the most colossal war ever waged in the history of civilization; everybody accepted the terms of the armistice with satisfaction and with joy. Since that day the attention of the world has been taken from the war that was waged, the steps leading up to it, and the inhumanities with which Germany carried it on. The terms of the armistice have been in a large measure forgotten, and on yesterday when the time arrived for renewing the armistice, which came as the result of the heroism of our boys with those of the allies, had been so far forgotten that Germany showed a front, and to-day is uncertain as to whether or not she will accept the terms laid down for the continuation of the armistice or the terms of peace when they are finally agreed upon. The war, with its issues, with its victories, has been for the moment forgotten as the result of a campaign to prevent wars in the distant future.

This war should have been terminated with a crisp, decisive peace treaty, agreed to as soon as possible after the peace commissioners assembled. [Applause.] There should have been no time lost in terminating this war and demobilizing our armies. Then the question of avoiding wars in the proximate or the remote future could well have been taken up.

I agree with the gentleman from North Carolina that the aspirations of the world should be gratified and that every precaution should be taken, and covenants or agreements entered into by our country with the nations of the world to secure immunity in the future against another such catastrophe as the one through which the world has just gone. But I must be excused from accepting his method of securing covenants against future wars.

Mr. Speaker, a covenant entered into for the future peace of the world should be entered into openly and voluntarily by all who are parties to the covenant. No nation should sign such a covenant for the future peace of the world under duress or by the threat of force from any other nation.

Let us take the question before us this morning and strip it to the marrow: It is proposed that the nations shall covenant together for the peace of the world in the future. The President has been the leading exponent of that lofty ambition, and I wish him Godspeed, and sincerely hope that when the conference is over we shall have an arrangement that will adjust international differences without resorting to the arbitrament of arms. But any arrangement or league entered into at the point of the bayonet for the future peace will not last. The nation that is forced to enter into such a covenant will break it when it ceases to fear the bayonet.

Mr. Speaker, the President on the very day of his appeal to the Congress of the United States for an unheard-of naval program in the United States thrilled the Chamber of Deputies in Paris by advocating a disarmament of the world to save the world from future wars and to save the people of the world from the burden of taxation caused by armaments and preparations for war. This question to-day brings up before the House the proposition as to whether or not we shall say to the President, "While you are urging France and England and Italy and Spain and Japan and all the rest of the world to disarm we will grant your request, Mr. President, for the greatest naval program ever undertaken by any nation in the history of mankind." Is it honest? I refuse to believe that the President really wants that kind of an authorization handed to him while he is urging the rest of the world to disarm. I believe that he is honestly endeavoring to provide for the peace of the world—not by force of arms, not by battleships, but by mutual covenants entered into by the nations of the earth.

If this thing is done, which we are asked to do now, it is a challenge to England, a challenge to France, a challenge to Japan, a challenge to Italy, a challenge to every nation in the world to increase their armament, to increase the number of their battleships, and to prepare for war, because the greatest, the richest, the most powerful nation in the world, the nation which has the most unlimited resources, is to-day, while urging all of the other nations of the world to disarm and to enter into covenants of peace, preparing to control the seas and for arbitrament by arms with the greatest navy the world has ever seen. Are we aiding the President in establishing a league for the preservation of world peace or are we obstructing his purpose in giving this sort of authorization in this bill to-day?

But it is said that the President wants this done. I do not know whether he does or not. It is said that a cryptic telegram was received from him in which he said he did want it and that anything short of this colossal naval program would be fatal to his plans. Even if he did say to the Committee on Naval Affairs that he wants the greatest naval program ever undertaken in the world, he may have erred in judgment as to the best plan to pursue to enable him to arrive at a conclusion that would result in a league of nations. The President has not always been infallible in his judgments with respect to some of these things. Like the rest of mankind, he is sometimes liable to err; and if he asked for this—and the House does not yet know that he did, in terms—I believe that it was a mistake upon his part.

Already there is in the press of Europe severe criticism of the Secretary of the Navy of the United States for urging a great Navy while the President is in Paris urging the rest of the world to disarm. We are not calming the troubled waters by thrusting into them the greatest naval program that has ever been embarked upon by any nation during the very hours that the peace conference is finishing the constitution for a league of nations—on the last day, perhaps, for the consideration of the constitution of such a league. The question is up to us, Shall Congress at this time thrust upon the peace table, into the face of the world, a belligerent program such as the world has never before seen?

It was the duty of the Committee on Naval Affairs of this House to have reported to Congress a bill carrying an appropriation for the present Navy, supporting it for the ensuing fiscal year and then, if anything should arise, if anything is wanted after the peace has been agreed upon in Paris, if a league of nations should fail, I would support a naval program that would insure safety to our merchant fleet in the waters of all the seven seas. But that time has not yet arrived. The peace conference has not concluded its work. It has not yet finished its discussions. It has not yet even discussed the terms of peace. Germany has not yet been handed the terms of peace and told to "sign here." The only question now under consideration is a league of nations, enabling the nations of the earth to disarm, and we are asked to thrust into the face of that program a naval program that would cost a billion and a half of dollars and at the same time obstruct, rather than aid, the President in his efforts to provide for the peace of the world. This rule should not be agreed to.

I reserve the remainder of my time.

Mr. POU. Mr. Speaker, I yield 15 minutes to the gentleman from Michigan [Mr. KELLEY].

Mr. KELLEY of Michigan. Mr. Speaker, the actual hostilities connected with the great war are over, and the German Army is back of the Rhine. The actual rulers, the real heads, of the four great allied nations are in a peace conference to-day. England is represented by Lloyd George, France by Clemenceau, Italy by Orlando, and America by Mr. Wilson. In the hands of these four men to an unusual degree rests the future peace of the world. Whether we would have wished the personnel of those sitting about the peace table to be different is of no consequence. Whatever part America has in straightening out the world's tangle, it must be done very largely through the personality of the President and those who are associated with him, of his own choice. What are these men trying to do over there? These four men, representing the four great free nations of the earth, are over there trying to work out some plan by which the world shall not again be visited with the scourage of war such as we have just passed through. They are trying to work out a reduction of armament, so that there may be lifted from the backs of the world the terrible burdens incident to maintaining tremendous armies and tremendous navies. My colleague [Mr. CURRIE] and I on the 29th day of last May were in the village of Chateau-Thierry, in France. We saw on that day thousands upon thousands of French, British, and American troops being rushed to the front to stop the German advance, only 3 or 4 miles away at that time, and while these thousands of boys from all these great nations were being rushed into the gap, on the other track thousands more were coming back from the field of battle in ambulance trains, with broken legs and broken arms and broken bodies, and as we walked the streets of that French village and watched that terrible scene, at the time when the German advance was at its high-water mark, we said, "It does seem as though when this thing is once over the statesmanship of the world ought to be able to get together and see to it that nothing like this shall ever occur again." [Applause.] Every man here, every man in America, I care not who he may

be, in his thoughtful moments desires that these commissioners succeed in bringing about a reduction of armament. They want them to succeed in making some arrangement by which the probability of war will at least be reduced for the future. No man on this side of the House or on the other side of the House has anything in his heart, of course, but the highest wish for the success of our commissioners in bringing about these two world-desired situations—the reduction of armament and some sort of an arrangement or agreement by which the peace of the world, if possible, may be maintained in the days that are to come.

When the President and his associates come back here with definite propositions, then it will be time for us, of course, to examine into them carefully and determine whether or not, in our judgment, they are such propositions as we want to commit the American people to, but in the meantime we should put our faith and our trust in those who under the Constitution are the only ones clothed with authority to work out anything in our name either for ourselves or for the balance of the world. [Applause.] I know that we sometimes have some little feeling here on our side against the President, and on the other side, too. I know he sent word into some districts represented by Democrats to nominate this man and to defeat that man. I know that he sent out a letter——

Mr. BUTLER. To defeat all of us.

Mr. KELLEY of Michigan. I know he sent out a letter in which he said that the Republicans had, during the war, done what they could to take the management of the war out of his hands and put it into instrumentalities of our own choosing, but the fact, of course, remains known to us and to all men that no Executive ever sat in the White House who has had behind him more completely the support of the country and all parties than the present Chief Executive of the United States. [Applause.] But that does not matter. We can even overlook the fact that he sent out the letter, because in all human probability our majority was somewhat increased thereby. [Applause on the Republican side.] But in any event it does not matter so much, does it, which of us may sit here for a brief hour after all? If the President, gathering to himself all the power—and he has been given more power than any other of his predecessors—gathering to himself all the prestige of this great Republic, if he as our official representative abroad can accomplish these two great purposes, what difference does it make what our personal feeling toward the President may be?

Mr. BUTLER. Will my friend permit me to ask him a question? First permit me to say just one sentence, that this is the only time we have had any difference of opinion——

Mr. KELLEY of Michigan. Yes; we have agreed.

Mr. BUTLER. Does the gentleman here advocate this because he wishes this Navy increased, or does he do it for the purpose of bringing about a reduction of armament?

Mr. KELLEY of Michigan. I am about to reach that in just a moment.

Mr. BUTLER. Take all the time the gentleman wishes.

Mr. KELLEY of Michigan. I am going to discuss that proposition in just a moment. That is the next thing on which I am going to touch.

Mr. BUTLER. Take your own time, it will be done well in any event.

Mr. KELLEY of Michigan. There is one other consideration, and I want every man in this House to think of it right now in connection with this great purpose and desire to effect a reduction in armament and to create some tribunal which may hold out some hope for peace in the future, and that is this: Our commissioners abroad may not succeed. They may fail, and, as for myself, I do not want the President of the United States to come back and say that he was on the point of getting a reduction of armament, that he was on the point of bringing into being a tribunal which would adjust the demands of the world and prevent war, but that at the critical moment the Congress of the United States withdrew its support, and because of that action he failed. [Applause.] I do not want the President to be able to say that upon his return to the United States. I do not ask the President to take any responsibility for the constitutional duties devolving upon me as a Member of the House; and if as President of the United States he is charged under the Constitution with the initiating of treaties, then I want in case of Executive failure that the blame shall fall exactly where the credit and the glory will rest in the event of success. [Applause.] I at least am not anxious to take responsibility from the place where it has been put under the Constitution and drag it down upon the shoulders of the Members of Congress. Now, the question that the gentleman from Pennsylvania [Mr. BUTLER] has asked me is, How does this proposed legislation affect the situation and fit into what I am saying? In the first place, the well-understood policy of the United States, declared here many times before, is the reduction of naval armament. That is known to every man here. The desire of this country is that there be brought about a reduction of armament throughout the world.

Mr. LAZARO. Will the gentleman yield in that connection?

Mr. KELLEY of Michigan. Just let me finish what I am saying, and then I will—and if it is going to help the commissioners abroad, the commissioners from England, France, and Italy, to know what America would feel itself obliged to do in the event that a reduction of armament is not to be agreed to by other leading nations, then I, for myself, am willing that they should have the benefit of that knowledge in advance. [Applause.] I yield to the gentleman.

Mr. LAZARO. The gentleman said it was the policy of this country to disarm, provided, of course, the other nations are willing?

Mr. KELLEY of Michigan. Absolutely.

Mr. LAZARO. And there is a provision in this measure that authorizes the President to quit the building program if the other nations agree to do the same thing.

Mr. KELLEY of Michigan. I thank my friend from Louisiana for injecting that statement into my remarks.

Mr. LAZARO. And until that is done we ought to go ahead.

Mr. KELLEY of Michigan. Of course, no patriotic man, having in mind what America means and is going to mean throughout the ages for the civilization and liberty of the world, would be willing to expose the sacred heritage of this Republic to hostile attack which might destroy in a day all we have struggled for a hundred years to attain. [Applause.] Oh, no.

There is another reason why it occurs to me that it will be helpful abroad for us to declare that in the event that the world refuses to disarm, that America must go forward with adequate preparation necessary for our own protection. We have as much at stake in the world as any other nation. Vast power can be trusted as safely in American hands as in the hands of any other nation in the world. We sincerely hope that it may not be necessary to expand our Naval Establishment, but the world may as well know first as last that, if the old order is to continue, America can not do otherwise than to look after itself. The knowledge of such a policy brought home to the commissioners sitting around the peace table in Europe, in my judgment, will fortify them against objections coming from their own people to what might be regarded as the surrender of prestige and influence which go with great naval and military power. [Applause.]

Now, just one word in conclusion. These are troublous days. There never was a time when men needed to free themselves from prejudice more than to-day. All Europe is shaken with unrest and uncertainty and no one is wise enough to look into the future and say with any degree of certainty what faces us there. In the economy of things it is not given to the average man to lift the curtain separating to-day from to-morrow. It probably is well that it is so, but in this great hour when so much is at stake for us and for our children and for all mankind, I sincerely hope that the curtain may be lifted so that the four world figures sitting at the peace conference may at least catch a quick and hasty glance down the long corridors of the future and from that glance, quick and hasty as it may be, may they catch enough of the Divine purpose to help them to shape and fashion the world now in the remaking in harmony with the spirit of justice and eternal right. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. FESS].

Mr. FESS. Mr. Speaker, our colleague from Michigan [Mr. KELLEY] always speaks with tremendous power, not only with conviction but generally with persuasion, and has the facility for compelling those who might differ from him to give him the most sympathetic respect to his statements even though we may not be able to admit the force of his conclusions. I think that nearly all that he said, as matters of statement, I could admit, but there are some conclusions that I regret I can not accept. And I would like to have the membership of the House to think just a moment on the appeal that he made when he referred to the status of the war and what ought to come out of it as a definite result.

I do not think anybody, whatever his position is, would stand out against the movement of disarmament if that movement was to be general among all the nations with which we must deal. But our duty now should be to see how the war is to end. The nation that ought to be within the ken of our eye is our enemy, defeated, it is true, but not totally disrupted. Nobody can close his eye to the possibility of resuscitated Ger-

many, if especially Germany can replete in Russia. And anybody that thinks that a nation that has not been touched, except in her man power, her entire industrial organization still intact, with a possibility in the immediate future of becoming one of the world's most dangerous powers—if anyone realizing that fully will see this possibility, it seems to me that our concern should not be a division among our allies, our friends, but a solidarity against our enemy. We ought not now in the American Congress to deal with propositions that look to a division of the allies that are against our enemy.

What is this? There is a form of threat. Against whom? Against whom can it be meant? It is not an announcement to Germany nor to Austria—to our enemies. It is a subtle announcement to the men with whom our President sits about the table, who are our friends, with whom we have been fighting a common enemy. And it is not an open statement, but it is a statement, not made clear to you—not to the House, at least—that there is something of a secret matter on which "we can not take the public into our confidence; this is something that we must hold as a club"; made more effectual by a refusal to allow the lawmakers to know what it means. Over whom? Over our friends, not our enemy. And to me it seems the one proper thing to do to-day is to sit about that table as friends and decide how the war shall end, and end at once, by signing this treaty. [Applause.]

Three months have elapsed. What has been done? The discussion comes to American shores in conglomerated dispatches, in which to-day you read one thing and which to-morrow you must unread. I know the American people want to put an end to the war, so that while it is really over it will be legally over, and the American soldiers will know what is expected of them, whether we will bring them home or what we are to do. In other words, instead of disputing with our friends as to the ending of the war with Germany, let us unite with our friends, and whatever is to be done let it be done with the cards on the table. [Applause.]

There are two things in this proposal that I do not like. One is that it is not known to the public what the play is, and another is that it seems to be held in the form of a threat to our friends that "if you do this, all right; if you do not do it, then we will deal with you." This is not the time to put that up. The time to make that proposal is when we have dealt with our enemy. The time for us to say whether we will disarm or not is when the war is ended and the treaty is signed; then we can stand upon a policy of disarmament. It would not be in the form of a threat then, but as a matter of legitimate negotiation. But as it now comes in here it is not only a threat, but the secret element in it, it seems to me, is unwise.

We are told that before the President landed he had his program made up; that he would seek an interview early with Lloyd George and lay his ideas before him; then he might be called upon to address the British public, and if what he wanted, which up to date is not made public to us, is not forthcoming, then he would consult the feasibility of recommending to our Nation a Navy the biggest or equal of any navy on the sea. I do not know what has taken place except what the dispatches carry. I do know, as you do, that conferences were held. I know, as you know, that the British public was addressed at Manchester and the French were addressed in the Chamber of Deputies. I do know, as you know, that the Secretary of the Navy has recommended a big naval program. I know, as you know, that an official inquiry was made of the President to know whether anything occurred to change the plan. Now comes to us—I do not mean to us, but to certain ones—a cablegram, a secret communication, so mysterious that it can not be given to the representatives of the people in Congress assembled, and upon that we are asked to embark upon such an expenditure as herein proposed. I stand for a great first line of defense, which is assured by completing the contracts already authorized, which we are willing to do and which will be done by this Congress. But I decline, while our President sits with our allies to effect a final peace treaty with our enemy, to do anything which will divide our friends at the very moment that our chief concern should be to insure unity of friends.

I shall be compelled, gentlemen, to vote against this rule. [Applause.]

Mr. POU. Mr. Speaker, will the gentleman from Kansas use a little more of his time? Could he conveniently do so now?

Mr. CAMPBELL of Kansas. I can use more time. How many more speeches will the gentleman from North Carolina have?

Mr. POU. There will be probably three short speeches.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Ohio [Mr. LONGWORTH]. [Applause.]

Mr. LONGWORTH. Mr. Speaker, I am opposed to this rule, because I am opposed to the alleged naval increase which it makes in order. No one can accuse me of not being a "big-navy" man. Since I was elected to Congress, 16 years ago, I have consistently voted for a big Navy, often for a Navy bigger than that recommended by the Committee on Naval Affairs. I have voted for battleships when many on this side, and more on that, voted for no battleships. I voted for four battleships when a then very distinguished Democratic leader urged eloquently that we should have no Navy at all, because New York harbor could be defended by rowboats.

But this proposition, gentlemen, is a naval program with a string to it. In the first place, not a cent is appropriated. In the second place, the program is not to be begun for more than a year, or nearly a year—until February 1, 1920. And in the third place, and worst of all, the increase is left contingent not on the will of the American people, but upon the decision of some nebulous tribunal of other peoples hereafter to be created. In my judgment, gentlemen, that is not a bona fide increase of the Navy.

What authority is given in favor of this proposition? A cable—nothing but a cable; and a confidential cable. I happen to be one of those referred to by gentlemen yesterday as the clique who are familiar with the contents of that cable. The situation simply was that the gentleman from Tennessee [Mr. PADGETT] read to me that cable and asked me that I keep it confidential; and, of course, I shall not abuse the confidence of the gentleman from Tennessee, for whom I have the highest regard; whom I regard as one of the very ablest chairmen of the Committee on Naval Affairs that we have ever had. It is not his fault that the House is not made fully acquainted with the contents of that cable. It is the fault of those who submitted it to him in confidence.

But, gentlemen, I do not believe in making of the membership of the House some sheep and some goats. [Applause.] We all ought to know what is in it. I happen to know, and I happen to differ from the gentleman from Michigan [Mr. KELLEY], who also knows and for whose opinion I have the highest regard. I do not believe that the contents of that cable justify me in voting for this proposition. [Applause.]

I believe the time has come, gentlemen, when this House shall vote authorizations and appropriations only with full knowledge of the facts. [Applause.] I think the time has come when this House should cease to be a mere registering machine of the will of the Executive, particularly when it is privately expressed. [Applause.]

We all of us listened the other day to the eulogy of a statesman by a statesman, and there was not a more significant sentence in that eloquent oration than the one in which it was said that the subject of the eulogy was a man who, throughout his public career, had no secrets from the American people. [Applause.] My colleagues, we are going to celebrate to-morrow the birthday of another great American, Abraham Lincoln, who had no secrets from the American people. [Applause.] We have had other Presidents of the United States who had no secrets from the American people. Would to God that we had one now! [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. POU. Mr. Speaker, I yield 10 minutes to the gentleman from Alabama [Mr. OLIVER].

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 10 minutes.

Mr. OLIVER of Alabama. Mr. Speaker, the gentleman from Ohio [Mr. LONGWORTH], who professes great friendship for the Navy and who takes pride in the fact that he has always stood for a great Navy, is hardly consistent in refusing to support a rule that would, at least, authorize the House to consider a naval program. The gentleman is aware that if the rule is passed the bill as reported by the committee is open to amendment, and if he feels, as he now states, that a mistake would be made to withhold authority to make contracts until February 1, 1920, or to fail to now carry an appropriation for the new construction, he can offer appropriate amendments giving immediate authority to contract and carrying present appropriations.

Permit me to say that the personnel of the House Committee on Naval Affairs will represent the varying views on the floor of the House. Some have favored small navies. Some have favored a Navy second only to the largest, and yet others have favored a Navy equal to the largest; and the same differences of opinion now expressed on the floor of the House as to the wisdom of providing a new program at this time were fully discussed by the members of the committee, just as you have

discussed them here; and yet, notwithstanding such differences, the committee were later unanimous in recommending this program.

A distinguished gentleman from the Republican side of the House will be chairman of the Naval Committee in the next Congress, one whom every member of the committee honors and respects, and who will stand guard to see that economy is practiced. He first felt that the new program might now be safely postponed, but when the committee finally considered all matters submitted to it, the gentleman from Pennsylvania [Mr. BUTLER], like others, subordinated his individual opinion and joined in a unanimous report for this new program.

Now, let me suggest some past facts to those who venture to assert that the President might use this as a threat. They have forgotten that the President in February, 1916, long before we went to war with Germany, in a speech at St. Louis declared himself in favor of a great Navy. I quote his language:

> There is no other navy in the world that has to cover so great an area of defense as the American Navy, and it ought, in my judgment, to be incomparably the most adequate navy in the world.

Prior to that, in July, 1915, the General Board submitted to the Secretary of the Navy the following recommendation for a naval program:

> The Navy of the United States should ultimately be equal to the most powerful maintained by any nation of the world. It should be gradually increased to this point by such a rate of development each year as may be permitted by the facilities of the country, but the limit defined should be attained not later than 1925.

Evidently the President in his speech at St. Louis followed the recommendation announced by the General Board in July, 1915, and after the President's speech in St. Louis in 1916 this House in August of that year passed with practical unanimity what is now declared to have been the largest naval bill that any country ever passed, and permit me to call attention to a provision of that bill which the Members of this House without dissent voted for—and I am wondering how some, including the gentleman from Ohio [Mr. LONGWORTH], in view of the speech just made, can harmonize his present utterances with what he then voted for. I read from the August, 1916, naval bill this provision, known as the Hensley amendment, viz:

> It is hereby declared to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided. It looks with apprehension and disfavor upon a general increase of armament throughout the world, but it realizes that no single nation can disarm and that without a common agreement upon the subject every considerable power must maintain a relative standing in military strength.

Remember this is a part of the bill providing for the greatest naval building program that this or any other country ever proposed. No one undertook to then suggest—as the gentleman from Ohio now does—that such a provision was evidence of insincerity or a mere bluff. Oh, no. Clearly it was only an affirmation of what the President in his speech at St. Louis declared—that if no agreement could be reached between the nations of the world limiting armaments, then we must build a navy equal in strength to any in the world.

You were but carrying out that policy in the August, 1916, bill, and yet, in providing for that large Navy, you announced an earnest desire that the nations of the world should meet and agree upon a limitation of armament, both on land and sea, and the bill of 1916 carried an appropriation of $200,000 to cover the expenses of delegates to a conference of the nations of the world, to be assembled on invitation of your President at the conclusion of the European war, for the purpose of considering and submitting recommendations looking to that end to their respective governments.

And now, as the gentleman from Michigan [Mr. KELLEY] well says, we are met with this interesting situation: Our representatives are in conference at Versailles, France, with representatives from the great nations of the world to consider this very matter, and no one will claim that our President is embarrassed on account of his declaration made at St. Louis in 1916, long before we entered the war, and which he has steadfastly adhered to since that time. In sending a wire to the Secretary of the Navy urging what he recommended to Congress before he went overseas he is but continuing to insist on a building program which he first declared for in February, 1916. He then, as now, coupled it with the further statements that authority should be given to discontinue all naval construction inconsistent with any international agreement that might be made looking to disarmament. Certainly there is here nothing inconsistent in the position of the President. No one can or will construe his speech of February, 1916, and his continuous insistence of the policy there announced as a threat.

Let me suggest that it might be misunderstood if the Congress should now refuse to provide for an increase of the Navy, pursuant to the policy announced in the naval bill of August, 1916, and continuously recommended by the President.

Certainly a review of these facts makes it clear why the President, without being misunderstood by any nation, continues to urge what he recommended in February, 1916, at St. Louis, to wit, "incomparably the most adequate Navy in the world."

Some have asserted that the President entertained different views prior to February, 1916; so did many Members of the House. I recall that the distinguished leader of the minority changed his mind on this subject overnight in a garden, and others suffered changes just as sudden. Few there are in the House, looking back over the legislation for the past 10 years, who can now claim that they have during such time not changed their views upon many great questions.

In conclusion let me say that the committee has thought it wise, in providing for this new building program, since it is consistent with the views held by the President and consistent with the position taken by Congress in the August, 1916, bill, to likewise insert in this bill the provision known as the Hensley amendment. We have not inserted the provision in full, as I read it a few minutes ago, but in that form it remains unrepealed in the bill of 1916, and carries an appropriation of $200,000 to cover the expense of assembling delegates to consider the question of submitting all differences and disputes between nations to an international tribunal and to submit recommendations for limitation of armaments.

Can there now be any possible misunderstanding of the President's position or the position of Congress on this important matter?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. I yield to the gentleman two minutes more.

Mr. OLIVER of Alabama. I repeat, can there now be any misunderstanding of the policy of Congress or the purpose and desire of the President as to disarmament? In a recent speech before the French House of Deputies the President gave utterance to this far-reaching and important statement:

> The nations of the world are about to consummate a brotherhood which will make it unnecessary in the future to maintain those crushing armaments which make the people suffer almost as much in peace as they suffered in war.

My friends, what have you and I, since the passage of the bill in August, 1916, done to bring about what we there announced was the declared policy of Congress in reference to universal disarmament? The one man and the one organization that has done more to uphold the hands of the President in this matter is none other than an ex-President of the United States, Mr. Taft [applause], and the American League of Nations to Enforce Peace, of which Mr. Taft is president. This league is now holding meetings—North, East, South, and West—to declare their firm support of what you announced to be the national policy in the August, 1916, bill, and which policy the President has at all times consistently stood for, and which was the actuating reason of his trip overseas, that he might exert every effort to secure what you strongly declared for in the August, 1916, bill.

Let no one for a moment suggest, as the gentleman from Kansas [Mr. CAMPBELL] did this morning, that the President of the United States, who has consistently stood for an insuperably great Navy since February, 1916, and who has consistently since that date urged disarmament, and is now doing more than any other living individual to accomplish it, is seeking to use the building program provided for in the present bill as a bluff. The nations of Europe understand the position of the President and can not be misled.

Mr. CAMPBELL of Kansas. Why does he want it?

Mr. OLIVER of Alabama. Why did he want it in February, 1916?

Mr. CAMPBELL of Kansas. Why does he want it now?

Mr. OLIVER of Alabama. Do you subscribe to the statement of the gentleman from New Jersey, made yesterday, that when you learn Great Britain needs help to build more ships then you might be willing to authorize more?

Mr. CAMPBELL of Kansas. I do not.

The SPEAKER pro tempore. The time of the gentleman has expired.

By unanimous consent, Mr. OLIVER of Alabama was given leave to extend his remarks in the RECORD.

Mr. OLIVER of Alabama. Under leave to extend I herewith set out some data showing that most of the international conferences after a great war have lasted a long time:

> The congress of Westphalia: The treaty decided upon at this congress, signed in 1648, brought to a conclusion the Thirty Years' War, which began in 1618. This was a dynastic war and was brought to a close by the exhaustion of all concerned. The peace treaty is said to

have settled the question of religious liberty at that time. The revocation of the edict of Nantes followed. Small States were numerous in the congress and their presence made every step cumbrous. One congress for peace was first proposed, and under negotiations in 1636 mutual agreements to meet being signed on July 22, 1641, the imperial delegates appeared on July 11, 1643, and the ratifications of the treaties were exchanged in February, 1649, 13 years from their first inception. Though the peace of Westphalia directly affected only the relations of the German States inter se, and with the immediate neighbors, France and Sweden, no European power was absent from the congress, except England, Poland, Russia, and Turkey; and even at this the Kings of England and Poland and the Grand Duke of Muscovy, as allies of one or the other of the belligerent powers, were included in the treaty of Osnabruck.

The congress of Utrecht: This was begun in the fall of 1711. The last treaty provided for in its sessions, from January 20, 1712, to April 11, 1713, were not signed till November 15, 1715, a period of nearly four years. The colonial supremacy of the English-speaking folk was established, and it put an end to the war of the Spanish successors.

The congress of Berlin: This met June 13, 1878, and adjourned in a month, July 13, its work done in a single treaty. Six great powers decided all matters, these England, France, Italy, Germany, Austria-Hungary, and Russia, while four small powers, interested in the result, were not represented, these Greece, Montenegro, Serbia, and Roumania. This congress settled territorial questions in Eastern Europe after the Russo-Turkish War. Turkey had refused to accept suggestions for future government of her Balkan possessions made by the six powers. At the Constantinople conference (Germany, Austria-Hungary, France, Great Britain, Italy, and Russia) Russia declared war.

The congress of Vienna: This was in session from September, 1814, to June, 1815. It readjusted the map of Europe after Napoleonic wars and was participated in by all the European powers except Turkey. It was called to make arrangements for carrying out the stipulations of the treaty of peace, known as the treaty of Paris, signed May 30, 1814. The congress never met as a body, but worked through two committees, one of which had charge of general European matters, and was composed of representatives of the great powers and of Spain, while the other, composed of representatives from Austria, Prussia, Hanover, Bavaria, and Wurtemburg, had particular charge of German affairs.

The principal questions before the congress were the claims of Russia and Prussia, and at one time war seemed imminent between the two eastern and three western powers. The main results of the negotiations were as follows:

The bulk of the Duchy of Warsaw was awarded to Russia as the Kingdom of Poland; Cracow was made a neutral republic; Prussia received West Prussia, Posen, the northern half of Saxony, and the bulk of the Provinces of the Rhine and Westphalia; Hanover was enlarged and made into a kingdom; Bavaria was compensated for her losses; and a territorial commission for the settlement of the boundary disputes between the German States was established at Frankfort, where it sat until 1819, and Germany was reorganized as a confederation of 39 States. Austria received back most of the territory lost by her in the wars with France and was compensated in Germany, Italy, and Illyria for the loss of Belgium. France lost additional towns and districts to Prussia, Bavaria, and the Netherlands and Sardinia as a result of Waterloo. Belgium, Holland, and Luxemburg were united to form the Kingdom of the Netherlands. Norway and Sweden were united. Finally, England retained Cape Colony and Ceylon, Mauritius, Helgoland, and Malta.

Versailles and Frankfort on the Main: In the Franco-Prussian War of 1870 negotiations began at Versailles in January, 1871, and peace was signed at Frankfort on the Main on May 10, 1871, France ceding Alsace-Lorraine, Metz, and Strassburg and a war indemnity of $1,000,000,000. France was occupied by German troops until the indemnity was paid. On January 18, 1871, at Versailles, William, King of Prussia, was proclaimed Emperor of Germany.

Spanish-American War: Protocol signed August 13, 1898, stipulated for the surrender by Spain of all claims of sovereignty over Cuba, the cession to the United States of Porto Rico and an island in the Ladrones, and for the occupation of the city and bay of Manila by the United States forces. The treaty was negotiated at Paris and signed December 10, 1898, and ratified by the Senate February 9, 1899, and signed by Queen Regent March 17.

Russo-Japanese War: At invitation of President Roosevelt representatives of Russia and Japan met at Portsmouth, N. H., in August, 1905, and signed a treaty of peace on September 5, 1905.

The Crimean War was concluded by the treaty of Paris of 1856. The treaty was made by the five great powers of that period and Sardinia and Turkey. Russia was on one side; France, England, Turkey, and Sardinia on the other. It lasted from 1853 to 1856. It was a congress treaty made between powers some of which had not been at war, and Russia, which on the whole was the vanquished party, made a cession of territory.

The American Revolution: The peace treaty between Great Britain and the United States was signed in Paris; referred to sometimes as the treaty of Paris and also as the treaty of Versailles. The congress lasted from November 30, 1782, to September 3, 1783. This was a treaty of the recognition of the independence of the United States of America and not of future stipulations. On November 25, 1783, the British forces were withdrawn from New York.

The treaty of Ghent: This brought to a close the War of 1812 between the United States and Great Britain. The conference lasted from August 6, 1814, to December 24, 1814. In it is the interesting stipulation that Great Britain shall come to terms with the warring Indian tribes and a declaration against the slave trade.

Spanish-American War: This was brought to a close by the treaty of Paris of 1898, thus recording the conquests made by the United States, Spain ceding what she had lost—Porto Rico, Guam, and the Philippine Islands. As to Cuba, Spain relinquished its sovereignty, with the provision that the United States should occupy the island temporarily and protect life and property.

The Balkan Wars: These wars were ended by the treaty of London, the conference lasting from December 16, 1912, to May 30, 1913.

Mr. POU. I should like to ask the gentleman from Kansas how many more speeches there will be on that side?

Mr. CAMPBELL of Kansas. We shall probably have two or three more.

Mr. POU. Will not the gentleman use some of his time now?

Mr. CAMPBELL of Kansas. I do not see the gentlemen who were asking for time.

Mr. POU. I yield 10 minutes to the gentleman from Maine [Mr. PETERS].

Mr. PETERS. Mr. Speaker, I propose to briefly discuss the so-called "increase of the Navy" program from the standpoint of one who favored it both before and after the famous cablegram from the President.

The principal reason for the sensation caused by this message from the Commander in Chief to the Secretary of the Navy is the mystery that has accompanied it, and also, perhaps, the Heaven-sent opportunity for the newspaper men to make a good story. A plain statement of the facts will remove misunderstanding and clear the air.

Carrying out the policy adopted three years ago of planning for the Navy several years ahead instead of the haphazard, uncertain, and jerky plan of annual authorizations of one or more ships, as Congress might vote, it became necessary the first of this session to consider another three-year program. The Secretary of the Navy made a recommendation of 156 ships, large and small, based, however, largely on the pre-armistice situation. This, after consultation with the committee and, presumably, with the distinguished experts who are heads of bureaus, was subsequently reduced to 20. There was some disagreement in the committee over this, as is well known. Some suggested that, as there might be an arrangement made to abolish war or reduce armaments, we had better not authorize any ships. Others thought it wiser to go ahead with a reasonable program and cut it off when world conditions were definitely changed and the papers signed. It was recalled that the President in his address to the Congress at the opening of the session had strongly and specifically urged the continuance of the three years' building program, and this was his language:

"I take it for granted that the Congress will carry out the naval program which was undertaken before we entered the war. The Secretary of the Navy has submitted to your committee for authorization that part of the program which covers the building plans for the next three years. These plans have been prepared along the lines and in accordance with the policy which the Congress established, not under the exceptional conditions of the war, but with the intention of adhering to a definite method of development for the Navy. I earnestly recommend the uninterrupted pursuit of that policy. It would clearly be unwise for us to attempt to adjust our programs to a future world policy as yet undetermined."

The question naturally arose as to whether the President had seen anything in Europe to cause him to change his mind. Nobody knew. Doubtless the Secretary of the Navy was aware of our attitude, and it seems he, on his own initiative, desiring to help us, and, as I believe, desiring to help the country at the same time, wired the President, saying that the committee was hesitating about bringing out a three-year program, thinking that developments over there might have changed the situation and obviated the necessity for it, and asking him if he adhered to his recommendation of December 2. The President wired back to the Secretary that he had learned nothing to change his mind and considered it more important than ever. These two messages were sent up to us by the Secretary and read aloud by the chairman. There was nothing more in the messages. No facts were given. No reasons mentioned. Nothing more is known by us. You, gentlemen, know all that I do about it, and I was present at all meetings of the committee when this matter was considered.

There is nothing in this much-advertised incident of the cablegram to cause any open-minded man to oppose this measure. The President gave his opinion when asked to. His opinion should and does carry more weight than that of any other American, because he occupies a unique position. He has a viewpoint from a position occupied by himself alone. His opinion did not change my views, as I was for the program before, nor do I believe it changed the views of a majority of the committee for the same reason, but it was considered of such importance by some patriotic members of the committee that they subordinated their personal views to what they regarded as the best interests of the country, and I honor them for it.

So it happens that the President, the Secretary of the Navy, and the entire committee all feel the same way about this matter. They may be all wrong. It may be wise to decline to authorize any continuation of the naval program heretofore established. It may be wrong to provide for the further building of ships after these now under construction are finished, but I do not believe it, and I do not think in planning stringent economy we should begin with the defenses of the country.

I favor a large and powerful American Navy—not so large as Great Britain's, because I can not conceive the possibility of trouble in the future between the English-speaking peoples which will require a fight to settle it—and I believe that from now on our job in the world is the same as hers; but it is at least interesting to recall that within the memory of men in this House the two nations have been twice on the verge of war. Great Britain must of necessity have the most powerful navy for purposes of defense. Her empire embraces nearly one-fourth of the land area of the globe and approximately one-

fourth of the population and is scattered all over the world. Forty millions of her home people dwell on a little island which can not produce enough to feed them. They could not sleep nights if they were not positively sure that her lanes of commerce were always open for the bringing in of food and raw materials by her mighty merchant marine.

We also must have a navy commensurate with our needs and our responsibilities—large enough to protect our interests in any situation possible to arise.

We came out of the Spanish War a world power. We come out of this war the world power. We can hardly avoid the world responsibilities which go with it.

It is the announced policy of the Government, and I think a very wise one, hereafter to divide our fleet equally between the Atlantic and Pacific Oceans, to have exactly the same number and weight of ships on one coast as on the other.

Our military sea frontier, which once simply went down one coast and up the other, now begins at Eastport, in the district I have the honor to represent, and extends to the Panama Canal, to Guam, to the Philippines, to the islands of Alaska, and thence back to continental America.

Our merchant marine, the lack of which was so wicked in this war, is about to expand and resume its proper place in the world. The development of defense by mines, submarines, and airplanes, in the opinion of thoughtful observers, has in no wise diminished the importance of a fleet. The battleship is the only force that will insure the keeping open of our sea frontiers and sea bases. We can not fortify every mile of our coast lines; it is easier to have a mobile naval force to protect them.

We can fortify at the entrance to our big cities, but the enemy may be mean enough not to go in that way. It is now well established—verified from different sources—that Germany perfected plans years ago, whenever she should attack this country, to effect a landing on the shores of Frenchmans Bay, in the State of Maine, fortify the beautiful hills which surround it, establish a base, land troops, and sweep westward through the helpless country, and come down to Boston and New York from the north. On the day war was declared between Germany and Great Britain the fast German liner *Kronprinzcssin Cecile*—constructed to be transferred immediately into a war vessel and later used by us as the transport *Mount Vernon*—was four days out from New York filled with passengers and freight, including a large amount of gold. At the first click of the wireless announcing "the day" had come, her commander, an officer in the German Navy, opened his sealed orders which had been on board for years, and headed straight for Bar Harbor in Frenchmans Bay, there to wait and join a possible German force later. Nothing prevented this landing but the presence on the ocean of the American and British battleships—principally the British.

So long as we held control of the sea Germany could not win. If we had lost that, the war would have been over in a minute.

Many things—our responsibilities in this hemisphere, our participation in affairs abroad, the unsettled conditions in the world—demand a continuance of our naval power.

All the reasons that ever existed for a Navy exist now except one, the possibility growing out of a league of nations, and we have provided for that in the bill.

I see no inconsistency in trying to get a league of nations and planning for a Navy at the same time. We only plan for the Navy in case we do not get the league.

But gentlemen say, "Whom are we going to fight?" We will not have to fight anybody if we are well prepared. We would not have been in this war if we had been ready. More peace surrounds a bulldog than a black-and-tan.

Germany for the time is down and out. Other Germanys, other combinations against the peace of the world, may arise. A quite possible event at the moment is a combination of Russian and German Bolshevism and its spreading like a fire in a dry forest.

We can spring to arms quicker than we can spring to battleships, and without battleships arms are no good.

But gentlemen say this program for the increase of the Navy is too big. Let us look at it from a business point of view. There is no politics in it, anyway.

It is proposed for the next three-year program to dovetail into this one the eventual construction of 10 battleships, as good ones as anybody has, and 10 comparatively small scout cruisers. If things go along well we finish these ships in 1926. Do you know how many of our present battleships will be ready to retire by that time? Twenty-three. By then all the ships of mixed caliber—meaning by this ships having both large and medium sized guns—will be out of date. Twenty years is substantially the life of one of these complicated machines in anywhere near its full usefulness. In case of urgent necessity they may be used in the back lines, as was the old *Oregon* in this war, but after that they are principally useful to look at. When they become obsolete they are a liability and not an asset. A modern ship can hold a position just outside the range of an old one and pound her to pieces with no more danger to herself than if she were attending a Sunday-school picnic. At the Battle of Santiago the *New York* just was not in the fight at 7 miles away. Admiral Plunkett told our committee that the 14-inch naval guns he took abroad could drop shells on Germans 23 miles off, and those shells were just as troublesome after they arrived as if they had only traveled a mile. To be sure they were fired on land, but our sea ranges have increased greatly in 20 years.

We propose, then, to substitute for 23 battleships, by that time obsolete, 10 battleships of the best we can build—and that means the best in the world. We shall have put out of the line a total of 308,146 tons and put in 420,000. I ask you if that so far is an unbusinesslike or an improper thing to do?

The rest of the program is 10 scout cruisers. They do not take the place of anything, but there is an urgent independent reason for them. We have been deficient in these vessels for some time. We have three small ones, of only about 23 or 24 knot speed, and practically obsolete.

The lessons of this war have strongly impressed naval men with the importance of these vessels. They are the eyes of the fleet, and to make it most efficient we must have them if nothing else is done. They add only 70,000 tons to the Navy, but they are highly important tons on account of the speed with which our American ingenuity will be able to carry them through the water.

So long as we have a Navy it should be well balanced. We got top-heavy with destroyers during this war. I do not count Eagle boats, which Mr. Ford was to build and which, I understand, will not float, or some little matter of that sort, but good, reliable American destroyers, such as we produced in record time to meet this emergency. These vessels did magnificent service and we want to keep them. I was told in Queenstown last summer that 25 of our destroyers were admitted by British officers to be equal to 30 of theirs. Incidentally we were shown an American destroyer in the harbor of Queenstown which was said to be the best destroyer ever built, and I am proud to say that she was built and launched in record time at Bath, Me. Useful vessels like this, new and effective, we want to keep. When heavy vessels are built it is necessary to provide a lot of small ones to go with them. In this case we will not have to. The Navy will be rounded out better by having these heavier ships.

I am confident that anyone who believes in keeping up a reasonably strong navy will consider that a program which when worked out at the end of six or seven years will result in substituting 10 good battleships for 23 obsolete ones and adding 10 scout cruisers of only 7,000 tons each, badly needed, is not an unreasonable one.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. PETERS. Yes.

Mr. JOHNSON of Washington. When did I understand the gentleman to say that the new program would be completed?

Mr. PETERS. In 1926 or 1927.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POU. I yield to the gentleman five minutes more.

Mr. PETERS. But the question is asked, Why should we authorize them till we finish the ships now being built?

In all probability the next naval bill will be passed in the summer of 1920. If we put off this authorization till then, the department can hardly get to work on the program till the following year. It is in the interest of economy and efficiency, and it is highly desirable from a business point of view, that the department should know more in advance what its construction program is going to be. Any manufacturer who runs his business prudently and who has $400,000,000 worth of work in sight wants to know when it is coming several years in advance. The building of warships does not begin when the keel is laid. A very large part of the work comes before that. The present ships will be well beyond their first stages of construction by the time the new program can be taken up. The means employed to carry the construction of the first ships to the laying of the keel can be turned right over to the new program and dovetail in without lost motion. Many private yards now building torpedo boats will complete them before 1921, and the Government desires to use them for some of these new vessels without a gap. It will be expensive for the Government in both money and time if the yards have to stop work and shut down or get started on other construction. The work on the present program is so far advanced that it is in the interest of economy, efficiency, and speedy results for the Bureau of Con-

struction to know now whether the Government will adopt this program.

This program is said to be expensive, and we must economize. That, of course, is true. It will cost four hundred millions, spread over six or seven years. We are now spending about three hundred millions per year for new construction, and that will be true during 1919. After that, and with this program added, expenditures on new work will dwindle down to about one hundred millions per year, which should be about normal, unless conditions largely change.

If we can not afford this program, then we must stop. Everyone must decide this for himself. In my individual judgment, we can not afford to stop.

There is no bluff about this program, as I see it. Neither does it mean the biggest Navy in the world by any means. It is a businesslike addition to a business Navy.

I am not in favor of a huge Navy. I am opposed to emulating Great Britain. I do not believe we should strive for the greatest Navy in the world. I do not think we should build a Navy because any other power wants us to or expects us to; nor do I think we should refrain from building up a Navy because any other power objects. [Applause.] This is our Navy and our own family row, and we will settle it among ourselves.

I have great admiration for the seamanlike qualities of a high-ranking admiral who testified before us, but no respect for his judgment when it comes to assigning reasons for this increase. We will not make this addition because other nations expect it or because some of them are busy and will ask no questions. We do not want to build a Navy when other people are not looking—we want to build it when they are looking. [Applause.] The principal usefulness of a navy is in being seen. When they see we have one, nothing else happens.

I believe that the traditional naval policy of this country, our growing maritime interests, our increasing responsibilities in the world, our lengthened sea frontiers, good business judgment, as well as the glorious record of our Navy in every war we have undertaken, all cry out for the adoption of this program. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Washington [Mr. JOHNSON].

Mr. JOHNSON of Washington. Mr. Speaker, since I have had the honor of a seat in the Congress of the United States I have voted always for the largest Navy program available. I still favor a large Navy for the United States. I live on the north Pacific coast and should favor it, and I do favor it; but I find that this Government, under its war-emergency program of 1916, is building a large Navy, a larger Navy authorized by the Congress than it can complete and turn out in twice the three years allotted for it. That program is what makes this very naval appropriation bill carry the great total of $7,500,000,000—on toward eight billions of dollars. All Members of Congress know that this very day the Secretary of the Treasury, Mr. Glass, has stated that he is coming to Congress for an authorization for another bond issue and a new credit issue to a total of $20,000,000,000. This House will adjourn shortly, and all of the Members will go to their respective districts, where, of course, they will take part in the floating of the victory loan. You will find it harder work than the selling of previous bond issues, and you will be asked about the present great naval program and also about this proposed paper program. It will be well to know all about both; and why? No Member need think that he will be called, or can honestly be called, a small Navy man if he votes against this proposed paper program. Why? Because when you vote the money to go ahead with the 1916 program you are continuing a great Navy program.

THE PRESENT NAVAL PROGRAM.

For fear that we forget what this 1916 program is, I desire to tell you just what it is. Members should bear this in mind, because they will be asked in their districts about it. According to the report of Admiral Taylor, the 1916 three-year program, calling for 10 battleships, 6 battle cruisers, and 10 scout cruisers, was, on the 1st day of February, 1919, as follows:

None of those 10 battleships have been completed; 6 are zero done. They are being designed, and, while contracts have been let, no construction has been undertaken.

Four are from 5 to 40 per cent completed on the ways.

The six cruisers are not yet being built. They are being designed, and some contracts for material have been let, but no keel has been laid.

The 10 scout cruisers are from zero to 25 per cent finished. According to Admiral Taylor, of the 1916 program the first battleship could be completed in 18 months, and the last of that program, which would be the battle cruiser, the most complicated in design and the most difficult to build, would not be finished until five years from date.

The total amount expended on the 1916 three-year program on December 1 was, roughly, $113,000,000. The amount necessary to complete the program from beginning to end is, roughly, estimated at $815,000,000. We have appropriated, including the amount expended of $113,000,000, about $240,000,000, leaving appropriations necessary to carry the program to completion $575,000,000, roughly.

On February 1 we had 85 submarines in service, 73 building, and 9 authorized. On that same date we had 112 destroyers in service, 212 building, and 12 authorized.

Those figures are taken from the statements of Admiral Taylor, as presented to the House by the gentleman from New York [Mr. HICKS]. You see there is a stiff warship program under way. It can not be finished for years. Our present Navy will be placed on both oceans. The new ships will be put on both coasts.

The meaning of the cryptic cablegrams between the Secretary of the Navy and the President of the United States are not quite clear, but the real meaning of all this paper program is that if we authorize it, even with a string tied to it, our admiralty will see that we keep at the enlarged program. The result will be that other nations will be building great ships of commerce, and we will be putting countless millions into warships and cruisers.

Finally, Mr. Speaker, the state of the finances of the United States and the necessity for raising great sums of money, together with the fact that many of the depository banks of the United States throughout the country have during the past year and are now largely overdrawn upon by the Government, should make the Members of this Congress pause in this and all other appropriations. The figures are startling. We will have to raise billions per year for many years to come by taxation and bonds. Oh, gentlemen, when we know that no great power which is likely within the lifetime of any man on this floor to come to blows with the United States is in a financial condition to greatly extend its warship-building program, why should the United States propose even a paper program, thus to take the initiative that may make other nations build? Every mail brings complaints about these appropriations, about taxation, and about the cost of living. When will Members come to a realization of the fact that if we Congressmen vote billions after the war the people must pay the billions. The tax is passed on. Stop, or we will soon go far beyond the ability of the United States to collect the taxes and pay. I am most sincere. I stand for a great Navy, but I protest against a wild, extravagant plan at this time. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Nebraska [Mr. REAVIS].

Mr. REAVIS. Mr. Speaker, I do not feel it essential that I state the fact that I have always been in favor of the most adequate and the largest Navy that has been proposed in any measure since I have been a Member of this House. I do not think that my attitude with reference to this rule or with reference to the proposed authority of the naval bill will reflect upon my desire that this Nation shall always have an adequate Navy. The proposition is submitted to this body, however, under very peculiar circumstances, and it is laid before the membership of this House at a time when the proposed program is out of harmony with the avowed aspirations of the people and out of harmony with the purpose for which we entered the war. There has grown up in America during the progress of this war, I think, the most magnificent national spirit that any nation has ever had. It is a spirit founded in ideals, a spirit in part prompted by one who is more of a dreamer than he is concerned with the practical affairs of life, but it is a spirit in which the United States placed all that it had in the world in the way of men and money to make a better world of this and a safer place for men to live in, a spirit that was beautifully stated by one who spoke of our boys in France as the representatives of the Nation that would return from the shores of that wonderful country with their hands as empty as they were when they went there, the spirit of the people who ask nothing for themselves. Now that the war is over and after more than 50,000 of the soldiers that were sent abroad are sleeping in the soil of France, after we have accomplished the purpose which we set out to accomplish, we find proposed in this body not peace terms that will crystallize our purpose in this war, but a measure that will mean a contest between the two nations that by race and language and tradition are natural allies. It is not a proposal that looks to permanent and perpetual peace, but is a proposal which looks to a contest between England and America as to which shall become the most warlike upon the sea. This thing we do is absolutely out of harmony with every avowed purpose of the United States when

it entered into this contest and out of harmony with the ideals of the people of America when the contest was concluded.

Upon what ground are we asked to make this tremendous authorization? Not by anything that places in your possession and mine the facts that would justify this, but a cablegram that is spoken of in hushed terms around this Capitol, that is whispered among the favored few who are permitted to see it, not a cablegram that gives the facts upon which you may arrive at a conclusion, but merely a cablegram that gives the conclusion of the one who sends it from the shores of another country. Before I would be willing to authorize a program that would fasten an indebtedness by way of taxation of $7.50 upon every man, woman, and child in the country I want to know the facts that justify it. I wonder if Members realize where we are drifting? I wish that the President would come home. I wish that the President, instead of occupying a summit beyond and above the ordinary affairs of life with his eyes fastened on the stars, dreaming of a Utopia and a short cut to the millennium, would look down into the shadow and see what is going on beneath.

Do you realize that the appropriations and the expenditures of this country in the next year, with the utmost economy, will aggregate more than a billion of dollars a month? Do you realize that with the tremendous expenditures which we are facing that we ought to economize to the last degree and provide only for those things that are absolutely essential in the present condition? How are you going to raise this money? By bonds and taxation. Every man who is at all familiar with taxation knows that, without regard to the manner in which you safeguard the measure, most of it ultimately becomes a consumption tax. The other day before one of the committees of the House Mr. Armour said that his excess-profits tax had amounted to $6,000,000 in the last year, and when asked if that was pushed on to the consumer he replied that it was probably so. Do you know that the merchant in the smaller communities, fearful that he will buy on a falling market, is refusing to buy, and that the jobber is refusing to load up for fear of loss, and that as a result of that the manufacturers are working short-handed; that idle men and men out of employment are already on the streets of our great cities? Do you realize when you demobilize the Army that we have now that you are adding to the unemployment? Go ahead with your idle dreams of universal brotherhood at a cost of $750,000,000 for this unnecessary program. Follow it out in the appropriations to carry it into effect, then levy your taxes, increase the consumption tax, make higher the cost of living, and place it upon the men who are walking in idleness the streets of America to-day, and you have a condition in this country that, so far as I am concerned, creates great apprehension. [Applause.] The Bolsheviki is not a disease. He is a symptom. He is the product of a condition, and the only way to treat him is not by treating the symptom but by removing the condition. Do not strike at its product instead of removing the condition. By this measure you are aggravating the condition. Oh, well, we have the idealist dreaming of that Utopia where there shall be universal brotherhood, of a condition in which the irritating problems of race and creed and national aspirations shall all be done away with by a mere formula, by somebody writing in a peace treaty that there shall be no more war. You may proceed along that line, gentlemen, but just so sure as you continue this wasteful extravagance, just so sure as you make these unnecessary authorizations for naval expenditures of millions of dollars, you are adding to a condition that to my mind creates more apprehension to-day than any other condition that confronts the American people. I have never been very sympathetic with this league of nations. Of course, we all want universal peace. Of course, we want war done away with. I would like to do away with it, but I can not help but be conscious of the frailities of mankind and the fact that more than 3,000 peace treaties have been agreed to in the history of this world, and that every one of them recited that the ultimate purpose of the treaty was to insure universal and perpetual peace. And wars still continue. I do not believe that the greatest navy in the world is essential to American life. I do believe that we should have less of dreams and more of good, common, horse sense in the administration of the affairs of this country. [Applause.] I believe, still further, that we should go to work and encompass a peace with Germany, that we should close up this war by making Germany powerless so far as threatening against the peace of this earth. I believe instead of waiting three months along the line of a league of nations and universal peace we should close up the war which we have been fighting. [Applause.] And I do not believe that before we have done that that we should be consuming our energy, consuming our time, and creating tremendous expenses preparing for a war with an ally rather than closing up a peace with an enemy. [Applause.]

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. LITTLE].

Mr. WALSH. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Massachusetts [Mr. WALSH] makes the point of order that there is no quorum present. The Chair will count.

Mr. WALSH. Mr. Speaker, I withdraw the point. It is apparent a quorum is present in the lobbies and cloakrooms.

Mr. LITTLE. Mr. Speaker, if you saw a man with whom you had an issue at stake get a gun you would proceed to get one. In this instance we serve notice on all the world that we expect and arrange for a broad platform of preparation for naval warfare. This is a direct challenge to every Government on earth to see who can build the most warships. There never was a more ill-timed, ungainly, unfortunate, threatening, menacing firebrand thrown into the arena of the world's activities than this. This is no time to threaten the nations of the world, all of whom are extending open and appealing hands to this great Republic which now stands at the summit of all the power and achievements that the world ever saw.

We have 4,000,000 of the best soldiers in the world, and we could almost dismiss them, put our ships out of commission, and be at peace and in no danger for 10 years; and yet they bring this proposition here. In the last analysis there is only one man to be consulted, and that is the taxpayer who will bear this burden and whose sons are fighting these battles.

There are only two questions: One is, What will he put in it? And the other is, What will he get out of it?

He put in $30,000,000,000 and the lives of 100,000 and the services of 4,000,000 sons. He gets glory, honor, and a good fight for a just cause, gallantly won. But he must get more: He must have the knowledge he has set up forever the cross of Christ in place of the crown of Cæsar as the standard of civilization.

If he is to be forced immediately into arms and armaments—into spending $1,000,000,000 for iron ships to carry on wars—he has gained nothing, and all his sacrifices are in vain. We expended $30,000,000,000 that the great annual expenditures for military and naval appropriations might cease. Has our taxpayer bought a gold brick? How long is this cry for more money to waste to continue? Why not take these millions and crisscross this country with roads? Why not spend it redeeming waste lands for farms for soldiers? Why not divide it among those who risked their lives for us?

They tell us that we have $250,000,000,000 worth of property. Six per cent on that sum is $15,000,000,000. The Federal revenue bill this year asks for $6,000,000,000. The State, city, and municipal taxes will be $4,000,000,000 more. That is $10,000,000,000. Of your $15,000,000,000 income on your investment two-thirds goes for taxation. We will be forced to borrow $5,000,000,000 more. And yet men come here asking for what? What are you going to get out of it? When this war began the Germans lined their coasts with submarines and mines, and the greatest Navy in the world never went near them. You say that we should build great ships of war to defend New York and the Panama Canal. You can protect our coasts with mines and submarines as easily as the Germans protected theirs with submarines and mines.

Mr. BAER. Did the German Navy get near the British Navy?

Mr. LITTLE. No. It did not get near it. It was just as afraid of submarines as the English were. Britain had twice the fleet Germany possessed, yet it never ventured within a hundred miles of the German coast, fearing submarines and mines, and the gentleman inquires whether the German fleet assailed the English coast. What is he driving at? What point is there to such a suggestion? If the Germans had no fleet their coast would have been just as well protected. The English fleet squatted in harbor behind great steel nets for fear some little submarine would poke its nose in among them and sink $50,000,000 or $60,000,000 worth of battleships by losing $1,000,000 or $2,000,000 worth of submarines. The gentleman is hardly in earnest. Let us conclude that he broached in jest.

Mr. CALDWELL. Will the gentleman yield?

Mr. LITTLE. I will, later.

Mr. CALDWELL. Just a short question.

Mr. LITTLE. I am awfully short of time myself.

Not one of the big ships ever dared to venture to sea unless it had a free track home. The only way the transports got across was not by the protection of any English Navy, but by fleet pairs of heels.

What are you getting out of it? If you put your money into submarines you would have $500,000,000 invested, and you would have 500 submarines, and there would not be a warship in the world that would ever dare to go out to sea unless it had investigated thoroughly and knew that there was not a submarine in sight. As long as a man is in danger he will fight and hit below the belt, and the first nation that will get into trouble will build submarines.

It is all nonsense to talk about abolishing submarines, my friends. What is the argument in favor of this plan in the bill? Not a thing on earth except a mystic utterance here that nobody understands. Whenever a Greek politician got into hot water he appealed to the oracle at Delphos. Once informed as to the advice desired, the prophecy sought floated out in mystic profundity as readily as the limpid waters sprang from the desert rock that Moses smote. Mr. Daniels was in trouble, and he invoked the Delphic oracle of America, and it gave forth an utterance which he says means more ships. The gentleman from Ohio [Mr. LONGWORTH] read it and says that it does not mean that. We are just as competent as anybody to pass upon the evidence produced, if the taxpayers select good Congressmen, and if we have to pass upon anything else we would be recreant in our duty. One man has as good a right to interpret the oracle as another. I interpret it to have intended submarines and mines—and, anyway, the oracle business all went into the discard at the November election. Said the Roman Emperor, when his general returned from the German forests, "Quintus Varus, what hast thou done with my legions?" Gentlemen of the House, the taxpayers will demand of you why, at a time like this, you spend a billion dollars of our money on iron pots that submarines can sink as fast as they catch them.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. CAMPBELL of Kansas. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. MANN]. [Applause.]

Mr. MANN. Mr. Speaker, if this bill shall pass without the proposed authorization, it will carry appropriations for the maintenance and increase of the Navy to the extent of nearly $750,000,000, which I believe is the largest sum ever appropriated in time of peace by any nation of the world for the maintenance and increase of its navy. And that of itself is a sufficient answer to those who would say that such here as oppose the proposed authorization are not in favor of a sufficiently large Navy. [Applause.]

Mr. Speaker, I have heard but two arguments in favor of the proposed authorization. One is that a cablegram came from the President; the other is that it is the duty of this country to provide a Navy as large as the navy of Great Britain. I do not take the cablegram from the President too seriously. There are two ways in which it may be looked at. First, that the Navy officials, whose duty it always is to extend their power and the power of the Navy—and that is true of all branches of the Government service—asked the Secretary of the Navy to cable to the President for help while the naval bill was before the House. And the President, complying with the request of the Secretary of the Navy, cables back that, in his opinion, the proposed authorization should be granted. That is not to be considered very seriously. The President of the United States, a wonderful man, in a great position, still does not know all there is, and it is not his place to determine the appropriations which shall be made. That is our responsibility. We must act upon facts. We passed many an appropriation for the war at the mere suggestion of the Executive, but now that we have arrived at the point of peace it is time for us, when we make an appropriation, to know the reasons for the appropriation itself, and not act merely because some one in the executive department of the Government, even the President himself, thinks it ought to be granted.

Mr. Speaker, it has been suggested on both sides of the House, sometimes in the public discussion, more often in private conversation, that the President desires this authorization as a threat to force other nations to agree to its policies at the peace table. I do not know whether there is anything to that or not. But certainly if the President has reasons for desiring a great Navy he ought to give the reasons to us. And I doubt whether, if this be a threat, it would be a successful one. What is the situation? Emerging from a war where all peoples desire, if possible, to provide some method by which wars may be avoided in the future, we now are confronted with the actual proposition of whether or not we shall at this time proceed with an enormous naval program. If it be a threat, it is directed at Great Britain.

Gentlemen here have stated that we must never rely upon the Navy of Great Britain, and yet this bill itself does rely upon the Navy of Great Britain, because if this authorization be suspended by the President the Navy of Great Britain will still far overtop ours, and you propose to allow the President to suspend the authorization. And those who say that they desire the Navy of this country larger than that of Great Britain can not afford to vote for a proposition permitting the President to suspend its construction.

Mr. Speaker, I hope that the President will be successful in his aspirations for a league of nations, which will, through orderly and peaceful methods, prevent the settlement of disputes in the future by war. But I do not believe that before the peace is agreed upon, before the terms have been arrived at, that the proper way to secure peace in the future is for the Congress of the United States to say, "We propose to have a Navy large enough to lick the rest of the world." [Applause.] If Congress agrees to this authorization and the President uses it at the peace table, it will be used elsewhere. If we agree to this authorization, the report will go throughout the world that the United States of America proposes to enter upon a contest with Great Britain as to which nation shall have the largest and most powerful navy.

And every German in Germany and some elsewhere will say, "The allies, now that peace has come, commence to quarrel among themselves and prepare for future contests between themselves." That will be the gladdest piece of news that has leaked into Germany for many a day.

Mr. Speaker, we can afford to suspend the authorization for the future until peace has been entered into and we know where we stand. Can we afford, on the other hand, to borrow money now for an increased authorization of the Navy? We can not pay the expenses of the Government next year out of the tax bill which will soon become a law. Do we propose to increase the taxes or do we propose in time of peace to borrow money to build a Navy or do other work in that direction? We can not do it out of the revenues which come from the present law or the present bill. Will we undertake, just as we have had a war and are emerging into peace, to say that we propose to increase the tax burdens or borrow money in order that we may now, as we emerge into peace, enter into a contest as to who shall have the greatest navy in the world, and then perhaps go upon the theory that we will have war with Great Britain? Let us for a moment believe that after this war we may have peace for a few years and get ourselves settled back in our accustomed modes of business and life. [Applause.]

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. POU. Mr. Speaker, how much time have we remaining?

The SPEAKER. Five minutes remain on the gentleman's side and none on the other side.

Mr. POU. I yield to the gentleman from Wisconsin [Mr. COOPER] one-half of the remaining time.

The SPEAKER. The gentleman from Wisconsin is recognized for two minutes and a half.

Mr. COOPER of Wisconsin. Mr. Speaker, I did not expect to speak upon this rule and, of course, can compress nothing into two minutes and a half which will be adequate to meet the issue before us. I am in favor of passing the pending rule. If passed it would do nothing more than permit the House to debate and vote upon this exceedingly important question. The House should not be afraid of a full and fair discussion. It can not be led into doing anything wrong by merely hearing the truth from both sides.

This bill provides that—

No contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

It provides also that—

If at any time before the construction authorized by this act shall have been contracted for there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then, and in that case, such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals may be suspended when so ordered by the President of the United States.

I again remind the House that if the bill should become a law no contracts for the construction of vessels therein authorized could be entered into prior to February 1, 1920—almost one year from now.

This seems to me to be a proposition very easily understood. Debating this rule, even passing the bill, would not bind, would not even permit, the United States to do anything before the

1st of February, 1920, not even so much as to enter into a contract. Long before that date the suggested tribunal will have been either established or not established. If such international tribunal shall be established—and I sincerely hope that it will be—then, of course, there will be no necessity of going on with this contemplated great navy. But if, as has been intimated by the papers, there are across the sea men in high place who are pronouncedly reactionary, and who wish it understood that the world has learned nothing through the awful four years of slaughter, but must go back to conditions as they were before the war, then it is well for the United States to take these precautionary steps, and to take them now. In any event it is wise now to adopt this rule and to listen to a fair discussion of the main proposition. [Applause.]

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. POU. Mr. Speaker, just one word in conclusion. I would like to ask the membership of this House, Can you afford at this time to defeat this rule? Now, this I believe to be true—patriotism is just as great on one side of the aisle as it is on the other. The President has had the support of this House from the day of the declaration of war. This program comes here with a unanimous report from a Committee on Naval Affairs representing every phase of thought on the naval question. I submit that at this particular time the House of Representatives can not afford to take the responsibility of voting down this resolution.

This is no new question. Every President that I have served under has favored a big Navy—both Mr. Taft and Mr. Roosevelt. Yes, Roosevelt, great American; sweet be his sleep. America will forever cherish his memory as a mother cherishes the memory of her own offspring. Those men always favored a big Navy.

I leave the question with the House, reminding you that having supported the President from the beginning of the war up to this good hour, we can not afford to take the responsibility of voting down this rule now. [Applause.]

The SPEAKER. The question is on agreeing to the rule.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. POU. A division, Mr. Speaker.

Mr. FOSTER. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor of the rule will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 205, nays 148, answered "present" 3, not voting 73, as follows:

YEAS—205.

Alexander	Crosser	Heflin	Mudd
Almon	Curry, Cal.	Hensley	Neely
Ashbrook	Dallinger	Hicks	Nicholls, S. C.
Aswell	Davey	Holland	Nichols, Mich.
Austin	Decker	Hood	Nolan
Ayres	Denton	Houston	Oldfield
Baer	Dewalt	Howard	Oliver, Ala.
Barkley	Dickinson	Hull, Tenn.	Oliver, N. Y.
Barnhart	Dixon	Humphreys	Olney
Beakes	Dominick	Igoe	Osborne
Bell	Donovan	Jacoway	Overmyer
Benson	Doolittle	Johnson, Ky.	Overstreet
Beshlin	Doremus	Jones	Padgett
Blackmon	Drane	Keating	Peters
Bland, Va.	Dupré	Kehoe	Phelan
Blanton	Eagan	Kelley, Mich.	Polk
Brand	Evans	Kettner	Pou
Britten	Fairchild, B. L.	Key, Ohio	Quin
Brodbeck	Farr	Kiess, Pa.	Rainey, H. T.
Browning	Ferris	Kincheloe	Rainey, J. W.
Buchanan	Fields	Kitchin	Raker
Burnett	Fisher	Lampert	Riordan
Butler	Foss	Larsen	Robinson
Byrnes, S. C.	Foster	Lazaro	Rogers
Byrns, Tenn.	Freeman	Lee, Ga.	Romjue
Caldwell	Fuller, Mass.	Linthicum	Rouse
Campbell, Pa.	Gallagher	Littlepage	Rubey
Candler, Miss.	Gallivan	Lobeck	Rucker
Cantrill	Gandy	Lonergan	Sanders, La.
Caraway	Gard	Lufkin	Schall
Carew	Garner	Lunn	Scully
Carlin	Garrett, Tenn.	McAndrews	Shackleford
Carter, Okla.	Garrett, Tex.	McArthur	Shallenberger
Church	Godwin, N. C.	McClintic	Sherley
Clark, Fla.	Goodwin, Ark.	McCulloch	Shouse
Classon	Gordon	McKeown	Sims
Cleary	Gray, Ala.	McLemore	Small
Coady	Gregg	Maher	Smith, Mich.
Collier	Griest	Mansfield	Smith, C. B.
Connally, Tex.	Griffin	Martin	Snook
Connelly, Kans.	Hadley	Mays	Stedman
Cooper, Wis.	Hardy	Miller, Wash.	Steele
Copley	Harrison, Miss.	Montague	Stephens, Nebr.
Crago	Hastings	Moon	Sterling
Crisp	Hayden	Morin	Sumners
Tague	Venable	Welling	Woods, Iowa
Taylor, Colo.	Vinson	Welty	Wright
Temple	Walton	Whaley	Young, Tex.
Thomas	Watkins	Wilson, La.	Zihlman
Thompson	Watson, Va.	Wilson, Tex.	
Tillman	Weaver	Wingo	
Van Dyke	Webb	Wise	

NAYS—148.

Anderson	Fess	Knutson	Sanders, Ind.
Anthony	Focht	Kraus	Sanders, N. Y.
Bacharach	Fordney	La Follette	Sanford
Bankhead	Frear	LaGuardia	Saunders, Va.
Birch	French	Lea, Cal.	Scott, Iowa
Black	Fuller, Ill.	Little	Scott, Mich.
Bowers	Garland	London	Sells
Browne	Gillett	Longworth	Sherwood
Burroughs	Glynn	McCormick	Sinnott
Campbell, Kans.	Good	McFadden	Sisson
Cannon	Goodall	McKenzie	Slemp
Carter, Mass.	Gould	McLaughlin, Mich.	Sloan
Cary	Graham, Pa.	Madden	Snell
Chandler, Okla.	Green, Iowa	Magee	Stafford
Clark, Pa.	Greene, Mass.	Mann	Steagall
Claypool	Greene, Vt.	Mapes	Steenerson
Cooper, W. Va.	Hamilton, Mich.	Mason	Stephens, Miss.
Cramton	Hamlin	Merritt	Stiness
Currie, Mich.	Hawley	Mondell	Sweet
Dale	Heaton	Moore, Pa.	Switzer
Darrow	Hersey	Morgan	Timberlake
Davis	Hilliard	Mott	Towner
Dempsey	Hollingsworth	Nelson, A. P.	Vare
Denison	Huddleston	Nelson, J. M.	Vestal
Dies	Hull, Iowa	Paige	Voigt
Dillon	Hutchinson	Parker, N. J.	Volstead
Doughton	Ireland	Parker, N. Y.	Walsh
Dowell	James	Porter	Ward
Dunn	Johnson, S. Dak.	Powers	Wason
Dyer	Johnson, Wash.	Purnell	Wheeler
Edmonds	Juul	Ramsey	White, Me.
Elliott	Kearns	Randall	Williams
Ellsworth	Kelly, Pa.	Rankin	Wilson, Ill.
Elston	Kennedy, Iowa	Reavis	Winslow
Esch	Kennedy, R. I.	Reed	Wood, Ind.
Essen	King	Rose	Woodyard
Fairfield	Kinkaid	Rowland	Young, N. Dak.

ANSWERED "PRESENT"—3.

Emerson	Lever	Rayburn

NOT VOTING—73.

Bland, Ind.	Graham, Ill.	McLaughlin, Pa.	Smith, Idaho
Booher	Gray, N. J.	Miller, Minn.	Smith, T. F.
Borland	Hamill	Moores, Ind.	Snyder
Brumbaugh	Hamilton, N. Y.	Norton	Stevenson
Chandler, N. Y.	Harrison, Va.	O'Shaunessy	Strong
Cooper, Ohio	Haskell	Park	Sullivan
Costello	Haugen	Platt	Swift
Cox	Hayes	Pratt	Taylor, Ark.
Delaney	Heintz	Price	Templeton
Dent	Helm	Ragsdale	Tilson
Dill	Helvering	Ramseyer	Tinkham
Dooling	Husted	Roberts	Treadway
Drukker	Kahn	Rodenberg	Waldow
Eagle	Kreider	Rowe	Walker
Estopinal	Langley	Russell	Watson, Pa.
Fairchild, G. W.	Lehlbach	Sabath	White, Ohio
Flood	Lesher	Sears	
Flynn	Lundeen	Siegel	
Francis	McKinley	Slayden	

So the resolution was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. BOOHER with Mr. TREADWAY.

Mr. ESTOPINAL with Mr. EMERSON.

Mr. WHITE of Ohio with Mr. NORTON.

Mr. BRUMBAUGH with Mr. COSTELLO.

Mr. SLAYDEN with Mr. MCKINLEY.

Mr. RUSSELL with Mr. STRONG.

Mr. HAMILL with Mr. HUSTED.

Mr. O'SHAUNESSY with Mr. MOORES of Indiana.

Mr. DOOLING with Mr. BLAND of Indiana.

Mr. EAGLE with Mr. HAYES.

Mr. DENT with Mr. KAHN.

Mr. DELANEY with Mr. PLATT.

Mr. RAGSDALE with Mr. RAMSEYER.

Mr. HARRISON of Virginia with Mr. RODENBERG.

Mr. HELM with Mr. ROWE.

Mr. LESHER with Mr. SIEGEL.

Mr. PARK with Mr. SWIFT.

Mr. SABATH with Mr. TILSON.

Mr. SEARS with Mr. TINKHAM.

Mr. TAYLOR of Arkansas with Mr. WATSON of Pennsylvania.

On this vote:

Mr. SMITH of Idaho (for) with Mr. LANGLEY (against).

Mr. MILLER of Minnesota (for) with Mr. GRAHAM of Illinois (against).

Mr. THOMAS F. SMITH (for) with Mr. LEHLBACH (against).

Mr. SULLIVAN (for) with Mr. COOPER of Ohio (against).

Mr. LEVER (for) with Mr. HAUGEN (against).

Mr. EMERSON. Mr. Speaker, I voted "present." If I were not paired with the gentleman from Louisiana, Mr. ESTOPINAL, I would vote "yea." I should like to announce that my col-

league, Mr. COOPER of Ohio, is absent from the city. If he were present, he would vote against the rule and against the Padgett amendment, but would vote for the bill.

Mr. LEVER. Mr. Speaker, has the gentleman from Iowa, Mr. HAUGEN, voted?

The SPEAKER. He has not.

Mr. LEVER. I voted "yea," but I will withdraw my vote and vote "present," as I am paired with the gentleman from Iowa, Mr. HAUGEN.

The result of the vote was announced as above recorded.

The announcement of the result was received with applause.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. GRAHAM of Illinois for three days on account of important business.

THE OMAHA TRIBE OF INDIANS.

The SPEAKER. The Chair lays before the House a request of the Senate.

The Clerk read as follows:

THE SENATE, *February 11, 1919.*

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill S. 3992, entitled "An act to investigate the claims of and to enroll certain persons, if entitled, with the Omaha Tribe of Indians."

The SPEAKER. Without objection, the bill will be returned to the Senate.

There was no objection.

MINING OF COAL, PHOSPHATE, GAS, ETC.

Mr. FERRIS. Mr. Speaker, I ask unanimous consent for the present consideration of Senate concurrent resolution No. 30, with reference to bill (S. 2812) to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain, in order to give another Senator authority to sign the name of Senator PHELAN, who has telegraphed his authority for that purpose.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the concurrent resolution which the Clerk will report.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), that Hon. KEY PITTMAN, as one of the Senate managers, is hereby authorized to affix the name of JAMES D. PHELAN as one of the Senate managers to the conference report on bill S. 2812, entitled "An act to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain," under oral authority and by telegram requesting such action.

The SPEAKER. Is there objection?

Mr. WALSH. Reserving the right to object, why the haste for jumping this in right after the adoption of the rule?

Mr. FERRIS. I am glad the gentleman from Massachusetts has asked the question. This bill has been three times passed by the House and has been the subject of debate for four or six years. It has been killed every time in the Senate until this time, and after a long period we have got a bill, but one of the Senators, Senator FALL, from New Mexico, is sick, and Senator PHELAN is absent on account of the death of his business manager; he telephoned Senator PITTMAN authorizing him to sign his name. Senator PITTMAN did sign the name of Senator PHELAN, but the question was raised as to his authority to do it. The Senate has passed the concurrent resolution authorizing Senator PITTMAN to sign for Senator PHELAN.

Mr. WALSH. Have all the other conferees signed?

Mr. FERRIS. All but one; all five of the House conferees have signed.

Mr. MANN. Not all but one.

Mr. FERRIS. No; one is sick.

The SPEAKER. Is there objection to the present consideration?

There was no objection.

The resolution was agreed to.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 15539, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GARRETT of Tennessee in the chair.

The CHAIRMAN. The question is on the amendment to the amendment proposed by the gentleman from Minnesota [Mr. MILLER].

Mr. PADGETT. Mr. Chairman, I asked unanimous consent to withdraw the amendment which I proposed yesterday.

The CHAIRMAN. The situation is this: The gentleman from Tennessee [Mr. PADGETT] had offered an amendment. Then the gentleman from Minnesota offered an amendment to the amendment. The immediate matter before the committee is the amendment to the amendment.

Mr. MANN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MANN. The rule which has been adopted by the House makes the legislation that is found on pages 53 and a part of 54 in the bill in order. The first two paragraphs of that legislation on page 53 have been stricken out on a point of order. An amendment has been offered by the gentleman from Tennessee. If that amendment is withdrawn, will it then be in order for the gentleman from Tennessee to offer as an amendment the first two paragraphs that have gone out on the point of order?

The CHAIRMAN. The Chair thinks so, undoubtedly. The gentleman from Tennessee asks unanimous consent to withdraw his amendment. Is there objection?

Mr. MANN. Reserving the right to object, I would like to ask the gentleman from Tennessee if he is willing to disclose what his procedure will be.

Mr. PADGETT. It was my desire to offer the whole provision as an amendment, with the statement that I would move to strike out the balance of the paragraph from the bill.

Mr. MANN. That is agreeable to us.

Mr. PADGETT. I will offer it as one amendment and give notice that I will move to strike out that which is remaining in the bill.

Mr. MOORE of Pennsylvania. Mr. Chairman, I desire to discuss the amendment.

The CHAIRMAN. What amendment?

Mr. MOORE of Pennsylvania. The amendment offered by the gentleman from Tennessee.

The CHAIRMAN. Debate on those amendments is exhausted. The Chair will suggest that the first thing is to dispose of the amendment to the amendment, the Miller amendment.

Mr. MOORE of Pennsylvania. May I inquire what the amendment is?

The CHAIRMAN. The gentleman from Tennessee offered an amendment to appropriate $2,000,000, and the gentleman from Minnesota offered an amendment to the amendment providing for an appropriation of $210,000,000. Now, the question is, unless it is withdrawn, on the amendment to the amendment. Debate has been exhausted upon it.

Mr. MOORE of Pennsylvania. Would it be in order to move to strike out that amendment?

The CHAIRMAN. The question is upon that amendment. Those who are opposed to it, of course, can vote against it. The motion to strike it out would not be in order. The question is on the amendment to the amendment proposed by the gentleman from Minnesota.

The question was taken, and the amendment to the amendment was rejected.

Mr. PADGETT. Mr. Chairman, I ask unanimous consent to withdraw the amendment which I had proposed.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to withdraw the amendment which he just proposed. Is there objection?

Mr. MOORE of Pennsylvania. Mr. Chairman, reserving the right to object, I should like to explain why that request ought to be withheld, and would like five minutes in which to do it.

The CHAIRMAN. The question is, Is there objection? Debate upon the matter is exhausted.

Mr. MOORE of Pennsylvania. Reserving the right to object, I should like to ask the gentleman from Tennessee what would be the effect of the withdrawal of his amendment?

Mr. PADGETT. When that is done, I propose to offer as one amendment the provision covered by the rule.

Mr. MOORE of Pennsylvania. That has now been eligible under the rule.

Mr. PADGETT. Yes.

Mr. MOORE of Pennsylvania. Will the gentleman concede the right of discussion when that comes up?

Mr. PADGETT. There will be some discussion upon it.

Mr. MOORE of Pennsylvania. I was not able to get any time on the rule, and this is one of the most important matters concerning the vast industrial district, in which I in part represent, that can come up. I had no opportunity to discuss it. I voted against the rule, and I should like five minutes in which to explain why I voted "no"—not necessarily on my own account, but on account of others.

Mr. PADGETT. If the gentleman had voted "aye," it would not have been necessary to explain.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee to withdraw his amendment?

There was no objection.

Mr. PADGETT. Mr. Chairman, I offer the following amendment as a new paragraph, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Strike out, on page 53, lines 1 to 25, inclusive, and, on page 54, lines 1 to 15, inclusive, and to insert the following:

For the purpose of further increasing the Naval Establishment of the United States the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerated below:

Ten first-class battleships, carrying as heavy armor and as powerful armament as any vessels of their class, to have the highest practicable speed and greatest desirable radius of action; two of these at a cost, exclusive of armor and armament, not to exceed $21,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

Ten scout cruisers, carrying suitable protection and armament suited to their size and type, to have the highest practicable speed and greatest desirable radius of action; two to cost, exclusive of armor and armament, not to exceed $8,000,000 each, to be begun as soon as practicable, subject to the limitations herein.

And for the purpose of further increasing the Naval Establishment of the United States in accordance with the latest improvements in the construction of ships, and in the armor and armament therefor, the Secretary of the Navy is hereby directed to submit to Congress on the first Monday in December next general description of such additional vessels as may be needed to complete and round out the Navy of the United States. Types and numbers shall be recommended after full consideration and analysis of recent war experience, and particular attention shall be given to aeroplane carriers and any other new types developed during the war or shown to be necessary by the aforesaid war experience.

If at any time before the construction authorized by this act shall have been contracted for there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

Mr. SAUNDERS of Virginia. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SAUNDERS of Virginia. I just wanted to ask if this is the language found in the present bill.

The CHAIRMAN. It is.

Mr. BROWNING. Mr. Chairman, yesterday the chairman of the committee and myself had an agreement that there should be three hours of debate, one hour and a half to be controlled by him and the other hour and a half to be controlled by the gentleman from Pennsylvania [Mr. BUTLER]. Upon the strength of that time for debate I had promised a great deal more than the hour and a half. What I want to know is whether the chairman will agree that we can now have three hours of debate upon this amendment?

Mr. PADGETT. Mr. Chairman, it is true that yesterday before we began the consideration of the bill the gentleman and I had an agreement, as far as we could agree, that if it was agreeable to the House we would debate the matter for three hours, but conditions changed so yesterday that it got out of our hands, and instead of coming along in that way it went before the House. Yesterday there were several hours of debate upon all phases of this matter and two hours' debate to-day; so that I do not feel that the substance of that agreement is in effect now. We have had several hours of debate.

Mr. BROWNING. I want to state that not one of these gentlemen whose names I put down here for this debate has had opportunity to speak upon the matter. The Committee on Rules this morning understood that we were to have those three hours of debate.

Mr. PADGETT. I do not think so.

Mr. BROWNING. And they could not in the time they had, two hours, give these gentlemen time to speak upon it.

Mr. PADGETT. Several members of the Committee on Rules have stated to me that they fixed the very liberal provisions of two hours on the rule, with the expectation that the debate would take place under that and would be cut out of the debate after the adoption of the rule.

Mr. BROWNING. None of the Committee on Rules on this side of the House has informed me of any such arrangement.

Mr. PADGETT. I did not say that it was an arrangement with them. I said that that was their expectation, and several of them have told me so.

Mr. BROWNING. I think we can make better time by dividing it up and having debate upon the amendment.

Mr. PADGETT. Three hours would run us up until nearly half past 6 o'clock. I am willing to agree to an hour of debate.

Mr. FESS. We will finish it up to-day.

Mr. BUTLER. When the gentleman says that he will agree to one hour of debate, does he mean that to be divided between the two sides or one hour on a side?

Mr. PADGETT. I have suggested an hour only, but I want to be liberal.

Mr. BUTLER. The gentleman has no one on his side to speak, has he?

Mr. PADGETT. I do not know. It is likely that I shall have.

Mr. BUTLER. I suggest that the gentleman do not go around begging for them. We do not do that over here.

Mr. PADGETT. I will suggest that we have two hours, with the understanding that we take a vote at the end of the two hours, and the gentleman can have one hour and I shall have one, and if I do not have use for my time I shall be very glad to yield to the gentleman.

Mr. BUTLER. Give us an hour and a half.

Mr. PADGETT. I suggest that we agree upon an hour on a side.

Mr. BROWNING. I would like to have an hour and a half. We can not allot this time under one hour and a half.

Mr. HASTINGS. If the gentleman agrees to an hour and a half on a side, I shall object to the whole business.

Mr. MANN. Mr. Chairman, let me make this suggestion to the gentleman from Tennessee. It is now nearly 3 o'clock. It is very evident that the House will not remain here to transact other business after this bill is disposed of to-day, and it seems to me that we might give three hours of debate to the bill—two hours and a half anyhow.

Mr. PADGETT. I offered to the gentlemen two hours' debate, and I will give them all the time I can, and carry it out in good faith.

Mr. MANN. That would make the House adjourn rather earlier than need be——

Mr. PADGETT. No; it will take some time to take a vote and pass the bill in the House, as there will be, very likely, a roll call in the House, and that will run us up until after 6 o'clock. I will agree with the gentleman on two hours.

Mr. HASTINGS. If the gentleman will yield further, is that on the understanding that at the end of the two hours that all debate on this amendment is then closed and a vote had?

Mr. PADGETT. And all amendments thereto.

Mr. HASTINGS. And we vote on this amendment at the end of two hours?

Mr. BROWNING. I am perfectly willing to accept that, but I want more than an hour's debate.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that all debate upon the pending amendment and all amendments thereto shall close in two hours, one-half of that time to be controlled by himself and one-half by the gentleman from Pennsylvania [Mr. BUTLER]. Is there objection?

Mr. BUTLER. Let the gentleman from New Jersey [Mr. BROWNING] control the time.

Mr. KEARNS. Mr. Chairman, reserving the right to object, does that mean debate will end at 5 o'clock?

The CHAIRMAN. It means that debate will end at the conclusion of the two hours.

Mr. KEARNS. That will be 5 o'clock?

The CHAIRMAN. That means there shall be two hours of debate.

Mr. BROWNING. Will not the chairman of the committee make it two and a half hours? [Cries of "No!"]

Mr. PADGETT. No, I can not——

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. The regular order is demanded.

Mr. PADGETT. Mr. Chairman, I think the gentleman can be taken care of and I am doing the best I can.

Mr. BROWNING. All right.

The CHAIRMAN. The regular order is demanded. Is there objection to the request of the gentleman from Tennessee?

Mr. MOORE of Pennsylvania. Mr. Chairman——

SEVERAL MEMBERS. Regular order!

The CHAIRMAN. Is there objection? [After a pause]. The Chair hears none. The gentleman from Tennessee is recognized for one hour.

Mr. BROWNING. Does the gentleman from Tennessee want me to allot any time? Shall I go on now and use some time?

Mr. PADGETT. If the gentleman will go ahead and use some of his time——

Mr. BROWNING. Mr. Chairman, the chairman of the committee has asked me to use some of my time and I yield 10 minutes to the gentleman from Iowa [Mr. TOWNER].

Mr. LONDON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LONDON. Is there any rule of the House which would prevent a repetition of old arguments?

The CHAIRMAN. That is hardly a parliamentary inquiry. The gentleman from Iowa is recognized for 10 minutes.

Mr. TOWNER. Mr. Chairman, I can readily understand how gentlemen who have voted to support the rule may yet reserve their decision regarding this amendment which is proposed until final argument has been made. I am opposed to the adoption of this amendment. Gentlemen of the committee understand, I think, or should by this time, that this amendment which is now proposed is not the amendment of the committee. It is the proposition of the Secretary of the Navy, which has received the indorsement of the President of the United States. I can easily understand how men on both sides of the House might hesitate at this time in refusing any legislation that the President says is necessary. I think, however, that gentlemen should consider the circumstances under which this request is made. We do not know what statements were made by the Secretary of the Navy to the President of the United States when he presented this matter to him. We can not know, because we are refused the knowledge of what the exact terms of the President's dispatch was to the Secretary of the Navy or to the Committee on Naval Affairs. The newspapers say that the President stated that a failure to adopt this program would be fatal to his negotiations, or, as subsequently modified, would be fatal to his undertakings. There is no material difference in the proposition. We ought not to give too much weight to what has been stated as the President's request to the Congress, unless we know what were the propositions that were put up to him. I would like to understand whether the President meant that only the additional and new program was to be considered, or whether he meant that we should carry out the program which has already been adopted. Did the President know that at this time we had seven battleships yet to build? Did the President know that we have five great battle cruisers yet to be built? Did the President know that we had seven scout cruisers yet to be built? Did the President know that we had 51 submarines yet to be built, besides other ships on the existing program? Did the President know when this proposition was placed before him by the Secretary of the Navy that we had, with the present existing facilities, all that we could possibly produce in two years' time? Did the President know that if we adopted any additional program we would have to enlarge the facilities for building these ships and it would take perhaps a year or two of time? Were all of these things known to the President when he said that unless the program was carried out it would be fatal to his negotiations? I judge not. Very easily the President might have supposed that if we should cease carrying out the existing program, if we should stop building battleships already authorized and appropriated for, that it might be considered that the United States had abandoned this very large and existing building program. But we do not know what was in the President's mind when this situation was put before him. I can not believe, Mr. Chairman, that the President is placed in such an embarrassing situation as to claim that a new and almost unheard of proposition of building battleships and battle cruisers and everything else larger than that proposed by any nation in the world should be undertaken at this time as a paper program and an announcement of a policy.

Because, gentlemen, if that be true, it would belie every act and every statement the President of the United States has made since he has been in Europe. The President went there for the purpose of insisting on the reduction of armaments. That was one of his 14 points that he stated time and again he should insist upon. He is now there pleading with England, pleading with France, and with Italy, and with all of the powers represented, that they should agree to a limitation of armament. Can it be possible that he would be so foolish as at the same time to say to his own Nation, "I do not mean this. I want you to go on and adopt the largest building program ever proposed in the history of mankind"? Why, gentlemen, if we should now do what is here proposed, we would say to the world on the invitation of the President of the United States, "The President does not mean it when he asks you to reduce your armament." That would defeat the very object that he has time and time again declared was so dear to him, the security of the reduction of armaments. Can it be possible that we will place the President in this embarrassing situation? Why, gentlemen say and plead with us, "Do not embarrass the President in his negotiations across the sea." And how could we embarrass the President more than to say he is not acting in good faith; he does not propose to reduce but rather to enlarge the armament of the United States. We will insist on you reducing your armies and scuttling your battleships, but we will go on building more. Gentlemen, it seems to me that we are embarrassing the President rather than otherwise. Would it not be wiser for us to say, "We will wait until these negotiations have passed. We will wait until the event is determined." We in the meantime have all we can do under existing authorizations to enlarge our Navy by the use of the existing facilities. We are now building a very large addition to the Navy, such addition as will make it the most powerful navy, next to that of Great Britain, in all the world and equal to any other three nations in the world. Suppose we take the other horn of the dilemma suggested, not very directly but always with indirection, in the debate on the floor of the House, that we must give this power to the President as a club. Let us see what that means. It could mean only one thing. It could only affect one nation. It could only mean that Great Britain shall consent to reduce her navy. If that is insisted upon, we all know Great Britain will never consent. It will mean that the league of nations, which we all desire, will fail. It will mean not only that an agreement for a limitation of armament will fail, but that the whole peace program will fail. Can we be unwise enough to bring about such a result? It is to help the President to secure the future peace of the world rather than to hinder him that this amendment should be defeated. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield to the gentleman from New York [Mr. HICKS].

Mr. HICKS. Mr. Chairman, this item providing for the increase of the Navy has provoked more discussion both in the committee and on the floor of Congress than any other provision of the bill. To me the authorization of another three-year program, small in the number of ships contemplated, and hedged about by provisions for the study of the design and type of the vessels, and withholding their construction until the foreign situation clears, is entirely justified and, in my opinion, in accord with the desire of our people.

No one realizes more fully than do I the enormous burden placed upon our people by the necessity of war. No one appreciates more sincerely than I the noble sacrifice of our countrymen in the time of stress. No one is more anxious to have this Nation return to the ways of peace and have its manhood and its genius once more directed toward the development of the Republic. God speed the day when our boys will lay aside the uniforms they have worn with such honor and glory, and reenter the shop, the field, the office, and all the activities by which this mighty Nation has grown to such unequaled splendor. [Applause.]

Mr. Chairman, much misinformation has surrounded this item, much that has been misleading. It has been stated that this bill appropriates a vast sum for a new program. Such is not the case. Not a dollar of money is provided here for ships not already authorized. We only recommend a policy, a policy that can be changed or terminated at will, and which does not involve a penny. Our taxpayers will not suffer under this item, for no appropriations are made, and if an agreement is reached regarding armaments, no appropriations ever will be made.

This bill provides only for the Navy now in existence or being built under previous authorizations. In the light of the triumph of our Navy in the great conflict, with the deeds of its officers and men forming the brightest pages in our history, who is there who seeks to undermine its greatness or curtail its growth? [Applause.]

The Navy has been, is now, and always will be the first line of defense against the possibility of foreign aggression. It is the medium by which we guard our commerce on the seas, safeguard our rights abroad, and extend the protecting arm of the Government to our citizens and their property in foreign countries. It is the expression of the will and the purpose of the Nation, always ready to preserve the integrity of the Republic and maintain policies which have become part of our free institutions. With the financial and commercial centers of the world within our borders, we should not shackle the Navy or hinder its legitimate expansion.

It should be commensurate in its development with the increase in our population and the growth of our resources, both bringing to us new burdens and larger responsibilities as one of the great powers of the earth. To be effective it must be kept fully abreast of the skill and science of the times, and to accomplish this new ships must be laid down every year, and so I favor this provision in the bill, with the limitations that have been placed upon it.

All sincere advocates of peace hope for the adoption by the Versailles conference of a policy of disarmament. If this is approved, as I hope it will be, we can meet the situation by the cancellation of old contracts and the withholding of new ones. If it fails, then America will be in a position to carry out its own destiny without fear and without favor.

Standing for peace and an earnest advocate of an international covenant for the adjustment of future controversies, I still believe that this Republic should go forward in the fullness of its power and in the sweep of its majesty, undetermined by

the friendship of one nation and undismayed by the enmity of another. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Wyoming [Mr. MONDELL].

Mr. MONDELL. Mr. Chairman, it has been my observation and experience that no good cause is ever permanently aided or advanced by a policy of threat or bluff. It is also my opinion that the carrying of a big stick is neither seemly nor persuasive when one sits in friendly conference for the purpose of securing the benefit of common counsel.

Over yonder at Versailles is assembled the most august tribunal ever gathered among men. Its problem is the most stupendous, intricate, and trying ever presented to any assembly in all recorded time. The only hope of a reasonably favorable and satisfactory outcome of their discussions and negotiations rests upon the maintenance of an attitude of candor, confidence, and good faith on the part of all those who have to do with those discussions.

It may not be considered seemly to hold or express an opinion differing from that of our chief representative—by self-appointment—at that council table, touching the matters to which this amendment relates; but may I not be allowed to suggest that those far removed from the currents of ambition that surge around that council table may be as well positioned to judge as to what becomes and preserves the dignity of the Republic as those who are in the very vortex of those currents of ambition. They know at Versailles, and they need no reminder, of the mighty potential strength of this Republic and the heroic valor of her sons. [Applause.] They know, and all the world knows, that we can build, equip, and maintain, if the necessity arise, a Navy greater than can be maintained by any other nation on earth. And this being true, do we enlarge or increase our influence at the peace table by this announcement of a policy of future expansion of the Navy, couched in language which proclaims its character of bluff and threat?

Mr. Chairman, this proposal does not express the spirit of the American people or the attitude which should characterize America at the peace table, and it is the peace table at which the paper guns of this paper addition to the Navy are aimed. [Applause.]

The provision is not in keeping with the dignity of the Nation. It calls in question our sincerity and good faith. It is altogether gratuitous and premature. It suggests a fear on our part that we shall not have the courage or intelligence to meet future issues, except under the spur of a preliminary announcement.

View the proposal as you will, as a future plan or purpose prematurely announced, as a brazen bluff, or as an ill-advised threat, from any and every possible viewpoint it is in bad taste, lacking in dignity, a blunder which, in view of the interests involved, assumes the proportion of a national crime. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Chairman, a few years ago the annual appropriations for the Navy Department aggregated about $150,000,000. This bill, reported after the war with Germany has come to an end, carries about $750,000,000. And if the program that is put on paper is adopted it will cost the Government about $400,000. The annual expenditures that will be necessary on behalf of the Government to keep up the Navy Department, including that program, will be more than $1,000,000,000.

Before starting on this enlarged program we should consider the cost; we ought to know what we are doing. We ought to act, not because one man tells us how to act, but we ought to act, it seems to me, in response to the wishes of the 200,000 men and women that each of us represents. How many Members of this House realize that if we launch into this big program, and the military program must grow with it—how many of us realize that if we are to do this our annual expenditures will never fall below $6,000,000,000? Where is the money to pay the bills to come from? Vote for this program if you think best on the sole demand of the President alone and against the wishes of the taxpayers, but do not complain if these same taxpayers kick you out of office.

We should look the proposition squarely in the face. The friends of this proposition admit it is a bluff. In attempting to deceive others let us be careful lest we deceive only ourselves. Do you think that Great Britain and France do not know that this is a bluff? Why, it sems to me that if America's sentiment were ascertained in this regard, the sentiment of America would be found to be in favor of a league of nations or some plan to enforce peace. They want the President to be successful, to bring that about, but the people of the United States want the President to go to that peace conference with clean hands and impress the nations with which we are allied that America is in earnest in her demand for disarmament and earnestly wants some plan adopted to settle these international difficulties without war, without bloodshed. As an earnest of our good faith, the President should be able to point to the fact that in the United States, in further pursuance of that policy, the American Congress is taking steps to lessen its armament. He should be able to say to those in the conference that the United States will not increase her Navy and America will decrease her Army as rapidly as possible. That we mean what we say when we assert that we are in favor of limiting its armament.

That, I believe, is the sentiment of America to-day; and you gentlemen on that side of the aisle who are following the President on the proposition have but few following you. You will be called upon to give some better excuse to the people you represent for your vote for the amendment than the old excuse that you were following the President.

The people prefer the settlement of these international disputes in a peaceful way. If we are in favor of that program, let us honestly and honorably work to that end. I say the plan is dishonest; it is dishonorable for us to say in France and Great Britain, "We are in favor of a league of nations to settle these disputes; we are in favor of an agreement for disarmament"; but in the United States "We are in favor of a policy to increase our Navy and add to our armament; that we propose to increase our Navy program costing from $150,000,000 at the outbreak of the war to one costing over $1,000,000,000 a year." And we are agreeing to the program even before a peace treaty is signed.

I do not believe we are going to get anywhere with that kind of a policy. I believe that America ought to lay her cards on the table, so that the world can see that we are sincere in our protestations; that we are truly opposed to heavy armaments; that we are opposed to settling these disputes by war.

Mr. Chairman, I never saw, I never heard of a proposition so childish and so foolish as the proposition that is presented here. To think that men like Clemenceau, like Lloyd George, men that are representing friendly powers, can not see through the sham and hypocrisy that we are imposing upon our allies and friends! To me this is inconceivable. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from New Hampshire [Mr. BURROUGHS].

The CHAIRMAN. The gentleman from New Hampshire is recognized for 10 minutes.

Mr. BURROUGHS. Mr. Chairman, I am not in any sense of the word a "little-Navy" man. I have for many years believed in a strong Navy, and I publicly advocated that doctrine in my own State long before we engaged in war with Germany. I think we ought to have a Navy big enough and strong enough to protect our thousands of miles of seacoasts on both oceans, as well as our outlying possessions. We ought to have a Navy big enough and strong enough to protect our merchant shipping, which I hope in the near future to see once more carrying our flag as of old into every port and harbor of the world. We ought to have a Navy big enough and strong enough to safeguard all our interests in every quarter of the world.

But I am not going to vote for this appropriation, and I want to see it stricken out of the bill. I am wholly unwilling in the present state of the public finances to vote away some $400,000,000 of the people's money without a sufficient reason for it. Up to date no sufficient reason—in fact, no good reason at all—has been given. Every true friend of the Navy, every true friend of the American people, in my judgment, will under the present circumstances insist that the Navy Department go ahead and complete the construction of ships already authorized, and hurry up about it, rather than come in here now and ask for further authorization of hundreds of millions of dollars to build more ships, the construction of which can not be begun for many years.

Why, as I understand it, they have scarcely yet made a beginning on the program authorized in August, 1916. Nearly three years ago this Congress authorized the construction of 10 first-class battleships, 6 battle cruisers, and 10 scout cruisers, besides a large number of torpedo-boat destroyers, submarines, and other boats. Not one of these ships has yet been constructed. Not one of them is anywhere near completed. As I understand from testimony given at the hearings and from statements made to me by members of the committee, it will be a year and a half at least before any one of these boats already authorized is completed. As I understand the matter, it will be five years at least before this 1916 program is out of the way. Why, then, in the name of common sense, are we

starting in on another program of almost equal magnitude at the present time? For the life of me I can not understand it.

What is this proposition anyway? What are we asked to do? The bill provides for the construction of 10 first-class battleships and 10 scout cruisers, the construction to be undertaken prior to July 1, 1922, but no contracts to be entered into prior to February 1, 1920. The cost of this construction and equipment will be upward of $400,000,000. As I understand it, this involves and amounts to a declaration of policy on the part of this Government in favor of a huge naval expansion, that would, if carried out, put us substantially on an equality with Great Britain as regards naval establishment. As I understand it, this is a complete departure from any naval policy which we have heretofore advocated. As I understand it, it is a substantial, radical, fundamental change in our naval policy as adhered to consistently for more than a generation.

Now, it seems to me only the part of wisdom before embarking on any such ambitious program that we should have some good and sufficient reason for doing it. I have listened attentively to the debate on this bill and, so far as I have had opportunity, I have read diligently the hearings before the committee and the report of the committee, but up to date I must confess I have failed utterly to find any reason that was satisfactory, to my mind, for the action proposed.

To be sure, the President of the United States has sent a cablegram to the Secretary of the Navy in which he is understood to have recommended this appropriation. But the President of the United States did not send this cablegram of his own motion. An effort has apparently been made here to make it appear that the President of the United States is begging us and pleading with us to authorize this new program. Nothing could be further from the fact. So far as we know, he has done nothing of the sort. All we know is that the Secretary of the Navy, for some reason best known to him, saw fit to cable the President at Paris for his views concerning this matter and the President of the United States is understood to have sent back word to the Secretary of the Navy that his views as heretofore expressed were unchanged. The Secretary of the Navy has in confidence sent the President's cablegram to the distinguished chairman of the committee, and the chairman of the committee has in confidence shown the cablegram to the members of the committee and to certain other favored individuals, Members of this House. But the bulk of the membership of the House has not seen the message at all. We do not know a single statement it contains. All we know is that in substance it is said to be a recommendation in favor of this appropriation. We are not told what reasons, if any reasons, are given as a basis for the recommendation.

Now, Mr. Chairman, I am all done voting appropriations in this House simply because the President of the United States says the appropriation is necessary. For months I have sat dom or expediency or necessity of any of these appropriations, running into the millions, and even into the billions, and have asked no questions. If I have had doubt in regard to the wisdom or expediency or necessity of any of these appropriations, I have given the President the benefit of that doubt. Whenever he has said that something was needed I have voted for it. Whenever he has said that some power was needed I have voted to give it to him, and what I say for myself I say also for substantially the whole Republican membership of this House. We have all done the same thing. There has been no politics on this side of the Chamber. Politics was "adjourned," but it was not done on the initiative of the President of the United States. It was done long before he ever suggested it. And more than that, Mr. Chairman, let me say that politics was not reconvened either until the President of the United States spoke the word.

Mr. CALDWELL. Mr. Chairman, will the gentleman yield?

Mr. BURROUGHS. Yes; I yield for a question.

Mr. CALDWELL. Do you think that he should not have the support of this Congress, now that he is over there trying to secure peace?

Mr. BURROUGHS. I say that the President of the United States should have the support of this Congress absolutely.

Mr. CALDWELL. Then why do you not give it?

Mr. BURROUGHS. He should have the support of this Congress, on both sides of the Chamber; but I say to the gentleman, if the President of the United States wants this bill passed in order to have a trump card to play at the peace conference, why does he not tell us so—why does he not say so? [Applause.] If he has got any reasons why he wants this bill passed, he can send a cable message here giving the reasons. But he has not furnished any reasons. We are the people responsible for this legislation, and it is due us to have the reasons given as to why this important legislation should be enacted.

Mr. CALDWELL. Mr. Chairman, will the gentleman——

Mr. BURROUGHS. But up to date no reasons have been given. I decline to yield any more of my time.

Now, I have great respect for the President of the United States and the high office he holds. I admire his great abilities, and no man in this House is more willing to concede that he has great abilities than I am. But I utterly refuse to allow any man holding any position in this country, however exalted it may be, to tell me how to vote. The war is over now and I decline to let any man, even though he may be engaged in the great work of constructing a treaty of peace at Paris, reach under the table and pull a string and make me jump like a common manikin here on the floor of this House. It was bad enough to do that when it was attempted from the other end of the Avenue, but when they try to do it from the French capital, in my judgment, it will not succeed. Certainly it will not succeed so far as I am concerned. The connection is too long.

Mr. WINGO. Will the gentleman yield for a question?

Mr. BURROUGHS. Yes.

Mr. WINGO. Does the gentleman intimate that the President is responsible for the jumping that has been going on since this bill has been reported? Has he been pulling some strings?

Mr. BURROUGHS. I do not know to what the gentleman alludes.

Mr. WINGO. I refer to the jumping and the denunciation of him that has taken place since he gave his frank opinion in reference to this matter.

Mr. BURROUGHS. There has been no jumping, so far as I am aware, and if I have my way about it there will be no jumping in this Congress. So far as my vote is concerned, I propose to stand on my constitutional rights here as a Member of this House, and I propose to have reasons given before I vote for any measure of legislation or appropriate one dollar of the people's money.

Neither is it very satisfying to my mind to have the committee tell us, as they do tell us in their report, that we should have an "adequate" Navy. That is simply begging the whole question. We all want an adequate Navy. But what is an adequate Navy? As I look at it, Mr. Chairman, this question of military and naval defense is simply a question of sensible and reasonable adjustment of a Nation to its environment. It is a question of fact for each nation to determine for itself under the circumstances. We get no information whatever as the basis for our action here by the simple statement that we should have an "adequate" Navy.

Every Member of this House wants an adequate Navy, but before that even we want adequate reasons for voting away the people's money.

That is true at all times, but especially, Mr. Chairman, is it true in the present state of the public finances. Here we are now with a bonded debt of $16,000,000,000 and a floating debt of from four to five billions more. At this moment we are facing a bond issue of five or six billions and the possibility of still another one later in the year. I sat here in my seat last Saturday and voted for a huge tax levy of $6,000,000,000, an amount greater, as I understand it, than was ever carried before in any similar legislation in the history of the world. I confess that I hesitated for some time before I voted for that bill. Why did I hesitate? Because I knew the tremendous burden it was imposing upon the men and women and children and all the productive activities of this country—a burden under which many of them will inevitably stagger and groan, and quite possibly some of them go down in bankruptcy and ruin. I knew the inequalities and inequities in the bill, many of which I had sought in one way or other to correct. But I knew also that the debts we had contracted and the debts we were contracting from day to day we must pay. We had fought the war to a victorious conclusion. We had done our part and done it well, and now we must pay the bills. Under the circumstances there did not seem to be anything else to do than to vote the taxes, distasteful and obnoxious as they were.

I understand that in a few days we will be called upon to vote an appropriation of approximately a billion dollars to make up the guaranteed price of wheat to the farmers. I understand that within a few days we shall be called upon to vote perhaps $75,000,000 for a public-buildings bill. Then there is the great Mississippi River project, calling for three or four hundred million dollars, and Secretary Lane's project of land for soldiers, calling for $500,000,000. We just voted in the revenue bill for a $60 bonus for all the soldiers discharged from the service, and that involves two or three hundred million more. I do not criticize this appropriation. To my mind it is little enough. My own State of New Hampshire, through its legislature, has recommended that this appropriation be not less than $200 per man. Then we will be asked to vote $200,000,000

for good roads, a measure which has already passed the other body in this Congress.

Besides, Mr. Chairman, there is still a great army of our boys in Europe. Thousands of our men are way up in northern Russia fighting and being killed for some cause. I hope it is a good one, but I do not know what it is and I do not know who does know. I know one thing, Mr. Chairman, and that is that the people of this country, in my opinion, are entitled to know why these boys are fighting and being killed away up in northern Russia. All these men we must feed and clothe and take care of until we can at last get them home again.

What harm is going to be done if we strike out this appropriation? Under the terms of the bill as I read it we can not begin the construction of these ships anyway before February 1, 1920. That is substantially a year from this date. Why not go ahead and complete the program already under way before embarking upon a new program of such huge proportions? Why should we in the present state of the public finances, and with the whole country staggering under the burden of taxation already imposed, go on here day after day making these needless and wasteful expenditures? What sensible reason can we give to our constituents for voting for this appropriation? Other gentlemen may be able to think of some such reason. I am frank to confess that I can not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PADGETT. I yield five minutes to the gentleman from Texas [Mr. BLACK]. [Applause.]

Mr. BLACK. Mr. Chairman, in August, 1916, Congress adopted a three-year construction program for the Navy. Ships included in that program were: Ten first-class battleships, 6 battle cruisers, 10 scout cruisers, 50 torpedo-boat destroyers, 9 fleet submarines, 58 coast submarines, and other craft of miscellaneous types. Some of that construction has been completed and much of it has not been. A great deal of it yet remains to be built. The three-year program was a new departure. Prior to that time Congress had pursued the policy of dealing with needed construction from year to year, expanding the Navy from time to time as the needs seemed to require. I am not prepared to question the wisdom of that policy, but in 1916 world conditions as to naval affairs had taken on a new and threatening aspect, especially in so far as the United States was concerned. These new conditions were the justification for the three-year building program.

On May 31, 1916, what was perhaps the greatest naval battle in all history was fought between the German Navy under the command of Admirals Hipper and Scheer and the British grand fleet under Admirals Jellicoe and Beatty. It was the Battle of Jutland. The Kaiser in his usual bragging manner had hailed it as a great German victory, and had congratulated his navy and had exhorted them to "Forward" with God. There was a school holiday throughout the Empire to celebrate the widely heralded victory. The British did not seem to be clear in their own minds just what appraisement to put upon the results of the engagement. They knew this comforting fact, however, that with the coming up of the full force of their grand fleet the Germans had retired from the engagement and had declined to make of it a fight to the finish.

On account of the secrecy which had surrounded the damage which had been done to the German fleet, and the further fact that the Kaiser had boasted of it as a great victory, our own naval authorities were no doubt in somewhat of an unsettled state of mind. In fact, a feeling of apprehension as to the supremacy of the British fleet was felt to some extent almost everywhere, and undoubtedly it was felt in the United States. Gradually the differences which had been growing up between the Imperial German Government and the United States of America since the sinking of the *Lusitania* were becoming more and more acute, and it was almost everywhere felt that if the Kaiser and his military party should win the war, then instead of Britannia ruling the waves Germany would rule them, and the standard of the Prussian Eagle would supplant those of the British Lion upon the high seas. After this then would inevitably come a conflict between the United States and Germany, because the Kaiser had declared to Mr. Gerard, so we are told, that after this war was over that he would take no foolishness from the United States. So it was in the midst of the logic of these events that the three-year program of 1916 was adopted. I find no quarrel with the three-year program. But events since then have assumed an entirely new aspect. Instead of the Battle of Jutland having been a great victory for the German fleet, we have it on the authority of the eminent German critic, Capt. Persius, that if it had not been for the skillful leadership and maneuvering of Admiral Scheer, coupled with the mist and darkness that prevailed, the entire German fleet would have been annihilated.

But, better than that, since then the gallant armies under Marshal Foch have brought the war to a triumphant close, and the "boast of heraldry and the pomp of power" of the supreme war lord of Prussia has been utterly crushed, and Count Hohenzollern is now spending his melancholy days in Holland, with none so poor to do him reverence. The democracies of the world have again demonstrated the fact, which history has emphasized through a period of 6,000 years, that the world never has and never will for long submit to the conquering heel of tyrant. And now that the "shouting and the tumult dies and the captains and the kings depart," and the statesmen of the world gather to prepare for peace, we have the amazing proposition laid before us that the greatest democracy of them all, the United States of America, shall enter upon, so far as I know, the first ambitious after the war program for an increase in armaments. I am perfectly well aware that there is coupled with the provision authorizing the new three-year program another provision which authorizes the President, under certain conditions, to suspend construction of it. But why enter upon a policy of this kind at this time at all? The whole world is staggering under the most tremendous burden of national debts that have been piled up since the dawn of time. Even in the United States of America it looks as if we will have a national indebtedness of at least $25,000,000,000. It is time that the Congress of the United States call a halt and take stock of the future.

Many thoughtful minds are alarmed at the unrest which prevails in the world to-day. And well may we give careful, sober thought to the grave domestic problems which are ahead of every nation in the world. The quicker we can return to normal domestic conditions, the easier these problems will be to solve. But they will be difficult and the processes slow at best. How can business and industry get back to normal conditions if all the money the people make is to be taken in taxation and bonds to maintain military and naval establishments and competitive armaments?

Secretary of the Navy Daniels in his annual report of 1918, speaking of this very proposed three-year program which we are now to vote upon, said: "Including the $600,000,000 for which authorization is requested in the new three-year program, the total estimates of the department for ship construction, including armor and armament, amount this year to $972,090,000. The total amount recommended for appropriation next year for ship construction, that is for completing vessels already authorized and for new vessels, is $572,090,000. Also, Secretary Daniels, in speaking of the 1916 three-year program, said:

> That seemed a very large expansion and involved an appropriation bigger than anybody had before proposed; but in the light of war expenditures the sum does not appear so huge as when Congress made the appropriation for the three-year program.

Very true, Mr. Secretary. We have been voting such stupendous sums within the last 18 months that a mere $600,000,000 seems a bagatelle, but it must be remembered that these huge sums have been voted under pressure of war necessity; under a sense of compelling duty. Many millions were voted and spent which, now that the armistice has been signed, can be of no useful purpose. But we had no way of knowing that, because we did not know when the war would come to an end, and therefore it was the part of patriotism and wisdom to prosecute it with every possible vigor. I am glad we did that. But now conditions have changed. The "war drum sounds no longer, and it is hoped the battle flag will soon be furled," and it becomes the duty of Congress to look into these appropriations with more discriminating attention. The people have a right to expect it of us, and we are derelict to our duty if we do not do it.

CONCLUSION.

I have always believed in and advocated a strong naval force and one which would be entirely sufficient to defend our coasts and our commerce on the high seas against any danger reasonably to be apprehended. I do not know what will be the fruits of the world peace conference which is now assembled at Versailles. No one knows. Its achievements are yet in the womb of time. It is to be hoped that its deliberations and its conclusions will bring about a better feeling and understanding among the nations of the world and that the peoples everywhere may catch a vision of peace and good will the like of which they have never seen before. I grant you that these hopes may be dashed to earth and many of our dreams may be shattered, and after its deliberations are concluded we may find it necessary to adopt the policy of building "incomparably" the greatest navy in the world, with all the financial burdens that policy will impose. Perhaps so. If so, then I am willing to do it. But surely it will be soon enough for the Congress of the

United States to adopt that policy when the peace deliberations have been concluded and their results are before us. Until then let us hope that a way will be found to stop the mad race for armaments among the nations of the world and that some kind of a court of arbitration with fixed powers and jurisdiction will be established to which nations may at least have the right to submit their differences and disputes, and that its efforts at mediation and conciliation will have the encouragement and support not by one power merely or by a single group of powers, but by all the world powers, working in harmony for the preservation and integrity of civilization. Then may the vision of Dumas be realized, when great armies shall vie for supremacy in acts of true charity and benevolence, their war cry being, "The Fatherhood of God and the brotherhood of man." [Applause.]

Mr. PADGETT. I yield five minutes to the gentleman from California [Mr. LEA].

Mr. LEA of California. Mr. Chairman, to-day we are asked to adopt a program that would make ours the greatest Navy in the world. This involves two propositions of fundamental, monumental importance. One is a great national policy and the other is a burden of debt that will rest upon the taxpayers and upon business in this country for a time of which no man knows the end. I am opposed to this program. I am opposed to it primarily for three reasons. The first is that of the 1916 program over $700,000,000 is unexpended, and that is sufficient to provide all the construction that should be necessary or desirable for three years to come.

In the second place, I am opposed to the adoption of this program because I believe this is an unhappy time, while our envoys are gathering around the peace table seeking to reach an agreement based on a common understanding, representing the heart's desire of the people of the world for permanent peace, for us to propose to build the greatest fighting machine in the world. [Applause.]

And in the third place, I am opposed to this program for the reason that if our security is not amply provided in the treaty of peace, there will be abundant time to provide this program, or whatever program may be necessary, after the treaty of peace has shown the necessity. In other words, to summarize my position, I believe this program is unbusinesslike, undiplomatic, premature, and imposes an unnecessary burden on the people of the Nation.

Let us consider the circumstances under which the suggestion is made to adopt the program. In 1916 we adopted a three-year program for naval expenditure of over $800,000,000. Over $700,000,000 of that program is unexpended to-day. It is an abundant program to keep us busy for three years to come. During the war we expended over $500,000,000 in addition to the three-year program, and now before we have completed one-quarter of the three-year program it is proposed to add four hundred million more.

The size of Navy required to properly defend our country is a relative matter. It depends upon the relative strength of the navies against which prudence requires us to be prepared. To-day, as always heretofore during our national life, England unquestionably has the strongest of all navies. During the war we largely increased our relative strength as compared with England's Navy. We have outdistanced every other navy in the world. The German Navy, which was our chief menace, has been destroyed. To-day no other power on earth has a navy comparable to ours in strength or effectiveness. No other nation now proposes a navy to approach our relative strength or endanger our security.

No one will assert that we should build the biggest of all navies with the expectation that some day we will contend with the British Empire for the physical supremacy of the sea. It is unthinkable that we should ever contemplate a war with that nation to whom we are bound by ties of kinship and race and from which we inherited our law, our language, our ideals, and our Christian faith.

Neither is the example of England one for our imitation. The British Empire equals four times our population and three times our area. It includes 70 countries and groups of islands located on every sea, populated by every nation, race, and tribe, exposed to attack from every direction, her homeland a small island, whose people are dependent upon the ships of her merchant fleet to bring 75 per cent of the food to sustain life. No fancy of imagination can compare our necessity of a big Navy to that of England. There has not been a time for 30 years when England could have preserved the integrity of her Empire for a single decade without the supremacy of her navy over that of Germany. England has and ought to have the greatest navy in the world.

It is easy to say, "I do not want my country to play second fiddle to any nation." It would be just as sensible to say, "I want the biggest of navies, whether we need it or not." The difference between England's biggest navy and ours is that she needs it and we do not. I want to build a navy as big as our necessity, not to gratify our vanity, but to serve our needs.

To-day the representatives of our Government are gathered around the table in Europe, seeking to agree on the terms of a just and enduring peace. I find no fault with our President in representing us there in a foreign land. Say what you will, it is the judgment of the American people that they would rather the lips of our President should speak for them at that table than the lips of any other living man.

Our representatives are meeting with our allies, the small nations, the neutrals, and even with those who were lately our enemies, seeking to unite in a league of nations founded on good faith and common purpose, in the hope of preserving the peace of the world. Negotiations thus far advanced have inspired the high hopes of the people of the earth.

Now it is proposed that the purposes of the United States at the peace table will be subserved by the declaration of this Congress in favor of the biggest navy in the world and in adopting plans to that end. In my judgment, such a program by the United States at this time is indefensible. To advance this program while we are meeting the nations of the world in a peace conference puts us in the position of making a threatening move for our pistol pocket. It is neither wise nor desirable that the action of the nations at the peace table should be influenced by threats or coercion.

We are negotiating for peace which we discount in advance by preparing for its failure. This program is the alternative of success at the peace table. We discount our peace prospect and impeach our motives in the middle of negotiations by providing for their failure.

Our hope for a just and enduring peace and cooperation of the nations must rest upon a common understanding voluntarily reached and actuated by the heart desire of the people of a stricken world. An unwilling agreement would be doomed to failure from the beginning.

This program involves a great question of national policy. It involves placing a great burden upon our taxpayers and the business of the Nation for years to come. It should never be adopted until the necessity for it is reasonably shown to exist. I can never lend myself to placing that policy and that burden upon our country until it has the approval of my own mind and my own conscience.

From the standpoint of those who advocate this extension of our Navy, the necessity for it depends on whether or not partial disarmament is agreed on at the peace conference. Will the peace treaty leave us competitive armaments or partial disarmament? No one knows.

Admitting that the necessity for this program is not now known to exist, those who favor it fail to make their case unless they can show that after the treaty of peace will be too late for its adoption. That they can not do. The $700,000,000 uncompleted construction under the program already adopted will fully cover all possible construction until peace is reached and we can exercise our discretion with full knowledge of the facts in determining our future policy.

We are asked to adopt a program before the necessity for it has been determined. The difference between adopting this program now and at some later date, when the necessity for it is shown, if at all, is the difference between acting without knowledge now or with knowledge at a later date.

Mr. SHERWOOD. Mr. Chairman, this is one of the most important matters that has come before Congress. I have been here, modestly quiet, for 15 years, and I make the point of no quorum.

Mr. PADGETT. I hope the gentleman will not make that point now.

Mr. MOORE of Pennsylvania. If the gentleman withdraws it, I shall renew it. There is too much suppression of discussion in this House on one of the most momentous bills ever considered by it.

The CHAIRMAN. The gentleman from Ohio makes the point that no quorum is present. Evidently there is no quorum, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Anthony	Clark, Fla.	Dent	Fairchild, G. W.
Bankhead	Classon	Denton	Ferris
Barkley	Collier	Dies	Flood
Bland, Ind.	Cooper, Ohio	Dill	Flynn
Booher	Copley	Dooling	Francis
Borland	Costello	Drukker	Gallivan
Brumbaugh	Cox	Elliott	Goodall
Burnett	Crago	Elston	Graham, Ill.
Caldwell	Dale	Esch	Graham, Pa.
Cantrill	Decker	Estopinal	Gray, N. J.
Carlin	Delaney	Fairchild, B. L.	Greene, Vt.

Gregg	Lunn	Ramseyer	Smith, C. B.
Griffin	McCormick	Randall	Smith, T. F.
Hamill	McKenzie	Reed	Snook
Hamilton, N. Y.	McKinley	Riordan	Snyder
Harrison, Va.	McLaughlin, Pa.	Roberts	Stevenson
Haskell	Mansfield	Robinson	Strong
Haugen	Mason	Rodenberg	Sullivan
Heaton	Miller, Minn.	Rowe	Swift
Heintz	Moores, Ind.	Rowland	Taylor, Ark.
Helm	Mudd	Rucker	Templeton
Helvering	Nolan	Russell	Tilson
Hensley	Norton	Sabath	Treadway
Howard	Olney	Sanders, La.	Waldow
Kahn	O'Shaunessy	Sanford	Walker
Kennedy, R. I.	Overmyer	Sears	Ward
Key, Ohio	Overstreet	Sells	Watson, Pa.
Kiess, Pa.	Park	Shackleford	Webb
La Follette	Parker, N. J.	Sherley	White, Me.
LaGuardia	Platt	Shouse	White, Ohio
Langley	Polk	Siegel	Wilson, Ill.
Lehlbach	Porter	Sims	Woods, Iowa
Longworth	Pratt	Slemp	
Lundeen	Price	Sloan	

The committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15529, the naval appropriation bill, and, finding itself without a quorum, he had caused the roll to be called, when 295 Members, a quorum, answered to their names, and he handed in the names of the absentees to be recorded in the Journal.

The committee resumed its sitting.

Mr. PADGETT. Mr. Chairman, in view of the request for a quorum, may I ask the gentlemen to remain here and maintain a quorum so that we can pass this bill by 6 o'clock? I yield five minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER of Oklahoma. I want it understood I did not make this point of no quorum. I am not so enamored of my knowledge on this subject that I would feel justified in making a point of no quorum in order to get an audience.

Gentlemen complain about the meager information they have as to the necessity for carrying out the program set forth by the amendment under consideration. Many of them have gone to the extent of saying they would not vote for this measure because they had not some inside information which seems to have been furnished the Committee on Naval Affairs. I confess myself some embarrassment in casting my vote without being more fully advised as to all the facts, for my information on this subject reminds me very much of how a magazine editor expressed himself to me some years ago in this city. I was introduced to him as an Indian, and he said, "Are you a regular Indian?" I told him I tried to be fairly regular. "What I mean is," said the journalist, "did you get your name put on one of these rolls and draw lands and money?" I said, "I have my name on the tribal rolls of the Choctaw-Chickasaw Tribes, and I hope sometime in the dim, distant future, through the meshes of the red tape of our Indian Bureau, to draw my proportionate share of land and money belonging to that tribe." He then retorted, "Mr. Carter, I am doubly glad to meet you. I have written a great deal on the Indian question. I have just finished an article on 'The habits and characteristics of the American Indian as viewed at close range,' and you are the first dad-burned Indian I ever shook hands with in my life." [Laughter.]

My position on this occasion is a fortunate one, for I can vote on either side of this question with perfect consistency, because my vote on naval construction in the past has ranged from the highest program proposed to the very lowest, as I thought the occasion demanded.

I confess I do not know just exactly what the occasion demands here. No one in this House knows what the exigencies demand. Nay, no one on this side of the Atlantic Ocean can say that the naval program proposed by this amendment is not necessary to our future peace and welfare.

I do know this: We have just emerged from a most horrible war, a war which cost us in the blood of American manhood the lives of more than 100,000 American boys, some thirty-odd thousand killed in line of battle and more than 70,000 dying in the camps. In addition to this we had nearly 200,000 wounded American soldiers. We can all agree that one of the principal things for which they fought was to make the future peace of the entire world safe. Moreover, we know that there is now in progress near the city of Paris a peace conference, and that each of our allies has its accredited delegates there, among them being our American representatives. The President of this great Republic, the head of our delegation in this great peace conference, is urging to his uttermost the necessity for a league of nations which may prevent future wars. In the midst of these negotiations he has cabled to the authorities here the urgent necessity for carrying out the program set forth by this amendment.

The question as to whether we agree with Mr. Wilson on internal problems is not at issue. It is not a question with us whether our representative at the peace conference be Democrat or Republican. It is not a question whether it is Mr. Wilson, Mr. Taft, or some other leader of a great political organization who now represents us at the peace conference. Whether we agree or disagree with him on American politics and public questions should not influence our views to the extent of prejudicing our vote on the subject of a league of nations and world peace.

It is enough for us to know that he is an American, the accredited representative of 100,000,000 American people, and that he is representing what he believes to be their views, and, with reference to the league of nations, what I believe to be the views of the American people.

Therefore, as representatives of these same people, our duty is to uphold and sustain him, at least until this conference is over and it is determined whether or not the permanent peace proposed by the league of nations may be possible.

Some of you gentlemen on the Republican side complain about spending these sums of money in support of the American Navy at this time, and yet the chairman of the Committee on Naval Affairs tells us that this is only about one-half the program that was proposed by the bill of 1916.

Yet, again, you same gentlemen on that side of the aisle did not hesitate to join us in voting some forty or fifty billions of dollars of credit for this war, more than $30,000,000,000 of which will have already been spent before the end of this fiscal year. In the fullness of your patriotism you did not hesitate to assist in furnishing for this war all the soldiers and sailors necessary to battle in defense of liberty, a permanent peace, and other American ideals. Shall we hesitate now with the goal of our ambition so near at hand?

What does the amendment under consideration provide? Does it make any appropriation from the people's Treasury? Not one red cent, and there is not a Member of this House but that knows this fact well and good. Ah, but you say, while it does not provide an appropriation it provides an authorization—a naval program which, according to the statement of the gentleman in charge of this bill, must cost some $412,000,000. Let us see about that. The second paragraph, beginning on page 1, line 7, says:

For the purpose of further increasing the Naval Establishment of the United States, the President of the United States is hereby authorized to undertake prior to July 1, 1922, the construction of the vessels enumerated below:

The last paragraph of the amendment further provides:

If, at any time before the construction authorized by this act shall have been contracted for, there shall have been established with the cooperation of the United States of America any tribunal or tribunals competent to secure peaceful determination of international disputes, and which shall render unnecessary the maintenance of competitive armaments, then and in that case such naval expenditure as may be inconsistent with the engagements made by the establishments of said tribunal or tribunals may be suspended when so ordered by the President of the United States, and no contracts for the construction of vessels herein authorized shall be entered into prior to February 1, 1920.

So, if a league of nations is provided by the peace conference at Versailles, then it will doubtless mean that not one dollar of the program proposed by this amendment shall be necessary, and this matter will certainly be determined before the time for beginning the program, as set forth in the amendment, rolls around.

But some of the opponents to this amendment have told us they did not believe in a league of nations. One gentleman has gone so far as to say that he has no sympathy with a "league of nations"; that it is a Utopian dream; that it proposes a short cut to the millennium; that it is visionary and impossible. I am not here to argue with that gentleman.

No precedent can be furnished in this world's history in substantiation or refutation of his statement. Therefore, I assert, that his asseveration that a permanent peace is impossible is, to say the most of it, equally visionary with the statement of our peace delegates that "the league of nations may give unto the world a permanent peace." We do not know, nor do the gentlemen on the other side of this question know, whether or not a plan can be worked out that will give us a permanent world peace, but we do know that it is worth a trial of our best efforts. We do know that it is a noble principle to which we might well aspire. We do know from a strictly financial and economical standpoint that the expenditure of these $412,000,000 even as an adventure would be preferable to the expenditure of some forty or fifty billions of dollars, as was the case in the recent conflict. We do know that our noble boys who went forth in defense of our liberty, and their splendid mothers, expect that we shall do everything within our power to insure the future peace of the world. We do know that the

souls of those 100,000 American martyrs who died in camps and were slain upon the fields of France will stamp with approval all efforts on behalf of any of our people to prevent any such future sacrifices. I believe our President is doing his duty as he is given light to see it, and in this crisis I for one shall not take the responsibility of embarrassing any effort on the part of our peace delegates that may have for its object the prevention of a holocaust such as that through which the world has just passed.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. PADGETT. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. LUNN].

Mr. LUNN. Mr. Chairman, to my mind no measure of statesmanship can be permanently advanced by a policy of deception. Some have demanded that the cards shall be laid on the table, and, as I view the situation, the cards are on the table. There was a distinct policy established in 1916, and we are deliberating now as to whether that policy shall be indorsed and continued. There is another policy that we hope may be established throughout the world, which will modify our national program. Until that world policy is established, what should we do other than continue along the line of the policy already laid down? This program does not call for an appropriation of $412,000,000, although that is the amount that will be expended unless we can, through President Wilson at the peace conference, establish a new world policy—what he has termed a policy of moral force in the world, a policy of right and justice organized into a league of nations. The President has coined phrases which some people repeat with critical accent. They think there is no power in a phrase. But there is tremendous power in a phrase.

When he speaks of "the partnership of right," he speaks a phrase that reaches the heart of the great masses of men, whether it reaches the statesmen of the different nations or not. When he speaks of moral force to preserve the peace of the world, he is speaking in the language of the new day, the day that must come unless the world is forced back into the darkness in which we found ourselves during this terrible war. Preparedness is a word I have heard from gentlemen on the left as well as from gentlemen on the right, and this is simply carrying out the policy of preparedness which must be carried out unless the new world policy can be established. We hope and pray for that new day. We all hope and pray that "the partnership of right" may be written into the laws of nations. We work for the day when moral force shall exert its rightful sway. The masses of Europe have gladly acclaimed our President. They have even hungered to look upon this statesman, not alone because of the man himself but because of the principles for which he stands and because they believe he incarnates in his every fiber those principles which are necessary for the peace of the world.

There has been petulant criticism made on the floor of this House because of the character of entertainment given the President. Demagogic reference has been made to the gold plate and luxurious surroundings of America's guest. Courtesy demanded the uncritical acceptance of whatever kind of hospitality accorded him, and surely no one would desire the representative of America be anything else than courteous. But even amid the splendor of regal entertainment he did not forget the heartbeat of the plain people. He said:

> My heart goes out to the little poor families all over this great kingdom who stood the brunt and the strain of the war and gave their men gladly to make other men free and other women and other children free. These are the people and many like them to whom, after all, we owe the glory of this great achievement, and I want to join with you, for I am sure of joining with you, in expressing my profound sympathy not only, but my very profound admiration as well.

He also has realized and clearly stated that the opinions of mankind are fundamentally and ultimately created by the great working masses of the world. In Milan, Italy, he stated:

> I am as keenly aware, I believe, sir, as anybody can be that the social structure rests upon the great working classes of the world, and that those working classes in several countries of the world have, by their consciousness of community of interest, by their consciousness of community of spirit, done perhaps more than any other influence has to establish a world opinion which is not of a nation, which is not of a continent, but is the opinion, one might say, of mankind; and I am aware, sir, that those of us now charged with the very great and serious responsibility of concluding peace must think, act, and confer, in the presence of this opinion, that we are not masters of the fortunes of any nation, but are the servants of mankind; that it is not our privilege to follow special interests, but it is our manifest duty to study only the general interest.

In the various cities where the President has spoken he has confined himself to the great undying principles of right and justice. He has, in a most masterful fashion, interpreted the sentiments of those people by advocating principles which appeal to all people, regardless of race, color, or clime.

When surging multitudes crowded the streets to give welcome to President Wilson as the representative of this great Republic, he was not unmindful that from the heart of that mass came the cry that war might be no more. Noble they had been in making heroic sacrifice, but they were wearied with the welter of blood. Their backs were bending under the burdens incident to the terrible conflict. What wonder is it, therefore, that their enthusiasm knew no bounds as they gave welcome to the great American who stood unswervingly for the principles of a league of nations by which to organize the friendship of the world!

To some minds this is scouted as a mere ideal and denounced in a spirit that seems to argue that ideals are powerless; but ideals, my friends, are the beacon lights of progress. Out of the darkness of the past we advance by the radiance of their light. Ideals are the inspiration of effort. The course of history tends toward the realization of ideals.

We have arrived at that period when millions of men and women throughout the world believe that the great principles of a league of nations, the inspiring ideals of the fellowship of peoples, can be translated into practice by the agreements of international law. It constitutes the new policy which the world must adopt unless civilization is again to be darkened by the clouds of human combat. I admit that the President is an idealist. Thank God for that. But he is also practical; too practical, in fact, to suit his political enemies. His ideal at the present time is the world's ideal expressing the secret hope of the human heart, and he seeks, with all the power at his command, to translate that world ideal into practical international law. Is there a man who does not hope and pray that he may succeed? If he does succeed, then away with the old policy of armament; away with the great naval program; away with everything that smacks of war beyond that necessary to maintain the very principles that would be agreed upon by the league of nations.

We are confronted, therefore, by two policies: A national policy of preparedness, continuing and extending the naval program first adopted by the Democratic Congress in 1916; but in agreeing to continue this program we are doing so with the hope that it will be unnecessary, and with the provision distinctly made that if the league of nations can be formed then our great naval program can be reduced. Surely you gentlemen can ill afford to oppose the continuation of the naval policies begun in 1916; but there is evidently opposition to the extent of 148 votes. The great majority of this opposition is on the Republican side, but there is some on the Democratic side. I do not question the sincerity of these Members. I do not for a moment doubt but that they have come to their conclusion according to their best judgment. Personally I can not see any reason for opposing this program except on the basis that there must be a cessation of the building of armament through the formation of a league of nations; and if that be so, why this carping criticism; why these press dispatches sent overseas which, when read by the people of Europe, would make them think that the people of America were not back of the President in his noble ambition to organize a league of nations?

Reactionaries may rant, but you know and I know that the great mass of Americans, the multitudes that constitute our working classes, who bear the brunt of war, are back of the President's ideals and ideas, and for that reason they must eventually triumph. I for one believe they are going to triumph now, and if the President comes back having accomplished that for which he went, we can not but all rejoice that we had at the head of this mighty Nation one of the most astute statesmen, one of the great seers, one of the noblest prophets, who is able to see and phrase those ideals so that they become intelligible and acceptable to the statesmen of Europe. [Applause.]

In adopting this program we are not doing so as a threat, but acting in accordance with conditions as they now exist and coupling our actions with an appeal to the nations of Europe that they may soon come to an agreement regarding a league of nations so as to rid us of the necessity of carrying out this policy. No one who is humanly alive to the great wave of moral force throughout the world can fail to realize that opposition to that force will bring deserved disgrace. The heart of America beats true to the ideals which the President seeks to incorporate into definite law. The soul of our people is not a stranger to the cry for world peace. In the words of the President, expressed at Manchester:

> There is a great voice of humanity abroad in the world just now which he who can not hear is deaf. There is a great compulsion of the common conscience now in existence which, if any statesman resist, will gain for him the most unenviable eminence in history. We are not obeying the mandate of parties or of politics. We are obeying the mandate of humanity.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LUNN. May I ask unanimous consent to extend and revise my remarks?

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from South Dakota [Mr. JOHNSON]. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. Mr. Chairman, I should be very glad to vote for the naval bill now under discussion and for the appropriation of $750,000,000 if any Member of this House could present a bona fide reason for its passage at this time, or if anyone could convince me that it is necessary to enact a law for a building program to commence in 1920. Until that is done I must refuse to vote for a measure which will commit the United States to an expenditure of $750,000,000.

The most potent reason that has been advanced for the passage of this law is the slight insinuation whispered from mouth to mouth that because of some international crisis, which no one but the President of the United States understands or is able to comprehend, we should commit ourselves to this program. In my opinion, it is about time that Members of Congress enacted a new declaration of independence, so far as their votes are concerned, and demand that all of the facts be given to them before legislation involving the expenditure of millions of dollars is enacted.

Personally I shall refuse to be led around by the nose by any man, whether he be the President of the United States, the president of the league of nations, or the president of anything else. I say this after having been in favor of appropriations for a large Navy, when the men now supporting this measure were its enemies. Anyone who desires to turn to page 9189 of the CONGRESSIONAL RECORD for June 2, 1916, will find that when the country was in imminent danger and the President knew we were going to enter the war and when we needed appropriations for a Navy I was supporting the naval bill, while the President and the administration and men now supporting this measure were opposed to it, and I should be glad to have anyone show me any consistency in opposing a measure for an increased Navy in 1916 and before we had entered the world's war, but could see it before us, and in supporting this measure. [Applause.]

It is inconceivable to me that the very men who opposed every expenditure for an increased Army and Navy when the United States was in danger are now so busily engaged in advocating the greatest Navy in the world. Their action indicates that their attitude is not taken on the merits of the case, but that there must be some ulterior motive. I say this with no desire to criticize the President of the United States, who was my commanding officer for one year, and for whom I rendered the best service in my power, as did every other man in the service. Many of us have not criticized him for desiring to go to foreign lands, but have wished him Godspeed in his trip, and express the best wishes for his success, as we know that the accident of fate has perhaps joined his success to the success of our Government. Those of us who have disagreed with him politically have naturally felt at times that there must be men of other political faiths than his who could render more service to the country than he has allowed them to render, and that men of our parties might be informed of contemplated action which affected us. We should perhaps have been allowed to do more than to enlist in the Army and pay the bills, because I think that men of all parties in the United States have been actuated by honest and patriotic motives. I have personally never even objected to the action of the President that we should not be elected to Congress on the ground that we are not patriotic citizens, although most of us must confess that we could not follow the line of reasoning which was advanced. [Applause.] His reasoning in that case is, however, as easy to follow as it is in this one.

It is apparent to me that there is a "nigger in the woodpile" somewhere, and that we are engaged in a game of monumental bluff, not a bluff against Switzerland or Serbia, but against one of our allies, and one with whom we are not in the slightest danger of war. It is disgusting to hear men continually speak of a disagreement between American and English soldiers. None who fought with them intimate such a thing, but it comes only from those who never fought. I believe that if we pass this measure in its present form we will find the President returning home with the argument that Congress was determined upon the enactment of a great building program, but that through his sagacity and skillful negotiations he has secured the reduction of armament and accomplished the things which the exponents of peace have so long desired. He will get you to vote for this bill and then claim the credit for saving vast sums of money. Again, I make this criticism as one of the men who have never objected to the President's trip abroad, but have wished him the greatest success in his negotiations.

We have had enough of wars, and if by any sort of league of nations we may have any assurances that we may escape another I desire to give him the greatest measure of credit. I want to say that from this time forth I shall vote with him whenever he will present the facts and the law, but I shall refuse to follow blindly the mysterious insinuations which apparently govern the majority in this House in all diplomatic negotiations and in the discussion of legislation. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. MOORE].

Mr. MOORE of Pennsylvania. Mr. Chairman, I have always been in favor of a large Navy, but to-day I voted against the rule providing for an increase in the Navy as proposed in this bill. Coming from one of the largest shipbuilding centers in the world, it seemed that I ought to say something on this subject, not only with respect to my own vote but of that of others who voted as I did. I noticed, with considerable interest, that most of the minority members, I think all of them, voted to sustain the rule, and yet I know that down in the depth of their hearts most of these gentlemen were opposed to the policy that this bill enunciates. I want that made clear, so that when anyone criticizes the votes that were cast to-day against providing an untold sum of money for a certain number of ships, the price of which is not indicated, construction of which is to begin somewhere a year hence, they will understand that at least some of the minority members of the committee, although compelled to vote by reason of the force of a mysterious cablegram, were at heart against the proposition. By the minority members I mean the Republican members of the committee, of course.

From my point of view the hour has struck when Republicans, at least, in view of the conditions abroad, in view of the condition of our Treasury at home, should be able to stand upon their feet and say, even to the President of the United States abroad, that we must protect the interests and welfare of the taxpayers of the United States. [Applause.]

I come from a committee that has been dealing with the problem of taxation now for nearly 10 months. We passed in this House on Saturday a bill which proposes to take $6,000,000,000 from the pockets of the American people. To do what? To pay for bills authorized, to pay for bills created by oral contracts, to pay for contracts made in lump sum to the extent of at least six times the amount of that great bill which passed here on Saturday—five times, at least. That is the domestic side of this question of generous appropriations.

Oh, gentlemen talk about being for a big Navy. Gentlemen say the question is, Are you for a Navy or against a Navy? That is not the question at all. The question is, Are you going to continue to rob the American people; are you going to continue to gut their homes; are you going to continue to impoverish them; are you going to pile up indebtedness so that the new generations for a hundred years will be unable to extricate themselves from the obligations you and your President are imposing upon them now? It is not a question whether you are going to have a big Navy. It is much graver than that.

The gentleman from New York [Mr. HICKS] in the debate yesterday—and his figures were not denied by the chairman of the committee, the gentleman from Tennessee [Mr. PADGETT]—indicated that the 1916 naval construction program was only partially under way. The Navy Department and the President have great sums of money to spend on ships the keels of which have not been laid and which can not be completed until way off yonder in 1920 and beyond, when it is proposed that this new and nebulous plan shall be put in operation.

Gentlemen are terrorized because of a mysterious cablegram from Paris. If the President, now over yonder in Paris, living in one of the palaces of the great and conferring with the crowned heads, knew what the American people to-day are saying about the revenue bill that passed through this House on Saturday, he might hesitate and send another cablegram that would recall the one we have not yet been shown but which is influencing the passage of this bill.

What have we done with regard to lump-sum appropriations to these contingent authorizations, dependent upon the will and judgment of a bureaucrat here down along the line, who gets his authority from the President of the United States through long-distance instructions or by such a mysterious cablegram as that which has not been read by the gentleman from Tennessee? What are we doing with respect to this carnival of expenditure?

Pick up this morning's papers and read what our friend, the new Secretary of the Treasury, proposes—our own former colleague, Carter Glass—in his letter to the chairman of the Ways and Means Committee. Read what he proposes, and then ask yourselves whether we are retrenching or whether the people's money is being hoarded for some future contingency? What is it the Secretary of the Treasury proposes? Now that there has been unloaded on his shoulders the greatest burden ever heaped upon a human being, now that the gentleman who preceded him has gone out of office and the burdens are piled high and higher, the new Secretary of the Treasury, seeing what is ahead of him, fearing the merry-go-round method of raising money by loan or otherwise may no longer succeed, proposes that we shall give him blanket authority to raise money as he sees fit, at any old rate of interest he proposes to pay, without regard to taxes or to the Constitution, which prevents us from exempting taxes under certain circumstances.

And this is no new thing. The President is "over there," and my information is that he is not witnessing such scenes of horror as are pictured to us to induce the appropriation of vast sums of money, but he is conferring with the diplomats, like unto those who came down this aisle on Sunday last, from every nation on earth, arranging that he shall be in a position, if need be, to send a battleship to Madagascar, or, at our expense, to keep in order the quarreling King and Queen of the Fiji Islands. I spoke to you a few days ago concerning the reported attitude of the great Lloyd George on this question of the league of nations. The suggestion was that the United States must stand responsible for the policing of the world. If there are troubles and disputes in Russia we must send our troops. You say there is something wrong in the Sicily Islands, which does not concern us; send your battleships there. Are we to become the policemen of the world? We are supposed to be rich. It is believed we can stand the expense. But how far are we to go and when will we stop?

We gave the President $100,000,000 sometime ago to do with it as he saw fit. Have we ever had an accounting of that expenditure that was satisfactory to this body? Is there a Member of the Committee on Appropriations who will rise in his place and say just where that money went? I am not challenging the President or his integrity as to the expenditure, but there are men down along the line under him who are as human even as all men are human and who will sometimes look after their own interest even when they speak in the name of the State. We had some testimony here in regard to the use of $5,000,000 of that $100,000,000 fund for the formation of a corporation to do business in Russia. Was that entirely satisfactory to this body?

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MOORE of Pennsylvania. Has my time expired, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. MOORE of Pennsylvania. I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. The time is in the control of the gentleman from New Jersey [Mr. BROWNING] and the gentleman from Tennessee [Mr. PADGETT].

Mr. MOORE of Pennsylvania. I ask unanimous consent that I may proceed for five minutes, the time not to be taken out of that. I will not then ask for further time.

Mr. BROWNING. I will yield the gentleman five minutes, through the courtesy of the gentleman from Ohio [Mr. KEARNS], to whom I had promised that time. He yields it to the gentleman.

Mr. MOORE of Pennsylvania. I thank the gentleman from Ohio for his courtesy, because I have been waiting patiently for five hours for the opportunity to talk on this question.

The CHAIRMAN. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. MOORE of Pennsylvania. I thank the gentleman from Ohio. Here is the statement of the Committee on Appropriations. There sits the chairman yonder. Let him deny the figures if he pleases. We spent over $12,000,000,000 in the fiscal year ending June 30, 1918, for our part in the war. Did we get anything out of it? Oh, the boys have gone and died in France and our merchant vessels have gone down through German submarine attacks. But we spent the $12,000,000,000, and we are beginning to pay for it now in tax bills. Here is the statement of the Committee on Appropriations, showing that for the fiscal year 1918 and 1919, ending June 30 next, we will have appropriated and authorized an expenditure of $36,000,000,000, and that little tax bill passed last Saturday, which is stirring this country to the core, raises only $6,000,000,000 of that tremendous amount. Have we gone wild?

Mr. JOHNSON of Washington. We have.

Mr. MOORE of Pennsylvania. Are we so fatuous financially that we believe we can strike the rock and with some magic wand produce these tremendous streams of revenue? The President asked for $100,000,000, to be accounted for in his own way, and we gave it to him. He spent part of it, and he came back and we gave him more. That was a trifle. This statement that I have in my hand shows that we have turned over millions and even billions of dollars to the President, not to be expended by him but through his agents, and many of them here at a dollar a year, and now gone from their so-called patriotic calling.

We gave him these billions of dollars because we trusted him. Now he is in France and we are beginning to reap the harvest of taxation here. We will have to bring in more bills to cover these billions which will be levied upon the people of the United States for the benefit of others as well as for ourselves and our loans.

What did we spend for making the loans that some people think they were patriots for buying, the loans which Mr. Glass, the new Secretary of the Treasury, now desires to raise at rates of interest that may be agreeable to the bankers if the sales are to be effective? The amount of money we turned over to the outgoing Secretary of the Treasury for the purpose of promoting those loans, paid to a large extent for the intense patriotic services of those whose voices are now stilled and will no longer engage in loan campaigns, was just $39,000,000.

Are you not getting tired of turning these great lump sums over in this haphazard way to gentlemen in control while the President is away? Next week we shall be called upon to appropriate $1,000,000,000, as much money, some one has calculated—and the calculation I find is correct—as represents one minute for every hour of every day from the time Christ was born down to this very hour to keep up food prices in the United States—another of these nebulous agreements which, if we break it, will be like the breaking of the "scrap of paper" that brought on the war in Europe.

Mr. GARNER. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Pennsylvania. Yes.

Mr. GARNER. The gentleman voted for all those things?

Mr. MOORE of Pennsylvania. Yes; to support the President while the war was on.

Mr. GARNER. I am reminded of the question of the gentleman from Illinois [Mr. CANNON] which he put to me the other day: "Why whine about it when you voted for the proposition?"

Mr. MOORE of Pennsylvania. The war was then on, and the President demanded it. As I understand the conditions now, the war is practically over. The President is "over there" on business about which we are not fully informed.

Mr. GARNER. I want to join the gentleman in this reformation, but I do not want him to whine about what has already been done.

Mr. MOORE of Pennsylvania. I want the gentlemen on that side to join gentlemen on this side in a policy of retrenchment and economy from this time forward. Will the gentleman do it?

Mr. GARNER. I will.

Mr. MOORE of Pennsylvania. Will you be able to induce your President to exercise the same fair spirit that you have displayed?

Mr. GARNER. I hope so.

Mr. BROWNING. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DENISON].

Mr. DENISON. Mr. Chairman, I was interested and somewhat amused at the remarks of the gentleman from New York [Mr. LUNN] in which he commented on certain phrases and discussed the significance and the power of certain phrases that have been used by the President; and I remembered that in 1915, when, on account of the war in Europe, there was a demand for immediate preparation on the part of this country for an increased navy and an increased army the President made a swing around through Indiana and other States in the West and referred to the popular demand for greater preparedness as hysteria. I would have been glad to have heard the gentleman from New York comment somewhat on the meaning of that term "hysteria." I am unable to understand how the President could have denounced as "hysteria" the demand for a greater army and navy before this country got into the war, when Germany was threatening the whole world, and how after Germany has been crushed and her navy destroyed he can now come to us and demand an appropriation for a navy that is unprecedented. I can not for myself reconcile those two positions.

Germany had a powerful navy, the second in the world. She was destroying Europe and threatening the peace of the world.

Every consideration for our own safety urged us to get ready for the conflict. Yet the President was opposed to it and tried to arouse public sentiment against what he called the hysterical agitation for preparation for defense. It seems strange to me that he should have been so opposed to greater preparedness then and now should be so insistent for this authorization of hundreds of millions to give us a greater Navy than Great Britain after the German Navy has been destroyed.

Mr. CARAWAY. Will the gentleman yield?

Mr. DENISON. I yield to the gentleman from Arkansas.

Mr. CARAWAY. Did the gentleman agree with the President in 1916?

Mr. DENISON. No; I did not.

Mr. CARAWAY. And the gentleman does not agree with the President now?

Mr. DENISON. No; I do not. I think he was wrong then and I think he is wrong now. [Applause.] If I had the time I would be very glad to give the reasons why I think so.

Mr. CARAWAY. Will the gentleman yield further?

Mr. DENISON. I have not the time. My time is limited. Every now and then recently some one on that side of the House has risen and charged or intimated that we on the Republican side were anxious for an extra session of Congress.

Now, if there is any doubt on the question as to how the two sides of the House are acting on that subject, I want to say that in my judgment this bill and this proposal will settle the question, because if this new naval proposition passes the House it is certain to result in an extra session of Congress; for while it may get through the House, when it reaches another legislative body where there is a chance for some deliberation and discussion, and where there will be a demand that the lights be turned on before the appropriation or authorization is made, there will be so much time spent in the discussion of the bill that an extra session of Congress will be absolutely necessary; and if those who are backing this new naval program had been deliberately trying to bring on an extra session of Congress they could not have chosen a better method, in my humble judgment, than to bring this proposition before the Congress here in these closing days of this session.

Mr. Chairman, I have voted for every increase in our Navy that has been proposed since I have been a Member of the House. I have always believed that this country should have a Navy large enough to successfully defend us against attack from any source. But, situated as we are, I have never thought it necessary that we should try to build and maintain a Navy as large as Great Britain, whose Empire is scattered over all parts of the earth. I am willing to vote for such appropriations as may be necessary to carry to completion the naval program of 1916 and for any increases in efficiency that those at the head of our Navy Department may think necessary. But I am unwilling at this time to vote for the authorization of any new naval program either for the purpose of giving us a greater Navy than Great Britain or because the President has asked it in order to enable him to carry out his purposes at the negotiations now going on in Paris.

It is an easy matter for us to authorize or appropriate hundreds of millions for naval expenditures. Some of us seem willing to do so in a sort of spirit of boldness and pride over the fact that we can do so. But it will not be an easy matter to wring from the people the money to pay for them. The burdens of taxation resulting from this war are already falling heavily upon our people. If we enter upon a policy of naval competition with Great Britain we can not offer to the people of this country any hope of a lessening of the burden for generations to come.

I do not consider this question from the same point of view that I did before the world war. Before the war the German Navy was a menace to the world's peace. We were justified then in assuming any burden of taxation that would enable us to effectively meet that menace. Now the power of Germany has been destroyed, the German Navy is no more, and the menace to the world's peace has been removed. I can not believe that after defeating our enemy and the enemy of the world it is now necessary for us to at once prepare to defeat our friends and allies. If, after making common cause with Great Britain and her allies and successfully destroying the menace of the world, we must now immediately turn around and enter upon a naval program that will enable us to defeat those countries that were associated with us in this holy cause, I shall feel that the sacrifices of this war have been made in vain.

We are told by the gentleman from Tennessee [Mr. PADGETT] that we should authorize this new naval program because the President has sent a secret cable to the Secretary of the Navy, saying that he wants it done. We have reached the point, so far as I am concerned, when these large appropriations must have something more than the mere presidential wish or request to justify them. I am willing to vote for any appropriation that I am convinced by any plausible reason will promote the public safety or the public welfare. But I have voted for the last hundred million, or the last million, from the Public Treasury which the President may request for any cryptic or unrevealed purpose.

While we were at war I felt it my duty to vote for any appropriation that the President, as Commander in Chief of the Army, and those associated with him in the management of our military and naval forces, said was necessary. But now our enemy has been defeated. We have accomplished the purpose for which we entered the war. The Commander in Chief and the heads of the War and Navy Departments are no longer the sole judges of the necessity for appropriations. From now on I shall assert my right as a Representative of the people to use my own judgment as to the necessity for appropriations, and the President can not have my support for any appropriation he may ask unless he is willing to take the people of the country into his full confidence and justify his request by sound reasons which the people will understand and approve.

Mr. Chairman, I have no desire to embarrass the President in any plans he may undertake to consummate at the peace conference. I hope he may succeed to the fullest measure in what he undertakes to do. But I do not think the President should call upon Congress by cable for large appropriations of public funds for secret and mysterious purposes which can not be disclosed to the public. We as members of a coordinate branch of the Government are entitled to some consideration. I think that Congress should be spared the embarrassment of being called upon to blindly vote large appropriations for purposes which we can not explain to our constituents because they have not been explained to us.

It has been intimated that the President cabled the Secretary of the Navy, and the Secretary of the Navy whispered to the chairman of the Committee on Naval Affairs that the President desired this new naval program calling for an expenditure of some $400,000,000 in order to enable him to carry out his purposes more effectively in Paris. But even if the President had sent no such message, the purpose of this provision of the bill would be apparent upon its face. To me it seems most strange that there are any here who for a moment believe that such men as David Lloyd George and the other statesmen of Great Britain who are now handling the destiny of the British Empire could be influenced in the slightest by the clumsy and puerile provisions of this bill. To me it seems childish to think that those at the head of the Government of Great Britain, who for hundreds of years have maintained naval supremacy over all other nations, would be influenced in the slightest or determine their conduct in the least degree by this clumsy threat a la Daniels. And it is stranger still that any of the Members of this House, particularly those who by wisdom and long service have reached the high places on the great Naval Affairs Committee of the House, should so far fool themselves as to think that we could, by a threat of these large naval expenditures, frighten the Government of Great Britain or any other government into granting to President Wilson at the peace conference concessions to which they would not otherwise agree. Let us not deceive ourselves, above all things, and let us not believe for a moment that we can deceive those who are now guiding the destinies of the British Empire at Paris. Let us be frank and trust in the force of reason and justice, which is the hope of humanity, rather than the threat of force, to secure a happy solution of the great problems at the peace conference in Paris.

I am opposed to this so-called new naval program which will call for the expenditure of four or five hundred million dollars in addition to our present naval program. If that part of the bill is stricken out, I will vote for it. But if it remains in the bill, I will vote against the entire bill. I am especially opposed to that provision on page 54 of the bill which authorizes the President on the happening of certain contingencies to suspend the new naval expenditures authorized in the bill.

Mr. Chairman, I think that it is the province of the Congress to provide appropriations and to say when they shall or shall not be suspended. I am opposed to conferring upon the President or anyone else the proper and legitimate functions of Congress. While we were at war we of necessity conferred extraordinary powers upon the President, because that is necessary in time of war. But I shall not vote to confer upon the President any further powers that belong to Congress. If we are going to authorize a naval program, we ought to reserve to Congress the power to suspend it, if it is to be suspended. We ought not to confer that power upon the President or anyone else.

Not long ago Congress appropriated $100,000,000 out of the Public Treasury and placed it in the hands of the President or Mr. Hoover to use, presumably, for humanitarian purposes among the peoples of certain countries in Europe. It was stated at that time that that appropriation was urgently necessary in order to strengthen the President's influence and enable him to carry out his plans at the peace conference. Now it is sought in this bill to authorize the expenditure of four or five hundred million dollars upon a new naval program, and the power is to be conferred upon the President to go ahead with the expenditures or suspend them entirely upon the happening of certain contingencies. And it is said that for mysterious and undisclosed reasons this appropriation is necessary in order to strengthen the President's hand and enable him to more effectively carry out his purpose at the peace conference.

Mr. Chairman, I am opposed to making appropriations out of the Public Treasury for any of these purposes. I voted against the hundred million dollar appropriation for feeding the people of Europe from the Public Treasury, not because I was opposed to giving every aid within our power to the people of those stricken countries but because I was opposed to raising the money by taxation for such a purpose. And I shall vote against this appropriation for a larger naval program because I am opposed to authorizing or appropriating money out of the Public Treasury either as a futile threat against the naval powers of Europe or to enable the President to carry out some purpose which he is not willing to disclose to the Members of Congress and the people.

When peace shall have again been determined and declared, and when it shall have been ascertained whether there is any hope for the disarmament of the world and the peaceful settlement of international disputes, then if it should unhappily appear necessary for the United States to prepare for battle with those who are now our friends I will willingly vote for any naval program that will secure our safety. [Applause.]

Gentlemen of the House, I think we should conclude this war before beginning a too expensive preparation for another. The cost of this war will be a heavy burden upon our people for generations to come. Somebody here must speak for the people who will have to pay for this ambitious program. My own hope is that our representatives in Paris may reach a satisfactory agreement and sign a peace treaty with Germany at the earliest possible date. I think our troops should be brought home from Russia at once, and that every one of our boys should be brought back from Europe just as rapidly as the ships can bring them. I am opposed to policing any part of Europe or Asia with troops from this country, and I am opposed to entering into any kind of an agreement or league under which it may be our duty to hereafter police or assume control over any distant part of the world. I think we should get our boys home as quickly as possible to their families and their peaceful pursuits; that we should reconstruct or reorganize our disrupted industries so that our country can return again as rapidly as possible to its accustomed prosperity. We should put this war, with its burdens and its sacrifices, behind us as rapidly as it can be done. And I am cherishing the hope that the common cause which brought this country and France and Italy and Great Britain together as allies and friends to fight and destroy the enemy of liberty and free government, may keep us friends and save us from the awful burden of preparing for the defeat or destruction of each other. Being unwilling to begin preparation for war against our friends and allies before we have made peace with our common enemies, I am unwilling to give my support to this new naval program which will add so many hundred millions more to the burdens of the American people.

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. GREEN].

Mr. GREEN of Iowa. Mr. Chairman, if my memory serves me right, on every previous occasion when the naval bill was before the House I have voted for the largest Navy that was proposed. But when I voted for those measures I voted for them not as a threat, but as a statement of a policy. I voted for them not for aggression, but for defense. I voted for them not as tending toward war, but, on the contrary, as tending toward peace. If I should support the proposition which is now before the House, I should violate every principle upon which I have before acted.

Mr. Chairman, for some reason it seems we know little about taking the action now before us. I was not one of those taken into the confidence of the chairman of the Committee on Naval Affairs by being shown the telegram of the President. Perhaps I would have been if I had asked to see it, but I realized that the gentleman could not give it to all the Members of the House without violating the confidence imposed in him, and I did not want to press him too hard. So the situation we now have is simply this: The House is expected to vote for the largest navy in the world for reasons it knows nothing about, that the Naval Committee knows a little about, that the Secretary of the Navy knows something about, and that the President will only disclose under the most positive requirements of secrecy.

Mr. SLOAN. Will the gentleman yield?

Mr. GREEN of Iowa. I will.

Mr. SLOAN. Perhaps the gentleman did not approach him in the solemn posture that was necessary. I have understood you had to approach the keeper of the sacred word on the 14 points of ambiguity, and then with bated breath——

Mr. GREEN of Iowa. My friend from Nebraska can see here a beautiful example of the "open covenants openly arrived at," of which we have heard so much, and an instance of how Congress is to be "kept in touch with everything" that is going on at Paris. If we are not able to tell anything about the reason for our action or what will be meant by it, let us at least consider how it will be regarded abroad.

England at present has the first navy in the world. We have the second. There is no third. All other nations are so far behind that they are simply distanced. This demand to create the largest Navy in the world can only be construed as either a threat or a bluff directed at England. I am opposed to action being taken in either direction.

Mr. Chairman, why should we quarrel with England? In the laps of the two great English-speaking nations rests the civilization of the world. If they quarrel, it will be a setback for another hundred years, as it has been by the last great war for probably half a century, if not a whole one.

I have heard some accusations against the statesmen of Great Britain, but I never heard that they were insane or fools, and they certainly would be one or the other if they provoked a quarrel with this Nation, whether it had a large or a small Navy.

Just across the line at the north lies the fairest possession of the English Crown. Between us and Canada there is not a warship on all the Great Lakes nor a fortress along the border.

At any time we could take Canada; we could take it now, but England has no fears that we will be so foolish or so treacherous as to engage in unprovoked war; and why should we fear that England will be? With a superior fleet, it is possible, in event of war, that Great Britain could inflict much damage upon us, but no sane man would say that she could hope to win the war. In fact, for either nation victory would be a calamity only less staggering than defeat, for in the operation there would be destroyed its best friend and the only ally upon which it could safely rely. Again I say, why should we quarrel with England or England quarrel with us?

Mr. Chairman, between the two great English-speaking nations there are sacred ties that ought never to be broken. It is not merely that we are both of the same speech and largely of the same blood, although that is much. Beyond and above that is the fact that our sentiments, our hopes, our aspirations are the same. Alike in our veins courses the spirit of freedom. Alike our minds are filled with a determination to make all men equal before the law. This nation has in a bygone century fought England, but it was because we claimed the rights of Englishmen, and in this we were justified by England's greatest statesmen. We should now have one common aim—the extension of those great principles upon which our liberties are founded. We have no occasion to be suspicious or jealous of the other, but each should rejoice as the other develops in strength and power, knowing that thereby is created a further barrier against the return of autocracy or the rise of bolshevism.

Mr. Chairman, under the blood-soaked soil of France lie a million Englishmen, and beside them 50,000 Americans who fell in a common cause against the arch enemy of mankind. In death they were not divided. Shall we, the living, ever be led into a fatal quarrel over what they gave their lives to preserve? May Heaven keep us from such a fate. [Applause.]

Mr. BROWNING. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. STAFFORD].

Mr. STAFFORD. Mr. Chairman, this proposition, if adopted, commits our Government to the largest naval program in the history of the world. The contingency on which the apologists who are opposed to entering upon this great program is that there may be created at the peace council, as the amendment reads, a tribunal competent to secure peaceful determination of international disputes and which will render unnecessary the maintenance of competitive armament.

Read the reports of the peace council, and we know that that condition is not probable to arise. I am not a willing agent in being an accomplice to authorize the President to pull the hairtrigger and force compulsion at the peace table which the

negotiators are loath and unwilling to agree to. That is diplomacy by force and not diplomacy by negotiation. Never in the history of peace negotiations have such methods been employed to affect the outcome. I desire to believe that such is its real purpose. If such tactics were really intended, if I understand the stubborn Briton sufficiently well, it would be resented to the limit by calling off the negotiations.

This proposal, as I view it, has the full approval of the British officials. France impoverished by war, Great Britain impaired in its resources by its tremendous expenditures, are only too willing to have the burden of policing the world thrown upon the United States.

Have we entered this war in vain? Is the outcome to force our country to adopt a policy the opposite to its traditional position? Are we who prided ourselves in being opposed to a militaristic policy, now that the war has ended, to adopt this alien program merely because Great Britain has a larger navy than our own, and give heed to the jingoes and junkers in our midst? Is it intended that, having been freed from this burden, we are now to assume it, when no good reason exists? You might as well argue that because Great Britain has a standing army of a million men that we should adopt that policy and have a like standing army.

Before the war was ended we all knew that the peoples of all the belligerent powers were sick and sore over the struggle, and that the peoples would avoid future wars at almost any sacrifice. And now, being sick and sore, we are going to vote a program which everyone here believes will be of no value except to coerce and compel little nations to abide the results of the great powers; in other words, that we should be the policemen of the world. The American people are opposed to that policy.

They are not in favor of entering any league of nations whereby we will control the destinies of other peoples. That may be in harmony with the British policy, but it is not in harmony with the American policy. We entered the war to maintain inviolate our rights on the high seas, and we at all times declined to be enmeshed in the worries and policies of Europe. And yet here we are committing ourselves to-day to that policy which inevitably involves us in the politics and policies of the old world. You can not defend it as an American policy. It is foreign and alien to our policy of the past. Because, in 1916, when the war was flaming all over Europe, we adopted a three-year program because we could not tell then when we might be involved in the European contest; we did not by that action commit ourselves for all time to a policy of three-year programs. Even now, before that program is fairly launched, before the shipyards now in existence can complete that program, with the vessels only one-third started, we are asked to commit the Congress to a permanent policy that means our assuming the burdens of the world. No, Mr. Chairman, the taxpayers of America are opposed to shouldering this tremendous burden of $1,000,000,000 annually, and that is what it means for all time, for the sole purpose of policing the world. We need no such Navy for our own protection or for our own purposes. Our shore lines are protected by adequate fortifications. We have a greater Navy relatively than at any time in our history amply protected against any possible attack, with a Navy that can conquer any on the seas save one. I am not willing to be swayed by specters and imagery that will burden our civilization with the yoke of a billion dollars annual charge for years to come.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. PADGETT. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. MCCULLOCH].

Mr. MCCULLOCH. Mr. Chairman, having voted for the rule just adopted, and intending, as I do, to vote for this proposal, my attitude being contrary to the views of the leaders on this side of the House and perhaps of a large majority of the Members upon this side of the House, I feel I owe it to myself to give my reasons for my action. This Congress, the Sixty-fifth or so-called War Congress, has responded at all times to every call made by the executive branch of the Government. It has passed every bill that has been requested; bills extending powers to the executive branch of the Government which no man in time of peace would think of extending; bills appropriating fabulous sums of money which in time of peace we would not think of appropriating. Our purpose was to win the war, and we did not want to do anything or fail to do anything that would lessen in the slightest degree our chances for winning the war. Now, the war has been won. Our armies have been successful. America won the war. Whatever other nations may say about it, we won the war. But in order to make our victory effective we must be successful at the peace table. Many of the bills this Congress has passed were passed under the lash of the Executive whip. We have been slaves more or less in this crisis to the Executive will, but I do not believe that the hour for emancipation has come just yet. Common men must arrive at their conclusions by simple processes. I must arrive at my conclusions by simple processes because I do not have the long experience nor perhaps the mature judgment which enables the experienced legislators on either side of the House to arrive at their conclusions; but if I were trying a lawsuit and I should ask my client to give me the right to do certain things or to expend certain money that I felt was necessary to win that lawsuit, and he refused to give me what I wanted, I would feel that he had thereby shifted the responsibility from my shoulders to his, and if I failed I would then feel that I had a right to say to him that if he had done what I asked him to do I would probably have been successful.

It has been said that there is nothing great or small by comparison; so, applying the same simple processes of reasoning to this most important legislative situation that I would apply in my own everyday life, I must conclude that if the Congress of the United States should deny the President what he asks for in this bill, and he should fail in what he is trying to accomplish at the peace table, he would be in a position to shift the responsibility for his failure from his own shoulders to the shoulders of the Members of Congress, and, so far as I personally am concerned, I do not want to be a party, and I do not intend to be a party if I know it, to any such a blunder. The President has sent word that he must have this legislation in order to succeed at the peace table. I do not care whether that was a secret message he sent or how the word came, so long as he is our representative in the most momentous negotiations that were ever engaged in since the world began I, for one, shall not be a party to hampering him by long-range arguments in regard to a situation about which I know practically nothing, but I am going to give him what he says he needs and then hold him responsible for results. Then if he fails he can not blame his failure upon anybody but himself. But when this war is settled I, for one, intend to claim my emancipation. I will be bossed around by those who carry the executive mandate no longer.

I am voting for this bill for another reason, and that is because I believe in a strict American policy, because I am in favor of looking after the interests of this country as against every other country in the world, and because I do not want my country to be in the position of having to rely upon the navy of any other country to protect it. I am for a sufficient Navy; and, unless peace negotiations should develop a situation which would result in disarmament, I stand ready to vote for such bills as will provide an adequate Navy, but I am forced to rely upon the judgment and the experience of the members of the committee and the Navy experts, and follow their lead as to the amount necessary to provide adequately.

While I am for an adequate Navy, yet I am opposed to a large Army. These two departments are so closely related that I feel that it is perfectly proper at this time for me to express my present views in regard to the Army. I am opposed to a large standing Army, and I believe that the Regular Army should be an Army of volunteers in time of peace. I am opposed to any permanent and general program of universal military training unless it should become apparent, as a result of the peace negotiations, that another war is imminent. As I see it now, I should not oppose a program that provided for training the youth of the country in the schools and where they reside if it can be done without interfering with their education or their advancement in the avocations of peace, but I shall oppose by my vote any universal plan of military training which will take the youth of the country away from their schools and their homes, placing them in camps for training and the carrying on of any general military system.

There are those in America who have developed a hysterical affection for countries other than their own, and forgetting history have advocated that we can well rely for protection upon the good will and the friendly feeling of such other countries. In my opinion an American who loves another country as well as his own must be distrusted by all patriotic Americans. I apprehend that as the days go on and the attitude of other nations is better understood that the impractical dreamer will be superseded by the practical thinker, and those who are unwilling to accept the strict American policy and give approval to the plan of looking after America first will be looked upon with as much distrust as was the pro-German during the war. The doctrine of America for Americans has been in large measure my creed, and to me it simply means to look after America first and the rest of the world afterwards. My adherents to this doctrine has been variously interpreted. Some have contended

that to advocate such a doctrine was to be disloyal. Others have been more charitable and have said that it only evidenced a lack of vision. Others say that it is a selfish doctrine and condemn it alone upon that ground, but I have gone through all the complexities of the legislative program incident to the war, and I have come out a stronger believer in the doctrine of America for Americans than ever before. It has been suggested that we can rely upon the English Navy for protection. Those who are impractical enough to advocate such a policy either must have forgotten or do not know that we have had more wars and complications with England than all the other nations of the world combined. Most wars are the result of a desire for commercial supremacy, at least that has been the controlling purpose in most of the wars in which European countries have engaged.

England has destroyed every commercial power that stood in her way on the Eastern Hemisphere. She destroyed the commercial power of Spain, of Holland, and of France. To-day there is only one great commercial rival of England, and that is the United States of America. From a strictly commercial standpoint America at this hour is in a stronger position than England. Let us hope that there may never be any occasion for any serious disagreement between England and America upon any subject, commercial or otherwise; but, bearing in mind the history of the world, which proves conclusively that nations have no gratitude, are inherently selfish, and are willing to sacrifice the best blood of the nation for commercial supremacy and aggrandizement, I believe that there is only one safe policy for this country to pursue, and that is the strict American policy. We are in a position because of our position of isolation to protect ourselves against successful interference by any other power or by a coalition of all the powers of Europe put together. If we adhere strictly to the Monroe doctrine and to the policies as laid down by the fathers of this country, developing our resources, taking care to eliminate internal dissensions, there is no power or combination of powers in the world that can rival America in the future. And there is no power or combination of powers, if we exercise good judgment and common sense, that can interfere with us successfully in any way. Therefore I am in favor of recognizing our invulnerable position, of protecting our seacoast by proper coast defenses and by an adequate navy. Then, I am in favor of keeping out of foreign entanglements in so far as it is possible for us to do so, leaving questions which are purely applicable to the Eastern Hemisphere for settlement by the peoples of the Eastern Hemisphere, only interfering in international affairs when the interests of America are involved. Finally, I am in favor of removing all restrictions which will hamper or interfere with American progress on the Western Hemisphere, which is one of the reasons why I am opposed to a large army and a military policy. The fathers of our country broke away in the beginning from the system of military training established in the Dark Ages. Every expression in our Constitution and in the constitutions of the various States of the Union which relate to the military define it as a means of defense and an institution to be maintained only for the protection of the American people in their personal liberty and in their property rights. Unless we take upon ourselves the settlement of all the disputes in the world we need not change, so far as our Military Establishment is concerned, the policy laid down by the fathers.

Mr. PADGETT. Mr. Chairman, I shall occupy the attention of the committee only for a few minutes, and then I shall ask for a vote upon the amendment. We have had very liberal and extended debate in general debate and under the five-minute rule, and now under the five-minute rule to-day under the two-hour agreement. I think that perhaps one or two matters might be called to the attention of the committee. The gentleman who spoke recently said that this was the largest naval program ever attempted by any country, and yet this is not more than about half of what was in the naval program of 1916, and we should bear in mind——

Mr. RAMSAYER. Will the gentleman yield?

Mr. PADGETT. I will.

Mr. RAMSEYER. Does the gentleman mean to say that the money appropriated by this bill is only half of what it was in the 1916 bill?

Mr. PADGETT. No; of the money that is in this bill not a dollar of it is for this new program. The money that is in this bill is for the maintenance, support, and upkeep and operation of the Navy.

Mr. RAMSEYER. When the gentleman refers to the program, he means in this amendment?

Mr. PADGETT. I refer to the building program, the new building program.

Mr. RAMSEYER. That is, in the amendment that is before the committee?

Mr. PADGETT. That is now being offered, is about one-half of what the program authorized in 1916 was.

Mr. KNUTSON. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. KNUTSON. Of course, the gentleman must realize that in 1916 the world was engaged in the war.

Mr. PADGETT. But America was not; we were not in it. Ours was entirely on a peace basis and on the assumption that we would not get in it.

Mr. KNUTSON. We all knew that we would get into it.

Mr. PADGETT. No; I think a great many of us thought that we would be able to keep out of it.

Mr. KNUTSON. That is, for political purposes.

Mr. PADGETT. I think not.

Mr. REED. Will the gentleman yield for a question?

Mr. PADGETT. Yes.

Mr. REED. If the pending amendment is adopted it does not greatly increase the appropriations this year?

Mr. PADGETT. Not this year; no, sir; but the appropriation which is estimated upon the present basis of the cost of labor and the cost of material aggregates $412,000,000.

Mr. REED. Exactly.

Mr. PADGETT. If there is a reduction in the price of materials and labor there would be corresponding reduction in the total cost of a new program on a rate distributed over about seven years from now.

Mr. REED. If this new program is defeated, taking into consideration pending expenditures and what the regular bill provides, will we not have a building program approximating a thousand million dollars anyhow?

Mr. PADGETT. No; it takes about $400,000,000, as it was shown in the hearings, to build the 1916 program after what is in the present bill. About $175,000,000 or $200,000,000 is embraced in the increase of the Navy.

Mr. REED. For our Naval Establishment?

Mr. PADGETT. A hundred and seventy-five millions in this bill is on account of the carrying on the work of the 1916 building program, and in addition to that it will take about $400,000,000 to complete it and that will run over a period of about five years.

Mr. REED. Will not this bill without this amendment for all purposes, maintenance and all, be around a thousand million dollars?

Mr. PADGETT. Oh, no; this bill will be about $722,000,000 or $723,000,000.

Mr. REED. And in addition to that some unexpended money?

Mr. PADGETT. There will have to be additional money appropriated next year for this building program——

Mr. RAMSEYER. To get this clear in our minds, do I understand the gentleman to say $179,000,000 of the present bill is to carry on the 1916 program?

Mr. PADGETT. Yes, sir.

Mr. RAMSEYER. Now, the balance—that is, deduct $175,000,000 from about $750,000,000——

Mr. PADGETT. There was $100,000,000 and some odd that was appropriated before that. It leaves about $400,000,000 yet to be appropriated upon the present basis of the cost of labor and material to complete the 1916 program.

Mr. RAMSEYER. What I would like to have the gentleman state in a general way is, What is the amount of money appropriated for in this bill—not the new program—aside from the 1916 program, for?

Mr. PADGETT. Deduct $179,000,000 from about $721,000,000 or $722,000,000 and you get the amount, and that is for the pay of 225,000 seamen, pay of the officers, the operation of the navy yards and the naval stations, the flying corps, and all of those operations of the Navy ashore and afloat, including the Marine Corps—50,000 marines and officers—and the operation of the marines the world over.

Mr. RAMSEYER. Now, another question. Is there likely to be a decrease next year and the year after for that part?

Mr. PADGETT. I think there will be for that part of it: yes, sir; because we are estimating 82,000 men, which would be providing an expenditure of about $85,000,000 for the pay of the Navy that is not contemplated. Now it is provided only temporarily. As to whether it will be needed next year, perhaps not all of it will, but perhaps some of it will be needed.

Mr. RAMSEYER. Now, one other question. If this amendment carries and the next bill makes appropriation for it, and will also make appropriation, of course, to carry out the 1916 program and make an appropriation for the upkeep of the Navy, can the gentleman give us an idea of what the naval appropria-

tion bill will be next year and the year following? That is, how much more will it be than this year?

Mr. PADGETT. I do not think it will be any more. Perhaps it may be a little less. We are getting back more nearly to a peace basis.

Mr. RAMSEYER. How many years will it be until we get back to before 1916?

Mr. PADGETT. We will never get back to 1916, because the Navy is several times larger than it was then, and it always will be.

Mr. BUTLER. May I ask the chairman a question? Did I understand the chairman to say that we will never be able to resume anything like the appropriations for the Navy that we had prior to 1916?

Mr. PADGETT. No; I do not think we will.

Mr. BUTLER. Will the chairman give me an idea as to about how much this Navy will cost the country every year until we get back to sober moments?

Mr. PADGETT. I said it would be reduced, and be less than it is now.

Mr. BUTLER. The chairman is safe in saying that it will be less.

Mr. PADGETT. We appropriated in 1916 on the basis of about 65,000 men in the Navy and about one-third of the ships we are appropriating for now. Now we are appropriating for 225,000 men in the Navy.

Mr. HULL of Iowa. May I ask the chairman of the committee how they are going to protect these new battleships five years from now against aerial torpedoes, dropped from the sky, under wireless control?

Mr. PADGETT. That has been discussed, and it is not thought that a torpedo dropped upon the deck of a ship will amount to much if it goes on the deck of a ship. As to whether or not the machine coming down and dropping only in the water would have much effect or not, that is problematical.

Mr. HULL of Iowa. The gentleman does not think that a torpedo having 500 pounds of TNT in it would have any effect if it was properly made?

Mr. PADGETT. I said if it was dropped on the deck of a ship it would create local injury, but would not reach the vitals of the ship, for the reason with a torpedo under water the force of the explosion goes in the way of least resistance. The water is immovable—that is, inelastic—and the torpedo goes in the way of least resistance, and the whole pressure goes toward the side of the ship. If it is dropped from up in the air the way of least resistance is away from the ship, and in the other direction, and hence the destructive force of the torpedo under water is many times greater than it is up in the air.

Mr. HULL of Iowa. But you calculate that the torpedo will stop when it reaches the deck. What is going to stop it if it has a steel point and is properly loaded?

Mr. PADGETT. A torpedo explodes upon impact, and the moment it hits the deck of a ship it explodes.

Mr. HICKS. In all of these new ships it is contemplated to have an armored deck, I will say to my friend from Iowa [Mr. HULL].

Mr. PADGETT. Yes; and also a subwater protection against torpedoes.

Mr. HUMPHREYS. Mr. Chairman, will the gentleman yield to me for a question?

Mr. PADGETT. Yes.

Mr. HUMPHREYS. About this new program, I do not know whether the gentleman has given this information or not, but if he did, I did not hear it. It calls for the construction of 10 big battleships and 10 scout cruisers.

Mr. PADGETT. Yes; $412,000,000, at the present cost of labor and material.

Mr. HUMPHREYS. When we construct a battleship or one of these big cruisers it is then necessary to have a number of auxiliary ships smaller than those to make the Navy a well-balanced machine?

Mr. PADGETT. Yes. I discussed that earlier in the consideration of the bill. Before the war we were, if I may use the expression, top-heavy in big ships and lacking in small ships, but on account of the submarine warfare against commercial vessels the situation changed and we are now well supplied with a large production—three hundred and forty-odd destroyers, a large number of submarines and chasers, and all of the small craft necessary. We are now unbalanced with an excess of small craft, and we need the larger craft to balance up, and we would not, in my judgment, need the small craft as we did before the war.

Mr. HUMPHREYS. You would not need, in the opinion of the gentleman, any of these auxiliaries to go with these big ships?

Mr. PADGETT. I think not for some time.

Mr. HUMPHREYS. You say "for some time." Do you mean we would not need them for these ships? Of course, it is going to be some time before we get these ships.

Mr. PADGETT. I do not think we would need them for the ships. Just what the future building program will be and how long they lasted is a thing to be determined in the future. But these additional small ships, in my judgment, would not be called for—additional small craft.

Mr. BAER. Mr. Chairman, will the gentleman yield for a question?

Mr. PADGETT. I yield for a question.

Mr. BAER. I understand that it costs us about three times as much to build a ship here as it does Great Britain. Can you give us any information on that?

Mr. PADGETT. No. They build cheaper than we do, but it is is not as much as that.

Mr. BAER. It is about twice in the labor and steel.

Mr. PADGETT. I do not think so. While the labor cost over there perhaps has been less than here, in some things their material cost is greater.

Mr. BAER. It is an argument for the amendment, nevertheless.

Mr. PADGETT. I ask for a vote.

Mr. HUMPHREYS. Mr. Chairman, is it in order to offer an amendment to that amendment?

The CHAIRMAN. It is.

Mr. HUMPHREYS. Then, I move to amend on the last line of the amendment by striking out "February" and inserting "June."

Mr. BUTLER. June, 1920?

Mr. HUMPHREYS. Yes.

Mr. BUTLER. I proposed that in the committee. I shall be delighted if the Committee of the Whole will accept it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Mississippi.

Mr. HUMPHREYS. Mr. Chairman, is it in order to discuss it?

The CHAIRMAN. No.

The Clerk read as follows:

Amendment offered by Mr. HUMPHREYS: In the last line of the Padgett amendment strike out the word "February" and insert the word "June."

Mr. PADGETT. I hope the amendment will be voted down.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi to the amendment

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. HUMPHREYS. A division.

The committee divided; and there were—ayes 45, noes 65.

Mr. HUMPHREYS. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded.

Tellers were ordered; and the Chairman appointed Mr. PADGETT and Mr. HUMPHREYS to act as tellers.

The CHAIRMAN. Those in favor of the Humphreys amendment to the amendment will pass through the tellers and be counted.

The committee again divided; and the tellers reported—ayes 98, noes 77.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the amendment as amended.

The question was taken; and on a division (demanded by Mr. MANN) there were—ayes 97, noes 71.

Accordingly the amendment as amended was agreed to.

The Clerk resumed and completed the reading of the bill.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to return to pages 17 and 18 for the purpose of offering some amendments to perfect the legislation that was proposed yesterday before we took up the increase of the Navy.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to return to pages 17 and 18 for the purpose of offering amendments. Is there objection?

Mr. BUTLER. Mr. Chairman, reserving the right to object, will the gentleman from Tennessee state to what paragraph he wishes to offer the amendment?

Mr. PADGETT. On page 18, line 4, in the brackets, the gentleman will notice it says "[other than a dishonorable discharge]." I want to add after the word "dishonorable" the words "or bad conduct."

Mr. BUTLER. I thought we passed that yesterday.

Mr. PADGETT. No; that was objected to.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee [Mr. PADGETT]?

There was no objection.

The CHAIRMAN. The gentleman from Tennessee offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 18, line 4, after the word "dishonorable," insert the words "or bad conduct."

Mr. MADDEN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Illinois is recognized on the amendment, unless the gentleman from Tennessee desires recognition.

Mr. PADGETT. I do not desire recognition.

Mr. MADDEN. I would like to ask the gentleman from Tennessee how many kinds of discharge are there?

Mr. PADGETT. There is an honorable discharge, a dishonorable discharge, an ordinary discharge, and a bad-conduct discharge.

Mr. MADDEN. Will the gentleman be kind enough to tell us just what kind of service a man must render in order to get an honorable discharge?

Mr. PADGETT. It has to be a satisfactory service, and the man has to complete his term of enlistment.

Mr. MADDEN. What is the ordinary discharge?

Mr. PADGETT. The ordinary discharge is where a man has rendered satisfactory service, but where he does not complete his term of enlistment and does not complete his contract. There is nothing dishonorable about it, and we have a provision here that honorable discharges shall be given to the men discharged since November 11, 1918, the date of the signing of the armistice; that instead of those men getting an ordinary discharge they may have an honorable discharge.

Mr. MADDEN. What happens to the man who gets an ordinary discharge? Is he turned adrift and compelled to pay his own way home?

Mr. PADGETT. Yes. He only gets his transportation if he gets an honorable discharge, and this legislation is intended to give those sailors and marines an honorable discharge who have not completed their terms of enlistment, but who have been discharged or may be discharged since November 11, 1918, and who would otherwise get an ordinary discharge. This will enable them to receive an honorable discharge, with their transportation home.

Mr. MADDEN. All that the gentleman has done now is to add the words "or bad conduct."

Mr. PADGETT. That is in the exception. A man who deserves a dishonorable discharge or a bad-conduct discharge ought not to receive an honorable discharge.

Mr. MADDEN. I understand that; but I never could understand why a man who has rendered satisfactory service, even if he has not completed his term of service, if he is disconnected from the service by mutual understanding between himself and the commanding officer under whom he served, should not receive an honorable discharge.

Mr. PADGETT. Under the regulations he had to complete his term of service in order to get an honorable discharge.

Mr. MADDEN. He could not leave the service without the consent of his commanding officer.

Mr. PADGETT. This legislation is intended to correct that, so as to give him an honorable discharge with his transportation.

Mr. MADDEN. I want to know why a man who has severed his connection with the service with the consent of the department, even though he may have done it before his term of enlistment expired, should not receive an honorable discharge?

Mr. PADGETT. Just because there is a difference between the man who does perform his full duty and stay his full term and the man who does not.

Mr. MADDEN. He could not leave the service without the consent of the department.

Mr. PADGETT. That is true; but there is that distinction. That is the condition that confronts us, and we are trying to correct it by this legislation.

Mr. MADDEN. This does not correct it.

Mr. PADGETT. Yes, it does.

Mr. MADDEN. What does it do?

Mr. PADGETT. This provides that, except for bad conduct or dishonorable discharge, he shall have an honorable discharge and get travel pay.

Mr. CRAMTON. Will the gentleman yield further?

Mr. PADGETT. Yes.

Mr. CRAMTON. I would like to ask the gentleman whether his amendment will take care also of the regulation, heretofore prevailing under article 3601 of the Navy Regulations, which requires some of these boys to pay back $60 for their clothing furnished them when they went in. I have a case of a boy who enlisted January 31, 1917, when the war emergency was upon us, but before we actually entered the war. He has served two years, and if he is discharged because of need at home, I understand he must pay $60 for clothing furnished him two years ago and now worn out. Will the gentleman's amendment, which gives him an honorable discharge, also take care of that?

Mr. PADGETT. I do not know whether they could do it or not. I never had the matter brought to my attention.

Mr. CRAMTON. I will not detain the gentleman; but I hope that it will.

Mr. SUMNERS. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SUMNERS. I would like to ask the chairman of the committee what provision is made to take care of the situation where a 16-year-old boy, actuated by patriotic motives, went into the war, made a false statement in regard to getting in, and now his parents want to get him out?

Mr. PADGETT. I think if you ask the department they will discharge him. Always before the war they have discharged them on a disclosure of the state of facts.

Mr. SUMNERS. Given them an honorable discharge?

Mr. PADGETT. No; given them an ordinary discharge.

Mr. SUMNERS. Under the provision that you now undertake to make, are these boys, after they went through the war, to be sent back into private life with an honorable discharge or a questionable discharge?

Mr. PADGETT. He could not get an honorable discharge if his parents sought to have him discharged on the ground that he was not of age. If he comes and asks to be discharged and gets it under the gentleman's provision where they are demobilizing all of them, he would get an honorable discharge.

Mr. WOOD of Indiana. What will happen to those boys who have received an ordinary discharge, not an honorable discharge, before this bill became a law?

Mr. PADGETT. It relates back to November 11, 1918.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. SAUNDERS of Virginia. In these cases the gentleman mentioned in which a young men has got into the Navy, not old enough to be received, and his parents make application for his discharge, and he gets his discharge, does he get any pay?

Mr. PADGETT. He is paid up to the time of his discharge.

Mr. SAUNDERS of Virginia. The reason I ask is that they discharged a boy in the Army without pay, and he was a thousand miles from home.

Mr. FIELDS. I think the gentleman is wrong in his statement of facts.

Mr. SAUNDERS of Virginia. He was discharged at Fort Douglas, Utah, and his father had to send him money to get home.

Mr. FIELDS. If he was discharged without honor he does not get the pay. It is not a dishonorable discharge but a discharge without honor.

Mr. SAUNDERS of Virginia. It makes him forfeit his pay and leaves him stranded.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. PADGETT: Page 18, lines 21 to 23, strike out the words "though regularly discharged and reenlisted immediately upon expiration of a full four-year enlistment" and in lieu thereof insert "now provided by law for men who extend enlistment on completion of full four-year term of enlistment."

Mr. PADGETT. I explained yesterday what that was. Under existing law when a man came to extend his enlistment in the Navy one, two, three, or four years he has to extend it for four years to get the benefit of the rate of the four months' pay. Under the law if a man serves the full four years he can be discharged, and if reenlisted within four months he gets four months' pay for reenlistment. Under the wording of this, when we put it in we understood, and it was so represented, that he would have to add all he had served to the extension, making four years. But as it is worded in the bill there is an interpretation that he might get that four months' pay upon extending for one year.

Mr. MADDEN. The four months' pay, in other words, is included in the four years?

Mr. PADGETT. Yes; he must serve four years in order to get the four months' pay, and this is to make it clear.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 18, line 15, after the word "discharged," change the period to a colon and add the following:

"*Provided further*, That any enlisted man who takes advantage of the provisions of this paragraph to secure a discharge from the Navy or Marine Corps and thereafter reenlists in the Navy or Marine Corps shall not be entitled to receive the benefits of the four months' pay provided by existing law for enlisted men reenlisting within four months."

Mr. MANN. Mr. Chairman, before the vote is taken upon that amendment, I ask unanimous consent that the gentleman from Pennsylvania [Mr. MCFADDEN] may proceed for two minutes out of order.

The CHAIRMAN. Does the gentleman from Tennessee yield for that purpose?

Mr. PADGETT. Yes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Pennsylvania [Mr. MCFADDEN] may proceed for two minutes out of order. Is there objection?

There was no objection.

Mr. MCFADDEN. Mr. Chairman and gentleman of the House, in the gallery of the House at this time sits Eddy Rickenbacher, the ace of aces. [Prolonged applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 17, line 21, strike out lines 21, 22, 23, 24, and 25, and in lieu of the language stricken out insert:

"That enrolled men so transferred shall be entitled to and receive the same pay, rights, privileges, and allowances in all respects as now provided by existing law for men regularly discharged and reenlisted immediately upon expiration of their full four years' enlistment in the regular Navy or Marine Corps."

Mr. PADGETT. Mr. Chairman, this is the same as the other with reference to the four months' pay, so that they would have to come in and serve their four years by doing their service instead of extending for one year and getting the benefit of the four months' pay.

Mr. BUTLER. It is the same limitation as the gentleman has already offered?

Mr. PADGETT. It is the same as the other.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I also offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 17, line 11, strike out the word "member" and insert the word "men."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

Mr. PADGETT. Mr. Chairman, I move that the committee do now rise and report the bill to the House, with the various amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass. Pending that I ask unanimous consent that the Clerk may be authorized to correct the totals.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the Clerk may be authorized to correct the totals. Is there objection?

There was no objection.

Mr. MCCULLOCH. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the motion of the gentleman from Tennessee, that the committee do now rise and report the bill with amendments to the House with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARRETT of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 15539, the naval appropriation bill, and had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. PADGETT. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. MANN. Mr. Speaker, I ask for a separate vote on the Padgett amendment, which was offered in accordance with the provisions of the rule.

The SPEAKER. The gentleman from Illinois demands a separate vote on the Padgett amendment, which was made germane by the rule this morning. Is a separate vote demanded on any other amendment; if not, the Chair will put them in gross.

The question was taken, and the remaining amendments were agreed to.

The SPEAKER. The question is on the Padgett amendment.

SECOND DEFICIENCY APPROPRIATION BILL.

Mr. SHERLEY. Mr. Speaker, pending that may I present a conference report for printing under the rule?

The SPEAKER. The Clerk will report it by title.

The Clerk read as follows:

A bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes.

The SPEAKER. Ordered printed under the rule.

The conference report and statement are as follows:

CONFERENCE REPORT (NO. 1058).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2 and 4.

That the House recede from its disagreement to the amendments of the Senate numbered 3, 5, 6, and 7, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: On page 3 of the bill, in line 4, strike out "$12,000" and insert in lieu thereof "$6,000"; and the Senate agree to the same.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

THOMAS S. MARTIN,
O. W. UNDERWOOD,
F. E. WARREN.
Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 15140) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1919, and prior fiscal years, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of said amendments, namely:

On No. 1: Appropriates $6,000, as proposed by the Senate, instead of $12,000, as proposed by the House, for expenses of community forums and civic centers in public-school buildings in the District of Columbia.

On No. 2: Authorizes the use in the District of Columbia of $9,000, as proposed by the House, instead of $5,000, as proposed by the Senate, of the appropriation for carrying on the work of the Employees' Compensation Commission in France.

On No. 3: Strikes out, as proposed by the Senate, the paragraph providing for the occupancy of the Navy Department Annex by the Auditor for the War Department.

On No. 4: Appropriates $23,000, as proposed by the House, for furniture and other office equipment for the Treasury Department.

On No. 5: Appropriates $5,000,000, as proposed by the Senate, instead of $4,000,000, as proposed by the House, for temporary employees of the War Department.

On No. 6: Provides for the restoration to their former positions of all former Government employees who have been drafted or enlisted in the military service in the manner as proposed by the Senate, instead of in the manner proposed by the House.

On No. 7: Appropriates $2,614.84 for rent of buildings for the Navy Department, as proposed by the Senate, instead of $2,570.84, as proposed by the House.

SWAGAR SHERLEY,
JOHN J. EAGAN,
J. G. CANNON,
Managers on the part of the House.

LEGALIZING INFORMAL CONTRACTS.

Mr. DENT. Mr. Speaker, pending that I would like to submit a conference report on the bill H. R. 13274.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

The SPEAKER. Ordered printed under the rule.

COAL, OIL, AND GAS LEASES.

Mr. FERRIS. Mr. Speaker, I desire to submit a conference report on the bill S. 2812, the oil-leasing bill, to be printed under the rule.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (S. 2812) to encourage and promote the mining of coal, phosphate, gas, and sodium on the public domain.

The SPEAKER. Ordered printed under the rule.

Mr. LEVER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from South Carolina rise?

Mr. LEVER. Mr. Speaker, I desire to announce to the House that to-day I reported the bill to take care of the guaranteed price of wheat. Members have been making many inquiries about it.

The SPEAKER. The question is on the Padgett amendment.

Mr. MANN. Mr. Speaker, on that I ask for the yeas and nays.

The SPEAKER. The gentleman from Illinois demands the yeas and nays. Manifestly a sufficient number, and the yeas and nays are ordered.

The question was taken; and there were—yeas 194, nays 142, answered "present" 3, not voting 90, as follows:

YEAS—194.

Alexander	Dominick	Key, Ohio	Riordan
Almon	Donovan	Kiess, Pa.	Robinson
Aswell	Doolittle	Kincheloe	Rogers
Austin	Doremus	Kitchin	Romjue
Ayres	Drane	Kreider	Rouse
Bacharach	Dupré	Lampert	Rubey
Baer	Eagan	Lazaro	Rucker
Barkley	Eagle	Lee, Ga.	Sanders, La.
Barnhart	Farr	Lesher	Schall
Beakes	Ferris	Lever	Scully
Bell	Fields	Linthicum	Shackleford
Benson	Fisher	Littlepage	Shouse
Beshlin	Foss	Lobeck	Sims
Blackmon	Foster	Lonergan	Small
Bland, Va.	Freeman	Lufkin	Smith, Mich.
Blanton	Fuller, Mass.	McArthur	Smith, C. B.
Brand	Gallagher	McClintic	Snook
Britten	Gallivan	McCulloch	Stedman
Brodbeck	Gandy	McKeown	Steele
Browning	Gard	McLemore	Stephens, Nebr.
Buchanan	Garrett, Tenn.	Maher	Sterling
Burnett	Garrett, Tex.	Mansfield	Sumners
Butler	Godwin, N. C.	Martin	Tague
Byrnes, S. C.	Goodwin, Ark.	Mays	Taylor, Colo.
Byrns, Tenn.	Gordon	Miller, Wash.	Thomas
Campbell, Pa.	Gray, Ala.	Montague	Thompson
Candler, Miss.	Gregg	Moon	Tillman
Cantrill	Griest	Morin	Tinkham
Caraway	Griffin	Mudd	Van Dyke
Carew	Hadley	Neely	Venable
Carter, Okla.	Hamlin	Nolan	Vinson
Classon	Hardy	Oldfield	Walton
Cleary	Harrison, Miss.	Oliver, Ala.	Watkins
Coady	Hastings	Oliver, N. Y.	Watson, Va.
Connally, Tex.	Hayden	Olney	Weaver
Connelly, Kans.	Heflin	Osborne	Webb
Cooper, Wis.	Hicks	Overmyer	Welling
Crago	Holland	Overstreet	Welty
Crisp	Houston	Padgett	Whaley
Crosser	Howard	Peters	Wilson, La.
Curry, Cal.	Hull, Tenn.	Phelan	Wilson, Tex.
Dallinger	Humphreys	Polk	Wingo
Davey	Igoe	Pou	Wise
Decker	Jacoway	Quin	Woods, Iowa
Dent	Johnson, Ky.	Ragsdale	Wright
Denton	Jones	Rainey, H. T.	Young, Tex.
Dewalt	Kehoe	Rainey, J. W.	Zihlman
Dickinson	Kelley, Mich.	Raker	
Dixon	Kettner	Ramseyer	

NAYS—142.

Anderson	Fess	Lea, Cal.	Scott, Mich.
Anthony	Focht	Little	Sells
Bankhead	Fordney	London	Shallenberger
Black	Frear	Longworth	Sherwood
Bowers	French	McFadden	Sinnott
Browne	Garland	McKenzie	Sisson
Burroughs	Gillett	McLaughlin, Mich.	Slemp
Campbell, Kans.	Glynn	Madden	Sloan
Cannon	Good	Magee	Snell
Carter, Mass.	Goodall	Mann	Stafford
Cary	Gould	Mapes	Steagall
Chandler, Okla.	Green, Iowa	Merritt	Steenerson
Clark, Pa.	Greene, Mass.	Mondell	Stephens, Miss.
Cooper, W. Va.	Greene, Vt.	Moore, Pa.	Stiness
Cramton	Hamilton, Mich.	Morgan	Sweet
Currie, Mich.	Hawley	Mott	Switzer
Dale	Hersey	Nelson, A. P.	Temple
Darrow	Hilliard	Nelson, J. M.	Timberlake
Davis	Hollingsworth	Paige	Towner
Dempsey	Huddleston	Parker, N. Y.	Vare
Denison	Hull, Iowa	Porter	Vestal
Dies	Hutchinson	Powers	Voigt
Dill	Ireland	Purnell	Volstead
Dillon	James	Ramsey	Walsh
Doughton	Johnson, S. Dak.	Randall	Ward
Dowell	Johnson, Wash.	Rankin	Wason
Dunn	Juul	Reavis	Wheeler
Dyer	Kearns	Reed	White, Me.
Edmonds	Kelly, Pa.	Roberts	Williams
Elliott	Kennedy, Iowa	Rose	Wilson, Ill.
Ellsworth	Kennedy, R. I.	Rowe	Winslow
Elston	King	Sanders, Ind.	Wood, Ind.
Esch	Kinkaid	Sanders, N. Y.	Woodyard
Essen	Knutson	Sanford	Young, N. Dak.
Fairchild, B. L.	Kraus	Saunders, Va.	
Fairfield	La Follette	Scott, Iowa	

ANSWERED "PRESENT"—3.

Caldwell	Emerson	Rayburn

NOT VOTING—90.

Ashbrook	Flynn	Langley	Russell
Birch	Francis	Larsen	Sabath
Bland, Ind.	Fuller, Ill.	Lehlbach	Sears
Booher	Garner	Lundeen	Sherley
Borland	Graham, Ill.	Lunn	Siegel
Brumbaugh	Graham, Pa.	McAndrews	Slayden
Carlin	Gray, N. J.	McCormick	Smith, Idaho
Chandler, N. Y.	Hamill	McKinley	Smith, T. F.
Church	Hamilton, N. Y.	McLaughlin, Pa.	Snyder
Clark, Fla.	Harrison, Va.	Mason	Stevenson
Claypool	Haskell	Miller, Minn.	Strong
Collier	Haugen	Moores, Ind.	Sullivan
Cooper, Ohio	Hayes	Nicholls, S. C.	Swift
Copley	Heaton	Nichols, Mich.	Taylor, Ark.
Costello	Heintz	Norton	Templeton
Cox	Helm	O'Shaunessy	Tilson
Delaney	Helvering	Park	Treadway
Dooling	Hensley	Parker, N. J.	Waldow
Drukker	Hood	Platt	Walker
Estopinal	Husted	Pratt	Watson, Pa.
Evans	Kahn	Price	White, Ohio
Fairchild, G. W.	Keating	Rodenberg	
Flood	LaGuardia	Rowland	

So the amendment was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. ASHBROOK (for) with Mr. HASKELL (against).

Mr. CALDWELL (for) with Mr. MOORES of Indiana (against).

Mr. COLLIER (for) with Mr. LAGUARDIA (against).

Mr. HOOD (for) with Mr. SIEGEL (against).

Mr. HENSLEY (for) with Mr. COOPER of Ohio (against).

Mr. MILLER of Minnesota (for) with Mr. GRAHAM of Illinois (against).

Mr. SMITH of Idaho (for) with Mr. LANGLEY (against).

Mr. THOMAS F. SMITH (for) with Mr. LEHLBACH (against).

Until further notice:

Mr. NICHOLLS of South Carolina with Mr. HAYES.

Mr. CARLIN with Mr. KAHN.

Mr. CHURCH with Mr. HAUGEN.

Mr. CLARK of Florida with Mr. FULLER of Illinois.

Mr. O'SHAUNESSY with Mr. GRAHAM of Pennsylvania.

Mr. SULLIVAN with Mr. BIRCH.

Mr. HELM with Mr. MASON.

Mr. SEARS with Mr. NICHOLS of Michigan.

Mr. LUNN with Mr. SNYDER.

Mr. LARSEN with Mr. HAMILTON of New York.

Mr. CALDWELL. Mr. Speaker, I voted "yea," but I am paired with Mr. MOORES of Indiana, and I would like to be recorded "present" instead.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is, Shall the bill pass?

Mr. PADGETT and Mr. MANN demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 280, nays 50, answered "present" 2, not voting 97, as follows:

YEAS—280.

Alexander	Drane	Kraus	Roberts
Almon	Dunn	Kreider	Robinson
Aswell	Dupré	Lampert	Rogers
Austin	Eagan	Lazaro	Romjue
Ayres	Eagle	Lea, Cal.	Rose
Bacharach	Edmonds	Lee, Ga.	Rouse
Baer	Ellsworth	Lesher	Rowe
Barkley	Elston	Lever	Rubey
Barnhart	Esch	Linthicum	Sanders, Ind.
Beakes	Fairchild, B. L.	Littlepage	Sanders, La.
Bell	Farr	Lobeck	Sanders, N. Y.
Benson	Ferris	Lonergan	Sanford
Beshlin	Fess	Longworth	Schall
Black	Fields	Lufkin	Scully
Blackmon	Fisher	McArthur	Shackleford
Bland, Va.	Focht	McClintic	Shallenberger
Blanton	Foss	McCulloch	Sherley
Bowers	Foster	McFadden	Shouse
Brand	Freeman	McKenzie	Sims
Britten	Fuller, Mass.	McKeown	Sinnott
Brodbeck	Gallagher	McLaughlin, Mich.	Slemp
Browning	Gallivan	McLemore	Sloan
Buchanan	Gandy	Madden	Small
Burnett	Gard	Magee	Smith, Mich.
Burroughs	Garland	Maher	Snell
Butler	Garrett, Tenn.	Mann	Snook
Byrnes, S. C.	Garrett, Tex.	Mansfield	Stedman
Byrns, Tenn.	Gillett	Mapes	Steele
Caldwell	Glynn	Martin	Sterling
Campbell, Kans.	Godwin, N. C.	Mays	Stiness
Campbell, Pa.	Goodwin, Ark.	Merritt	Sumners
Candler, Miss.	Gordon	Miller, Wash.	Sweet
Cannon	Gray, Ala.	Montague	Switzer
Cantrill	Green, Iowa	Moon	Tague
Caraway	Greene, Mass.	Moore, Pa.	Temple
Carew	Greene, Vt.	Morgan	Thomas
Carter, Okla.	Gregg	Morin	Thompson
Cary	Griest	Mott	Tillman
Clark, Pa.	Griffin	Mudd	Timberlake
Classon	Hadley	Neely	Tinkham
Cleary	Hardy	Nelson, A. P.	Towner
Coady	Harrison, Miss.	Nicholls, S. C.	Van Dyke
Connally, Tex.	Hastings	Nichols, Mich.	Vare
Connelly, Kans.	Hawley	Nolan	Venable
Cooper, W. Va.	Hayden	Oldfield	Vestal
Cooper, Wis.	Heflin	Oliver, Ala.	Vinson
Crago	Hicks	Oliver, N. Y.	Walsh
Crisp	Holland	Olney	Walton
Crosser	Houston	Osborne	Wason
Curry, Cal.	Howard	Overmyer	Watkins
Dale	Hull, Iowa	Overstreet	Watson, Va.
Dallinger	Hull, Tenn.	Padgett	Weaver
Darrow	Humphreys	Paige	Webb
Davey	Igoe	Parker, N. Y.	Welling
Davis	Jacoway	Peters	Welty
Decker	Johnson, Ky.	Phelan	Whaley
Dempsey	Jones	Polk	Wheeler
Dent	Juul	Pou	White, Me.
Denton	Kearns	Purnell	Wilson, Ill.
Dewalt	Kehoe	Quin	Wilson, La.
Dickinson	Kelley, Mich.	Ragsdale	Wilson, Tex.
Dill	Kennedy, Iowa	Rainey, H. T.	Wingo
Dillon	Kennedy, R. I.	Rainey, J. W.	Winslow
Dixon	Kettner	Raker	Wise
Dominick	Key, Ohio	Ramsey	Woods, Iowa
Donovan	Kiess, Pa.	Ramseyer	Woodyard
Doolittle	Kincheloe	Randall	Wright
Doremus	King	Rayburn	Young, N. Dak.
Doughton	Kinkaid	Reed	Young, Tex.
Dowell	Kitchin	Riordan	Zihlman

NAYS—50.

Anderson	Essen	James	Scott, Iowa
Anthony	Fairfield	Johnson, S. Dak.	Scott, Mich.
Bankhead	Fordney	Johnson, Wash.	Sells
Browne	Frear	Kelly, Pa.	Sherwood
Carter, Mass.	French	Knutson	Sisson
Chandler, Okla.	Good	La Follette	Stafford
Claypool	Goodall	Little	Steagall
Cramton	Hamilton, Mich.	London	Stephens, Miss.
Currie, Mich.	Hersey	Mondell	Voigt
Denison	Hilliard	Nelson, J. M.	Volstead
Dies	Hollingsworth	Powers	Wood, Ind.
Dyer	Huddleston	Rankin	
Elliott	Hutchinson	Reavis	

ANSWERED "PRESENT"—2.

Emerson	Ireland

NOT VOTING—97.

Ashbrook	Fairchild, G. W.	Helvering	O'Shaunessy
Birch	Flood	Hensley	Park
Bland, Ind.	Flynn	Hood	Parker, N. J.
Booher	Francis	Husted	Platt
Borland	Fuller, Ill.	Kahn	Porter
Brumbaugh	Garner	Keating	Pratt
Carlin	Gould	LaGuardia	Price
Chandler, N. Y.	Graham, Ill.	Langley	Rodenberg
Church	Graham, Pa.	Larsen	Rowland
Clark, Fla.	Gray, N. J.	Lehlbach	Rucker
Collier	Hamill	Lundeen	Russell
Cooper, Ohio	Hamilton, N. Y.	Lunn	Sabath
Copley	Hamlin	McAndrews	Saunders, Va.
Costello	Harrison, Va.	McCormick	Sears
Cox	Haskell	McKinley	Siegel
Delaney	Haugen	McLaughlin, Pa.	Slayden
Dooling	Hayes	Mason	Smith, Idaho
Drukker	Heaton	Miller, Minn.	Smith, C. B.
Estopinal	Heintz	Moores, Ind.	Smith, T. F.
Evans	Helm	Norton	Snyder
Steenerson	Swift	Treadway	White, Ohio
Stephens, Nebr.	Taylor, Ark.	Waldow	Williams
Stevenson	Taylor, Colo.	Walker	
Strong	Templeton	Ward	
Sullivan	Tilson	Watson, Pa.	

So the bill was passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. STEPHENS of Nebraska with Mr. MILLER of Minnesota.

Mr. SMITH of Idaho with Mr. LANGLEY.

Mr. HENSLEY with Mr. COOPER of Ohio.

Mr. THOMAS F. SMITH with Mr. LEHLBACH.

Mr. ASHBROOK with Mr. HASKELL.

Mr. HOOD with Mr. SIEGEL.

Mr. SEARS with Mr. HAYES.

Mr. HAMLIN with Mr. MOORES of Indiana.

Mr. HELVERING with Mr. GRAHAM of Illinois.

Mr. MCANDREWS with Mr. GOULD.

Mr. TAYLOR of Colorado with Mr. WARD.

On the vote:

Mr. COLLIER (for) with Mr. LAGUARDIA (against).

Mr. IRELAND. Mr. Speaker, I desire to vote "aye."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. IRELAND. I was not.

The SPEAKER. Then the gentleman can not vote. Does he desire to vote "present"?

Mr. IRELAND. Yes.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. IRELAND, and he answered "Present."

Mr. WILLIAMS. Mr. Speaker, I want to vote "aye."

The SPEAKER. Was the gentleman in the Hall, listening?

Mr. WILLIAMS. No.

The SPEAKER. Then you can not do it.

Mr. WILLIAMS. I will vote "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. WILLIAMS, and he answered "Present."

The result of the vote was announced as above recorded.

On motion of Mr. PADGETT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent to extend my remarks by printing a letter from the Secretary of the Navy in response to my request for information relative to the radio stations.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Following is the letter referred to:

THE SECRETARY OF THE NAVY,
Washington, February 3, 1919.

MY DEAR MR. CHAIRMAN: In response to your inquiry regarding the action of the Navy Department in purchasing the Marconi ship-to-shore stations, with special reference to the remarks of the Hon. JAMES R. MANN in the CONGRESSIONAL RECORD of January 29, 1919, I beg to submit the following:

Mr. MANN stated that I went before Congress and asked for authority to make this purchase and that authority was denied me. I have not at any time appeared before Congress asking for such authority. Such action would have been wholly unnecessary and uncalled for, as the solicitor had already officially advised me that it was a matter entirely under my jurisdiction. Mr. MANN undoubtedly had in mind my appearance before the House Committee on the Merchant Marine and Fisheries on the bill for the regulation of radio communication before which I advocated Government control of all radio stations. At that time the purchase of the Marconi stations, which Mr. MANN referred to, had been concluded. The circumstances leading up to this purchase are these:

Under the authority vested in the President for the prosecution of the war all radio stations were placed under control of the Navy Department and the rental paid therefor based upon their earnings over a period of time. This control by the Navy Department was necessary in order to insure reliable communication, to limit the use of radio, and so to control its use that the department would have complete knowledge of what was being done by that means of communication. The inadequacy of existing regulations to peace conditions or to conditions such as existed before the United States entered the war was clearly evidenced by the fact that for a long time a German company remained in control of the powerful high-power station at Sayville, which broadcasted information and sent unneutral messages to German cruisers operating in the Atlantic.

Most of the Marconi coastal stations whose purchase was effected by the Navy Department had been operated continuously in the Navy coast signal service since the United States entered the war and had proved to be of great military value. Their value to the naval communication service would be even greater after peace was declared, due to the necessity for increased facilities to meet the radio requirements of our enlarged merchant marine and to eliminate interference. We were paying the Marconi Co. an annual rental for them amounting to $67,827.24. In addition we had paid the Marconi Co. rental for their ship stations on those merchant ships which had been commissioned by the Navy, this rental being at the rate of $1,000 per annum per ship. As the value of the equipment varied from $750 to $3,500 per ship, it is apparent that if this procedure were long continued we should soon pay for the equipment, which would still remain the property of the Marconi Co. The Navy Department, therefore, adopted the policy of

purchasing the ship equipment rather than pay rental, as the steamship companies were compelled to do.

The business which the Marconi Co. had built up comprised shore stations at intervals along the coast designed especially for communicating with ships at sea, these ships being equipped with radio apparatus owned by the Marconi Co. and leased to the owners of the ship at an annual rental of $1,000. Ships proceeding along the coast would communicate with a station, which would in turn communicate by land wire, if necessary, with the owners, and thus keep them fully advised of her movements and make it possible for the owners at any time to judge the destination of the ship or communicate instructions to her.

The Shipping Board, which has taken over a large number of ships, was also paying the rental to the Marconi Co. which the owners previously paid, and on June 4, 1918, the Shipping Board adopted a resolution authorizing the Bureau of Steam Engineering of the Navy Department "to purchase for account of the Shipping Board the leased radio equipment and all vessels operated by or under control of the Shipping Board."

This was communicated to the Bureau of Steam Engineering under date of June 6, 1918, and that bureau entered into negotiations with the Marconi Co. for the purchase of the radio equipment installed on ships operated by or under the control of the Shipping Board. Owing to the absence in South America of the president of the Marconi Co., definite reply to the inquiry addressed to that company was not made until October 8, 1918, when the company stated that their ship and shore stations were so interrelated that the ship-to-shore business of the company would disappear with the sale of either. They preferred to sell both the ship and shore stations rather than either one and named a figure of $2,040,240 as their price, which, it was stated, had been arrived at from a capitalization of their business on a 5 per cent basis.

Careful investigation was entered into with respect to the property and rights to be retained by the Marconi Co. The Bureau of Steam Engineering, acting upon the request of the Shipping Board, recommended the purchase of the stations. The Acting Chief of Naval Operations recommended the purchase for urgent military reasons. The matter was then referred to the Assistant Secretary of the Navy for examination, and his answer was that the purchase was wise and necessary and was worth $1,500,000 to the United States. A conference was then had with the president of the Marconi Co., who declined an offer of $1,250,000, but finally agreed to accept $1,450,000 and to include in the transfer four stations in Alaska which up to that time had not been considered in the negotiations but which are considered valuable acquisitions.

This purchase was absorbed by the Shipping Board, the Railroad Administration, which also had ships using this apparatus under its jurisdiction, and the Navy Department, the Shipping Board paying $519,300, the Railroad Administration $141,200, and the Navy Department the remainder, $789,500. The amount paid by the Shipping Board represented the value of the radio equipment of 267 ships, and that by the Railroad Administration the equipment of 63 ships.

That the purchase will prove a good investment for the Government should be apparent from the statement that, as I have before stated, the Navy Department was paying the Marconi Co. an annual rental of $67,887.24 for the shore stations which it had been operating, besides which the annual rental for the stations on the ships operated by the Shipping Board and the Railroad Administration was $330,000, a total of $397,887.24, which ceased upon the purchase of the entire system for $1,450,000.

The purchase was not approved until I was satisfied officially by the solicitor that there was no legal obstacle. From the remarks of Mr. MANN in the CONGRESSIONAL RECORD, I judge that he is under the impression that I exceeded the limitation of $10,000 imposed for the purchase of land for sites for radio stations. While I am unwilling to admit that this provision applies to the transaction under consideration, I desire to state for your information that the value of the land included in the purchase, as given by the Marconi Co., is $5,930. Some of the stations are on leased ground, and in the contract with the Marconi Co. it is provided that the Navy Department shall take over the leases formerly held by that company.

That there was no misrepresentation of the attitude of the Navy Department before the Committee on the Merchant Marine and Fisheries is evident from the most casual perusal of my hearing. On page 9 I state:

"The operation of the radio service has proven so satisfactory that the *purchase of the shore radio stations of the Federal Telegraph Co. and the Marconi Wireless Telegraph Co. of America, except the four high-power stations of the latter, has recently been announced.*" [Italic mine.]

It is obvious that I could not have asked this authority of the committee, and not having asked for the authority, the committee could not have denied me something I had not asked.

Again on the same page I state:

"This purchase means that the Marconi Co. has gone out of business of handling ship-to-shore messages, and this business has been turned over to the Navy Department, by whom it will be handled in future."

The bill H. R. 13159, the passage of which I advocated before the Committee on the Merchant Marine and Fisheries of the House of Representatives, is a bill looking to the Government ownership of all radio stations in the United States, with the exception of amateur and experimental stations. It is specifically pointed out that the department considers the Government ownership of radio stations as a proposition entirely independent of the Government ownership of public utilities in general. Radio telegraphy, on account of unavoidable interference, must have centralized and unified control, which, in the opinion of the department, can be attained only by Government ownership.

It is the desire of the department to prevent any possibility of the erection of stations by companies incorporated in this country, but secretly under foreign control, as has happened in the past in the case of the Sayville and Tuckerton stations. This bill is entirely apart from any consideration of recent purchase of the stations of the Marconi and Federal Telegraph Cos., to which the remarks of Mr. MANN were directed.

The whole question of the purchase of these coastal stations was gone into thoroughly before the committee, and the committee understood perfectly that the purchase had been made. There was absolutely no question of it.

Very respectfully,

JOSEPHUS DANIELS.

Hon. L. P. PADGETT,
Chairman Committee on Naval Affairs,
House of Representatives, Washington, D. C.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DARROW, for three days, on account of official business.

To Mr. ASHBROOK, for three days, on account of official business.

EXTENSION OF REMARKS.

Mr. SANDERS of Indiana rose.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. SANDERS of Indiana. To ask unanimous consent to extend my remarks by printing in the RECORD the very able eulogy delivered by the gentleman from South Dakota [Mr. JOHNSON] at Norristown, Pa., on Theodore Roosevelt.

The SPEAKER. The gentleman from Indiana asks unanimouse consent to extend his remarks by printing a eulogy by Mr. JOHNSON of South Dakota on Col. Roosevelt. Is there objection?

There was no objection.

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER. The gentleman from Alabama asks unanimous consent to extend his remarks on the bill just passed. Is there objection?

There was no objection.

Mr. HOLLINGSWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WELLING. Mr. Speaker, I make the same request.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

ARMY APPROPRIATION BILL.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15835, making appropriations for the support of the Army for the next fiscal year; and, pending that, Mr. Speaker, I ask unanimous consent that the control of the time during the general debate be divided equally between the gentleman from California [Mr. KAHN] and myself.

The SPEAKER. The gentleman from Alabama moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15835, the Army appropriation bill; and, pending that, he asks unanimous consent that the time on general debate be divided half and half between himself and the gentleman from California [Mr. KAHN]. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion to go into Committee of the Whole House on the state of the Union.

The motion was agreed to.

The SPEAKER. The Chair had asked Judge SAUNDERS, of Virginia, to preside over this committee, but he has disappeared, and the Chair will ask the gentleman from Massachusetts [Mr. GALLIVAN] to preside until Judge SAUNDERS returns.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15835, the Army appropriation bill, with Mr. GALLIVAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 15835, the Army appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 15835) making appropriations for the support of the Army for the fiscal year ending June 30, 1920.

Mr. DENT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. DENT. Mr. Chairman, this bill, so far as the amounts are concerned, has been reported by the Committee on Military Affairs practically unanimously. The legislation that has been put upon the bill is also practically unanimously agreed upon by the membership of the Committee on Military Affairs. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GALLIVAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the Army appropriation bill, H. R. 15835, had come to no resolution thereon.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bill of the following title, when the Speaker signed the same:

H. R. 15219. An act making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1920, and for other purposes.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p. m.) the House adjourned until Wednesday, February 12, 1919, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, transmitting reports as to the rents received from properties located on sites of proposed public buildings purchased by the United States Government in Washington, D. C. (H. Doc. No. 1785); to the Committee on Public Buildings and Grounds and ordered to be printed.

2. Letter from the Secretary of the Treasury, transmitting copy of a communication from the Secretary of War, submitting supplemental estimate of appropriation required by the Ordnance Department of the Army for Watertown Arsenal testing machines, fiscal year 1920 (H. Doc. No. 1786); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

By Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15836) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, reported the same without amendment, accompanied by a report (No. 1053), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. LEVER, from the Committee on Agriculture, to which was referred the bill (H. R. 15796) to enable the President to carry out the price guaranties made to producers of wheat of the crops of 1918 and 1919 and to protect the United States against undue enhancement of its liabilities thereunder, reported the same with amendment, accompanied by a report (No. 1055), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

By Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15707) granting the consent of Congress to the county of Martin, in the State of North Carolina, to construct a bridge across the Roanoke River at or near Williamston, N. C., reported the same without amendment, accompanied by a report (No. 1049), which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill (H. R. 15207) granting the consent of Congress to the Fall Branch Coal Co. to construct a bridge across Tug River, reported the same without amendment, accompanied by a report (No. 1050), which said bill and report were referred to the House Calendar.

Mr. SANDERS of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 14555) granting the consent of Congress to the board of supervisors of Itawamba County, Miss., to construct a bridge across the Tombigbee River at or near Barr's Ferry, in said county, reported the same with amendment, accompanied by a report (No. 1051), which said bill and report were referred to the House Calendar.

Mr. DECKER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 15039) granting the consent of Congress to the Newport road district to construct a bridge across the White River within or near the city limits of the city of Newport, Ark., reported the same without amendment, accompanied by a report (No. 1052), which said bill and report were referred to the House Calendar.

Mr. FLOOD, from the Committee on Foreign Affairs, to which was referred the joint resolution (H. J. Res. 357) requesting the commissioners plenipotentiary of the United States of America to the international peace conference to present to the said conference the right of Ireland to freedom, independence, and self-determination, reported the same with amendment, accompanied by a report (No. 1054), which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SHALLENBERGER, from the Committee on Military Affairs, to which was referred the bill (H. R. 13802) authorizing the Secretary of War to grant to John D. Sherwood, of Spokane, Wash., the right to overflow certain lands on the Fort George Wright Military Reservation, at Spokane, Wash., and to accept the conveyance to the United States of other lands to be designated by the Secretary of War and suitable for a rifle range in exchange for the land so overflowed, reported the same without amendment, accompanied by a report (No. 1056), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. EMERSON: A bill (H. R. 15844) to incorporate The United States Soldiers, Sailors, and Marines World's War Veterans; to the Committee on the District of Columbia.

By Mr. EDMONDS: A bill (H. R. 15845) to provide for ocean mail steamship lines to South America, and to provide for their operation and disposition, and for other purposes in connection therewith; to the Committee on the Merchant Marine and Fisheries.

By Mr. BRODBECK: A bill (H. R. 15846) authorizing the Secretary of War to donate to the borough of Red Lion, York County, Pa., one cannon or fieldpiece with carriage and suitable number of shells; to the Committee on Military Affairs.

By Mr. AYRES: A bill (H. R. 15847) authorizing the Secretary of War to donate to the city of Newton, Kans., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. OVERSTREET: A bill (H. R. 15848) authorizing the Secretary of War to donate to the city of Savannah, Ga., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. CALDWELL: A bill (H. R. 15849) authorizing the Secretary of War to donate to the Maspeth Civic Association one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MORGAN: A bill (H. R. 15850) authorizing the Secretary of War to donate to the city of Cherokee, State of Oklahoma, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. MILLER of Minnesota: A bill (H. R. 15851) authorizing the Secretary of War to donate to the village of Mountain Iron, Minn., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 15852) authorizing the Secretary of War to donate to the city of Marshall, Ill., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: A bill (H. R. 15853) to amend sections 8 and 21 of the copyright act approved March 4, 1909; to the Committee on Patents.

By Mr. DENISON: A bill (H. R. 15854) to provide for the erection of a public building at Carbondale, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. LAMPERT: A bill (H. R. 15855) authorizing the Secretary of War to donate to the village of Omro, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15856) authorizing the Secretary of War to donate to the village of Princeton, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15857) authorizing the Secretary of War to donate to the village of Green Lake, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15858) authorizing the Secretary of War to donate to the village of New Holstein, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15859) authorizing the Secretary of War to donate to the village of Montello, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 15860) authorizing the Secretary of War to donate to the village of Winneconne, Wis., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. WINSLOW: A bill (H. R. 15861) to authorize the acquisition of a site and the erection of a Federal building at Whitinsville, Mass.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15862) to authorize the acquisition of a site and the erection of a Federal building at Westboro, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. RAMSEY: A bill (H. R. 15863) for the purchase of a site and erection of a public building at Phillipsburg, N. J.; to the Committee on Public Buildings and Grounds.

By Mr. KALANIANAOLE: A bill (H. R. 15864) to establish a fund for public work in the Territory of Hawaii, and for other purposes; to the Committee on the Territories.

Also, a bill (H. R. 15865) granting statehood to the Territory of Hawaii; to the Committee on the Territories.

Also, a bill (H. R. 15866) authorizing the Secretary of War to donate captured German cannon and fieldpieces to the cities and towns of the Territory of Hawaii; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 15867) authorizing the Secretary of War to donate to the county of Gaston, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 15868) authorizing the Secretary of War to donate to the North Carolina School for the Deaf at Morganton, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 15869) authorizing the Secretary of War to donate to the city of Shelby, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 15870) authorizing the Secretary of War to donate to the city of Lincolnton, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

Also, a bill (H. R. 15871) authorizing the Secretary of War to donate to Davidson College, in the State of North Carolina, two German cannon or fieldpieces with carriage and suitable complement of projectiles; to the Committee on Military Affairs.

By Mr. WRIGHT: A bill (H. R. 15872) to authorize the Secretary of War to donate to the city of Columbus, Ga., one cannon or fieldpiece captured by the American Army from the forces of the Imperial German Government during the present war; to the Committee on Military Affairs.

By Mr. OLIVER of Alabama: A bill (H. R. 15873) authorizing the acquisition of a site for a public building at Greensboro, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. KINCHELOE: A bill (H. R. 15874) authorizing the Secretary of War to donate to the town of Sturgis, Ky., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. LUFKIN: A bill (H. R. 15875) for the purchase of a site for and the erection of a post-office building at Gloucester, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. TINKHAM: A bill (H. R. 15876) authorizing the Secretary of War to donate to the city of Boston, Mass., three German cannons or fieldpieces; to the Committee on Military Affairs.

By Mr. PHELAN: A bill (H. R. 15877) providing for a site and a Federal building for a post office at Peabody, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. CRISP: A bill (H. R. 15878) to provide for the purchase of a site for a public building at Ashburn, Ga.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15879) to provide for the purchase of a site and erection of a public building at Cuthbert, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. GODWIN of North Carolina: A bill (H. R. 15880) to provide for the erection of a public building at Southport, in the State of North Carolina; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15881) for the erection of a public building at Lumberton, N. C.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 15882) to provide for a site and public building at Dunn, N. C.; to the Committee on Public Buildings and Grounds.

By Mr. WOODS of Iowa: A bill (H. R. 15883) to provide for the construction, maintenance, and improvement of a system of national interstate roads; to the Committee on Roads.

By Mr. PHELAN: A bill (H. R. 15884) providing for a site and a Federal building for post office and other Government departments at Lynn, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. VINSON: Resolution (H. Res. 568) providing for the continued employment during the recess of nine messengers in the House of Representatives post office; to the Committee on Accounts.

By Mr. MILLER of Minnesota: Resolution (H. Res. 569) calling upon the Secretary of War to transmit a copy of The Bush Terminal Report; to the Committee on Military Affairs.

By Mr. FULLER of Illinois: Resolution (H. Res. 570) requesting the President to communicate to the House certain information regarding the War Trade Board; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES B. SMITH: Resolution (H. Res. 571) requesting the Secretary of Commerce to report on the value of motion pictures in promoting the expansion of interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By the SPEAKER: Memorial of the Legislature of the State of Utah urging an amendment of the law giving Federal aid in the construction of post roads, so as to insure a more equitable distribution of funds to sparsely settled States, and to provide a more reasonable time limit for the availability of such Federal aid; to the Committee on the Post Office and Post Roads.

Also, memorial from the Legislature of the State of Idaho, memorializing Congress to make an appropriation to construct a road in Idaho County, Idaho, to open up certain gold mining districts; to the Committee on the Post Office and Post Roads.

By Mr. CAMPBELL of Kansas: Memorial of the Legislature of the State of Kansas urging an appropriation for the building of a highway suggested by the Fort Leavenworth, Camp Funston, and Fort Bliss National Military Highway Association; to the Committee on Military Affairs.

By Mr. DAVIS: Memorial of the Legislature of the State of Minnesota, favoring the Smith-Bankhead bills making available for industrial and other cripples the same advantages of retraining that have been extended to soldiers wounded in line of duty, etc.; to the Committee on Education.

By Mr. LAMPERT: Memorial of the Legislature of the State of Ohio, urging the Congress of the United States to enact necessary legislation to allow soldiers, sailors, and marines who served in the war against Germany and her allies six months' pay after discharge; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Ohio, urging the Congress of the United States to secure at the earliest possible moment the discharge of farmers from the military and naval service; to the Committee on Military Affairs.

By Mr. LOBECK: Memorial of the Legislature of the State of Nebraska, calling upon Congress to fittingly reward the loyal and faithful men of the American Army and Navy; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Nebraska, protesting against the rewarding of slackers and objectors and urging the Congress to reward the brave and faithful who offered their lives in the service of the country; to the Committee on Military Affairs.

By Mr. MILLER of Minnesota: Memorial of the Legislature of the State of Minnesota, favoring the extension of the benefits of reeducation and retraining now extended by law to crippled soldiers, sailors, and marines to industrial and other cripples; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CARY: A bill (H. R. 15885) granting an increase of pension to Michael McCormick; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 15886) granting an increase of pension to Alonzo Green; to the Committee on Invalid Pensions.

By Mr. McCULLOCH: A bill (H. R. 15887) granting an increase of pension to George Brenizer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 15888) granting an increase of pension to Andrew Cook; to the Committee on Invalid Pensions.

By Mr. STEPHENS of Mississippi: A bill (H. R. 15889) to carry into effect the findings of the Court of Claims in favor of

Dora Alexander Miller and Emma Alexander, in her own right and as administratrix of the estates of Jennie Alexander, deceased, and of Charles T. Alexander, deceased; to the Committee on War Claims.

By Mr. WATKINS: A bill (H. R. 15890) to carry into effect the findings of the Court of Claims in favor of the estate of Jacob A. Wolfson, deceased; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BRODBECK: Petition of citizens of Red Lion, York County, Pa., asking for presentation of a captured German cannon, etc.; to the Committee on Military Affairs.

By Mr. CAREW: Petition of citizens of New York City, asking for repeal of the postal zone rate bill; to the Committee on Ways and Means.

Also, petition of fifty-fifth annual convention of the New York State Federation of Labor, protesting against the postal zone law; to the Committee on Ways and Means.

By Mr. CARY: Petition of Bricklayers' Union No. 8, of Wisconsin, held at Milwaukee, February 7, 1919, indorsing plans for appropriating funds to complete public works suspended by war; prohibiting immigration; providing salary for discharged soldiers; appropriating sum of money to purchase, drain, and irrigate Government-owned land to be sold to soldiers, sailors, and war workers; to the Committee on Military Affairs.

Also, petition of George Zeigler Co., Milwaukee, Wis., asking extension of time on new law governing profit required; to the Committee on the Judiciary.

By Mr. DALLINGER: Petition of sundry citizens of Arlington, Mass., protesting against the postal zone law; to the Committee on Ways and Means.

Also, petition of citizens of Arlington, Boston, and Salem, Mass., protesting against the postal zone law; to the Committee on Ways and Means.

By Mr. DAVIS: Petition of Minnesota Vegetable Growers' Association, at a meeting held January 30, 1919, at Minneapolis, Minn., protesting against any change in time, as by setting the clock ahead, as was authorized by a Federal act in 1918; to the Committee on Agriculture.

By Mr. DOOLING: Petition of Thomas J. Logan, Metal Trades Council, navy yard, New York, favoring immediate establishment of equitable retirement system for Federal employees; to the Committee on Reform in the Civil Service.

Also, petition of Traffic Club of New York, with membership of 1,100, urging Congress to enact such revised legislation as will provide a uniform system of regulation in essential matters and an early return of transportation systems of the country to control and management of their owners; to the Committee on Interstate and Foreign Commerce.

By Mr. EMERSON: Petition of H. B. & S. U., of Cleveland, Ohio, protesting against the admission to the league of nations nations that do not guarantee religious freedom; to the Committee on Foreign Affairs.

Also, petition adopted at meeting of leading citizens of Cleveland, Ohio, in favor of Senate resolution 378 (Senator LODGE's resolution); to the Committee on Foreign Affairs.

Also, petition of soldiers, sailors, and marines, requesting the incorporation of the United States Soldiers', Sailors', and Marines' World's War Veterans; to the Committee on Military Affairs.

By Mr. FAIRFIELD: Petition of citizens of Fort Wayne, Ind., for Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. FRENCH: Memorial of mayor and council of Boise, Idaho, urging reclamation of Idaho lands by irrigation; to the Committee on Irrigation of Arid Lands.

By Mr. HAMILTON of New York: Petition of sundry citizens of Dunkirk, N. Y., favoring the retention of the railroads by the Government; to the Committee on Interstate and Foreign Commerce.

By Mr. HENSLEY: Petition of E. W. O'Rouke, W. S. Preston, and other citizens of De Soto, Mo., favoring national ownership and Government operation of all railroads, and indorsing specifically House bill 10550; to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLINGSWORTH: Petition of Myron T. Herrick, chairman Cleveland Association of War Materials Manufacturers, favoring conference committee compromise on bill validating war-material contracts; to the Committee on Public Buildings and Grounds.

By Mr. KELLY of Pennsylvania: Petition of Braddock Board of Trade, favoring continued control of wire system of United States until proper legislation can be enacted by Congress; to the Committee on Interstate and Foreign Commerce.

By Mr. KRAUS: Petition of sundry citizens of Huntington, Ind., in favor of Government control of railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Wabash, Ind., in favor of Government control of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. LAMPERT: Petition of citizens of the State of Wisconsin, favoring House bill 10550, providing for the national ownership and Government operation of all railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of employees of the Soo Line Railway, North Fond du Lac, Wis., in favor of Government ownership of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. MOORE of Pennsylvania: Petition of Philadelphia Chamber of Commerce, opposing Government ownership of railroads and telegraph lines; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Petition of Humbolt Chamber of Commerce, of Eureka, Cal., asking Congress to prevent the return of German and Austrian former residents who departed to join the central armies; also, for the deportation of interned enemy aliens; to the Committee on Immigration and Naturalization.

Also, petition of John P. Dean, Berkeley, Cal., against theater tax; to the Committee on Ways and Means.

Also, petition of V. E. Rae, of Weaverville, Cal., protesting against the postal zone law; to the Committee on Ways and Means.

Also, petition of executive committee of the California Teachers' Association, Central Section, urging the passage of Senate bill 4987; to the Committee on Education.

By Mr. TAGUE: Evidence in support of H. R. 567; to the Committee on Rules.